

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/25/2004/0F1
2.	<b>Proposed Development:</b>	SINGLE STOREY SIDE EXTENSION FOR FAMILY ROOM, ADDITIONAL BEDROOM AND FRONT PORCH
3.	<b>Location:</b>	45 MUNCASTER ROAD, 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>	See Report
7.	<b>Report:</b>  <b>SITE AND LOCATION</b>  <p>This application site relates to 45 Muncaster Road, a semi-detached property situated on an existing housing estate within Whitehaven.</p> <p>The property benefits from a reasonable sized curtilage area to the front, side and rear. The property is currently served by on street parking only.</p> <p>The land levels on site vary with the footpath being located to a lower level and slopes up towards the host dwelling.</p> <b>PROPOSAL</b>  <p>Planning permission is sought for the erection of a single storey side extension, single storey porch to the front elevation and creation of driveway. The side extension is to be 11m x 4.8m, 2.7m at the height to eaves and 5.3m total height at the maximum levels given the sloping land levels situated on site. The single storey porch is to be 1.9m by 2.6m, height to eaves to be 2.6m with a total height 3.8m.</p> <p>The proposal is to incorporate an additional bedroom with en-suite and kitchen to the ground</p>	

floor and porch to the front.

The materials are to be dry dash render, concrete tiles to the roof and UPVC windows, all of which match the existing dwelling.

## **RELEVANT PLANNING APPLICATION HISTORY**

None.

## **CONSULTATION RESPONSES**

### Whitehaven Town Council

No objections.

### Highways Authority

No objections to the proposal, however, we would recommend that conditions are to be placed and an informative note to be added.

### Public Representations

The application has been advertised by way of 2 neighbour consultations being sent – No representations have been received as a result of this consultation process.

## **PLANNING POLICY**

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 LP as commenced by Copeland

Borough Council.

The LP 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 DS1 – Development Strategy

Policy DS4 – Design and Development Standards

Policy H14 – Domestic Extensions and Alterations

Policy N1 – Conserving and Enhancing Biodiversity and Geodiversity

### **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 siting, scale and the potential impacts on residential amenity etc.

#### Principle of Development

The proposed application relates to a semi-detached property located within a residential housing estate. Policy H14 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 Policy HS14 of the Copeland Local Plan and the National Planning Policy Framework.

#### Scale and Design

Policy DS4 and section 12 of the NPPF seek to promote high quality designs. Policy H14 supports house extensions where the scale, design and materials of the proposed development would not adversely alter the character or appearance of the existing building, street scene or wider surrounding area.

The proposed single storey extension to the property is to be erected to the side elevation and will replace a smaller single storey store that was attached to the existing property. Given the generous plot to the side elevation of these properties, the proposal is considered to be suitably located within the site.

The host dwelling is situated higher than the road and is prominent within the streetscene. Given the land levels on site the proposal would appear larger given the step up to the

proposal. However, there are other additions within this locality and the proposal is not considered to impact upon the character and appearance of the existing property, streetscene and the wider residential area.

On this basis, the proposal is considered to meet Policy DS4 and H14 of the Copeland Local Plan and NPPF guidance.

#### Residential Amenity

Policy H14 and section 12 of the NPPF seek to safeguard good levels of residential amenity.

To date no objections have been received from neighbouring properties. There are two different aspects that have been assessed as part of this submission. The proposed single-storey extension to the side is to be erected approximately 1.2m from the boundary with the neighbouring property. The neighbouring property is set slightly lower than the host dwelling and its orientation is offset from the host dwelling. However, the properties benefit from generous side curtilage areas, therefore it is considered that there is a reasonable separation distance from the proposed extension to the neighbouring property. As such it is not considered to impact upon the residential amenities of the neighbouring property in terms of overbearing development or significant loss of light.

The applicant proposes to install side windows to the north-west elevation of the proposal that will be incorporated into the kitchen and bedroom. Given the open aspect of these curtilage areas and given the proposed extension is to be sited closer to the neighbouring property, concerns were raised with the applicants agent in relation to the potential loss of privacy. To provide mitigation it is considered necessary that a condition is imposed to obscure these windows as appropriate to safeguard the residential amenity of the adjoining property.

