

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/24/2405/0F1
2.	Proposed Development:	REMOVAL OF EXISTING GARAGE AND THE CONSTRUCTION OF A 2 STOREY SIDE & SINGLE STOREY REAR EXTENSION, INTERNAL & EXTERNAL ALTERATIONS AND THE INSTALLATION OF AN ADDITIONAL PARKING SPACE
3.	Location:	2 DERWENTWATER CLOSE, MILLOM
4.	Parish:	Millom
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change, Key Species - Potential areas for Natterjack Toads, PROWs - Public Right of Way
6.	Publicity Representations &Policy	See Report
7.	Report: SITE AND LOCATION <p>This application site relates to 2 Derwentwater Close, a detached property situated on an existing housing estate within Millom.</p> <p>The property benefits from a reasonable sized curtilage area to the front and rear including an existing driveway. There is a single storey garage attached to the side elevation of the property.</p> PROPOSAL <p>Planning permission is sought for the removal of the existing flat roof garage and its replacement with a two-storey extension that is to be 8m x 3.6m, with an eaves height of 4.9m and total height of 7.5m. The proposal also seeks to erect a single storey rear</p>	

extension that is to be 6.3m in length, 3.45m in width, 2.5m to eaves level and an overall height of 3.6m. The materials are to be facing brick and dashed render, concrete tiles to the roof and UPVC door and windows, all of which match the existing dwelling.

RELEVANT PLANNING APPLICATION HISTORY

None

CONSULTATION RESPONSES

Millom Town Council

No objections.

Highways Authority

I can confirm that we have no objections to the proposed development and the amended plan provided can remove the previously suggested conditions. An informative note should be added.

Public Representations

The application has been advertised by way of 4 neighbour consultations being sent – No representations have been received as a result of this consultation process.

Planning Policy

Planning law requires that 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 2021 - 2039 (LP):

Cumberland Council continued the preparation of the LP as commenced by Copeland Borough Council.

The LP was adopted by Cumberland Council on the 5th of November 2024 replacing the Copeland Local Plan 2013-2028 and the saved policies of the Copeland Local Plan 2021-2016.

The policies relevant to this application are as follows:-

Policy DS1 – Development Strategy

Policy DS4 – Design and Development Standards

Policy H14 – Domestic Extensions and Alterations

Policy N1 – 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 siting, scale and design and the potential impacts on residential amenity.

Principle of Development

The proposed application relates to a detached property located within a residential housing estate. Policy H14 supports extensions and alterations 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 Policy HS14 of the Copeland Local Plan and the National Planning Policy Framework.

Scale and Design

Policy DS4 and section 12 of the NPPF seek to promote high quality designs. Policy H14 supports house extensions where the scale, design and materials of the proposed development would not adversely alter the character or appearance of the existing building, street scene or wider surrounding area.

The proposed two storey extension to the property is considered to be suitably located on the side elevation and will replace an existing single storey garage. The design of the proposal is similar to those that currently existing within this cul-de-sac and the proposal would be the

same height as the existing dwelling and does not project forward of the principal elevation. Therefore, it is considered the proposed two storey extension is appropriate in scale in relation to the host dwelling and would not impact upon the appearance of the existing property itself nor would it impact upon the character of the area.

The proposal also includes a single storey rear extension which is considered to be moderate in scale in relation to the host dwelling and will be screened from the streetscene as it is to the rear of the property.

The proposal also includes the creation of an additional car parking space within the curtilage area of the property. This is consistent with other properties within the locality where additional parking provision has been created within the front curtilage areas. The proposals are not considered to impact upon the appearance of the property itself nor would it impact upon the character of the area.

Given that there are similar additions within this locality, the proposal is not considered to impact upon the character and appearance of the existing property, streetscene and the wider residential area.

On this basis, the proposal is considered to meet Policy DS4 and H14 of the Copeland Local Plan and NPPF guidance.

Residential Amenity

Policy H14 and section 12 of the NPPF seek to safeguard good levels of residential amenity.

