

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/24/2226/0F1	
2.	Proposed Development:	ALTERATIONS AND EXTENSION FOR TWO STOREY EXTENSION WITH JULIETTE BALCONY FOR LIVING KITCHEN DINER AND MASTER BEDROOM SUITE	
3.	Location:	2 HIGH CROFT COTTAGES, MOSS SIDE, EGREMONT	
4.	Parish:	Ponsonby	
5.	Constraints:	ASC;Adverts - ASC;Adverts, Safeguard Zone - Safeguard Zone, Coal - Off Coalfield - Data Subject To Change, DEPZ Zone - DEPZ Zone, Outer Consultation Zone - Sellafield 10KM	
6.	Publicity Representations &Policy	Neighbour Notification Letter	Yes
		Site Notice	No
		Press Notice	No
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	Report:		
	Site and Location		
	This application relates to 2 High Croft Cottages, located within the area known as Moss Side situated to the north west of Calderbridge.		
	The semi-detached property benefits from an attached barn, currently used as a store, and is located within the open countryside. There is an existing store attached to the property which is not within the applicant's ownership. The site shares its access with the attached property from the A595, and benefits from a large garden to the side and rear.		

Relevant Planning History

No relevant planning history.

Proposal

This application seeks planning permission for the alteration and extension of the property to create a two-storey extension.

The proposed development will utilise the footprint of the existing attached barn, with the front wall rebuilt to accommodate the works. An additional storey will be added to the existing barn with the eaves and ridge height matching that of the main dwelling. The proposed works also include a rear extension to the barn projecting 2.8m from the rear elevation and extending along this elevation to meet the existing rear extension on the main dwelling. The main element of the rear extension will create a rear facing gable, benefitting from an eaves 5.3m and an overall height of 6.7m to match the existing rear extension. The existing and proposed rear extensions will be linked via a flat roof at a height of 5.2m.

Internally, the ground floor of the proposed development will allow of the reconfiguration of the existing dwelling to include a hall/reception, tv/snug, utility room, and bathroom, and the creation of a new open plan living/kitchen/dining room. The first floor of the proposal will accommodate a master bedroom suite incorporating a double bedroom with a Juliette balcony, an ensuite bathroom, dressing room, and office.

Externally the proposal will be finished with sandstone masonry, wet dash render, slate roof, and white UPVC windows and doors.

Consultation Responses

Ponsonby Parish Council

Support. No objections to the proposed development.

Cumberland Council – Highway Authority & Lead Local Flood Authority

As this falls under our Service Level Agreement (SLA) with your Council, this application does not need to be submitted to the Local Highway Authority or Lead Local Flood Authority; subject to the highway and drainage aspects of such applications being considered in accordance with the Agreement.

The highway and drainage implications of this application would therefore have to be decided by the Local Planning Authority.

Cumberland Council – Countryside Access Officer

No comments received.



Cumberland Council

Cumberland Council – Ecologist

Bat Survey Report:

The County Ecologist has no comments.

Suggested Planning Condition(s):

Bats:

- In the unexpected event that a bat is discovered during the works, the contractors will be advised to stop immediately and contact the licensed ecologist whom will travel to site to provide assessment and advice. Contractors will be specifically forbidden to handle bats. Contractors will be advised that if it is necessary to remove a bat to avoid it being harmed, gloves MUST be worn. It should be carefully placed in a cardboard box and kept in the dark in a quiet place until the licensed ecologist arrives on site.
- 1 bat box should be installed at the site, to follow Table 5.1 of the Bat Survey Report submitted by Knight Sky Ecology (June 2024).

Natural England

No comments received.

Public Representation

This application has been advertised by way of a site notice, and neighbour notification letters issued to seven properties. No comments have been received in relation to the statutory notification procedure.

Planning Policy

Planning law requires that 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 – Strategic Development Principles

Policy T1 – Improving Accessibility and Transport

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 DM22 – Accessible Developments

Policy DM24 – Development Proposal and Flood Risk

Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species

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 stage of preparation of the emerging Copeland Local Plan 2017-2038 some weight can be attached to policies where no objections have been received or objections have been resolved. The Publication Draft (January 2022) and Addendum (July 2022) provides an



**Cumberland
Council**

indication of the direction of travel of the emerging planning policies, which themselves have been developed in accordance with the provisions of the NPPF.

