

COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/21/2067/OF1
2.	Proposed Development:	ALTERATION AND EXTENSION FOR ACCESSIBLE BATHROOM AND BEDROOM AND THE CREATION OF TWO CAR PARKING SPACES (RESUBMISSION - AMENDED SCHEME)
3.	Location:	98 BRANSTY ROAD, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations & Policy	Neighbour Notification Letter: YES Site Notice: NO Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: LOCATION This application relates to 98 Bransty Road, a semi-detached property located within the Bransty area of Whitehaven. PROPOSAL Planning Permission is sought for the erection of a single-storey rear extension to provide a ground floor bedroom and accessible bathroom. It will project 6.8 metres from the rear elevation and 0.5 metres from the side elevation and it will be 4.7 metres in width. It has been designed to include a flat roof with an overall height of 3 metres at the rear and 3.4 metres at the front and side due to the slightly sloping ground. The design includes patio doors on the rear elevation and a bathroom window on the side elevation. It will be finished with smooth painted render, single ply flat roof membrane and white UPVC windows and doors to match the existing property.	

The proposal also includes the creation of two off-street parking spaces within the front garden. The new parking area will measure 5.8 metres in width and 6.2 metres in depth and it will be surfaced in permeable Macadam.

RELEVANT PLANNING APPLICATION HISTORY

A planning application for a front extension has previously been withdrawn (ref: 4/20/2500/0F1).

CONSULTATION RESPONSES

Whitehaven Town Council – No objection.

Highway Authority and Lead Local Flood Authority – Additional information requested regarding visibility splays and drainage details. Additional details provided and no further comments received.

Public Representations

The application has been advertised by way of neighbour notification letters issued to 7 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

Policy ST2 – Spatial Development Strategy

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM18 – Domestic Extensions and Alterations

Policy DM22 – Accessible Developments

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Cumbria Development Design Guide

Emerging Copeland Local Plan (ELP):

The emerging Copeland Local Plan 2017-2035 has recently been the subject of a Preferred Options Consultation. 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 proposed are the principle of development, its scale and design, the potential impacts on residential amenity and highway safety.

Principle of Development

The proposed application relates to a residential dwelling within the Bransty area of Whitehaven and it will provide a ground floor bedroom and accessible bathroom required to facilitate a disabled person. Policy DM18 supports extensions to residential properties subject to detailed criteria, which are considered below.

In addition, the application is supported by the Cumbria County Council appointed Occupational Therapist, Copeland Borough Council's Housing Technical Officer and has been granted assistance from CBC Customer and Community services department.

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 rear extension will be modest in scale and appropriately located within the site, behind the main element of the existing dwelling. This will ensure that the proposal appears subservient to the main dwelling and it will not be excessively prominent within the locality. The flat roof design will not be overbearing for the neighbouring properties and it is considered to be suitable for its use. In addition, the choice of materials will match the existing property and therefore it will reflect the character and appearance of the property. On this basis, the proposal is considered to meet Policy DM18(A) 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 both the parent property and adjacent dwellings.

Overlooking and overshadowing issues between the proposed extension and the neighbouring properties were considered, although the extensions will be modest in scale and the rear extension flat roof design will reduce potential overshadowing issues. The extension will also be appropriately located to the north of the neighbouring garden which will reduce potential overshadowing issues and no concerns have been raised as part of the neighbour consultation process.

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. Due to the scale and design of the extension, the orientation and what is possible under permitted development, the proposal is considered to be satisfactory and therefore it will not cause a detrimental impact on the neighbouring property.

On this basis, it was considered that the proposal will not have any adverse impacts on the neighbours and therefore the proposal is considered to meet Policy DM18 and the NPPF guidance.

Highway Safety

Policy DM22 encourages innovative approaches to manage vehicular access and parking to avoid vehicles dominating the street scene.

