

**COPELAND BOROUGH COUNCIL  
DELEGATED PLANNING DECISION**

1.	<b>Reference No:</b>	4/21/2262/OF1
2.	<b>Proposed Development:</b>	DEMOLITION OF CONSERVATORY TO SIDE AND ERECTION OF SINGLE STOREY EXTENSION
3.	<b>Location:</b>	17 HENSINGHAM ROAD, WHITEHAVEN
4.	<b>Parish:</b>	Whitehaven
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, 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>SITE AND LOCATION</b></p> <p>This application relates to 17 Hensingham Road, a semi-detached property located on within Whitehaven. The site benefits from an existing driveway to the rear of the property, a large garden and a single-storey side conservatory.</p> <p><b>PROPOSAL</b></p> <p>Planning Permission is sought for the removal of the existing conservatory and the erection of a single-storey side extension to provide an enlarged kitchen-dining room, utility and ground floor shower room. The replacement extension will project 3.4 metres from the side elevation and it will be 6.3 metres in depth. It has been designed to include a lean-to roof, with an overall height of 4.2 metres and an eaves height of 2.3 metres. The front elevation will include a window, the side elevation will include a window and utility door and the rear elevation will include bi-fold doors. It</p>

will be finished with render, slate roof tiles and UPVC windows and doors to match the existing property. It will also be lit by two skylights.

### **RELEVANT PLANNING APPLICATION HISTORY**

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 letters issued to 4 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)

#### 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 and the potential impacts on residential amenity.

### Principle of Development

The proposed application relates to a residential dwelling within Whitehaven and it will provide an enlarged kitchen-dining room, utility and ground floor shower room. Policy DM18 supports extensions and alterations 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 extension will be modest in scale and appropriately located to the side of the property. The extension will be stepped back from the principal elevation 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. In addition, the choice of materials will match the existing property.

On this basis, the proposed replacement extension will reflect the character and appearance of the existing dwelling and therefore, the proposal is considered to comply with Policies DM10 and DM18(A) of the Local Plan 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.

Overlooking and overshadowing issues between the proposed replacement extension and the neighbouring properties were considered. Although the extension will replace an existing conservatory and the existing boundary fence will mitigate potential overlooking issues.

	<p>Due to the orientation of the application site to the north of the neighbouring property, it is not considered that the proposal will create unacceptable amenity issues. The extension will also be stepped back from the boundary by approximately 2 metres and therefore due to the separation distances, it is considered that the extension will not cause a significant loss of light to the neighbouring properties.</p> <p>In addition, under current permitted development rights, an extension could project up to half the width of the original dwelling, 3 metres in this case with an overall height of 4 metres, without the requirement for formal planning permission. This fall-back position is a material consideration in the assessment of this application. As the projection and height are not significantly larger than what is possible under permitted development, the proposal is considered to be satisfactory and it not have a detrimental impact on the neighbouring amenity.</p> <p>On this basis, the proposal is considered to meet Policies DM18(B), DM18(C) and the NPPF guidance.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The proposed replacement extension is of an appropriate scale and design and would 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. <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>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 Location Plan, scale 1:1250, received 9<sup>th</sup> June 2021;  Proposed Location Plan, scale 1:1250, received 9<sup>th</sup> June 2021;  Existing Floor Plan and Elevations, scale 1:100 and 1:50, drawing no. 1266-01, received 9<sup>th</sup> June 2021;  Proposed Floor Plan and Elevations, scale 1:100 and 1:50, drawing no. 1266-02C, received 9<sup>th</sup> June 2021.</p> </li> </ol>

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.

**Case Officer: C. Unsworth**

**Date : 02/08/2021**

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

**Date : 02/08/2021**

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