

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/24/2176/0F1
2.	<b>Proposed Development:</b>	PROPOSED SINGLE STOREY CLASSROOM EXTENSION (17 SQ M FOOTPRINT)
3.	<b>Location:</b>	ST JAMES RC SCHOOL, LONSDALE ROAD, MILLOM
4.	<b>Parish:</b>	Millom
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Flood Area - Flood Zone 2, 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: YES Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	<b>Report:</b>  <b>SITE AND LOCATION</b>  This application relates to St James RC School, a primary school accessed from Lonsdale Road in Millom.  The site is predominantly bound by residential properties on King Street, Queen Street and Market Street and comprises of a main school building and associated hardstanding play areas and a school field.  <b>PROPOSAL</b>  Planning Permission is sought for a single storey extension to the West elevation to provide	

an extension to an existing classroom.

The extension will project from the side of the school by 2.7 metres and will be 7.48 metres in width, allowing for an addition of 17 square metres in total to the existing classroom.

The extension is of a flat roofed design with 3 Velux skylights above and will have an overall flat roof height of 2.276 metres. There will be 4 windows and one single access door on the West elevation. The side elevation on the South will remain blank.

The extension will be of timber framed construction clad with blue/grey Cedral cladding with a blue brick lower plinth, mineral felt/GRP flat roof construction, and pvc windows and doors.

### **RELEVANT PLANNING APPLICATION HISTORY**

4/08/2399/0 – Formation of a new single storey extension to include a classroom, new toilet facilities and stores - Approve

4/09/2210/0 – Proposed outdoor canopy structure with roller shutter sides to rear of school building - Approve

4/13/2188/0F1 – External storage container - Approve

4/14/2166/0F1 – Extension to form new Year 2 classroom and remodelled KS1 toilets - Approve

4/17/2270/0F1 – Internally remodel and extend main entrance - Approve

4/22/2232/0F1 – The removal/demolition of the structurally unsafe clock room porch and replacing with an extension to the existing classroom to retain internal – Approve

### **CONSULTATION RESPONSES**

#### Millom Town Council

No objections.

#### Highways and Local Lead Flood Authority

Cumberland Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) has reviewed the above planning reference and I can confirm that we have no objection to the proposed development as it is considered that it will not have a material effect on existing highway conditions nor will it increase the flood risk on the site or elsewhere.

#### United Utilities

United Utilities provides the following comments to support the Local Planning Authority in their determination of the planning application detailed above, and to direct the applicant to



## Cumberland Council

further sources of support and guidance on matters that might impact their proposal.

The letter and Appendix should be read in their entirety to support the determination, the design, and should the scheme be approved, the subsequent delivery of the proposal.

**DRAINAGE** - We strongly encourage all developments to include sustainable drainage systems to help manage surface water and to offer new opportunities for wildlife to flourish. We request that Local Planning Authorities and applicants do all they can to avoid surface water entering the public sewer. The flows that come from this surface water are very large when compared with the foul water that comes from toilets, showers, baths, washing machines, etc. It is the surface water that uses up a lot of capacity in our sewers and results in the unnecessary pumping and treatment of surface water at our pumping stations and treatment works. If new developments can manage flows through sustainable drainage systems that discharge to an alternative to the public sewer, it will help to minimise the likelihood of sewers spilling into watercourses and the flooding of homes and businesses. National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) advise that surface water from new developments should be investigated and delivered in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

The applicant should consider their drainage plans in accordance with the drainage hierarchy outlined above. In the event that the applicant, or any subsequent developer, approaches United Utilities regarding a connection for surface water to the public sewer, it is likely that we will request evidence that the drainage hierarchy has been fully investigated and why more sustainable options are not achievable. This will be managed through either our 'S106 Sewer Connections' or 'S104 Adoptions' processes.

### **UNITED UTILITIES' PROPERTY, ASSETS AND INFRASTRUCTURE**

It is the applicant's responsibility to investigate the existence of any pipelines that might cross or impact their proposed site and also to demonstrate the exact relationship between United Utilities' assets and the proposed development. The applicant should not rely solely on the detail contained within asset maps when considering a proposed layout.

