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Report from the Head of Development Management to Development Control Committee

Application number: 7/2026/5109
Application type: Full Planning application
Applicant: Ms L Meardon
Location: 7, Collingwood Close, Coniston, LA21 8DZ
Grid reference: 330338, 497788
Proposal: Extension to the rear of the property
Report prepared by: Emma Kearsey, Planner
Report agreed by: Kevin Richards, Planning Manager

Recommendation: APPROVE with conditions

1 About this report

1.1 The case planner has prepared this report, assessment and recommendation taking into account our policies (known as the Development Plan), written representations we have received, and any other material considerations.

1.2 Material considerations are things that are relevant to our decision making and which we are able to take into account – for example site specific factors, or Government planning policy (the National Planning Policy Framework) and Government planning guidance (the National Planning Practice Guidance).

1.3 The Development Control Committee will determine the application at its meeting having regard to the provisions of the Development Plan, representations we have received, and all other material considerations, following a verbal and visual summary of the application by the case planner and, where applicable, after hearing any verbal representations made in accordance with our Policy for Public Speaking at Meetings.

1.4 Most applications are decided under powers delegated to the Head of Development Management. A small number of significant or more contentious applications are considered by our Development Control Committee as set out in our Scheme of Delegation.

2 Background and proposals

2.1 I am reporting this application to committee due to local interest.

2.2 7 Collingwood Close is a semi-detached bungalow located on the corner of Little Moss and Collingwood Close, within a modern housing estate in Coniston.

2.3 Planning permission was granted in September 2024 for extensions and alterations to the dwelling (application reference 7/2024/5416). A further planning permission was subsequently granted by the Development Control Committee for the creation of a raised patio/decking to the rear of the dwelling extending across the width of the garden with both steps and a sloped access to the grassed garden, with a glass balustrade and fence along the boundary with a neighbour in March 2025 (application reference 7/2024/5605).

2.4 The current application is retrospective. In this current application submission, the applicant states that during the construction phase of the September 2024 permission it became clear that the roof over the conservatory would need to be deeper to achieve building regulations

approval. Furthermore, it was deemed structurally and aesthetically preferable to add masonry pillars to the outer corner and the side of the full-width conservatory window area. In addition, other alterations were made including adding a flue to the roof and external lights to the eaves of the conservatory and the dormer window together with wall-mounted downlights.

2.5 Because the development as built does not fully accord with the September 2024 permission retrospective planning permission is now sought for an extension to the rear of the property to include the changes (excluding the external lights added to the eaves of the extension and to the eaves of the dormer window). The lights have been removed from the proposals in response to concerns both from officers and from local residents. The applicant has submitted an amended Design and Access Statement to reflect the removal of lighting from the proposal and the intended removal of the lights from the building.

3 Representations

3.1 In response to the original proposal including the eaves lighting:

Coniston Parish Council were unable to come to a lawful decision due to not being quorate.

Seven letters of objection have been received objecting to the application, which can be summarised as follows:

- Lights shine into surrounding properties (Collingwood and Little Moss) causing sleep deprivation and ill health
- Excessive amount of lights
- Lighting under eaves is unacceptable and far too bright.
- Lighting on the eaves of the dormer are excessive with no benefit to residents
- Submitted drawing is misleading in scale and portrays the roof as being lower than it is by approximately 30cms or so.

- The new extension roof is between 40 and 50cms higher than it should be, hardly a marginal discrepancy.
- Inaccuracies within the submitted statement including “there is no loss of amenity to others” and “the houses have a great views of the surrounding fells”.
- Destroyed amenity – views of Coniston Old Man and Brinfell.
- Flue is uncharacteristic.

A petition has been received, signed by 11 of the fourteen households in Little Moss stating that they wish to object to the array of lights because they are ridiculously excessive, totally inappropriate in this quiet residential setting, and very intrusive.

3.2 In response to the amended proposal omitting the eaves lighting:

One letter of representation has been received stating that the removal of lights has brought considerable relief. They still object to the proposal based on the impact of the increase in height of the conservatory roof on their property and provide the following additional points:

- The conservatory roof is 45-50cm higher than the approved roof. The D&A Statement says that it is 30cm higher.
- Asks why the applicant did not apply for a Section 73 application
- Provides photographs of the conservatory roof visible through the roof causing visual intrusion/overshadowing/overbearing.
- Dwelling is being used as a four-bedroom house instead of a three-bedroom house.

