

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2052/0F1
2.	Proposed Development:	Alterations and single storey extension to the house reinstating the link to Woodend House to provide annexe for elderly relative. All facilities located on ground floor for accessibility.
3.	Location:	The House, Woodend House, Woodend Gardens, Mirehouse Road, Whitehaven
4.	Parish:	Whitehaven
5.	Constraints:	ASC Adverts Safeguard Zone Coal – Standing Advice
6.	Publicity Representations & Policy	See Report
7.	Report: Site and Location <p>The application site comprises a two-storey detached dwelling house, situated to the eastern side of a small grouping of dwellings, to the south of Whitehaven. Open countryside surrounds the grouping with areas of woodland and ponds within the vicinity.</p> <p>The site is accessed via a track from south side of Mirehouse Road. The track is also used to serve Mirehouse Pond. Parking is available to the properties by way of a shared forecourt area to the north.</p> <p>The dwelling has gardens to its rear and northeast side.</p> Proposal <p>The proposal involves the erection of a single storey extension to the side of the dwelling, to facilitate the use of the ground floor of the dwelling as annexed accommodation to the adjoining dwelling. An internal link would be created between the two properties.</p>	

The extended accommodation would create a kitchen/dining/family area, bedroom, ensuite bathroom, utility, study/second bedroom and hallway. The extension would measure approx. 9.9m x 10.23m, with a height to eaves of approx. 3m (max) and an overall height of approx. 5.25m.

In addition, a porch would be constructed to the front of the existing dwelling. The porch would measure approx. 2.6m x 7m, with a height to eaves of approx. 2.5m and an overall height of approx. 3.1m.

The alterations and additions would be finished with cement rendered walls, slate roofing, white upvc double glazed windows and doors, all to match the existing property.

An internal access would be created between the property and the adjoining dwelling, to enable support to be provided by family members.

Relevant Planning Application History

N/A

Consultation Responses

Town Council

No negative comments or objections.

Local Highway Authority and Lead Local Flood Authority

No comments required. The application should be determined in line with the Service Level Agreement.

Public Representations

The application has been advertised by way of a neighbour notification letter. 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:-

Strategic Policy DS1: Settlement Hierarchy

Strategic Policy DS2: Settlement Boundaries

Policy DS4: Design and Development Standards

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 and highways safety.

Principle of Development

The proposed application relates to a residential dwelling on the outskirts of Whitehaven.

The development would provide an entrance hall, kitchen/dining/family area, bedroom, ensuite, utility and study/second bedroom within a single storey extension to the north east side of the dwelling. A porch is also proposed to the front elevation.

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 north east side of the dwelling. The extension would have a reasonably large footprint, measuring approx. 9.9m x 10.23m. The application details indicate that the extension would provide annexed accommodation for an elderly relative within the existing dwelling. All facilities are required at ground floor level for accessibility. The submitted plans indicate an internal link would be formed between the application property and adjoining dwelling, to enable support to be provided to the occupiers of the application property.

Although the proposed single storey extension is of a reasonable scale in terms of its footprint, there is sufficient space within the gardens surrounding the dwelling to comfortably accommodate the proposal. The relatively isolated position of the site is such that the extension would only be seen by visitors to the dwelling and those adjacent, with limited vantage points from public spaces. Given that the proposal would provide accommodation for an elderly need, enabling support to be provided, and that the extension would not significantly alter the existing street scene or result in overdevelopment of the site, the proposed single storey extension is considered to be suitably positioned within the site. The design and finishes of the development would compare with those of the main dwelling and in the immediate locality and are considered to be suitable.

The application property is situated outside the defined settlement boundary of Whitehaven. Development outside defined settlements is restricted, as set out within Strategic Policies DS1 and DS2 of the Copeland Local Plan. Given the location of the site and development area, it is considered appropriate to secure by planning condition that the development be used as ancillary accommodation to the application property only to prevent it being used as an independent dwelling.

The proposed porch to the front of the dwelling is reasonably modest in scale, with finishes and form appropriate for the site and locality. This element of the proposal is therefore also considered acceptable in this location.

The proposal therefore complies with Policies DS4 and H14 of the Copeland Local Plan in relation to scale and design.

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 application property is situated to the north east side of a small group of dwellings with gardens to the side and rear. The extensions would be situated to the side and front elevations. The proposed single storey side extension would be sufficiently separated from the boundaries so as not to have any significant adverse impact upon the amenities of the occupiers of the adjacent residential properties. The proposed porch is of a modest scale so as not to have any significant adverse impact upon the amenity of neighbouring properties.

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 access to an existing shared off street parking provision to the north west of the dwelling. Existing access and parking provision would be retained within the development.

The proposal therefore complies with Policy CO7 of the Copeland Local Plan in this regard.

Biodiversity Net Gain

Policy N3 of the LP requires that all development, with the exception of that listed in the Environment Act must provide a minimum of 10% biodiversity net gain over and above existing site levels, following the application of the mitigation hierarchy set out in Policy N1 above. This is in addition to any compensatory habitat provided under Policy N1. It is stated net gain should be delivered on site where possible and where on-site provision is not appropriate, provision must be made elsewhere in accordance with a defined order of preference.

In England, BNG is now mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Applications must now deliver a Biodiversity Net Gain of 10%, resulting in more or better-quality natural habitat than there was before the development. Some developments are however except from these BNG requirements.

Based on the information available this application is not considered to be one which will require the approval of a Biodiversity Gain plan before development is begun. It is a form of householder development and therefore the proposal falls within the list of developments except from providing Biodiversity Net Gain (De Minimis).

	<p><u>Planning Balance and Conclusion</u></p> <p>The proposed single storey extension is of an acceptable scale and design for the site and locality, which would preserve the amenities of the area and highways safety.</p> <p>Its use can be controlled by a suitably worded planning condition.</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"> 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 the Planning and Compulsory Purchase Act 2004.</p> <ol style="list-style-type: none"> 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 14th February 2025 Site Location Plan, scale 1:2500, Drawing No. 2223-005-01 Rev B, received 14th February 2025 Proposed Site Plan, scale 1:500, Drawing No. 2223-005-04 Rev A, received 14th February 2025 Proposed Ground Floor Plan, scale 1:50, Drawing No. 2223-005-10 Rev C, received 14th February 2025 Proposed First Floor Plan, scale 1:50, Drawing No. 2223-005-11 Rev C, received 14th February 2025 Proposed Second Floor Plan, scale 1:50, Drawing No. 2223-005-12 Rev A, received 14th February 2025 Proposed Roof Plan, scale 1:50, Drawing No. 2223-005-13 Rev A, received 14th February 2025 Proposed Elevations, scale 1:100, Drawing No. 2223-005-20 Rev C, received 14th February 2025 <p>Reason</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.

3. The development hereby permitted shall be used and occupied only by the applicant and their family members as ancillary residential accommodation to the existing dwellinghouse, and shall thereafter at no time be subdivided, occupied or sold as a separate, independent residential planning unit.

Reason

To ensure the development accords with the provisions of Planning Policies H14 of the Copeland Local Plan and to safeguard the amenity of the locality, in compliance with the National Planning Policy Framework and Policy DS4 of the Copeland Local Plan.

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 : 29/04/2025

Authorising Officer: N.J. Hayhurst

Date : 02/05/2025

Dedicated responses to:- N/A