

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/24/2005/0F1
2.	<b>Proposed Development:</b>	CONSTRUCTION OF SIDE & REAR EXTENSIONS PLUS INTERNAL & EXTERNAL ALTERATIONS TO AN EXISTING DWELLING
3.	<b>Location:</b>	RIVERSIDE, CALDERBRIDGE
4.	<b>Parish:</b>	Ponsonby
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Flood Area - Flood Zone 2, Flood Area - Flood Zone 3, Safeguard Zone - Safeguard Zone, Coal - Off Coalfield - Data Subject To Change, DEPZ Zone - DEPZ Zone, Outer Consultation Zone - Sellafield 10KM
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>SITE AND LOCATION</b> This application relates to Riverside, a detached bungalow located within Calderbridge. The site benefits from a driveway to the front of the property and large garden and detached garage. The site is bound by a large hedge to the front boundary and boundary fence to the sides and rear.	

## **PROPOSAL**

Planning Permission is sought for the erection of a side and rear extension with associated internal and external alterations. The extension will provide a new entrance hall, playroom, utility, two additional bedrooms with ensembles and an enlarged kitchen-dining room.

The side extension will project 8.5 metres from the side elevation and the overall depth will match the existing dwelling. It has been designed to continue the roof pitch and height. The front elevation will include a bedroom window and a double-height glazed hallway frontage and the side elevation will include an access door and a first-floor window. The extension and existing roof will also include the installation of 7 skylights, 3 on front and 4 on the rear roof slope.

The rear extension will project 3.3 metres from the rear elevation, and it will be 8.5 metres in width to connect with the existing rear projection. It has been designed to include a flat roof with an overall height of 3 metres and it will be lit by one roof lantern. It will include a window and bi-fold doors on the rear elevation and the side elevations will be blank.

The proposed extensions will be finished with render, roof tiles and UPVC windows and doors to match the existing dwelling.

## **RELEVANT PLANNING APPLICATION HISTORY**

There have been no previous planning applications at this property.

## **CONSULTATION RESPONSES**

### Ponsonby Parish Council

No objections.

### Environment Agency

No objections.

### Highway Authority and Lead Local Flood Authority

Requested additional parking details and the flood mitigation and surface water details.

### Public Representations

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

## **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

Policy ENV1 – Flood Risk and Risk Management

#### Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM18 – Domestic Extensions and Alterations

Policy DM22 – Accessible Developments

Policy DM24 – Development Proposals and Flood Risk

### **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)

Planning Practice Guidance (PPG)

Cumbria Development Design Guide

## **ASSESSMENT**

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

### Principle of Development

The proposed application relates to a residential dwelling within Calderbridge and it will provide a new entrance hall, playroom, utility, two additional bedrooms with ensembles and an enlarged kitchen-dining 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 safeguard good levels of quality and attractiveness. 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 side and rear extension are considered to be relatively modest in scale and appropriately located within the site. It will replace an existing detached garage and the design of the continuation of the roof height and pitch on the side extension will reflect the appearance of the existing property.

The design with a modern front glazed entrance hall is considered to be acceptable and it will not overdevelop the site. The existing front boundary hedge will screen the development and the proposed materials will match the existing property to ensure that the proposal does not



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appear excessively prominent in the locality.

On this basis, the proposal is considered to reflect the character and appearance of the existing property and meet Policy DM18 and NPPF guidance.

### Residential Amenity

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

The proposed side and rear extension are considered to be suitably located within the site, to the east of the existing bungalow. There is a significant separation distance from the proposed side extension and the closest neighbouring properties to the east, across a parking area with trees and mature planting. On this basis, it is not considered that the proposal will result in harmful overshadowing or overdominance on neighbouring properties.

In addition, the rear extension will be located adjacent to the existing rear projection and the side elevation will be blank facing the neighbour, Oaklea. On this basis, the proposal will not cause harmful overlooking issues.

On balance, the proposal is considered to be acceptable. Taking into account the design of the extension, orientation of the existing property and the separation distances with neighbours, the extension is not considered to adversely harm neighbouring amenity. It is therefore considered that the proposal satisfies Policies ST1, DM18 and the NPPF guidance.

### Flood Risk

Policy ENV1 and DM24 seeks to protect developments against risks of flooding and ensure that new developments do not contribute to increased surface water run-off.

The application site falls within flood zones 2 and 3 and therefore the application is supported by a Householder and other minor extensions in Flood Zones 2 and 3 Form.

The form confirms the floor levels will match the existing and the extension will replace an existing garage and hardstanding and therefore it is no considered to result in an increase of non-permeable ground.

The Environment Agency raised no objections to the proposed development, but an informative note is appropriate to advise on the need for an Environmental Permit.

In addition, due to the lack of information regarding the extra flood resistance and resilience measures, access and escape and surface water management, the LLFA and EA requested further information. The agent has agreed to the use off a pre-commencement condition to ensure that the full flood risk protection measures are provided and the development is carried out in accordance with acceptable protection measures.

