

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/24/2155/0F1
2.	Proposed Development:	FRONT, REAR & SIDE EXTENSIONS, NEW DRIVEWAY AND DETACHED GARDEN ROOM
3.	Location:	185 HOLBORN HILL, MILLOM
4.	Parish:	Millom
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change, Key Species - Potential areas for Natterjack Toads
6.	Publicity Representations &Policy	See Report
7.	Report: LOCATION <p>This application relates to 185 Holborn Hill which occupies a corner plot at the end of a terrace of traditional cottages on the junction of Holborn Hill and the A5093 at the western entrance to Millom.</p> <p>The dwelling is detached although it is adjoined to an existing barn associated with the adjoining property 183 Holborn Hill.</p> PROPOSAL <p>Planning permission is sought for various extensions to the front, side and rear elevations of the property to increase its habitable area. It is also proposed to create a new driveway to the front of the property and erect a detached outbuilding which is to be used as a garden room.</p> <p>The proposed front extension will replace an existing kitchen and car port and will enable the creation of an enlarged kitchen and utility room. The proposed extension of to be single storey under a dual pitched roof and will project from the front of the building by</p>	

approximately 8.5 metres. It will be approximately 3.5 metres in width and all the openings are to be restricted to the side elevation facing into the private garden area.

The proposed side extension is to replace an existing workshop, bathroom and conservatory. It will extend the property to the front by approximately 9.5 metres and will enable two bedrooms, a bathroom and an extended family room to be created. This extension will tie into the existing roof slope of the dwelling on its the rear elevation and will extend to a ridge height of approximately 4 metres.

The extensions are to be faced externally with render to the walls and a slate covering to the roof to match the existing property.

The new driveway is to be created to the front of the property and will be accessed off Holborn Hill. It will provide sufficient space to accommodate two vehicles. Visibility splays of 21 metres to the west and 30 metres to the east measured 2 metres down the centre of the access road and the nearside channel line of the carriageway edge are achievable and this has been justified with speed survey data.

The proposed detached garden room is to be sited within the garden area to the rear of the property. It is to be of a pitched roof design with a ridge height of approximately 3 metres. It will be 6 metres in length and 5 metres in width.

RELEVANT PLANNING APPLICATION HISTORY

There have been no previous planning applications at this property.

CONSULTATION RESPONSES

Millom Town Council

04th June 2024

No objections in principle.

27th June 2024

No objections in principle

Highways/LLFA

17th May 2024

Further information and clarification is required for the following. Looking through the plans and information provided it states that a new driveway will be created in front of property, there are no plans or information about the driveway to support this. Please can you provide

this information. Upon receipt of the above information we will be able to provide a further response

18th June 2024

Further information and clarification is required for the following. Visibility Splays. The applicant needs to supply a scaled plan showing what the visibility splays are for the proposed access, in this area 60m x 2.4m measured to the nearside kerb/verge in both directions. If this cannot be achieved, we would recommend that a speed survey is undertaken, this will provide the 85% speed within that section of the highway. This will determine what visibility splays required. Moving the parking area will require a new dropped access and the old access removed and returned to standard footway at the expense of the applicant. Upon receipt of the above information, we will be able to provide a further response.

24th October 2024

We previously asked the applicant to supply a scaled plan showing visibility splays and results of a speed survey. The information supplied from the speed survey is adequate and the amended site location plan showing the visibility splays show that there is just enough visibility in both directions to satisfy the local planning authority.

I can confirm that we have no objections to the proposal, subject to the following recommended conditions being included in any Notice of Consent which may be issued:

Condition:

The development shall not commence until visibility splays providing clear visibility of 21 metres West and 30 metres East measured 2 metres down the centre of the access road and the nearside channel line of the carriageway edge have been provided at the junction of the access road with the county highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grown within the visibility splay which obstruct the visibility splays. The visibility splays shall be constructed before general development of the site commences so that construction traffic is safeguarded.

Reason:

In the interests of highway safety.

Condition:

Details of all measures to be taken by the applicant/developer to prevent surface water discharging onto or off the highway shall be submitted to the Local Planning Authority for approval prior to development being commenced. Any approved works shall be implemented prior to the development being completed and shall be maintained operational thereafter.

Reason:

In the interests of highway safety and environmental management.

Condition:

The access drive shall be surfaced in bituminous or cement bound materials, or otherwise bound and shall be constructed and completed before the development is occupied/brought into use.

Reason:

In the interests of highway safety.

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 2021 - 2039 (LP):

Cumberland Council continued the preparation of the LP as commenced by Copeland Borough Council.

The LP was adopted by Cumberland Council on the 5th of November 2024 replacing the Copeland Local Plan 2013-2028 and the saved policies of the Copeland Local Plan 2021-2016.



Cumberland Council

The following policies are relevant to this proposal:

Policy DS1 – Presumption in favour of Sustainable Development

Policy DS4 – Design and Development Standards

Policy H14 – Domestic Extensions and Alterations

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

Cumbria Development Design Guide

ASSESSMENT

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

Principle of Development

The proposed application relates to a residential dwelling located within Millom and planning permission is sought for various extensions to this dwelling.

Policy H14 of the Local Plan 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.

