

**COPELAND BOROUGH COUNCIL  
DELEGATED PLANNING DECISION**

1.	<b>Reference No:</b>	4/20/2206/0F1
2.	<b>Proposed Development:</b>	TWO STOREY ANNEXE EXTENSION TO FACILITATE GROUND FLOOR FOR DISABLED OCCUPATION AND FIRST FLOOR FOR ACCOMMODATION FOR DESIGNATED CARERS (PARENTS)
3.	<b>Location:</b>	6 HERDUS ROAD, WHITEHAVEN
4.	<b>Parish:</b>	Whitehaven
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	<b>Publicity Representations &amp;Policy</b>	Neighbour Notification Letter: YES  Site Notice: NO  Press Notice: NO  Consultation Responses: See report  Relevant Planning Policies: See report
7.	<b>Report:</b>	<p><b>SITE AND LOCATION</b></p> <p>This application relates to 6 Herdus Road, a semi-detached property which is located on an existing housing estate within the Mirehouse area of Whitehaven.</p> <p><b>PROPOSAL</b></p> <p>Planning Permission is sought for the erection of a two-storey side extension. The extension is to be used as an annexe will include a ground floor bedroom and shower room for disabled occupation and a separate staircase to a bedroom, ensuite and living room on the first floor for accommodation for designated carers (parents).</p> <p>The annexe will project 6.6 metres from the side elevation and will be 6.8 metres in depth. The pitched roof height of the annexe will have an overall height of 7.5 metres and an eaves height of 5</p>

metres to match the existing property. The front elevation will include two windows on the ground floor and two windows on the first floor. The rear elevation will include one first floor bathroom window and an access door to the garden. The side elevation will include two windows on the first floor and one window and a patio door with access onto a ramp on the ground floor. The ramp is will measure 1.2 metres in width and 4 metres in length.

The annexe will be finished in dashed render, slate roof tiles and white UPVC windows and doors to match the existing property.

The proposal also includes creating a new vehicle access to the front of the property.

#### RELEVANT PLANNING APPLICATION HISTORY

There have been no previous planning applications at this property.

#### CONSULTATION RESPONSES

Whitehaven Town Council – No objections.

Highways Authority – No objections.

Lead Local Flood Authority – No objections.

#### Public Representations

The application has been advertised by way of neighbour notification letters issued to 4 no. properties.

No objections have been received as a result of 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

## Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM12 – Standards for New Residential Developments

Policy DM18 – Domestic Extensions and Alterations

Policy DM22 – Accessible Developments

### **Other Material Planning Considerations**

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

## ASSESSMENT

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

### Principle of Development

Policy ST2 defines Whitehaven as the Principal Town within Copeland which seeks to direct development to the most sustainable locations.

The proposed extension will be located on an existing housing estate within the Whitehaven settlement boundary. On this basis, the principle of the development is therefore considered to be acceptable.

### Justification for Proposal

The agent confirmed the footprint of the accommodation is required to facilitate occupation by a disabled person and it has been subject to lengthy discussions with Cumbria County Council Occupational Therapy (Adult Care) and Copeland Borough Council Housing Grants to meet requirements.

The personal requirements and circumstances have been checked with the Council's Housing Team and the extension meets the minimum space requirements for the needs identified. The proposal also includes first floor carers accommodation to ensure 24 hour care can be provided as required. On this basis, the exceptional personal circumstances are taken as a material planning considerations and the proposal is justified by medical requirements.

### 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.

Due to the scale of the annexe, additional details were sought to justify the personal requirements. The proposed annexe will be ancillary to the principal dwelling and will have a functional link to the principal dwelling. In view of concerns raised over the scale, the agent agreed to change the plans to lower the overall height and step back the annexe from the front and rear elevation. As a result, the annexe will be viewed as subservient to the main dwelling.

The proposal is set back from the main road and therefore, it will not be prominent within the street scene. The design, window size, roof pitch and eaves height match the existing property. In addition, the materials will match the existing property.

On balance, the scale is considered to be appropriate for its use and therefore the proposal is considered to comply with policy DM10 and Policy DM18(A) of the Local Plan.

#### 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. Policy DM12 requires a separation distance between directly facing habitable room windows of 21 metres to maintain privacy and overlooking standards.

Despite the proposed extension being large in scale, it will have little impact on the locality. It will not project further than the existing established building line and therefore the impact on the street scene will be minimal.

The annexe will have a separation distance of over 21 metres from the closest directly facing property on the front elevation. On the rear elevation, there are no habitable room windows and therefore due to the siting of the annexe and the proximity to the surrounding properties, the proposal will not cause any overlooking issues. In addition, there will be will no significant loss of light to the neighbouring properties.

The proposed annexe will be ancillary to the principal dwelling and will have a functional link to the principal dwelling. The use of the proposed annexe can be controlled by means of an appropriately worded planning condition to ensure that it is only used as ancillary accommodation to the principal dwelling. This will help to minimise impacts on the amenities of the occupiers of surrounding dwellings.

On this basis, the proposal is considered to meet Policies DM12 and DM18 and NPPF guidance.

#### Highway Safety

Policy DM22 requires developments to be accessible to all users and encourages innovative approaches to manage vehicular access and parking.

The proposal will create an additional access and parking area to the front of the property. The Highway Authority raised no objections as part of the consultation process and the creation of the

	<p>access and driveway is Permitted Development.</p> <p>On this basis, the proposal is considered provide an adequate provision of off-street parking to meet the needs of the dwelling and therefore the proposal complies with Policy DM22.</p> <p><u>Planning Balance and Conclusion</u></p> <p>On balance, subject to the revisions outlined above and given the applicant’s medical requirements, the proposal is considered to be an acceptable form of development which accords with the policies set out within the adopted Local Plan and the guidance in the NPPF.</p>
8.	<p><b>Recommendation:</b> Approve (commence within 3 years)</p>
9.	<p><b>Condition(s):</b></p> <p>1. The development hereby permitted must commence before the expiration of three years from the date of this permission.</p> <p>Reason</p> <p>To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.</p> <p>2. 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: -</p> <p>Site Location Plan, scale 1:1250, received 5<sup>th</sup> June 2020;  Site Plan, scale 1:500, received 5<sup>th</sup> June 2020;  Existing Elevations, scale 1:100, page 1 of 4, received 1<sup>st</sup> July 2020;  Proposed Side Elevations, scale 1:50, page 3 of 4, received 1<sup>st</sup> July 2020;  Proposed Front and Rear Elevations, scale 1:50, page 4 of 4 received 1<sup>st</sup> July 2020;  Existing Floor Plans, scale 1:100, page 1 of 4, received 1<sup>st</sup> July 2020;  Proposed Ground Floor Plan, scale 1:50, page 1 of 4, received 1<sup>st</sup> July 2020;  Proposed First Floor Plan, scale 1:50, page 2 of 4, received 1<sup>st</sup> July 2020.</p> <p>Reason</p> <p>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.</p> <p>3. The extension hereby permitted must not be occupied at any time other than for purposes</p>

ancillary to the residential use of the dwelling known as 6 Herdus Road and must not be let or sold as a separate permanent dwelling.

Reason

The annexe is not considered appropriate for use as a separate residential unit.

**Informative**

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)  
<<http://www.gov.uk/government/organisations/the-coal-authority>>

**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: Chloe Unsworth**

**Date : 27/07/2020**

**Authorising Officer: N.J. Hayhurst**

**Date : 28/07/2020**

**Dedicated responses to:- N/A**