

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2002/0F1
2.	Proposed Development:	SINGLE STOREY EXTENSION TO THE REAR OF AN EXISTING BUILDING TO PROVIDE ACCOMODATION FOR A DISABLED PERSON. EXISTING DRIVEWAY TO BE EXTENDED AND DROP KERB TO BE INSTALLED TO PROVIDE BETTER VEHICLE ACCESS.
3.	Location:	90 BRANSTY 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: SITE AND LOCATION <p>The application site comprises a two storey semi-detached dwelling house, situated in a residential area of Whitehaven.</p> <p>The application site fronts onto Bransty Road, which connects to the A595 at the northern junction and the A5094 at the southern junction.</p> <p>The dwelling is situated to the eastern side of Bransty Road and is on a slight incline such that it is elevated to the highway and the neighbouring property at 91 Bransty Road. Off street parking is provided via a driveway to the front and side of the property. The dwelling has front and rear gardens.</p> PROPOSAL <p>The proposal involves the erection of a single storey extension to the rear of the dwelling, providing disabled accommodation comprising a bedroom, bathroom and hallway. The extension would project approx. 6.75m beyond the rear of the property, have a width of</p>	

approx. 4.7m and a height of approx. 3m.

Proposed finishes include sand cement render walls, dark grey felt roof and white UPVC windows.

The vehicular access is to be widened and the driveway to the front is also to be extended with tarmac and concrete pavers to match the existing.

RELEVANT PLANNING APPLICATION HISTORY

N/A

CONSULTATION RESPONSES

Town Council

No comments to make.

Local Highway Authority and Lead Local Flood Authority

An initial response set out that further information was required to demonstrate the width of the dropped kerbs, driveway drainage and suitable visibility splays. A further response, upon receipt of the requested details, raises no objections to the proposal.

Public Representations

The application has been advertised by way of neighbour notification letters issued to four adjacent properties. No comments have been received as a result of this consultation process.

PLANNING POLICIES

Planning law requires that 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 2021 - 2039 (LP):

Cumberland Council continued the preparation of the Local Plan as commenced by Copeland Borough Council.

The Local Plan was adopted by Cumberland Council on the 5th of November 2024, replacing the Copeland Local Plan 2013-2028 and the saved policies of the Copeland Local Plan 2021-2016.

The policies relevant to this application are as follows:-

Policy DS4: Design and Development Standards

Strategic Policy DS6: Reducing Flood Risk

Policy H14: Domestic Extensions and Alterations

Policy CO7: Parking Standards

Other Material Planning Considerations

National Planning Policy Framework (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, highways safety and flood risk.

Principle of Development

The proposed application relates to a residential dwelling within Whitehaven. The development would provide a single storey extension to the rear of the dwelling.

Policy H14 of the Copeland Local Plan supports domestic extensions and alterations to residential properties subject to detailed criteria, which are considered below.

The principle of the development is therefore accepted within the context of Policy H14 of the Copeland Local Plan.

Scale and Design

Policy H14 of the Copeland Local Plan indicates that developments within the curtilage of existing properties will be permitted, provided that they would not adversely alter the existing building or street scene, and they would retain an adequate provision of outdoor amenity space to serve the property. Policy DS4 of the Copeland Local Plan indicates that all new development should meet high quality standards.

The proposal would result in a single storey extension to the rear, eastern elevation of the dwelling. The extension would have a reasonably large projection beyond the rear facade, measuring approx. 6.75m. The proposed roof would be flat, with all other architectural features and finishes replicating those of the main dwelling.

Although the proposed single storey extension is of a reasonable scale in terms of its projection, there is sufficient space within the rear garden of the dwelling to comfortably accommodate the proposal. The position of the extension, to the rear of the property, is such that it would not have an adverse impact on the street scene of Bransty Road. As the proposal would result in single storey development on a two storey property, the massing of the proposal would not dominate the existing dwelling.

The scale and design of the development would not, therefore, adversely alter the existing building or street scene, nor would it result in overdevelopment of the site.

The proposal therefore complies with Policies DS4 and H14 of the Copeland Local Plan in this regard.

Residential Amenity

Policy DS4 of the Copeland Local Plan states that all new development should maintain high levels of amenity. Policy H14 of the Copeland Local Plan indicates that house extensions will be permitted provided that the development would not harm the amenity of the occupiers of the parent property or adjacent dwellings.

The proposal is set back from shared boundaries with the neighbouring properties, being approx. 3.2m (min) from the northern side boundary shared with the adjoining property at 89 Bransty Road and approx. 3.6m (min) from the shared side boundary with 91 Bransty Road. The land and dwelling to the neighbouring property at 91 Bransty Road is situated at a lower level than that of the application property. The dwelling at 91 Bransty Road is also set further back from the highway than the application property. As a result, the side gable of this property is in line with the rear garden of the application property.

Despite the projection of the extension, the separation distances between the proposed development and the side boundaries is such that the development would not appear overly overbearing or result in a significant loss of light to the adjacent properties.

