

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2117/0F1
2.	Proposed Development:	REMOVAL OF EXISTING REAR PORCH AND THE CONSTRUCTION OF A FIRST-FLOOR EXTENSION OVER THE EXISTING GARAGE, TWO STOREY AND SINGLE STOREY REAR EXTENSION, REPLACEMENT OF WINDOWS THROUGHOUT, NEW ENTRANCE DOOR WITH GLAZED SIDE PANEL, INTERNAL AND EXTERNAL ALTERATIONS TO EXISTING DWELLING.
3.	Location:	2 CATON STREET, HAVERIGG
4.	Parish:	Millom
5.	Constraints:	<p>ASC Adverts</p> <p>Coal – Off Coalfield</p> <p>Key Species – Potential areas for Natterjack Toads</p> <p>Flood Zone – Flood zone 2</p>
6.	Publicity Representations & Policy	See Report
7.	<p>Report:</p> <p>SITE AND LOCATION</p> <p>This application site relates to 2 Caton Street in Haverigg, a semi-detached property situated within a residential location. The property is accessed via a private lane and benefits from a single-storey attached flat roof garage. There is a small yard area to the front and reasonable sized rear curtilage area to the rear which runs along the boundary with the adjoining neighbours rear property. There does not appear to be existing parking to the host dwelling at present.</p> <p>PROPOSAL</p>	

This application has been subject to change since its initial submission.

Planning permission is now sought for the addition of a two-storey extension above the existing single storey garage, the erection of a two storey and single storey extension to the rear elevation to incorporate a kitchen diner to the ground floor and master bedroom and bathroom to the first floor. The proposed two storey aspect is to extend beyond the rear wall by 3.9m and would be 4.6m in width and would extend to a height of 7 metres with an eaves height of 5.4m. The single storey aspect is to be 3.9m by 8.2m with a flat roof design that is to be 3m in height.

The extensions are to be faced externally with dashed render, concrete tiles and fiberglass to the flat roof element. The windows and doors are to be UPVC to match the existing dwelling.

RELEVANT PLANNING APPLICATION HISTORY

None

CONSULTATION RESPONSES

Millom Town Council

No objections.

Highways Authority

As this falls under our Service Level Agreement (SLA), 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 can therefore be decided by the Local Planning Authority. The LLFA surface water maps show that the site is very close to an area of flooding and indicates a 1 in 30 chance of flooding occurring close to the site each year.

Environment Agency

None received to date.

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 DS6 – Reducing Flood Risk

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 principle of development, its siting, scale and the potential impacts on residential amenity, flood risk and ecology.

Principle of Development

The proposed application relates to a semi-detached property located within a residential locality. Policy H14 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 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 proposal seeks consent to erect a two-storey aspect above the existing single storey garage and erect a two-storey and single storey element to the rear elevation. The two storey aspect of the proposal to the rear consists of extending beyond the rear wall by 3.9m and would be 4.6m in width with a total height of 7m. The single storey aspect is to be 3.9m by 8.2m with a flat roof design that is to be 3m in height. The proposal also incorporates a side extension that is to create a two storey aspect above the existing single storey garage.

The scale and design of the proposal in relation to the host dwelling itself is considered to be appropriate and would not become over-dominant. The design and materials of the proposal would not impact upon the appearance of the host dwelling itself or the character of the area as a whole.

There are a number of housing styles and designs within the immediate vicinity. It is considered as a whole, with the incorporation of the side and rear extension, the proposal would be acceptable and would not impact upon the character and appearance of the area or dwelling itself.

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 two storey extension above the existing single storey garage and the single storey and two storey extension to the rear elevation.

The proposal seeks consent to erect a two-storey aspect above the existing single storey garage. The two storey side extension element is to be 2.9m in width, 5.4m in length and have a total height of 7m. This will be no higher than the host dwelling itself.

The original scheme introduced a two-storey element which extended beyond the existing garage. Concerns were expressed in relation to impacts upon residential amenities and this led to the submission of a revised scheme. The amendments include the set back of the two-storey element by 2m to both neighbouring properties. This will then extend beyond the existing rear wall by 4m. Given the set back from the neighbouring properties the proposal would not result in overbearing development to an unacceptable level.

The single storey element to the rear elevation is considered reasonable in scale and design and would not result in an overbearing development or significant loss of light to the nearby residential properties.

