

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2023/0F1
2.	Proposed Development:	ERECTION OF SINGLE STOREY REAR EXTENSION AND EXTENSION TO FRONT ELEVATION DRIVEWAY
3.	Location:	17 LAUREL BANK, 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 single storey detached dwelling house, situated in a residential area of Whitehaven.</p> <p>The application site is located on Laurel Bank, a no through road within a modern residential estate. The estate comprises a mix of single storey and two storey dwellings of similar architecture and finishes.</p> <p>The dwelling is situated on a corner plot within the estate and is on a slight incline such that the rear garden is at a higher level to the dwelling and front garden. Off street parking is provided via an attached garage to the north west side elevation and a driveway to the front. An additional driveway is in place to the rear of the site, which is accessible via separate gated side. The dwelling has gardens areas to the front, rear and side.</p> PROPOSAL <p>Planning permission is sought for the erection of a single storey extension to the rear of the dwelling, in place of an existing rear conservatory. The extension would provide an extended kitchen/ dining and a bedroom with ensuite bathroom. Proposed finishes include tiled roof to</p>	

match the existing dwelling with solar pv panels to the south east elevation, facing brick walls to match the existing dwelling, white UPVC windows and doors.

The kitchen/ dining element of the extension would project approx. 3.5m beyond the rear façade of the dwelling, have a width of approx. 4.6m and height of approx. 2.6m with a roof lantern within the flat roof.

The bedroom/ ensuite extension would project approx. 4.7m beyond the rear façade of the dwelling, have a width of approx. 5.6m, eaves height to match the existing building and an overall height of approx. 4.3m.

The existing driveway to the front is also to be widened with permeable paving.

The proposal has been amended to that of the original submission in which it was proposed to position a side fence alongside the public pavement, effectively enclosing an area of the side garden and extending the rear driveway. This element of the proposal has been removed through the course of the application.

RELEVANT PLANNING APPLICATION HISTORY

N/A

CONSULTATION RESPONSES

Town Council

No comments to make.

Local Highway Authority and Lead Local Flood Authority

Initially, concerns were raised about the effect the proposed rear driveway extension and side boundary fence would have on visibility at the site, given the bend in the road at this point. On this basis, it was recommended the application be refused. Following amendments removing these elements from the proposal, the application details are now considered acceptable.

Public Representations

The application has been advertised by way of neighbour notification letters issued to adjacent properties. Two comments of support have been received in relation to the proposal. Two additional comments have been received noting the following:

- The proposed changes to the fence line do not leave much room for the extension.
- The plans and application submitted have inaccuracies.
- The proposal description does not include a proposed fence which would need planning permission.
- The proposed positioning of the fence to the side garden would be out of character

with the area.

- The proposed positioning of the fence to the side garden would be overbearing and obtrusive.
- The proposed positioning of the fence within the side garden would create a highways safety risk as it would lead to the creation of a blind bend.
- The plans show an existing retaining wall adjacent to the drive which isn't there.
- The area for development has significant drainage problems.
- The site is difficult to develop due to the land levels and ground conditions.
- Concerns relating to noise from an air source heat pump.
- Query whether the level of consultation is adequate.

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 and an extended driveway to the front of the property.

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, on the north eastern elevation of the dwelling. The extension is of a reasonable scale for the site and dwelling. Part of 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 footprint, 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 appear intrusive when viewed from the public highway and would not adversely alter the street scene of Laurel Bank. As the proposed extension would result in single storey development of a commensurate scale to the application property, the massing of the proposal would not dominate the existing dwelling.

The extended driveway would be finished with permeable pavers, which is appropriate for the



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site and locality.

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 proposed extension would be situated within the rear garden of the application property. Retaining walls would secure the surrounding raised gardens. Given the separation distances of the proposed extension from neighbouring dwellings, and the lower level of the application site to those dwellings beyond the rear boundary, it is considered that the development would not appear overly overbearing or result in a loss of light to adjacent properties.

The proposal has been amended throughout the course of the application. Originally, it was proposed to re-position a boundary fence to the side alongside the public highway, effectively enclosing part of the side garden. Comments have been received suggesting that this element of the proposal would be overbearing and out of character with the surroundings. This element of the proposal has since been amended, to re-site the boundary fence in line with the existing property. The siting of a fence up to 2m in height where it is not positioned adjacent to a highway used by vehicular traffic falls outside the control of the planning system. This element therefore no longer forms part of the proposal.

Comments have been received relating to the potential for noise from an air source heat pump. This element of the development does not form part of the proposal and has not been considered as such. It can be installed as under permitted development rights.

Overall, it is considered that the proposal would not have any significant adverse impact upon adjacent residential amenity.

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

Highway Safety

Policy CO7 of the Copeland Local Plan requires that all new development provide adequate parking provision.

The property currently has off street parking provision in place to the front and rear of the dwelling. It is proposed to extend the off street parking provision to the front. No objections have been raised in relation to this element of the proposal.

	<p>Comments have been received indicating that the proposed positioning of the fence alongside the public highway would lead to highways safety issues, given the bend to this part of the highway and the reduced visibility the proposal would create. The Highways Department similarly recommended refusal of the application on this basis.</p> <p>This element of the proposal has now been removed. The Highways Department have now confirmed that the proposed amendments are acceptable.</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>Comments have been received suggesting the site has existing drainage problems. It is considered that suitable drainage measures for the proposed extension can be considered through the building control process.</p> <p>The application details indicate that permeable paving would be used in the construction of the proposed extended driveway. 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 extended driveway to the front and single storey extension to the rear are 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> <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>

2. This permission relates to the following plans and documents received on the respective dates and development must be carried out in accordance with them:
Application Form, received 20th January 2025
As Proposed Plans and Elevations, Drawing No. 02 Rev C, scale 1:1250 and 1:100, received 17th February 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: Mining Remediation Authority - GOV.UK

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: L. White	Date : 11/03/2025
Authorising Officer: N.J. Hayhurst	Date : 17/03/2025
Dedicated responses to:- N/A	