

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/24/2312/0F1
2.	Proposed Development:	CHANGE FLAT ROOF TO LEAN TO SLOPING ROOF
3.	Location:	14 ESKDALE AVENUE, SEASCALE
4.	Parish:	Seascale
5.	Constraints:	<p>ASC;Adverts - ASC;Adverts,</p> <p>Safeguard Zone - Safeguard Zone,</p> <p>Coal - Off Coalfield - Data Subject To Change,</p> <p>Key Species - Potential areas for Natterjack Toads,</p> <p>DEPZ Zone - DEPZ Zone,</p> <p>Outer Consultation Zone - Drigg 3KM,</p> <p>Outer Consultation Zone - Sellafield 10KM</p>
6.	Publicity Representations &Policy	<p>Neighbour Notification Letter: YES</p> <p>Site Notice: NO</p> <p>Press Notice: NO</p> <p>Consultation Responses: See report</p> <p>Relevant Planning Policies: See report</p>
7.	<p>Report:</p> <p>Site and Location</p> <p>This application relates to 14 Eskdale Avenue, an end semi-detached property situated on an existing housing estate within Seascale. The site benefits from a garden to the front of the property, with an attached outbuilding to the side.</p>	

The property lies adjacent to an access road which serves a number of properties and garages to the rear.

Proposal

Planning permission is sought for the replacement of the existing flat roof on the outbuilding on the side elevation, to a pitched roof.

The new roof will be of pitch roof construction and is an increase of 1.2 metres in height from the existing flat roof.

The front, side and rear elevations of the outbuilding will remain unchanged.

It will be finished with concrete block wall with similar dash render to existing, Marley roof tiles, and concrete slab roof.

Relevant Planning Application History

None relevant.

Consultation Responses

St Bees Parish 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 the 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



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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 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)

Cumbria Development Design Guide

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 within Seascale, and it will provide a replacement flat roof with a pitched roof on an attached outbuilding. 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.

The new roof will replace a current flat roof and will be of sloped/pitched roof construction. The structure proposes to be 3.7 metres in overall height from ground level to the highest point of the slope, sloping to 2.5 metres which is an overall increase of 1.2 metres from the existing flat roof height. The proposal is therefore considered to be modest in scale and appropriately located within the site.

As the outbuilding already exists, and it is only the roof height that is being amended, the proposal still appears subservient to the main dwelling, and it will not be excessively prominent within the locality.

Following a site visit, it was noted that there were similar pitched roof garages, outbuildings and side extensions within the area.

The materials are considered suitable for their use and will match the existing property. As a result, the proposed extension will respect character and appearance of the existing dwelling,



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and the wider residential area will be maintained.

It is therefore considered that the street scene will not be detrimentally altered as a result of this development. On this basis, the proposal is considered to comply with Policies DM10, DM18 of the Local Plan, Policy H14PU of the Emerging Local Plan 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 new roof and the neighbouring properties were considered, the new roof design will be relatively modest in scale and will be appropriately located within the site.

14 Eskdale Avenue is located on the end of a row of Semi-detached properties, whereby the side/front elevation is adjacent to an access road to serve garages and properties to the rear. Whilst the outbuilding structure is located on the boundary of the parent property, the outbuilding already exists, and the new pitched roof height is considered to be a minor alteration and is therefore not considered to be overbearing or result in a significant loss of light for the neighbouring properties.

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.

Ecology

Policy ST1, ENV3 and DM25 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 are likely to have an effect on nature conservation sites, habitats and protected species.

The application site is identified as a potential area for natterjack toads. Despite the site being located within 200m of a watercourse (as indicated within the ALGE trigger list), the application is not supported by any ecology details as it is located within the centre of a built-up residential area, and the works are to the roof of an existing structure.

On this basis, it is considered that this is not a habitat that is likely to contain natterjack toads and so it would not be necessary to seek an ecological survey for this minor householder application.

It is therefore considered that the development complies with Policies ST1, EV3 and DM25 of the Copeland Local Plan and Strategic Policy N1PU of the Emerging Local Plan and the NPPF guidance.

Planning Balance and Conclusion

This application seeks to replace a flat roof on an attached outbuilding with a small, pitched

	<p>roof.</p> <p>The proposal is not considered to be excessively prominent within the locality and the design and materials used are considered appropriate for their use and respect the character and appearance of the existing property and wider residential area.</p> <p>In addition, taking into account the scale of the proposal and siting within the site, the proposed design is acceptable, and it will not adversely harm the neighbouring amenity.</p> <p>The application is not supported by any ecology details.</p> <p>On balance, the proposal 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 16th September 2024; - Site Location Plan, scale 1:250, received 16th September 2024; - Site Plan, received 16th September 2024; - Existing Side Elevation, scale 1:50, received 16th September 2024; - Proposed Side Elevation, scale 1:50, received 16th September 2024; <p>Reason</p> <p>To conform with the requirement of Section 91 of the Town and Country Planning Act</p>



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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 : 28/10/2024

Authorising Officer: N.J. Hayhurst

Date : 28/10/2024

Dedicated responses to:- N/A