

**CUMBERLAND COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/23/2269/0F1
2.	Proposed Development:	SMALL PORCH EXTENSION WITH A MONO-PITCHED TIMBER FRAMED STRUCTURE THAT SPANS ACROSS THE FRONT ELEVATION
3.	Location:	13 THE CRESCENT, 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 13 The Crescent, a semi-detached property located on an existing housing estate within the Bransty area of Whitehaven.</p> <p>The site is bound by residential properties to either side and a road and tree screening to the front. The site is elevated above the street-scene and benefits from an existing front boundary hedge.</p> <p>PROPOSAL</p> <p>Planning Permission is sought for the erection of a front porch and covered canopy structure along the front elevation.</p> <p>The proposed porch will project 2 metres forward of the existing front door and it will be 3.183</p>

metres in width. It will have a hipped roof with an overall height of 3.8 metres and an eaves height of 2.8 metres. It has been designed to include a front door with two floor-to-ceiling windows either side on the front elevation. The side elevation facing no. 12 The Crescent will also include a floor-to-ceiling window. The side elevation facing the adjoining neighbour, no. 14 The Crescent will be blank.

The covered canopy porch structure will project 1 metre from the front elevation and it will run along the front elevation of the dwelling. It has been designed to include a lean-to roof with an overall height of 3.4 metres and an eaves height to match the porch proposal.

The extension and covered canopy proposal will be finished in roughcast render, slate and UPVC windows and doors to match the existing dwelling. The covered canopy will also include timber posts.

The design of the proposed extensions were amended during the application process following negotiations with the applicants agent.

RELEVANT PLANNING APPLICATION HISTORY

Planning Permission has previously been granted for the erection of a rear extension for sitting room and kitchen and formation of drive (ref: 4/07/2091/0).

CONSULTATION RESPONSES

Consultees

Whitehaven Town Council – 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.

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

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

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.

Principle of Development

The proposed application relates to a residential dwelling within Whitehaven, and it will provide a front porch and covered canopy structure along the front elevation. 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 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.

Concerns were raised with the scale of the original proposal and the plans were subsequently amended. The amended proposal includes a hipped roof design of the porch which is more in-keeping with the character of both the existing property and other porch extensions within the locality. The hipped roof design also reduces the scale and massing of the extension which is elevated above the street-scene.

The amended proposal also includes the removal of the lean-to covered canopy structure on the side elevation. This reduced proposal is considered to create a modest canopy proposal on the front elevation of the dwelling.

Overall, the reduced proposal is therefore considered to improve the design and reduce the impact on the street-scene in accordance with Policy DM18. The proposal is considered to be suitable for the semi-detached property and the scale will not appear overbearing within the street-scene. In addition, the choice of materials will match and complement the existing dwelling.

On this basis, the proposal is considered to meet Policies DM10 and 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.

The proposed porch and front canopy structure will have little impact on the residential amenity due to its scale and siting. It will have a modest in projection and it will be



Cumberland Council

	<p>appropriately located within the front garden. It will not appear excessively dominant or overbearing in relation to the existing property and within the locality. The front hedge will help screen the proposal from the street-scene and given the orientation and relationship with the adjoining property, it is not expected that the proposal will not result in an adverse loss of light or privacy.</p> <p>Furthermore, under current permitted development rights, a porch could be erected with a 3 square metre floor area with a height of 3 metres without the requirement for formal planning permission. This fall-back position is a material consideration in the assessment of this application and therefore the proposed porch is considered to be satisfactory.</p> <p>On balance, the proposal will not have a detrimental impact on the residential amenity and therefore it is considered to meet Policy DM18 and the NPPF guidance.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The application seeks planning permission for the erection of a front porch and a covered canopy structure. Following initial concerns, the proposal was reduced in scale. The amended proposal is considered to be a suitable scale and design. It is not expected that the proposal will have a significant impact on the character and appearance of the dwelling, the street-scene or residential amenity for the surrounding properties.</p> <p>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.</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. 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 22nd September 2023;
Site Location Plan, scale 1:1250, drawing no. 5922-002, received 22nd September 2023;
Block Plan, scale 1:500, drawing no. 5922-002, received 22nd September 2022;
Existing Floor Plan and Elevations, scale 1:100, drawing no. 5922-001D, received 3rd November 2023;
Proposed Floor Plan and Elevations, scale 1:100, drawing no. 5922-001D, received 3rd November 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

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 : 30/11/2023

Authorising Officer: N.J. Hayhurst

Date : 01/12/2023

Dedicated responses to:- N/A