

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/24/2204/0F1
2.	Proposed Development:	SINGLE STOREY EXTENSION TO REAR AND TWO STOREY EXTENSION TO SIDE
3.	Location:	89 LOWTHER ROAD, 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	Neighbour Notification Letter: YES Site Notice: NO Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: LOCATION This application relates to 89 Lowther Road, a semi-detached property located on a residential cul de sac within Millom. The site benefits from a front garden with driveway and attached garage, and a modest size garden and existing conservatory to the rear. PROPOSAL Planning Permission is sought for the replacement of the existing conservatory with a single storey rear extension, and a first-floor extension to the side of the property over the existing garage. The single storey extension will project 3.5 metres from the rear of the dwelling and will be	

7.7 metres in width. It has been designed to include a sloping/pitched roof with overall height of 3.24 metres with two roof lights over.

The two-storey side extension will project 3.15 metres from the side elevation. A single storey garage already exists in this location. It has been designed with a hipped roof to match the existing roof height.

Both extensions will be finished with white/back fleck spar render and red facing brick features, red cement roof tiles and white upvc windows and doors to match the existing.

RELEVANT PLANNING APPLICATION HISTORY

None relevant.

CONSULTATION RESPONSES

Millom Town Council

No objections.

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 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):



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Core Strategy

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Policy ENV3 – Biodiversity and Geodiversity

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM18 – Domestic Extensions and Alterations

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 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:

Policy DS1PU – Presumption in favour of Sustainable Development

Policy DS6PU – Design and Development Standards

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 and ecology.

Principle of Development

The proposed application relates to a residential dwelling located within Millom and is proposed to construct a single storey rear extension, and a two-storey side extension.

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.

Planning Permission is sought for the replacement of the existing conservatory with a single storey rear extension to provide an open plan dining/living area, and a first-floor extension to the side of the property to create a utility room and larger lounge area on the ground floor and a fourth bedroom with en-suite on the first floor.

The single storey extension will project 3.5 metres from the rear of the dwelling and will be 7.7 metres in width. It has been designed to include a sloping/pitched roof with overall height of 3.24 metres with two roof lights over.

The two-storey side extension will project 3.15 metres from the side elevation. A single storey garage already exists in this location. It has been designed with a hipped roof to match the existing roof height.

Both extensions will be finished with white/back fleck spar render and red facing brick features, red cement roof tiles and white upvc windows and doors to match the existing.



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The proposal, despite the two-storey side element, is considered to be relatively modest in scale and is appropriately located within the site. It is in keeping with the character and appearance of the existing dwelling and wider residential area.

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 single storey rear extension is to replace an already existing conservatory. It includes a small window a set of bifold doors on the rear elevation, with two roof lights over. It will be stepped off the boundary with number 87 Lowther Road by 1.63 metres and the side elevation will be left blank.

The proposed side extension, whilst providing an additional storey, is relatively modest in scale and is to provide additional space for a fourth bedroom with en-suite on the first floor. The rear elevation of the proposed first floor extension will include a window that overlooks the parent property garden. The front elevation contains one small window in the en suite at first floor level which overlooks the parent property driveway and Lowther Road to the front.

Whilst this two-storey extension is to be located on the boundary adjacent to number 91 Lowther Road, the side elevation only proposes a small obscure glazed window on the ground floor utility room, and the remainder will be left blank.

Number 91 Lowther Road also currently has no openings on their ground floor side elevation.

The overall proposal is therefore not considered to result in a significant reduction in daylight or appear overbearing for the neighbouring properties and there are no additional overlooking issues considered.

In addition, following a site visit, it was noted that there were similar two storey side extensions and single storey rear extensions within the immediate neighbourhood and wider residential area. The overall proposal will therefore respect the character and appearance of the existing property and the wider residential area.

On this basis, it was 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.

	<p><u>Ecology</u></p> <p>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.</p> <p>The application site is identified as being a potential area for Natterjack Toads. As the application site is not 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.</p> <p>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.</p> <p>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.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The application seeks Planning Permission for construction of a single storey rear extension and a two storey side extension.</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 detrimental impact on the amenities of the adjoining properties.</p> <p>The proposed extension is considered to be suitably located within the site and is acceptable in terms of its scale and design.</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 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>Recommendation:</p> <p>Approve (commence within 3 years)</p>



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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</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> <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 3rd June 2024;- Site Location Plan, scale 1:1250, received 3rd June 2024;- Site Block Plan, scale 1:300, received 3rd June 2024;- Existing Ground Floor Plan, scale 1:50, received 3rd June 2024;- Existing First Floor Plan, scale 1:50, received 3rd June 2024;- Proposed Ground Floor Plan, scale 1:50, received 3rd June 2024;- Existing Ground Floor Plan, scale 1:50, received 3rd June 2024;- Existing Elevations, scale 1:100, received 3rd June 2024;- Proposed Elevations, scale 1:100, received 3rd June 2024;- Section A-A, scale 1:50, received 3rd June 2024; <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>Statement</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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Case Officer: Demi Crawford	Date : 25/07/2024
Authorising Officer: N.J. Hayhurst	Date : 29/07/2024
Dedicated responses to:- N/A	