

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/23/2004/OF1
2.	Proposed Development:	REMOVE EXISTING PORCH AND REPLACE WITH NEW ONE
3.	Location:	THE DUNES, ST LUKES ROAD, HAVERIGG
4.	Parish:	Millom
5.	Constraints:	ASC;Adverts - ASC;Adverts, Flood Area - Flood Zone 2, Flood Area - Flood Zone 3, Coal - Off Coalfield - Data Subject To Change, Key Species - Potential areas for Natterjack Toads
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 The Dunes, a detached property located down a private road known as St Luke's Road just off Main Street, Haverigg. PROPOSAL Planning Permission is sought for the erection of a replacement front porch by removing the existing one. The proposed porch will project 2.6 metres forward of the principal elevation and it will be 2.13 metres in width. It will have a flat roof with an overall height of 2.4 metres. It has been designed to include a uPVC door with 2 glazed panels on the front elevation and a uPVC window on the side elevation facing the neighbouring property Halecote. The porch will be of double skin block wall construction finished with render, with a GRP (glass reinforced plastic) roof and UPVC windows and doors to match the existing property.	

RELEVANT PLANNING APPLICATION HISTORY

4/18/2235/0F1: REMOVAL OF LEAN-TO CONSERVATORY (4.2M X 2.4M); ERECTION OF ORANGERY (6.1M X 5.07M); PATIO MADE GOOD & EXTENSION OF PATIO AREA

CONSULTATION RESPONSES

Millom Town Council

No objections.

Local Lead Flood Authority & Cumbria County Council Highways

As this fall under our Service Level Agreement (SLA) with your Council, this application does not need to be submitted to the Local Highway Authority or Lead Local Flood Authority; subject to the highway and drainage aspects of such applications being considered in accordance with the Agreement. The highway and drainage implications of this application would therefore have to be decided by the Local Planning Authority.

Flooding and Coastal Defence Engineer

1st Response

- The site is in Flood Zone 3 but benefits from existing defences.
- As no Flood Risk Assessment (FRA) has been submitted, the application does not comply with NPPG.
- The development appears to increase the impermeable surface area - The likely increase, if any of surface water entering the combined sewer from this development will be very small. My concern lies with the accumulative effect of such developments increasing surface water discharge into the combined sewer, whilst the flood alleviation scheme for Millom and Haverigg has yet to start.

Following the submission of Environment Agency FRSA009a form as a sufficient flood risk assessment (FRA) for the proposal:

2nd Response-

As it states its concrete block paving, I would expect that it is impermeable, so the proposed change will not increase the impermeable surface area. One fact that isn't clear from the FRA is whether there will be any flood proofing incorporated into the new porch.

Whilst advisable, I won't insist on it and therefore no objections.

Public Representations

The application has been advertised by way of neighbour notification letters issued to 2 no. properties. No objections were received in response to 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 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

Policy ENV3 – Biodiversity and Geodiversity

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM18 – Domestic Extensions and Alterations

Policy DM24 – Development proposals and Flood Risk

Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species

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 Publication Draft Consultation. The Publication Draft Consultation builds upon the previously completed Issues and Options and Preferred Options consultations. Given the stage of preparation of the Copeland Local Plan 2017-2035 some weight can be attached to policies within the Publication Draft where no objections have been received. The Publication Draft 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.

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

ASSESSMENT

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

Principle of Development

The proposed application relates to a residential dwelling within Haverigg, and it will provide a replacement front porch. 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 porch design is of flat roof construction and is similar in appearance to the original that it is replacing and it is therefore considered to be acceptable for its use. The choice of materials to match the existing dwelling will ensure that the proposed porch is not excessively prominent within the locality. During my site visit, it was noted that there were similar porches within the locality. The overall proposal will respect the character and appearance of the existing property and the residential area.

On this basis, the proposal is considered to meet Policy DM18 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 the parent property or adjacent dwellings. The proposed porch will have little impact on the residential amenity due to its scale and siting. It will be modest in scale and appropriately located within the front garden, stepped away from the highway and adjacent neighbour "Halecote" by approximately 4.9 metres.

