

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

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| 1. | Reference No: | 4/23/2380/0F1 |
| 2. | Proposed Development: | GROUND FLOOR ACCESSIBLE BEDROOM AND BATHROOM AND ACCESSIBLE RAMP |
| 3. | Location: | 19 PARKSIDE ROAD, 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 19 Parkside Road, an end-of-terraced property located approximately 0.5 metres north-east of Cleator Moor. The site benefits from a large side garden with an informal off-street parking area. The garden is bound by a 1-metre-high stone wall.</p> <p>PROPOSAL</p> <p>Planning Permission is sought for the erection of a single-storey side extension and access ramp to provide an accessible ground floor bedroom and shower room.</p> <p>The proposed extension will project 4.35 metres from the side elevation and it will be 7.21 metres in depth. It has been designed to include a lean-to roof with an eaves height of 2.7</p> |

metres and an overall height of 5 metres. The front elevation will include a window, the side elevation will include patio doors and a shower room window, and the rear elevation will include an access door. The extension will be finished with render, roof tiles and UPVC windows and doors to match the existing property.

The proposal includes an access ramp to the front of the extension and a terrace to the side to provide access via the patio doors. The terrace also includes a new timber privacy fence and modified boundary wall along the front boundary.

The original submission included the formation of a new access onto the classified road. This element of the scheme was withdrawn during the course of the planning application.

RELEVANT PLANNING APPLICATION HISTORY

There have been no previous planning applications at this property.

CONSULTATION RESPONSES

Arlecdon and Frizington Parish Council

No comments received.

Highway Authority and Lead Local Flood Authority

The extension and ramps are acceptable from the highway point and the drainage would be covered under building control. However, we do not think visibility splays for the parking space are achievable onto the A5086 and therefore we would recommend refusal for the application.

Parking Space: The Local Planning Authority considers that clear visibility of 215 metres cannot be achieved along the public highway in both directions from a point 2.4 metres from the carriageway edge measured down the centre line of the minor/access road and consequently traffic generated by the proposed development would be likely to create conditions prejudicial to highway safety.

Public Representations

The application has been advertised by way of neighbour notification letters issued to 1 no. property - 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



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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

Policy DM22 – Accessible Developments

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 submitted for examination 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

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

Cumbria Development Design Guide

ASSESSMENT

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

Principle of Development

The proposed application relates to a residential dwelling close to Cleator Moor and it will provide an accessible ground floor bedroom and shower room. Policy DM18 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 ST2, DM18 of the Local Plan 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 extension will be relatively modest in scale and appropriately located within the side garden, currently used as an informal parking area. The design will ensure the proposal appears subservient to the main dwelling and it will be stepped back from the principal elevation. It will include an access ramp and screening fence along the front elevation and these elements are considered to be suitably designed for their use.

In addition, the choice of materials will match the existing property and therefore the extension will not be excessively prominent within the locality and it will respect the character and appearance of the existing dwelling.

On this basis, the proposal is considered to comply with Policies DM10 and DM18 and the NPPF guidance.

Residential Amenity

Policy ST1, Policy DM18 and section 12 of the NPPF seek to safeguard good levels of



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residential amenity of the parent property or adjacent dwellings.

Potential amenity issues between the proposed extension and the neighbouring properties were considered. However, due to the siting at the end of the terraced row and orientation of the extension to the north of the existing property, it is not considered that the proposal will create unacceptable amenity issues.

The proposed extension will also be stepped back from the principal elevation of the dwelling and therefore it is not considered to be overbearing or result in unacceptable overlooking or overshadowing issues.

On this basis, the proposal is considered to meet Policy DM18 and the NPPF guidance.

Highway Safety

Policies ST1 and DM22 seeks to ensure that development is accessible for all, while incorporating innovative approaches to manage vehicular access and parking and maintain highway safety.

The Cumbria Development Design Guide also sets out design and highway safety standards. This planning practice guidance is given significant weight in the material planning considerations balance.

Concerns raised by the Highway Authority regarding the new parking space and that the required 215-metre visibility splays cannot be achieved. In response to this the applicants agent submitted amended plans to show the access and parking space removed.

It was considered that the off-street parking benefit did not outweigh the harmful highway safety impact due to the unachievable visibility splays onto the A5086. The agent has confirmed that a separate proposal will be submitted for the access and therefore an informative note is attached to the decision notice to reflect this.

On the basis of the amended proposal with the parking space and access removed, the proposal is considered to satisfy Policy DM22.

Planning Balance and Conclusion

The proposed single-storey side extension and access ramp will provide a ground floor accessible bedroom and bathroom. It is of an appropriate scale and design and will not have any detrimental impact on the amenities of the adjoining properties.

Following concerns from the Highway Authority regarding the new parking space, amended plans were received with the access and parking space removed. It was considered that the off-street parking benefit did not outweigh the harmful highway safety impact due to the unachievable visibility splays. On this basis, an informative note is attached to notify the applicant/agent that a separate planning application is required for the access onto a classified road.

Overall, the development represents an acceptable form of development which accords with

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| | the policies set out within the adopted Local Plan and the guidance in the NPPF. |
| 8. | <p>Recommendation:</p> <p>Approve (commence within 3 years)</p> |
| 9. | <p>Conditions:</p> <p>1. The development hereby permitted must commence before the expiration of three years from the date of this permission.</p> <p>Reason</p> <p>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. 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> <p>Location Plan, scale 1:1250, drawing no. 19/0393/01, received 31st January 2024;</p> <p>Existing Site Plan, scale 1:100, drawing no. 19/0393/01, received 31st January 2024;</p> <p>Existing Elevations, scale 1:100, drawing no. 19/0393/02, received 31st January 2024;</p> <p>Proposed Ground Floor Plan Sub Structure and Drains, scale 1:50, drawing no. 19/0393/03 Rev A, received 31st January 2024;</p> <p>Proposed Floor Plan, scale 1:50, drawing no. 19/0393/04 Rev A, received 31st January 2024;</p> <p>Proposed Elevations, scale 1:100, drawing no. 19/0393/05 Rev A, received 31st January 2024;</p> <p>Proposed Sectional Elevation, scale 1:50, drawing no. 19/0393/06 Rev A, received 31st January 2024;</p> <p>Proposed Block Plan, scale 1:200, drawing no. 19/0393/07Rev A, received 31st January 2024;</p> <p>Radon Report, received 12th December 2023.</p> <p>Reason</p> <p>To conform with the requirement of Section 91 of the Town and Country Planning Act</p> |



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1990, as amended by the Planning and Compulsory Purchase Act 2004.

Informative Notes:

1. Planning permission is required for the creation of a new access onto the classified road, A5086.
2. 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.

Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

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 : 14/02/2024

Authorising Officer: N.J. Hayhurst

Date : 16/02/2024

Dedicated responses to:- N/A