

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/24/2309/0F1
2.	<b>Proposed Development:</b>	ERECTION OF A FRONT GABLE AND INCREASE IN THE DEPTH OF THE EXISTING REAR DORMER AND THE ADDITION OF AN OPEN PORCH
3.	<b>Location:</b>	ISABURN, 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>SITE AND LOCATION</b>  This application relates to a detached property located within the hamlet of Kirkland known as "Isaburn".  The property is sited on a large plot with residential properties to the north and south and open fields to the east and west. Access is taken directly from the main road running through Kirkland to the private drive and parking within the plot.  <b>PROPOSAL</b>  Planning Permission is sought for the erection of a front gable extension, an increase in	

depth of the existing rear dormer and the addition of an open porch.

The existing first floor front dormer will be replaced with a projecting gable to increase the projection of the dwelling by 1.3m. This will allow for the internal refiguration to create a larger bedroom upstairs and an open plan living and dining room downstairs.

The flat roofed porch will project by 1.1m and have a width of 2.7m.

On the rear elevation, the existing dormer window on the first floor will be extended by 0.7m to allow for a larger bathroom.

The proposal includes some changes to the existing materials. These include an artificial slate roof, pebbledash and rendered walls and UPVC or powder coated aluminium windows. It is proposed to have wall mounted lights at the entrances to the property with spotlights within the soffits in the porch.

## **RELEVANT PLANNING APPLICATION HISTORY**

Extension to existing garage, approved in March 1994 (application reference 4/94/0098/1 relates).

## **CONSULTATION RESPONSES**

### Lamplugh Parish Council

No comments received.

### Natural England

No comments received.

### Public Representations

The application has been advertised by way of neighbour notification letters issued to 2 no. properties.

No comments were received as a result of these advertisements.

## **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

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

### **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.

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.

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

### **Other Material Planning Considerations**

National Planning Policy Framework 2023 (NPPF)

Cumbria Development Design Guide

## **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 Kirland to update the aesthetics of the property and 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 increase the projection on the front of the property and the dormer on the rear. The dwelling is sited on a suitably sized plot, capable of accommodating an enlargement of this scale comfortably.

Isaburn sits between Curlews to the north and Hillcrest to the south. The front elevation of Curlews sits further forward than Isaburn by around 2.5m. With the added extension to Isaburn, the front elevations will be similar and therefore the street scene will be maintained. Whilst the northern section of the front elevation of Hillcrest sits further back than Isaburn, the southern section of the front elevation is angled closer to the road. The addition to Isaburn will not look out of place when considered in context with the varying street scene in Kirkland.



## Cumberland Council

There are other examples of projecting gables on both Hillcrest and The Beeches to the south.

The materials will remain similar to the existing with some modernisation to the windows, doors and roof. The dwelling is to be partially rendered with some stone detailing. This is common within the locality and therefore will respect the character of the area.

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 addition to the front of the property will not have any effect on the neighbouring dwellings as there will be no change to the configuration of the windows on the side elevations. The projecting gable will overlook open fields on the opposite side of the road and the enlarged dormer to the rear will overlook the garden for the property and fields beyond.

It is considered that there is likely to be no material change to the existing situation for the surrounding occupiers.

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 garage will provide adequate off-street parking to meet the needs of the property.

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.

### Ecology

Policies ENV3 and DM25 of the CS and N1PU of the ELP protect international, national and locally designated sites and ensure that any development incorporates measures to protect and enhance any biodiversity interest.

The Bat Conservation Trust has a similar trigger list for when a protected species survey and report is required to be submitted with a planning application.

Again, the application site does not meet any of the criteria within this list however the Applicant has submitted a Bat survey.

	<p>No bats were observed emerging from the surveyed building during the Dusk Emergence Surveys and there is no evidence to indicate current or recent bat roosting activity within the surveyed building.</p> <p>There was also no evidence of any breeding birds.</p> <p>A condition is proposed to ensure that the development is carried out in accordance with the details set out in the submitted bat and bird assessment.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The application seeks planning permission for the addition of a gable to the front of the property, a small open porch and an extension to the rear dormer.</p> <p>On balance, the proposed extensions are considered to reflect the character and appearance of the existing property and the street scene will be maintained. The proposal is of an appropriate scale and design and would not have any significant detrimental impact on the amenities of the adjoining properties or highway safety.</p> <p>Overall, it represents 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>Application form, received 12th September 2024;</p>



## Cumberland Council

Site Location, Block Plan and Proposed Elevations, scales 1:1250, 1:200 and 1:100, drawing number 23.34.08b, received 12th September 2024;

Proposed Plans, scale 1:50, drawing number 23.34.07b, received 12th September 2024;

Preliminary Bat Roost Assessment Survey and Dusk Emergence Survey for Bats, written by Lakeland Ecology, received 12th September 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.

3. The development shall implement all of the mitigation and compensation measures set out in the Preliminary Bat Roost Assessment Survey and Dusk Emergence Survey for Bats, prepared by Lakeland Ecology, received 12th September 2024 and submitted as part of the planning application.

### Reason

To protect the ecological interests evident on the site.

### 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 : 04/11/2024**

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

**Date : 06/11/2024**

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