

**CUMBERLAND COUNCIL  
DELEGATED PLANNING DECISION**

1.	<b>Reference No:</b>	4/24/2021/0F1
2.	<b>Proposed Development:</b>	SINGLE STOREY SIDE EXTENSION
3.	<b>Location:</b>	6 EARLS ROAD, WHITEHAVEN
4.	<b>Parish:</b>	Whitehaven
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts 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 6 Earls Road, a semi-detached property located in the Bransty area of Whitehaven. The site benefits from offroad parking area to the front of the property with side access to the rear, and a detached garage and a modest sized garden to the rear.</p> <p><b>PROPOSAL</b></p> <p>Planning Permission is sought for the construction of a single storey side extension to provide an enlarged kitchen/dining room, with the addition of a new utility room.</p> <p>The extension will project 2.06 metres from the side elevation of the dwelling, and it will be 6.4 metres in length externally from front to rear. The design is proposed to be flat roof construction with a roof lantern over, with a height of 3.3 metres.</p>

It will be finished with facing brick and rendered with pebble dash and clad in zclad natural slate panels, a rubber water proofing roof covering anthracite in colour, and white UPVC windows to match the existing property.

### **RELEVANT PLANNING APPLICATION HISTORY**

There have been no previous planning applications at this property.

### **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 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

##### Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place



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Policy DM18 – Domestic Extensions and Alterations

### **Emerging Copeland Local Plan 2017 - 2038 (ELP):**

Cumberland Council are continuing the preparation and progression to adoption of the ELP.

The Local Plan Examination Hearing Sessions were completed in March 2023.

The appointed Planning Inspector issued their post hearing letter in June 2023, which identified the next steps for the examination.

The appointed Planning Inspector has now considered all representations and the discussions that took place during the Local Plan Examination Hearing Sessions in 2023 and has identified a number of amendments or 'modifications' that are required in order to ensure the ELP is sound i.e. positively prepared, justified, effective and consistent with national planning policy.

A six week public consultation seeking views on the proposed modifications to the ELP commenced on Wednesday 14th February 2024 and will close on the 28<sup>th</sup> March 2024.

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 advanced stage of preparation of the ELP full weight can be attached to policies where no objections have been received or objections have been resolved. Once the consultation on the main modifications to the ELP is complete significant weight can be afforded to the policies of the ELP where modifications are proposed.

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 located within the Bransty area of Whitehaven and is proposed to construct a single storey side extension to provide an

enlarged kitchen/dining room, with the addition of a new utility room.

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.

The proposed extension will be relatively modest in scale and is considered to be appropriately located within the site on the front/side elevation. This has been designed to include a flat roof with roof lantern over with an overall height of 3.3 metres.

Whilst the extension is located on the front side elevation, it is not considered to be excessively prominent within the locality, and similar side extensions have already taken place elsewhere along Earls Road.

The front elevation of the proposed extension overlooks the driveway of the parent property and will include a small window. The side elevation adjacent to number 7 Earls Road includes no new openings.

The rear elevation proposes to replace the existing kitchen door and dining room window with a set of bifold doors.

The extension will be finished with facing brick and rendered with pebble dash and clad in zclad natural slate panels, rubber water proofing roof covering anthracite in colour, and white UPVC windows to match the existing property. The design is therefore considered to be suitable for its use and the choice of materials are considered to respect the existing character and appearance of the existing property.

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 properties were considered, the extension will be relatively modest in scale and design and will be appropriately located to the side of the parent property.

The proposal is single storey and will be screened by the boundary wall and trees at the neighbouring property number 7 Earls Road. Whilst the proposed extension is located on the front side elevation, it does not project forward of the existing bay window on the principal elevation and subsequently overlooks the front driveway of the parent property and Earls Road to the front which is bound by matured trees and established hedgerow. The proposal



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	<p>is therefore not considered to result in a significant reduction in daylight or appear overbearing for the neighbouring properties.</p> <p>The proposed extension is relatively modest in scale and will provide additional space for an open plan kitchen/dining room and additional utility room. The front elevation of the proposed extension includes a single window which is small in scale. The side elevation adjacent to number 7 Earls Road is blank and no new openings are proposed, which is a reduction in the existing glazing prominent on this elevation.</p> <p>As this side elevation is blank, and there is an existing boundary wall and trees to screen the proposal, there are considered to be no additional overlooking issues as part of this development. Furthermore, as the proposed extension has been designed to contain a utility room on the front elevation, which is not a habitable room, the proposal will also not result in any significant loss of privacy for the neighbouring properties.</p> <p>The rear elevation proposes to replace the existing kitchen door and dining room window with a set of bifold doors which overlooks the parent property garden. It is therefore not considered to cause any detrimental overlooking issues.</p> <p>In addition, following a site visit, it was noted that there were similar extensions within the immediate neighbourhood and wider residential area.</p> <p>On this basis, it was considered that the proposal will not have any adverse impacts on the neighbours and therefore the proposal is considered to satisfy Policy DM18 and the NPPF guidance.</p> <p><u>Planning Balance and Conclusion</u></p> <p>Overall, the rear extension is considered to be suitably located within the site and is acceptable in terms of its scale and design.</p> <p>In addition, the proposal will not have any detrimental impact on the amenities of the adjoining properties and the choice of materials used are considered to be suitable for their use and respect the existing property and 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> <p>Reason</p> <p>To comply with Section 91 of the Town and Country Planning Act 1990 as amended</p>

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 19<sup>th</sup> January 2024;
  - Existing Location Plan, scale 1:1250, drawing DWG07, received 19<sup>th</sup> January 2024;
  - Existing Location Plan, scale 1:500, drawing DWG07, received 19<sup>th</sup> January 2024;
  - Proposed Location Plan, scale 1:1250, drawing DWG07, received 19<sup>th</sup> January 2024;
  - Existing Block Plan, scale 1:500, drawing DWG07, received 19<sup>th</sup> January 2024;
  - Existing Ground Floor Plan, scale 1:50, drawing DWG01, received 19<sup>th</sup> January 2024;
  - Existing First Floor Plan, scale 1:50, drawing DWG02, received 19<sup>th</sup> January 2024;
  - Proposed Ground Floor Plan, scale 1:50, drawing DWG04, received 19<sup>th</sup> January 2024;
  - Proposed First Floor Plan, scale 1:50, drawing DWG05, received 19<sup>th</sup> January 2024;
  - Existing Elevations & Section, scale 1:100, drawing DWG03, received 19<sup>th</sup> January 2024;
  - Proposed Elevations & Section, scale 1:100, drawing DWG06, received 19<sup>th</sup> January 2024.

#### 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](http://www.gov.uk/government/organisations/the-coal-authority)

#### **Statement:**

The Local Planning Authority has acted positively and proactively in determining this



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	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 : 11/03/2024</b>
<b>Authorising Officer: N.J. Hayhurst</b>	<b>Date : 14/03/2024</b>
<b>Dedicated responses to:- N/A</b>	