

COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/21/2193/OF1
2.	Proposed Development:	ACCESSIBLE CAR PARKING AND EXTERNAL ELEVATOR FOR DISABLED ACCESS
3.	Location:	33 CUMBERLAND 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 33 Cumberland Road, a terraced property located within the Hensingham area of Whitehaven. The site currently benefits from a sloping front garden with steps up to the front entrance of the house, which is elevated approximately 2 metres above the street level. PROPOSAL Planning Permission is sought for the installation of an accessible off-street parking space and an external elevator to provide disabled access to the property. The front garden will be excavated by 6.9 metres in width and 4.8 metres in depth to provide space for the parking area and elevator. The elevator will measure 1.3 metres in width and 1.5 metres in depth and the total rise will not exceed 2 metres. It will provide access from the excavated front garden and parking area to the raised terrace level and existing house. The retaining walls will be	

constructed out of facing brick and the raised terrace, parking area and lower access will be surfacing in permeable paving. The proposal also includes protective balustrades adjacent to the elevator at the lower level and around the heads and sides of the retaining walls.

RELEVANT PLANNING APPLICATION HISTORY

There have been no previous planning applications at this property.

CONSULTATION RESPONSES

Whitehaven Town Council

No objection.

Highway Authority

No objection subject to the inclusion of the pedestrian visibility splay condition.

Lead Local Flood Authority

No objection.

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)

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 proposal are the principle of development, the justification for the proposal, 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 Whitehaven and it will provide an accessible off-street parking space, an external elevator and raised terrace to provide disabled access to the property. Policy DM18 supports extensions 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.

Justification for Proposal

Currently the property does not have a disabled access as it is elevated approximately 2 metres above street level and it is accessed by steps. Parking on the road is also congested and the applicant has indicated that it is not always possible to park close to the property.

To enable full accessibility for the occupant, a wheelchair user, an external elevator lift is proposed. The Cumbria County Council Occupational Therapist and Copeland Borough Council Customer and Community Services Officer support the application and have also advised that off street parking is essential for a specially adapted accessible vehicle to park safely and allow the wheelchair user safe and permanent parking.

On this basis, the personal circumstances and needs are considered to be a material planning consideration and the proposal is justified by medical requirements.

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 development will be relatively modest in scale and appropriately located within the front garden. Whilst there might be some potential harm in terms of visual amenity, the development is not considered to have an unacceptable impact on the street scene or the neighbouring properties. The design will meet the needs of the occupier and provide suitable disabled access to the property. In addition, the choice of materials are considered to be appropriate. Taking into account the improved independence and full accessibility for the applicant, the design of the development is considered to be acceptable.

On balance, 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 property is already elevated above the street and has a raised front garden. The proposed terrace will be modest in scale and the elevator will be stepped away from the boundary. This siting of the elevator will reduce potential overshadowing issues and it is not considered that there will be any additional adverse overlooking impacts on the neighbours beyond the current position.

In addition, no concerns have been raised as part of the neighbour consultation process.

On this basis, given the existing raised front garden, it is considered that the proposal will not have any adverse impacts on the neighbours beyond the current position 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 one off-street parking spaces within the front garden. The site visit confirmed there are existing excavated off-street parking within the front gardens along Cumberland Road and therefore the principle of off-street parking is acceptable. In addition, parking along Cumberland Road is congested and therefore the creation of off-street parking is supported by the Copeland Local Plan and the Cumbria Development Design Guide.

The agent has also provided justification for the driveway as it will provide safe wheelchair access to the car, out of the main stream of traffic. It is therefore considered that the driveway will provide adequate off-street parking to serve the needs of the property and it will increase safety for the disabled user.

Following the application consultation, the Highway Authority requested additional details regarding the pedestrian visibility splays and drainage details. The agent has submitted a revised proposed

	<p>block plan with the pedestrian visibility splays added and this can be secured by the use of a suitably worded planning condition.</p> <p>In addition, the new driveway will be surfaced in permeable paving to ensure the driveway alterations do not increase surface water discharge onto or off the highway.</p> <p>The applicant might 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 include these details as an informative note on the decision notice to highlight this requirement.</p> <p>On balance, given the existing presence of similar parking arrangements along Cumberland Road and the special circumstances of this application for wheelchair access, the off-street parking is 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>The proposal will provide full accessibility to the existing dwelling and in particular for the existing occupant who is wheelchair dependant. The off-street parking, elevator and raised terrace are therefore considered to be of an appropriate design and will not have any detrimental impact on the amenities of the adjoining properties or highway safety.</p> <p>Whilst there will be some potential harm in terms of visual amenity, it is not considered to significantly and demonstrably outweigh the identified benefits of the development.</p> <p>On balance, the proposal 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"> 1. The development hereby permitted must commence before the expiration of three years from the date of this permission. <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> <ol style="list-style-type: none"> 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: - <p>Existing Site Location Plan, scale 1:1250, drawing no 21/0285/01, received 30th April 2021;</p>

Existing Block Plan, scale 1:50, drawing no 21/0285/01, received 30th April 2021;
Proposed Block Plan, scale 1:50, drawing no 21/0285/02A, received 18th May 2021;
Existing Elevations and Sections, scale 1:100, drawing no 21/0285/03, received 30th April 2021;
Proposed Elevations, scale 1:100, drawing no 21/0280/04, received 30th April 2021;
Proposed Section through Parking Bay, scale 1:50, drawing no 21/0280/05, received 30th April 2021;
Design and Access Statement, received 30th 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.

3. The 2 metre x 2 metre pedestrian visibility sight splay as measured from the footpath boundary must be installed on both sides of the vehicular access, in accordance with the details set out in approved Block Plan, drawing reference 21/0285/02A received by the Local Planning Authority on 18th May 2021. There shall be no obstruction above a height of 600mm as measured from the finished surface of the access within the area of the visibility sight splays thereafter.

Reason

To ensure that adequate visibility is provided in accordance with Policy DM22 of the Copeland Local Plan.

4. The driveway must be surfaced in permeable paving in accordance with the details set out in approved Block Plan, drawing reference 21/0285/02A received by the Local Planning Authority on 18th May 2021, and it 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. Any works within the Highway must be agreed with the Highway Authority.

Before any works are commenced, you should contact Cumbria Highway's Street Works team to obtain an appropriate permit.

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 : 24/06/2021

Authorising Officer: N.J. Hayhurst

Date : 24/06/2021

Dedicated responses to:- N/A