

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/23/2073/0F1
2.	Proposed Development:	TWO STOREY EXTENSION TO SIDE AND PART REAR (INCLUDING PART SINGLE STOREY TO REAR) AND DETACHED GARAGE
3.	Location:	188 HIGH ROAD, 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 This application relates to 188 High Road, a semi-detached property located on an existing housing estate within Whitehaven. The site is located adjacent to a highway junction and benefits from a wrap-around garden. The site fronts High Road and is bound by Saltom Road to the side. The dwelling also sits below the street level of High Road and is bound by a front wall. PROPOSAL Planning Permission is sought for the erection of a two-storey side and rear extension along	

with a single-storey rear extension and detached garage. The extension will provide an enlarged kitchen-dining-living room, a utility, playroom and study on the ground floor and a new master bedroom and en-suite at first floor level.

The two-storey side and rear extension will project 3.7 metres from the side elevation and it will have an overall depth of 10 metres, with a projection of 3.9 metres from the rear elevation of the dwelling. It has been also designed to continue the hipped roof design and height. The front elevation will include a window on the ground and first floor, the side elevation will include two obscure WC and bathroom windows and the rear elevation will include a bedroom window and en-suite window on the first floor and bi-fold doors on the ground floor.

The single-storey rear extension will also project 3.9 metres from the rear elevation and it will be 4.7 metres in width. It has been designed to include a flat roof with an overall height of 2.8 metres. It will include bi-fold doors on the rear elevation and the side elevation along the boundary will be blank.

The detached garage will measure 3.6 metres in width and 5.8 metres in depth. It has been designed with a pitched roof and an overall height of 3.5 metres and an eaves height of 2.2 metres. It will include a garage door on the front elevation and the side facing the garden will include an access door. The side elevation facing the boundary and rear elevation will be blank.

The proposed extension and garage will be finished with pebble dash render, concrete roof tiles and UPVC windows and doors to match the existing dwelling.

RELEVANT PLANNING APPLICATION HISTORY

Planning Permission has previously been granted for the erection of a single-storey wrap-around extension to the side and rear of the property (ref: 4/21/2406/0F1).

CONSULTATION RESPONSES

Whitehaven Town Council – No comments received.

Public Representations

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

One objection has been received as a result of this consultation which raised the following concerns:

- Concerns with the two-storey extension and loss of view;
- Building work so extensive;
- Scale of development to create 5 bedrooms, study, playroom etc;
- Inconsiderate design and should be scaled down;



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- Loss of property value.

No further comments were received as a result of the amended plans re-consultation.

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

On 1st April 2023, Copeland Borough Council ceased to exist and was replaced by Cumberland Council as part of the Local Government Reorganisation of Cumbria.

Cumberland Council inherited the local development plan documents of each of the sovereign Councils including Copeland Borough Council, which combine to form a Consolidated Planning Policy Framework for Cumberland.

The inherited the local development plan documents continue to apply to the geographic area of their sovereign Councils only.

The Consolidated Planning Policy Framework for Cumberland comprises the Development Plan for Cumberland Council until replaced by a new Cumberland Local 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 2021-2038 (ELP):

Cumberland Council are continuing the preparation and progression to adoption of the emerging Copeland Local Plan 2017-2038.

The emerging Copeland Local Plan 2017-2038 comprising the Publication Draft (January

2022) and Addendum (July 2022) have recently been examined by the Planning Inspector and their report on the soundness of the plan currently remains awaited.

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 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 enlarged kitchen-dining-living room, a utility, playroom and study on the ground floor and a new master bedroom and en-suite at first floor level. 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 safeguard good levels of quality and attractiveness. 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.

Despite initial concerns, the amended proposal of the two-storey side and rear extension and



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the single-storey rear extension will be relatively modest in scale and appropriately located within the site. The design incorporates the continuation of the roof height and a hipped roof on the side extension which will reflect the appearance of the existing property. The amended rear hipped roof design is considered to suitably reduce the massing of the extension and ensure it is of a suitable scale and design within the street-scene.

Additional proposed street view plans have been submitted which show the site sits below the street level of High Road. This provides additional justification that the proposal will not appear excessively prominent within the locality.

The site visit also confirmed that there are similar extensions within the locality and therefore the proposed design is considered to be acceptable. Despite the scale and proximity to the boundary, the proposed extension and garage are considered to reflect the character and appearance of the existing property and the wider residential area. In addition, the proposed materials will match the existing property and it will not overdevelop the site, in accordance with Policy DM18(D).

On this basis, the proposal is considered to meet Policies DM18(A), DM18(D) 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.

