



CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/23/2342/0F1
2.	Proposed Development:	PROPOSED GARDEN ROOM
3.	Location:	STATION HOUSE, PARKSIDE, CLEATOR MOOR
4.	Parish:	Arlecdon and Frizington
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations &Policy	Neighbour Notification Letter: YES Site Notice: NO Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report:	<p>SITE AND LOCATION</p> <p>This application relates to Station House, a detached property situated off Parkside Road near Cleator Moor.</p> <p>PROPOSAL</p> <p>Planning Permission is sought for the erection of a garden room. The outbuilding will have an overall width of 4.75 metres and a depth of 7.30 metres. It has been designed to include a sloped roof to be at the same height as the existing dwelling with a light lantern of 3m x 1.5m in the middle, high level windows to the northern elevation and bi-fold doors to the west. The room will be accessible from the garden and a single door through the existing wall.</p> <p>The proposal will be finished in wet dash with sandstone detail to match the main dwelling</p>

and random quoins to the edges. A close board timber fence will provide privacy to the north.

RELEVANT PLANNING APPLICATION HISTORY

There have been no previous planning applications at this property.

CONSULTATION RESPONSES

Consultees

Cleator Moor Town Council – No response received.

Public Representation

The application has been advertised by way of neighbour notification letters issued to 2 no. properties - No objections have been received as a result of this consultation process.

PLANNING POLICIES

Planning law requires applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Development Plan

On 1st April 2023, Copeland Borough Council ceased to exist and was replaced by Cumberland Council as part of the Local Government Reorganisation of Cumbria.

Cumberland Council inherited the local development plan documents of each of the sovereign Councils including Copeland Borough Council, which combine to form a Consolidated Planning Policy Framework for Cumberland.

The inherited the local development plan documents continue to apply to the geographic area of their sovereign Councils only.

The Consolidated Planning Policy Framework for Cumberland comprises the Development Plan for Cumberland Council until replaced by a new Cumberland Local Plan.

Copeland Local Plan 2013 – 2028 (Adopted December 2013)

Core Strategy

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM18 – Domestic Extensions and Alterations



Cumberland Council

Emerging Copeland Local Plan (ELP):

Cumberland Council are continuing the preparation and progression to adoption of the emerging Copeland Local Plan 2017-2038.

The emerging Copeland Local Plan 2017-2038 comprising the Publication Draft (January 2022) and Addendum (July 2022) have recently been examined by the Planning Inspector and their report on the soundness of the plan currently remains awaited.

The Planning Inspector has now issued their post hearing letter, which identifies the next steps for the Examination. This includes proposed modifications to the plan to ensure a sound plan on adoption.

As set out at Paragraph 48 of the National Planning Policy Framework (NPPF), Local Planning Authorities may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan; the extent to which objections to relevant policies have been resolved; and the degree to which emerging policies are consistent with the NPPF.

Given the stage of preparation of the emerging Copeland Local Plan 2017-2038 some weight can be attached to policies where no objections have been received or objections have been resolved. The Publication Draft (January 2022) and Addendum (July 2022) provides an indication of the direction of travel of the emerging planning policies, which themselves have been developed in accordance with the provisions of the NPPF.

The following policies are relevant to this proposal:

Policy DS1PU – Presumption in favour of Sustainable Development

Policy DS6PU – Design and Development Standards

Policy H14PU – Domestic Extensions and Alterations

Policy CO7PU: Parking Standards and Electric Vehicle Charging Infrastructure

Other Material Planning Considerations

National Planning Policy Framework 2023 (NPPF)

ASSESSMENT

The key issues raised by this proposal are the principle of development, its scale and design and the potential impacts on residential amenity.

Principle of Development

The proposed application relates to a residential dwelling within the Parkside area of Cleator Moor and it will provide an outbuilding within the rear garden. Policy DM18 of the CS and Policy H14PU of the ELP supports extensions and alterations to residential properties subject

to detailed criteria, which are considered below.

On this basis, the principle of the development is therefore considered to be acceptable and the extension satisfies Policies DM18 of the CS, H14PU of the ELP and the NPPF guidance.

Scale and Design

Policy ST1 of the CS, DS1PU of the ELP and section 12 of the NPPF seek to promote high quality designs. Policy DM10 and DM18 of the CS and DS6PU and H14PU of the ELP seek to ensure domestic alterations are of an appropriate scale and design which is appropriate to their surroundings and do not adversely affect the amenities of adjacent dwellings.

The proposed garden room will be relatively modest in scale and appropriately sited within the curtilage of the property and behind an existing high wall. Due to the siting, it will not be excessively prominent within the locality or overbearing for the neighbouring properties. The Coast to Coast route does run to the north of the dwelling and the garden room will be seen from this route, however it will be viewed in context with the existing dwelling and is likely to tidy up this area of the dwelling. In addition, the design of the garden room is considered to be suitable for its use and the choice of materials are considered to respect the existing character and appearance of the existing property and the surrounding residential area.

On this basis, the proposal is considered to meet Policies DM10 and DM18 of the CS, DS1PU and H14PU of the ELP and the NPPF guidance.

Residential Amenity

Policies ST1 and DM18 of the CS, H14PU of the ELP and section 12 of the NPPF seek to safeguard good levels of residential amenity of the parent property or adjacent dwellings.

The existing dwelling is located north of the other surrounding dwellings and the closest property is 20m to the south. The proposed garden room is to the north of the existing dwelling and on the opposite side of a high wall from any other residential properties therefore having no effect on their amenity. There will be no loss of light and the garden room will not be overbearing due to its siting.

In addition, there are no windows proposed that will have any effect on the neighbouring properties.

On this basis, the proposal is considered to comply with Policy DM18 of the CS, Policy H14PU of the ELP and the NPPF guidance.

Planning Balance and Conclusion

On balance, the proposed garden room is of an appropriate scale and design, and it will not have any detrimental impact on the amenities of the adjoining properties due to its siting behind a high wall and away from neighbouring properties.

The choice of materials respects the surrounding character and are therefore considered to be appropriate.



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Council**

	<p>It represents an acceptable form of development which accords with the policies set out within the adopted Local Plan and the guidance in the NPPF.</p>
8.	<p>Recommendation: Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <p>1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.</p> <p>Reason To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.</p> <p>2. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them: -</p> <ul style="list-style-type: none">- Site Location Plan, Block Plan, Existing Elevations and Existing Floor Plans, scales 1:1250, 1:500 and 1:100, drawing number 3A, received 21st November 2023;- Proposed Floor Plans, scale 1:100, drawing number 2A, received 21st November 2023;- Proposed Elevations, scale 1:100, drawing number 1A, received 21st November 2023. <p>Reason To conform with the requirement of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.</p> <p>Informative</p> <p>The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.</p> <p>Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority</p>

	Statement The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.
Case Officer: Sarah Papaleo	Date : 11/01/2024
Authorising Officer: N.J. Hayhurst	Date : 15/01/2024
Dedicated responses to:- N/A	