

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/24/2153/0F1	
2.	<b>Proposed Development:</b>	PROPOSED TWO STOREY EXTENSION	
3.	<b>Location:</b>	4 ELLERBECK BARNS, EGREMONT ROAD, ST BEES	
4.	<b>Parish:</b>	St. Bees	
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change, 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 Policies	See Report
7.	<b>Report:</b>  <b>Site and Location</b>  <p>This application site relates to a property situated within a group of five barn conversions and a residential dwelling located off the B5345, the main road running south from the residential area St Bees. The property in question is one of the detached barns located to the south of the site. The dwelling benefits from a large sloping side and rear garden area and overlooks open countryside to the west and allotments to the south of the site. Ghyll Farm, a Grade II Listed Property is located to the north east of the property.</p>  <b>Relevant Planning History</b>  <p>4/16/2085/0F1 – Erection of a two-storey extension – Approved.</p>		

## **Proposal**

This application seeks planning permission for a two-story extension to the barn conversion. The proposed extension will project a maximum of 2.45m from the north east gable of the property and will extend along this gable by 4.9m, 1m beyond the rear wall of the dwelling. The extension will extend 1.5m around the existing rear elevation creating a small wrap around extension. The eaves and ridge height of the extension will match the existing property.

Internally, the extension will create a ground floor store, an external staircase access, and a laundry and toilet at first floor level. Externally the extension will be finished with materials to match the main dwelling including St Bees red sandstone, dark grey roof tiles, and timber windows and doors.

## **Consultation Responses**

### St Bees Parish Council

No objections.

### Cumberland Council – Highway Authority

*16<sup>th</sup> May 2024*

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.

If you have a particular aspect of this application you wish us to consider, please feel free to contact me direct.

*11<sup>th</sup> June 2024*

I can confirm that the response made to the previous application 16/05/24 should still apply.

### Cumberland Council – Conservation & Design Officer

*3<sup>rd</sup> June 2024*

Conclusion: No objection

Assessment:

- This proposal is for a modest extension, extending the footprint of the main part of the dwelling along the same lines.
- I would view the extension as having a minor impact on the significance of the building. It appears that the external staircase on the end is an original or early feature.



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I do not have a date for the barn itself, but presume it is 19<sup>th</sup> century. I would view the loss of this staircase as a minor level of harm, but one that should be taken into consideration.

- The impact on the setting of Ghyll Farm and Cottage also appears to be minor, which no change to the roof line, but a closing of the gap and a change in materials. I do not find this changes to amount to anything more than less-than-substantial harm of a very low level, mitigated by the attractive material palette and justified by the utility the extension will provide.

*28<sup>th</sup> June 2024*

No additional comments. I note the change of material, but still have no objection to the proposal.

### Public Representation

This application has been advertised by neighbour notification letters issued to three properties. No comments have been received in relation to the statutory notification procedure.

### Public Reconsultation

Following the receipt of amended information for the application, a reconsultation was undertaken for all neighbouring properties. No comments have been received in relation to this notification procedure.

### **Planning Policy**

Planning law requires that 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 – Strategic Development Principles

Policy ENV4 – Heritage Assets

### Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM18 – Domestic Extensions and Alterations

Policy DM22 – Accessible Developments

Policy DM24 – Development Proposal and Flood Risk

Policy DM27 – Built Heritage and Archaeology

### **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.

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 closes 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 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.

Strategic Policy DS1PU: Presumption in favour of Sustainable Development



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Policy DS6PU: Design and Development Standards

Strategic Policy BE1PU: Heritage Assets

Policy BE2PU: Designated Heritage Assets

Policy CO4PU - Sustainable Travel

Policy CO5PU - Transport Hierarchy

Policy CO7PU - Parking Standards and Electric Vehicle Charging Infrastructure

### **Other Material Planning Considerations**

National Planning Policy Framework (2023)

National Design Guide (NDG).

Cumbria Development Design Guide (CDG)

Planning (Listed Building and Conservation Areas) Act 1990

### **Assessment**

The main issues raised by this application relate to the principle of the development; scale and design; impact on residential amenity; and impact on heritage assets.

#### Principle of Development

The application relates to an existing residential dwelling, within a small group of dwellings within the open countryside. Policy DM18 of the Copeland Local Plan and H14PU of the Emerging Local Plan support extensions and alterations to residential properties subject to detailed criteria, which are considered below.

On this basis, the proposal is considered to satisfy Policies DM18 of the Copeland Local Plan, H14PU of the Emerging Local Plan and the NPPF guidance.

#### Scale and Design

Policy ST1 of the Copeland Local Plan, DS1PU of the ELP and section 12 of the NPPF seek to safeguard good levels of quality and attractiveness.

