

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/24/2219/0F1
2.	<b>Proposed Development:</b>	SINGLE STOREY SIDE EXTENSION TO BUNGALOW
3.	<b>Location:</b>	SUNNYCROFT, BOUNDARY LANE, MILLOM
4.	<b>Parish:</b>	Millom
5.	<b>Constraints:</b>	<p>ASC;Adverts - ASC;Adverts,</p> <p>Flood Area - Flood Zone 2,</p> <p>Coal - Off Coalfield - Data Subject To Change,</p> <p>Key Species - Potential areas for Natterjack Toads</p>
6.	<b>Publicity Representations &amp;Policy</b>	<p>Neighbour Notification Letter: YES</p> <p>Site Notice: NO</p> <p>Press Notice: NO</p> <p>Consultation Responses: See report</p> <p>Relevant Planning Policies: See report</p>
7.	<p><b>Report:</b></p> <p><b>SITE AND LOCATION</b></p> <p>This application relates to Sunnycroft, detached bungalow situated within Millom. The site benefits from a large garden and an existing driveway and works are currently ongoing which were approved under application reference 4/22/2229/0F1.</p> <p>The site also falls within flood zone 2.</p> <p><b>PROPOSAL</b></p> <p>Planning Permission is sought for the erection of a small single storey side extension to replace an existing bay window. The extension will provide additional space for the existing</p>	

dining room and it will project 2.25 metres from the side elevation and will be 3.05 metres in width.

It has been designed to include a dual-pitched roof with an eaves height of 2.4 metres and an overall height of 3.8 metres. The North, South and East elevations each contain a window.

The extension will be finished with roughcast render, natural grey slate and white UPVC windows and doors to match the existing dwelling.

## **RELEVANT PLANNING APPLICATION HISTORY**

4/22/2229/0F1 EXTENSIONS TO THE REAR ELEVATION AND DETACHED GARAGE

## **CONSULTATION RESPONSES**

### Millom Town Council

No objections.

### Highway Authority & Lead Local Flood Authority

As the property is in Flood Zone 2 they have supplied Flood risk measures as per attached sheet, we at the LLFA are content with the information supplied. I can confirm that the Local Highway Authority and Lead Local Flood Authority have no objection to the proposed development as it is considered that the proposal does not affect the highway nor does it increase the flood risk on the site or elsewhere.

However, a PROW public footpath number 415014 lies adjacent to the site, the Applicant must ensure that no obstruction to the footpath occurs during, or after the completion of the site works. Reason: To support Local Transport Plan Policy W1, W2.

### Environment Agency

No response received.

### Countryside Access Footpaths Officer

No response received.

### Public Representations

The application has been advertised by way of neighbour notification letters issued to 3 no. properties. No objections have been 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.



## Cumberland Council

### **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 ENV3 – Biodiversity and Geodiversity

#### 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

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:

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)

Cumbria Development Design Guide

Wildlife and Countryside Act 1981

### **ASSESSMENT**

The key issues raised by this proposed are the principle of development, its scale and design and the potential impacts on residential amenity, highway safety, flood risk, ecology and the public right of way.

#### **Principle of Development**

The proposed application relates to a residential dwelling within Millom, and it will provide a small side extension to provide additional space within the existing dining room.

Policy DM18 supports extensions and alterations 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 of the Local Plan and the NPPF guidance.



## Cumberland Council

### Scale and Design

Policy ST1 and section 12 of the NPPF seek to promote high quality designs. Policy DM10 and DM18 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 extension will replace an existing bay window and is not significantly larger than what currently exists.

The proposed side extension is modest in scale and appropriately located within the site. Despite the proposed extension being able to be seen from the roadside, it is not considered to be excessively prominent in the street scene, due to the existing boundary hedge providing suitable screening.

The choice of materials used match the existing property and therefore the design respects the character and appearance of the existing property and wider residential area.

On this basis, the proposal is considered to meet Policy DM18(A) and the NPPF guidance.

### Residential Amenity

Policy ST1, Policy DM18 and section 12 of the NPPF seek to safeguard good levels of residential amenity of both the parent property and adjacent dwellings.

Whilst amenity issues between the proposed extension and the neighbouring properties were considered, the proposed side extension is considered to be suitably located within the site.