3.3 Out of the representations received, four letters raise concerns about the extension. The remaining letters related solely to lighting.

4 Development plan policies and other relevant guidance

4.1 The relevant Development Plan comprises:

- The Lake District National Park Local Plan 2020-2035

4.2 The following Lake District National Park Local Plan policies are relevant to this application:

- Policy 01: National and international significance of the Lake District
- Policy 02: Spatial strategy
- Policy 03: Development and flooding
- Policy 06: Design and development

- Design Code Supplementary Planning Document

4.3 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. It is a material consideration in the determination of planning applications.

4.4 Coniston Neighbourhood Plan – No relevant policies

5 Main issues and assessment

5.1 Extensions are in accordance with the spatial strategy set out in Policy 02 and are acceptable in principle. The main issues in this assessment are:

- Character and appearance of the area
- Amenity of neighbours

Character and appearance of the area

5.2 Local Plan Policy 06 (Design and development) seeks design excellence in all development, which is to be inspired by and contribute to local distinctiveness. Development is required to reinforce the importance of local character by having regard to scale, height, density, layout, appearance, and materials.

5.3 The application site comprises a recently refurbished non-traditional bungalow within a modern housing estate including a mix of bungalows and dormer bungalows. The application site is bounded to the south by Collingwood Close (a residential road); to the west and north by boundary hedge and public road, with Little Moss (a residential road) beyond and to the east by a boundary timber fence and hedge with an adjoining residential property (9 Collingwood Close) beyond. The application extension is set back from the north and west. The upper portion of the rear extension and flue are visible from public view above the boundary hedge from Little Moss.

5.4 Whilst the eaves of the rear extension do sit above the eaves of the original dwelling, I am content that the scale does not dominate the original dwelling or harm the character and appearance of this residential area.

5.5 Whilst there are no other examples of a similarly tall flue in the immediate residential area, the flue sits close to the first-floor elevation and is a matt black colour in keeping with the rainwater goods and pipework on the elevations.

5.6 In my view, the scale in combination with the distance from the north and west boundaries means that the proposed extension, including flue, does not dominate the streetscene.

5.7 In respect of the eaves lighting, we raised concerns about the elevated positioning of the as built/proposed lighting scheme above the property boundaries which appeared to cause light pollution adversely impacting the immediate surroundings. The removal of the eaves lighting from the scheme and the building would address these concerns because the remaining wall-mounted lights are downward facing and at a lower level. I have recommended a condition to remove the eaves lighting within four months.

5.8 Subject to a condition relating to the removal of the external eaves lighting, I am satisfied that the proposed development is acceptable in terms of its impact on the character and appearance of the area and that it satisfies the requirements of Local Plan Policies 01, 02, 06, the Design Code SPD and the NPPF.

Impact on the amenity of neighbours

5.9 Local Plan Policy 06 (Design and development) states that development must not have an unacceptable impact on the amenity of adjoining residents and users of the proposed development, due to visual intrusion, overlooking, overshadowing, overbearing effect, noise, light pollution or other adverse impacts.

5.10 The nearest dwelling is the adjoining semi-detached house to the east; no. 9 Collingwood Close. The garden of no. 9 extends alongside the garden of no. 7. The rear extension sits adjacent to the rear conservatory belonging to no. 9.

5.11 The roof of the rear extension is visible through the adjoining neighbour's conservatory roof. The rear extension has blocked out a view of the fells from this conservatory roof. Whilst views of the fells from the neighbour's conservatory have been obscured, the courts have found that the right to a particular private view is unlikely to be a material planning consideration. In this case and having regard to the remaining amount of glazed roof and windows, there is no harmful impact in terms of overbearing or a loss of light.

5.12 Whilst the height of the extension has reduced the views of the fells from the garden, in this case having regard to the wide and uninterrupted open outlook across the rest of the garden there is no accompanying harmful impacts in terms of overbearing or a loss of light.

5.13 Whilst the extension would be visible in both views from the conservatory and the garden, it would not be accompanied by harmful effects in terms of overbearing or loss of light.

5.14 In respect of the eaves lighting, we raised concerns about the elevated positioning of the as built/proposed lighting scheme above the property boundaries which appeared to cause light pollution adversely impacting the amenity of neighbours, in particular the amenity of the occupants of the adjoining dwelling.