The application includes the creation of two off-street parking spaces within the front garden. Following the application consultation, the Highway Authority requested additional details regarding the visibility splays and drainage details. The agent confirmed the required visibility splays are not achievable because of the obstructions outside of the applicant's control. Although, the remaining front wall can be lowered to 1 metre in height to increase visibility and this can be secured by planning condition. The site visit also confirmed that off-street parking within the front gardens is a common feature along Bransty Road and therefore the principle of off-street parking is acceptable. No further comments have been received from the Highway Authority.

The agent also provided additional justification for the driveway as it will enable a vehicle, specially adapted for use by a disabled child, to be able to park safely and allow the child and carers to manage the ingress and egress of the child to the specially adapted home in a safe environment out of the main stream of traffic. It is therefore considered that the driveway provide adequate off-street parking to serve the needs of the property and it will increase safety for the disabled user.

In addition, the new driveway will be surfaced in permeable Macadam to ensure the driveway alterations do not increase surface water discharge onto or off the highway. The off-street parking can be secured through a planning condition to ensure the driveway is installed prior to the first use of the extension. This will ensure adequate off-street parking to meet the needs of the dwelling is provided.

It is likely that the applicant will be required to apply for a permit from the Cumbria County Council Streetworks department to alter the driveway access and dropped kerb. It is therefore appropriate to

	<p>include these details as an informative note.</p> <p>On balance, given the existing presence of similar parking arrangements along Bransty Road, the special circumstances of this application for a disabled child and the increased safety for the child while accessing the off-street parking, the proposal is therefore considered to meet Policy DM22 and the standards set out in the Cumbria Development Design Guide.</p> <p><u>Planning Balance and Conclusion</u></p> <p>Overall, the accessible bedroom and shower room extension and the driveway are considered to be of an appropriate scale and design and will not have any detrimental impact on the amenities of the adjoining properties or highway safety. The application represents 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>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</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>Existing Site Location Plan, scale 1:1250, drawing no 20/0280/01, received 15th February 2021; Existing Block Plan, scale 1:200, drawing no 20/0280/01, received 15th February 2021; Proposed Block Plan and Parking, scale 1:200, drawing no 20/0280/06, received 15th February 2021; Existing Ground Floor Plan, scale 1:50, drawing no 20/0280/02, received 15th February 2021; Existing Elevations, scale 1:100, drawing no 20/0280/03, received 15th February 2021; Proposed Ground Floor Plans, scale 1:50, drawing no 20/0280/04, received 15th February 2021; Proposed Elevations, scale 1:100, drawing no 20/0280/05, received 15th February 2021; Proposed Roof Layout Plans, scale 1:200, drawing no 20/0280/07, received 15th February 2021;</p>

Proposed Section, scale 1:50, drawing no 20/0280/08, received 15th February 2021;
Proposed Foundations and Drains, scale 1:50, drawing no 20/0280/09, received 15th February 2021.

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.

3. Prior to the first use of the extension, the proposed driveway must be installed to provide two off street car parking spaces in accordance with the details set out in approved Block Plan and Parking, drawing reference 20/0280/06 received by the Local Planning Authority on 15th February 2021. The driveway must be maintained in accordance with these details at all times thereafter.

Reason

To ensure that adequate off-street parking is provided in accordance with Policy DM22 of the Copeland Local Plan.

4. Prior to the first use of the extension, the front wall facing onto the highway must be reduced to a maximum height of 1 metre as measured from the finished surface of the driveway access. Once lowered the wall shall be retained at this height at all times thereafter.

Reason

In the interests of highway safety.

5. The driveway must be surfaced in permeable bituminous, cement bound materials, or otherwise bound materials, and shall be constructed and completed before the development is brought into use. The surfacing of the driveway shall be maintained in accordance with these details thereafter.

Reason

In the interests of highway safety.

Informatives

1. Before any works are commenced, you should contact Cumbria Highway's Street Works team to obtain a permit from the driveway access and dropped kerb.

Enquires should be made to Cumbria County Councils Streetwork's team
streetworks.west@cumbria.gov.uk

2. 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: C. Unsworth

Date : 18/05/2021

Authorising Officer: N.J. Hayhurst

Date : 19/05/2021

Dedicated responses to:- N/A