Scale and Design

Policy DS1 and section 12 of the NPPF seek to promote high quality designs. Policy H14 seeks 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 proposal will involve the demolition of the existing workshops, conservatory, kitchen and car port and their replacement with extensions to the front, rear and side elevations of the property to provide enhanced living accommodation. A detached garden room building is also proposed.

The proposed extensions and garden room are of a modest scale and are considered to be of an acceptable design. The proposed materials will match the existing property.

Overall, the proposal is considered to meet Policy H14 in terms of its scale and appearance.

Residential Amenity

Policies DS4 and Policy H14 of the Local Plan and section 12 of the NPPF seek to safeguard good levels of residential amenity of both the parent property and adjacent dwellings.

The dwelling occupies a corner plot and is adjoined to its east by 183 Holborn Hill. It is attached to a stone barn associated with the adjoining property.

The proposed extension to the front will be lower than the height of the existing car port which is located adjacent to the shared boundary with 183 Holborn Hill. This will reduce the overall impact of the extension on the occupiers of the adjoining property.

As the proposed extensions have been designed to restrict window openings to the elevations facing west and north these will not create any issues in terms of overlooking or loss of privacy.

The proposed garden room has been designed to limit window and door openings to minimise its impact on the adjoining property and its domestic curtilage.

On this basis, the proposal is considered to satisfy the requirements of Policies DS6 and H14 of the Local Plan and the NPPF guidance.

Highway Safety

Policy CO7 of the Copeland Local Plan requires that all new development provide adequate parking provision.

It is proposed to create a new driveway which is to be accessed off Holborn Hill. This will replace the existing entrance that serves the car port which is to be removed as part of this proposal.

Following concerns raised by the Highways Officer with regards to the visibility at the entrance to the driveway the applicant's agent submitted a revised layout/site plan and also the results of a speed survey to justify the visibility splays proposed. The Highways Officer has confirmed that the information supplied from the speed survey is adequate and the amended site location plan showing the visibility splays indicate that there is just enough visibility in both directions to satisfy the safety requirements. On this basis the Highways Officer has raised no objections subject to the inclusion of planning conditions relating to the creation of the approved visibility splays, surface water drainage details and the surfacing of the driveway with a bound material.

The proposal, as amended, is therefore considered to comply with Policy CO7 of the Local Plan and the Cumbria Development Design Guide.

Planning Balance and Conclusion

The application seeks Planning Permission for various extensions to the existing dwelling, the construction of a garden room and the creation of a new access to serve a new driveway.

The proposed extensions are considered to be of an acceptable scale and design and will be sympathetic to the character and appearance of the existing property. They have also been designed to minimise the impact on the amenities of the adjoining property.

The proposed visibility splays to serve the new driveway have been justified and the

	<p>Highways Authority has confirmed that these details are acceptable and can be secured by appropriately worded planning conditions.</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 and the guidance in the NPPF.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <p>1.The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.</p> <p>Reason To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.</p> <p>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: -</p> <ul style="list-style-type: none"> - Application form received on 03rd May 2024 - Site Location Plan, scale 1:500 and 1:1250, drawing number PCE-Tomlinson- - February-24-Visibility Splays, received on 08th October 2024 - Existing and Proposed Plans and Elevations, scale 1:50 and 1:100, drawing number PCE-Tomlinson-February 24, received on 03rd May 2024 <p>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.</p> <p>3. The development shall not commence until visibility splays providing clear visibility of 21 metres West and 30 metres East measured 2 metres down the centre of the access road and the nearside channel line of the carriageway edge have been provided at the junction of the</p>

access road with the county highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grow within the visibility splay which obstruct the visibility splays. The visibility splays shall be constructed before general development of the site commences so that construction traffic is safeguarded.

Reason

In the interests of highway safety.

4. Details of all measures to be taken by the applicant/developer to prevent surface water discharging onto or off the highway shall be submitted to the Local Planning Authority for approval prior to development being commenced. Any approved works shall be implemented prior to the development being completed and shall be maintained operational thereafter.

Reason

In the interests of highway safety and environmental management.

5. The access drive shall be surfaced in bituminous or cement bound materials, or otherwise bound and shall be constructed and completed before the development is occupied/brought into use.

Reason

In the interests of highway safety.

6. The garden room hereby approved shall only be used in association with the residential property known as 185 Holborn Hill and for no commercial or business purposes whatsoever.

Reason

To ensure that non conforming uses are not introduced into the area in the interests of residential amenity.



Cumberland Council

Informative Note:

Moving the parking area will require a new dropped access and the old access removed and returned to standard footway at the expense of the applicant.

For the post to be moved/re-located there will be a cost at the applicant's expense. This will need to be discussed with our street works team.

Any works within or near the Highway must be authorised by the Council and no works shall be permitted or carried out on any part of the Highway including Verges, until you are in receipt of an appropriate permit from the LHA Streetworks team.

<https://www.cumberland.gov.uk/parking-roads-and-transport/streets-roads-and-pavements/street-licences-and-permits/street-permit-and-licence-fees-and-charges>

Please be advised that the Highway outside and or adjacent to the proposal must be kept clear and accessible at all times.

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. Burns

Date : 05/12/2024

Authorising Officer: N.J. Hayhurst

Date : 06/12/2024

Dedicated responses to:- N/A