



COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/21/2199/OF1
2.	Proposed Development:	REAR TWO STOREY EXTENSION INCLUDING BACONY AT FIRST FLOOR LEVEL
3.	Location:	50 ELIZABETH CRESCENT, 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: SITE AND LOCATION This application relates to 50 Elizabeth Crescent, a detached property situated on an existing housing estate within Whitehaven. The site is located on a hill which steps down towards the rear garden. PROPOSAL Planning Permission is sought for the erection of a two-storey rear extension to provide an additional lounge and balcony at first floor level and an en-suite and dressing room to serve the existing master bedroom on the ground floor. The extension will project 5 metres from the rear elevation and be 4 metres in width to infill the rear corner. It has been designed to include a cross gable with an eaves height of 4.7 metres to match the existing property and an overall height of 6.1 metres, which is lower than the existing ridge height.	

The rear elevation has been designed to include two windows on the ground floor and one first floor window. The extension will also include a ground floor access door and bathroom window on the ground floor side elevation. It will be finished with render, roof tiles and UPVC windows and doors will match the existing dwelling.

The proposal also includes a first floor balcony, which will project 1.5 metres from the rear elevation to match the proposed extension rear projection. It will be 3.7 metres in width, stepped off the side elevation by 1 metre. It has been designed to include a 1.8 metre high obscure glazed screening wall on the side elevation and a 1.1 metre high balustrade on the rear elevation. The alterations also include the installation of patio doors to provide an access from the existing living room onto the balcony.

RELEVANT PLANNING APPLICATION HISTORY

There have been no previous applications for this property.

CONSULTATION RESPONSES

Consultees

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 DM12 – Standards for New Residential Developments

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 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.

Principle of Development

The proposed application relates to a residential dwelling within Whitehaven and it will provide an additional lounge and raised balcony at first floor level and an en-suite and dressing room on the ground floor. 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.

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 two-storey rear extension and balcony will be appropriately located within the rear garden, behind the main element of the existing dwelling and it will be relatively modest in scale. This will ensure that it appears subservient to the main dwelling and will not be excessively prominent within the locality. It will not be overbearing for the neighbouring properties and it is stepped away from the boundary by approximately 1.2 metres adjacent to no. 48 Elizabeth Crescent. In addition, the design is considered to be suitable for its use and the choice of materials are considered to be

	<p>appropriate and respect the character and appearance of the existing property.</p> <p>On this basis, the proposal is considered to meet Policy DM18(A) and the NPPF guidance.</p> <p><u>Residential Amenity</u></p> <p>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. Policy DM12 requires a separation distance between directly facing habitable room windows of 21 metres to maintain privacy and overlooking standards.</p> <p>Overshadowing and overlooking between the proposed two-storey rear extension and the raised balcony were considered, especially due to the sloping nature of the site and the surrounding area. Amended plans were sought to include a 1.8 metre high obscure glazed screening wall on the side elevation to mitigate overlooking concerns towards the neighbouring properties, no. 52 Elizabeth Crescent and 19 Rosemary Close, further down the hill. This will be secured by the use of a planning condition to ensure the screening wall is installed and maintained thereafter. In addition, there are no neighbouring properties directly to the rear of the proposal, with the closest directly facing neighbour located approximately 55 metres away, far in excess of the Policy DM12 requirements. On this basis, the proposal is considered to be acceptable and overlooking concerns are minimal.</p> <p>The impact of the extension and potential overshadowing was also considered, especially towards no. 48 Elizabeth Crescent, although due to the design of the cross gable roof, lower than the existing ridge height and the orientation of the existing property, it is considered that the proposal will not cause a significant loss of light or dominance on the neighbouring properties.</p> <p>On balance, it is considered that the proposal will not have a detrimental impact on the neighbouring amenity and therefore it satisfies Policies DM12, DM18(B), DM18(C) and the NPPF guidance.</p> <p><u>Planning Balance and Conclusion</u></p> <p>This application seeks to erect a two-storey rear extension and a first floor rear balcony. The main issue raised by the application was the potential impact on residential amenity in terms of overlooking from the balcony.</p> <p>Amended plans were sought to include a 1.8 metre high obscure glazed screening wall on the side elevation to mitigate overlooking concerns and the planning condition proposed will control the screening wall installation.</p> <p>On this basis, subject to the imposition of the planning condition proposed, the application is considered to be 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. **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: -

Site Location Plan, scale 1:2500, received 6th May 2021;

Site Plan, scale 1:500, received 6th May 2021;

Existing Floor Plan, scale 1:50, received 6th May 2021;

Proposed Floor Plan, scale 1:50, received 6th May 2021;

Existing and Proposed Elevations, scale 1:50, received 16th August 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 balcony hereby approved a 1.8 metre high obscure glazed screen must be erected along the west edge of the balcony, in accordance with the approved plan 'Proposed Elevations' received by the Local Planning Authority on the 16th August 2021. The screen must be maintained at all times and thereafter be retained in perpetuity.

Reason

To protect the residential amenity of neighbouring dwellings.

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: C. Unsworth

Date : 18/08/2021

Authorising Officer: N.J. Hayhurst

Date : 18/08/2021

Dedicated responses to:- N/A