Despite the side extension being located on the East elevation adjacent to the access road onto Wasdale Road, the existing boundary hedge providing suitable screening.

The extension will replace an existing bay window in this location, and although slightly bigger, is still considered to be modest in scale. The proposal is therefore not considered to cause any additional concerns regarding overbearing, nor will it cause any additional loss of light or dominance on the neighbouring properties.

On balance, the proposal will not have a detrimental impact on the neighbouring amenity and it is considered that the proposal will meet Policy DM18, Policy H14PU and the NPPF guidance.

### Flood Risk

The NPPF and Policy DM24 requires proposed developments in Flood Zones 2 and 3 to be accompanied by a Flood Risk Assessment (FRA). Policy DM24 seeks to protect developments against risks of flooding.

The site lies adjacent to Flood Zone 2 and the application is accompanied by a Householder and Other Minor Extensions in Flood Zones 2 and 3 form.

The flood resilience measures outlined on the form are considered to be suitable for the modest extension and the minor development is not considered to raise significant flood risk

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

In addition, the LLFA are content with the information supplied and the Local Highway Authority have no objection to the proposed development.

The proposal is therefore considered to be satisfactory, and it will not have a detrimental impact on flood risk within the site or elsewhere.

Overall, the proposal complies with Policy ENV1, Policy DM24, and Policy DS8PU.

#### Ecology

Policy ST1, ENV3 and DM25 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 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 relates to a residential dwelling which 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 this is not a habitat that is likely to contain natterjack toads and so it would not be necessary to seek an ecological survey for this minor householder application.

It is therefore considered that the development complies with Policies ST1, EV3 and DM25 of the Copeland Local Plan and Strategic Policy N1PU of the Emerging Local Plan and the NPPF guidance.

#### Public Right of Way

Although the application site lies within the 50-metre buffer of the Public Right of Way 415014 and the extension might be visible from a small section of the public footpath, it will be modest in scale and design. The extension will also be seen in the context of the existing dwelling. This will minimise the impact of the development and therefore the proposal will not harm the physical footpath or the amenity of the footpath user.

No comments were received from the Countryside Access Footpath Officer.

On this basis, the proposal is considered to satisfy Policy DM10 and the NPPF guidance.

#### Planning Balance and Conclusion

This application seeks to erect a small side extension to provide an enlarged dining room. The main issues raised by the application were the potential amenity issues, flood risk and ecology.

The proposal is considered to be suitably located and will be acceptable in terms of scale and design. In addition, given what is possible without planning permission, the proposal will not



## Cumberland Council

	<p>have any detrimental impact on the amenities of the adjoining properties, highway safety, flood risk, ecology or the public right of way.</p> <p>The planning conditions proposed will ensure the flood mitigation measures are installed further protecting residential amenity.</p> <p>On balance, the application is considered to be 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 17<sup>th</sup> June 2024;</li><li>- Site Location Plan, scale 1:1250, drawing no 001, received 17<sup>th</sup> June 2024;</li><li>- Site Block Plan, scale 1:500, drawing no 001, received 17<sup>th</sup> June 2024;</li><li>- Existing Floor Plan, scale 1:50, drawing no 001, received 17<sup>th</sup> June 2024;</li><li>- Proposed Floor Plan, scale 1:50, drawing no 001, received 17<sup>th</sup> June 2024;</li><li>- Existing Elevations, drawing no 001, received 17<sup>th</sup> June 2024;</li><li>- Proposed Elevations, drawing no 001, received 17<sup>th</sup> June 2024;</li><li>- Section A-A, scale 1:50, drawing no 001, received 17<sup>th</sup> June 2024;</li><li>- Section B-B, scale 1:50, drawing no 001, received 17<sup>th</sup> June 2024;</li><li>- Householder and other minor extensions in FZ 2&amp;3 Form, received 17<sup>th</sup> June 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 Note</b></p> <p>a PROW public footpath number 415014 lies adjacent to the site, the Applicant must ensure that no obstruction to the footpath occurs during, or after the completion of the site works.</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>	
<b>Case Officer: Demi Crawford</b>		<b>Date : 08/08/2024</b>
<b>Authorising Officer: N.J. Hayhurst</b>		<b>Date : 12/08/2024</b>
<b>Dedicated responses to:- N/A</b>		