To date no objections have been received from neighbouring properties. There are two different aspects that have been assessed as part of this submission. The proposed two-storey extension with car parking to the front is considered to be modest in scale. The proposal is to be the same height as the existing dwelling and will be approximately 1.6m to the neighbouring property. Although this is within close proximity, there are no side windows to the adjoining property and no side windows are proposed within the planned extension. Consequently the proposal is not considered to result in the loss of privacy over and above what already exists at the site.

In addition, the applicant proposes to erect a single storey rear extension. The proposal is reasonable in scale in relation to the host dwelling and will extend beyond the rear wall by 3.5m with a total height of 3.6m. There will be a separation distance of approximately 2.7m. Given the scale and separation distances and also taking into account what the applicant can erect under the permitted development rights the proposed single storey rear extension is not considered to have a significant impact upon the residential amenities of the adjoining properties. The single storey element would also not result in harmful overlooking or loss of privacy to the adjoining occupiers.

On this basis, residential amenity issues are considered to be minimal and therefore the proposal is considered to satisfy Policy H14 and the NPPF.

	<p><u>Highway Safety</u></p> <p>Policy H14 requires the operational car parking needs of the property to continue to be met. The Highways Authority required additional information following the original submitted scheme in relation to the additional parking spaces within the curtilage of the site. The agent has since provided additional information and upon receipt of these details the Highways Officer has now stated they have no objections to the proposals. The proposed alterations to the existing arrangements are not considered to impact upon the car parking arrangements to the site and are considered acceptable. An informative has been recommended which will be attached to the decision notice.</p> <p>On this basis, the proposal is considered to comply with Policy H14 and the Cumbria Development Design Guide.</p> <p><u>Ecology</u></p> <p>Policy N1 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.</p> <p>The application site is identified as a potential area for natterjack toads. The application is not supported by any ecology details as the site is located on an existing housing estate and is to be erected on an existing hardstanding area within a domestic rear curtilage area. 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 application.</p> <p>It is therefore considered that the development complies with Policy N1 of the Copeland Local Plan and the NPPF guidance.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The application seeks to erect a two-storey side extension, single storey rear extension and the creation of additional car parking provision to the existing dwelling.</p> <p>The proposed extensions and alterations are considered to be appropriate in scale and design within the street-scene and will not have any detrimental impact upon the amenities of the neighbouring properties, highway safety or ecology.</p> <p>On balance, the proposed works represent an acceptable form of development which accords with the policies set within the Copeland Local Plan and the guidance in the NPPF.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>

9.	<p>Conditions:</p> <p>1. The development hereby permitted must commence before the expiration of three years from the date of this permission.</p> <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> <p>2. This permission relates to the following plans and documents as received on the respective dates and development must be carried out in accordance with them:-</p> <p>Application Form, received 08/12/2024;</p> <p>Dwg 24-48-P-L Site Location Plan and Block Plan, scale 1:1250 and 1:500 received 08/12/2024;</p> <p>Amended Plan, Dwg 4-48-P-01 Proposed Site Plan, scale 1:200 received 19/12/2024;</p> <p>Dwg 4-48-P-05 Proposed Floor Plans, scale 1:100 received 08/12/2024;</p> <p>Dwg 4-48-P-06 - Proposed Elevations, received 08/12/2024;</p> <p>Reason</p> <p>To conform with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.</p> <p>Statement</p> <p>The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against, primarily, the development plan policies, any duties applicable and also all material considerations, including Local Plan policy, the National Planning Policy Framework and any stakeholder representations that may have been received. In this context, having identified matters of concern with the application as originally submitted and, if applicable, following negotiations with the applicant, acceptable amendments and solutions to the proposal have been received. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal.</p> <p>Informative</p> <p>Any works within or near the Highway must be authorised by the Council and no works shall be permitted or carried out on any part of the Highway including Verges, until you are in</p>
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	<p>receipt of an appropriate permit from the LHA Streetworks team. https://www.cumberland.gov.uk/parking-roads-and-transport/streets-roads-and-pavements/street-licences-and-permits/street-permit-and-licence-fees-and-charges</p> <p>Please be advised that the Highway outside and or adjacent to the proposal must be kept clear and accessible at all times.</p>	
Case Officer: K. Bamford		Date : 09/01/2025
Authorising Officer: N.J. Hayhurst		Date : 10/01/2025
Dedicated responses to:- N/A		