

COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/22/2156/OF1
2.	Proposed Development:	SINGLE STOREY REAR EXTENSION
3.	Location:	95 VALLEY PARK, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, 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: LOCATION This application relates to 95 Valley Park, a detached property located on an existing housing estate within Whitehaven. PROPOSAL Planning Permission is sought for the erection of a single-storey rear extension to provide an additional lounge. The extension will project 4.3 metres from the rear elevation and it will have a width of 6.495 metres. It has been designed to include a flat roof with an overall height of 2.8 metres and it will be lit by a roof lantern.	

The rear elevation will include bi-fold doors and the side elevation facing the garden will include two windows. The side elevation facing the boundary will be blank.

It will be finished in red facing brickwork, a rubber membrane on the roof and UPVC windows and doors to match the existing property.

RELEVANT PLANNING APPLICATION HISTORY

Planning Permission has previously been granted for:

- A first floor extension (ref: 4/95/0546/1);
- A single storey rear extension (ref: 4/05/2876/0).

CONSULTATION RESPONSES

Consultees

Whitehaven Town Council – No objections.

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.

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 Publication Draft Consultation. The Publication Draft Consultation builds upon the previously completed Issues and Options and Preferred Options consultations. Given the stage of preparation of the Copeland Local Plan 2017-2035 some weight can be attached to policies within the Publication Draft where no objections have been received. The Publication Draft 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.

The following policies are relevant to this proposal:

Policy DS1PU – Presumption in favour of Sustainable Development

Policy DS6PU – Design and Development Standards

Policy H14PU – Domestic Extensions and Alterations

ASSESSMENT

The key issues raised by this proposal are the principle of development, its scale and design, the potential impacts on residential amenity or the coal advice area.

Principle of Development

The proposed application relates to a residential dwelling within Whitehaven and it will provide an additional lounge. 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 within the rear garden, behind 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. The flat roof design will ensure it will not be overbearing for the neighbouring properties and the design is considered to be suitable for its use as an additional lounge. 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 Policies DM10, DM18 and the NPPF guidance.

Residential Amenity

Policy ST1, Policy DM18 and section 12 of the NPPF seek to safeguard good levels of residential

	<p>amenity of both the parent property and adjacent dwellings.</p> <p>Whilst overlooking and overshadowing issues between the proposed extension and the neighbouring properties were considered, the extension will be relatively modest in scale and the existing 2 metre high boundary fence will mitigate any potential overlooking concerns. The orientation of the extension to the north of the existing dwelling will also ensure the proposal will not result in a significant reduction in daylight or appear overbearing for the neighbouring properties.</p> <p>In addition, under current permitted development rights, an extension could project 4 metres from the rear elevation, with an overall height of 4 metres 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 the proposal will not have a detrimental impact on the neighbouring amenity.</p> <p>On this basis, it was considered that the proposal will not have any adverse impacts on the neighbours and therefore the proposal is considered to meet Policy DM18 and the NPPF guidance.</p> <p><u>Coal Advice Area</u></p> <p>Based on the site location plan, part of the application site is located within the defined Development High Risk Area. The Coal Authority website confirmed the householder development falls within their exemption list and therefore the Coal Authority guidance applies.</p> <p>As such, a Coal Mining Risk Assessment was not required 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.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The proposed single-storey rear extension is of an appropriate scale and design and will not have any detrimental impact on the amenities of the adjoining properties or the coal advice area. Overall, 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:</p> <p>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</p>

	<p>Planning and Compulsory Purchase Act 2004.</p> <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>Application Form, received 30th March 2022; Location Plan, scale 1:2500, reference 1/001A, received 30th March 2022; Existing Site Layout Plan, scale 1:200, reference 1/001A, received 30th March 2022; Existing and Proposed Floor Plans, scale 1:100, reference 1/001A, received 30th March 2022; Proposed Site Layout Plan, scale 1:200, reference 1/002A, received 30th March 2022; Proposed Floor Plan and Elevations, scale 1:100, reference 1/002A, received 30th March 2022.</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>Informative</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: www.gov.uk/government/organisations/the-coal-authority</p> <p>Statement</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 : 23/05/2022
Authorising Officer: N.J. Hayhurst	Date : 23/05/2022
Dedicated responses to:- N/A	