

COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

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| 1. | Reference No: | 4/22/2173/OF1 |
| 2. | Proposed Development: | PROPOSED TWO STOREY REAR EXTENSION TO PROVIDE ADDITIONAL LIVING ACCOMMODATION AND GARAGE EXTENSION WITH BALCONY OVER |
| 3. | Location: | 8 ASH GROVE, WHITEHAVEN |
| 4. | Parish: | Whitehaven |
| 5. | Constraints: | ASC;Adverts - ASC;Adverts, 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: SITE AND LOCATION <p>This application relates to 8 Ash Grove, a detached property situated on an existing housing estate within Whitehaven. The site is elevated, located towards the top of a hill and it is bound by two unclassified roads, Ash Grove and Adler Close to the front and rear and a residential dwelling to either side. The site currently benefits from off-street parking to the front of the property and a large garden.</p> PROPOSAL <p>Planning Permission is sought for the erection of a two-storey rear extension and the erection of a single-storey front garage extension with balcony above. The extension and internal alterations will create a 4-bedroom dwelling with an en-suite, an enlarged kitchen-dining-living room and an additional snug.</p> | |

The two-storey extension will project 5 metres from the rear elevation facing no. 7 Ash Grove and 3.82 metres from the rear elevation facing no. 9 Ash Grove and it will be 6.629 metres in width. It has been designed to include a pitched roof with an overall and an eaves height to match the existing property. It will include patio doors and a floor-to-ceiling window on the ground floor and two first-floor windows on the rear elevation. The side elevation facing no. 7 Ash Grove will include two windows and the side elevation facing no. 9 Ash Grove will also include two windows.

The single-storey front extension will project 2 metres from the rear elevation and it will be 3.851 metres in width. It has been designed to include a flat roof with an overall height of 2.9 metres to provide space for the raised balcony above. It will include a garage door on the front and patio doors at first floor level to provide access onto the balcony. The side elevations will be blank and the balcony will include a 1 metre high obscure glazed level 3 or greater smoked glass balustrade.

The extension will be finished in K-render to the main elevations and a natural stone cladding to the garage extension, concrete roof tiles and UPVC windows and doors to match the existing dwelling. The garage door will be a powder coated roller door.

RELEVANT PLANNING APPLICATION HISTORY

There have been no previous planning applications at this property.

CONSULTATION RESPONSES

Whitehaven Town Council

No objections.

Highway Authority

Standing Advice.

Lead Local Flood Authority

Standing Advice.

Public Representation

The application has been advertised by way of neighbour notification letters issued to 5 no. properties.

Two objections have been received as a result of this consultation which raise the following concerns:

- Significant concerns the construction of a balcony over an extended garage would result in the entire rear gardens along Rannardale Drive being overlooked and it would have a detrimental effect on neighbours privacy;
- Concerns regarding the height and elevation of the balcony;
- Concerns regarding its use and purpose predominantly being used for

social/viewing/observation;

- Noted although no. 9 Ash Grove has a balcony on the front, it is of a lower elevation, has been part of the building from new and the occupiers tend to never use it;
- No previous problems along Rannerdale Drive regarding overlooking, privacy and disturbance as the majority of residents on Ash Grove tend to use their rear garden area for leisure and entertainment.

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, the potential impacts on residential amenity and highway safety.

Principle of Development

The proposed application relates to a residential dwelling within Whitehaven and it will create a 4-bedroom dwelling with an en-suite, an enlarged kitchen-dining-living room and an additional snug leading onto a raised balcony. Policy DM18 supports extensions and alterations 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 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.

Two objections have been received regarding the raised balcony and therefore significant consideration has been given regarding this element of the proposal. Due to the elevation of the balcony, additional details were sought to justify its height. The height is dictated by the split internal floor level of the dwelling and therefore could not be lowered.

The precedent of raised balconies has also been set along Ash Grove and therefore it is not considered that the proposed design will be unacceptable. The front garage extension and balcony will be appropriately located to the front of the property and it will be set back from the road. This will ensure it will not be excessively prominent in the street scene and it will not be overbearing for the neighbouring properties.

The proposed rear extension will also be appropriately located within the large rear garden, and it is considered to be relatively modest in scale. The design, roof pitch and eaves height match the existing property to ensure that the works appears subservient to the main dwelling.

In addition, the choice of materials are considered to respect the existing character and appearance of the existing property. Due to the concerns received, confirmation on the details of the proposed balustrade material for the balcony was sought and it was confirmed that this will be obscure glazed to level 3 obscurity or above to reduce privacy concerns. This material is considered to be suitable to

help provide privacy for 8 Ash Grove and the properties along Rannerdale Drive. It is also considered to be a more appropriate material compared to the open railings common along the other balconies on Ash Grove. This obscure glazed balustrade installation can be secured by the use of a planning condition.

