



**COPELAND BOROUGH COUNCIL  
DELEGATED PLANNING DECISION**

1.	<b>Reference No:</b>	4/21/2455/OF1
2.	<b>Proposed Development:</b>	PROPOSED SINGLE STOREY EXTENSION AND BALCONY TO THE REAR
3.	<b>Location:</b>	27 BROOM BANK, 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>SITE AND LOCATION</b>  This application relates to 27 Broom Bank, a detached property situated on an existing housing estate within Whitehaven.  <b>PROPOSAL</b>  Planning permission is sought for the erection of a single storey rear extension with a balcony above. The extension will provide an enlarged kitchen dining room, study and family room.  The extension will project 5 metres from the rear elevation and will be 12.5 metres in width to match the existing property. It has been designed to include a flat roof with an overall height of 2.9 metres to accommodate the balcony and it will also include two roof lanterns. The side elevations facing the boundary will be blank and the rear elevation will include three patio doors and a full height window.  It will be finished in red brick to match the existing property, a rubberised or single ply flat roofing	

membrane and the windows and doors will be UPVC and powder coated aluminium.

The balcony proposal will also include a 1.8 metre high opaque glazed screen on the two side elevations and a 1.1 metre high glazed balustrade along the rear elevation.

### **RELEVANT PLANNING APPLICATION HISTORY**

Planning Permission has previously been granted for:

- Two storey side extension and single storey rear extension with terrace above (ref: 4/17/2099/0F1).
- Two storey side extension and single storey rear extension with terrace above (resubmission) (ref: 4/18/2028/0F1).

### **CONSULTATION RESPONSES**

#### Consultees

Whitehaven Town Council – No objections

#### Public Representation

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.

### **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)

## 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, 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, study and family room with a balcony above. Policy DM18 supports extensions and alterations to residential properties subject to detailed criteria, which are considered below.

In addition, planning permission has previously been granted for a two-storey side extension and a single-storey rear extension with balcony above, although the permission has now expired.

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 appropriately located to the rear of the property and it is considered to be relatively modest in scale. It will be located behind the main element of the existing dwelling and this will ensure that the proposal appears subservient to the main dwelling. It will not be excessively prominent within the locality and the proposal will not be overbearing for the neighbouring properties. 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 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.

	<p>Overlooking and overshadowing concerns were considered, especially given the height of the proposed balcony above ground level. However, as there are no neighbours directly behind the rear elevation and the proposal includes a 1.8 metre high obscure glazed screening wall on the two side elevations, overlooking issues are reduced. This can be secured by a planning condition, which will ensure that the screening wall is installed and maintained thereafter.</p> <p>In addition, given the extension will be suitably located within the site and the relationship to the neighbouring properties and existing boundary treatments, it is not considered that the proposal will cause significant overshadowing</p> <p>On this basis, the proposal is considered to comply with Policies DM18(B) and DM18(C).</p> <p><u>Planning Balance and Conclusion</u></p> <p>This application seeks to erect a single storey rear extension with a balcony. The main issue raised by the application was the potential residential amenity issues from the extension and raised balcony.</p> <p>The proposal is considered to be acceptable in terms of scale and design and it will not cause unacceptable harm to neighbouring amenity. The plans include obscure glazed 1.8 metre high screening walls on the side elevations of the balcony which will mitigate overlooking concerns and this can be secured by the use of a planning condition.</p> <p>On this basis, subject to the imposition of the planning conditions, the application is considered to be 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>1. The development hereby permitted must commence before the expiration of three years from the date of this permission.</li> </ol> <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"> <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: -</li> </ol> <p>Location Plan, scale 1:1250, drawing ref 16.08.21, received 15<sup>th</sup> October 2021;  Block Plan, scale 1:200, drawing ref 16.08.21, received 15<sup>th</sup> October 2021;  Existing Floor Plans and Elevations, scale 1:100, drawing ref 16.08.01, received 15<sup>th</sup> October 2021;</p>

	<p>Proposed Floor Plans and Elevations, scale 1:100, drawing ref 16.08.20, received 15<sup>th</sup> October 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> <p>3. Prior to the first occupation of the extension hereby approved, a 1.8 metre high opaque glazed screening wall must be installed on the two side elevations of the balcony, in accordance with the approved plan 'Proposed Floor Plans and Elevations', drawing reference 16.08.20, received by the Local Planning Authority on the 15<sup>th</sup> October 2021. These screens must be permanently maintained at all times thereafter.</p> <p>Reason</p> <p>To safeguard the amenity of nearby residents in respect of overlooking and loss of privacy in accordance with Policies ST1, DM10 and DM18 of the Copeland Local Plan.</p> <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 reported immediately to the Coal Authority on 0345 762 6848.</p> <p>Further information is also available on the Coal Authority website at:  <a href="http://www.gov.uk/government/organisations/the-coal-authority">www.gov.uk/government/organisations/the-coal-authority</a></p> <p><b>Statement</b></p> <p>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.</p>
Case Officer: C. Unsworth	Date : 09/12/2021
Authorising Officer: N. J. Hayhurst	Date : 10/12/2021
Dedicated responses to:-N/A	

