

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/23/2081/0F1
2.	<b>Proposed Development:</b>	TWO STOREY REAR EXTENSION FOR ACCESSIBLE GROUND FLOOR BEDROOM AND FIRST FLOOR BEDROOM AND ENSUITE
3.	<b>Location:</b>	78 BRANSTY ROAD, 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>  This application relates to 78 Bransty Road, a terraced property located within the Bransty area of Whitehaven. The site benefits from an existing front driveway and a rear garden which is bound by a 1-metre wooden fence.  <b>PROPOSAL</b>  Planning Permission is sought for the erection of a two-storey and single-storey rear extension. The proposal will provide an accessible ground floor bedroom and shower room with a relocated family bathroom and bedroom on the first floor.	

The two-storey rear extension will project 3.9 metres from the rear elevation, and it will have a width of 4.4 metres. It will include a hipped roof with an overall height of 6.2 metres and an eaves height to match the existing property. It has been designed to include a window on the rear elevation and the side elevations will be blank.

The single-storey rear extension will have a projection of 6.185 metres from the rear elevation and it will have an overall width of 4.4 metres. It will have an overall height of 3.2 metres and it will include a flat roof. It has been designed to include an access door and floor-to-ceiling window on the rear elevation, an access door on the side elevation facing no. 79 Bransty Road and a bathroom window facing no. 77 Bransty Road.

The proposed extensions will be finished in painted render, grey roof tiles and grey single ply roofing membrane and white UPVC windows and doors to match the existing dwelling.

## **RELEVANT PLANNING APPLICATION HISTORY**

Planning Permission has previously been granted for the following:

- CONSTRUCTION OF A RAMP TO REAR AND NEW CONCRETE DRIVEWAY TO FRONT (ref: 4/14/2516/0F1).

## **CONSULTATION RESPONSES**

### Whitehaven Town Council

No objections.

### Highway Authority and Lead Local Flood Authority

No objections to the proposed development.

### 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 and re-consultation of the amended plans.

## **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)

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 CO7PU – Parking Standards and Electric Vehicle Charging Infrastructure

## **ASSESSMENT**

The key issues raised by this proposal are the principle of development, its scale and design and the impacts on residential amenity or highway safety.

### Principle of Development

The proposed application relates to a residential dwelling within Whitehaven, and it will provide an accessible ground floor bedroom and shower room with a relocated family bathroom and bedroom on the first floor. 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.

Significant concerns were originally raised to the scale of the two-storey rear extension in relation to the existing terraced property and the impact it would have on neighbouring properties and therefore amended plans were provided.

The amended plans included a reduction in both the ground floor and first floor projection and a change in roof design to reflect a similar extension along the terrace row (no. 80 Bransty Road). This will ensure the proposal respects the character and appearance of the existing property.

In addition, the personal circumstances were considered to be acceptable, and the proposed extensions are considered to be of an appropriate scale to meet the needs of the family.

On the basis of the above, the proposed two-storey and single-storey rear extension will be suitable in scale and it will be appropriately located to the rear of the property. It will be

located behind the main element of the existing dwelling and the design ensures that the extensions appear subservient to the main dwelling.

In addition, the ground flat roof design is considered to be suitable for its use and in keeping with the character of the wider residential area.

The choice of materials will also match the existing property and therefore the proposal is not considered to be excessively prominent within the locality, in accordance with Policy DM18(A).

The reduced proposal is also not considered to overdevelop the site in accordance with Policy DM18(D).

On balance, the proposal is considered to meet Policy 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.

Significant consideration was given to the first-floor rear projection and the potential impact in terms of overshadowing and dominance on the neighbouring properties. As a result, the proposed floor plan was significantly reduced, and it is now considered to be relatively modest in scale and suitably located within the rear garden. The reduced proposal will not cause unacceptable dominance and overshadowing.

