

**CUMBERLAND COUNCIL  
DELEGATED PLANNING DECISION**

1.	<b>Reference No:</b>	4/23/2341/0F1
2.	<b>Proposed Development:</b>	ACCESSIBLE GROUND FLOOR BEDROOM AND SHOWER ROOM
3.	<b>Location:</b>	14 CROASDALE AVENUE, WHITEHAVEN
4.	<b>Parish:</b>	Whitehaven
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts Flood Area - Flood Zone 2 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>	<p><b>LOCATION</b></p> <p>This application relates to 14 Croasdale Avenue, a semi-detached property located in the Mirehouse area of Whitehaven. The site benefits from a front garden with driveway and outbuilding, with side access to a modest size garden at the rear.</p> <p><b>PROPOSAL</b></p> <p>Planning Permission is sought for the demolition of the existing outbuilding and the erection of a single-storey front/side extension to provide an accessible ground floor bedroom with shower room, and a new ramped access to the front elevation.</p> <p>A hydrotherapy and sensory room are also to be repositioned on site.</p>

The extension will project 3.4 metres from the side elevation of the dwelling, and it will be 8.1 metres in length from front to rear. It has been designed to include a flat roof which includes a velux flexible roof tunnel, with an overall height of 2.8 metres.

The rear elevation will include a single door out onto the garden. The front elevation will include a glazed opening out onto a new ramped access. The northern side elevation adjacent to the neighbouring property 16 Croasdale Avenue will be left blank.

The extension will be finished with a single ply flat roof membrane, render and white UPVC windows and doors to match the existing property.

### **RELEVANT PLANNING APPLICATION HISTORY**

4/23/2149/0F1 ALTERATION AND EXTENSION FOR ACCESSIBLE GROUND FLOOR BEDROOM AND SHOWER ROOM - Withdrawn

### **CONSULTATION RESPONSES**

#### Whitehaven Town Council

No objections.

#### Local Highways Authority (LHA)

No objections.

#### Local Lead Flood Authority (LLFA)

##### 1<sup>st</sup> Response

Further information is required from an LLFA prospective. The applicant has completed the householder and minor extensions form but have not provided any supporting evidence of flood risk, flood proofing/ resilience and resistance techniques for the development, all of which put together will form the flood risk assessment. Upon receiving further information, I will be able to form a further response.

##### 2<sup>nd</sup> Response -

Cumberland Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) has reviewed the above planning reference and I can confirm that we have no objection to the proposed development as it is considered that it will not have a material effect on existing highway conditions nor will it increase the flood risk on the site or elsewhere. However it will be up to the Environment Agency for Pow Beck to provide the final decision.

We note that the proposal is in Flood Zone 2 and would recommend the following from your email dated 4/12/2023 additional information - Further Risk Flood assessment advice.



## Cumberland Council

### Environment Agency

We have no objection to the proposed development, but we wish to make the following comments:

Environmental permit - advice to applicant:

The watercourse flows in a culvert along the eastern site boundary is a designated statutory main river. In addition to any planning approval, the Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- On or within 8 metres of a main river (16 metres if tidal)
- On or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- On or within 16 metres of a sea defence • involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- In the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission

### Public Representations

The application has been advertised by way of neighbour notification letters issued to 3 no. properties. No objections were 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 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

Policy ENV1 – Flood Risk and Risk Management

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM18 – Domestic Extensions and Alterations

Policy DM22 – Accessible Developments

Policy DM24 – Development proposals and Flood Risk

**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

Strategic Policy DS8PU: Reducing Flood Risk

**Other Material Planning Considerations**

National Planning Policy Framework (NPPF)

Cumbria Development Design Guide



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### **ASSESSMENT**

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

#### Principle of Development

The proposed application relates to a residential dwelling located within the Mirehouse area of Whitehaven and it will include a single-storey side/front extension to provide an accessible ground floor bedroom with shower room, and a new ramped access to 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 are appropriate to their surroundings and do not adversely affect the amenities of adjacent dwellings.

The extension will project 3.4 metres from the side elevation of the dwelling, and it will be 8.1 metres in overall length from front to rear. It has been designed to include a flat roof which includes a velux flexible roof tunnel, with an overall height of 2.8 metres.

Whilst the extension will project 0.6 metres forward of the principal elevation, the overall scale of the proposal is considered to be relatively modest in scale and appropriately located within the site and will reflect the neighbouring property extension at 16 Croasdale Avenue which is considered to be acceptable.

The front elevation will also include a glazed opening out onto a new ramped access which is required for accessibility for the applicant.

The extension will be finished with a single ply flat roof membrane, render and white UPVC windows and doors to match the existing property. The design is considered to be suitable for its use and the choice of materials proposed to match the existing are considered to respect the existing character and appearance of the parent property and wider residential area.

Overall, 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 property were considered, the proposal is not considered to be overbearing or result in a significant loss of light for the neighbouring properties due to the location of the extension

being at the side/front, and the fact that it is partially replacing an existing outbuilding.

The rear elevation will include a single door out onto the parent property garden. The front elevation will include a glazed opening out onto a new ramped access. The North side elevation adjacent to the neighbouring property 16 Croasdale Avenue will be left blank which will mitigate any overlooking concerns.

Following a site visit, it was noted that the neighbouring property 16 Croasdale Avenue already benefits from a wraparound extension which also projects forward of the principal elevation. On this basis, it is considered that the proposal reflects developments of similar scale and size within the area and is therefore considered to not dominate the wider street scene.

On this basis, the proposal will not have any adverse impacts on the neighbouring properties or wider residential area and therefore the proposal is considered to satisfy Policy DM18 and the NPPF guidance.