The proposal has been amended throughout the course of the application. Originally, two windows were proposed to the southern side elevation. The applicant has since removed one of the windows, to prevent overlooking of the lower neighbouring garden at 93 Bransty Road. The remaining window would serve a bathroom. It is considered appropriate to secure this window be obscured throughout the lifetime of the development by condition to safeguard the privacy of the neighbouring property. Likewise, it is considered appropriate to condition the removal of permitted development from this elevation, to prevent further openings being installed in the future.

Overall, with suitable conditions, it is considered that the proposal would not have any



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	<p>significant adverse impact upon adjacent residential amenity.</p> <p>The proposal therefore complies with Policies DS4 and H14 of the Copeland Local Plan in this regard.</p> <p><u>Highway Safety</u></p> <p>Policy CO7 of the Copeland Local Plan requires that all new development provide adequate parking provision.</p> <p>The property currently has off street parking provision in place to the front of the dwelling. It is proposed to extend the off street parking provision and access point.</p> <p>The Highways Officer initially requested further details be provided to demonstrate the width of the dropped kerb, drainage for the extended driveway and suitable visibility splays. The applicant has provided the requested details. The Highways Officer has now confirmed that he has no objections to the proposed development.</p> <p>Given that there is an existing vehicular access serving the property, it is considered that the proposal to increase the width of this access would allow for better access and egress to the occupiers of the property. The visibility to this part of Bransty Road is considered acceptable such that the extended access and parking would not have a significant adverse impact upon highways safety.</p> <p>The proposal therefore complies with Policy CO7 of the Copeland Local Plan in this regard.</p> <p><u>Flood Risk</u></p> <p>Strategic Policy DS6 of the Copeland Local Plan looks to ensure flood risk is reduced and mitigated through appropriate measures within development.</p> <p>The applicant has provided details of permeable asphalt covering to be applied to the extended driveway and drainage measures for the extension. The submitted details are considered suitable.</p> <p>The proposal therefore complies with Policy DS6 of the Copeland Local Plan in this regard.</p> <p>Planning Balance and Conclusion</p> <p>The proposed single storey extension is of an appropriate scale and design for the site and locality, which would preserve the amenities of the area and highways safety.</p> <p>The proposal is therefore considered an acceptable form of development which complies with the policies of the adopted Local Plan.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>

9.	<p>Conditions :</p> <ol style="list-style-type: none"> <p>The development hereby permitted must commence 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>This permission relates to the following plans and documents received on the respective dates and development must be carried out in accordance with them:</p> <p>Application Form, received 8th January 2025 Location Plan, scale 1:1250, received 8th January 2025 Proposed Plans and Elevations, Drawing No. 02 Rev: P2, scale 1:50 and 1:500, received 7th February 2025 Visibility Splay and Driveway Details, Drawing No. 05 Rev: P1, scale 1:50, received 7th March 2025</p> <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>The window to the southern side elevation of the development hereby approved shall be obscure glazed. The obscure glazing shall be fully implemented prior to the use of the extension and shall be retained at all times thereafter unless agreed in writing with the Local Planning Authority.</p> <p>Reason</p> <p>To safeguard the residential amenity of the occupiers of neighbouring dwellinghouses, in compliance with the National Planning Policy Framework and Policies DS4 and H14 of the Copeland Local Plan.</p>
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4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or in any Statutory Instrument revoking or re-enacting that Order with or without modification) no further windows, including dormer windows, or other openings on the southern side elevation shall be formed without the prior written approval of the Local Planning Authority upon an application submitted to it.

Reason

To safeguard the residential amenity of the occupiers of neighbouring dwellinghouses, in compliance with the National Planning Policy Framework and Policies DS4 and H14 of the Copeland Local Plan.

Informative Notes

Coal Authority Standing Advice

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: Mining Remediation Authority - GOV.UK

Local Lead Flood Authority Advice

The Lead Local Flood Authority suggests that an ACO-Channel type drain be installed across the driveway entrance to help prevent surface water drainage discharging onto the highway.

The Local Highway Authority indicates that any works within or near the Highway must be authorised by the Council and no works shall be permitted or carried out on any part of the Highway including Verges, until you are in receipt of an appropriate permit from the LHA Streetworks team: <https://www.cumberland.gov.uk/parking-roads-and-transport/streets-roads-and-pavements/street-licences-and-permits/street-permit-and-licence-fees-and-charges>

	<p>Please be advised that the Highway outside and or adjacent to the proposal must be kept clear and accessible at all times.</p> <p>Statement</p> <p>The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against, primarily, the development plan policies, any duties applicable and also all material considerations, including Local Plan policy, the National Planning Policy Framework and any stakeholder representations that may have been received. In this context, having identified matters of concern with the application as originally submitted and, if applicable, following negotiations with the applicant, acceptable amendments and solutions to the proposal have been received. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal.</p>
Case Officer: L. White	Date : 26/03/2025
Authorising Officer: N.J. Hayhurst	Date : 27/03/2025
Dedicated responses to:- N/A	