

COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/22/2349/OF1
2.	Proposed Development:	INSTALL TWO NEW CANTILEVERED BALCONIES TO EXISTING OPENINGS TO THE REAR ELEVATION
3.	Location:	4 KEEKLE MEWS, WHITEHAVEN ROAD, CLEATOR MOOR
4.	Parish:	Cleator Moor
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations &Policy	Neighbour Notification Letter: YES Site Notice: YES Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: SITE AND LOCATION This application relates to 4 Keekle Mews, a mid-terraced dwelling which forms part of a barn conversion, located on Whitehaven Road, Cleator Moor. PROPOSAL Planning Permission is sought for the erection of two cantilevered balconies to serve the existing double doors on the rear of the property. The balconies will project 300mm from the south-west rear elevation and they will be constructed from ornate steel, which is similar to the existing balconies elsewhere along the rear elevation of this terraced row.	

CONSULTATION RESPONSES

Cleator Moor Town Council

No objections.

Public Representation

The application has been advertised by way of a site notice and neighbour notification letters issued to 4 no. properties – No objections have been received as a result of the consultation period.

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

This application relates to a residential dwelling within Keekle, near Cleator Moor. It will provide two cantilevered balconies to serve the existing double doors on the rear of the property. 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 proposed balconies will have an overall projection of 300mm from the south-west rear elevation and therefore they are considered to be modest in scale. The proposed use of ornate steel is typical of this type of balcony. The balconies cannot be seen from any public viewpoints and therefore these are considered to be acceptable from a design point of view.

The proposal will also reflect similar balcony developments along the rear elevation of this terraced row of properties and therefore it is considered to reflect the character and appearance of the immediate locality.

On this basis, the proposal is considered to be acceptable in accordance with Policy DM10 and DM18 of the Copeland Local Plan 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.

Whilst potential loss of privacy and overlooking concerns were considered, the proposal is considered to be suitable in scale and design. The modest projection will not be sufficient for the placement of any furniture to allow prolonged overlooking. In addition, during the site visit, it was observed that the windows of the neighbouring properties are set back. The rear of the property overlooks the garden of Keekle House to an extent, however with the modest projection of the balconies proposed, it is considered that this overlooking will not be significantly worsened than the existing situation as a

	<p>result of this proposal.</p> <p>On this basis, the proposal is not considered to cause unacceptable amenity concerns and therefore the proposal satisfies Policy DM18 of the Copeland Local Plan.</p> <p><u>Planning Balance and Conclusion</u></p> <p>On balance, although the balconies will increase the projection on the rear of the property, this will be modest in scale and will not allow for the occupiers of the property to overlook the adjoining properties, nor increase the overlooking to the adjacent gardens beyond the existing situation.</p> <p>Overall, this is considered to be an acceptable form of development which accords with the policies set out in the Local Plan and other material planning considerations.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <ol style="list-style-type: none"> <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> <p>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 23rd August 2022; Site Location Plan, scale 1:1250, drawing no. 220802-01 A, received 23rd August 2022; Block Plan, scale 1:500, drawing no. 220802-01 A, received 23rd August 2022; Existing and Proposed Floor Plans and Elevations, scale 1:100 drawing no. 220802-01 A, received 23rd August 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 Note</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 : 13/10/2022
Authorising Officer: N.J. Hayhurst	Date : 14/10/2022
Dedicated responses to:- N/A	