

## COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/22/2164/OF1
2.	<b>Proposed Development:</b>	PROPOSED FIRST FLOOR SIDE EXTENSION
3.	<b>Location:</b>	49 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>  <b>SITE AND LOCATION</b>  <p>This application relates to 49 Valley Park, a semi-detached property located on an existing housing estate within Whitehaven. The site benefits from an existing driveway and a single storey attached garage to the side of the property.</p>  <b>PROPOSAL</b>  <p>Planning permission is sought for the erection of a first-floor side extension to provide an additional bedroom.</p> <p>The extension will project 3 metres from the side elevation and it will be 8 metres in depth to match the existing property. It has been designed to continue the pitched roof with an overall and eaves height to match the existing property. The front elevation will include a first-floor window, the side</p>	

elevation will be blank, and the rear elevation will include a first-floor window. It will be finished in pebble dash, concrete roof tiles and white UPVC windows 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.

##### Public Representations

The application has been advertised by way of neighbour notification letters issued to 4 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 DM12 – Standards for New Residential Developments

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 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

Policy CO7PU – Parking Standards and Electric Vehicle Charging Infrastructure

## **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 additional bedroom 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 first-floor extension will be appropriately located to the side of the property and it will be relatively modest in scale. The design includes a continuation of the existing eaves and ridge height to match the existing property and other two-storey side extensions along the street. As a result, the proposed extension will not be excessively prominent in the street scene and the design is considered to respect the character and appearance of the existing property. In addition, the materials will match the existing property and this will therefore reduce the impact on the street scene.

On this basis, the proposal is considered to comply 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. Policy DM12 requires a separation distance between directly facing habitable room windows of 21 metres to maintain privacy and overlooking standards.

Whilst overshadowing and overlooking issues between the proposed extension and the neighbouring properties were considered, the side extension is considered to be relatively modest in scale and it will be suitably located above the existing single-storey garage.

No concerns were raised as a result of the neighbour consultation process and, due to the orientation of the extension to the north of the neighbouring property no. 50 Valley Park, it is considered that the proposed first-floor side extension will not cause a significant loss of light or dominance on this property.

In addition, the side elevation will be blank and therefore it is not considered that the extension will cause unacceptable overlooking or loss of privacy issues.

On balance, the proposal is considered to be acceptable. Taking into account the siting of the extension and the orientation of the existing property, the proposed extension design is acceptable and it will not adversely harm the neighbouring amenity. It is therefore considered that the proposal satisfies Policies DM12, 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 that the existing driveway will provide adequate off-street parking to meet the needs of the property.

On this basis, the side extension will not have a detrimental effect on the existing highway conditions and it is considered to comply with Policy DM22 and the standards set out in the Cumbria Development Design Guide.

### Coal Advice Area

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.

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 for the applicant's information.

	<p><b><u>Planning Balance and Conclusion</u></b></p> <p>This application seeks to erect a first-floor side extension to a semi-detached property within Whitehaven. The main issue raised by the application was the scale and the potential impact on neighbouring amenity.</p> <p>Taking into account the siting of the extension above the existing single-storey garage and the orientation of the existing property, the proposed scale and design are considered to be acceptable and it will not adversely harm the neighbouring amenity, highway safety or the coal advice area.</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> <p>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> <p>The 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 11<sup>th</sup> April 2022;  Site Location Plan, scale 1:1250, received 11<sup>th</sup> April 2022;  Block Plan, Appendix A, received 11<sup>th</sup> April 2022;  Floor Plan, Appendix D, received 11<sup>th</sup> April 2022;  Elevations, Appendix E, received 11<sup>th</sup> April 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> </li> </ol>

**Informative Note**

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 : 01/06/2022**

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

**Date : 06/06/2022**

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