

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/21/2256/0F1
2.	Proposed Development:	ERECTION OF A CONSERVATORY TO FRONT OF PROPERTY
3.	Location:	3 MELBREAK CLOSE, 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:	<p>SITE AND LOCATION</p> <p>This application relates to 3 Melbreak Close, a semi-detached property located on an existing housing estate within Whitehaven.</p> <p>PROPOSAL</p> <p>Planning Permission is sought for the erection of a single-storey conservatory to the front of the property. It will project 3.02 metres from the side elevation and it will be 3.6 metres in depth to infill the front corner. It has been designed to include a 25 degree pitched roof with an overall height of 3.083 metres. It has also been designed to include a 0.6 metre high dwarf wall with windows above and it will include patio doors on the front elevation. It will be finished with facing brick, bronze polycarbonate roof sheeting with white roof bars and white UPVC windows and doors to match the existing property.</p> <p>RELEVANT PLANNING APPLICATION HISTORY</p>

There have been no previous planning applications at this property.

CONSULTATION RESPONSES

Consultees

Whitehaven Town Council - No objections.

Public Representations

The application has been advertised by way of neighbour notification letter 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 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 proposal are the principle of development, its scale and design, the impacts on residential amenity and highway safety.

Principle of Development

The proposed application relates to a residential dwelling within Whitehaven and it will provide a conservatory within the front garden. 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 safeguard good levels of quality and attractiveness. 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.

Due to the nature of the corner plot, the garden is located to the front and side of the property and therefore the proposal will be appropriately located within front garden. It will be modest in scale to infill the front corner of the property and 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.

Despite the existing property being finished in render, the existing front porch and garden walls are finished in facing brick and therefore the use of a brick finish for the dwarf walls is considered appropriate. In addition, the white UPVC will match the existing property and therefore the choice of materials are considered to respect the character and appearance of the existing property.

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 the parent property or adjacent dwellings. Policy DM12 requires a separation distance between directly facing habitable room windows of 21 metres to maintain privacy and overlooking standards.

The proposed extension will have little impact on the residential amenity due to its modest scale and siting. It will infill the front corner and it will not project further than the existing front and side elevations of the property. The separation distance between the conservatory and the neighbouring properties will be 25 metres to the front and 35 metres to the side, far in excess of what the separation distances set out in Policy DM12. The existing planting and boundary treatments will also

	<p>help to screen the proposal.</p> <p>In addition, under current permitted development rights, a porch could project forward of the principal elevation with a floor space of 3 square metres and a height of 4 metres without the requirement for formal planning permission. This fallback position is a material consideration in the assessment of this application. As the conservatory 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, there will be little impact on amenity of occupiers of the adjacent properties and the proposal is considered to satisfy Policies DM12, DM18(B) and DM18(C) and the NPPF guidance.</p> <p><u>Planning Balance and Conclusion</u></p> <p>On balance, the proposed conservatory extension is of an appropriate scale and design and given the significant separation distances, it 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>Recommendation: 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>Location Plan, scale 1:1250, received 1st June 2021; Block Plan, scale 1:200, received 1st June 2021; Site Plan, received 7th July 2021; Proposed Elevations and Floor Plan of Conservatory, drawing reference CAD Drawing, received 1st June 2021; Proposed Front Elevation Image, received 7th July 2021; Proposed Side Elevation Image, received 7th July 2021.</p> <p>Reason</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.

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 : 20/07/2021

Authorising Officer: N.J. Hayhurst

Date : 22/07/2021

Dedicated responses to:- N/A