

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2108/0F1
2.	Proposed Development:	SINGLE STOREY SIDE EXTENSION
3.	Location:	5 THE GRANGE, 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: Report: SITE AND LOCATION <p>The property is located within the town of Whitehaven on a small cul-de-sac of properties which is set within a larger residential estate and comprises a two storey detached dwelling that benefits from gardens to the front and rear, conservatory to the rear elevation, integral garage and driveway the property is setback from the carriageway edge by the front garden area and driveway. The dwelling and garage are set slightly higher than the adjoining carriageway with a small incline to the driveway.</p> <p>The properties within the cul-de-sac are a mix of modern single storey and two storey dwellings of a similar design and appearance.</p> PROPOSAL <p>The application seeks permission for the erection of a single storey extension to the gable elevation to form additional living accommodation at ground floor level.</p> <p>The extension would be built with brick walls and has been designed with a dual pitch tile</p>	

roof. The window frames would be constructed of Upvc,

The proposed extension would measure 6.75m in length by 3.6m in width and would have a height of 4.5m in height to the ridge.

RELEVANT PLANNING APPLICATION HISTORY

No relevant site history.

CONSULTATION RESPONSES

Town Council

No objections.

Highways/LLFA

The highways and drainage should be considered by the Local Planning Authority under the Service Level Agreement.

Public Representations

The application has been advertised by way of neighbour notification letter - No objections have been received as a result of this consultation process.

PLANNING POLICIES

Planning law requires 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:



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The council has agreed to adopt the Local Plan on 5 November and full weight is given to the policies contained within.

The following policies are relevant to this proposal:

Strategic Policy DS1 - Settlement Hierarchy

Policy DS4 – Design and Development Standards

Policy H14 – Domestic Extensions and Alterations

Policy CO7 – Parking Standards

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 scale and design and the potential impacts on residential amenity.

Principle of Development

The proposed application relates to a residential dwelling within Whitehaven and will provide extended living accommodation in the form of an extension to the gable of the dwelling. 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 seek 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 extension would project from the gable of the dwelling into an area which currently forms a small, enclosed space used in association with the property. The extension would be set back from the front facade of the dwelling and would project towards the boundary with the adjoining property “3 The Grange”. The footprint of the extension is considered to be modest in scale when seen in context with the host dwelling.

The extension would be readily visible from a public perspective from the adjacent highway; however, the design is considered to be acceptable and not out of character with the dwelling

and surrounding properties on the wider estate. There would be no negative effects on the street scene arising from the proposal.

The extension would be considered ancillary in scale to the host dwelling with the design and materials reflecting the existing modern property. The scheme would not detract from the overall appearance of the property.

The scale and design of the proposal 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 elevation facing towards the adjoining dwelling has an existing upper floor window which would be reduced in scale, no new overlooking elements are introduced by this aspect.

The rear of the site is screened by an existing mature hedge which in turn backs onto open land. An existing fence which is approximately 1.8m in height is present on the boundary with 3 The Grange plus a lower post fence to the frontage between the properties.

The windows within the extension would look into the garden area of the host dwelling and open frontages of adjacent properties and no new windows would be introduced to the gable. The development is not considered to have any issues with overlooking from the extension any more than the existing dwelling.

The extension is set marginally off the boundary with 3 The Grange and, given the single storey nature of the building, the development is not considered to have any overbearing effects on the adjoining properties. There are windows at ground floor of number 3; however, given the offset from the boundary, shadowing from the existing two storey dwelling and the fact that these rooms have additional windows to the front and rear, it is considered that there would not be a significant loss of light to the adjacent property.

It is considered that no significant residential amenity issues are raised by the proposal over and above the existing arrangement.

Highways and Parking

There would be no loss in parking or requirement for additional parking arising from the proposed extension. The extension is set back from the carriageway with no negative effects on highway safety arising from the proposal.

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



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	<p>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.</p> <p>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 exempt from these BNG requirements.</p> <p>This proposal relates to a householder application which falls under an exempted category; therefore, does not trigger a requirement of a 10% Biodiversity Net Gain.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The proposed extension to the dwelling is considered to be 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.</p> <p>On this basis the proposal is therefore considered an acceptable form of development in line with policies within the 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 as received on the respective dates and development must be carried out in accordance with them: - Application form, received 24 March 2025 Site Location Plan, Block Plan, Elevations, Floor Plans Scale 1:1250, 1:500 and 1:50/1:100, drawing reference 1473 01 received 24 March 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: <https://www.gov.uk/government/organisations/mining-remediation-authority>

Biodiversity Net Gain

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
- (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 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 one of the statutory exemptions is considered to apply.

Applicable exemption: De minimis – 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.



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Council**

Case Officer: S. Smith	Date : 13/05/2025
Authorising Officer: N.J. Hayhurst	Date : 19/05/2025
Dedicated responses to:- N/A	