

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/24/2234/0F1
2.	Proposed Development:	ALTERATIONS AND EXTENSIONS (INTERNAL ALTERATIONS AND NEW PORCH AND LIVING KITCHEN DINING EXTENSION GARDEN LANDSCAPING ALL FOR WHEELCHAIR ACCESSIBILITY)
3.	Location:	ROWAN GARTH, SCALEGILL PLACE, MOOR ROW
4.	Parish:	Egremont
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations &Policy	See Report
7.	Report: SITE AND LOCATION <p>This application relates to Rowan Garth, a detached property situated on Scalegill Place within Moor Row. The site benefits from a modest front garden with offroad parking, and large tiered garden to the rear.</p> PROPOSAL <p>Planning Permission is sought for the removal of the rear conservatory/lean to and the construction of a single storey extension to provide an open plan kitchen/dining living space with separate utility room, the construction of a new front/side porch with ramped access, and garden landscaping for wheelchair accessibility.</p> <p>The rear extension will project 4.5 metres from the rear elevation on the back of the existing living room and will be 8.1 metres in width. It has been designed to include a dual pitched roof with an overall height to match the existing dwelling and will replace a small existing conservatory/lean to structure.</p> <p>The new front/side porch will project approximately 3 metres from the side elevation and will</p>	

be 2 metres in width. It has been designed with a dual-pitched roof with an overall height of 3.4 metres with a new ramped access.

The extension will be finished with render and buff masonry with timber cladding to the porch, grey roof tiles and grey UPVC windows and doors.

RELEVANT PLANNING APPLICATION HISTORY

There have been no previous applications at this site.

CONSULTATION RESPONSES

Egremont Town Council

No objections.

Public Representations

The application has been advertised by way of neighbour notification letters issued to 3 no. properties. 1 letter has been received as a result of this consultation of neutral response that raised the following queries:

- I notice the gas boiler outlet will be discharging near the boundary wall in my garden direction, would a vertical vent not be more appropriate.
- Landscaping of rear garden could it be lowered to original level? This would give both neighbours more privacy, at the moment against my 2-metre-high fence it is 70 cms higher than original level. This is due to original soil when built being left there. Also, it would be easier for wheelchair access with no ramp required.

Following the amendment of the proposals to address these issues the respondent confirmed that they were satisfied.

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 Copeland Local Plan 2013 – 2028 (Adopted December 2013)

Core Strategy

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Development Management Policies (DMP)



Cumberland Council

Policy DM10 – Achieving Quality of Place

Policy DM18 – Domestic Extensions and Alterations

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 will close 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 proposed are the principle of development, its scale and design and the potential impacts on residential amenity.

Principle of Development

The proposed application relates to a residential dwelling within Moor Row, and it will provide a single storey rear extension, a new front/side porch, and garden landscaping for wheelchair accessibility.

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.

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 rear extension will replace an existing conservatory/lean to. It will project 4.5 metres from the rear elevation and will be 8.1 metres in width. It has been designed to include a dual pitched roof with an overall height to match the existing roof line of the main dwelling to provide an open plan kitchen/dining area with separate utility room. The extension is considered to be relatively modest in scale and appropriately located within the site, behind the main element of the existing dwelling. This will ensure that the proposal appears subservient to the main dwelling, and it will not be excessively prominent within the locality.

A letter querying the position of the gas boiler outlet discharging near the boundary wall was received, and comments were sent to the applicant and their agent for consideration. Whilst this is more of a building regulations issue, the applicant agreed to relocate the vent elsewhere and amended plans were submitted to reflect this. The neighbour was reconsulted on the amended details, to which the response received was that they were now satisfied.

The application also proposes a front/side porch extension that will replace a side store that already exists that is currently bigger than the proposed porch.

