

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/24/2136/0F1
2.	<b>Proposed Development:</b>	ERECT TWO STOREY EXTENSION TO SIDE ELEVATION
3.	<b>Location:</b>	102 QUEENS PARK, MILLOM
4.	<b>Parish:</b>	Millom
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change, Key Species - Potential areas for Natterjack Toads
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 to 102 Queens Park, a corner semi-detached property located within Millom. The site benefits from a small garden area to the front with a single storey side extension already present, and a modest size garden to the rear.  <b>PROPOSAL</b>  Planning Permission is sought for the erection of a first-floor side extension over an existing single storey to provide a fourth bedroom with en-suite on the first floor.  The extension will project 3.8 metres from the side elevation. It has been designed to include a brick pillar canopy overhang at first floor level which will be 7.6 metres in length from front	

to backIt contains a dual pitched roof with an overall height that is slightly lower than the current roof height on the main dwelling.

The current ground floor footprint underneath the brick pillar canopy remains unchanged.

The first-floor rear elevation will include a small single window with obscure glazing. The first-floor front elevation contains a single window. The side elevation will be blank.

The extension will be finished with Canterbury spar to the whole house, blue grey slate roof tiles, black brick pillars and white UPVC windows and doors to match the existing property.

## **RELEVANT PLANNING APPLICATION HISTORY**

No previous planning applications at this site.

## **CONSULTATION RESPONSES**

### Millom Town Council

No objections.

### Highway Authority and Local Lead Flood Authority

As this falls under our Service Level Agreement (SLA) with your Council, this application does not need to be submitted to the Local Highway Authority or Lead Local Flood Authority; subject to the highway and drainage aspects of such applications being considered in accordance with the Agreement. The highway and drainage implications of this application would therefore have to be decided by the Local Planning Authority.

### 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.



## Cumberland Council

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

Policy ENV3 – Biodiversity and Geodiversity

#### Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM18 – Domestic Extensions and Alterations

Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species

### **Emerging Copeland Local Plan 2017 - 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 28<sup>th</sup> 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

Strategic Policy N1PU: Conserving and Enhancing Biodiversity and Geodiversity

### **Other Material Planning Considerations**

National Planning Policy Framework (NPPF)

## **ASSESSMENT**

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

### Principle of Development

The proposed application relates to a residential dwelling located within Millom and is proposed to erect a first-floor side extension over an existing single storey to provide a fourth bedroom with en-suite on the first floor.

Policy DM18 and Policy H14PU 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 H14PU and the NPPF guidance.

### Scale and Design

Policy ST1 and section 12 of the NPPF seek to promote high quality designs. Policy DM10, DM18 and Policy H14PU seek to ensure domestic alterations are of an appropriate scale and design which are appropriate to their surroundings and do not adversely affect the amenities of adjacent dwellings.

The proposed extension will be located to the side of the site above an existing single storey side extension, and it will project 3.8 metres from the side elevation.

It has been designed to include a brick pillar canopy overhang at first floor level which will be 7.6 metres in length from front to rear. This is considered to be appropriately located within the site which ensures that the proposed extension is not excessively prominent within the locality.

The proposed extension has been designed to include a dual pitched roof with an overall that is slightly lower than the current roof height of the main dwelling.

The current ground floor footprint underneath the brick pillar canopy remains unchanged.

The proposed materials are considered to be appropriate for their use and respect the

appearance of the parent property.

Overall, the proposal is considered to meet Policy DM18(A), Policy H14PU and the NPPF guidance.

#### Residential Amenity

Policy ST1, Policy DM18, Policy DS6PU, Policy H14PU 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 properties were considered, the extension will be appropriately located within the site above an existing single storey element.

The proposed extension whilst providing an additional storey, is relatively modest in scale and is to provide additional space for a fourth bedroom with en-suite on the first floor.

