

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/23/2078/0F1
2.	Proposed Development:	PROPOSED ACCESSIBLE RAMPED ACCESS TO FRONT GARDEN
3.	Location:	23 RICHMOND HILL 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 23 Richmond Hill Road, a terraced bungalow located within the Hensingham area of Whitehaven. The property is raised slightly above the road level and therefore the site currently benefits from a ramp within the front garden. The remainder of the front garden is currently grass. PROPOSAL Planning Permission is sought for the installation of a new ramped access within the front garden and a new front wall. The ramp will be more gradual with a 1 in 12 gradient and	

incorporates level landing areas. It will be constructed out of a hard brushed non-slip concrete surface and facing bricks to match or contrast the existing.

RELEVANT PLANNING APPLICATION HISTORY

There have been no previous planning applications at this property.

CONSULTATION RESPONSES

Whitehaven Town Council

No objections.

Public Representations

The application has been advertised by way of neighbour notification letters issued to 6 no. properties.

No objections have been received as a result of this consultation process, although one neighbour queried the potential party wall issues.

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 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)

Emerging Copeland Local Plan (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.

Principle of Development

The proposed application relates to a residential dwelling and it will create a new ramped

access and front wall within the front garden. Policy DM18 supports extensions and alterations to residential properties subject to detailed criteria, which are considered below.

Policy DM22 also seeks for developments to be accessible to all and therefore this proposal is considered to be a suitable form of development to create an accessible ramped access to the bungalow.

On this basis, the principle of the development is therefore considered to be acceptable and the extension satisfies Policies ST2, DM18 and DM22 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.

The proposal will be appropriately located within the front garden and it will be very modest in scale. The design will provide a new gradual access ramp and increase accessibility to the site. In addition, the choice of materials will be suitable for their use and reflect the appearance of the existing dwelling.

On this basis, the proposal will respect the character and appearance of the existing property and therefore it is considered to meet Policy 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.

The proposed alterations will have little impact on the residential amenity due to its modest scale and siting. The proposed ramp and wall alterations are not considered to be significantly different to the existing arrangement and it will not be excessively prominent within the locality or cause harmful overshadowing, overlooking or other amenity issues.

On this basis, there will be little impact on amenity of occupiers of the adjacent properties and the proposal is considered to comply with Policy DM18(C).

Planning Balance and Conclusion

The proposed new ramped access and front wall are of an appropriate scale and design and will not have any detrimental impact on the amenities of the adjoining properties.

Queries regarding the party wall are private matters and therefore are not material planning considerations. On this basis, they cannot be taken into account in the application assessment.

Overall, the proposal will increase accessibility to the property and therefore 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.	<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 March 2023; Location Plan, scale 1:1250, drawing no. 23/0374/1, received 23rd March 2023; Existing Site Plan, scale 1:100, drawing no. 23/0374/1, received 23rd March 2023; Proposed Site Plan, scale 1:100, drawing no. 23/0374/2, received 23rd March 2023; Proposed Sectional Elevations, scale 1:100, drawing no. 23/0374/3, received 23rd 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> <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>
<p>Case Officer: C. Unsworth</p>	<p>Date : 17/05/2023</p>
<p>Authorising Officer: N.J. Hayhurst</p>	<p>Date : 18/05/2023</p>
<p>Dedicated responses to:- N/A</p>	