



CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/23/2358/0F1
2.	Proposed Development:	EXTERNAL PARKING AND RAMPS
3.	Location:	8 BEATTY CLOSE, 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 the dwelling at 8 Beatty Close. There are residential dwellings surrounding the property with the cul-de-sac of Beatty Close to the north.</p> <p>PROPOSAL</p> <p>Planning Permission is sought for the creation of external parking and ramps to allow for full accessibility to the property for the occupant.</p> <p>The proposal includes dropping the kerb and footpath level to allow a gradual incline to the driveway. The driveway will be paved in patterned blocks with a U shaped slope from the</p>

driveway towards the front of the dwelling including a ramp, half landing, ramp, then top landing.

A low wall of 500mm will be sited between 8 and 7 Beatty Close.

RELEVANT PLANNING APPLICATION HISTORY

There have been no previous applications on the site.

CONSULTATION RESPONSES

Whitehaven

No response received.

Cumbria Highways

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.

As this development is below the level required for consultation with the LLFA the surface water elements of this application can be managed through building control.

The following informative should be included on any decision notice:-

Informative.

Any works within or near the Highway must be authorised by the Council and no works shall be permitted or carried out on any part of the Highway including Verges, until you are in receipt of an appropriate permit from the LHA Streetworks team.

<https://www.cumberland.gov.uk/parking-roads-and-transport/streets-roads-and-pavements/street-licences-and-permits/street-permit-and-licence-fees-and-charges>

Please be advised that the Highway outside and or adjacent to the proposal must be kept clear and accessible at all times.

Public Representations

The application has been advertised by way of a neighbour notification letter issued to 5 no. properties.



Cumberland Council

No responses have been received as a result of these advertisements.

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.

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

Strategic Policy DS8PU: Reducing Flood Risk

Policy H14PU – Domestic Extensions and Alterations

Policy CO7PU: Parking Standards and Electric Vehicle Charging Infrastructure

Other Material Planning Considerations

National Planning Policy Framework 2023 (NPPF)

Cumbria Development Design Guide

ASSESSMENT

The key issues raised by this proposal are the principle of development, its scale and design and the impact on the surrounding residential amenity.

Principle of Development

The proposed application relates to a residential dwelling within Whitehaven to provide a ramped entrance and parking bay for their property. Policy DM18 of the CS and H14PU of the ELP support extensions and alterations to residential properties subject to detailed criteria, which are considered below.

On this basis, the proposal is considered to satisfy Policies DM18 of the CS, H14PU of the ELP and the NPPF guidance.

Scale and Design

Policy ST1 of the CS, DS1PU of the ELP and section 12 of the NPPF seek to safeguard good levels of quality and attractiveness. Policy DM10 and DM18 of the CS and H14PU of the ELP seek to ensure domestic alterations are of an appropriate scale and design which is



Cumberland Council

appropriate to their surroundings and do not adversely affect the amenities of adjacent dwellings.

The proposal will allow the occupant of the dwelling full level access from the highway to the front of the house. The design is sensitive to the residential area using pavements and a low wall for detail. It is scaled satisfactorily to be practical and fit neatly within the garden area.

On this basis, the proposal is considered to meet Policy DM18 of the CS, H14PU of the ELP and the NPPF guidance.

Residential Amenity

Policy ST1 and DM18 of the CS, H14PU of the ELP and section 12 of the NPPF seek to safeguard good levels of residential amenity of the parent property or adjacent dwellings.

The proposal will be located to the front of the dwelling and will be visible to the surrounding properties, however there will not be an adverse effect on the neighbouring dwellings as the access is contained within the curtilage and designed to be functional. There will be no issues with overlooking or loss of light.

On this basis, the proposal will not have unacceptable adverse impact on the residential amenity and it is considered to comply with Policy DM18 of the CS, Policy H14PU of the ELP and NPPF guidance.

Drainage

Policies ENV1 and DM24 of the CS and DS8PU of the ELP ensure that any proposals will not create issues with flooding either onsite or elsewhere.

The proposal includes the provision of a soakaway within the front garden, the details of which will be dealt with under the Building Regulations. The Local Lead Flood Authority raised no objections to the proposal.

Planning Balance and Conclusion

The application seeks planning permission for a sloped ramp and parking for the front of the property to allow an accessible route to the front door.

On balance, the proposed alterations are considered to reflect the character and appearance of the existing property and will not have a negative effect on the street scene. The proposal is of an appropriate scale and design and would not have any significant detrimental impact on the amenities of the adjoining properties. Drainage will be considered in full during the Building Regulations application.

Overall, it represents an acceptable form of development which accords with the policies set out within the adopted Local Plan and the guidance in the NPPF.

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

9. **Conditions:**

1. The development hereby permitted shall be commenced 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. 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 30th November 2023;

Site Location and Existing Block Plan, scales 1:1250 and 1:100, drawing number 19/0388/01, received 30th November 2023;

Proposed Floor Plan, scale 1:50, drawing number 19/0388/03, received 30th November 2023;

Proposed Elevations, scale 1:50, drawing number 19/0388/04, received 30th November 2023;

Proposed Section, scale 1:50, drawing number 19/0388/04, received 30th November 2023;

Proposed Block Plan, scale 1:200, drawing number 19/0388/08, received 30th November 2023;

Supporting photographs, received 30th 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.

Informatives

Coal Mining Legacy

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:



Cumberland Council

www.gov.uk/government/organisations/the-coal-authority

Highways

Any works within or near the Highway must be authorised by the Council and no works shall be permitted or carried out on any part of the Highway including Verges, until you are in receipt of an appropriate permit from the LHA Streetworks team.

<https://www.cumberland.gov.uk/parking-roads-and-transport/streets-roads-and-pavements/street-licences-and-permits/street-permit-and-licence-fees-and-charges>

Please be advised that the Highway outside and or adjacent to the proposal must be kept clear and accessible at all times.

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: Sarah Papaleo

Date : 25/01/2024

Authorising Officer: N.J. Hayhurst

Date : 29/01/2024

Dedicated responses to:- N/A