

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/21/2131/OF1
2.	Proposed Development:	INSTALLATION OF BI FOLD DOORS AND JULIETTE BALCONY ON GABLE ELEVATION
3.	Location:	12 CROFT FOOT, SANDWITH
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: SITE AND LOCATION This application relates to 12 Croftfoot, an end of terraced property situated within the village of Sandwith. PROPOSAL Planning Permission is sought for the installation of bi-fold doors and a Juliet balcony on the side elevation of the dwelling at first floor level. The proposed opening will replace an existing window and it will measure 3.2 metres in width and 2 metres in height. It has been designed to include a frameless Juliet balcony with two aluminium strips either side of the glass balustrade. The balustrade will have a height of 1.076 metres and it will project 0.0365 metres from the existing side elevation. The proposal has also been designed to include black aluminium frame bi-fold doors.	

RELEVANT PLANNING APPLICATION HISTORY

There has been no previous planning applications at this property.

CONSULTATION RESPONSES

Whitehaven Town Council – No objections.

Public Representations

The application has been advertised by way of neighbour notification letters issued to 3 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

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

Emerging Copeland Local Plan (ELP):

The emerging Copeland Local Plan 2017-2035 was recently the subject of a Preferred Options Consultation which ended on 30 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.

Principle of Development

The proposed application relates to a residential dwelling within the village of Sandwith and it will provide a first floor Juliet balcony on the side elevation. Policy DM18 supports extensions and alterations to residential properties subject to detailed criteria, which are considered below.

On this basis, the proposal is considered to satisfy 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.

Under current permitted development rights, a Juliet balcony could be installed on the rear elevation of the property without the requirement for formal planning permission. This fall-back position is a material consideration in the assessment of this application. Given what is possible under permitted development on the rear elevation, the proposed location on the side elevation is considered to be acceptable.

In addition, the proposed Juliet balcony will widen an existing opening and therefore it will be modest in scale. The simple frameless Juliet balcony, the window design and the choice of materials are considered to respect the character and appearance of the property.

On this basis, the proposal is considered to be acceptable in relation to the parent property and the surrounding dwellings which satisfies 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 the parent property or adjacent dwellings.

Potential overlooking issues were considered, although there are no neighbouring properties to the side of the dwelling. In addition, taking into account the proposal will replace an existing first floor window, it is unlikely that the widened opening will cause any demonstrable harm beyond the current position.

On this basis, the proposal is considered to comply with Policy DM18 and the NPPF guidance.

Planning Balance and Conclusion

The proposed Juliet balcony is of an appropriate design and would not have any detrimental impact on the amenities of the adjoining properties. It represents an acceptable form of development which accords with the policies set out within the adopted Local Plan and the guidance in the NPPF.

8.	Recommendation: Approve (commence within 3 years)	
9.	Conditions: 1. The development hereby permitted must commence 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. 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: - Location Plan, scale 1:1250, received 25 th March 2021; Block Plan, scale 1:200, received 25 th March 2021; Existing and Proposed Side Elevations, received 25 th March 2021; Structural Lintel Specifications, 25 th March 2021; Design Specifications of Juliet Balcony, received 15 th April 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. 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 : 14/05/2021
Authorising Officer: N.J. Hayhurst		Date : 18/05/2021
Dedicated responses to:- N/A		

