

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/24/2353/0F1
2.	Proposed Development:	PROPOSED REAR EXTENSION AND RAISED PARKING AREA, INTERNAL ALTERATIONS & DEMOLITION OF EXISTING GARAGE
3.	Location:	31 HIGH ROAD, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change, Key Species - POTENTIAL AREA for the Small Blue
6.	Publicity Representations &Policy	See Report
7.	<p>Report:</p> <p>SITE AND LOCATION</p> <p>The property is located within Whitehaven and compromises a single storey detached 3 bedroom dwelling.</p> <p>The property benefits from gardens to the front and rear with a detached pitched roof garage and driveway. The property has the appearance of a two storey dwelling to the rear given the large void under the ground floor of the property due to the difference in ground levels between the front and rear of the site. Given the site is located on a significant slope this has effectively made the existing drive and garage difficult to use due to the gradient. The dwelling is set back from the adjoining carriageway with a low brick wall and sloping garden.</p> <p>The property is located within a residential area on a hillside overlooking the town. The properties within the vicinity of the site of both modern and traditional designs, the site to the rear is bound by agricultural land.</p> <p>PROPOSAL</p>	

The application seeks planning permission for the erection of a two storey extension to the rear elevation to form a new bedroom and extended living area with an internal reconfiguration of the existing accommodation at ground floor, plus an additional lower ground floor to accommodate two bedrooms and a utility room.

The detached garage would be removed and replaced with an extended driveway.

The extension would be of a flat roof design with a rubberized finish, rendered walls and anthracite grey upvc windows and doors.

RELEVANT PLANNING APPLICATION HISTORY

No relevant site history

CONSULTATION RESPONSES

Town Council

No negative objections or comments

Highways Authority/LLFA

The application should be determined by the Local Authority under the service level agreement.

Public Representations

There have been 3 letters of objection relating to scale and massing, overbearing and oppressive effects, privacy, overlooking, loss of natural light, potential lighting causing disturbance, obstructing views.

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.



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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 2021-2039:

The council has agreed to adopt the Local Plan on 5 November and full weight is given to the policies contained within.

The following policies are relevant to this proposal:

Strategic Policy DS1 - Settlement Hierarchy

Policy DS4 – Design and Development Standards

Policy H14 – Domestic Extensions and Alterations

Policy CO7 – Parking Standards

Other Material Planning Considerations

National Planning Policy Framework 2024 (NPPF)

Cumbria Development Design Guide

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 within the town of Whitehaven and it will provide extended living accommodation in the form of a large extension to the rear of the dwelling, removal of an existing garage and construction of an extended driveway. Policy H14 of the Local Plan supports extensions and alterations 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 DS4 and H14 of the Copeland Local Plan 2021-2039 and the guidance within the NPPF.

Scale and Design

Policy DS4 and section 12 of the NPPF seek to promote high quality designs, whilst Policy H14 of the Local plan seek to ensure domestic alterations are of an appropriate scale and design which is appropriate to their surroundings and does not adversely affect the amenities of adjacent dwellings.

The development would see the demolition of the existing garage and small rear access steps and walkway to the rear door to accommodate the proposal. The proposed extension

would measure 10.71m in width x 4.35m in projection and would be 5.64m in height. The flat roof design helps to reduce the massing of the proposal when viewed from the neighboring properties.

In terms of the scale the proposal has been reduced by 2m from the gable of the southern elevation as the original proposal ran the full length of the rear of the property. Although the rear extension is large in scale it would still be seen as ancillary scale to the host dwelling.

In terms of materials the proposal would replicate the materials used in the host dwelling and the use of the larger openings is similar to the large opening serving the existing living area on the rear elevation. The addition of Juliet balconies would not detract from the appearance of the rear elevation.

Given the majority of the development would be to the rear of the dwelling with the other alterations limited to the removal of the garage to extend the driveway, the proposal is considered to be in keeping with the existing dwelling and the alterations would not have any significant impacts on the street scene when viewed from the adjacent highway.

The scale and design are considered to comply with policy.

Residential Amenity

H14 of the Local Plan and section 12 of the NPPF seek to safeguard good levels of residential amenity of the parent property or adjacent dwellings.

The rear garden area is very open with neighbouring dwellings having windows directly facing into the garden area and rear of the host property. The small extension to the side elevation of 33 High Road serves a small dining area adjoining the kitchen. This area although small in scale is served by two large windows one of which looks to the rear of the property and one that looks directly into the application site. The kitchen area to the front of the house is also served by a window on the front elevation. The living room also has a window facing onto the application site and also has large windows facing onto the rear.