The extension will be finished with render and buff masonry with timber cladding to the porch, grey roof tiles and grey UPVC windows and doors. The design is considered to be suitable for its use and the choice of materials proposed, despite not fully matching the existing property are still considered to respect the existing character and appearance of the parent property and wider residential area.

The application also proposes some garden landscaping that is required for the applicant to have essential wheelchair accessibility. These works propose that the average mean height of the garden at the rear does not change, but a new re landscaped garden with ramped access to a raised garden and patio is required to allow the applicant to have use of a flat

area for as much independent use of the garden as possible.

Overall, the proposal is considered to meet Policy DM18(A) Policy H14PU 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 extensions and the neighbouring properties were considered, the proposed extensions are considered to be suitably located within the site and are of an appropriate scale and design.

The rear extension will replace an existing conservatory in this location, and although bigger, is still considered to be modest in scale for the overall size of the site, and the design includes an overall roof height that matches the existing dwelling. The proposed rear extension contains two sets of doors, and one door and small window in the utility room that open out onto a new paved accessible terrace. Both side elevations will be blank. The rear proposal is therefore not considered to cause any additional concerns regarding overbearing, nor will it cause any additional significant loss of light or dominance on the neighbouring properties.

A letter querying the Landscaping of rear garden was also received. The query asked whether the proposed landscaping could be lowered to the original level to give both neighbours more privacy and whether this would be easier for wheelchair access with no ramp required.

Following a site visit to the parent property, it is clear that the ground levels between the properties either side of the applicant property are varied in height already, with the applicant's property already containing some raised/stepped ground on a tiered garden. The average mean height of the garden at the rear does not appear to change but the applicant does require a flat area for wheelchair use. The agent has also advised that the ramp design was kept to the left of the property in order to minimise proximity to the neighbour on the north of the property. The applicant has advised that they would be happy to increase the height of the fences to 2 metres on their side for additional privacy if needed. On this basis, the landscaping aspect of the proposal is considered to be acceptable and essential for inclusive wheelchair accessibility for the applicant.

The application also proposes a front/side porch extension that will replace a side store that already exists that is bigger than the proposed porch. Although the proposed porch extension will be visible from the roadside, it is considerably stepped back into the site from the highway. On this basis, it is not considered to be excessively prominent in the street scene, due to its small scale and appropriate siting.

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

	<p>guidance.</p> <p><u>Planning Balance and Conclusion</u></p> <p>This application seeks to erect a rear extension to provide an open plan kitchen dining area with utility room, and a small front/side extension to provide an accessible porch. The application also seeks permission for a re landscaped garden with ramped access to raised garden and paved terrace.</p> <p>The main issues raised by the application were the proposals scale and design and the potential amenity issues.</p> <p>The proposal is considered to be suitably located and will be acceptable in terms of scale and design. In addition, it is considered that the proposal will not have any detrimental impact on the amenities of the adjoining properties.</p> <p>The choice of materials used are considered suitable for this use and will respect the character of the existing dwelling and wider residential area.</p> <p>On balance, the application is considered to be an 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>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 4th July 2024; - Site Location Plan, scale 1:1250, dwg no 24/0406/02, received 4th July 2024; - Site Block Plan, scale 1:200, dwg no 24/0406/02, received 4th July 2024; - Survey Existing Plan, scale 1:100, dwg no 24/0406/01, received 4th July 2024; - Existing Elevations, scale 1:100, dwg no 24/0406/03, received 4th July 2024;



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- Floor Plan General Arrangement (amended), dwg no 24/0406/04, received 8th August 2024;
- Proposed Elevations (amended), scale 1:100 dwg no 24/0406/05, received 8th August 2024;
- Proposed Sectional Elevations, scale 1:100, dwg no 24/0406/06, received 4th July 2024;
- Proposed Floor Plan (amended), scale 1:100 dwg no 24/0406/07, received 8th August 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.

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 : 23/08/2024

Authorising Officer: N.J. Hayhurst

Date : 29/08/2024

Dedicated responses to:- N/A