It is important that the supporting information contained in the Appendix, Section 2.0 'United Utilities' Property, Assets and Infrastructure', is read in conjunction with this letter. This provides information that might impact a proposed layout and additional guidance that an applicant or developer must consider when United Utilities assets are located in, or in the locality of, the proposed site.

Where United Utilities' assets exist, it is essential that the applicant, or any subsequent

developer, contacts our Developer Services team prior to commencing any works on site, including trial holes, groundworks or demolition. See Appendix. Section 4.0 'Contacts'

### Public Representation

The application has been advertised by way of a site notice and consultation letters issued to 5 no. neighbours. There have been no responses 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 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 – Spatial Development Strategy

Policy ER7 – Principal Town Centre, Key Service Centres, Local Centres and other service areas

Policy ER9 – The Key Service Centres, Local Centres and other smaller centres

Policy SS4 – Community and Cultural Facilities and Services

Policy ENV3 – Biodiversity and Geodiversity

Policy ENV1 – Flood Risk and Risk Management

#### Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place



## Cumberland Council

Policy DM21 – Protecting Community Facilities

Policy DM24 – Development Proposals and Flood Risk

Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species

### **Emerging Copeland Local Plan (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:

Strategic Policy DS1PU: Presumption in favour of Sustainable Development

Policy DS6PU: Design and Development Standards

Strategic Policy DS8PU: Reducing Flood Risk

Strategic Policy R4PU: The Key Service Centres

Policy SC5PU: Community and Cultural Facilities

Strategic Policy N1PU: Conserving and Enhancing Biodiversity and Geodiversity

### **Other Material Planning Considerations**

National Planning Policy Framework (NPPF)

## **ASSESSMENT**

The main issues raised by this application relate to the principle of the development, scale, design and impact on amenity, flood risk, and ecology.

### **Principle of Development**

Policies ST1, ST2 and ER7 of the Copeland Local Plan and Strategic Policy R4PU of the Emerging Local Plan concentrate development within the defined settlement boundaries in accordance with the Borough's settlement hierarchy.

The site lies within Millom, which is identified as one of the Borough's Key Service Centres, where development will be supported that provides or contributes to the Borough's social and community infrastructure.

Policy SS4 and Policy SC5PU also allows for the expansion and/or enhancement of existing community and cultural facilities to assist continuing viability.

As such the principle of development is considered to be acceptable.

### **Scale, Design and Impact on Amenity**

Policy ST1, DM10 of the Adopted Local Plan, Policy DS6PU of the Emerging Local Plan and section 12 of the NPPF seeks protection of residential amenity, a high standard of design, fostering of quality places, and proposals, which respond to the character of the site.

The proposal will provide single storey extension to the West elevation to provide an extension to an existing classroom.

The extension will project from the side of the school by 2.7 metres and will be 7.48 metres in width. The proposal is considered to be modest in scale and will allow for an addition of 17 square metres in total ground area to the existing classroom and will reflect the character of the previous development as it benefits from a flat roof and will not project beyond the existing projection on the side elevation.

Whilst the extension will bring this element of the school closer to existing residential properties on Queen Street and Market Street, it is still set back from the existing West elevation of the school and is therefore not considered to have an adverse impact on the surrounding residential amenities.

The proposed materials will be more modern in design and will enhance the external appearance of this side of the school building.

On the basis of the above it is considered that the proposal complies with ST1 and DM12 of the Local Plan, Policy DS6PU of the Emerging Local Plan and section 12 of the NPPF.

### **Flood Risk**

Policy ST1B(ii) and paragraph 163 of the NPPF seek to focus development on sites that are at least risk of flooding and where development in flood risk is unavoidable, ensure that the



## Cumberland Council

risk is minimised or mitigated through appropriate design.

