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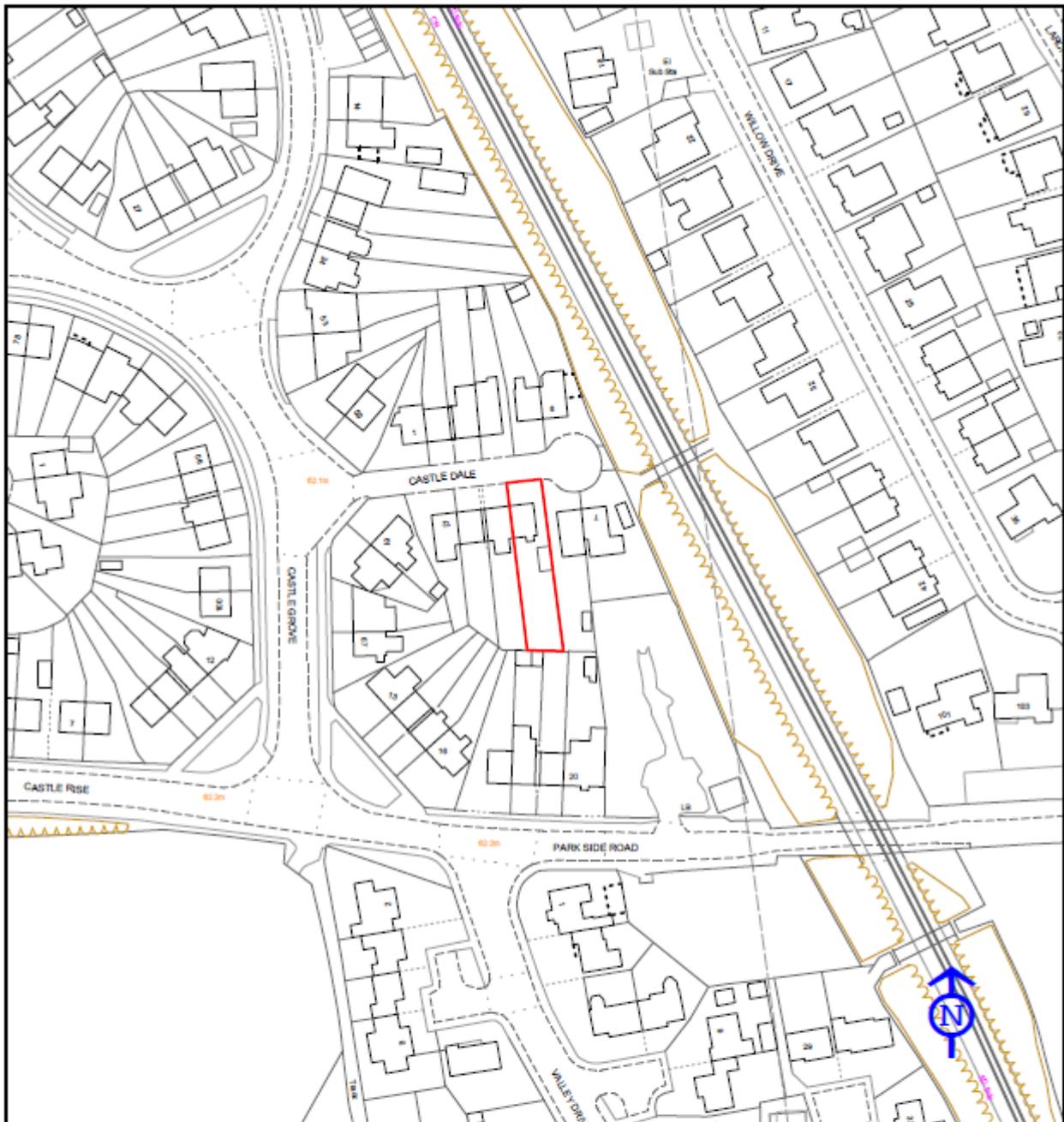
Planning Application no. SL/2020/0943  
9 Castle Dale, Kendal, LA9 7BG

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**SL/2020/0943**

**9 Castle Dale  
KENDAL  
LA9 7BG**

Scale: 1:1250

## Summary

SL/2020/0943

PARISH: Kendal

9 Castle Dale, Kendal, LA9 7BG

PROPOSAL: Single storey rear extension with garage attached (Revised scheme SL/2019/0603 – Part Retrospective)

APPLICANT: Mr and Mrs C Atkinson

Grid Ref: E: 352726 N: 492178

Committee date: 28th January 2021

Case Officer: Lucy Isham

This application seeks permission to erect a single storey rear extension with an attached garage at No. 9 Castle Dale, Kendal.

