

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/24/2122/0F1
2.	<b>Proposed Development:</b>	EXTENSION TO PROVIDE 1.5 STOREY WITH NEW LOFT TRUSSED ROOF, REAR KITCHEN EXTENSION & SIDE GARAGE EXTENSION
3.	<b>Location:</b>	2 HIGH GROVE, 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>  <b>SITE AND LOCATION</b>  This application relates to 2 High Grove, a detached property located within Whitehaven. The property is sited on the corner of High Grove and Ruskin Drive and there are other residential properties to the north and east.  <b>PROPOSAL</b>  Planning Permission is sought to extend the property to 1.5 storeys with a new loft trussed roof as well as a rear kitchen and side utility/garage extension. The design of the proposal has been amended during the consideration of the application.	

The side extension will infill the east of the property, forward of the existing single garage with a projection of 3.9m.

The roof of the property will be raised from an overall height of 5.5m to 7.6m. The roof height will be slightly lower for the proposed side extension at 0.2m less.

### **RELEVANT PLANNING APPLICATION HISTORY**

There have been no previous applications on this site.

### **CONSULTATION RESPONSES**

#### Whitehaven Town Council

No objections.

#### Highways and Local Lead Flood Authority

No comments.

#### Public Representations

The application has been advertised by way of neighbour notification letters issued to 6 no. properties.

Objections were received from one neighbouring property raising concerns with the potential for overlooking and loss of privacy.

### **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 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 28<sup>th</sup> March 2024. The Planning Inspectors 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 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

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 increase the roof height and increase the projection to the rear and side elevations of the dwelling. The dwelling is sited on a suitably sized plot, capable of accommodating an enlargement of this scale comfortably.

High Grove and the surrounding area has a varying topography with 2 High Grove sitting lower than the neighbouring dwelling 4 High Grove. The submitted street scene shows that once 2 High Grove has been extended, it will sit at a comparative height to 4 High Grove and therefore this is considered to be acceptable. The dwelling will remain similar in character to its existing form, with the design remaining simple with a pitched roof.

The materials will remain similar to the existing with rendered walls and the addition of larch boarding detail, a tiled roof and UPVC windows and doors.

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 original application submitted included large dormers to the rear. A letter of objection was received from a neighbouring property stating concerns relating to overlooking and loss of privacy. These concerns were discussed with the Applicant and several iterations of amendments were submitted. Ultimately, the Applicant decided to remove the dormers completely and opted for velux windows within the roof. As these will be to provide light only, the concerns relating to overlooking were mitigated and no further objections were received.

Part of the proposal will be located to the side and will bring the dwelling in closer in proximity to the neighbouring dwelling, also adding a two storey element, increasing the height on the boundary. Whilst this will be a material change for the neighbouring property, there is a significant drop in levels with 2 High Grove sitting much lower in the street scene. The two storey element will raise the roof height next to the neighbour, however it will still be lower in overall height than the neighbouring roof height. The facing elevations are blank, therefore mitigating any overlooking or overdominance.

A gap has been left between the boundary and side of the dwelling to allow for maintenance.

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 side of the neighbouring property does not contain any windows to habitable rooms.

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 an increase in roof height to 1.5 storey, rear kitchen extension and side garage extension.

On balance, the proposed extensions are considered to reflect the character and appearance

	<p>of the existing property and the street scene will be maintained. The proposal is of an appropriate scale and design and would not have any significant detrimental impact on 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><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 by the Planning and Compulsory Purchase Act 2004.</p> <ol style="list-style-type: none"> <li>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"> <li>Application form, received 16th April 2024;</li> <li>Site Location Form, scale 1:1250, drawing number 01001 01, received 16th April 2024;</li> <li>Block Plan, scale 1:200, drawing number 01002 02, received 16th April 2024;</li> <li>Proposed Ground Floor Plan, scale 1:50, drawing number 04101 01, received 16th April 2024;</li> <li>Proposed First Floor Plan, scale 1:50, drawing number 04102 06, received 24th June 2024;</li> <li>Proposed Elevations, scale 1:50, drawing number 05001 04, received 24th June 2024;</li> <li>Existing and Proposed Street Scenes, scale 1:100, drawing number 05102 01, received 24th June 2024.</li> </ul> </li> </ol> <p>Reason</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.

### **Informative**

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 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 : 07/08/2024**

**Authorising Officer: N.J. Hayhurst**

**Date : 09/08/2024**

**Dedicated responses to:- N/A**