



## COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/21/2135/OF1
2.	<b>Proposed Development:</b>	PARTIAL DEMOLITION OF EXISTING SIDE EXTENSION AND GARAGE BUILDING AND THE ERECTION OF A NEW SINGLE STOREY SIDE EXTENSION AND DETACHED DOUBLE GARAGE
3.	<b>Location:</b>	CASTLE LEA, FLATT WALKS, WHITEHAVEN
4.	<b>Parish:</b>	Whitehaven
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Flood Area - Flood Zone 2, 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>	<p><b>INTRODUCTION</b></p> <p>The application site is located within the settlement of Whitehaven with the host property forming that of a 2 storey semidetached house with gardens to both the front and rear of the host property.</p> <p><b>RELEVANT PLANNING APPLICATION HISTORY</b></p> <p>Outline planning permission was granted in August 2020 under the reference 4/19/2226/001 the demolition of existing building and for the erection of up to 20 new dwelling houses on the land to the west of this site. The purpose of the works contained within this application, are to enable the required improvements to the highway access to be facilitated at a later date once a Reserved Matters Application has been submitted and approved.</p> <p><b>PROPOSAL</b></p>

This application seeks planning permission for the demolition and the replacement of a single storey side extension to the southern elevation of the property. The new side extension will be 2.8 metres in width, 10.3 metres in depth and would have an overall height of 3.9 metres – 2.4 metres to the eaves.

The application also seeks planning permission for the demolition of an existing detached garage buildings within land to the west of the host property and for the erection of a new replacement detached single storey double garage building. This building as proposed would measure 7 metres in width, 6.1 metres in depth and would have an overall height of 4.5 metres.

## **CONSULTATION RESPONSES**

### Whitehaven Town Council

No objection to the proposal following the application being considered at their virtual meeting held on the 29<sup>th</sup> April 2021.

### Electricity North West

*The development is shown to be adjacent to or affect Electricity North West's operational land or electricity distribution assets.*

Where the development is adjacent to operational land the applicant must ensure that the development does not encroach over either the land or any ancillary rights of access or cable easements. If planning permission is granted the applicant should verify such details by contacting Electricity North West, Land Rights & Consents, Frederick Road, Salford, Manchester M6 6QH.

### Public Representation

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

One letter of support was received during the consultation process, this stated the following comments:

*The building plan is excellent. Our only concern would be our increased risk to our vehicle access on and off our property due to the change in road plans to give access to the new builds.*

*I appreciate it is a Highways issue but are concerned that they have not contacted us.*

*Summary of response: Support*

## **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 is currently 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

	<p>amenity of the host property or adjacent dwellings.</p> <p>In terms of the single storey side extension, it is considered that this would not introduce any harmful elements of loss of privacy or overlooking to the adjacent neighbours and is therefore considered acceptable.</p> <p>The detached garage building is located to the west of the property. It is considered that there is a sufficient level of separation between this development and the attached neighbour to the north of the site, to ensure that the garage does not cause a harm impact upon the amenity of this property in terms noise and loss of privacy.</p> <p>Based upon the above assessment the proposal is considered to meet the aims and objectives of DM18 policy and the NPPF guidance.</p> <p><u>Character</u></p> <p>The application site is located within a mixed use area where there is a wide range of both commercial and private dwellings located within the local area. It is considered that the proposed single storey side extension, as is a subservient addition to the main host dwelling house that is considered to be of a scale and design of which are acceptable and sympathetic with the character of the local area.</p> <p>In terms of the garage, this would offer an improvement upon the character of the local area against the condition and appearance of the current garage buildings that is to be demolished.</p> <p>On this basis, the proposal is considered to meet the aims and objectives of DM18 policy and the NPPF guidance.</p> <p><u>Access</u></p> <p>The works proposed within this application will offer a safer access to and from the private access road and would therefore be an improvement upon the current access provision for the existing local residents/ access users.</p> <p>On this basis, the proposal is considered to meet the aims and objectives of DM18 policy and the NPPF guidance.</p> <p><b>Planning Balance</b></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 and therefore, the application is recommended for approval.</p>
8.	<p><b>Recommendation:</b></p> <p>Approve (commence within 3 years)</p>

9.	<p><b>Conditions:</b></p> <ol style="list-style-type: none"> <li> <p>The development hereby permitted shall be commenced 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> </li> <li> <p>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: -</p> <p>Site Location Plan Scale 1:1250 received with the valid application dated the 6<sup>th</sup> April 2021</p> <p>Block Plan Scale 1: 500 received with the valid application dated the 6<sup>th</sup> April 2021</p> <p>Proposed Side Extension floor Plan Scale 1:50 received with the valid application dated the 6<sup>th</sup> April 2021</p> <p>Proposed Side Extension Side Elevation Scale 1:50 received with the valid application dated the 6<sup>th</sup> April 2021</p> <p>Proposed Side Extension Front Elevation Scale 1:100 received with the valid application dated the 6<sup>th</sup> April 2021</p> <p>Proposed Side Extension Elevation Garage Scale 1:50 received with the valid application dated the 6<sup>th</sup> April 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> <p><b>Informatives</b></p> <ol style="list-style-type: none"> <li> <p>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.</p> <p>Further information is also available on the Coal Authority website at:</p> </li> </ol> </li> </ol>
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[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

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**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 : 20.05.2021**

**Authorising Officer: N.J. Hayhurst**

**Date : 24/05/2021**

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