

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/24/2222/0F1
2.	Proposed Development:	PROPOSED SINGLE STOREY REAR EXTENSION TO LARGE DETACHED PROPERTY
3.	Location:	FARMLANDS, MORESBY
4.	Parish:	Moresby
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations &Policy	Neighbour Notification Letter: NO Site Notice: YES Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: SITE AND LOCATION This application relates to Farmlands, a large, detached property situated on a private estate within Moresby. The site benefits from a large driveway, wrap around garden and various outbuildings. PROPOSAL Planning permission is sought for the erection of a single storey rear extension to provide a kitchen, dining, lounge extension with some internal reconfiguration of the existing rooms. The extension will project 6 metres from the rear elevation and will be 8.4 metres in width. It has been designed to include a roof which is a continuation of the current roof on the South elevation, with a double dual pitch roof on the East Elevation.	

The proposed front elevation will include a window on the South elevation, and a window and set of sliding doors on the East elevation.

It will be finished in render, slate roof tiles, and UPVC/aluminium doors and windows to match the existing property.

RELEVANT PLANNING APPLICATION HISTORY

No previous applications at this site.

CONSULTATION RESPONSES

Moresby Parish Council

No comments received.

Public Representations

The application has been advertised by way of a site notice. 1 letter of objection has been received in response to this consultation which raised the following comments:

- There are bats living in the old buildings and all the construction work would scare them off.

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.

Development Plan Copeland Local Plan 2013 – 2028 (Adopted December 2013)

Core Strategy



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Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM18 – Domestic Extensions and Alterations

Emerging Copeland Local Plan 2021-2038 (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

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

Cumbria Development Design Guide

ASSESSMENT

The key issues raised by this proposal are the principle of development, its scale and design, the potential impacts on residential amenity and the public right of way.

Principle of Development

The proposed application relates to a residential dwelling within Moresby, and it will provide a single storey rear extension to the property to provide a kitchen, dining, lounge extension with some internal reconfiguration of the existing rooms.

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.

Whilst on site, it was confirmed by the applicant that the extension is not to be used as a separate dwelling after concerns were raised due to its size. The use of the extension can be controlled by the use of an appropriately worded planning condition to ensure that the extension remains ancillary to the use of the main dwelling.

The proposed rear extension is considered to be suitably located within the rear garden and, despite its scale, is modest in overall size in the context of the entire site.

The proposed extension design will not be excessively prominent as it is located on the rear of a large site that is surrounded by open fields. There are no immediate neighbours for the site and therefore it is not considered to cause any overbearing or overshadowing issues as a result.

The materials are considered suitable for their use and will match the existing property. As a result, the proposed extension will respect character and appearance of the existing dwelling, and the wider residential area will be maintained.

It is therefore considered that the street scene will not be detrimentally altered as a result of this development. On this basis, the proposal is considered to comply with Policies DM10, DM18 of the Local Plan, Policy H14PU of the Emerging Local Plan 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.

The application site lies within open farmland with the nearest properties being Tivoli



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Cottages approximately 130 metres to the Southwest, Ghyll Head approximately 155 metres to the North, and Hermanus approximately 200 metres to the Northwest. On this basis, there were no significant amenity issues considered as part of this proposal.

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.

Public Right of Way

Although Public Right of Way 417005 runs alongside the site, it is located approximately 70 metres from the proposed rear extension, and therefore only a small section of the proposal might be visible from a small section of the public footpath. It seen by users of the PRoW, 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.

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

Other Issues

1 letter of objection was received which states there are bats living in the old buildings and the construction work as a result of this development would scare them off. Whilst this issue was noted, additional information regarding the protection of bats was not required as the application relates to a householder extension. The proposal is for a new extension, so is unlikely to harm any bats.

Planning Balance and Conclusion

This application seeks to erect a single storey rear extension to a large, detached property within Moresby.

It is not considered to be excessively prominent within the locality and the design and materials used are considered to respect the character and appearance of the existing property and wider residential area.

In addition, taking into account the scale of the proposal and siting within the site, the proposed design is acceptable, and it will not adversely harm the amenity of neighbouring properties or users of the nearby Public Right of Way.

The use of an appropriately worded planning condition can control the use of this large extension to ensure that it remains ancillary to the use of the main dwelling, and is not used as a separate dwelling.

On balance, the proposed extension 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.

8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <ol style="list-style-type: none"> 1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission. <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"> 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"> - Application Form, received 19th June 2024; - Site Location Plan, scale 1:1250, drawing no 2223-009-01, received 19th June 2024; - Existing Site Plan, scale 1:500, drawing no 2223-009-08, received 19th June 2024; - Proposed Site Plan, scale 1:500, drawing no 2223-009-09, received 19th June 2024; - Existing Ground Floor Plan, scale 1:50, drawing no 2223-009-02, received 19th June 2024; - Proposed Ground Floor Plan, scale 1:50, drawing no 2223-009-10, received 19th June 2024; - Existing First Floor Plan, scale 1:50, drawing no 2223-009-03, received 19th June 2024; - Existing Roof Plan, scale 1:50, drawing no 2223-009-4, received 19th June 2024; - Proposed Roof Plan, scale 1:50, drawing no 2223-009-12, received 19th June 2024; - Existing Elevations 1 of 3, scale 1:50, drawing no 2223-009-05, received 19th June 2024; - Existing Elevations 2 of 3, scale 1:50, drawing no 2223-009-06, received 19th June 2024; - Existing Elevations 3 of 3, scale 1:50, drawing no 2223-009-07, received 19th June 2024; - Proposed Elevations 1 of 3, scale 1:50, drawing no 2223-009-20, received 19th June



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- Proposed Elevations 2 of 3, scale 1:50, drawing no 2223-009-21, received 19th June 2024;
- Proposed Elevations 1 of 3, scale 1:50, drawing no 2223-009-22, received 19th June 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. The extension hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Farmlands and shall not be let or sold as a separate permanent dwelling.

Reason

The annexe is not considered appropriate for use as a separate residential unit.

Informative Note

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. Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

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 : 09/08/2024
Authorising Officer: N.J. Hayhurst	Date : 12/08/2024
Dedicated responses to:- N/A	