

## COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/22/2316/OF1
2.	<b>Proposed Development:</b>	ERECTION OF A SUMMERHOUSE AND COVERED PATIO AREA AT THE REAR OF THE PROPERTY AT THE BOTTOM OF THE REAR GARDEN (RETROSPECTIVE)
3.	<b>Location:</b>	24 STANDINGS RISE, 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>  <p>This application relates to 24 Standings Rise, a detached property situated on an existing housing estate within Whitehaven. The site benefits from a large rear garden which is bound by a 2-metre-high wooden fence.</p> <b>PROPOSAL</b>  <p>Retrospective Planning Permission is sought for the retention of a garden summerhouse and covered patio area at the end of the rear garden.</p> <p>The outbuilding has an overall width of 7.5 metres and a depth of 3.5 metres. It has been designed to include a pitched roof with an overall height of 2.45 metres. The design includes 6 windows and a double-access door on the front elevation facing the garden. The rear and two side elevations along</p>	

the boundary are blank. The covered patio area extends 7 metres either side of the outbuilding up to the side boundaries and its depth matches the outbuilding structure. Both the outbuilding and covered patio are finished in treated pine, felt roof covering and wooden framed glass windows and doors.

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

There have been no previous planning applications at this property.

#### **CONSULTATION RESPONSES**

##### Consultees

Whitehaven Town Council – No objections.

##### Public Representation

The application has been advertised by way of neighbour notification letters issued to 4 no. properties.

Two letters of support 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 and the potential impacts on residential amenity.

### Principle of Development

The retrospective application relates to a residential dwelling within Whitehaven and it provides an outbuilding and two covered patio areas within the rear garden. 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 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 outbuilding and covered patio areas are relatively modest in scale and appropriately sited at the end of the rear garden, adjacent to the existing 2 metre-high wooden boundary fence. Due to their siting, they are not excessively prominent within the locality or overbearing for the neighbouring properties. In addition, the design of outbuilding is considered to be suitable for its use and the choice of materials are considered to respect the existing character and appearance of the existing property and the surrounding residential area.

On this basis, the proposal is considered to meet Policies DM10 and 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.

The proposal is considered to be appropriately located at the end of the large rear garden and it is

	<p>modest in scale and height and lies adjacent to an existing boundary fence. This ensures that they are not excessively overbearing or cause any significant loss of light on the surrounding neighbours.</p> <p>In addition, the boundary fence is considered to mitigate potential overlooking issues.</p> <p>No concerns were raised as a result of the neighbour consultation process.</p> <p>On this basis, the proposal is considered to comply with Policy DM18 and the NPPF guidance.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The outbuilding and covered patio areas are of an appropriate scale and design and do not have any detrimental impact on the amenities of the adjoining properties. They therefore represent 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></p> <p>Approve (commence within 3 years)</p>
9.	<p><b>Conditions:</b></p> <p>1. 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 26<sup>th</sup> July 2022;  Location Plan, scale 1:1250, received 26<sup>th</sup> July 2022;  Block Plan, scale 1:500, received 26<sup>th</sup> July 2022;  Log Cabin Specifications, received 26<sup>th</sup> July 2022;  Photograph 1 – Summerhouse, received 26<sup>th</sup> July 2022;  Photograph 2 – Summerhouse, received 26<sup>th</sup> July 2022;  Photograph 3 – Summerhouse, received 26<sup>th</sup> July 2022;  Log Cabin Dimensions, received 26<sup>th</sup> July 2022;  Photograph – Summerhouse with height labelled, received 26<sup>th</sup> July 2022;  Photograph – Summerhouse with widths labelled, received 26<sup>th</sup> July 2022;  Photograph – Covered Patio East Elevation, received 26<sup>th</sup> July 2022;  Photograph – Covered Patio West Elevation, received 26<sup>th</sup> July 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>

**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 : 15/09/2022**

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

**Date : 20/09/2022**

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