

**COPELAND BOROUGH COUNCIL  
DELEGATED PLANNING DECISION**

1.	<b>Reference No:</b>	4/20/2325/OF1
2.	<b>Proposed Development:</b>	REPLACEMENT CONSERVATORY WITH SUNROOM
3.	<b>Location:</b>	13 MELBREAK CLOSE, 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>  LOCATION  This application relates to 13 Melbreak Close, a semi-detached property located on an existing housing estate within Whitehaven.  PROPOSAL  Planning Permission is sought for the demolition of the existing conservatory and the erection of a single-storey rear extension. It will project 3.9 metres from the rear elevation and will be 5.8 metres in width. It will have a pitched roof with an overall height of 3.6 metres and an eaves height of 2.1 metres. The extension has been designed to include bi-folding doors on the rear elevation and one windows on the east side elevation. It will also be lit by 4 skylights. The extension will be finished with wet dash render, a slate roof, aluminium bi-fold doors and UPVC windows to match the existing dwelling.	

## RELEVANT PLANNING APPLICATION HISTORY

There have been no previous applications for this property.

## CONSULTATION RESPONSES

### Consultees

Whitehaven Town Council – No objection.

### Public Representations

The application has been advertised by way of neighbour notification letters issued to 2 no. properties - No objections have been received as a result of this consultation process.

## 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

### Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM18 – Domestic Extensions and Alterations

### **Other Material Planning Considerations**

National Planning Policy Framework (NPPF)

## ASSESSMENT

The key issues raised by this proposal are its scale and design and the potential impacts on residential amenity.

### 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 replacement extension is relatively modest in scale and is appropriately sited within

	<p>the rear garden. The pitched roof design reflects the character and appearance of the property. In addition, the choice of materials match the existing dwelling. On this basis, the proposal is considered to meet DM18(A) policy and the NPPF guidance.</p> <p><u>Residential Amenity</u></p> <p>Policy ST1, Policy DM18 and section 12 of the NPPF seek to safeguard good levels of residential amenity of both the parent property and adjacent dwellings.</p> <p>Overlooking and overshadowing issues between the proposed extension and the neighbouring properties were considered, although the proposed extension will be stepped back at least 0.6 metres from the neighbouring boundary. In addition, under current permitted development rights, an extension could project 3 metres from the rear elevation without the requirement for formal planning permission. This fall-back position is a material consideration in the assessment of this application. As the projection is not significantly larger than what is possible under permitted development, this proposal is considered to be satisfactory and therefore the proposal will not have a detrimental impact on the neighbouring amenity.</p> <p>In addition, the existing fence along the boundary will mitigate the impact of the extension. On this basis, it was considered that the proposal will not have a significant impact on neighbouring amenity and therefore, the proposal is considered to meet Policy DM18 and the NPPF guidance.</p> <p><u>Conclusion</u></p> <p>Overall, this 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> <ol style="list-style-type: none"> <li>1. The development hereby permitted must commence before the expiration of three years from the date of this permission.</li> </ol> <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> <ol style="list-style-type: none"> <li>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: -</li> </ol> <p>Existing Location Plan, scale 1:1250, received 20<sup>th</sup> August 2020; Proposed Location Plan, scale 1:1250, received 20<sup>th</sup> August 2020; Existing Block Plan, scale 1:500, received 20<sup>th</sup> August 2020;</p>

Proposed Block Plan, scale 1:500, received 20<sup>th</sup> August 2020;  
Existing and Proposed Elevations, scale 1:100, drawing no 1249 -01 Rev A, received 20<sup>th</sup> August 2020.

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.

#### **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)

#### **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 : 14/10/2020**

**Authorising Officer:**

**Date : 15/10/2020**

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