

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/24/2410/0F1
2.	Proposed Development:	REMOVAL OF EXISTING GARAGE AND THE CONSTRUCTION OF A TWO STOREY SIDE AND SINGLE STOREY FRONT EXTENSION, PLUS THE INSTALLATION OF AN ADDITIONAL PARKING SPACE TO AN EXISTING DWELLING WITH INTERNAL AND EXTERNAL ALTERATIONS
3.	Location:	41 LOWTHER ROAD, MILLOM
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	See Report
7.	Report: SITE AND LOCATION This application site relates to 41 Lowther Road, a semi-detached property situated on an existing housing estate within Millom. The property benefits from a reasonable sized curtilage area both to the front and rear of the dwelling, There is a single storey garage attached to the side elevation of the property which is served by a driveway. PROPOSAL Planning permission is sought for the removal of the existing flat roof garage located to the side elevation and its replacement with a two-storey extension. The extension is to be 4m x 7.9m, height to eaves to be 4.85m and total height to be 7.3m. The proposal also seeks to erect a single storey front extension that is to be 6.7m in length, 1.62m in width, 2.65m to	

eaves and 3.4m total height.

The proposed extensions are to be faced externally with brick and painted 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 response to date.

Highways Authority

In original response there were no objections to the proposal subject to some conditions requiring the submission of further information. The amended plans have incorporated the conditions and information into them. Providing the amended plan is approved the previously suggested conditions can be replaced. An informative 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 the potential impacts on residential amenity and ecology.

Principle of Development

The proposed application relates to a semi-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 within the site and replaces an existing single storey garage. The design of the proposal is similar to those that currently exist within this cul-de-sac and therefore it is considered the proposal is to be appropriate in scale in relation to the host dwelling and would not impact upon the

appearance of the existing property itself.

The proposal also includes a single storey front extension, the scale of the proposal is considered to be moderate in scale in relation to the host dwelling. There will be views of the proposal from within the streetscene of the proposal. However, there are other similar front additions within this locality and its scale and design would not impact upon the appearance of the property itself, nor would it impact upon the character of the area.

The proposal also includes the creation of an additional car parking space within the curtilage area of the property. This replicates other similar forms of development within this locality and is not considered to impact upon the character of the 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 is considered to be appropriate in scale. The proposal is to be the same height as the existing dwelling and will be built up to the boundary of the neighbouring property. Whilst this is within close proximity, given there are no side windows to the adjoining property and given the existing orientation of the properties it is not considered that the proposal would result in overbearing development.

The applicant does not propose to install side windows within the host dwelling, therefore it is not considered that the proposal would result in loss of privacy over and above what already exists to the site.

In addition, the applicant proposes to erect a single storey front extension. The proposal is reasonable in scale in relation to the host dwelling and will extend beyond the principal elevation by 1.62m with a total height of 3.4m. There will be no separation to the adjoining property as it is built up to the boundary. However, given the siting of the host dwelling and neighbouring property along with the scale of the proposal, it is not considered that the proposed single storey front extension would have a significant impact upon the residential amenities of the adjoining properties. The single storey element is also not considered to result in harmful overlooking or loss of privacy issues given there are no windows that would have an outlook onto the adjoining properties.

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

Highway Safety

Policy H14 requires the operational car parking needs of the property to continue to be met.



Cumberland Council

	<p>It is proposed to make alterations to create additional parking spaces within the curtilage of the site. The agent has provided additional information as requested by the Highways Authority. They have now confirmed that they have no objections to the additional information provided subject to an informative being placed on the decision notice. Overall the proposed alterations to the site are considered to improve upon the existing car parking arrangements to the site.</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 identifying 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 to be erected on an existing hardstanding. 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 front extension and 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 09/12/2024;</p> <p>Dwg 4-23-P-LSite Location Plan and Block Plan, scale 1:1250 and 1:500 received 09/12/2024;</p> <p>Dwg 24-23-P-01 Rev A Proposed Site Plan, scale 1:200 received 20/12/2024;</p> <p>Dwg 24-23-P-05 Rev A Proposed Floor Plans, scale 1:100 received 20/12/2024;</p> <p>Dwg 24-23-P-06 Rev A - Proposed Elevations, received 20/12/2024;</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>Informative Notes</p> <p><u>Highways</u></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 receipt of an appropriate permit from the LHA Streetworks team.</p> <p>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> <p><u>Wildlife</u></p> <p>The Council seek to highlight that their planning decision has been determined based on the merits of the submitted evidence and the proposal. Should any protected species be discovered during the course of implementing the development works, then under the provisions of the Wildlife and Countryside Act 1981, works should cease and further guidance should be sought from Natural England at:</p>
--	---



Cumberland Council

Natural England
County Hall, Spetchley Road
Worcester
WR5 2NP

Email: enquiries@naturalengland.org.uk

Telephone: 0300 060 3900

The Council emphasise that any harm to a protected species or its habitat constitutes a criminal offence under the above statutory Act and may be subject to legal prosecution.

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: K. Bamford

Date : 23/01/2025

Authorising Officer: N.J. Hayhurst

Date : 27/01/2025

Dedicated responses to:- N/A