Strategic Policy DS1PU: Presumption in favour of Sustainable Development

Policy DS6PU: Design and Development Standards

Policy CO4PU - Sustainable Travel

Policy CO5PU - Transport Hierarchy

Policy CO7PU - Parking Standards and Electric Vehicle Charging Infrastructure

Strategic Policy DS8PU: Reducing Flood Risk

Strategic Policy N1PU: Conserving and Enhancing Biodiversity and Geodiversity

Strategic Policy N2PU: Local Nature Recovery Networks

Strategic Policy N3PU: Biodiversity Net Gain

Other Material Planning Considerations

National Planning Policy Framework (2023)

National Design Guide (NDG).

Cumbria Development Design Guide (CDG)

The Conservation of Habitats and Species Regulations 2017 (CHSR)

Wildlife and Countryside Act 1981

Assessment

The main issues raised by this application are the principle of development; scale and design; impact on residential amenity; highway safety; and impact on ecology.

Principle of Development

The application relates to an existing residential dwelling, within a small group of dwellings within the open countryside. Policy DM18 of the Copeland Local Plan and H14PU of the Emerging Local Plan support extensions and alterations to residential properties subject to detailed criteria, which are considered below.

On this basis, the proposal is considered to satisfy Policies DM18 of the Copeland Local Plan, H14PU of the Emerging Local Plan and the NPPF guidance.

Scale and Design

Policy ST1 of the Copeland Local Plan, DS1PU of the ELP and section 12 of the NPPF seek to safeguard good levels of quality and attractiveness.

Policy DM10 and DM18 of the Copeland Local Plan and H14PU of the ELP 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 proposal seeks to extend and alter the existing property to create a large two storey extension utilising the existing attached barn. The dwelling is sited on a large plot, capable of accommodating an extension of this scale. The proposal will reflect the scale and materials of the main dwelling, with the proposed rear extension reflecting the design and scale of the existing extension serving the property. The development is therefore considered to reflect the character of the existing dwelling and surrounding properties.

On this basis, the proposal is considered to meet Policy DM18 of the Copeland Local Plan, H14PU of the ELP and the NPPF guidance.

Impact Residential Amenity

Policy ST1 and DM18 of the CS, H14PU of the ELP and section 12 of the NPPF seek to safeguard good levels of residential amenity of the parent property or adjacent dwellings.

Whilst large in scale, the proposed development is not considered to create amenity issues for the attached neighbouring property. The development will be located to the west gable of the property away from the neighbouring dwelling. Given the location of the proposal it is not considered to create overlooking or overdominance concerns for existing residential dwellings.

On this basis, the proposal will not have unacceptable adverse impact on the residential amenity and it is considered to comply with Policy DM18 of the Copeland Local Plan, Policy H14PU of the ELP and provision of the NPPF.

Highway Safety

Policy T1 of the Core Strategy requires mitigation measures to be secured to address the impact of major housing schemes on the Boroughs transportation system. Policy DM22 of the Copeland Local Plan requires developments to be accessible to all users and to meet adopted car parking standards, which reflect the needs of the Borough in its rural context.

Policies CO4PU, CO5PU and CO7PU of the ELP promotes active travel.

The proposed works will not alter access arrangements for the site and will retain the existing parking for the dwelling. The Highway Authority has offered no comments on the application. Whilst the development will create an additional bedroom for the property, adequate parking is retained to serve the extended dwelling.

It is therefore considered that the proposal will not have a detrimental impact on highway safety in accordance with Policies T1 and DM22 of the Copeland Local Plan, Policies CO4PU, CO5PU and CO7PU of the Emerging Local Plan and provisions of the NPPF.

Impact on Ecology



Cumberland Council

Policies ST1, ENV3, and DM25 seeks to ensure that new development will protect and enhance biodiversity and geodiversity.

Policy N1PU of the Emerging Local Plan LP defines a mitigation hierarchy.

Policy N3PU of the Emerging Local Plan requires that all development, with the exception of that listed in the Environment Act must provide a minimum of 10% biodiversity net gain over and above existing site levels, following the application of the mitigation hierarchy set out in Policy N1PU above. This is in addition to any compensatory habitat provided under Policy N1PU. It is stated net gain should be delivered on site where possible and where on-site provision is not appropriate, provision must be made elsewhere in accordance with a defined order of preference.

The application is supported by a Bat Survey Report. This report concludes that bat roosts are likely absent from the property, therefore, bats do not present a potential ecological constraint to the development proposal. It is also concluded that no evidence of nesting birds was observed during the surveys.