On balance, the proposal is considered of suitable scale and design to meet Policy DM18 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.

Two objections were received due to the front balcony with significant concerns regarding overlooking and privacy.

Although the precedent of raised balconies is already set along Ash Grove and an unclassified road, Ash Grove, is located between the application site and the neighbouring properties along Rannerdale Drive. On this basis, there will be a separation distance of 26 metres to the rear elevation of no. 50 Rannerdale Drive and 28 metres from the rear elevation of no. 48 Rannerdale Drive. These distances exceed Policy DM12 requirements and therefore, despite the potential for an element of overlooking, it is not considered the overlooking will be materially harmful.

Significant consideration was also given to the height of the proposed balcony, although this is dictated by the internal floor levels and could not be lowered. However, following discussions with the agent, the proposed balcony balustrade will be obscure glazed to reduce overlooking and privacy impacts.

In addition, the separation distance from the balcony to the rear garden boundary fences along Rannerdale Drive will be 12 metres and existing boundary treatments will help reduce the potential impact. Despite significant concerns from neighbours that an element of overlooking that will be caused by the balcony, the proposal satisfies Local Plan Policy separation distance requirements and a suitable obscure glazed balustrade material has been secured. This will ensure the overlooking issues are not unacceptable.

In addition, due to the existing orientation of the dwelling within the site and the siting of the two-storey rear and single-storey front extension, stepped away from the boundary, it is not considered that the proposal will cause significant overshadowing.

On balance, the proposal will not have a detrimental impact on the amenity of the occupiers of the neighbouring properties and it is considered to comply with Policies DM12, DM18 and the NPPF guidance.

Highway Safety

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| | <p>Policy DM22 encourages innovative approaches to manage vehicular access and parking to avoid vehicles dominating the street scene.</p> <p>As the garage extension will project onto part of the existing driveway, an additional block plan was sought to clarify that the extension will not interfere with the existing off-street parking provision. This has demonstrated that the site access and off-street parking for two vehicles will remain unchanged to the front of the property. It is therefore considered that the existing driveway will provide adequate off-street parking to meet the needs of the 4-bedroom property and the proposal will not have a detrimental effect on the existing highway conditions.</p> <p>On this basis, the proposal is considered to meet Policy DM22 and the Cumbria Development Design Guide standards.</p> <p><u>Planning Balance and Conclusion</u></p> <p>This application seeks to erect two-storey rear extension and a single-storey front extension with balcony above. The main issue raised by the application was the potential residential amenity issues from the extension and balcony. Two objections were received from the occupiers of properties on Rannerdale Drive regarding the overlooking and loss of privacy.</p> <p>However, there is an existing precedent of raised balconies along Ash Grove and there is an unclassified road located between the application site and the neighbouring properties along Rannerdale Drive. As a result, the separation distance between the balcony and the neighbouring properties exceeds Policy DM12 requirements and the proposed obscure glazed balustrade material is considered to mitigate harmful impacts.</p> <p>On this basis of the above, despite the concerns raised, the overlooking and privacy issues from the raised platform are not considered to cause unacceptable harm. The proposal is therefore considered to be acceptable in terms of scale and design and it will not have any significant detrimental impacts on the amenities of the adjoining properties or highway safety.</p> <p>On balance, 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>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 Planning and Compulsory Purchase Act 2004.</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: -

Application Form, received 19th April 2022;
Location Plan, scale 1:1250, drawing ref MM/KT/22/02, received 18th May 2022;
Block Plan, scale 1:500, drawing ref MM/KT/22/02, received 18th January 2022;
Existing Floor Plan and Elevations, scale 1:100, drawing ref MM/KT/22/01, received 19th April 2022;
Proposed Floor Plans, scale 1:100, drawing ref MM/KT/22/03, received 19th April 2022;
Proposed Elevations, scale 1:100, drawing ref MM/KT/22/02, received 18th May 2022;
Stone Sample, received 18th May 2022;
Email from agent confirming the obscure glazed balustrade material, received 20th June 2022.

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 the first use of the balcony hereby approved, the 1-metre-high smoked glass obscure glazed balustrade must be erected in accordance with the approved plan Proposed Elevations, Scale 1:100, drawing ref MM/KT/22/02, received by the Local Planning Authority on the 18th May 2022 and the email from the agent confirming the level 3 or above obscurity material received on the 20th June 2022. The balustrade must be retained at all times in accordance with the approved details in perpetuity.

Reason

To protect the residential amenity of neighbouring dwellings in accordance with Policy DM18 of the Copeland Local Plan 2013-2028.

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

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| | <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> |
| <p>Case Officer: C. Unsworth</p> | <p>Date : 23/06/2022</p> |
| <p>Authorising Officer: N.J. Hayhurst</p> | <p>Date : 27/06/2022</p> |
| <p>Dedicated responses to:- N/A</p> | |