5.15 The removal of the eaves lighting from the building and the scheme would address these concerns because the remaining wall-mounted lights are downward facing and at a lower level.

5.16 Taking the above matters into account and having regard to the specific context of the site, I consider that the development is acceptable in terms of its impacts and satisfies the requirements of Local Plan Policy 06, the Design Code SPD, and the NPPF.

Other matters

5.17 Flooding – The application site is located within Flood Zone 2 and therefore a Flood Risk Assessment has been submitted in support of this application. The FRA notes that the house is not known to have flooded. The FRA states that there is no change to the flood risk or impact because of the variation from the original plans. The extension is over the footprint of an existing level patio area. As such, there would be no increase in impermeable surface area. I am therefore satisfied that the proposed development would not be vulnerable to flooding or increase the risk of flooding elsewhere and would therefore accord with the requirements of Local Plan Policy 03 and the NPPF.

5.18 Intentional unauthorised development - A planning policy statement on Green Belt Protection and Intentional Unauthorised Development came

into force at the end of August 2015. This makes intentional unauthorised development a material consideration in the determination of planning applications. There is no guidance or definition of "intentional unauthorised development". Because it is impossible to know what was in a particular person's mind at a particular moment in time, we must construct a picture and reach a view of the weight to be attributed to this issue, based on the information and evidence available around any individual retrospective case. In this case the alterations were made to the permitted conservatory to satisfy building regulations during the construction phase. I have no information of the circumstances in which it came into being nor evidence of material weight that would lead me to a different conclusion on the merits of the current proposal.

6 Conditions

6.1 A condition requiring the development to be carried out in accordance with the plans and details which form part of the planning permission is also necessary for the avoidance of doubt. A condition requiring the eaves lighting on the building to be removed within four months of the date of this permission is reasonable given the impact those lights have on character and appearance and amenity, and the potential requirement to obtain a contractor to undertake the works.

7 Conclusion

7.1 Having regard to the provisions of the development plan, in particular Lake District National Park Local Plan Policies 01, 02, 03, and 06, the Design Code SPD, and other material considerations (including the provisions of the NPPF), the development is considered to be acceptable, subject to the conditions recommended.

Recommendation: APPROVE with conditions

Conditions/Reasons

1 The development hereby permitted shall not be carried out otherwise than in conformity with the following submitted plans and details:
- Location Plan
- Drawing no. 01 (as built plans) and 02 (as built elevations)
- Amended Design and Access Statement Rev. B. dated April 2026

REASON: For the avoidance of doubt.

2 The external eaves lighting installed in the eaves of the extension and the eaves of the dormer window shall be removed within four months of the date of this permission. Thereafter, no further external lighting shall be installed to the extension hereby permitted and dormer window unless first submitted to and approved by the Local Planning Authority.

REASON: In the interests of the character an appearance of the area and local residential amenity in accordance with Policies 01 and 06 of the Lake District National Park Local Plan 2020-2035, the Design Code SPD and the NPPF.

NPPF decision notice requirements

Town and Country Planning (Development Management Procedure) (England) Order 2015 Article 35(2) statement.

The Local Planning Authority have worked with the applicant in a positive and proactive manner by seeking solutions to problems arising in relation to dealing with the application by asking the applicant to amend the eaves lighting to satisfy the Good Lighting TAN and amend inconsistencies on the drawings; and in accepting amended documents to remove the eaves lighting and provide clarification.

