

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2174/0F1
2.	Proposed Development:	PROPOSED REAR SINGLE STOREY EXTENSION FOR FAMILY ROOM AND UTILITY, SINGLE STOREY SIDE GARAGE EXTENSION.
3.	Location:	CAIRNEY, 10 CHURCH HILL, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC Adverts Coal – Standing Advice
6.	Publicity Representations & Policy	See Report
7.	Report: Site and Location <p>The application site comprises a modern single storey detached dwelling house in Whitehaven. The dwelling is situated to the northern end of Church Hill, at the head of a no through road.</p> <p>The dwelling has front and rear gardens. Off street parking is provided via a large driveway within the front garden and an attached garage lies to the northern side of the site.</p> Proposal <p>The proposal involves the erection of a single storey extension to the rear of the dwelling, providing a family room and utility. The extension would project approx. 3.6m beyond the rear facade of the property, have a width of approx. 7.9m and a height of approx. 3.4m (max). A roof lantern would project above the roof.</p> <p>A single storey side garage extension is also proposed to the northern side elevation. This element of the development would result in a garage with a footprint of approx. 5m x 6m, with a height of approx. 2.9m.</p>	

Both elements are proposed to be finished with dry dash rendered walls, white upvc double glazed windows and doors and a flat roof.

Relevant Planning History

N/A

Consultation Responses

Parish Council

No negative objections or comments raised.

Public Representations

The application has been advertised by way of neighbour notification letters issued to adjacent properties. One representation has been received commenting that this is a reasonable development that enhances the utility of existing housing stock to align better with modern living whilst having minimal if any potential impact on surrounding properties.

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:-

Policy DS4: Design and Development Standards

Strategic Policy DS6: Reducing Flood Risk

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, highways safety and flood risk.

Principle of Development

The proposed application relates to a residential dwelling within Whitehaven. The development would provide a single storey extension to the rear of the dwelling and garage extension to the side.

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 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 rear elevation of the dwelling. The extension would be of a commensurate scale and massing to the host dwelling. The contemporary architectural features and the proposed external finishes of the extension would reflect the modern character of the application property.

Similarly, the scale and design of the proposed garage extension would not conflict with the character of the property or those adjacent. The proposed garage extension is therefore considered suitable for the application dwelling and site.

There is sufficient space within both the rear and side gardens of the dwelling to comfortably accommodate the proposals.

The scale and design of the development would not, therefore, adversely alter the existing building or street scene, nor would it result in overdevelopment of the site.

The proposal therefore complies with Policies DS4 and H14 of the Copeland Local Plan in this regard.

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 proposed single storey extension would be positioned to the rear of the property. This element of the proposal would be sufficiently separated from adjacent properties, with intervening planting and boundary treatments, so as not to have a significant adverse impact upon adjacent residential amenity.

The proposed garage extension would be positioned to the north of the dwelling, alongside the northern side boundary. It is noted that the neighbouring property to the north, at 9 Church Hill is elevated to the application property and gardens of the application site. As a result, the proposal would not affect the daylight levels available to the neighbouring dwelling nor would it appear overly dominant when viewed from 9 Church Hill.

On balance, it is considered that the proposal would retain suitable standards of residential amenity.

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 proposal would involve the creation of additional parking provision at the site.

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

Flood Risk

Strategic Policy DS6 of the Copeland Local Plan looks to ensure flood risk is reduced and mitigated through appropriate measures within development.

The application site is within Flood Zone 1, with low risk of flooding. The development would not significantly increase the risk of flooding at the site or within the surrounding area.

	<p>The proposal therefore complies with Policy DS6 of the Copeland Local Plan in this regard.</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.</p> <p>The application details indicate that it is believed that if permission is granted for the development to which the application relates, the biodiversity net gain condition would not apply.</p> <p>There are exemptions to the biodiversity net gain requirement. An exemption applies to development which is the subject of a householder application. It is therefore accepted that the biodiversity net gain condition should not be applied in this case.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The proposed extensions are considered to be of an appropriate scale and design for the site and locality, which would preserve the amenities of the area and highways safety.</p> <p>The proposal is therefore considered to be 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: <p>Application Form, received 20th May 2025 Site Location Plan, scale 1:1250, received 20th May 2025 Existing and Proposed Block Plans, DT/7, scale 1:500, received 20th May 2025</p>

Proposed Floor Plan, DT/4, scale 1:50, received 20th May 2025
Proposed Rear Elevation, DT/5, scale 1:50, received 20th May 2025
Proposed Part Elevations, DT/6, scale 1:50, received 20th 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.

Informative Note

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 exemption: 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 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.



**Cumberland
Council**

Case Officer: L White	Date : 11/07/2025
Authorising Officer: N.J. Hayhurst	Date : 14/07/2025
Dedicated responses to:- N/A	