

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/24/2132/0F1
2.	Proposed Development:	PROPOSED SINGLE STOREY SUN ROOM EXTENSION REPLACING EXISTING CONSERVATORY. EXTENSION TO RAISED PATIO TO SUIT
3.	Location:	THE ELDERS, 6 CHURCH STREET, FRIZINGTON
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: Location This application relates to The Elders, a detached property located on the corner of Church Street within Frizington. The site benefits from a small garden to the front, and a modest size rear/side garden. Proposal Planning Permission is sought for the erection of a single-storey rear/side extension to replace an existing conservatory to provide a sunroom and extended dining room off the existing kitchen. The extension will project 4.9 metres from the rear/side elevation of the dwelling, and it will be 3.65 metres in width. It has been designed to include a flat roof with overall height of 3.2	

metres with a powder coated aluminium classical lantern over.

The rear elevation will include a window and the side elevation will contain two windows and a set of patio doors that open out onto a patio.

It will be finished with render, a flat roof membrane roofing system with glazed lantern, and painted timber or upvc windows and doors.

Relevant Planning Application History

No other Planning Applications at 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 3 no. properties. No objections were received as a result of this 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 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



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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 ELP.

The Local Plan Examination Hearing Sessions were completed in March 2023.

The appointed Planning Inspector issued their post hearing letter in June 2023, which identified the next steps for the examination.

The appointed Planning Inspector has now considered all representations and the discussions that took place during the Local Plan Examination Hearing Sessions in 2023 and has identified a number of amendments or 'modifications' that are required in order to ensure the ELP is sound i.e. positively prepared, justified, effective and consistent with national planning policy.

A six week public consultation seeking views on the proposed modifications to the ELP commenced on Wednesday 14th February 2024 and closed on the 28th March 2024. The Planning Inspectors Report is 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 advanced stage of preparation of the ELP full weight can be attached to policies where no objections have been received or objections have been resolved. Once the consultation on the main modifications to the ELP is complete significant weight can be afforded to the policies of the ELP where modifications are proposed.

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 located within Frizington and it will include a single-storey extension to replace an existing conservatory to provide a sunroom and extended dining room off the existing 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, Policy DS6PU, Policy H14PU 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 extension will project 4.9 metres from the rear/side elevation of the dwelling, and it will be 3.65 metres in width. It has been designed to include a flat roof with overall height of 3.2 metres with a powder coated aluminium classical lantern over.

The proposed rear extension is replacing an existing conservatory on the rear/side and is therefore considered to be appropriately located within the site, behind the main element of the existing dwelling. This will ensure that the proposal appears subservient to the main dwelling.

Despite there being windows proposed on the side elevation, this is a reduction in the amount of glazing present in this location when compared to the existing conservatory. Furthermore, there is a separation distance of approximately 9 metres to the roadside, which is screened by an existing boundary wall and trees/shrubs. This will help to reduce the impact of the proposal within the locality.

It will be finished with render, a flat roof membrane roofing system with glazed lantern, and painted timber or upvc windows and doors.

The design is considered to be suitable for its use and the choice of materials proposed are considered to respect the existing character and appearance of the parent property and wider residential area. Overall, the proposal is considered to meet Policy DM18(A) Policy H14PU 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 potential amenity issues between the proposed extension and the neighbouring property Fell View were considered, the extension will be relatively modest in scale and will be appropriately located to the rear/side of the parent property and is replacing an existing conservatory.



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	<p>The proposal is not considered to be overbearing or result in a significant loss of light for the neighbouring properties due to its location and its scale.</p> <p>The rear elevation will include a window and the side elevation will contain two windows and a set of patio doors that open out onto a patio.</p> <p>Following a site visit to the property, it was noted that there are appropriate boundary treatments in place to adequately screen the proposal from the property at the rear.</p> <p>In addition, under current permitted development rights, an extension could project 3 metres 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 acceptable.</p> <p>On this basis, it was considered that the proposal will not have any adverse impacts on the neighbouring property and therefore the proposal is considered to satisfy Policy DM18, Policy H14PU and the NPPF guidance.</p> <p><u>Planning Balance and Conclusion</u></p> <p>Overall, the single-storey extension is considered to be of an appropriate scale and design and is respectful of the existing property and wider residential area.</p> <p>The proposal is not considered to have any detrimental impact on the amenities of the adjoining properties.</p> <p>On balance, the proposal therefore represents an acceptable form of development which accords with the policies set out within the adopted Local Plan, the Emerging Local Plan and the guidance in the NPPF.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <ol style="list-style-type: none">1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission. <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> <ol style="list-style-type: none">2. Permission shall relate to the following plans and documents as received on the

	<p>respective dates and development shall be carried out in accordance with them: -</p> <ul style="list-style-type: none"> - Application Form, received 19th April 2024; - Site Location Plan, scale 1:1250, received 19th April 2024; - Site Block Plan, scale 1:200, received 19th April 2024; - Existing Elevations, scale 1:50, drawing no 23.45.01, received 19th April 2024; - Existing Ground Floor Plan, scale 1:50, drawing no 23.45.01, received 19th April 2024; - Proposed Ground Floor Plan, scale 1:50, drawing no 23.45.04a, received 19th April 2024; - Proposed Elevations, scale 1:50, drawing no 23.45.04a, received 19th April 2024. <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>Informative Note</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. Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority</p> <p>Statement</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>
Case Officer: Demi Crawford	Date : 12/06/2024
Authorising Officer: N.J. Hayhurst	Date : 12/06/2024
Dedicated responses to:- N/A	