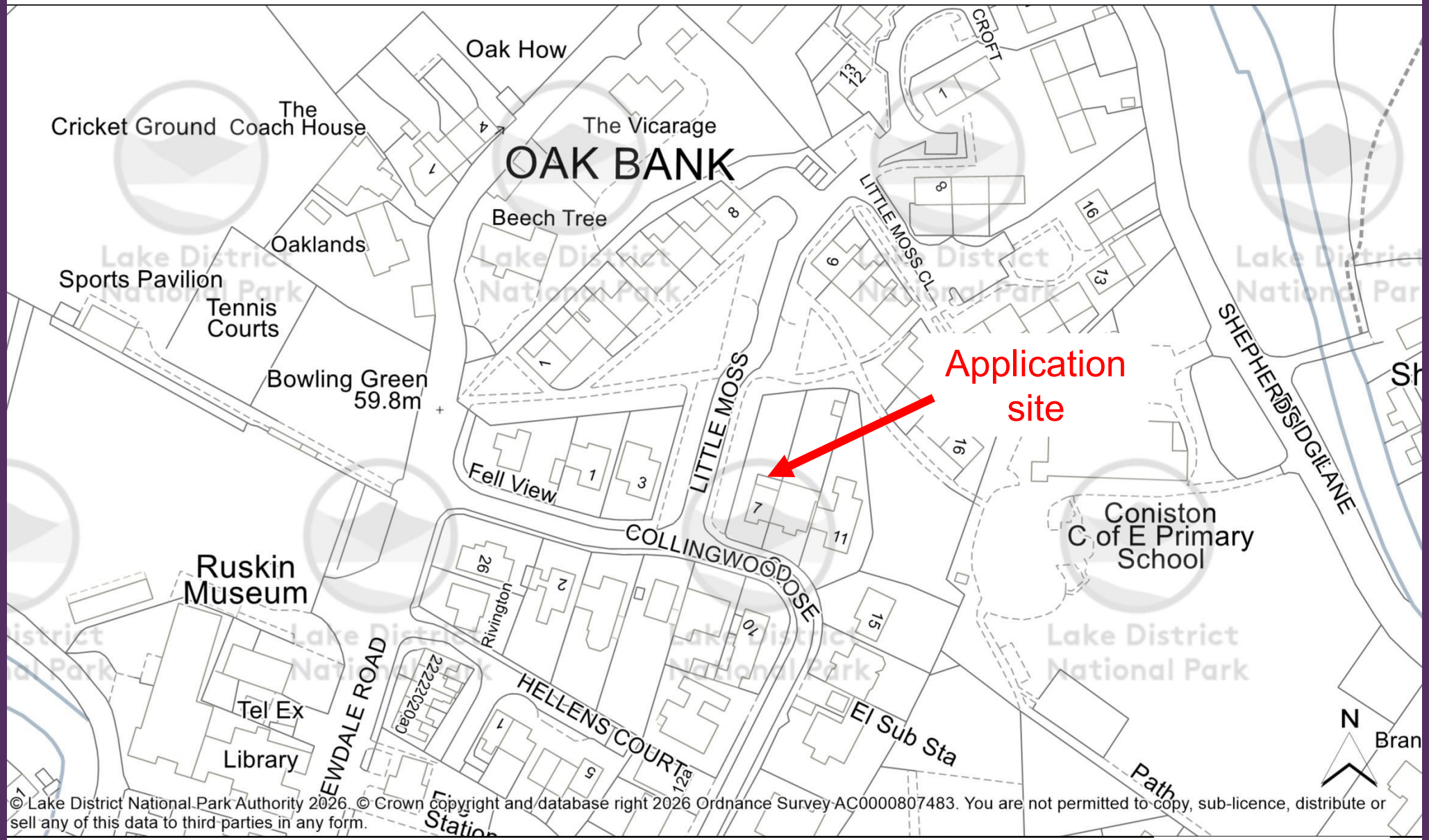
Background papers

Background papers are available for inspection on the planning application file unless otherwise specified on that file as confidential by reasons of financial/personal circumstances in accordance with the Local Government (Access to Information) Act 1985.

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7 Collingwood Close, Coniston

Rear extension (retrospective)