The proposal also includes a side window located within the south-east elevation which is also incorporated into the kitchen window. Again, given the open aspect to the rear of these properties and the low boundary walls between the properties, it is considered necessary to obscure the south-east elevation to safeguard the residential amenity of the adjoining property in terms of loss of privacy.

Therefore, with the incorporation of the obscure glazing, the single storey extension would not result in harmful overlooking or loss of privacy issues.

On this basis, residential amenity issues are considered to be minimal and therefore the proposal is considered to satisfy Policy H14 and the NPPF.

#### Highway Safety

Policy H14 requires the operational car parking needs of the property to continue to be met.

The proposal incorporates a driveway to the front elevation that will create an additional car parking space for 1 vehicle. This is considered to be an improvement to the existing highway conditions to the locality as the property currently relies on on street parking.



## Cumberland Council

	<p>There are changes in land levels to the site, therefore, additional information has been sought on the sectional details following highways advice. Based on the additional information received, the Highways Authority have raised no objections subject to conditions being imposed. Therefore, with the addition of the conditions recommended by the Highways Authority, the proposed car parking arrangements to the site are considered acceptable.</p> <p>On this basis, the proposal is considered to comply with Policy H14 and the Cumbria Development Design Guide.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The application seeks to erect a single-storey side extension, single storey front porch and the creation of driveway.</p> <p>The proposal is considered to be appropriate in scale and design within the street-scene and will not have any detrimental impact upon the amenities of the neighbouring properties or highway safety.</p> <p>On balance, the proposed works represent an acceptable form of development which accords with the policies set within the Copeland Local Plan and the guidance in the NPPF.</p>
8.	<p><b>Recommendation:</b></p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <p>1. 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>2. 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> <p>Application Form, received 10/01/2025;</p> <p>Site Location Plan, scale 1:1250, received 10/01/2025;</p> <p>Dwg MC/8B Proposed Block Plan, scale 1:100 received 10/02/2025;</p> <p>Dwg MC/5A Proposed Side Elevation, scale 1:50 received 10/02/2025;</p> <p>Dwg MC/4 Floor Plan, scale 1:50, received 10/01/2025;</p>

Dwg MC/6 Proposed Side Elevation, scale 1:50, received 10/01/2025;  
Dwg MC/7 Proposed Rear Elevation, scale 1:50, received 10/01/2025;  
Additional information received 06/03/2025, information on driveway surfacing and drainage.

Reason

To conform with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

3. A 2.0 metre x 2.0 metre pedestrian visibility sight splay as measured from the highway boundary (or footpath boundary), shall be provided on both sides of the vehicular access. There shall be no obstruction above a height of 600mm as measured from the finished surface of the access within the area of the visibility sight splays thereafter.

Reason

To provide adequate inter-visibility between the pedestrians and users of the access and the existing public highway for the safety and convenience of users of the highway and of the access.

4. Any existing highway fence/wall/bush boundary shall be reduced to a height not exceeding 600mm above the carriageway level of the adjacent highway in accordance with details submitted to the Local Planning Authority and which have subsequently been approved before the development is brought into use and shall not be raised to a height exceeding 600mm thereafter.

Reason

In the interests of highway safety.

5. The gradient of the access drive shall be no steeper than 1:10 for a distance not less than 5m as measured from the carriageway edge of the adjacent highway.

Reason

In the interests of highway safety.

6. Access gates, if provided, shall be hung to open inwards only away from the highway.

Reason

In the interests of highway safety.

7. The windows and door located in the south-east and north-west elevations shall be obscure glazed to at least level 4 obscure glazing and shall be fully installed prior to the use of the extension hereby approved and shall be retained at all times thereafter unless agreed in writing with the Local Planning Authority.

Reason

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

### **Informative Notes**

#### Coal Authority

The proposed development site 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).

#### Highways

The applicant will need to apply for a S184 permit for the creation of the vehicle dropped access.

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>

	<p>/street-licences-and-permits/street-permit-and-licence-fees-and-charges Please be advised that the Highway outside and or adjacent to the proposal must be kept clear and accessible at all times.</p> <p><b>Statement</b></p> <p>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.</p>
<b>Case Officer: K. Bamford</b>	<b>Date : 06/03/2025</b>
<b>Authorising Officer: N.J. Hayhurst</b>	<b>Date : 07/03/2025</b>
<b>Dedicated responses to:- N/A</b>	