#### Flood Risk and Risk Management

Policy ENV1 and DM24 seek to ensure that development in the Borough is not prejudiced by flood risk by ensuring that developments are designed to address the existing levels of flood risk without increasing flood risk elsewhere.

The application site lies within Flood Zone 2. A householder and other minor extensions in Flood Zone 2 & 3 form (Flood Risk Assessment) was submitted by the applicant. The LLFA requested additional flood resilience measures and the additional information was submitted as part of the application. This was sufficient for a proposal of this scale and nature.

Whilst the floor levels cannot be raised as this would prejudice the use of the proposed extension by its intended occupier, the following mitigation measures can be carried out to the extension to reduce the risk of localised flooding to the extension and existing house. These were also recommended to be implemented where appropriate following consultation with the LLFA, and can be secured by the use of an appropriate planning condition:

- Raise electrical and plumbing services to enter the extension top down through the roof spaces with all power and lighting service point as high up from the floor level as possible while at the same time not defeating the object of the extension which full accessibility for the occupant.
- The extension is already designed with solid concrete floors. The shower room will be fitted with non-slip vinyl flooring with integral skirtings upturned around the perimeter walls. This in itself will be relatively flood resistant.
- The extension walls can be hard wall rendered and plastered with water-resistant high-density plaster finish to make them resistant to flood damage. Alternatively, UPVC demountable wall panels can be fixed in the shower room, these could be

	<p>sacrificial finishes in the case of flood damage.</p> <ul style="list-style-type: none"> <li>• In the Bedroom, high density waterproof boards such as 12.5 mm thick Knalf Aqua panel exterior quality cement board could be used to line the bedroom.</li> <li>• The householder should be signed up to the Environment Agency/Local authority early flood warning scheme/phone app.</li> </ul> <p>In addition to any planning approval, there were no objections from the Environment Agency.</p> <p>On this basis, subject to planning conditions, it is reasonable to assume that the construction of the proposed extension would not significantly increase flood risk at this site, and the proposal satisfies both policies ENV1 and DM24.</p> <p><u>Highway Safety and Parking</u></p> <p>Policy DM22 encourages innovative approaches to manage vehicular access and parking to avoid vehicles dominating the street scene.</p> <p>The application seeks permission to include an additional bedroom on the ground floor as part of the proposal which includes an accessible ramp on the front elevation. Whilst the extension projects forward of the principal elevation onto the existing driveway, the parking arrangements are considered to be sufficient to meet the needs of the property and the requirements set out in the Cumbria Development Design Guide.</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><u>Planning Balance and Conclusion</u></p> <p>Overall, the single-storey side/front extension is considered to be of an appropriate scale and design and is respectful of the existing property and wider residential area. The extension is also necessary for the needs of the applicant.</p> <p>The proposal is not considered to have any detrimental impact on the amenities of the adjoining properties or highway safety and is not considered to increase the Flood Risk of the parent property or wider residential area.</p> <p>On balance, 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><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 shall be commenced before the expiration of three years from the date of this permission.</li> </ol>

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 21<sup>st</sup> November 2023;
  - Existing Block Plan, scale 1:200, DWG No 23/392/07, received 21<sup>st</sup> November 2023;
  - Proposed Block Plan, scale 1:200, DWG No 23/392/14, received 21<sup>st</sup> November 2023;
  - Existing Ground Floor Plan, scale 1:50 DWG No 23/392/01, received 21<sup>st</sup> November 2023;
  - Existing First Floor Plan, scale 1:50, DWG No 23/392/02, received 21<sup>st</sup> November 2023;
  - Existing Front Elevation, scale 1:50, DWG No 23/392/03, received 21<sup>st</sup> November 2023;
  - Existing Rear Elevation, scale 1:50, DWG No 23/392/04, received 21<sup>st</sup> November 2023;
  - Existing Side Elevation, scale 1:50, DWG No 23/392/05, received 21<sup>st</sup> November 2023;
  - Existing Sectional Elevation, scale 1:50, DWG No 23/392/06, received 21<sup>st</sup> November 2023;
  - Proposed Ground Floor (revised scheme), scale 1:50 & 1:100, DWG No 23/392/08, received 21<sup>st</sup> November 2023;
  - Proposed Front Elevation (revised scheme), scale 1:50, DWG No 23/392/09, received 21<sup>st</sup> November 2023;
  - Proposed Rear Elevation (revised scheme), scale 1:50, DWG No 23/392/10, received 21<sup>st</sup> November 2023;
  - Proposed Sectional Elevation (revised scheme), scale 1:50 DWG No 23/392/13, received 21<sup>st</sup> November 2023;
  - Householder and other minor extensions in Flood Zones 2 & 3 (Flood Risk Assessment), received 21<sup>st</sup> November 2023;



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- Email from Agent with flood resilience measures, received 1<sup>st</sup> December 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. Before the extension is occupied, the flood resilience and mitigation measures must be carried out in accordance with the Householder Flood Risk Assessment received by the Local Planning Authority on 21<sup>st</sup> November 2023 & The Flood Resilience Measures (detailed in an email from the Agent) received by the Local Planning Authority on 1<sup>st</sup> December 2023.

The flood resilience and mitigation measures must be maintained thereafter.

### Reason

To protect the property against flood damage in accordance with Policy DM24 of the Copeland Local Plan.

### Informative Notes:

1. The Environmental Permitting (England and Wales) Regulations 2016 require the applicant to apply for a permit to be obtained if required.
2. The proposed development also 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: Demi Crawford</b>	<b>Date : 12/01/2024</b>
<b>Authorising Officer: N.J. Hayhurst</b>	<b>Date : 15/01/2024</b>
<b>Dedicated responses to:- N/A</b>	