



CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/24/2225/0F1
2.	Proposed Development:	PROPOSED SINGLE STOREY REAR EXTENSION
3.	Location:	21 EARLS ROAD, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC;Adverts - ASC;Adverts Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations &Policy	See Report
7.	Report:	<p>LOCATION</p> <p>This application relates to 21 Earls Road, an end semi-detached property located in the Bransty area of Whitehaven. The site benefits from offroad parking and a garden to the front, with side access to a modest size garden and detached garage to the rear.</p> <p>PROPOSAL</p> <p>Planning Permission is sought for the construction of a single-storey rear extension to provide an open plan lounge/kitchen/dining area.</p> <p>The extension will project 5.3 metres from the rear elevation of the dwelling and will be 5.3 metres in length. It has been designed to infill the space between the existing rear and the detached garage and will include a pitched roof with an eaves height to match the existing, with the addition of a cross-gable dual-pitched roof with vaulted ceiling on the rear/side elevation.</p> <p>The extension will be finished with cement render, concrete roof tiles, and white windows and doors to match the existing.</p>

RELEVANT PLANNING APPLICATION HISTORY

There have been no previous planning applications at this property.

CONSULTATION RESPONSES

Whitehaven Town Council

No objections.

LLFA & Highways - As this falls under our Service Level Agreement (SLA) with your Council, this application does not need to be submitted to the Local Highway Authority or Lead Local Flood Authority; subject to the highway and drainage aspects of such applications being considered in accordance with the Agreement. The highway and drainage implications of this application would therefore have to be decided by the Local Planning Authority.

Public Representations

The application has been advertised by way of neighbour notification letters issued to 4 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)



Cumberland Council

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.

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 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 the Bransty Area of Whitehaven and is proposed to construct a single-storey rear extension to provide an open plan lounge/kitchen/dining area.

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 proposed extension will be located on the rear/side elevation and is an infill of the space between the existing rear of the property and the existing detached garage. It will provide an open plan kitchen dining and living space, with internal access to the existing garage.

The design is of "L shaped" construction with a part pitched roof with an eaves height to match the existing dwelling. It also contains an additional projection to the rear/side which is of a cross-gable, dual pitch roof construction and has an eaves height of 2.8 metres and an overall height of 4.5 metres. Taking into consideration the existing rear projection and detached garage, along with the infill of the proposed extension to connect the two existing rear elements, the projection is large in overall scale with regards to the total site area.

The South (rear) elevation contains a set of bifold doors, and the South (side) elevation contains a cross gable dual pitched roof with vaulted ceiling and apex windows. The North elevation will remain blank. The West elevation contains a set of doors opening out onto the garden. The East elevation remains unchanged.

The extension will be finished with cement render, concrete roof tiles, and white windows and doors throughout. These proposed materials are considered to be appropriate for their use and acceptable as they match the existing property.

The overall proposal will therefore respect the character and appearance of the existing property and the residential area.

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



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dwellings.

Whilst potential amenity issues between the proposed extension and the neighbouring properties were considered, the extension despite being large in scale, will be appropriately located to the rear of the parent property.

The proposed extension is to provide additional space for an open plan lounge/kitchen/dining room. Whilst the rear extension is located near to the boundary adjacent to number 22 Earls Road, this elevation will remain blank and is slightly stepped off the boundary. It is therefore considered that no additional privacy or overlooking concerns are considered as part of the proposal.

The proposal is single storey and overlooks the parent property garden to the rear/side and is an infill of the space between the rear of the existing property and the detached garage. Taking into consideration the existing rear projection and detached garage, along with the infill of the proposed extension to connect the two existing rear elements, the proposed projection, despite being large in scale, is not considered to have any additional significant impacts on the neighbouring property. The existing situation on the site with an element of the rear projection and the detached garage being directly adjacent to the shared boundary exerts some impact on the adjoining property. The creation of an infill of the existing space between the rear projection and the detached garage is unlikely to add to this impact in a material way. The proposal is therefore not considered to result in a significant reduction in daylight or appear excessively overbearing for the neighbouring.

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.

Planning Balance and Conclusion

The application seeks Planning Permission for the construction of a single storey rear extension.

Taking into account the scale and design of the proposal and impacts on residential amenity the proposed extension is considered to be of an appropriate design and will not have any detrimental impact on the amenities of the adjoining properties beyond the current situation on the site.

The proposed extension is considered to be suitably located within the site and is acceptable in terms of its overall scale and design.

In addition, the choice of materials used are considered to be suitable for their use and respect the existing property and wider residential area.

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.

8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <p>1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.</p> <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> <p>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: -</p> <ul style="list-style-type: none"> - Application Form, received 24th June 2024; - Site Location Plan, scale 1:1250, received 24th June 2024; - Site Block Plan, scale 1:500, received 24th June 2024; - Existing GF Plans, scale 1:50, drawing JD-PE-002, received 24th June 2024; - Proposed GF Plans, scale 1:50, drawing JD-PE-004, received 24th June 2024; - Existing Elevations, scale 1:100, drawing JD-PE-003, received 24th June 2024; - Proposed Elevations, scale 1:100, drawing JD-PE-005, received 24th June 2024; - Design & Access Statement, received 24th June 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 Note</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 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</p>



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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 : 22/08/2024
Authorising Officer: N.J. Hayhurst	Date : 23/08/2024
Dedicated responses to:- N/A	