

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/24/2169/0F1
2.	<b>Proposed Development:</b>	DEMOLITION OF EXISTING SINGLE STOREY STRUCTURE AND REPLACEMENT WITH A TWO STOREY REAR EXTENSION
3.	<b>Location:</b>	1 FLOSH COTTAGES, CLEATOR
4.	<b>Parish:</b>	Cleator Moor
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - 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 Planning Policies: See report
7.	<b>Report:</b> <b>SITE AND LOCATION</b> <p>This application relates to the dwelling at 1 Flosch Cottages in Cleator. It is an end of terrace property located to the north east of Cleator and fronts onto the A5086.</p> <p>There are other residential dwellings surrounding the property with a large garden to the rear.</p> <b>PROPOSAL</b> <p>Planning Permission is sought for the demolition of the existing single storey structure and its replacement with a two storey rear extension.</p> <p>The extension will project by 4.5 on the ground floor and 2.5 on the first floor and will be 4.1m</p>	

in width. It will have a pitched roof at 6.6m in overall height on the first floor with the additional projection at 2.7m and flat roofed on the ground floor. The ground floor will be set back from the boundary by 0.5m and the first floor by 1.2m.

There will be a single window in the side elevation facing west and double doors and a window on the rear elevation.

The proposed extension is to be faced externally with wet dash to the walls, anthracite Marley Modern tiles to the roof and white UPVC windows and doors.

### **RELEVANT PLANNING APPLICATION HISTORY**

There have been no previous applications on the site.

### **CONSULTATION RESPONSES**

#### Cleator Moor Town Council

No response received.

#### 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 these advertisements.

### **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.



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### **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 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

Policy CO7PU: Parking Standards and Electric Vehicle Charging Infrastructure

### **Other Material Planning Considerations**

National Planning Policy Framework 2023 (NPPF)

Cumbria Development Design Guide

### **ASSESSMENT**

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

#### Principle of Development

The proposed application relates to a residential dwelling within Cleator to provide an extended living space for the occupants. Policy DM18 of the CS and H14PU of the ELP 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 CS, H14PU of the ELP and the NPPF guidance.

#### Scale and Design

Policy ST1 of the CS, 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 CS 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 will add a further projection and height to the rear of the dwelling. The extension is of a suitable scale, leaving a large garden to the rear and a gap of 0.5m to the boundary with the neighbouring property will be retained to allow for maintenance.

The first floor has been designed with a gable which is a typical feature of the area. There are many examples of rear two storey extensions within Cleator and Cleator Moor locality.

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

#### 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.



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	<p>The proposal will be located to the rear of the property with the potential to have an effect on 2 Flosch Cottages to the north east. Due to the orientation, it is unlikely that there will be a loss of light for the neighbour. The separation of the two storey element from the boundary will allow reduce the dominance and any overbearing effect. The modest roof height of the single storey element will lessen any adverse effects for the neighbouring property.</p> <p>As there is a single storey extension existing on 1 Flosch Cottages and a two storey extension on 2 Flosch Cottages, there is unlikely to be a material change to the existing situation. No windows are proposed in the side elevation therefore there will be no overlooking issues created.</p> <p>No objections were received from the neighbouring property, however the proposal has been assessed in order to consider any future occupants of the dwelling.</p> <p>On this basis, the proposal will not have an adverse impact on the residential amenity and it is considered to comply with Policy DM18 of the CS, Policy H14PU of the ELP and NPPF guidance.</p> <p><u>Highway Safety</u></p> <p>Policy DM22 of the CS and CO7PU of the ELP encourage innovative approaches to manage vehicular access and parking to avoid vehicles dominating the street scene.</p> <p>The site access and on-street parking will remain unchanged to the front of the property and therefore it is considered that there will not be a material change to the existing highway situation.</p> <p>On this basis, the proposal is considered to satisfy Policy DM22, CO7PU of the ELP 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 a two-storey rear extension.</p> <p>On balance, the proposed extension is considered to reflect the character and appearance of the existing property and other similar extensions 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 or highway safety.</p> <p>Overall, 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 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: - <ul style="list-style-type: none"> <li>Application form, received 14th May 2024;</li> <li>Site Location Plans and Proposed Elevations, scales 1:1250, 1:500 and 1:100, drawing number DWG04, received 14th May 2024;</li> <li>Proposed Floor Plans, scale 1:50, drawing number DWG03, received 14th May 2024.</li> </ul> </li> </ol> <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>Informative</b></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.</p> <p>Further information is also available on the Coal Authority website at:  <a href="http://www.gov.uk/government/organisations/the-coal-authority">www.gov.uk/government/organisations/the-coal-authority</a></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>
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<b>Case Officer: Sarah Papaleo</b>	<b>Date : 01/07/2024</b>
<b>Authorising Officer: N.J. Hayhurst</b>	<b>Date : 02/07/2024</b>
<b>Dedicated responses to:- N/A</b>	