

**CUMBERLAND COUNCIL
DELEGATED PLANNING DECISION**

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| 1. | Reference No: | 4/23/2373/0F1 |
| 2. | Proposed Development: | RETENTION OF SINGLE STOREY EXTENSION TO GABLE END & BALCONY WITH GLASS BALUSTRADE ON FLAT ROOF SPACE (RETROSPECTIVE) |
| 3. | Location: | THE CROFT, CARLETON, EGREMONT |
| 4. | Parish: | Haile |
| 5. | Constraints: | ASC;Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change, DEPZ Zone - DEPZ Zone, Outer Consultation Zone - Sellafield 10KM |
| 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: | |
| | LOCATION | |
| | This application relates to The Croft, a detached property located within the hamlet of Carleton, close to Egremont. The site benefits from a large garden and it is bound by residential properties to the south-west and south-east and fields to the north-west and north-east. | |
| | PROPOSAL | |
| | Retrospective Planning Permission is sought for the retention of a single-storey extension | |

with a balcony and glass balustrade on the flat roof above.

The wrap-around extension provides an enlarged living room and sunroom on the ground floor. The extension has been designed with a flat roof with an overall height of approximately 3 metres with the garden sloping towards the rear. It has been constructed out of K-render, grey fiberglass roofing to match the colour of the slate roof of the dwelling and UPVC windows and doors.

The roof terrace is accessed via an external stair, and it includes a 1.1-metre-high clear glass balustrade along the edge. The roof terrace also includes a 1.5-metre-high opaque glazed balustrade on the side elevation.

RELEVANT PLANNING APPLICATION HISTORY

Planning Permission has previously been granted for:

- DETACHED GARAGE, NEW PORCH AND MINOR AMENDMENTS, TO APPROVED SCHEME - UNIT 1 (ref: 4/03/0816/0).

CONSULTATION RESPONSES

Consultees

Haile Parish Council – No comments received.

Public Representations

The application has been advertised by way of site notice and neighbour notification letters issued to 3 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.



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The inherited 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 DM12 – Standards for New Residential Development

Policy DM18 – Domestic Extensions and Alterations

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

Emerging Copeland Local Plan 2021-2038 (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.

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

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 and it will provide an enlarged living room and sunroom on the ground floor and a roof terrace above. Policy DM18 supports extensions 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 ST2, DM18 and the NPPF guidance.

Scale and Design

Policy ST1 and section 12 of the NPPF seek to promote high quality designs. Policy DM10 and DM18 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 single-storey extension is relatively modest in scale and appropriately located within the large garden and behind the main part of the existing dwelling. The design and contrasting render material are considered to modernize a previous extension while providing an enlarged living room. This ensures that the proposal is not excessively prominent within the locality and it respects the character and appearance of the existing property.

While significant consideration has been given to the roof terrace, its scale is also considered to be acceptable. It is a significant distance from the neighbouring properties and it faces a blank gable elevation on the neighbouring property. The current roof terrace includes a 1.1-metre-high clear glazed balustrade along each elevation, apart from the 1.5-metre-high opaque glazed side elevation. While the reasoning for this opaque glazing is considered to provide some screening with the neighbours garden at no. 3 Carleton Barns, the material is not appropriate in this location and makes it more obvious as a feature. On this basis, the removal of the obscure glazing and the installation of a clear glass balustrade is considered to be more appropriate to lessen its visual impact and this can be secured by the use of a planning condition.

On balance, subject to the agreed design changes that can be secured by condition, the proposal is considered to meet Policy DM18 and the NPPF guidance.



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Residential Amenity

Policy ST1, Policy DM18 and section 12 of the NPPF seek to safeguard good levels of residential amenity of both the parent property and adjacent dwellings. Policy DM12 requires a separation distance between directly facing habitable room windows of 21 metres to maintain privacy and overlooking standards.

Whilst potential amenity issues between the proposed extension and the neighbouring properties were considered, the extension and balcony will be relatively modest in scale and design. It will be appropriately located within the large garden, to the north-west of the existing dwelling. It is stepped away from the side boundary by approximately 3 metres from the closest property, Carleton Farm, which also has a blank gable and there are boundary hedges to provide screening towards the rear garden. On this basis, due to the blank gable of Carleton Farm and the boundary hedge screening, overlooking is not considered to be unacceptable.

Significant consideration has also been given to the roof terrace and the 1.5-metre-high opaque glazed side elevation, however, as there is a separation distance of 21 metres from the balcony side elevation to the boundary with the neighbouring property, no. 3 Carleton Barns, the replacement with clear glass is considered to be more appropriate. The separation distances exceed the requirements set out in Policy DM12 and therefore, despite the potential for an element of overlooking, it is not considered the overlooking will be materially harmful.

In addition, due to the orientation of the existing dwelling and the relationship with the neighbouring properties, it is not considered that the extension will create a significant reduction in daylight or appear overbearing for the neighbouring properties.

No concerns have been raised as part of the public consultation process.

On this basis, it was considered that the proposal will not have any adverse impacts on the neighbours and therefore the proposal is considered to satisfy Policies DM18, DM12 and the NPPF guidance.

Planning Balance and Conclusion

Overall, the single-storey extension is considered to be of an appropriate scale and design and will not have any detrimental impact on the amenities of the adjoining properties.

Significant consideration has been given to the roof terrace above the extension. No concerns have been received as part of the public consultation and the separation distances of the balcony with neighbouring properties comply with the adopted Local Plan.

On balance, taking into account residential amenity, design and the impact on the character of the area, the opaque glazed 1.5-metre-high balustrade is not considered to be appropriate.

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| | <p>Due to the material, it is overly prominent from the surrounding area and therefore the replacement with a clear glazed 1.1m balustrade is considered to address these concerns. The installation can be secured by the use of a planning condition.</p> <p>On the basis of the above, the proposal therefore 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. This permission relates to the following plans and documents as received on the respective dates and development must be carried out in accordance with them:-</p> <ul style="list-style-type: none"> - Application Form, received 6th December 2023; - Site Location Plan, scale 1:1250, received 6th December 2023; - Proposed Site Plan, drawing reference 6, received 6th December 2023; - Aerial View, drawing reference 1, received 6th December 2023; - Aerial View, drawing reference 2, received 6th December 2023; - Floor Plan (Pre 2021, Post 2005), scale 1:100, drawing reference 3, received 6th December 2023; - Floor Plan (Post 2021), scale 1:100, drawing reference 4, received 6th December 2023; - Elevations, scale 1:50, drawing reference 5B, received 6th December 2023; - Supporting Photographs, received 6th December 2023. <p>Reason</p> <p>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>2. Within three months of the date of this permission, the 1.1-metre-high clear glass balustrade must be installed on the side elevation in accordance with the Proposed Elevations, drawing reference 5B, received by the Local Planning Authority on 6th</p> |



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December 2023. Once the new balustrade is installed, it must be maintained thereafter.

Reason

To ensure satisfactory appearance of the development in accordance with Policy DM18 of the Copeland Local Plan.

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: C. Wootton

Date : 31/01/2024

Authorising Officer: N.J. Hayhurst

Date : 31/01/2024

Dedicated responses to:- N/A