Policy DM10 and DM18 of the Copeland Local Plan and H14PU of the ELP 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 proposal seeks to add a modest two storey extension to the north east gable of the existing dwelling in order to accommodate the needs of the current owners. The dwelling is sited on a large plot, capable of accommodating an extension of this scale. Concerns were originally raised with regard to the proposed use of timber cladding given the prominent location of the extension and proximity to the neighbouring listed building, therefore these have been amended to reflect the existing property. The development is therefore considered

to reflect the character of the existing dwelling and surrounding properties.

On this basis, the proposal is considered to meet Policy DM18 of the Copeland Local Plan, H14PU of the ELP and the NPPF guidance.

#### Impact Residential Amenity

Policy ST1 and DM18 of the CS, H14PU of the ELP and section 12 of the NPPF seek to safeguard good levels of residential amenity of the parent property or adjacent dwellings.

The modest extension is not considered to create amenity issues for neighbouring properties. The development will retain existing separation distances from neighbouring properties, with the only proposed window serving a ground floor store. The proposal is therefore not considered to create overlooking or overdominance concerns for existing residential dwellings.

On this basis, the proposal will not have unacceptable adverse impact on the residential amenity and it is considered to comply with Policy DM18 of the Copeland Local Plan, Policy H14PU of the ELP and provision of the NPPF.

#### Impact on Heritage Assets

Policy ST1, ENV4, DM27 of the Copeland Local Plan and Policy BE1PU and BE2PU of the Emerging Local Plan seek to protect, conserve and where possible enhance heritage assets including archaeological assets.

The Planning (Listed Buildings and Conservation Areas) Act 1990 establishes a need “in considering whether to grant listed building consent for any works [for the Local Planning Authority to] have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest” [Section 16(2)]. This requirement also applies to the granting of planning permission affecting a listing building or its setting [Section 66(1)].

Paragraph 134 of the National Planning Policy Framework (NPPF) asserts that “Development that is not well designed should be refused”.

NPPF para. 197 states that “In determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation...”

NPPF para. 199 states, in the case of designated heritage assets, “great weight should be given to the asset’s conservation”, irrespective of whether potential harm is substantial, less-than-substantial, or total loss. Where harm to a designated heritage asset is less-than-substantial, it should be weighed against the public benefits of the proposal (para. 202).

Ghyll Farm, a Grade II Listed Property is located to the north east of the barn. The Council’s Conservation Officer has offered no objections to the proposed extension and has confirmed that the works are considered as having a less-than-substantial harm of a very low level,



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	<p>mitigated by the proposed materials and justified by the utility the extension will provide.</p> <p>On this basis, the application is considered to preserve the existing Heritage Asset and therefore the proposal is considered to comply with Policies ST1, ENV4, DM27 of the Copeland Local Plan, Policy BE1PU and BE2PU of the Emerging Local Plan, and provisions of the NPPF.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The application seeks planning permission for a modest side extension to an existing residential property to meet the current occupiers needs.</p> <p>Following amendments to the proposal materials, the proposal is considered to reflect the character and appearance of the existing property and those within the locality. The proposal is of an appropriate scale and design and would not have any significant detrimental impact on the amenities of the adjoining properties.</p> <p>The development is not considered to have an adverse impact on the adjacent Heritage Asset, with no objections received from the Council's Conservation Officer.</p> <p>The proposal is therefore considered to be an acceptable form of sustainable development which is compliant with policies of the Copeland Local Plan and the provisions of the NPPF.</p>
8.	<p><b>Recommendation:</b></p> <p>Approve (commence within 3 years)</p>
9.	<p><b>Conditions:</b></p> <p><u>Standard Conditions</u></p> <ol style="list-style-type: none"><li>1. The development hereby permitted must 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 must relate to the following plans and documents as received on the respective dates and development must be carried out in accordance with them:<ul style="list-style-type: none"><li>- Location &amp; Site Plan (Amended), Scale 1:500 &amp; 1:1250, received by the Local</li></ul></li></ol>

	<p>Planning Authority on the 6<sup>th</sup> April 2024.</p> <ul style="list-style-type: none"> <li>- Existing Elevation &amp; Floor Plans (Amended), Scale 1:100, received by the Local Planning Authority on the 6<sup>th</sup> April 2024.</li> <li>- Proposed Elevation &amp; Floor Plans (Amended), Scale 1:100, received by the Local Planning Authority on the 6<sup>th</sup> April 2024.</li> <li>- Design and Access Statement, received by the Local Planning Authority on the 29<sup>th</sup> April 2024.</li> </ul> <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:</b> C. Burns		<b>Date :</b> 02.07.2024
<b>Authorising Officer:</b> N.J. Hayhurst		<b>Date :</b> 02.07.2024
<b>Dedicated responses to:-</b> N/A		