The report recommends the following mitigation and enhancement measures:

- In the unexpected event that a bat is discovered during the works, contractors will stop and contact the licensed ecologist who will travel to the site and provide advice.
- Contractors will be forbidden to handle bats.
- If necessary to remove bats gloves must be worn and they must be placed in a cardboard box and kept in a dark quiet place until the ecologist arrives.
- Installation of a bat box.

The Council's Ecologist has offered no objections to the application but has requested conditions to secure the details outlined within the Bat Survey Report.

Based on the inclusion of this condition, it is considered that the development would be in accordance with the aims and objectives of both the adopted Copeland Local Plan, Emerging Local Plan and the NPPF.

Planning Balance and Conclusion

The application seeks planning permission to extend and alter the existing property to create a large two storey extension utilising the existing attached barn. The proposal is considered to reflect the scale and character of the existing dwelling. The proposal is of an appropriate scale and design and would not have any significant detrimental impact on the amenities of the adjoining properties.

The development is not considered to have an adverse impact highway safety, flood risk, or ecology subject to conditions.

The proposal is therefore considered to be an acceptable form of sustainable development which is compliant with policies of the Copeland Local Plan and the provisions of the NPPF.

8.	Recommendation: Approve (commence within 3 years)
9.	Conditions: <u>Standard Conditions</u> <ol style="list-style-type: none"> The development hereby permitted must 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"> Permission must relate to the following plans and documents as received on the respective dates and development must be carried out in accordance with them: <ul style="list-style-type: none"> - Application Form, received by the Local Planning Authority on the 24th June 2024. - Existing Block Plan & Location Plan, Scale 1:500, DWG No: 24/0404/01, received by the Local Planning Authority on the 24th June 2024. - Existing Ground and First Floor Plans, Scale 1:100, DWG No: 24/0404/02, received by the Local Planning Authority on the 24th June 2024. - Existing Elevations, Scale 1:100, DWG No: 24/0404/03, received by the Local Planning Authority on the 24th June 2024. - Existing Sectional Elevation, Scale 1:50, DWG No: 24/0404/04, received by the Local Planning Authority on the 24th June 2024. - Existing Sectional Elevation, Scale 1:50, DWG No: 24/0404/05, received by the Local Planning Authority on the 24th June 2024. - Proposed Alterations and Extensions Ground Floor Plan, Scale 1:50, DWG No: 24/0404/06, received by the Local Planning Authority on the 24th June 2024. - Proposed Alterations and Extensions First Floor Plan, Scale 1:50, DWG No: 24/0404/07, received by the Local Planning Authority on the 24th June 2024. - Proposed Alterations and Extensions Front Elevation, Scale 1:50, DWG No: 24/0404/08, received by the Local Planning Authority on the 24th June 2024. - Proposed Rear Elevation, Scale 1:50, DWG No: 24/0404/09, received by the Local



Cumberland Council

Planning Authority on the 24th June 2024.

- Proposed End Elevation, Scale 1:50, DWG No: 24/0404/10, received by the Local Planning Authority on the 24th June 2024.
- Proposed Sectional Elevation, Scale 1:50, DWG No: 24/0404/11, received by the Local Planning Authority on the 24th June 2024.
- Proposed Block Plan, Scale 1:500, DWG No: 24/0404/011, received by the Local Planning Authority on the 24th June 2024.
- Bat Survey Report, Prepared by Knight Sky Ecology Practical Ecology Solutions June 2024, received by the Local Planning Authority on the 26th July 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.

Other Conditions:

3. The development hereby approved must implement all the mitigation and compensation measures set out in the approved documents 'Bat Survey Report, Prepared by Knight Sky Ecology Practical Ecology Solutions June 2024, received by the Local Planning Authority on the 26th July 2024'.

Reason

To protect the ecological interests evident on the site, in accordance with policies ST1, ENV3 and DM25 of the Copeland Local Plan and section 15 of the NPPF.

Informative Note:

During construction if any bats or evidence of bat is found within this structure the application should contact the National Bat Helpline on 0345 1300 2288 for advice on how to do works lawfully.

Statement:

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and negotiating with the applicants acceptable amendments to address them. As a result the Local Planning

	Authority has been able to grant planning permission for an acceptable proposal in accordance with Copeland Local Plan policies and the presumption in favour of sustainable development as set out in the National Planning Policy Framework.	
Case Officer: C. Burns		Date : 16.08.2024
Authorising Officer: N.J. Hayhurst		Date : 19.08.2024
Dedicated responses to:- N/A		