Despite the side elevation of the proposed porch consisting of a uPVC window, the current gable at "Halecote" is blank and therefore there are no additional overlooking issues from the construction of a new porch. As the proposed porch is not a habitable room, it will also not result in a significant loss of light or privacy for the neighbouring properties.

In addition, the proposed porch will not be significantly larger than what already exists, and what is possible under permitted development. The proposed floor area of the porch is to measure approximately 5.46 square metres. Under current permitted development rights, a porch could be erected with a floor area of 3 square metres and a height of 3 metres without the requirement for formal planning permission. This fall-back position is a material consideration in the assessment of this application and therefore the proposed porch is considered to be satisfactory as it is only 2.46 square meters larger than what is considered Permitted Development.

The porch design will also not appear excessively dominant or overbearing in relation to the existing property and from a site visit, it was noted that similar porches exist within the locality.

On this basis, taking into account the orientation of the existing property in relation to adjacent properties and what is possible under Permitted Development, the proposed porch is not considered

to cause unacceptable overshadowing or loss of light. On balance, despite initial concerns, the amended proposal will have not have a detrimental impact on the residential amenity and therefore it is considered to meet Policy DM18 and the NPPF guidance.

Ecology

Policies ST1, ENV3 and DM25 of the Copeland Local Plan 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 may have an effect on nature conservation sites, habitats and protected species.

The application site is identified as being a potential area for Natterjack Toads. However, the application is not supported by any ecology details as the site is not located within 200m of a watercourse (as indicated within the ALGE trigger list) and is located within a built-up residential area. On this basis it is considered that it would not be necessary to seek a protected species survey for this minor application as the works being carried out are primarily to the roof and it is not considered that the development will disturb any habitats.

It is therefore considered that the development complies with policies ST1, ENV3 and DM25 of the Copeland Local Plan and NPPF.

Flood Risk and Risk Management

Policy ENV1 and DM24 seek to ensure that development in the Borough is not prejudiced by flood risk by ensuring that developments are designed to address the existing levels of flood risk without increasing flood risk elsewhere. The application site lies within Flood Zones 2 and 3. An application for householder developments in Flood Zones 2 & 3 (Flood Risk Assessment) was submitted by the applicant as additional information as part of the application which was sufficient for a proposal of this scale and nature.

The proposed porch construction also includes a 600mm overhang which incorporates a drainpipe to the existing gully.

On this basis, it is reasonable to assume that the construction of the proposed porch would not significantly increase the impermeable surface area and the proposal satisfies both policies ENV1 and DM24 as there would be, in my opinion, minimal surface water runoff and, and therefore, the overall flood risk is not likely to increase from such a minor development.

Planning Balance and Conclusion

The application seeks Planning Permission for the erection of a replacement front porch. Taking into account the scale and design of the proposal, impacts on residential amenity, flood risk and what is possible under Permitted Development, the front porch is of an appropriate design and will not have any detrimental impact on the amenities of the adjoining properties.

On balance, the proposal 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: 1. The development hereby permitted shall be commenced 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. 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: - Application Form, received 4 th January 2023; Site Location Plan, drawing number SHT.01-REV.01, scale 1:500, received 4 th January 2023; Block Plan, drawing number SHT.02.-REV.01, scale 1:2500, received 4 th January 2023; Existing Porch Details, drawing no. SHT.05-REV.01, scale 1:50, received 4 th January 2023; Proposed Porch Details, drawing no. SHT.03-REV.01, scale 1:50, received 4 th January 2023; Proposed Front Elevation, drawing no. SHT.04-REV.01, scale 1:100, received 4 th January 2023; Existing Front Elevation, drawing no. SHT.04-REV.01, scale 1:100, received 4 th January 2023; Flood Risk Assessment, received 16 th January 2023; 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: D. Crawford		Date : 21/02/2023
Authorising Officer: N.J. Hayhurst		Date : 28/02/2023
Dedicated responses to:-		