

COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/21/2106/OF1
2.	Proposed Development:	SINGLE STOREY REAR KITCHEN EXTENSION
3.	Location:	4 BURNT HOUSES, LOW ROAD, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Development Referral Area - 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: SITE AND LOCATION <p>The application site is located within the settlement of Whitehaven with the host property forming that of a 2 storey end terrace house with gardens to both the front and rear of the host property.</p> PROPOSAL <p>This application seeks planning permission for the erection of a single storey extension to the rear (eastern) elevation of the property. The extension would extend out approximately 5 metres from the original rear elevation, would have a width of 4.5 metres and an overall height of 3.5 metres.</p> CONSULTATION RESPONSES <p><u>Whitehaven Town Council</u> – Have replied that they have no objection</p> <p><u>The Coal Authority</u> – Have referred to their standing advice for minor development</p>	

Public Representation

The application has been advertised by way of a neighbour notification letters issued to 2 properties.

PLANNING POLICY

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

Copeland Borough Local Plan 2013 – 2028

- Policy ST1 – Strategic Development Principles
- Policy ST2 – Spatial Development Strategy

Development Management Policies (DMP)

- Policy DM10 – Achieving Quality Place
- Policy DM11 - Sustainable Development Standards
- Policy DM12 - Standards for New Residential Developments
- Policy DM18 – Domestic Extensions and Alterations

Other Material Planning Considerations

NPPF 2019

Emerging Copeland Local Plan

The emerging Copeland Local Plan 2017-2035 was recently 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 Principle of Development

The principle of the development accords in general terms with the aims of Policy ST1 and section 12 of the NPPF, both of which 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.

Residential Amenity

Policy ST1, Policy DM18 and section 12 of the NPPF seek to safeguard good levels of residential amenity of the host property or adjacent dwellings.

The proposed single storey extension would be located to the eastern rear elevation of the property. There are no windows within the northern side elevation of the property to the south of the application site known as Seychelles and it is considered that the proposed development would not cause any harm full impact upon the amenity of this property.

In terms of the adjoining property to the north – No.3 Burnt Houses, there are no windows shown on the plans received within the northern side elevation of the proposed extension. However, in order to ensure the future amenity of this property is protected, it is considered to be both proportionate and expedient to attach a condition to ensure that restricts the insertion of any new doors or windows without the prior approval of the LPA. .

The proposed development would have some impact upon the level of sunlight received by the ground floor windows of the attached neighbouring property at No.3. However, the window furthest away from the boundary appears to be obscurely glazed, the other window, appears to serve a kitchen, which is not deemed to be a habitat room.

The application site would retain a decent level of amenity garden area and the proposal does not cause an adverse effect upon the current provision of off street parking.

Based upon the above assessment and attachment of a condition to restrict any futures windows within the northern side elevation, the proposal is considered to meet the aims and objectives of DM18 policy and the NPPF guidance.

Design, Appearance and Impact on Local Character

The application site is located within the well-established residential area. The proposed extension is considered to be of a scale and design which are acceptable and respect the character of the local area.

The application form states that the materials to be used on the external elevation of the extension would match those of the existing host property. However, in order to ensure that the development is constructed in matching materials and thereby safeguarding the character of the surrounding area, it is considered to be expedient to attach a condition to require this.

On this basis, the proposal is considered to meet the aims and objectives of DM18 policy and the NPPF guidance.

Planning Balance

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 and therefore, the application is recommended for approval.

8.	Recommendation: Approve subject to Conditions
9.	Conditions: <ol style="list-style-type: none"> 1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission. Reason To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004. 2. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them: - Proposed Block Plan Scale 1:500 Received with the valid planning application received on the 17.03.2021. Proposed Plans & Elevations Scale 1:50 Received with the valid planning application received on the 17.03.2021. 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. The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture to those of the existing building. Reason To ensure a satisfactory appearance of the building in the interests of visual amenity. 4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that order with or without modification) no new windows, doors or any other form of openings shall be constructed within the northern (side) elevation of the development hereby permitted, other than those

shown on the approved plans within this application, without the prior written permission of the Local Planning Authority.

Reason

To ensure that any external alterations will not adversely impact on the amenities of the surrounding occupiers.

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: Adrian Adams

Date : 10.05.2021

Authorising Officer: N.J. Hayhurst

Date : 14/05/2021

Dedicated responses to:- N/A