

EDC Householder Application Ref: 20/0633

Site Address: 3 Stockmans Cottage, Calthwaite, Penrith, CA11 9RN

Case Officer: Andrew Clement

Summary of Delegated Decision: **APPROVE**

Application for Householder Development Eden Local Plan 2014-2032/Material considerations assessment	<input checked="" type="checkbox"/> Acceptable	<input checked="" type="checkbox"/> Unacceptable
Amenity impact upon existing residents (privacy, light, oppressiveness, noise etc).	<input checked="" type="checkbox"/>	
Design impact upon form and character of area.	<input checked="" type="checkbox"/>	
Scale impact upon form and character of area.	<input checked="" type="checkbox"/>	
Layout impact upon form and character of area.	<input checked="" type="checkbox"/>	
Highway safety impact.	N/A	
Drainage requirements.	N/A	
Impact upon historic environment.	N/A	
Sustainable construction and efficiency measures.	N/A	
Any other interests of acknowledged importance (list below)	N/A	

Summary	 Acceptable	 Unacceptable
<p>Having regard to the provisions of the Development Plan, in particular the Eden Local Plan policies DEV1 and DEV5, Eden Housing Supplementary Planning Document 2010 (where appropriate) and other material considerations (including the provisions of the NPPF), the development is considered to be acceptable, subject to the conditions recommended.</p>		

<p>Any further comment;</p>
<p>The Site</p>
<p>The site that forms the subject of this application is a two-storey semi-detached residential dwellinghouse, in a row of half a dozen residential properties on the north side of Thiefside, to the south of a tractor parts retail unit. The site is located 2.3km west of the centre of Calthwaite, just west of the A6 road within Hesket Parish. There are no other known designations or constraints covering this site.</p>
<p>Planning History</p>
<p>None relevant, pre-application advice sought for this proposal under reference 20/4085.</p>
<p>Proposal Description</p>
<p>Single storey side/rear extensions and addition of new front porch.</p> <p>The application seeks planning permission for the erection of three residential extensions to the dwellinghouse. A single storey extension is proposed to project 2.12 metre to the front of the dwellinghouse by 7.65 metres wide, forming a porch and living room extension, under a slate pitched roof joining an existing side projection and lean-to roof. This is sought in place of an existing small front porch, which appears to be original to the property as an identical feature to the three nearest dwellinghouses.</p> <p>To the side, behind the existing side projection, the proposal seeks an extension projecting 2.07 metres by 4.96 metres long. These two developments to the front and side will effectively form a wraparound front and side extension joining the existing side projection, with a slightly raised eaves height of circa 2.55 metres and ridge height of approximately 3.54 metres tall.</p> <p>To the rear, a single storey extension is proposed between the existing two-storey rear outrigger and the boundary to adjoining neighbour, measuring up to 5.07 metres wide and projecting a maximum of 4.24 metres from the rear elevation of the dwellinghouse. Amended plans received on 6th October 2020 proposed a dog-leg style extension, narrowing from the shared boundary by a further 1.47 metres once the projection is 2.42 metres from the rear elevation. The height to the top of the parapet of this extension measures 3.56 metres tall at its tallest point. The developments are to be finished in matching render walls under a matching slate roof, with window and door frames in white uPVC as existing, and rooflights proposed to all three extensions sought.</p> <p>A flue pipe from the rear elevation and internal alterations are also indicated on the proposed plans, however neither of these works requires planning permission.</p>

Consultation Responses

- Parish Council – No objection
- Highway Authority – No objection
- LLFA – No objection
- Cadent Gas – No objection

Public Consultation Responses

Two observations received, both raising objections and concerns regarding the impact upon light and overbearing to the adjoining dwellinghouse, impact upon an existing boundary hedgerow, and potential damage to the shared boundary wall during construction and future maintenance of the proposed development. These concerns and objections apply to both the originally submitted and subsequently amended plans.

