

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/24/2238/0F1
2.	<b>Proposed Development:</b>	PROPOSED SINGLE STOREY REAR DOMESTIC EXTENSION
3.	<b>Location:</b>	CARRDALE, KIRKLAND
4.	<b>Parish:</b>	Lamplugh
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts Coal - Off Coalfield - Data Subject To Change
6.	<b>Publicity Representations &amp;Policy</b>	Neighbour Notification Letter: YES Site Notice: NO Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	<b>Report:</b>  <b>LOCATION</b>  This application relates to Carrdale, a detached property located within Kirkland. The site benefits from a driveway with a detached garage and garden to the front, and a modest size garden and conservatory to the rear.  <b>PROPOSAL</b>  Planning Permission is sought for the erection of a single-storey rear extension to replace an existing conservatory to provide a snug room off the existing kitchen dining area.  The extension will project 4 metres from the rear elevation of the dwelling and it will be 8.7 metres in width. It has been designed to include a dual pitched roof with an eaves height of	

2.8 metres and overall height of 5.2 metres.

It will be finished with painted cement render, concrete roof tiles and white UPVC windows and doors to match the existing.

### **RELEVANT PLANNING APPLICATION HISTORY**

There have been no previous planning applications at this property.

### **CONSULTATION RESPONSES**

#### Lamplugh Parish Council

No comments received to consultation.

#### Countryside Access Footpaths Officer

No comments received to consultation

#### Public Representations

The application has been advertised by way of neighbour notification letters issued to 4 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):**

##### Core Strategy

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy



## Cumberland Council

### Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM18 – Domestic Extensions and Alterations

### **Emerging Copeland Local Plan 2021-2038 (ELP):**

The emerging Copeland Local Plan 2017-2035 has recently been the subject of a Publication Draft Consultation. The Publication Draft Consultation builds upon the previously completed Issues and Options and Preferred Options consultations. Given the stage of preparation of the Copeland Local Plan 2017-2035 some weight can be attached to policies within the Publication Draft where no objections have been received. The Publication Draft provides an indication of the direction of travel of the emerging planning policies, which themselves have been developed in accordance with the provisions of the National Planning Policy Framework.

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

### **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 located within Kirkland and it will replace the existing rear conservatory to include a rear single-storey extension to provide a snug area off the existing kitchen dining area.

Policy DM18 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 DS6PU, 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 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 project 4 metres from the rear elevation of the dwelling and it will be 8.7 metres in width. It has been designed to include a dual pitched roof with an eaves height of

2.8 metres and an overall height of 5.2 metres.

The proposed rear extension is to replace an existing conservatory. Whilst it is on a slightly larger footprint, it is still considered to be relatively modest in scale for the size of the site and is appropriately located 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.

It will be finished with painted cement render, concrete roof tiles and white UPVC windows and doors to match the existing.

The design is considered to be suitable for its use and the choice of materials proposed to match the existing are considered to respect the existing character and appearance of the parent property and wider residential area.

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 potential amenity issues between the proposed extension and the neighbouring properties were considered, the extension will be relatively modest in scale and will be appropriately located to the rear of the parent property.

The South (rear) elevation contains two windows which face out onto the parent property garden. The East elevation contains a window and an access door.

Due to the orientation of the parent property in relation to the surrounding adjacent properties, the extension will be located approximately 11 metres from the boundary of Hannah Bank, and 15 metres from Plessey Cottage. The side elevation adjacent to Hannah Bank will be screened by the existing hedgerow, and the side elevation facing Plessey Cottage will be screened by the existing detached garage. The proposal is therefore not considered to be overbearing or result in a significant loss of light for the neighbouring properties due to these separation distances

In addition, under current permitted development rights, an extension could project 3 metres from the rear elevation, with an overall height of 4 metres without the requirement for formal planning permission. This fall-back position is a material consideration in the assessment of this application. As the projection is not significantly larger than what is possible under permitted development, this proposal is considered to be acceptable.

On this basis, it was considered that the proposal will not have any adverse impacts on the neighbouring property and therefore the proposal is considered to satisfy Policy DM18, Policy H14PU and the NPPF guidance.



## Cumberland Council

	<p><u>Public Right of Way</u></p> <p>Although the application site lies within the 50-metre buffer of the Public Right of Way 412011, the extension is unlikely to be visible from the public footpath and therefore the proposal will not harm the physical footpath or the amenity of the footpath user.</p> <p>No comments were received from the Countryside Access Footpath Officer.</p> <p>On this basis, the proposal is considered to satisfy Policy DM10 and the NPPF guidance.</p> <p><u>Planning Balance and Conclusion</u></p> <p>Overall, the single-storey rear extension is considered to be of an appropriate scale and design and is respectful of the existing property and wider residential area.</p> <p>The proposal is not considered to have any detrimental impact on the amenities of the adjoining properties.</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><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 16<sup>th</sup> July 2024;</li><li>- Site Location Plan, scale 1:1250, Drawing CK-RB-001, received 16<sup>th</sup> July 2024;</li><li>- Site Block Plan, scale 1:500, Drawing CK-RB-001, received 16<sup>th</sup> July 2024;</li><li>- Existing Elevations, scale 1:500, Drawing CK-RB-002, received 16<sup>th</sup> July 2024;</li><li>- Proposed Elevations, scale 1:500, Drawing CK-RB-003, received 16<sup>th</sup> July 2024;</li></ul></li></ol>

	<ul style="list-style-type: none"> <li>- Existing and Proposed Floor Plans, scale 1:50, Drawing CK-RB-004, received 16<sup>th</sup> July 2024;</li> <li>- Design and Access Statement, received 16<sup>th</sup> July 2024;</li> </ul> <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>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 : 09/09/2024</b>
<b>Authorising Officer: N.J. Hayhurst</b>	<b>Date : 09/09/2024</b>
<b>Dedicated responses to:- N/A</b>	