
**CUMBERLAND COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/23/2134/0F1
2.	Proposed Development:	ALTERATION AND EXTENSION FOR ACCESSIBLE GROUND FLOOR BEDROOM AND SHOWER ROOM
3.	Location:	106 MORESBY PARKS, WHITEHAVEN
4.	Parish:	Moresby
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change, Key Species - Bounds of Sensitive Area for Hen Harriers
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:	
	LOCATION	
		This application relates to 106 Moresby Park Road, a semi-detached property located on an existing housing estate within Moresby Parks area of Whitehaven. The site benefits from an existing large rear garden with 2-metre-high boundary fence.
	PROPOSAL	
		Planning Permission is sought for the erection of a single-storey rear extension to provide an

accessible ground floor bedroom and shower room.

The extension will project 6.61 metres from the rear elevation of the dwelling and it will be 4.3 metres in width. It will also project 0.9 metres from the side of the dwelling and have an overall depth of 6.96 metres. It has been designed to include a flat roof with an overall height of 3 metres. The rear elevation will include a bedroom window and the side elevation facing the garden will include a glazed door and floor-to-ceiling windows either side of the door. The side elevation facing the boundary will include a small bathroom window. It will be finished with render and white UPVC windows and doors to match the existing property and the flat roof will be finished with a single ply flat roofing membrane in grey.

RELEVANT PLANNING APPLICATION HISTORY

There have been no previous planning applications at this property.

CONSULTATION RESPONSES

Consultees

Moresby Parish Council – No comments have been received.

Public Representations

The application has been advertised by way of neighbour notification letters issued to 4 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

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.



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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

Policy ENV3 – Biodiversity and Geodiversity

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM18 – Domestic Extensions and Alterations

Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

Wildlife and Countryside Act 1981

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 potential impacts on residential amenity and ecology.

Principle of Development

The proposed application relates to a residential dwelling within Moresby Parks area of Whitehaven and it will provide an accessible ground floor bedroom and shower room. Policy DM18 supports extensions 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 replacement extension satisfies Policies ST2, DM18 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 rear extension will be relatively modest in scale and appropriately located within the site, behind the main element of the existing dwelling. It will not be excessively prominent within the locality. The design is considered to be suitable for its use, and the flat roof design will ensure that the proposal appears subservient to the main dwelling. In addition, the choice of materials are considered to respect the existing character and appearance of the existing property.

On this basis, the proposal 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 both the parent property and adjacent dwellings.

Whilst potential amenity issues between the proposed extension and the neighbouring properties were considered, the extension will be relatively modest in scale and design. It will be appropriately located to the rear of the parent property and the orientation of the extension to the north-west of the adjoining neighbour, no. 105 Moresby Parks Road will ensure the



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proposal will not result in a significant reduction in daylight or appear overbearing for the neighbouring properties. The proposal is also considered to be suitably located to minimise potential impacts on the other neighbouring property, no. 107 Moresby Parks Road and it will be screened by the existing boundary fence.

In addition, under current permitted development rights and the larger householder prior approval process, an extension could project up to 6 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 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 concerns have been raised as part of the neighbour 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 satisfy Policy DM18 and the NPPF guidance.

Ecology

Policy ST1, ENV3 and DM25 and section 15 of the NPPF outline how the Council will protect and enhance the biodiversity and geodiversity within the Borough. These policies set out the approach towards managing development proposals that are likely to have an effect on nature conservation sites, habitats and protected species.

The application site is identified as a potential area for hen harriers. The application is located on an existing housing estate and therefore it is considered that this is not a habitat that is likely to contain hen harriers and so it would not be necessary to seek an ecological survey for this minor application.

It is therefore considered that the development complies with Policies ST1, EV3 and DM25 of the Copeland Local Plan and the NPPF guidance.

Planning Balance and Conclusion

Overall, the single-storey rear extension is considered to be of an appropriate scale and design and will not have any detrimental impact on the amenities of the adjoining properties or ecology. The proposal therefore represents an acceptable form of development which accords with the policies set out within the adopted Local Plan and the guidance in the NPPF.

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

1. The development hereby permitted must commence 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 10th May 2023;

Site Location Plan, scale 1:1250, drawing no. 23/0375/3, received 10th May 2023;

Existing Floor Plan, scale 1:100, drawing no. 23/0375/1, received 10th May 2023;

Existing Elevation, scale 1:100, drawing no. 23/0375/2, received 10th May 2023;

Existing Block Plan, scale 1:200, drawing no. 23/0375/3, received 10th May 2023;

Proposed Floor Plan, scale 1:50, drawing no. 23/0375/4, received 10th May 2023;

Proposed Elevations, scale 1:100, 23/0375/5, received 10th May 2023;

Proposed Sections, scale 1:50, drawing no. 23/0375/6, received 10th May 2023;

Proposed Block Plan, scale 1:200, drawing no. 23/0375/7, received 10th May 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: C. Unsworth	Date : 28/06/2023
Authorising Officer: N.J. Hayhurst	Date : 28/06/2023
Dedicated responses to:- N/A	