Relevant Policies and Material Considerations

Eden Local Plan 2014-32 :

- DEV1 General Approach to New Development
- DEV5 Design of New Development
- ENV2 Protection and Enhancements of Landscapes and Trees

Planning Assessment

Scale, design and streetscene/landscape impact

The proposed front and side extensions will be visible from the streetscene, albeit through existing vegetation and boundary treatments in the front curtilage area of the property. Whilst the proposal seeks the removal of an original porch characteristic to the streetscene, the row of 4 similar appearance dwellings have been altered over time, with a front sunroom to the adjoining neighbour, and a side extension garage to another property within the streetscene similar design and materials to the proposal. Therefore, in this visual context and subject to being finished in the matching materials proposed, the front porch and side extensions will cause no undue harm in terms of design and streetscene impact. The rear extension is visually contained from the streetscene and therefore has no wider visual impact. Whilst a flat roof design is sought for the rear extension, this is considered to be an appropriate design in this location, compatible with policy DEV5.

Impact on the living conditions/amenity of neighbouring residents

The front porch and side extensions will have no impact upon neighbouring dwellinghouses, sufficiently separate to cause no harm with regards to overbearing and overshadowing. Whilst the front porch has a side window facing the adjoining neighbour, given this is at ground floor level to the sought porch area facing a tall boundary hedge, this is considered to be acceptable with regards to overlooking. The proposed extensions all offer satisfactory standards of residential amenity to future occupants.

The proposed rear extension measures up to 3.56 metres tall, projecting a maximum of 4.24 metres from the rear elevation. Concerns regarding the overbearing residential amenity impacts and proximity to the shared boundary hedgerow were raised with the agent, and amended plans were submitted seeking to address this by stepping in the proposed extension from the boundary once this proposed projection approached the hedgerow. The height of the extensions could not be reduced due to the topography of the site and to provide a level ground floor height to the rest of the dwellinghouse. The amended proposal project 2.42 almost abutting the existing circa 1.8 metre tall boundary wall, before stepping away from the boundary by 1.47 metres into the site.

Whilst the proposed still breaks the 45degree angle from the adjoining neighbours rear window, given this window is north facing, and the affected room is dual aspect with a south facing window, the proposal is considered to cause no undue harm with regards to overshadowing. A side facing window is proposed to the element of the extension set in from the boundary, which will face a tall hedgerow at ground floor height, and therefore cause no undue harm with regards to privacy and overlooking. Whilst the proposal will result in a tall development adjacent to the boundary, given the proposal now steps in from the boundary, seen in the context of the existing two storey outrigger, and given the fallback position of permitted development rights for 3 metre long extensions of similar height to the proposal, this development is considered to be acceptable in terms of overbearing impacts. The proposal is considered to be consistent with policy DEV5, maintaining acceptable residential standards of amenity for neighbours and future occupants.

Whilst the proposed development is in very close proximity to the adjoining neighbour, given the small scale of development, likely short duration period of construction and development that can occur through the GPDO, it is considered that a planning condition controlling the hours of construction would not meet the tests of a planning condition stipulated in paragraph 55 of the NPPF.

Impact on trees and hedgerows

There are established tall boundary hedgerows between the application site and the adjoining neighbour to both the front and rear curtilage area. The amended proposal provides sufficient separation from this hedgerow to result in a development whereby this hedge could remain in situ, and therefore the hedgerow would not be directly impacted by the proposal, compatible with policy ENV2.

Conclusion and Planning Balance

In conclusion, the proposed design will appear congruent in the streetscene subject to being finished in matching materials, with no direct impact upon hedgerows and causing no undue harm to neighbouring residential amenity whilst offering satisfactory standard of amenity to future occupants. The proposal is recommended for approval on planning balance.

Recommendation

That the application is granted subject to the following conditions:

Time limit for commencement

1. The development permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In order to comply with the provisions of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Approved Plans

2. The development hereby granted shall be carried out in accordance with the drawings hereby approved:
- i. Amended site location plan, referenced 20-122-03A RevA, received on 6th October 2020.
 - ii. Amended proposed elevations, section and floors plan, referenced 20-122-02A RevA, received on 5th October 2020.

Reason: To ensure a satisfactory development and to avoid any ambiguity as to what constitutes the permission.

Ongoing conditions

3. All new external finishes to the development hereby approved shall be undertaken in slate and render materials to match those of the existing external elevations of the dwellinghouse, with the rear extension roof finished in a ply flat membrane, and retained as such at all times thereafter.
- Reason:** In the interest of visual amenity of the area, and the appearance and character of the building, and to avoid any ambiguity as to what constitutes the permission.