Furthermore, the first-floor side elevations of the extensions will be blank and therefore it is not considered that proposal will cause unacceptable overlooking or loss of privacy issues.

In addition, under current permitted development rights, an extension could project 3 metres from the rear elevation, 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 ground floor projection and height is not significantly larger than what is possible under permitted development, this proposal is considered to be satisfactory and therefore the proposal will not have a detrimental impact on the neighbouring amenity.

No neighbour concerns have been received as part of the consultation process.

On this basis, it was considered that the proposal will not have any adverse impacts on the neighbours and therefore the proposal is considered to meet Policy DM18 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 two off-street parking spaces will remain unchanged to the front of the property and therefore it is considered that the existing driveway will provide adequate off-street parking to meet the needs of the property. The maintenance of the parking provision can be secured by

	<p>the use of a planning condition.</p> <p>On this basis, the proposal is considered to comply with Policy DM22 and the standards set out in the Cumbria Development Design Guide.</p> <p><b><u>Planning Balance and Conclusion</u></b></p> <p>The application seeks planning permission for the erection of a two-storey and single-storey rear extension to provide an accessible ground floor bedroom and shower room with a relocated family bathroom and bedroom on the first floor.</p> <p>Significant concerns were originally raised with the scale of the two-storey extension and therefore amended plans were submitted. The reduced projection on both the ground floor and first floor and change in roof design to reflect a similar extension along the terrace row will ensure the proposal respects the character and appearance of the existing property.</p> <p>In addition, the personal circumstances were considered to be acceptable and the proposed extensions are considered to be of an appropriate scale to meet the needs of the family.</p> <p>The amended design will also ensure the development does not have any detrimental impact on the amenities of the adjoining properties and the inclusion of planning conditions will mitigate against parking issues.</p> <p>Overall, 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><b>Recommendation:</b></p> <p>Approve (commence within 3 years)</p>
9.	<p><b>Conditions:</b></p> <ol style="list-style-type: none"> <li>1. The development hereby permitted must commence before the expiration of three years from the date of this permission.</li> </ol> <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> <ol style="list-style-type: none"> <li>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: -</li> </ol> <p>Application Form, received 24<sup>th</sup> March 2023;  Location Plan, scale 1:1250, ref 22/0362/01, received 2<sup>nd</sup> June 2023;  Existing Block Plan, scale 1:5100, ref 22/0362/01, received 2<sup>nd</sup> June 2023;  Existing Floor Plans, scale 1:50, ref 22/0362/02, received 2<sup>nd</sup> June 2023;  Existing Elevations, scale 1:50, ref 22/0362/03, received 2<sup>nd</sup> June 2023;</p>

Proposed Ground Floor Plans, scale 1:50, ref 22/0362/04 Rev A, received 2<sup>nd</sup> June 2023;  
 Proposed First Floor Plan, scale 1:50, ref 22/0362/05 Rev A, received 2<sup>nd</sup> June 2023;  
 Proposed Elevations, scale 1:50, ref 22/0362/06 Rev A, received 2<sup>nd</sup> June 2023;  
 Proposed Side Elevation, scale 1:50, ref 22/0362/07 Rev A, received 2<sup>nd</sup> June 2023;  
 Proposed Sectional Elevations, scale 1:50, ref 22/0362/08 Rev A, received 2<sup>nd</sup> June 2023;  
 Proposed Block Plan, scale 1:100, ref 22/0362/09 Rev A, received 2<sup>nd</sup> June 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.

3. The existing off-street parking provision must be maintained in accordance with the approved 'Proposed Site Plan' scale 1:100, ref 22/0362/09 Rev, received by the Local Planning Authority on 2<sup>nd</sup> June 2023.

**Reason**

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

**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.

<b>Case Officer: C. Unsworth</b>	<b>Date : 07/07/2023</b>
<b>Authorising Officer: N.J. Hayhurst</b>	<b>Date : 10/07/2023</b>
<b>Dedicated responses to:- N/A</b>	