

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

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| 1. | Reference No: | 4/24/2072/0F1 |
| 2. | Proposed Development: | DEMOLITION OF EXISTING DETACHED GARAGE AND ERECTION OF NEW DOUBLE STORY EXTENSION TO SIDE AND SINGLE STORY EXTENSION TO REAR OF PROPERTY |
| 3. | Location: | 107 BALMORAL ROAD, 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 107 Balmoral Road, a semi-detached property located within a residential estate in Whitehaven. The property is accessed directly from Balmoral Road. There are other residential properties surrounding this dwelling.</p> <p>PROPOSAL</p> <p>Planning Permission is sought for the demolition of the existing detached garage and erection of a two storey extension to the side and a single storey extension to the rear of the property. The proposal will provide an integral garage, utility room and WC with a bedroom and en-</p> |

suite on the first floor.

The two-storey side extension will project 2.65 metres from the side elevation and it will be 6.4 metres in depth. The two-storey extension will be set at a slightly lower level than the existing dwelling, due to the topography of the site. There are no windows proposed in the side elevation.

The single-storey rear extension will project 3.45 metres from the rear elevation of the two storey element to be in line with the existing rear elevation. It will be 2.65 metres in width. It has been designed to include a flat roof for the single storey element and pitch to match the existing dwelling for the two storey element.

The proposed extension will be finished in materials to match the existing dwelling including dashed walls, a concrete tiled roof and white UPVC windows and doors.

RELEVANT PLANNING APPLICATION HISTORY

Two storey side extension to provide additional living space, approved in August 2014 (application reference 4/14/2306/0F1 relates).

CONSULTATION RESPONSES

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 comments 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



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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 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 closed on the 28th March 2024. The Inspectors final report is 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

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 an extended living space for the occupants. 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 appropriate to their surroundings and do not adversely affect the amenities of adjacent dwellings.

The proposal will add a further projection to the side of the dwelling and increase the width of the projection to the rear. The dwelling is sited on a suitably sized plot, capable of accommodating an enlargement of this dwelling comfortably. There are other examples of similar development within the surrounding vicinity.

The side extension has been designed to have a similar pitch to the existing in order to match the existing character and appearance of the property. In addition, the proposed materials are proposed match the existing property. The rear extension will be flat roofed and will not be viewable from any public viewpoints.



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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 in the side and rear garden. The projection to the rear will not have any negative effects due to its small scale. The side elevation will bring the dwelling closer in proximity to the neighbouring dwelling, however space has been left for maintenance and the removal of bins from the front of the property so as not to have an adverse effect on the neighbouring dwelling.

No windows are proposed within the side elevation therefore mitigating any potential overlooking issues.

In addition, due to the orientation of the existing property, the two-storey side extension will not cause a significant loss of light or dominance on the neighbouring properties. The single-storey rear extension is considered to be relatively modest in scale and unlikely to materially change the existing situation. The proposal is therefore not considered to create harmful overdominance or overshadowing concerns.

No objections were received from the neighbouring properties, however the proposal has been assessed in order to consider any future occupants of the dwelling.

On this basis, the proposal will not have an 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.

Highway Safety

Policy DM22 of the CS and CO7PU of the ELP encourage innovative approaches to manage vehicular access and parking to avoid vehicles dominating the street scene.

The site access and off-street parking will remain unchanged to the front of the property and therefore it is considered that the existing driveway and replacement garage will provide adequate off-street parking to meet the needs of the property.

On this basis, the proposal is considered to satisfy Policy DM22, CO7PU of the ELP and the standards set out in the Cumbria Development Design Guide.

Planning Balance and Conclusion

The application seeks planning permission for a two-storey side and single-storey rear extension.

On balance, the proposed extension is considered to reflect the character and appearance of the existing property and other similar extensions within the locality. The proposal is of an appropriate scale and design and would not have any significant detrimental impact on either

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| | <p>the amenities of the adjoining properties or highway safety.</p> <p>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.</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 shall be commenced 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. 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: - <ul style="list-style-type: none"> Application form, received 28th February 2024; Site Location Plan and Block Plan, scales 1:1250 and 1:500, drawing number 001A, received 28th February 2024; Proposed Elevations and Floor Plans, scale 1:100, drawing number 003A, received 28th February 2024; Proposed Gable Elevation, scale 1:100, drawing number 004A, received 28th February 2024. <p>Reason</p> <p>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.</p> <p>Informative</p> <p>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</p> |



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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: Sarah Papaleo

Date : 23/04/2024

Authorising Officer: N.J. Hayhurst

Date : 23/04/2024

Dedicated responses to:- N/A