The application is a resubmission of a previous application (reference SL/2019/0603) which was approved by planning committee 29 August 2019. When building the approved development the applicants found it was necessary to amend the design due to the presence of a drainage pipe and this involves extending the extension by a further 0.6m from the rear elevation of the host dwelling from the approved 4m to 4.6m. In addition to the extended extension, a window has been added to the rear elevation of the garage, the rest of the development remains as approved.

The main issue to consider is whether the proposal as a result of the amendments will have significant impacts on the visual and residential amenity of the area. The application is part retrospective.

The application is reported to the Planning Committee as the applicant is a member of staff. This is in accordance with the Council's Constitution and the Scheme of Delegation.

## Recommendation

The recommendation is to grant subject to conditions.

### 1.0 Description and proposal

#### Site Description

- 1.1. The site is located at No. 9 Castle Dale, Kendal and is a semi-detached property. The property is finished in brickwork and render and has a slate roof. Works have

progressed on site building the extension and attached garage and therefore the application is part retrospective.

## Proposal

- 1.2. The proposal seeks full planning permission (part retrospective) for the erection of a single storey extension to the rear of the dwelling. In addition a replacement single garage which is an increased size to the previous garage on site adjoins the proposed extension. The extension forms additional living accommodation at ground floor level (reconfigured kitchen/ diner and garden room). The extension has a gable roof and will be finished in render and slate to match the host dwelling. The garage will be finished in render to match and has a flat roof.

## 2.0 Consultations

### Kendal Town Council

- 2.1. No material objections.

### Neighbours/Others

- 2.2. Neighbour Consultation letters expired 08 January 2021. No neighbour correspondence has been received in response to the letters.
- 2.3. A site notice was erected on 21 December 2020, the notice expires on 18 January 2021. No responses have been received at present; should any responses be received Committee Members will be updated in a late items report.

## 3.0 Relevant planning history

- 3.1. This planning application is a resubmission of SL/2019/0603 approved by Planning Committee August 2019.

## 4.0 Relevant planning policies

### National Planning Policy Framework

Chapter 12 Achieving well designed places

### Local Development Policies

### South Lakeland Core Strategy Policies (CS)

CS1.1 Sustainable development principles

CS8.2 Protection and enhancement of landscape and settlement character

CS8.10 Design

## South Lakeland Development Management Development Plan Document Policies (DM)

DM1 – General Requirements for all development

DM2 – Achieving Sustainable High Quality Design

DM4 – Green and Blue Infrastructure, Open Space, Trees and Landscaping

## 5.0 Assessment

### Principle of Development and Local Plan Policy

- 5.1. A residential extension in this location is acceptable in principle and the key issues that apply to this application are:
- The impact on visual and landscape settlement character
  - The impact on residential amenity

### Visual Amenity

- 5.2. The proposed single storey extension will protrude 4.6 metres from the rear elevation of the dwelling. The length of the development is why the applicants have resubmitted the application, when building the development approved under reference SL/2019/0603 circumstances resulted in the need to increase the length of the extension by a further 0.6 metres. Apart from the addition to the extension and a proposed rear elevation window to the garage, the rest of the development remains as approved under planning application reference SL/2019/0603.
- 5.3. The extension will measure 2.7 metres to the eaves and 3.73 metres to the top of the ridge. The extension will not be visible from the roadway to the front of the property.
- 5.4. The garage will be 6.4 metres long, 2.7 metres high and 3.2 metres wide. The front of the garage is visible from the roadway to the front.
- 5.5. Although the extension now projects 0.6 metres further than previously approved, it is considered that the extension and garage are of an appropriate scale and design and are subservient to the dwelling. The extension is similar to other extensions in the locality and is appropriate to the street scene. The extension and garage will not have an adverse impact on the visual amenity of the area. The proposal complies with Policies CS1.1, CS8.2 & CS8.10 of the Core Strategy and Policies DM1 & DM2

of the Development Management Policies Development Plan Document.

