



CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/23/2350/0F1
2.	Proposed Development:	ERECTION OF SINGLE STOREY SIDE EXTENSION
3.	Location:	GHYLLSIDE, OAKBANK, 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 This application relates to Ghyllside, Oakbank, a detached property located within a residential area of Whitehaven. The site benefits from an existing driveway to the front of the property and a large garden.</p> <p>PROPOSAL Planning Permission is sought for the erection of a single-storey side extension to provide an additional living room and ground floor shower room. The proposed extension will project 4.75 metres from the side elevation and it will be 5 metres in depth. It has been designed to include a pitched roof with eaves height of 2.7 metres and an overall height of 4 metres. The front elevation will include a window, the side</p>

elevation will be blank and the rear elevation will include patio doors and a bathroom window. It will be finished with render, grey concrete roof tiles and white UPVC windows and doors to match the existing property.

RELEVANT PLANNING APPLICATION HISTORY

Planning Permission has previously been granted for:

- ERECTION OF UPVC PORCH TO FRONT OF DWELLING (ref: 4/06/2121/0).

CONSULTATION RESPONSES

Consultees

Whitehaven Town Council – No response received.

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.

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

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

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 submitted for examination 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



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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

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

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 an additional living room and ground floor shower room. 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 proposed extension will be modest in scale and appropriately located within the side garden. It will be stepped back from the principal elevation by 0.5 metres and the design will ensure the proposal appears subservient to the main dwelling.

In addition, the choice of materials will match the existing property and therefore the extension will not be excessively prominent within the locality.

On this basis, the proposal is considered to respect the character and appearance of the existing dwelling and therefore, the proposal is considered to comply with Policies DM10 and DM18(A) and the NPPF guidance.

Residential Amenity

Policy ST1, Policy DM18 and section 12 of the NPPF seek to safeguard good levels of

	<p>residential amenity of the parent property or adjacent dwellings.</p> <p>Potential amenity issues between the proposed extension and the neighbouring properties were considered. However, due to the siting and the orientation of the extension to the side of the existing property, it is not considered that the proposal will create unacceptable amenity issues.</p> <p>The extension will be stepped back from the boundary and due to the relationship with the neighbouring garage, it is considered that the extension will not appear overbearing or cause a significant loss of light to the neighbouring property. In addition, the side elevation will be blank and therefore the design is considered to mitigate potential overlooking issues.</p> <p>In addition, under current permitted development rights, an extension could project up to half the width of the original dwelling, 5.1 metres in this case 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 are not larger than what is possible under permitted development, the proposal is considered to be satisfactory and it will not have a detrimental impact on the neighbouring amenity.</p> <p>On this basis, the proposal is considered to meet Policies DM18(B), DM18(C) and the NPPF guidance.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The proposed single-storey side extension is of an appropriate design and will not have any detrimental impact on the amenities of the adjoining properties.</p> <p>It 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: - Application Form, received 27th November 2023;



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Location Plan, scale 1:1250, drawing no. 001, received 27th November 2023;
Block Plan, scale 1:500, drawing no. 001, received 27th November 2023;
Existing Floor Plans, scale 1:50, drawing no. 001, received 27th November 2023;
Existing Elevations, scale 1:100, drawing no. 001, received 27th November 2023;
Proposed Floor Plans, scale 1:50, drawing no. 002, received 27th November 2023;
Proposed Elevations, scale 1:100, drawing no. 002, received 27th 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 : 16/01/2024

Authorising Officer: N.J. Hayhurst

Date : 22/01/2024

Dedicated responses to:- N/A