

## COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/21/2213/OF1
2.	<b>Proposed Development:</b>	INTERNAL MODIFICATIONS INTO ONE DWELLING AND REAR EXTENSION
3.	<b>Location:</b>	THE NEST, SANDWITH
4.	<b>Parish:</b>	Whitehaven
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Safeguard Zone - Safeguard Zone, 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>  <b>LOCATION</b>  This application relates to The Nest, a semi-detached property located within the village of Sandwith. The site benefits from an existing rear extension and a large rear garden.  <b>PROPOSAL</b>  Planning Permission is sought for the internal modifications to convert two properties into one dwelling and the erection of a replacement rear extension.  The rear extension will project 4.1 metres and it will be 6.8 metres in width. It has been designed to include a pitched roof with an overall height of 5.3 metres and an eaves height of 2.7 metres. The design includes patio doors on the side elevation facing the garden and two windows on the rear	

elevation. The side elevation facing the boundary will be blank.

The alterations also include the conversion of a door to window on the front elevation and internal modifications to create a three-bedroom dwelling.

The extension and alterations will be finished with sandstone and render to the rear, grey concrete roof tiles and white UPVC windows and doors to match the existing property.

#### **RELEVANT PLANNING APPLICATION HISTORY**

A previous planning application at this property was refused for an all-weather surface with sufficient lighting (ref: 4/03/1349/0).

#### **CONSULTATION RESPONSES**

##### Whitehaven Town Council

No objections.

##### Public Representations

The application has been advertised by way of neighbour notification letters issued to 2 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)

## 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 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 the village of Sandwith. The works will provide internal modifications to create one dwelling and a replacement rear extension. 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 conversion of two properties to one dwelling does not require planning permission and therefore the internal modifications are considered to be acceptable.

The proposed replacement rear extension will be appropriately located within the site, behind the main element of the existing dwelling and it will be relatively modest in scale. This will ensure that the proposal appears subservient to the main dwelling and it will not be excessively prominent within the locality. It will not be overbearing for the neighbouring properties and the design is considered to be suitable for its use. In addition, the choice of materials are considered to respect the existing character and appearance of the existing property.

On this basis, the proposal is considered to meet DM18(A) policy 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.

	<p>Overlooking and overshadowing issues between the proposed extension and the neighbouring properties were considered, although the extension will replace an existing rear extension adjacent to the boundary.</p> <p>The proposed rear projection will match the existing extension and therefore the scale is not considered to be significantly larger than the existing extension and additional overshadowing issues beyond the current position will be minimal. The design has omitted windows from the side elevation facing the boundary and therefore overlooking issues will also be minimal.</p> <p>In addition, under current permitted development rights, an extension could project 3 metres from the rear elevation without the requirement for formal planning permission. This fall-back position is a material consideration in the assessment of this application. As the projection is not significantly larger than what is possible under permitted development, this proposal is considered to be satisfactory and therefore the proposal will not have a detrimental impact on the neighbouring amenity.</p> <p>On this basis, it was considered that the proposal will not have any adverse impacts on the neighbours and therefore the proposal is considered to meet Policy DM18 and the NPPF guidance.</p> <p><u>Highway Safety</u></p> <p>Policy DM22 encourages innovative approaches to manage vehicular access and parking to avoid vehicles dominating the street scene.</p> <p>The site visit confirmed that the existing off-street parking located to the front and rear of the property will provide adequate parking to serve the needs of the property. It is therefore considered that the internal alterations and the extension will not have a material effect on existing highway conditions.</p> <p>On this basis, the proposal is considered to meet Policy DM22 and standards set out in the Cumbria Development Design Guide.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The proposed internal modifications and replacement extension are of an appropriate design and will not have any detrimental impact on the amenities of the adjoining properties. It therefore 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><b>Recommendation:</b> Approve (commence within 3 years)</p>
9.	<p><b>Conditions:</b></p> <ol style="list-style-type: none"> <li>1. The development hereby permitted must commence before the expiration of three years from the date of this permission.</li> </ol>

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 13<sup>th</sup> May 2021;  
Existing Block Plan, scale 1:500, received 13<sup>th</sup> May 2021;  
Proposed Block Plan, scale 1:500, received 13<sup>th</sup> May 2021;  
Existing Floor Plans, scale 1:100, page 6 of 6, received 13<sup>th</sup> May 2021;  
Existing and Proposed Side Elevation, scale 1:100, page 6 of 6, received 13<sup>th</sup> May 2021;  
Proposed Front Elevation, scale 1:100, page 5 of 6, received 13<sup>th</sup> May 2021;  
Existing and Proposed Rear Elevation, scale 1:100 and 1:50, page 4 of 6, received 13<sup>th</sup> May 2021;  
Existing Front Elevation, scale 1:100, page 4 of 6, received 13<sup>th</sup> May 2021;  
Proposed Section, scale 1:100, page 3 of 6, received 13<sup>th</sup> May 2021;  
Proposed First Floor Plan, scale 1:50, page 2 of 6, received 13<sup>th</sup> May 2021;  
Proposed Ground Floor Plan, scale 1:50, page 1 of 6, received 13<sup>th</sup> May 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.

**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](http://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.

<b>Case Officer: C. Unsworth</b>	<b>Date : 05/06/2021</b>
<b>Authorising Officer: N.J. Hayhurst</b>	<b>Date : 08/07/2021</b>
<b>Dedicated responses to:- N/A</b>	