

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2005/0F1
2.	Proposed Development:	REMOVAL OF EXISTING CHIMNEY AND FLAT ROOF GARAGE AND THE CONSTRUCTION OF A 1.5 STOREY SIDE EXTENSION TO AN EXISTING DWELLING WITH INTERNAL AND EXTERNAL ALTERATIONS - INCLUDING A REPLACEMENT ROOF COVERING
3.	Location:	CROSS HOUSE BUNGALOW, MILLOM
4.	Parish:	Millom
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change, Key Species - Potential areas for Natterjack Toads
6.	Publicity Representations &Policy	See Report
7.	Report: SITE AND LOCATION <p>This application site relates to Cross House Bungalow in Millom, a detached property situated within a residential locality in Millom.</p> <p>The property is located within a generous plot and benefits from a reasonable sized curtilage area to the front with an existing driveway, side and rear curtilage areas. There is a single storey garage attached to the side elevation of the property. The host dwelling is sited higher than the main road and is set back within the plot.</p> PROPOSAL <p>Planning permission is sought for the erection of a 1.5-storey extension to the side elevation, this is to be 8.9m x 6.9m and is to be 4m to eaves and 6.6m in total height which is higher than the host dwelling itself. The proposal is to incorporate a garage, utility and WC to the ground floor and an additional two bedrooms and en-suite to the existing bungalow to the first</p>	

floor. The materials are to be facing brick and painted dashed render, concrete tiles to the roof and UPVC windows, all of which match the existing dwelling.

The scheme was modified as part of the application process to reduce its height and also incorporate a small hipped roof to the proposed gable.

RELEVANT PLANNING APPLICATION HISTORY

4/15/2036/OF1 – Outline application for the erection of a dwelling - Approve

CONSULTATION RESPONSES

Millom Town Council

No objections.

Highways Authority

As this falls under the Service Level Agreement 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 4 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 (NPPF)

Cumbria Development Design Guide

Wildlife and Countryside Act 1981

ASSESSMENT

The key issues raised by this proposal are the potential impacts on visual amenity; and impact on public safety.

Principle of Development

The proposed application relates to a residential dwelling and it will provide extended living accommodation in the form of a two storey extension.

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 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 seeks 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 proposed extension is relatively large and has a height higher than the host dwelling. The height of the extension was reduced as part of the application process and a small hip was introduced on the end of the gable to reduce its impact.

The extension would be forward of the front elevation, and rear elevation. The design is relatively modern but does not create an incongruous feature on the dwelling or in the wider area given the set back from the road, the large plot, and the differing heights of the properties in the immediate and wider area. Whilst technically not subservient to the host dwelling, it would create an attractive feature, improving the appearance of the dwelling and the wider site. The property is not overly prominent when viewed from the public realm. The design is of a high standard and other properties in the area have been extended quite significantly in the past. On balance, the scheme is considered to be of an acceptable design for this dwelling and will not have a significant detrimental impact on the character of the host property or the wider area.

The design is considered to be acceptable and not significantly out of character with the dwelling and surrounding area and would not be considered to have any negative effects on the street scene. The extension is of a scale, design and appearance to reflect the host dwelling and would not detract from the overall appearance of the property and is considered to comply with policies within the Local Plan.

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 proposed two storey extension would be located a significant distance from the properties to the west and south and would not lead to any significant impact with regards to loss of light or overbearing impact.

It would not lead to any overlooking of any properties or private garden areas to the front (north). The windows in the rear elevation will look out over the end of a long rear garden that is already overlooking to a certain extent by other properties in the area given the layout of the area. It is considered that in terms of privacy, the scheme fully complies with Policy H14 of the Local Plan.

In terms of overbearing impact, the scheme is considered to be a sufficient distance from the neighbouring properties to not lead to any significant loss of light, the creation of an overbearing impact. In this regard the scheme accords with Policy H14 of the Local Plan.

Highway Safety

The property sits within a large site with ample car parking. The increase in bedrooms, and potentially an increase in vehicles will not have an adverse impact on the highway network as it is considered that the site can handle the increased capacity safely. The scheme therefore accords with Policy CO7.

	<p><u>Ecology</u></p> <p>Policy N1 and section 15 of the NPPF outline how the Council will protect and enhance the biodiversity and geodiversity within the Borough. These policies set out the approach towards managing development proposals that are likely to have an effect on nature conservation sites, habitats and protected species.</p> <p>The application site is identifying as a potential area for natterjack toads. The application is not supported by any ecology details as the site is located within the curtilage of an existing dwelling and to be located above an existing single storey garage. On this basis, it is considered that this is not a habitat that is likely to contain natterjack toads and so it would not be necessary to seek an ecological survey for this minor application.</p> <p>It is therefore considered that the development complies with Policy N1 of the Copeland Local Plan and the NPPF guidance.</p> <p><u>Biodiversity Net Gain</u></p> <p>Biodiversity Net Gain is mandatory from 12 February 2024 under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). The statutory framework for biodiversity net gain involves discharge of the biodiversity net gain condition following the grant of planning permission, to ensure the objective of at least 10% net gain will be met for a development. In terms of considering the proposal in relation to Biodiversity Net Gain, the development relates to a householder application which falls under an exempted category; therefore, does not trigger a requirement for 10% Biodiversity Net Gain.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The proposed development 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. On this basis the proposal is considered to be an acceptable form of development in line with policies within the Local plan.</p>
8.	<p>Recommendation:</p> <p>Approve</p>
9.	<p>Conditions:</p> <ol style="list-style-type: none"> 1. 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</p>

the Planning and Compulsory Purchase Act 2004.

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: -

Application Form,

Location/Block Plan, Reference 24-17-P-L

Proposed Site Plan, Reference 24-17-P01 A

Existing Floor Plans, Reference 24-17-P02

Proposed Floor Plans, Reference 24-17-P05

Existing Elevation Plans, Reference 24-17-P03

Proposed Elevations Plan dated 26th May 2025

3D Plans dated 26th May 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.

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those as stated in the application form and submitted drawings unless otherwise approved in writing by the Local Planning Authority.

Reason:

To ensure that the finished appearance of the development will enhance the character and visual amenities of the area.

Biodiversity Net Gain – Exemption Applicable

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

- a) A Biodiversity Gain Plan has been submitted to the planning authority, and



Cumberland Council

b) The planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Cumberland Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because the statutory exemption listed below is considered apply:

Exemption – Householder Development

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: D, Gibson

Date : 20/11/2025

Authorising Officer: N.J. Hayhurst

Date : 02/12/2025

Dedicated responses to:- N/A