

**CUMBERLAND COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/23/2111/0F1
2.	Proposed Development:	REMOVAL OF EXISTING CONSERVATORY AND ERECTION OF EXTENDED LIVING SPACE ON SAME FOOTPRINT
3.	Location:	24 WINCHESTER DRIVE, 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 24 Winchester Drive, a semi-detached property situated on an existing housing estate within Whitehaven. The site is situated on a large corner plot and benefits from a large rear garden with a driveway to the front of the property.</p> <p>PROPOSAL</p> <p>Planning permission is sought for the removal of existing conservatory and erection of an extension on the same footprint. The extension will provide an extended living space for the parent property.</p> <p>The extension will project 4.2 metres from the rear elevation, and will be 5.1 metres in width It has been designed on the same footprint as the existing conservatory, with an overall height of 3.8 metres and an eaves height of 2.4 metres, with a sloped roof pitch containing two roof</p>

lights, 2 rear windows and patio doors.

The extension will be finished in render, grey roof tiles and white UPVC windows and doors to match the existing house.

RELEVANT PLANNING APPLICATION HISTORY

None relevant.

CONSULTATION RESPONSES

Consultees

Whitehaven Town Council – No objection.

Public Representations

The application has been advertised by way of neighbour notification letters issued to 2 no. properties – no objections have been received as a result of this 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 (CS):

- Policy ST1 – Strategic Development Principles
- Policy ST2 – Spatial Development Strategy



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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)

Cumbria Development Design Guide

Wildlife and Countryside Act 1981

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 proposed are the principle of development, its scale and design and the potential impacts on residential amenity, highway parking requirements and ecology.

Principle of Development

The proposed application relates to a residential dwelling within Whitehaven and it will

provide extended living space for the parent property on the same footprint as the existing conservatory. 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 extension is considered to be appropriately sited within the large rear garden and will replace an already existing conservatory that is now surplus to requirements. The new extension reduces the amount of glazing present on the side elevation facing the adjoining neighbour at 22 Winchester Drive, and this will now be a blank elevation which reduces any potential overlooking concerns.

The proposal is to be 3.8 metres in height and 5.1 metres in width. Under current Permitted Development Regulations, a rear extension can be erected up to 4 metres in height, with a 4-metre rear projection without the need for formal planning consent. The scale of the extension is to be built on the same footprint as the existing conservatory and is only slightly larger than what is acceptable without planning permission.

On this basis and given what is possible under current Permitted Development Regulations, the proposal is therefore not considered to be overbearing or excessively prominent within the site.

The choice of materials proposed for the extension will match the existing dwelling and is therefore considered to respect the character and appearance of the existing dwelling and surrounding properties.

On balance, the proposal is considered to meet Policy DM18 and the NPPF guidance.

Residential Amenity



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Policy ST1, Policy DM18 and section 12 of the NPPF seek to safeguard good levels of residential amenity of both the parent property and adjacent dwellings. Whilst amenity issues between the proposed extension and the neighbouring properties were considered, the development is considered to be suitably located within the site.

The extension will be modest in scale, respectful of the current parent property and its surroundings, and will be appropriately located within the site.

Overlooking and overshadowing issues between the proposed extension and the neighbouring properties from the side elevations were considered, and whilst the proposed extension is located within close proximity to the boundary of 22 Winchester Drive, the extension is stepped off the boundary by 0.2 metres to allow for maintenance.

In addition, following a site visit to the parent property, it was noted that adequate boundary treatments up to 2m (6ft) in height were already in place along the boundary with the adjoining neighbour.

The proposal is therefore not considered to cause any adverse impact on this property due to the siting of the extension and the lack of windows serving habitable rooms within the side elevation of the proposed extension. It is in my opinion that the proposed extension will therefore not cause harmful overlooking or overbearing issues for the adjoining property.

On balance, taking into account the siting and orientation of the proposal within the site, and given what is possible under current Permitted Development Regulations, it is considered that the proposal will not have a significant detrimental impact on the neighbouring amenity. The proposal is therefore considered that the proposal will meet Policy DM18 and the NPPF guidance.

Planning Balance and Conclusion

The proposed rear extension is considered to be of an appropriate scale and design that will not have any significant impact on the amenities of the adjoining/ adjacent properties. The extension is appropriately located within the site and is acceptable in terms of scale and design.

On balance, the proposal 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 shall be 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. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them: - Application Form, received 17 th April 2023; Location Plan, scale 1:1250, received 17 th April 2023; Block Plan, scale 1:500, received 17 th April 2023; Existing Plan & Elevation, scale 1:50, received 17 th April 2023; Proposed Plan & Elevation, scale 1:50, received 17 th April 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 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



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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: Demi Crawford	Date: 08/06/2023
Authorising Officer: N.J. Hayhurst	Date: 09/06/2023
Dedicated responses to:- N/A	