Policy ENV1 and DM24 of the Copeland Local Plan and Strategic Policy DS8PU of the Emerging Local Plan reinforces the focus of protecting development against flood risk.

As the site lies within Flood Zone 2, a householder and other minor extension flood zone form has been submitted to support this application. This form states that the proposed floor levels will be set no lower than existing levels. Although the development will create a slightly greater footprint on site, the development is to be placed upon an area of existing hardstanding. The development is therefore not considered to increase the impermeable surface at this site.

The Local Lead Flood Authority offered no objections to the proposal in principle, and United Utilities offered informative advice on sustainable drainage systems.

The proposal is therefore considered to comply with policies ST1, ENV3 and DM24 of the Copeland Local Plan, Strategic Policy DS8PU of the Emerging Local Plan and provision of the NPPF.

### 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 proposal that are likely to have an effect on nature conservation sites, habitats and protected species.

The application site is identified as a potential area for natterjack toads. The application is not supported by any ecology details as the site is not located within 200m of a watercourse (as indicated within the ALGE trigger list) and is located within the centre of a built-up residential area.

On this basis it is considered that the site is not likely to contain natterjack toads and so it would not be necessary to seek an ecological survey for this minor application.

Furthermore, the development is located upon an area already surfaced with a hardstand, therefore it is not considered that the development will disturb any habitats.

It is therefore considered that the development complies with policies ST1, ENV3 and DM25 of the Copeland Local Plan and NPPF.

### Planning Balance & Conclusion

Planning permission is sought for a single storey extension to the West elevation to provide an extension to an existing classroom within an existing school within one of the Borough's Key Service Centres.

The proposal is considered to be modest in scale and reflect the character of the existing school site and will not have a detrimental impact on residential amenity.

	<p>Although modern materials are proposed, they are considered acceptable and suitable for their use in this context.</p> <p>The development is not considered to increase flood risk or have a detrimental impact on protected species.</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, The Emerging 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> <ol style="list-style-type: none"> <li> <p>The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.</p> <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> </li> <li> <p>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"> <li>- Application Form, received 20<sup>th</sup> May 2024;</li> <li>- Site Location Plan, scale 1:1250, received 20<sup>th</sup> May 2024;</li> <li>- Site Location Plan (with proposed single storey extension), scale 1:1250, received 20<sup>th</sup> May 2024;</li> <li>- Site Plan, scale 1:500, received 20<sup>th</sup> May 2024;</li> <li>- Existing Elevations, scale 1:50, received 20<sup>th</sup> May 2024;</li> <li>- Proposed Elevations, scale 1:50, received 20<sup>th</sup> May 2024;</li> <li>- Existing Floor Plan, scale 1:100, received 20<sup>th</sup> May 2024;</li> <li>- Proposed Floor Plan, scale 1:100, received 20<sup>th</sup> May 2024;</li> <li>- Proposed Section A-A, scale 1:50, received 20<sup>th</sup> May 2024;</li> <li>- Development Location Plan, scale 1:500, received 20<sup>th</sup> May 2024;</li> <li>- Householder and Other Minor Extensions in Flood Zones 2 and 3, received 20<sup>th</sup> May 2024.</li> </ul> <p>Reason</p> <p>To conform with the requirement of Section 91 of the Town and Country Planning Act</p> </li> </ol>





## Cumberland Council

1990, as amended by the Planning and Compulsory Purchase Act 2004.

3. The development must be carried out in accordance with and implement all of the details and mitigation measures specified within the approved document 'Householder and Other Minor Extensions in Flood Zones 2 and 3, received by the Local Planning Authority on the 20<sup>th</sup> May 2024.

Once installed these measures must be retained at all times thereafter.

### Reason

For the avoidance of doubt and to ensure that adequate measures are incorporated to protect the occupiers from flooding.

### 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: Demi Crawford**

**Date : 10/07/2024**

**Authorising Officer: N.J. Hayhurst**

**Date : 15/07/2024**

**Dedicated responses to:- N/A**