

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2219/0F1
2.	Proposed Development:	PROPOSED SINGLE STOREY SIDE EXTENSION AND INTERNAL ALTERATIONS
3.	Location:	39 JUNIPER GROVE, 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 two storey semi-detached dwelling house in Whitehaven. The dwelling is situated on a corner plot within a residential estate which consists of single storey and two dwelling houses, each with comparable architectural features and finishes.</p> <p>The dwelling has front, side and rear gardens. The site is situated on rising land such that the dwelling is elevated to the surrounding highway. The garden areas each slope down towards the highway. A conservatory is in place to the rear. Off street parking is provided via an attached single garage and double driveway to the front.</p> Proposal <p>The proposal involves the erection of a single storey extension to the side of the dwelling, providing a sun lounge. The extension would project approx. 4.275m beyond the side elevation of the property, have a width of approx. 4.25m and a height of approx. 4.15m (max), 3.2m (min). A roof lantern would project above the roof.</p>	

The extension would be finished with rendered walls, upvc/ aluminium doors and windows, aluminium roof lantern, rubber roof cover and UPVC rainwater goods.

Relevant Planning History

N/A

Consultation Responses

Town Council

No negative objections or comments raised.

Public Representations

The application has been advertised by way of neighbour notification letters issued to adjacent properties. No resulting representations have been received to date.

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 side of the dwelling.

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 side elevation of the dwelling. Although the extension would appear to be relatively high due to the sloping land and elevated position of the site, it is considered that the single storey extension would be of a commensurate height, scale and massing to the host dwelling. The contemporary architectural features and finishes of the extension would reflect the modern character of the application property.

The proposed extension would be visible from public vantage points, due to the raised levels of the dwelling relative to the surrounding highway and the prominent corner plot which the dwelling occupies. As the development would be single storey only and there is mature

planting in place around the site to soften the visual impact of the extension, it is considered that the proposal would have a satisfactory relationship with the layout of the residential estate and street scene.

The application property has front, side and rear gardens, the majority of which would be retained within the development. The proposal would therefore retain an adequate level of outdoor space available to the dwelling.

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 side of the property, at a considerable distance from neighbouring dwellings. It is considered that the proposal would be sufficiently separated from adjacent properties, with intervening planting, structures and boundary treatments, so as not to have a significant adverse impact upon adjacent residential amenity.

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 retain the existing parking provision available 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.

The proposal therefore complies with Policy DS6 of the Copeland Local Plan in this regard.

Biodiversity Net Gain

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

	<p>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 development is 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 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: <ul style="list-style-type: none"> Application Form, received 24th June 2025 Site and Block Plan, 39JG-SR-001, scales 1:1250 and 1:500, received 24th June 2025 Proposed Ground Floor Plan, 39JG-SR-004 Rev A, scale 1:50, received 24th June 2025 Proposed North Elevation, 39JG-SR-005 Rev A, scale 1:50, received 18th August 2025 Proposed South Elevation, 39JG-SR-006 Rev B, scale 1:50, received 18th August 2025 Proposed West Elevation, 39JG-SR-007, scale 1:50, received 24th June 2025 Design and Access Statement, received 24th June 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.

Development Low Risk Area - Standing Advice

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, 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: L White		Date : 18/08/2025
Authorising Officer: N.J. Hayhurst		Date : 21/08/2025
Dedicated responses to:- N/A		