

**CUMBERLAND COUNCIL  
DELEGATED PLANNING DECISION**

1.	<b>Reference No:</b>	4/24/2197/0F1
2.	<b>Proposed Development:</b>	REPLACE GROUND FLOOR EXTENSION TO REAR ELEVATION AND ERECT CONSERVATORY EXTENSION TO FRONT ELEVATION
3.	<b>Location:</b>	27 SILVERDALE STREET, HAVERIGG
4.	<b>Parish:</b>	Millom
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Flood Area - Flood Zone 2, Flood Area - Flood Zone 3, 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 27 Silverdale Street, a mid-terraced property located in Haverigg. The site benefits from a small front yard/garden with a canopy on the front elevation, and a shared side access leading to a small garden to the rear.	
	<b>PROPOSAL</b>	
	Planning Permission is sought for the replacement of the existing single storey extension to	

the rear and erection of a conservatory extension to the front elevation.

The replacement rear extension will project 5.08 metres from the rear and will be 3.9 metres in width. It contains a flat roof with overall height of 2.7 metres. It will be finished with Canterbury spar to match the existing, Polyroof GRP grey resin roof, and anthracite grey upvc windows and doors.

The front elevation conservatory will project 2 metres from the front elevation and will be 3.6 metres in width spanning across the full front elevation. It has been designed to include a sloped roof with a height of 2.8 metres falling to 2.2 metres. It will be finished with Canterbury spar to match the existing and anthracite grey upvc windows and doors.

### **RELEVANT PLANNING APPLICATION HISTORY**

There have been no previous applications at this property.

### **CONSULTATION RESPONSES**

#### Consultees

##### Millom Town Council

No objections.

##### Highways & LLFA

The local highway authority have no objections to the proposed development.

We are content with the information supplied in the flood risk form and assessment. Flood risk measures are being considered and put into place. 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.

##### Public Representations

The application has been advertised by way of neighbour notification letters issued to 2 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

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 2013 – 2028 (Adopted December 2013):**

#### Core Strategy

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Policy ENV1 – Flood Risk and Risk Management

Policy ENV3 – Biodiversity and Geodiversity

#### Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM18 – Domestic Extensions and Alterations

Policy DM24 – Development Proposals and Flood Risk

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 will close 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 DS8PU – Reducing Flood Risk

Policy H14PU – Domestic Extensions and Alterations

Strategic Policy N1PU: Conserving and Enhancing Biodiversity and Geodiversity

### **Other Material Planning Considerations**

National Planning Policy Framework (NPPF)

Wildlife and Countryside Act 1981

### **ASSESSMENT**

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

#### Principle of Development

The proposed application relates to a residential dwelling located within Haverigg and it is proposed to replace the existing single storey extension to the rear and erect a conservatory extension to the front elevation.

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.



## Cumberland Council

The application seeks to replace the existing single storey rear extension with a new one that will project 5.08 metres from the rear and will be 3.9 metres in width. It contains a flat roof with overall height of 2.7 metres. It will be finished with Canterbury spar to match the existing, Polyroof GRP grey resin roof, and anthracite grey upvc windows and doors.

The application also seeks to erect a conservatory on the front elevation which will project 2 metres from the front elevation and will be 3.6 metres in width spanning across the full front elevation. It has been design to include a sloped roof with a height of 2.8 metres falling to 2.2 metres. It will be finished with Canterbury spar to match the existing and anthracite grey upvc windows and doors.

The proposed extensions are considered to be relatively modest in scale and are in-keeping with the character of the existing property and surrounding properties. The majority of the dwellings on Silverdale Street already benefit from a single storey rear extension and a front porch/conservatory extension.

The proposal is therefore considered to improve the design of the street-scene in accordance with Policy DM18.

The proposal is considered to be suitable for this mid-terraced property and the scale will not appear dominant within the street-scene.

In addition, the choice of materials proposed are considered suitable for their use and will complement 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 proposal and the neighbouring properties were considered, the proposal will be appropriately located within the site.

The proposed extensions, both front and rear, are considered to have little impact on the residential amenity of the occupiers of the adjoining properties due to their scale and siting. The majority of the other neighbouring properties on this street have already achieved the same design scenario.

Both extensions will have a modest projection and will be appropriately located within the site with the rear extension replacing an existing single storey extension. It will not appear excessively dominant or overbearing in relation to the existing property and within the locality. Given the orientation and relationship with the adjoining property, it is not expected that the proposal will not result in an adverse loss of light or privacy, and there will be no additional overlooking issues.

On this basis, it is 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.

### Flood Risk

Policy ENV1 and DM24 of the Adopted Local Plan, and Policy DS8PU of the Emerging Local Plan seeks to protect developments against risks of flooding and ensure that new developments do not contribute to increased surface water run-off.

The application is supported by a Householder and Other Minor Extensions within Flood Zones 2 and 3 form. The area is highlighted as having a high probability of flooding that benefits from flood defences.

Due to the nature of the rear extension replacement and its use, the new front elevation conservatory and the presence of the existing flood defences, it is considered that the proposal is acceptable and won't have a detrimental effect on flood risk.

The flood resilience measures outlined on the form can also be secured by the use of a planning condition.

The Local Lead Flood Authority were consulted and were content with the information supplied in the flood risk form and assessment.

Overall, the proposal is not considered to significantly increase the surface water run-off and therefore the proposal will not have a detrimental effect on flood risk on the site or elsewhere and complies with Policy ENV1, DM24 and Policy DS8PU.

### 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. Despite the application site being located within 200m of a watercourse (as indicated within the ALGE trigger list) it is not considered to be supported by any ecology details as the site is located within an already established built-up residential area.

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 a large area of hard surface, and therefore it is not considered that this development will disturb any habitats.

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 the NPPF.



## Cumberland Council

	<p><u>Planning Balance and Conclusion</u></p> <p>The application seeks Planning Permission for the replacement of the existing single storey rear extension, and the erection of a conservatory on the front elevation.</p> <p>Taking into account the scale and design of the proposal and the impacts on residential amenity, the proposal is considered to be of an appropriate design and will not have any significant detrimental impact on the amenities of the adjoining properties.</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 increase the flood risk on site, nor is it 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: -<ul style="list-style-type: none"><li>- Application Form, received 30<sup>th</sup> May 2024;</li><li>- Site Location Plan, scale 1:1250, received 30<sup>th</sup> May 2024;</li><li>- Site Block Plan, scale 1:200, received 30<sup>th</sup> May 2024;</li><li>- Existing Elevations, scale 1:100, received 30<sup>th</sup> May 2024;</li><li>- Proposed Elevations, scale 1:100, received 30<sup>th</sup> May 2024;</li><li>- Existing Floor Plans, scale 1:50, received 30<sup>th</sup> May 2024;</li><li>- Proposed Floor Plans, scale 1:50, received 30<sup>th</sup> May 2024;</li></ul></li></ol>

- Section A-A, scale 1:50, received 30<sup>th</sup> May 2024;
- Householder and other minor extensions FZ 2&3 Form, received 30<sup>th</sup> May 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.

3. Before the extension is occupied, the flood resilience and mitigation measures must be carried out in accordance with the Householder and Other Minor Extensions in Flood Zones 2 and 3 Form received by the Local Planning Authority on 30<sup>th</sup> May 2024. The flood resilience and mitigation measures must be maintained thereafter.

**Reason**

To protect the property against flood damage in accordance with Policy DM24 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.

**Case Officer: Demi Crawford**

**Date : 22/07/2024**

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

**Date : 25/07/2024**

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