

**COPELAND BOROUGH COUNCIL  
DELEGATED PLANNING DECISION**

1.	<b>Reference No:</b>	4/21/2314/OF1
2.	<b>Proposed Development:</b>	ERECTION OF A SOLID ROOF CONSERVATORY TO REAR
3.	<b>Location:</b>	36 THE CREST, 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>  <b>LOCATION</b>  This application relates to 36 The Crest, a semi-detached property located on an existing housing estate within Whitehaven. The site benefits from a large rear garden.  <b>PROPOSAL</b>  Planning Permission is sought for the erection of a single-storey solid roof conservatory to the rear of the property. The extension will project 4.5 metres from the rear elevation and it will have an overall width of 3.7 metres. It has been designed to include a hipped roof with an eaves height of 2.1 metres and an overall height of 3.175 metres. It has also been designed to include a 0.6 metre high dwarf wall with windows above on the side and rear elevation facing the garden. It will also include patio doors on the side elevation and the side elevation along the boundary will include a high-level window. The extension will be finished with facing brick, grey slate and white UPVC windows and	

doors.

### **RELEVANT PLANNING APPLICATION HISTORY**

There have been no previous planning applications at this site.

### **CONSULTATION RESPONSES**

#### Consultees

Whitehaven Town Council – No objection.

#### 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 although one neighbour questioned the proximity of the extension to the side boundary verbally.

### **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 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 a rear conservatory. 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 of the Local Plan 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.

Concerns were raised regarding the proximity of the extension to the side boundary and therefore confirmation was sought. The extension will be stepped off the boundary by 0.35 metres and therefore the proposal is considered to be suitably located within the application site.

The extension will be located to the rear of the property, 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 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 extension will be modest in scale and the hipped roofed design will reduce potential overshadowing issues. The existing boundary fence will also screen the development and mitigate potential overlooking issues.

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

	<p>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 it will not have a detrimental impact on the neighbouring amenity.</p> <p>On this basis, the proposal is considered to meet Policy DM18 and the NPPF guidance.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The proposed extension is of an appropriate scale and design and will not have any detrimental impact on the amenities of the adjoining properties. It 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></p> <p>Approve (commence within 3 years)</p>
9.	<p><b>Conditions:</b></p> <ol style="list-style-type: none"> <li> <p>The development hereby permitted must commence before the expiration of three years from the date of this permission.</p> <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> <p>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> <p>Location Plan, scale 1:1250, received 7<sup>th</sup> July 2021;  Site Plan, scale 1:200, received 6<sup>th</sup> October 2021;  Proposed Elevations with Dimensions, received 7<sup>th</sup> July 2021.</p> <p>Reason</p> <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.</p> </li> </ol> <p><b>Informative</b></p> <p>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</p>

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 : 08/10/2021**

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

**Date : 08/10/2021**

**Dedicated responses to:- 1 Neighbour**