## Net Biodiversity Gain

- 5.6. The National Planning Policy Framework paragraph 170 (d) requires that proposals minimise impacts on and provide net gains for biodiversity this is echoed through Local Plan Policies DM1 and DM4 of the Development Management Policies Development Plan Document which require that unless it can be demonstrated that this is not possible, all development proposals should result in net gains for biodiversity.
- 5.7. The net biodiversity gain measures proposed should be proportionate to the scale of the development. In this case the submitted plans detail that a nest box shall be erected on site. It is considered that this is an appropriate net biodiversity gain in context of the development proposed.

## Residential Amenity

- 5.8. The single storey extension and garage are wholly enclosed within the rear garden of the dwelling. Construction is underway on site in respect of the development, which includes the further projection of 0.6 metres from the rear elevation of the host dwelling in comparison to the 4 metres approved under the 2019 application. The application is therefore part retrospective.
- 5.9. The extension and garage as detailed on the submitted plans and as seen on site, are built adjacent to the boundaries shared with No. 8 and No.10 but measure only 2.7 metres to the eaves.
- 5.10. The garage which has not changed as a result of the amended proposal sits between No. 8 and the extended extension. Therefore, no significant harm will be caused to the residential amenity of No. 8 as a result of the development.
- 5.11. In respect of the impact on No.10, the garden room extension sits adjacent to the shared boundary between 9 & 10. No.10 to the west of the development has a conservatory extension to the rear of the property. The side windows on the conservatory are already somewhat compromised in terms of light as a result of the boundary fencing and the originally approved extension. However, due to the expanse of windows on the front elevation of the conservatory and as the gardens face south it is assessed that the extension applied for measuring 4.6 metres in length does not cause further significant harmful overshadowing or overbearing impacts to No.10.
- 5.12. As a result of the design, scale and position of the extension, which includes the revision and the garage, the proposal will not cause further overbearing, overshadowing or overlooking impacts to a degree which would be harmful to the living conditions of neighbouring residents.

## Planning Balance and Conclusions

- 5.13. Local Policy and the National Planning Policy Framework both have a presumption in favour of sustainable development. Policy CS1.1 states that the development will be considered sustainable where it is of a high quality, localised and appropriate design is incorporated to retain distinctive character/ sense of place and enhance the existing building. On balance it is considered that the proposed development complies with the principles within supporting policy due to the appropriateness of the proposed design, scale and materials.
- 5.14. The scale and design of the proposal does not adversely affect visual amenities or third party residential amenity of neighbouring properties. As a result the proposal is compliant with the requirements of the Core Strategy, Development Management Policies Development Plan Document and the National Planning Policy Framework and on balance is acceptable.

## 6.0 Recommendation

GRANT subject to:

- Condition (1) The development hereby permitted shall begin not later than three years from the date of this decision.
- Reason (2) To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- Condition (2) The development hereby permitted shall be carried out in accordance with the following approved plans:  
  
‘Single storey rear extension with garage attached at No.9, Castle Dale, Kendal. (Part Retrospective)’ Drawing Number A1.CA.12.20.
- Reason (2) For the avoidance of doubt and in the interests of proper planning.
- Condition (3) The development hereby permitted shall be constructed of the materials details of which are shown on Drawing Number A1.CA.12.20. The approved materials shall be retained thereafter, unless otherwise approved in writing by the Local Planning Authority.
- Reason (3) To ensure the development is of a high quality design in accordance with Policy DM2 of the Development Management Policies Development Plan Document and Policy CS8.10 of the South Lakeland Core Strategy.

- Condition (4) Prior to the first occupation of the approved development, a nest box shall be erected on site in accordance with Drawing Number A1.CA.12.20.
- Reason (4) To ensure net biodiversity gains in accordance with Policies DM1 & DM4 of the Development Management Policies Development Plan Document and Policies CS1.1 & CS8.4 of the South Lakeland Core Strategy.

#### P & P Statement

In the exercise of its judgement in determining the appropriate balance of considerations, the Local Planning Authority has acted positively and proactively in determining this application proposal, taking into account all material considerations. Material considerations include planning policies and any representations that may have been received preceding the determination to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework. The Local Planning Authority is satisfied that its processes and practices are compatible with the Human Rights Act and the decisions of the European Court of Human Rights.