

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2232/0F1
2.	Proposed Development:	NEW GARAGES AND GYM SHOWER ROOM AND HOME OFFICE FOR DOMESTIC USE
3.	Location:	IVY COTTAGE, LONSDALE PLACE, NEW ROAD, 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:	<p>Site and Location</p> <p>The application site comprises a two storey detached dwelling house and garden, situated in Whitehaven. The dwelling is accessed via a narrow-cobbled lane to the rear of properties on Lonsdale Place. The lane is accessible from an unmade carriage entrance between 11 and 12 Lonsdale Place which links to New Road. First floor accommodation at 11 Lonsdale Place is above the carriage entrance. Nos 7-19 Lonsdale Place are Grade II Listed</p> <p>The application property at Ivy Cottage is set back from the rear lane, being positioned to the eastern extreme of the site. Gardens belonging to the dwelling are positioned between the property and the lane, to the west of the dwelling. The gardens are in two parts, with those directly in front of the property being of a comparable level to the lane and application dwelling. Gardens to the southwest of these are elevated to the lane and surrounding land. The application details indicate this area to be 1.5m – 1.8m above average ground level. A set of external steps is available to access this part of the garden from the lane. A small outbuilding is in place on the elevated garden. High sided stone, brick and block walling forms the boundary between the gardens and the lane.</p> <p>The application property has planning permission for a large two storey extension to the west elevation of the property, which would project into the existing garden area and be visible</p>

from the lane. The extension has not yet been constructed.

On street parking is available to the application property on New Road, the A5094.

Proposal

Planning permission is sought for the erection of a detached outbuilding, providing quadruple garage and home office at ground floor level, with a gym, games room and shower room at first floor level. The outbuilding would be in place of the existing elevated garden. The outbuilding would be set back approx. 3.2m from the lane and 6m from the rear boundaries of the Grade II Listed properties at Lonsdale Place.

The outbuilding would be arranged in an L shaped configuration. The original submission proposed that the development would measure approx. 11.5m (max) x 12.6m (max), with a height to eaves of approx. 4.6m and an overall height of approx. 6.6m. The proposal has been amended throughout the course of the application process to reduce the height of the eaves to approx. 4m and overall height to approx. 6m. Proposed finishes include red sandstone walls, slate roof, steel garage doors, tarmac or block paviour drive/ forecourt, upvc windows and adonized aluminium Velux rooflight.

The application details indicate that the proposal would be for use by the application property at Ivy Cottage and the occupiers of 15 Lonsdale Terrace, with both properties being within the applicant's ownership. The applicant indicates that the provision of 4 no, off street car parking spaces would alleviate parking issues on Lonsdale Terrace and improve access to the rear of the terrace for all properties. It is also suggested that part of the gardens belonging to Ivy Cottage could be utilized by 15 Lonsdale Terrace, as this property has no recreation area.

Relevant Planning History

4/24/2256/0F1 - Two storey front elevation extension for new master bedroom, living kitchen dining rim & refunctioning of existing spaces at Ivy Cottage, Lonsdale Place, New Road, Whitehaven – Refused – Allowed on Appeal (Ref: APP/F0935/D/24/3355418)

Consultation Responses

Town Council

No negative objections or comments raised.

Lead Local Flood and Highway Authority

Response dated 16/07/25:

As this falls under our Service Level Agreement (SLA), this application does not need to be



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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.

Response dated 28/01/26:

A site visit was conducted on the (07/08/25). As you are aware, the access from the A5094 is very narrow and currently serves a small number of properties.

There is no pedestrian stand-off, and the route appears to function primarily as access for private parking and, more intermittently, for general maintenance.

Most parking for the surrounding properties appears to be located to the north. There is very limited space to turn vehicles within the lane without significant shunting. It also seems likely that some form of parking provision for Ivy Cottage has existed historically.

The LHA considers it plausible that Ivy Cottage has a right or established practice of using this lane for access and parking. However, we do not think this should extend to 15 Lonsdale Terrace beyond access required for property maintenance.

The LHA recommends that the LPA be cautious approving any additional parking arrangements in this location through the planning process other than for Ivy Cottage, Labroe Cottage, and Ghyll Cottage. Changes tend to evolve informally over time, and granting rear parking for 15 Lonsdale could set an undesirable precedent or become a catalyst for further intensification.

While the applicant proposes this could ease constrained parking on the A5094, this benefit would be limited to the applicant alone. Removing two vehicles from the road is unlikely to provide any wider community benefit, as those spaces would immediately be taken up by others. Any perceived minor benefit of removing two vehicles from parking along the A5094 would be outweighed by the increased use of a sub-standard access, which from a highway safety perspective is not desirable.

The proposed widening of the back lane to 6m is shown only along the applicant's frontage and is required for their own manoeuvring needs so there is no wider highway gain.