Although the two storey rear projection is within close proximity to the two neighbouring properties, the neighbouring property '148 Main Street' does benefit from rear habitable windows. No '148' does not benefit from a rear curtilage area and the windows of this property have an outlook onto the curtilage area of the host property. However, with the 2m set back and given the existing orientation of the properties and also the presence of existing structures that are located on site, it is not considered that the proposal would materially harm the amenities of the occupants of neighbouring properties in terms of significant loss of light or overbearing development.

There are no side windows to be installed within the proposal although a juliette balcony is proposed. This arrangement would not result in loss of privacy or overlooking issues over and above the existing arrangements to the site.

No public representations have been received to date.

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 host dwelling itself does not benefit from car parking availability within the site. There is a single storey garage, however this would not meet the size requirements for a parking space. Although there are access gates into the curtilage area to the front, the space would not meet the size requirements for a suitable car parking space. Therefore, existing car parking to the dwelling is based on street parking. The proposal seeks to retain the existing arrangements for on street parking.

Given the existing arrangements are to be retained and there is sufficient on street parking within this locality. It is considered to be un-reasonable in this instance to refuse the application on the inadequacy of car parking provision.

On this basis, the proposal is considered to comply with Policy H14 and the Cumbria Development Design Guide.

Ecology

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.

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 a residential location and to be erected within the domestic curtilage of the host dwelling. 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.

It is therefore considered that the development complies with Policy N1 of the Copeland Local Plan and the NPPF guidance.

Flood Risk

The Application Site was located in Flood Zone 2; however, following the recent revisions to the flood risk mapping by the Environment Agency, the Application Site is now outside the Flood Zone.

The applicant has submitted a Flood Zone Form which confirms that the extensions would be set at the floor levels of the existing dwelling.

Although the LLFA has noted that the LLFA surface water maps show that the site is very close to an area of flooding and indicates a 1 in 30 chance of flooding occurring close to the site each year they have not raised any objections to the proposal.

Biodiversity Net Gain

Policy N3 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. 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.

Biodiversity Net Gain became mandatory for small sites in the UK on 01st April 2024.

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 of a 10% Biodiversity Net Gain.

Planning Balance and Conclusion

The application seeks to erect a two-storey side extension and a two storey and single storey extension to the rear.



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	<p>The proposed extensions and alterations are 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, highway safety, flood risk or ecology.</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>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> <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 31/03/2025; Dwg No 24-39-P-L – Location/Block Plan; Dwg 24-39-P-06 Rev A – Proposed Elevations (Amended Plans received 12/05/2025) Dwg 24-39-P-05 Rev A – Proposed Floor Plans (Amended Plans received 12/05/2025) Dwg 24-39-P-01 Rev B – Proposed Site Plan (Amended Plan received 12/05/2025)</p> <p>Reason</p> <p>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.</p> <p>Informative Notes</p> <p>Wildlife</p> <p>The Council seek to highlight that their planning decision has been determined based on the merits of the submitted evidence and the proposal. Should any protected species be discovered during the course of implementing the development works, then under the</p>

provisions of the Wildlife and Countryside Act 1981, works should cease and further guidance should be sought from Natural England at:

Natural England
County Hall, Spetchley Road
Worcester
WR5 2NP

Email: enquiries@naturalengland.org.uk

Telephone: 0300 060 3900

Opening times: 8:30am to 5pm, Monday to Friday (excluding public holidays)

The Council emphasise that any harm to a protected species or its habitat constitutes a criminal offence under the above statutory Act and may be subject to legal prosecution.

Biodiversity Net Gain – Exemption

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

- (a) a Biodiversity Gain Plan has been submitted to the local planning authority, and
- (b) the local planning authority has approved the plan.

The planning authority, for the purposes of the Biodiversity Gain Plan is Cumberland Council.

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 or more of the statutory exemptions or transitional arrangements is/are considered to apply.

Applicable exemptions: Householder Development

Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against, primarily, the development plan policies, any duties applicable and also all material considerations, including Local Plan policy, the National Planning Policy Framework and any stakeholder representations that may have been received. In this context, having identified matters of concern with the application as



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	originally submitted and, if applicable, following negotiations with the applicant, acceptable amendments and solutions to the proposal have been received. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal.	
Case Officer: K. Bamford		Date : 12/06/2025
Authorising Officer: N. J. Hayhurst		Date : 12/06/2025
Dedicated responses to:- N/A		