Overall, subject to the pre-commencement condition, the proposal will not have a detrimental effect on flood risk on the site or elsewhere and therefore the proposal complies with Policy ENV1 and DM24.

	<p><u>Highway Safety</u></p> <p>Policy DM22 encourages innovative approaches to manage vehicular access and parking to avoid vehicles dominating the street scene.</p> <p>The site visit confirmed that the property benefits from a large driveway to the side and front of the dwelling and therefore the existing hardstanding will provide three parking spaces to meet the needs of the proposed 5-bedroom property. This hardstanding is also shown on the proposed site plan and the Highway Authority raised no objections to the proposed development.</p> <p>On this basis, it is considered that the site can provide sufficient off-street parking to meet the needs of the dwelling and the hardstanding maintenance can be secured by the use of a planning condition.</p> <p>The proposal is considered to comply with Policy DM22 and the standards set out in the Cumbria Development Design Guide.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The application seeks planning permission for the erection of a side and rear extension to provide a new entrance hall, playroom, utility, two additional bedrooms with ensembles and an enlarged kitchen-dining room.</p> <p>The proposed extension is considered to reflect the character and appearance of the existing property and modernise the detached bungalow. The proposal is of an appropriate scale and design and would not have any detrimental impact on the amenities of the adjoining properties or highway safety.</p> <p>A pre-commencement planning condition is proposed to ensure that the development is carried out in accordance with acceptable flood risk protection measures.</p> <p>On this basis, 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><b>Recommendation:</b></p> <p>Approve (commence within 3 years)</p>
9.	<p><b>Conditions:</b></p> <ol style="list-style-type: none"> <li>1. The development hereby permitted must commence before the expiration of three years from the date of this permission.</li> </ol> <p>Reason</p> <p>To comply with Section 91 of the Town and Country Planning Act 1990 as amended</p>

by the Planning and Compulsory Purchase Act 2004.

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: -
- Application Form, received 5<sup>th</sup> January 2024;
  - Location Plan, scale 1:1250, drawing no. 23-37-P-L, received 5<sup>th</sup> January 2024;
  - Block Plan, scale 1:500, drawing no. 23-37-P-L, received 5<sup>th</sup> January 2024;
  - Proposed Site Plan, scale 1:200, drawing no. 23-37-P-01, received 5<sup>th</sup> January 2024;
  - Existing Floor Plans, scale 1:100, drawing no. 23-37-P-02, received 5<sup>th</sup> January 2024;
  - Existing Roof Plans, scale 1:100, drawing no. 23-37-P-03, received 5<sup>th</sup> January 2024;
  - Existing Elevations, scale 1:100, drawing no. 23-37-P-04, received 5<sup>th</sup> January 2024;
  - Existing 3D Sketches, drawing no. 23-37-P-05, received 5<sup>th</sup> January 2024;
  - Proposed Floor Plans, scale 1:100, drawing no. 23-37-P-06 Rev A, received 5<sup>th</sup> January 2024;
  - Proposed Roof Plans, scale 1:100, drawing no. 23-37-P-07 Rev A, received 5<sup>th</sup> January 2024;
  - Proposed Elevations, scale 1:100, drawing no. 23-37-P-08 Rev A, received 5<sup>th</sup> January 2024;
  - Proposed 3D Sketches, drawing no. 23-37-P-09 Rev A, received 5<sup>th</sup> January 2024;
  - Flood Sheet, received 5<sup>th</sup> January 2024;
  - Flood Map, received 5<sup>th</sup> January 2024.

**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.

3. Prior to the commencement of the development hereby approved, full details of the flood mitigation measures (extra flood resistance and resilience measures, access and escape and surface water management) must be submitted to and approved in writing

by the Local Planning Authority. The measures must be installed in accordance with the approved details and must be maintained as such at all times thereafter.

**Reason**

To ensure that suitable flood risk protection measures are secured in accordance with Policy DM24 of the Copeland Local Plan.

4. The driveway and parking area as shown on the approved 'Proposed Site Plan' received by the Local Planning Authority on 5<sup>th</sup> January 2024 must be maintained in accordance with the plan at all times thereafter.

**Reason**

To ensure that suitable off-street parking is provided in accordance with Policy DM22 of the Copeland Local Plan.

**Informative Note**

**Environmental Permit**

The River Calder adjacent to the site is a designated statutory main river. In addition, to any planning approval, the Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- On or within 8 metres of a main river (16 metres if tidal)
- On or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- On or within 16 metres of a sea defence
- Involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- In the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits> or contact our National Customer Contact Centre on 03708 506 506. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.





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### 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 : 29/01/2024**

**Authorising Officer: N.J. Hayhurst**

**Date : 29/01/2024**

**Dedicated responses to:- N/A**