

**COPELAND BOROUGH COUNCIL  
DELEGATED PLANNING DECISION**

1.	<b>Reference No:</b>	4/21/2387/0F1
2.	<b>Proposed Development:</b>	DEMOLITION OF EXISTING SINGLE STOREY GARAGE AND CONSTRUCTION OF TWO STOREY SIDE EXTENSION
3.	<b>Location:</b>	57 VALLEY PARK, WHITEHAVEN
4.	<b>Parish:</b>	Whitehaven
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Coal - Development Referral Area - Data Subject to Change, 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 57 Valley Park, a semi-detached property located on an existing housing estate within Whitehaven. The site is a corner plot and it benefits from a large side and rear garden. The site also benefits from an existing driveway and single-storey lean-to garage extension. A highway junction lies to the north west of the application site.</p> <p><b>PROPOSAL</b></p> <p>Planning permission is sought for the removal of the existing single-storey lean-to side extension and the erection of a two-storey side extension to provide an enlarged garage and utility on the ground floor and an additional bedroom with en-suite and dressing room on the first floor.</p> <p>The extension will project 4.455 metres from the side elevation and it will be 8.021 metres in depth.</p>

It will have a pitched roof with an eaves height of 5 metres and an overall height of 7.3 metres to match the existing property. The front elevation will include a garage door on the ground floor and bedroom window above, the side elevation will include a ground floor utility window and a first floor bedroom window and the rear elevation will include an access door on the ground floor and two first floor windows.

The extension will be finished in stone cladding to the front elevation with dashed render to the remaining walls, red/brown concrete 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 property.

### **CONSULTATION RESPONSES**

#### Whitehaven Town Council

No objections.

#### Coal Authority

The application consultation relates to the Coal Authorities exemption list and therefore the Coal Authority Guidance applies.

#### 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.

### **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

Policy DM22 – Accessible Developments

**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 proposal are the principle of development, its scale and design and the potential impacts on residential amenity, highway safety and the coal advice area.

Principle of Development

The proposed application relates to a residential dwelling within Whitehaven and it will provide an enlarged garage and utility on the ground floor and an additional bedroom with en-suite and dressing room on the first floor. 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 proposed extension will be appropriately located to the side of the property. It will replace the existing single-storey side garage and the scale is considered to be modest. In addition, the roof pitch, height and materials will match the existing property and therefore the extension will not be excessively prominent or overbearing on the street scene or on neighbouring properties.

On this basis, the extension is considered to respect the character and appearance of the existing property and therefore the proposal complies with 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.

Overlooking and overshadowing issues between the proposed extension and the neighbouring properties were considered. However, the extension is considered to be modest in scale and suitably located within the corner plot. The extension will not project beyond the existing front and rear elevations and the separation distance between the proposed side elevation and the neighbouring properties across Valley Park road are considered to be acceptable.

In addition, due to the existing orientation to the north of the existing property and the extension will be slightly off-set from the neighbouring properties, potential overlooking and overshadowing issues are mitigated.

On balance, it is therefore considered that the proposal satisfies Policies DM18(B), DM18(C) and the NPPF guidance.

#### Highway Safety

Policy DM22 encourages innovative approaches to manage vehicular access and parking to avoid vehicles dominating the street scene.

The site access and off-street parking for two vehicles will remain unchanged to the front of the property and therefore it is considered the proposal will not have a detrimental effect on the existing highway conditions. Despite the proposal including an additional bedroom, the existing driveway and garage will provide adequate off-street parking to meet the needs of the property in accordance with the Cumbria Development Design Guide parking requirements.

In addition, consideration was given to the potential impact on the adjacent highway junction. However due to the siting of the extension within the site which is stepped back from the boundary by 4.46 metres, behind the junction, the extension will not harm the visibility.

On this basis, the proposal is considered to comply with Policy DM22 and the standards set out in the Cumbria Development Design Guide.

#### Coal Referral Area

Based on the site location plan, part of the application site is located within the defined Development High Risk Area and therefore the Coal Authority was consulted on this application. The Coal Authority confirmed that the consultation falls within their exemption list and therefore the Coal Authority guidance applies. In addition, the part of the site where the development is proposed lies outside of the defined High Risk Area.

As such, it was not considered that a Coal Mining Risk Assessment is necessary to support the proposal, although an informative note for development within a coal mining area will be included on the decision notice for the applicant's information.

#### Planning Balance and Conclusion

This application seeks to erect a two-storey side extension to a semi-detached property within

	<p>Whitehaven. The main issue raised by the application was the potential impact on neighbouring amenity.</p> <p>Taking into account the orientation of the existing property, the design and scale of the proposed extension is considered to be acceptable and it will not adversely harm the neighbouring amenity or highway safety.</p> <p>On balance, the proposed extension 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 data-bbox="183 726 1438 993"> <p>1. 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 data-bbox="183 1077 1463 1654"> <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> <p>Site Location Plan, scale 1:1250, drawing no 5569-002, received 25<sup>th</sup> August 2021;  Existing Block Plan, scale 1:200, drawing no 5569-001, received 25<sup>th</sup> August 2021;  Existing Floor Plans, scale 1:50, drawing no 5569-001, received 25<sup>th</sup> August 2021;  Existing Elevations, scale 1:100, drawing no 5569-001, received 25<sup>th</sup> August 2021;  Proposed Block Plan, scale 1:200, drawing no 5569-003, received 25<sup>th</sup> August 2021;  Proposed Floor Plans, scale 1:50, drawing no 5569-003, received 25<sup>th</sup> August 2021;  Proposed Elevations, scale 1:100, drawing no 5569-003, received 25<sup>th</sup> 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> </li> </ol>

**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 : 19/10/2021**

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

**Date : 20/10/2021**

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