Significant concerns were raised with the original rear first-floor balcony, overshadowing from the screening wall and the proximity to the neighbouring bedroom windows. After discussions with the applicant amended plans were submitted with the balcony removed. A planning condition is also proposed to restrict the use of the flat roof which is considered to be a suitable measure to protect neighbouring amenity.

Furthermore, due to the orientation of the existing property, the two-storey side and rear extension will not cause a significant loss of light or dominance on the neighbouring properties. In addition, due to the separation distances across the junction, the proposal is not considered to create overlooking or privacy issues.

The proposed single-storey rear extension will not be significantly larger than what is possible under permitted development. Under current permitted development rights, an extension could project 3 metres from the rear elevation with a 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 and therefore the single-storey rear extension aspect of the proposal is also considered to be satisfactory.

The proposed detached garage is also considered to be suitable in scale and therefore it will not cause harmful amenity issues.

On balance, the proposal is considered to be acceptable. Taking into account what is possible under Permitted Development and the orientation of the existing property, the

amended extension design is acceptable and it will not adversely harm the neighbouring amenity. It is therefore considered that the proposal satisfies 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.

Given the scale of the extension and the proximity to the side boundary, additional supporting plans were provided. These plans confirmed the proposal will not interfere with the required 60 metre visibility splays along High Road and the proposal will provide off-street parking, which will improve the current situation.

The proposal will create a new access onto the unclassified road and the provision of two off-street parking spaces satisfy the parking requirements set out in the Cumbria Development Design Guide. The installation can be secured by the use of a planning condition and an informative note has also been included for the dropped kerb.

It is considered that the creation of two off-street parking spaces will improve the current position and meet the needs of the proposed four-bedroom property. On this basis, the proposal is considered to comply with Policy DM22 and the standards set out in the Cumbria Development Design Guide.

Planning Balance and Conclusion

The application seeks planning permission for the erection of a two-storey side and rear extension along with a single-storey rear extension and detached garage.

Following initial concerns regarding the scale and impact on neighbouring amenity, the proposal was amended. The first-floor rear balcony was removed and the two-storey side/rear extension roof design was hipped to reduce the massing with additional windows on the side elevation to break up the side elevation.

Despite the application receiving one initial objection, the concerns have been addressed through the amended plans. The loss of view and impact on property values are not material planning considerations and therefore cannot be taken into account.

The site visit confirmed that there are similar extensions within the locality and therefore the proposed extension is considered to be acceptable. Despite the large scale, the proposed extension and garage are considered to reflect the character and appearance of the existing property in accordance with Policy DM18.

In addition, the amended extension proposal will not have a detrimental impact on the amenities of the neighbouring properties or highway safety. The extension will not interfere with the highway junction visibility splays and the off-street parking provision can be secured by the use of a planning condition. A planning condition can also restrict the use of the flat



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	<p>roof extension, further protecting residential amenity.</p> <p>On this basis, 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.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <p>1. 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>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: -</p> <p>Application Form, received 14th March 2023; Location Plan, scale 1:2500, drawing no. 1/001C, received 15th May 2023; Existing Site Layout Plan, scale 1:200, drawing no. 1/001C, received 15th May 2023; Proposed Site Layout Plan, scale 1:200, drawing no. 1/001/C, received 15th May 2023; Existing Floor Plans and Elevations, scale 1:100, drawing no. 1/002A, received 15th May 2023; Proposed Floor Plans and Elevations, scale 1:100, drawing no. 1/1003D, received 15th May 2023; Proposed Street View, scale 1:200, drawing no. 1/004A, received 15th May 2023; Proposed Visibility Splays, scale 1:100, drawing no. 1/005B, received 15th May 2023; Proposed Garage Floor Plan and Elevations, scale 1:50, drawing no. 1/004A, received 14th March 2023.</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>

3. Prior to the first use of the extension hereby approved, the off-street parking must be installed in accordance with the approved 'Proposed Site Layout Plan' received by the Local Planning Authority on 15th May 2023. Once installed, the driveway must be maintained thereafter.

Reason

To ensure suitable off-street parking is provided in accordance with Policy DM22 of the Copeland Local Plan.

4. The use of the flat roof for outdoor amenity space, as shown on the 'Proposed First-Floor Plan' received by the Local Planning Authority on 15th May 2023 is not permitted.

Reason

To safeguard neighbouring amenity in accordance with Policy DM18 of the Copeland Local Plan.

Informative Notes

1. Any works within the Highway must be agreed with the Highway Authority.

Before any works are commenced, you should contact Cumbria Highway's Street Works team to obtain an appropriate permit.

Enquires should be made to Cumbria County Councils Streetwork's team
streetworks.west@cumberland.gov.uk

2. 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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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 : 24/05/2023

Authorising Officer: N.J. Hayhurst

Date : 24/05/2023

Dedicated responses to:- N/A