

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2157/0F1
2.	Proposed Development:	REMOVAL OF EXISTING GARAGE FLAT ROOF AND TEMPORARY ROOF TO THE REAR - NEW INFILL, SIDE AND REAR EXTENSIONS TO GARAGE PLUS NEW PITCHED ROOF WITH 4X ROOFLIGHTS WITH INTERNAL AND EXTERNAL ALTERATIONS TO AN EXISTING DWELLING
3.	Location:	17 PANNATT HILL, 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 17 Pannatt, a detached property situated on an existing housing estate within Millom.</p> <p>The property benefits from a reasonable sized curtilage area to the front and rear including an existing driveway. There is a single storey garage attached to the side elevation of the property.</p> PROPOSAL <p>Planning permission is sought for the removal of the existing flat roof garage located to the side elevation and its replacement with a single storey extension that is to be 4.1m x 7.4m, height to eaves to be 3.3m and total height to be 5.3m. The proposal also seeks to create an infill between the rear extension and garage and install a new pitched roof.</p> <p>The proposed extension is to be faced with painted dash render to the external walls,</p>	

concrete tiles to the roof and UPVC door and windows, all of which match the existing dwelling.

RELEVANT PLANNING APPLICATION HISTORY

4/24/2376 – Removal of existing garage flat roof and temporary roof to the rear – New infill extension and rear extension to garage plus new pitched roof with 4 rooflights to existing dwelling - Approved

4/15/2103 – Loft conversion and side/rear single storey extension - Approved

CONSULTATION RESPONSES

Millom Town Council

No response received to date.

Highways Authority

As this falls under our Service Level Agreement, this application does not need to be submitted to the LPA or LLFA; 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 LPA.

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 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, design, scale and the potential impacts on residential amenity.

Principle of Development

The proposed application relates to a detached property located within a residential housing estate. 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 proposed single storey extension and alterations to the property are considered to be suitably located within the site and will replace an existing single storey garage with a new modest extension. The design would not impact upon the appearance of the existing property and given that there are a variety of building designs within this locality, the proposal is not considered to impact upon the character and appearance of the streetscene and the wider residential area.

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 the occupiers of the neighbouring properties. The proposed extension and alterations are considered to be modest in scale and suitably located within the site. There is a reasonable separation distance between the proposed works and the neighbouring properties and therefore it is considered the proposal would not cause a significant loss of light or dominance to the adjoining occupiers.

In addition, although it is proposed to include rooflights to the proposed garage, given the orientation of the rooflights and the boundary between the two properties, it is considered that the proposed works would mitigate harmful overlooking concerns.

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. There are no alterations to be made to the existing arrangement and the proposal will not involve any significant increase in the use of the property.

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 on an existing housing estate and to be erected on an existing hardstanding area. 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.

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



Cumberland Council

	<p>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>Biodiversity Net Gain became mandatory for small sites in the UK on 01st April 2024.</p> <p>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.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The application seeks to erect a single storey side extension and infill the area to the rear elevation, alteration to roof slope and installation of rooflights.</p> <p>The proposed extensions and alterations are considered to be appropriate in terms of scale and design and will not have any detrimental impact upon the amenities of the occupiers of the neighbouring properties, highway safety 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 07/05/2025;</p> <p>Dwg No 24-43-P-L Site Location Plan and Block Plan, scale 1:1250 and 1:500 received 07/05/2025;</p> <p>Dwg No 24-43-P-01 Rev B, Proposed Site Plan, scale 1:200 received 07/05/2025;</p> <p>Dwg No 24-43-P-05, Proposed Plans, scale 1:100 received 07/05/2025;</p> <p>Dwg No 24-43-P-06 Rev A, Proposed Elevations, scale 1:100, received 07/05/2025.</p> <p>Reason</p> <p>To conform with the requirements of Section 91 of the Town and Country Planning Act 1990,</p>

as amended by the Planning and Compulsory Purchase Act 2004.

Informative Note

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: 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: K. Bamford

Date : 05.06.2025

Authorising Officer: N.J. Hayhurst

Date : 05.06.2025

Dedicated responses to:- N/A