



## COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/21/2493/OF1
2.	<b>Proposed Development:</b>	SINGLE STOREY SIDE EXTENSION
3.	<b>Location:</b>	WHINNEY HILL HOUSE, WHINNEY HILL, CLEATOR MOOR
4.	<b>Parish:</b>	Cleator Moor
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>  <p>This application relates to a detached dwelling known as Whinney Hill House, situated off Whitehaven Road in Cleator Moor. The dwelling has residential properties to the south and south west, with public highways to the north and north west.</p> <b>PROPOSAL</b>  <p>Planning Permission is sought for the erection of a single storey extension to the north of the dwelling. The proposal requires planning permission due to its situation on the principal elevation of the property.</p> <p>The extension will project 7.9 metres from the front of the dwelling and be 5.4 metres in width. The overall height will be 3.1 metres with an eaves height of 2.5m. It has been designed with a hipped roof.</p>	

The materials proposed will match the existing dwelling with rendered stone walls, smooth grey concrete roof tiles and white UPVC windows and doors.

#### **RELEVANT PLANNING APPLICATION HISTORY**

Outline application for dwelling including approval of access, appearance, layout and scale, withdrawn in April 2021 (application reference 4/21/2086/001 relates).

#### **CONSULTATION RESPONSES**

##### Consultees

##### Cleator Moor Town Council

No comments

##### Cumbria Highways

No comments

##### Public Representation

The application has been advertised by way of neighbour notification letters issued to 7 no. properties.

One letter has been received raising the following concerns:

- Views will be spoiled due to the blank elevation;
- There will be an increase in traffic movements which will be a safety issue.

#### **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 DM12 – Standards for New Residential Developments

Policy DM18 – Domestic Extensions and Alterations

## Policy DM22 – Accessible Developments

### **Other Material Planning Considerations**

National Planning Policy Framework 2021 (NPPF)

### **ASSESSMENT**

#### Principle of the development

Policy DM18 of the Copeland Local Plan seeks to ensure that alterations and extensions to dwellings maintain the current level of amenity for neighbouring dwellings. Policy DM10 states that proposals should maintain or enhance the street scene whilst being in keeping with the surrounding design.

The proposed projection on the front elevation is significant and will be visible in the street scene due to its location, however, it is considered that the position of the dwelling which is set back in the site away from the highway will minimize this effect to a satisfactory level. The orientation of Whinney Hill house means that the addition of the extension will still allow the property to remain behind the building line of the property to the north west facing onto Whinney Hill. Furthermore, the extension will replace the existing large outbuilding in the front garden, therefore only minimally changing the existing situation.

As the proposed extension is significant in scale and of sufficient size to be utilized as an independent dwelling, it is therefore considered to be prudent to include a suitably worded planning condition in order to restrict the extension as ancillary accommodation to the existing dwelling only, and not for independent occupation, sale or rent as a standalone dwelling. This will ensure that the site is retained as a single residential unit in perpetuity.

#### 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 extension will reflect the design of the existing dwelling, utilizing a similar window fenestration and banding detail. The roof will be pitched in order to keep the height of the eaves to a minimum and overall, the extension is considered to be of an acceptable design. The materials to be used will match the parent property. For these reasons, the extension is considered to comply with Policies DM10 and DM18 (A) and the NPPF guidance.

#### Impact on 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.

The extension will project forwards with windows on all sides. The window to serve the family room

	<p>will face towards the neighbouring property known as Tanglin, but due to the boundary wall, blank elevation on the north east elevation of Tanglin and separation distance of 24 metres, this is unlikely to create any significant impact on the amenities of the occupiers of Tanglin. There will be windows on the north east elevation to serve the bedroom and family room. These windows will be 22 metres from the closest facing dwellings – Carleton, Lyndene and Elmuir. As these would exceed the minimum separation distances set out in Policy DM12 of the Copeland Local Plan their impact is likely to be reduced.</p> <p>It is considered that the application accords with Policies ST1 and DM18 and does not create any significant amenity issues for the occupiers of the surrounding properties.</p> <p><u>Highways and Parking</u></p> <p>Although the proposal will increase the size of the property with a further 3 bedrooms, Whinney Hill House has a large front garden, which provides ample space for parking. The plans demonstrate 4 parking spaces for the property with the ability for access and egress to and from the site to be achievable in a forward gear. The existing access onto Whinney Hill will remain as existing, with good visibility in both directions.</p> <p>On this basis this proposal is considered to accord with Policy DM22 of the Local Plan.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The objection and issues raised by an adjacent neighbour has been fully considered. Loss of view is not a material planning consideration and potential impacts on highway safety are considered to be minimal. There are no planning reasons to refuse the application and it is considered to be compliant with Local Plan policy.</p> <p>Overall this is considered to be an acceptable form of development which accords with the policies set out in the Copeland Local Plan.</p>
8.	<p><b>Recommendation:</b> Approve (commence within 3 years)</p>
9.	<p><b>Condition(s):</b></p> <ol style="list-style-type: none"> <li>1. The development hereby permitted shall be commenced 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>

2. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them: -

Site Location Plan, scale 1:1250, received 11<sup>th</sup> November 2021;  
Block Plan, scale 1:500, received 11<sup>th</sup> November 2021;  
Existing and Proposed Floor Plan, scale 1:50, drawing 1 of 4, received 11<sup>th</sup> November 2021;  
Section and West Elevation, scale 1:50, drawing number 2 of 4, received 11<sup>th</sup> November 2021;  
Block Plan and North Elevation, scales 1:200 and 1:50, drawing number 3 of 4, received 11<sup>th</sup> November 2021;  
South Elevation, scale 1:50, drawing number 4 of 4, received 11<sup>th</sup> November 2021.

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.

3. Prior to their first use on the extension hereby approved, representative samples of the materials to be used on the external surfaces must be submitted to and approved in writing by the Local Planning Authority. Development must be carried out in accordance with the approved details and so maintained thereafter.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity and in accordance with Policy DM10 of the Copeland Local Plan.

4. The extension hereby permitted must not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Whinney Hill House and must not be independently occupied, let or sold.

Reason

In order to ensure that the dwelling is retained as a single residential property and in accordance with Policy ST1 of the Copeland Local Plan.

5. Prior to the first occupation of the extension hereby approved space shall be provided for the parking of four vehicles in the site in accordance with the details shown on the approved layout plan. Once constructed the four spaces shall be retained at all times thereafter in accordance with the approved details.

Reason

For the avoidance of doubt and to ensure that adequate off street parking is provided to serve the level of accommodation in accordance with Policy DM22 of the Copeland Local Plan 2013 - 2028

**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: Sarah Papaleo**

**Date : 06/01/2022**

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

**Date : 06/01/2022**

**Dedicated responses to:-**