

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/24/2288/0F1
2.	Proposed Development:	SINGLE STOREY REAR EXTENSION, NEW ENTRANCE CONFIGURATION WITH ROOF CANOPY PLUS INTERNAL AND EXTERNAL ALTERATIONS TO AN EXISTING DWELLING
3.	Location:	5 RICHMOND GARDENS, HAVERIGG
4.	Parish:	Millom
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change, Key Species - Potential areas for Natterjack Toads
6.	Publicity Representations &Policy	Neighbour Notification Letter: YES Site Notice: NO Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: LOCATION This application relates to 5 Richmond Gardens, a detached property located within Haverigg. The site benefits from a small front garden with driveway and garage to the front and a small garden to the rear. PROPOSAL Planning Permission is sought for the construction of a single storey rear extension, a new entrance configuration with roof canopy, and various internal and external alterations. The rear extension will project 3.365 metres from the rear of the dwelling and will be 3.730	

metres in width. It has been designed to include a hipped roof with eaves to match the existing dwelling, and an overall height of 3.6 metres.

The new entrance configuration proposes to relocate the front access door to the dwelling from the side elevation to the front elevation, with small roof canopy over.

The proposal also includes a new wheelchair accessible ramp to the new entrance, and a new paved patio to the rear.

The extension will be finished with dashed render and facing brick, concrete roof tiles and upvc windows and doors to match the existing.

RELEVANT PLANNING APPLICATION HISTORY

4/00/0632/4 ERECTION OF BUNGALOW AND GARAGE

CONSULTATION RESPONSES

Millom Town Council

No objections.

Public Representations

The application has been advertised by way of neighbour notification letters issued to 3 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



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Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Policy ENV3 – Biodiversity and Geodiversity

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM18 – Domestic Extensions and Alterations

Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species

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 closed on the 28th March 2024.

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.

The Report on the Examination of the ELP was received on the 23rd September 2024. Given the advanced stage of preparation and with adoption pending, full weight can be attached to the policies of the ELP.

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

Strategic Policy N1PU: Conserving and Enhancing Biodiversity and Geodiversity

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

Wildlife and Countryside Act 1981

ASSESSMENT

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

Principle of Development

The proposed application relates to a residential dwelling located within Haverigg and is proposed to construct a single storey rear extension, a new entrance configuration with roof canopy, and various internal and external alterations.

Policy 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.

Planning Permission is sought for the construction of a small single storey rear extension to provide an enlarged bedroom area.

The extension will project 3.365 metres from the rear of the dwelling and will be 3.730 metres in width. It has been designed to include a hipped roof which matches the eaves height of the existing dwelling, and an overall height of 3.6 metres.

The proposal is considered to be relatively modest in scale and is appropriately located at the rear which ensures that the proposal remains subservient to the main dwelling.

The application also seeks permission to relocate the existing access from the side elevation to the front elevation, with a small roof canopy over. This alteration is small in scale and is considered to better reflect the character of the area and street scene with the main access proposed on the principal elevation.

The proposal also includes a new wheelchair accessible ramp to the new entrance, and a new paved patio to the rear which are both considered acceptable and necessary to meet the needs of the applicant.

The internal layout modifications are considered minor and acceptable.



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The extension will be finished dashed render and facing brick, concrete roof tiles and upvc windows and doors to match the existing. The choice of materials proposed are considered suitable for their use and will complement the appearance of the parent property.

Overall, the proposal is considered to meet Policy DM18(A), Policy H14PU and the NPPF guidance.

Residential Amenity

Policy ST1, Policy DM18, Policy DS6PU, Policy H14PU 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 proposal and the neighbouring properties were considered, the proposal will be appropriately located within the site.

The single storey rear extension is small in overall scale. The rear elevation includes a window, and one side elevation contains a set of sliding doors that open out onto the parent property garden. The extension is stepped off the boundary with number 4 Richmond Gardens, and the side elevation adjacent to this boundary will be left blank.

The overall proposal is therefore not considered to result in a significant reduction in daylight or appear overbearing for the neighbouring properties and there are no additional overlooking issues considered.

On this basis, it was considered that the proposal will not have any adverse impacts on the neighbours and therefore the proposal is considered to satisfy Policy DM18, Policy DS6PU, Policy H14PU and the NPPF guidance.

Ecology

Policies ST1, ENV3 and DM25 of the Copeland Local Plan, Strategic Policy N1PU of the Emerging Local Plan and section 15 of the NPPF outline how the Council will protect and enhance the biodiversity and geodiversity within the Borough. These policies set out the approach towards managing development proposals that may have an effect on nature conservation sites, habitats and protected species.

The application site is identified as being a potential area for Natterjack Toads, however, the application is not located within 200m of a watercourse (as indicated within the ALGE trigger list) and it is therefore not considered to be supported by any ecology details as the site is located within a built-up residential area.

On this basis it is considered that it would not be necessary to seek a protected species survey for this minor householder application as the location of the works being carried out are to an area that already contains an area of hard surface, and therefore it is not considered that this development will disturb any habitats.

It is therefore considered that the development complies with policies ST1, ENV3 and DM25 of the Copeland Local Plan, Strategic Policy N1PU of the Emerging Local Plan and the NPPF.

	<p><u>Planning Balance and Conclusion</u></p> <p>The application seeks Planning Permission for the construction of a small, single storey rear extension, a new entrance configuration with roof canopy, and various internal and external alterations including a new wheelchair accessible ramp to the new entrance, and a new paved patio to the rear.</p> <p>Taking into account the scale and design of the proposal and the impacts on residential amenity, the proposal is considered to be of an appropriate design and will not have any detrimental impact on the amenities of the adjoining properties.</p> <p>The proposed extension is considered to be suitably located within the site and is acceptable in terms of its scale and design. In addition, the choice of materials used are considered to be suitable for their use and respect the existing property and wider residential area.</p> <p>The application is not supported by any ecology details.</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>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 20th August 2024; - Site Location Plan, scale 1:1250, dwg 24-30-P-L, received 20th August 2024; - Site Block Plan, scale 1:500, dwg 24-30-P-L, received 20th August 2024; - Proposed Site Plan, scale 1:200, dwg 24-30-P-01, received 20th August 2024;



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- Existing Plans, scale 1:100, dwg 24-30-P-02, received 20th August 2024;
- Existing Elevations, scale 1:100, dwg 24-30-P-03, received 20th August 2024;
- Existing 3D Sketches, dwg 24-30-P-04, received 20th August 2024;
- Proposed Plans, scale 1:100, dwg 24-30-P-05, received 20th August 2024;
- Proposed Elevations, scale 1:100, dwg 24-30P-06, received 20th August 2024;
- Proposed 3D Sketches, dwg 24-30-P-07, received 20th 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.

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 : 11/10/2024

Authorising Officer: N.J. Hayhurst

Date : 14/10/2024

Dedicated responses to:- N/A