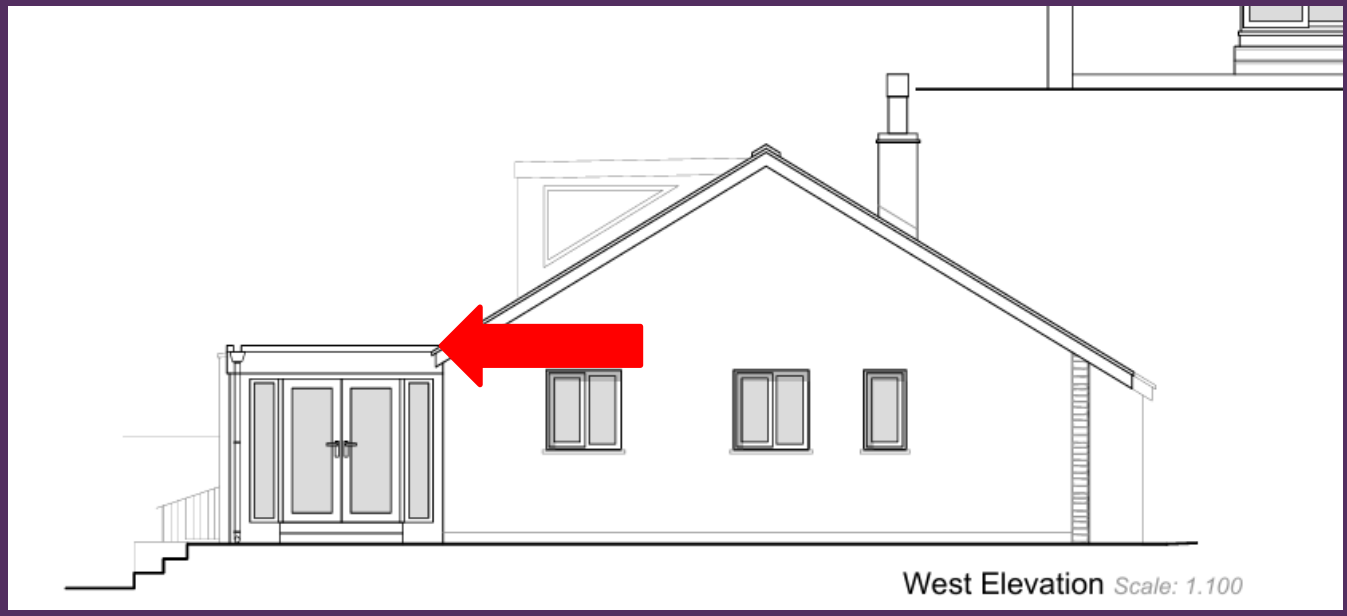
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Lake District National Park Authority

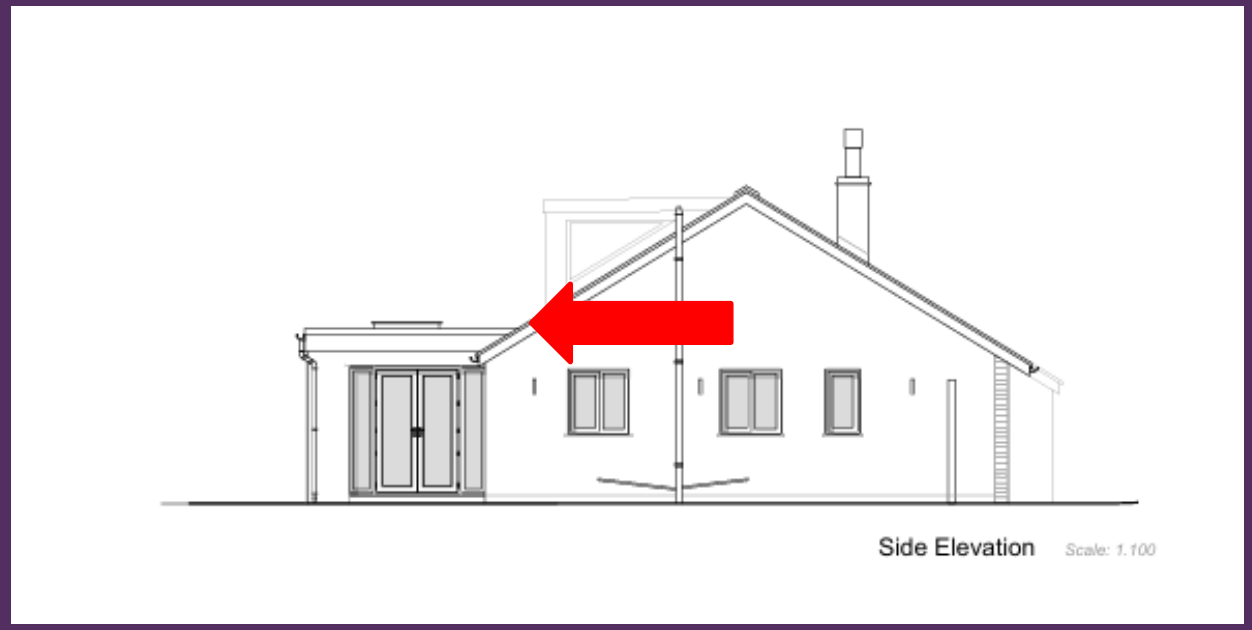
Approved elevations





As built elevations





Rear extension



View from Little Moss



View from neighbour’s garden



View from neighbour’s conservatory



Photograph provided by objectors

