

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

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| 1. | Reference No: | 4/23/2032/OF1 |
| 2. | Proposed Development: | PROPOSED SINGLE STOREY EXTENSION TO THE SIDE OF THE PROPERTY |
| 3. | Location: | 42 HILLCREST AVENUE, 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: | <p>SITE AND LOCATION</p> <p>This application relates to 42 Hillcrest Avenue, a semi-detached property located on an existing housing estate within Whitehaven. The site benefits from an existing driveway and a large garden.</p> <p>PROPOSAL</p> <p>Planning Permission is sought for the erection of a single-storey side extension to provide an additional living room, utility and ground floor WC.</p> <p>The proposed replacement extension will project 4.124 metres from the side elevation and it will be 6.1 metres in depth. It has been designed to include a lean-to roof with an 20 degree roof pitch, and an overall height of 4.2 metres and an eaves height of 2.6 metres. The front elevation will include a window, the side elevation will include a WC window and the rear elevation will include a utility window. The extension will also be finished with roughcast render, grey concrete roof tiles and white</p> |

UPVC windows to match the existing property.

RELEVANT PLANNING APPLICATION HISTORY

Planning Permission has previously been granted for the removal of the existing garage and the erection of a single-storey side extension (ref: 4/21/2271/0F1).

CONSULTATION RESPONSES

Consultees

Whitehaven Town Council – No objections.

Public Representations

The application has been advertised by way of neighbour notification letters issued to 3 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

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 2017-2038 comprising the Publication Draft (January 2022) and

Addendum (July 2022) have recently been the subject of an examination by the Planning Inspector. As set out at Paragraph 48 of the National Planning Policy Framework (NPPF), Local Planning Authorities may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan; the extent to which objections to relevant policies have been resolved; and the degree to which emerging policies are consistent with the NPPF.

Given the stage of preparation of the emerging Copeland Local Plan 2017-2038 some weight can be attached to policies where no objections have been received or objections have been resolved. The Publication Draft (January 2022) and Addendum (July 2022) 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 NPPF.

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 and highway safety.

Principle of Development

The proposed application relates to a residential dwelling on an existing housing estate within Whitehaven and it will provide an additional living room, utility and ground floor WC. 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.

The proposed extension will be modest in scale and appropriately located within the large side garden. The single-storey lean-to roof design will ensure that the proposal appears subservient to the main dwelling and it will not be overbearing for the neighbouring properties. In addition, the choice of materials will match the existing property and therefore the replacement extension will not be excessively prominent within the locality.

On this basis, the proposal is considered respect the character and appearance of the existing

dwelling and therefore, the proposal is considered to comply with Policies DM10 and 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.

Whilst overlooking and overshadowing issues between the proposed extension and the neighbouring properties were considered, due to the orientation of the replacement extension to the north of the existing property, it is not considered that the proposal will create unacceptable amenity issues.

The extension will also be stepped back from the boundary by approximately 1 metre and therefore due to the separation distance involved, it is considered that the extension will not cause a significant loss of light to the neighbouring properties. In addition, the only window to be included on the side elevation relates to a WC and the existing boundary fence and hedge to the rear will mitigate potential overlooking issues.

In addition, under current permitted development rights, an extension could project up to half the width of the original dwelling, 2.5 metres in this case 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 and height are not significantly larger than what is possible under permitted development, the proposal is considered to be satisfactory and will not have a detrimental impact on the neighbouring amenity.

On this basis, the proposal is considered to meet Policies 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 will remain unchanged to the front of the property and therefore it is considered the proposal will not have a detrimental effect on the existing highway conditions. The proposal will not create any additional bedrooms and therefore it is considered that the existing driveway provides adequate off-street parking to meet the needs of the property.

On this basis, the proposal is considered to satisfy Policy DM22 and the Cumbria Development Design Guide.

Planning Balance and Conclusion

The proposed single-storey side extension is of an appropriate scale and design and would not have any detrimental impact on the amenities of the adjoining properties or highway safety. 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.

8. **Recommendation:**
Approve (commence within 3 years)

9. **Conditions:**

1. The development hereby permitted must commenced before the expiration of three years from the date of this permission.

Reason

To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

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 31st January 2023;

Location Plan, scale 1:1250, drawing no. 5816-002, received 31st January 2023;

Existing and Proposed Block Plan, scale 1:500, drawing no. 5816-002, received 31st January 2023;

Existing and Proposed Floor Plan, scale 1:50, drawing no. 5816-001, received 31st January 2023;

Existing and Proposed Elevations, scale 1:100, drawing no. 5816-001, received 31st January 2023.

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.

Informative

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

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

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| | 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 : 06/03/2023 |
| Authorising Officer: N.J. Hayhurst | Date : 17/03/2023 |
| Dedicated responses to:- N/A | |