The first-floor rear elevation will include a small single window with obscure glazing, which can be secured in perpetuity with the use of an appropriate worded planning condition to mitigate any potential overlooking concerns from the rear.

The first-floor front elevation contains a single window which overlooks the parent property garden and Queens Park to the front.

The side elevation adjacent to the road boundary will be blank. The proposal is therefore not considered to result in a significant reduction in daylight or appear overbearing for the neighbouring properties and there are no additional overlooking issues considered.

In addition, following a site visit, it was noted that there were similar two storey side extensions within the immediate neighbourhood and wider residential area. The overall proposal will therefore respect the character and appearance of the existing property and the wider residential area.

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 Policy DM18, Policy DS6PU, Policy H14PU and the NPPF guidance.

#### Ecology

Policies ST1, ENV3 and DM25 of the Copeland Local Plan, Strategic Policy N1PU of the Emerging Local Plan and section 15 of the NPPF outline how the Council will protect and enhance the biodiversity and geodiversity within the Borough. These policies set out the approach towards managing development proposals that may have an effect on nature conservation sites, habitats and protected species.

The application site is identified as being a potential area for Natterjack Toads, however, the application is not located within 200m of a watercourse (as indicated within the ALGE trigger list) and it is therefore not considered to be supported by any ecology details as the site is located within a built-up residential area.

	<p>On this basis it is considered that it would not be necessary to seek a protected species survey for this minor householder application as the location of the works being carried out are to an area that already contains an area of hard surface, and therefore it is not considered that this development will disturb any habitats.</p> <p>It is therefore considered that the development complies with policies ST1, ENV3 and DM25 of the Copeland Local Plan, Strategic Policy N1PU of the Emerging Local Plan and NPPF.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The application seeks Planning Permission for the construction of a first-floor side extension above an existing single storey.</p> <p>Taking into account the scale and design of the proposal and the impacts on residential amenity, the proposed extension is considered to be of an appropriate design and will not have any detrimental impact on the amenities of the adjoining or neighbouring properties.</p> <p>The proposed extension is considered to be suitably located within the site and is acceptable in terms of its scale and design.</p> <p>In addition, the choice of materials used are considered to be suitable for their use and respect the existing property and wider residential area.</p> <p>The proposal is not considered to be supported by any Ecology details.</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><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 shall be commenced 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 by the Planning and Compulsory Purchase Act 2004.</p> <ol style="list-style-type: none"> <li>2. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them: -</li> </ol>



## Cumberland Council

- Application Form, received 19<sup>th</sup> April 2024;
- Site Plan, scale 1:1250, received 19<sup>th</sup> April 2024;
- Block Plan, scale 1:300, received 19<sup>th</sup> April 2024;
- Existing Part Ground Floor Plan, scale 1:50, received 19<sup>th</sup> April 2024;
- Existing Elevations, scale 1:100, received 19<sup>th</sup> April 2024;
- Proposed Part Ground Floor Plan, scale 1:50, received 19<sup>th</sup> April 2024;
- Proposed Part First Floor Plan, scale 1:50, received 19<sup>th</sup> April 2024;
- Proposed Elevations, 1:100, received 19<sup>th</sup> April 2024;
- Section A-A, scale 1:50, received 19<sup>th</sup> April 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.

### Prior to Occupation Condition

3. Prior to the first occupation of the extension hereby approved, obscure glazing must be installed within the W/C window on the first-floor rear elevation in accordance with 'Proposed Part First Floor Plan, scale 1:50' received by The Local Planning Authority on 19<sup>th</sup> April 2024.

Once installed, the obscure glazing must be permanently maintained at all times thereafter.

### Reason

To safeguard the residential amenity 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.

<b>Case Officer: Demi Crawford</b>		<b>Date : 12/06/2024</b>
<b>Authorising Officer: N.J. Hayhurst</b>		<b>Date : 13/06/2024</b>
<b>Dedicated responses to:- N/A</b>		