33 High Road is located approximately 1.64m from the boundary and 2.55m to the gable of the application property. Concerns were raised in relation to the position of the extension and proximity of the neighbouring dwelling as it was considered that at 2.55m from the window within 33 High Road the extension had the potential to create an overbearing effect on the residential amenity of the adjacent property. The extension is now set back 2m from the end gable of the host dwelling giving a setback distance of the neighboring property of 4.55m from the window.

The amended setback distance plus the flat roof design is now considered to reduce any overbearing effects on 33 High Road sufficiently to allow the scale and position to be acceptable.

29 High Road is set approximately 5.53m from the proposed extension, it is considered that there would be no significant overbearing effects on 29 arising from the proposal. There



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would be some improvement to the outlook with the removal of the garage.

Although the outlook from the window of the dining room of 33 and living room of 29 High Road would change, the degree of change is not considered significant enough to warrant refusal of the application plus the open aspect from the rear windows of both properties would remain unchanged.

In terms of loss of light, due to the orientation of the application site, position of the extension and neighbouring dwellings, the flat roof design and the setback distance there would not be any significant loss of light to the neighbouring dwellings

Given the raised ground levels, the existing screening to the boundaries of the adjacent dwellings does not provide any significant screening of the proposals. As there are no new windows to the gable elevations, no new overlooking issues are raised by the extension and it is considered that additional screening would not be required to the boundaries.

Concerns have been raised in relation to the extension of the drive adjacent to the living room windows of 29 High Road. Given the driveway would be used for parking associated with the use as a residential dwelling the disturbance from the utilisation of the driveway would not be significant. The removal of the garage would also open up the area, reducing any effects the garage may have had in terms of the amenity of 29 High Road from overshadowing/loss of light.

Overall, although there will be some changes to the outlook from the neighbouring properties, these changes are not considered to be significant in terms of residential amenity that would warrant refusal of the application; therefore, the scale and design are considered to be acceptable.

Highway Safety

The proposal sees no loss in the number of parking spaces and the access, although steep, is no worse than the existing arrangements and provides adequate off street parking.

Other Matters

The comments relating to the loss of a view cannot be considered as a material planning consideration.

Planning Balance and Conclusion

The proposed extension to the rear of the dwelling as amended is of an acceptable scale and design with no significant harm arising to neighbouring properties in terms of amenity. There are no significant impacts on the appearance of the dwelling or surrounding area or impacts on highway safety.

On this basis the proposal is considered an acceptable form of development in line with policies within the Local plan.

8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <ol style="list-style-type: none"> The development hereby permitted must commence 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"> This permission relates to the following plans and documents as received on the respective dates and development must be carried out in accordance with them: - <p>Application Form, received 15 October 2024;</p> <p>Design and Access Statement, received 15 October 2024;</p> <p>Location Plan and Block Plan, scale 1:1250 and 1:500, drawing reference 31HR-BC-001 Rev A - amended plan received 15 January 2025;</p> <p>Proposed Ground Floor Plan 1:50 drawing reference 31HR-BC-004 Rev A - amended plan received 15 January 2025;</p> <p>Sub Ground Floor Plan 1:50 drawing reference 31HR-BC-005 Rev A - amended plan received 15 January 2025;</p> <p>Proposed Elevations, scale 1:100, drawing reference 31HR-BC-006 Rev A - amended plan received 15 January 2025;</p> <p>Proposed North Elevation, scale 1:50, drawing reference 31HR-BC-007 Rev A - amended plan received 15 January 2025;</p> <p>Proposed South Elevation, scale 1:50, drawing reference 31HR-BC-008 Rev A - amended plan received 15 January 2025;</p> <p>Proposed East Elevation, scale 1:50, drawing reference 31HR-BC-009 Rev A - amended plan received 15 January 2025;</p> <p>Proposed West Elevation, scale 1:50, drawing reference 31HR-BC-0010 received 15 October 2025;</p>



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Proposed drainage plan, scale 1:250 and 1:100, drawing reference 31HR-BC-0011
Rev A - amended plan received 15 January 2025;

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 Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at:

<https://www.gov.uk/government/organisations/mining-remediation-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: S. Smith

Date : 21/03/2025

Authorising Officer: N.J. Hayhurst

Date : 28/03/2025

Dedicated responses to:-