

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/23/2386/0F1
2.	Proposed Development:	GROUND FLOOR ACCESSIBLE BEDROOM AND SHOWER ROOM
3.	Location:	1 WHALLEY DRIVE, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Development Referral Area - 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: SITE AND LOCATION <p>This application relates to 1 Whalley Drive, a semi-detached property located within Whitehaven. The site benefits from a wrap-around garden and it slopes towards the rear. It is located adjacent to the highway junction of Whalley Drive and Park Drive and the boundary is defined by a 1-metre-high wall adjacent to the pavement.</p> PROPOSAL <p>Planning Permission is sought for the erection of a single-storey side extension to provide an</p>	

accessible ground floor bedroom and shower room.

The proposed extension will project 4.4 metres from the side elevation and it will be 6.78 metres in depth. It has been designed to include a hipped roof with an overall height of 4 metres. The front elevation will be blank, the side elevation will include a shower room window and the rear elevation will include patio doors. The extension will be finished with render, roof tiles and white UPVC windows and doors to match the existing property.

Due to the changes in levels, the proposal also includes a new pedestrian ramped access and terrace to the rear of the extension, along with a retaining wall. The terrace will also be accessed via steps adjacent to the house and it will include both a facing brick and glazed balustrade.

RELEVANT PLANNING APPLICATION HISTORY

There have been no previous planning applications at this property.

CONSULTATION RESPONSES

Whitehaven Town Council

No objections.

Coal Authority

No response received.

Public Representations

The application has been advertised by way of neighbour notification letters issued to 3 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.



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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

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 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 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 an accessible ground floor bedroom and 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 relatively modest in scale and appropriately located within the side garden. The hipped roof design will match the existing property and the scale will ensure the proposal appears subservient to the main dwelling. The extension also reflects similar extensions in the locality.

In addition, the choice of materials will match the existing property and therefore the extension will not be excessively prominent within the locality. The sloping site and the boundary wall will also suitably screen the extension.

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 and the NPPF guidance.



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	<p><u>Residential Amenity</u></p> <p>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.</p> <p>Potential amenity issues between the proposed extension and the neighbouring properties were considered. However, due to the siting and 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>There is a significant distance from the neighbouring property, no. 2 Stonyhurst Drive and the existing detached garage and boundary treatments will provide screening. On this basis, the proposed extension with terrace is not considered to be overbearing or result in unacceptable overlooking issues.</p> <p>On balance, the proposal is considered to meet Policy DM18 and the NPPF guidance.</p> <p><u>Coal Referral Area</u></p> <p>The application site is located within the defined Development High Risk Area and therefore the Coal Authority was consulted. No response was received by the Coal Authority but due to the nature of the householder development, it falls within their exemption list and the Coal Authority guidance applies.</p> <p>As such, it was not consider that a Coal Mining Risk Assessment is necessary to support the proposal, although an informative note for development within a coal mining area will be included for the applicant's information.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The proposed single-storey side extension is of an appropriate scale and design, and it will not have any detrimental impact on the amenities of the adjoining properties. An informative note is attached for the coal advice area.</p> <p>Overall, the development 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.

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. 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 19th December 2023;
Location Plan, scale 1:1250, drawing no. 19/0386/01, received 19th December 2023;
Existing Site Plan, scale 1:100, drawing no. 19/0386/01, received 19th December 2023;
Existing Elevations, scale 1:100, drawing no. 19/0386/02, received 19th December 2023;
Proposed Foundation Plan Sub Structure and Drains, scale 1:50, drawing no. 19/0386/03, received 19th December 2023;
Proposed Floor Plan, scale 1:50, drawing no. 19/0386/04, received 19th December 2023;
Proposed Elevations, scale 1:100, drawing no. 19/0386/05, received 19th December 2023;
Proposed Sectional Elevation, scale 1:50, drawing no. 19/0386/06, received 19th December 2023;
Proposed Sectional Elevation, scale 1:50, drawing no. 19/0386/07, received 19th December 2023;
Proposed Block Plan, scale 1:200, drawing no. 19/0386/08, received 19th December 2023;
Radon Report, received 19th 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.

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



Cumberland Council

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 : 09/02/2024

Authorising Officer: N.J. Hayhurst

Date : 12/02/2024

Dedicated responses to:- N/A