

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/24/2003/0F1
2.	<b>Proposed Development:</b>	SINGLE STOREY REAR EXTENSION
3.	<b>Location:</b>	15 WINDER GATE, FRIZINGTON
4.	<b>Parish:</b>	Arlecdon and Frizington
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change
6.	<b>Publicity Representations &amp;Policy</b>	Neighbour Notification Letter: YES  Site Notice: NO  Press Notice: NO  Consultation Responses: See report  Relevant Planning Policies: See report
7.	<b>Report:</b>  <b>LOCATION</b>  This application relates 15 Winder Gate, a terraced property located close to Frizington.  The site benefits from a rear yard with a lean-to outbuilding store adjacent to the rear boundary. The rear yard is accessed along a shared walkway with no. 14 Winder Gate, and it is bound by a boundary wall, with fields to the rear.  <b>PROPOSAL</b>  Planning Permission is sought for the erection of a single-storey rear extension to provide an	

enlarged kitchen.

The extension will project 6.7 metres from the rear elevation of the dwelling, and it will have a width of 3 metres along the rear elevation. It has been designed to include a flat roof with an overall height of 3 metres. It will include a patio door on the side elevation facing the garden. The rear and side elevation along the boundary will be blank. The extension will be finished in render and white UPVC doors to match the existing dwelling. The roof will include one flat skylight.

### **RELEVANT PLANNING APPLICATION HISTORY**

There have been no previous applications for this property.

### **CONSULTATION RESPONSES**

#### Arlecdon and Frizington Parish Council

No comments received.

#### Public Representations

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 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.



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### **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

### **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

### **Other Material Planning Considerations**

National Planning Policy Framework (NPPF)

## **ASSESSMENT**

The key issues raised by this proposed 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 close to Frizington and it will provide an enlarged kitchen. 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 extension is relatively modest in scale and is appropriately sited within the rear yard. The terraced row backs onto fields and therefore it will not be excessively prominent within the locality, and it will be viewed in the context of the existing terraced row which contains several varying rear projections. The extension will also provide an enlarged kitchen and therefore the design is considered to be suitable for its use and the choice of materials will match the existing dwelling. It is therefore considered to reflect the character and appearance of the existing dwelling.

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

### 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.

Whilst amenity issues have been considered, the single-storey kitchen extension is considered to be relatively modest in scale. Due to the orientation of the existing terraced row, it is not considered that the extension will cause harmful overshadowing and the flat roof design is considered to reduce potential overshadowing or overdominance.

No windows will be included on the rear and side elevation along the boundary. On this basis, the proposed design will mitigate overlooking concerns. The existing boundary wall adjacent to the shared access walkway will also help screen the development.

In addition, under the current prior approval process, an extension could project 6 metres



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	<p>from the rear elevation, with an overall height of 4 metres without the requirement for formal planning permission. This fall-back position is a material consideration in the assessment of this application. As the projection is not significantly larger than what is possible under permitted development, this proposal is considered to be satisfactory and therefore the proposal will not have a detrimental impact on the neighbouring amenity.</p> <p>No objections have been received as a result of the consultation period.</p> <p>On the basis of the above, the proposal is considered to satisfy Policy DM18 and the NPPF guidance.</p> <p><u>Planning Balance and Conclusion</u></p> <p>Overall, the proposed kitchen extension is considered to be an acceptable form of development. It will be of an appropriate scale and design and it will not have an adverse impact on neighbouring amenity.</p> <p>On this basis, the development accords with the policies set out within the adopted Local Plan and the guidance in the NPPF.</p>
8.	<p><b>Recommendation:</b></p> <p>Approve (commence within 3 years)</p>
9.	<p><b>Conditions:</b></p> <ol style="list-style-type: none"><li><p>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></li><li><p>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>Application Form, received 4<sup>th</sup> January 2024; Location Plan, scale 1:1250, received 4<sup>th</sup> January 2024; Existing Block Plan, scale 1:200, dated Dec 23, received 4<sup>th</sup> January 2024; Proposed Block Plan, scale 1:200, dated Dec 23, received 4<sup>th</sup> January 2024; Existing Floor Plan and Elevations, scale 1:50, received 4<sup>th</sup> January 2024; Proposed Floor Plan and Elevations, scale 1:50, drawing no. GC/2, dated December</p></li></ol>

	<p>2023, received 4<sup>th</sup> January 2024; Proposed Side Elevation, scale 1:50, drawing no. GC/4, dated December 2023, received 4<sup>th</sup> January 2024.</p> <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><b>Statement</b></p> <p>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.</p>	
<b>Case Officer: C. Wootton</b>		<b>Date : 19/02/2024</b>
<b>Authorising Officer: N.J. Hayhurst</b>		<b>Date : 26/02/2024</b>
<b>Dedicated responses to:- N/A</b>		