

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/23/2201/0F1
2.	Proposed Development:	PROPOSED REAR EXTENSION
3.	Location:	2 WHITE PARK, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, 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: LOCATION This application relates to 2 White Park, a semi-detached bungalow located within Whitehaven. The site falls within Whitehaven Conservation Area and benefits from a large front and rear garden, which is spread across several levels to the rear. PROPOSAL Planning Permission is sought for the erection of a single-storey rear extension to provide an	

additional lounge area and WC.

The extension will project 3.6 metres from the rear elevation of the dwelling and it will have an overall width of 6.7 metres. It has been designed to include a flat roof with an overall height of 3 metres and a roof lantern with an additional 0.4 metres height. The rear elevation will include two windows and the side elevation facing the garden will include patio doors. The side elevation facing the boundary will be blank.

It will be finished with render and UPVC windows and doors to match the existing property and the flat roof will be finished with a EPDM roofing membrane in grey.

RELEVANT PLANNING APPLICATION HISTORY

Planning Permission has previously been granted for:

- The erection of a garden summer house in the front garden (ref: 4/20/2511/0F1);
- Alterations and extensions to provide new loft extension and ground floor garage, study, utility rooms (ref: 4/13/2343/0F1).

CONSULTATION RESPONSES

Whitehaven Town Council

No objections.

Conservation and Design Officer

No objections.

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 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.



Cumberland Council

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 DM27 – Built Heritage and Archaeology

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

Planning (Listed Building and Conservation Areas) Act 1990 (LBCA)

Conservation Area 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.

The Planning Inspector has now issued their post hearing letter, which identifies the next steps for the Examination. This includes proposed modifications to the plan to ensure a sound plan on adoption

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

Policy BE1PU – Heritage Assets

Policy BE2PU – Designated Heritage Assets

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 the conservation area.

Principle of Development

The proposed application relates to a residential dwelling within Whitehaven and it will provide an additional lounge area and WC. 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 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 modest in scale and design. It will be

appropriately located to the rear of the parent property and the orientation to the north of the adjoining neighbour, no. 1 White Park will ensure the proposal will not result in a significant reduction in daylight or appear overbearing.

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 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.

Impact on Conservation Area

Policy ENV4 and DM27 seek to protect the built heritage and maximise the value. DM27 supports development proposals which protect, conserve and where possible enhance the historic and cultural architectural character of the Borough's historic sites and their settings.

The Listed Building and Conservation Areas Act sets out a clear presumption that gives considerable importance and weight to the desirability of preserving a heritage asset and its setting.

Section 72 of the LBCA requires that in considering whether to grant planning permission for development which affects a conservation area, the Local Planning Authority shall pay "special attention... to the desirability of preserving or enhancing the character of appearance" of the conservation area.

Paragraphs 184 – 202 of the NPPF in respect of heritage include a requirement that when considering the impact of development proposals on designated heritage assets such as a conservation area, great weight should be given to the conservation of the asset's significance; however, less than significant harm should be weighed against the public benefits of a development.

The application site is located within Whitehaven Conservation Area, although it is a secluded area with no historic fabric or character apparent. The existing property is a modern semi-detached house, likely to be constructed in the 1960s-80s period. The rear extension will be small in scale and will provide a functional design to provide an additional lounge and WC.

The Conservation Officer has indicated that he does not consider that the proposal will have any appreciable impact upon the character and appearance of the Conservation Area, or on any heritage assets. In accordance with the tests set out in the LBCA and the NPPF, the potential harm of the proposed rear extension is considered to be minor and great weight

	<p>should be given to the benefits of the proposal.</p> <p>On this basis, the Conservation Officer has raised no objections to the proposed rear extension and therefore it is considered to meet the requirements set out in Policy DM27(A) and DM27(C), thereby satisfying the duties set out in the LBCA.</p> <p><u>Planning Balance and Conclusion</u></p> <p>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 the Conservation Area. 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.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <ol style="list-style-type: none"> 1. The development hereby permitted must commence before the expiration of three years from the date of this permission. <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"> 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: - <ul style="list-style-type: none"> Application Form, received 7th July 2023; Site Location Plan, scale 1:1250, drawing no. 102B, received 7th July 2023; Site Plan, scale 1:500, drawing no. 102B, received 7th July 2023; Existing Floor Plan and Elevations, scale 1:100, drawing no. 101B, received 7th July 2023; Proposed Floor Plan and Elevations, scale 1:100, drawing no. 101B, received 7th July 2023. <p>Reason</p> <p>To conform with the requirement of Section 91 of the Town and Country Planning Act</p>

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

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. Wootton

Date : 30/08/2023

Authorising Officer: N.J. Hayhurst

Date : 30/08/2023

Dedicated responses to:- N/A