

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/21/2340/OF1
2.	Proposed Development:	SINGLE STOREY REAR EXTENSION
3.	Location:	1 CAPELLA DRIVE, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC;Adverts - ASC;Adverts, Safeguard Zone - Safeguard Zone, Coal - Development Referral Area - Data Subject to Change, 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>LOCATION</p> <p>This application relates to 1 Capella Drive, a detached property located on an existing housing estate within Whitehaven. The site benefits from a large rear garden.</p> <p>PROPOSAL</p> <p>Planning Permission is sought for the erection of a single-storey rear extension to provide a sunroom. The extension will project 4.5 metres from the rear elevation and it will have an overall width of 5 metres. It has been designed to include a pitched roof with an overall height of 3.8 metres and an eaves height of 2.4 metres. The design includes patio doors on the rear and side elevations facing the garden and the side elevation facing the boundary wall will include a window. It will also be lit by two</p>

skylights. The extension will be finished with render and quoins, grey roof tiles and white UPVC windows and doors to match the existing property.

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 3 no. properties - No objections have been received as a result of this consultation process although there was one query about the proposed log burner.

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 sunroom. 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.

The proposed extension will be modest in scale and suitably located within the rear garden, behind the 2-metre high boundary wall. 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.

One query was raised regarding the proposed log burner during the neighbour consultation and the agent confirmed the proposed sunroom would include an additional log burner, which will be connected to the existing flue. On this basis, as it will connect to the existing flue and there will be no external alterations, the design is considered to be acceptable.

Overall, 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 it will be stepped away from the boundary to reduce potential overshadowing issues. The existing 2-metre high boundary wall will also screen the development and mitigate potential overlooking issues.

In addition, under current permitted development rights, an extension could project 4 metres from

	<p>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 it will not have a detrimental impact on the neighbouring amenity.</p> <p>In addition, no objections have been received as a result of the consultation period and therefore the proposal is considered to satisfy 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>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> 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 27th July 2021; Block Plan, scale 1:500, received 27th July 2021; Existing and Proposed Floor Plan, scale 1:50, Sheet 1 of 3, received 20th September 2021; Proposed Side and Rear Elevation and Section AA, scale 1:50, Sheet 2 of 3, received 20th September 2021; Proposed Side Elevation, scale 1:50, Sheet 3 of 3, received 31st August 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>

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 : 21/09/2021

Authorising Officer: N.J. Hayhurst

Date : 27/09/2021

Dedicated responses to:- N/A