

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/24/2171/0F1
2.	<b>Proposed Development:</b>	REPLACE FLAT ROOF OVER GARAGE AND PORCH WITH PITCHED ROOF
3.	<b>Location:</b>	5 SEAVIEW DRIVE, 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>	
7.	<b>Report:</b>  <b>LOCATION</b>  <p>This application relates to 5 Seaview Drive, a detached property located in Whitehaven. The site benefits from a front garden with an existing driveway with flat roof garage which connects to flat roof porch.</p>  <b>PROPOSAL</b>  <p>Planning Permission is sought for the raising of the garage roof height to create a pitched roof on the front/side elevation with a continuation of a pitched roof canopy/porch to the front elevation of the property.</p> <p>The garage roof height will be raised to include an eaves height of 2.5 metres and an overall height of 4.4 metres. The new garage roof will be of cross gable construction. The adjoining pitched roof canopy/porch to the front elevation will have an overall height of 3.4 metres.</p> <p>It will be finished with double roman roof tiles.</p>	

## **RELEVANT PLANNING APPLICATION HISTORY**

There have been no previous applications at this property.

## **CONSULTATION RESPONSES**

### Whitehaven Town Council

No comments received.

### Public Representations

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

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.



## Cumberland Council

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. 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

### **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 Whitehaven and is proposed to raise the garage roof height to create a pitched roof on the front/side elevation with adjoining pitched roof canopy/porch to the front elevation.

Policy DM18 and Policy H14PU 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, Policy H14PU and the NPPF guidance.

#### Scale and Design

Policy ST1 and section 12 of the NPPF seek to promote high quality designs. Policy DM10, DM18 and Policy H14PU seek to ensure domestic alterations are of an appropriate scale and design which are appropriate to their surroundings and do not adversely affect the amenities of adjacent dwellings.

The application seeks to raise the garage roof height from flat roof to a cross-gable pitch to now include an eaves height of 2.5 metres and an overall height of 4.4 metres and will include an adjoining pitched roof canopy/porch to the front elevation of the property with an overall height of 3.4 metres.

The proposal is considered to be relatively modest in scale and is in-keeping with the character of the existing property and surrounding properties as all other properties within this cul de sac have already achieved this design. The proposal is therefore considered to improve the design of the street-scene in accordance with Policy DM18.

In addition, the materials proposed are considered suitable for their use and will complement the appearance of the parent property.

Overall, the proposal is considered to meet Policy DM18(A), Policy H14PU and the NPPF guidance.

#### Residential Amenity

Policy ST1, Policy DM18, Policy DS6PU, Policy H14PU 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 extended roof height and design and the neighbouring properties were considered, the proposal will be appropriately located within the site.

The proposed garage roof and front porch/canopy extension is considered to have little impact on the residential amenity due to its scale and siting, and all other neighbouring properties having already achieved the same design scenario.

It will have a modest projection and it will be appropriately located to the side/rear. It will not appear excessively dominant or overbearing in relation to the existing property and within the locality. Given the orientation and relationship with the adjoining property, it is not expected that the proposal will result in an adverse loss of light or privacy, and there are no additional overlooking issues considered.



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	<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, Policy DS6PU, Policy H14PU and the NPPF guidance.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The application seeks Planning Permission the raising of the garage roof height from flat to create a pitched roof with adjoining roof canopy/porch to the front elevation.</p> <p>Taking into account the scale and design of the proposal and the impacts on residential amenity, the proposal is considered to be of an appropriate design and will not have any detrimental impact on the amenities of the adjoining properties.</p> <p>The proposed 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 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, the Emerging 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 14<sup>th</sup> May 2024;</li><li>- Existing Location Plan, scale 1:1250, received 14<sup>th</sup> May 2024;</li></ul></li></ol>

- Existing Location Plan, scale 1:500, received 14<sup>th</sup> May 2024;
- Existing Elevations, scale 1:100, drawing no DWG01, received 14<sup>th</sup> May 2024;
- Existing Floor Plans, scale 1:50, drawing no DWG01, received 14<sup>th</sup> May 2024;
- Proposed Location Plan, scale 1:1250, received 14<sup>th</sup> May 2024;
- Proposed Location Plan, scale 1:500, received 14<sup>th</sup> May 2024;
- Proposed Elevations, scale 1:100, drawing no DWG02, received 14<sup>th</sup> May 2024;
- Existing Floor Plans, scale 1:50, drawing no DWG02, received 14<sup>th</sup> May 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 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: Demi Crawford**

**Date : 03/07/2024**

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

**Date : 03/07/2024**

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