

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/24/2269/0F1
2.	<b>Proposed Development:</b>	2 NO. SINGLE STOREY EXTENSION TO SIDE ELEVATION, PORCH, FIRST FLOOR EXTENSION AND ALTERATIONS
3.	<b>Location:</b>	MEADOW BANK, PARK STREET, FRIZINGTON
4.	<b>Parish:</b>	Arlecdon and Frizington
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change, PROWs - Public Right of Way
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>SITE AND LOCATION</b>  <p>This application relates to the dwelling known as Meadow Bank, a detached property located on Park Street in Frizington. The property is accessed from a private road which adjoins Main Street. There are scattered residential dwellings along Park Street with open agricultural land to the north. There is a large parking area to the front of the property and extensive gardens surrounding it.</p>  <b>PROPOSAL</b>  <p>Planning Permission is sought for the erection of 2 single storey side extensions and a first floor extension to the rear.</p>	

The elevation to the west side will include a second garage, office, gym and utility room on the ground floor and walk in wardrobe and en-suite on the first floor. The east side will include an additional lounge, en suite to serve the bedroom and decked area to the front. A small porch will be added to the front.

The extension to the west will project by 4.5m and have an overall height of 4.3m.

The rear extension will project by 1.7m and have an overall height of 3.3m.

The extension to the east will project by 5.5m and have an overall height of 5.4m.

The porch will project from the front of the dwelling by 1.4m and be 3.4m in width. It will have an overall height of 3.3m.

The materials will match the existing dwelling, but also feature cladding will be added.

### **RELEVANT PLANNING APPLICATION HISTORY**

House, garage and granny flat, approved in May 1993 (application reference 4/93/0226/0 relates).

### **CONSULTATION RESPONSES**

#### Arlecdon and Frizington Parish Council

No response received.

#### Countryside Access Officer

We have no objection to the development.

It should be noted that: Public Right of Way FP401005 is located to the east of the development site. See attached Plan.

The applicant should be advised that the granting of planning permission confers on them no other permission, consent or right to obstruct, close or divert a Public Right of Way at any time without the express permission of the Highway Authority.

#### Public Representations

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

No comments have been received as a result of these advertisements.

### **PLANNING POLICIES**

Planning law requires applications for planning permission must be determined in accordance



## Cumberland Council

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

Policy ENV1 – Flood Risk and Risk Management

#### 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

### **Other Material Planning Considerations**

National Planning Policy Framework 2023 (NPPF)

Cumbria Development Design Guide

### **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

Policy CO7PU: Parking Standards and Electric Vehicle Charging Infrastructure

## **ASSESSMENT**

The key issues raised by this proposal are the principle of development, its scale and design and the impact on the surrounding residential amenity.

### Principle of Development

The proposed application relates to a residential dwelling within Frizington to provide an extended living space for the occupants. Policy DM18 of the CS and H14PU of the ELP 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 CS, H14PU of the ELP and the NPPF guidance.

### Scale and Design

Policy ST1 of the CS, 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 CS 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 will add a further projection to each side of the dwelling and increase the roof height to the rear. There will be a small porch to the front. The dwelling is sited on a large plot which is capable of accommodating enlargements at these scales comfortably.

The side extensions will remain subservient to the property with much lower roof heights than the parent dwelling and modest projections. In addition, the proposed materials are proposed match the existing property, with the addition of cladding to the existing garage and part of the first floor to modernise it. The extensions will not change the overall character of the existing property.

The porch is considered to be modest and will not have a significant effect on the property.

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

#### 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.

The proposal will be located in the side and rear gardens. The projection to the rear will not have any negative effects due to the open fields behind. The side extension will bring the dwelling closer in proximity to the neighbouring dwelling, known as Beckside, however space has been left for maintenance and the removal of bins from the front of the property so as not to have a negative effect on the neighbouring dwelling.

There is one window proposed on the side elevation facing Beckside – as this serves a garage and not a habitable room, it is considered to be acceptable and will not create overlooking concerns for the neighbouring property.

In addition, due to the orientation of the existing property, the addition to the first floor on the rear elevation will not cause a significant loss of light or dominance on the neighbouring properties.

No objections were received from the neighbouring property, however the proposal has been assessed in order to consider any future occupants of the dwelling.

On this basis, the proposal will not have an adverse impact on the residential amenity and it is considered to comply with Policy DM18 of the CS, Policy H14PU of the ELP and NPPF guidance.

#### Highway Safety

Policy DM22 of the CS and CO7PU of the ELP encourage innovative approaches to manage vehicular access and parking to avoid vehicles dominating the street scene.

The site access and off-street parking will remain unchanged to the front of the property and therefore it is considered that the existing driveway and addition of another garage to make

	<p>two, will provide adequate off-street parking to meet the needs of the property.</p> <p>On this basis, the proposal is considered to satisfy Policy DM22, CO7PU of the ELP and the standards set out in the Cumbria Development Design Guide.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The application seeks planning permission for two single storey side extensions, a rear first floor extension and a small porch.</p> <p>On balance, the proposed extensions are considered to reflect the character and appearance of the existing property and do not constitute overdevelopment of the plot. The proposals are of an appropriate scale and design and would not have any significant detrimental impact on the amenities of the adjoining property or highway safety.</p> <p>Overall, the proposals represent 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><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: -</li> </ol> <p>Site Location Plan and Block Plan, scales 1:1250 and 1:500, drawing number 5A, received 5th August 2024;</p> <p>Proposed Ground Floor Plan, scale 1:100, drawing number 2A, received 5th August 2024;</p> <p>Proposed First Floor Plan, scale 1:100, drawing number 3A, received 5th August 2024;</p>

Proposed Elevations, scale 1:100, drawing number 1A, received 5th 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.

**Informatives**

- 1) 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](http://www.gov.uk/government/organisations/the-coal-authority)

- 2) The applicant should be advised that the granting of planning permission confers on them no other permission, consent or right to obstruct, close or divert a Public Right of Way at any time without the express permission of the Highway 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: Sarah Papaleo**

**Date : 26/09/2024**

**Authorising Officer: N.J. Hayhurst**

**Date : 30/09/2024**

**Dedicated responses to:- N/A**