

COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/21/2192/OF1
2.	Proposed Development:	PROPOSED CANOPY OVER REAR BALCONY
3.	Location:	CALDER RIGG, THE BANKS, SEASCALE
4.	Parish:	Seascale
5.	Constraints:	ASC;Adverts - ASC;Adverts, Safeguard Zone - Safeguard Zone, Coal - Off Coalfield - Data Subject To Change, DEPZ Zone - DEPZ Zone
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: SITE AND LOCATION This application relates to Calder Rigg, a detached property situated on an existing housing estate within the village of Seascale. PROPOSAL Planning Permission is sought for the erection of a canopy over the previously approved first floor balcony (application ref: 4/20/2005/OF1). The canopy will be 4.8 metres in width and 1.3 metres in depth across the full length of the raised platform. It will have a lean-to roof with an overall height of 6.5 metres and it will be constructed out	

of roof tiles to match the existing dwelling.

RELEVANT PLANNING APPLICATION HISTORY

Planning permission has previously been granted for a change of use from guesthouse to single dwelling (ref: 4/02/0500/0) and the erection of a ground floor extension and first floor balcony above (ref: 4/20/2005/0F1).

CONSULTATION RESPONSES

Seascale Parish Council

No objection.

Public Representations

The application has been advertised by way of neighbour notification letters issued to 5 no. properties - No objections have been received as a result of this consultation process.

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

Copeland Local Plan 2013 – 2028 (Adopted December 2013)

Core Strategy

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM18 – Domestic Extensions and Alterations

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

Emerging Copeland Local Plan (ELP):

The emerging Copeland Local Plan 2017-2035 has recently been the subject of a Preferred Options Consultation. The Preferred Options Consultation builds upon the completed Issues and Options Consultation, which finished in January 2020. Given the stage of preparation, the emerging Copeland

Local Plan 2017-2035 has only limited weight in decision making, but provides an indication of the direction of travel of the emerging planning policies, which themselves have been developed in accordance with the provisions of the National Planning Policy Framework.

ASSESSMENT

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

Principle of Development

The proposed application relates to a residential dwelling within Seascale and it will provide a covered canopy over the previously approved raised balcony. Policy DM18 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 and the NPPF guidance.

Scale and Design

Policy ST1 and section 12 of the NPPF seek to promote high quality designs. Policy DM10 and DM18 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 proposed canopy will be appropriately located over the first floor rear balcony, behind the main element of the existing dwelling and it will be very modest in scale. This will ensure that it appears subservient to the main dwelling and it will not be excessively prominent within the locality. In addition, the design is considered to be suitable for its use and the choice of materials are considered to respect the existing character and appearance of the existing property.

On this basis, the proposal is considered to satisfy Policy DM18(A) and the NPPF guidance.

Neighbouring 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.

Overlooking and overshadowing concerns were considered, although the proposal is considered to be appropriately located above the rear balcony. It will be set back from the boundary by approximately 3.3 metres to reduce overshadowing concerns and the 2.1 metre high side screening wall will form the base of the canopy. The design is therefore considered to mitigate overlooking concerns to the side and there are no neighbours directly behind the rear elevation.

On this basis, it is considered that the addition of a canopy to the first floor balcony will not have any adverse impacts on the neighbouring properties and therefore the proposal is considered to meet Policy DM18 and the NPPF guidance.

Planning Balance and Conclusion

	The proposed canopy is of an appropriate design and will not have any detrimental impact on the amenities of the adjoining properties. 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.
8.	Recommendation: Approve (commence within 3 years)
9.	Conditions: The development hereby permitted must commence before the expiration of three years from the date of this permission. Reason To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004. 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: - Location Plan, scale 1:2500, drawing ref WDS-05-6078-101A, received 29th April 2021; Site Plan, scale 1:500, drawing ref WDS-05-6078-101A, received 29th April 2021; Existing Floor Plans and Elevations, scale 1:100, drawing ref WDS-05-6078-101A, received 29th April 2021; Proposed Floor Plan and Elevations, scale 1:100, drawing ref WDS-05-6078-101B, received 3rd June 2021. 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: C. Unsworth	Date : 16/06/2021
Authorising Officer: N.J. Hayhurst	Date : 24/06/2021
Dedicated responses to:- N/A	