

COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/20/2504/0F1
2.	Proposed Development:	PARTIAL DEMOLITION OF A SINGLE STOREY REAR EXTENSION THAT WILL BE REBUILT
3.	Location:	12 CATHERINE STREET, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Coal - Development Referral Area - Data Subject to Change
6.	Publicity Representations & Policy	Neighbour Notification Letter: YES Site Notice: YES Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: SITE AND LOCATION This application relates to 12 Catherine Street, a terraced property situated within Whitehaven. The site falls within Whitehaven Conservation Area and there is an article 4 direction covering a number of dwellings in this area including this property. PROPOSAL Planning permission is sought for the erection of a replacement rear extension to provide an enlarged kitchen. The extension will project 2.8 metres from the rear elevation and will be 4.48 metres in width. It has been designed to include a flat roof, with an overall height of 3.65 metres and it will be lit by a 1.3 metre by 2.3 metre roof lantern. It will include a bi-folding door on the rear elevation and the side elevations will be blank. The extension will be finished with render, a single ply EDPM membrane on the roof and a double glazed bi-folding door. The proposal also includes the resizing of	

one rear window to accommodate the higher extension roof and a also the creation of a decked area within the rear yard, which will be raised 0.45 metres above ground level.

RELEVANT PLANNING APPLICATION HISTORY

There have been no previous applications for this property.

CONSULTATION RESPONSES

Consultees

Whitehaven Town Council – No objections.

Conservation Officer – No objections.

Public Representation

The application has been advertised by way of site notice and neighbour notification letters issued to 2 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 DM18 – Domestic Extensions and Alterations

Policy DM27 – Built Heritage and Archaeology

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

Planning (Listed Building and Conservation Areas) Act 1990 (LBCA)

Conservation Area Design Guide

Emerging Copeland Local Plan (ELP):

The emerging Copeland Local Plan 2017-2035 was the subject of a Preferred Options Consultation which ran until 30th November 2020. The Preferred Options Consultation builds upon the completed Issues and Options Consultation, which finished in January 2020. Given the stage of preparation, the emerging Copeland Local Plan 2017-2035 has only limited weight in decision making, but provides an indication of the direction of travel of the emerging planning policies, which themselves have been developed in accordance with the provisions of the National Planning Policy Framework.

ASSESSMENT

The key issues raised by this proposal are the principle of development, its scale and design and the potential impacts on residential amenity and heritage assets.

Principle of Development

The proposed application relates to a residential dwelling within Whitehaven and it will provide a replacement rear extension to create an enlarged kitchen. Policy DM18 supports extensions and alterations to residential properties subject to detailed criteria, which are considered below.

On this basis, the principle of the development is therefore considered to be acceptable and the extension satisfies Policies ST2, DM18 and the NPPF guidance.

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 extension and alterations will be modest in scale and appropriately sited within the rear garden. It will provide an enlarged kitchen and the design is considered to be suitable for its use. It will be enclosed by the existing boundary walls and therefore it will not be excessively prominent within the locality. In addition, the choice of materials will reflect the existing dwelling.

On this basis, the proposal is considered to satisfy Policies DM10 and DM18 and the NPPF guidance.

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.

The proposed extension and decking will be located in the rear garden, adjacent to the existing 2.8 metre high boundary walls. On this basis, the existing boundary treatments are considered to mitigate potential overlooking issues for the adjoining properties.

The replacement extension will be modest in scale and the flat roof design will minimise the potential overshadowing impacts. On this basis, it is not considered that the extension will lead to a significant reduction in daylight for the neighbouring property.

In addition, no neighbours have raised concerns regarding the proposal as a result of the consultation process.

On this basis, the proposal will not have a detrimental impact on the neighbouring amenity and it is therefore considered to comply with Policy DM18 and NPPF guidance.

Heritage Assets

Policy ENV4 and DM27 seek to protect the built heritage and maximise the value. DM27 supports development proposals which protect, conserve and where possible enhance the historic and cultural architectural character of the Borough's historic sites and their settings.

The Listed Building and Conservation Areas Act sets out a clear presumption that gives considerable importance and weight to the desirability of preserving a heritage asset and its setting.

Section 72 of the LBCA requires that in considering whether to grant planning permission for development which affects a conservation area, the Local Planning Authority shall pay "special attention... to the desirability of preserving or enhancing the character of appearance" of the conservation area.

Paragraphs 184 – 202 of the NPPF in respect of heritage include a requirement that when considering the impact of development proposals on designated heritage assets such as a conservation area, great weight should be given to the conservation of the asset's significance; however, less than significant harm should be weighed against the public benefits of a development.

The application site is located within Whitehaven Conservation Area and there is an existing article 4 direction on the row of terraced houses. The application seeks permission for a replacement single storey rear extension, the removal of a large section of the rear wall to create a connection to the ground floor and the resizing of one rear window to accommodate the higher extension roof. The Conservation Officer considered that the proposal will entail some harm to this non-designated heritage asset in the form of removing a section of the rear wall and reducing the size of a rear window to permit a higher roof. However, the improvement in the form of light and space, as well as the quality of the extension itself, which is currently substandard, appear to be suitable compensation. The Conservation Officer therefore considered the clear benefits outweigh the harm.

The Conservation Officer also considered that the modest replacement extension will not have much if any impact on the character and appearance of the Conservation Area as the site is well enclosed to the rear of the property. In accordance with the tests set out in the LBCA and the NPPF, the potential harm of the proposed extension is considered to be minor and great weight should be given to the clear benefits of the proposal.

On this basis, the Conservation Officer raised no objections to the proposal and therefore it is considered to meet Policy DM27(A) and DM27(C), thereby satisfying the duties set out in the LBCA.

	<p><u>Planning Balance and Conclusion</u></p> <p>The proposal is of an appropriate scale and design and it will not have any detrimental impacts on the amenities of the adjoining properties or the character and appearance of this part of the Whitehaven Conservation Area.</p> <p>In overall terms, whilst some harm is identified, in accordance with the tests set out in the LBCA and the NPPF, the slight harm to the Conservation Area is not considered to significantly and demonstrably outweigh the identified benefits of the development.</p> <p>On this basis, it represents an acceptable form of development and it accords with the policies set out within the adopted Local Plan and the guidance in the NPPF.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Condition(s):</p> <ol style="list-style-type: none"> <p>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>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>Location Plan, scale 1:1250, drawing reference CRO-AWP-ZZ-XX-DR-A-0001, received 15th December 2020;</p> <p>Site Plan, scale 1:200, drawing reference CRO-AWP-ZZ-XX-DR-A-0001, received 15th December 2020;</p> <p>Existing Floor Plan and Elevations, scale: 1:50, drawing reference CRO-AWP-ZZ-XX-DR-A-0003, received 15th December 2020;</p> <p>Proposed Floor Plan and Elevations, scale: 1:50, drawing reference CRO-AWP-ZZ-XX-DR-A-0004, received 15th December 2020;</p> <p>Design and Access Heritage Statement, received 15th December 2020;</p> <p>Planning Comments for 12 Catherine Street, received 10th February 2021.</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>

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

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 : 04/03/2021

Authorising Officer: N.J. Hayhurst

Date : 05/03/2021

Dedicated responses to:- N/A