It is unclear how the construction works are intended to be carried out. They will likely need a Streetworks permit to cordon off part of the carriageway to provide construction parking and safe loading/unloading space.

The crux of the matter is the intensification of the access and the lane with increased likelihood of vehicles meeting along the narrow approach from the A5094. This could result in vehicles reversing onto the A5094, which is undesirable, particularly given the limited visibility at the access.

The LHA considers any intensification beyond what already exists and so required for Ivy

Cottage, Labroe Cottage, and Ghyll Cottage is not recommended.

There have been four recorded accidents in the vicinity over the past five years, though none were related to the access itself.

In summary, The LHA recommends that the garage and parking provision be reduced so that parking is restricted to Ivy Cottage only, as they have a legitimate need for access beyond maintenance.

Should the applicant decline to reduce the garage/parking provision then the LHA would recommend refusal for the following reasons.

The key reasons for this position are:

- Intensification of a narrow lane with no pedestrian stand-off.
- No meaningful ability for vehicles to turn, increasing the risk of reversing onto the A5094.
- Limited visibility at the existing sub-standard access point.

Public Representations

The application has been advertised by way of neighbour notification letters issued to adjacent properties. Three representations have been received with the following comments:

- The primary concern is the effect of construction traffic and groundworks on the structural integrity of adjacent properties. A number of vehicles already pass through the tunnel each day which causes vibrations and additional noise within adjacent homes. Construction works have been experienced in the past where the tunnel was used for access; a neighbour had a patio laid which required heavy plant machinery to pass through the tunnel. This caused a lot of disruption, noise and vibrations, as well as increased parking issues, and that was for relatively minor works for a short period.
- Occupiers of adjacent properties work from home regularly and have shift workers, so these construction works will negatively affect work lives.
- Children play out on the backs, as it is a busy road, and their safety and that of other pedestrians accessing the back of properties needs to be considered.
- The points below need to be considered and satisfactory answers provided that could alleviate concerns:
 1. Identified start and finish times for the construction work.
 2. The types of plant machinery and equipment that will require access through the



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tunnel.

3. The number of work force that will be present.
 4. Where work vehicles will park (parking is an issue on this road as highlighted in the planning application).
 5. Welfare arrangements during the programme.
 6. How long is the construction programme expected to last.
 7. The effect on water management currently in place i.e. risk of flooding increasing due to the construction process and reduced land to absorb water.
 8. Delivery of materials to the property (access arrangements and taking up parking spaces outside homes).
 9. How concrete will be delivered for the foundations
 10. How large structures such as roof trusses will be delivered, manoeuvred to Ivy Cottage and installed.
- Serious concerns about the scale, location, use, and impact of this development, particularly on the character of the area, residential amenity, and local infrastructure.
 - At nearly 7 metres in height, the proposed building will create an overbearing presence that dominates the rear rooms and garden views of adjacent properties. Mature trees and open outlook will be replaced with a high, solid structure at close range, creating a sense of enclosure and loss of openness.
 - Velux windows will be installed at a height that will allow the occupants to look into our property.
 - This development will be the main visual feature from key living spaces of homes, thus encroaching on privacy and harming enjoyment of properties.
 - This development creates an unacceptable visual and physical link between the historic Grade II listed terrace and the modern redevelopment of Ivy Cottage. It compromises the distinct character of the terrace, undermining its heritage setting and appearance. The proposed development also involves the demolition of walls that are architecturally in keeping with the adjacent listed buildings. These heritage features contribute to the character and historical integrity of the area.
 - Neighbouring listed properties have original single-glazed windows, meaning they are particularly vulnerable to noise. Any disturbance from a gym, home office, or increased activity would be intrusive and detrimental, especially in a historically quiet residential area.
 - This proposal introduces a large structure on a relatively small plot. Garages, a gym, a shower room, and an office amount to clear overdevelopment. The mass and bulk of

the structure are out of proportion to the site and neighbouring homes and will have an overbearing impact.

- The proposed building encroaches significantly on the space between neighbouring boundaries, narrowing the gap between properties and infringing on residents' visual and physical space. This intrusion into previously open areas is unacceptable and undermines the established pattern of development.
- The current access to Ivy Cottage was never intended for the level of vehicle movements or use intensity this proposal implies. Access to the proposed development is via an archway with restricted clearance. This arch is currently showing visible signs of damage and structural wear. Increasing traffic through this limited access point - especially by construction traffic would place stress on an already compromised structure. It also raises concerns about increased noise, safety issues, and general disruption to surrounding homes.
- The inclusion of an office, shower room, and substantial outbuilding raises concerns that it could be repurposed for commercial, rental, or separate residential use. These uses would be wholly inappropriate and should be explicitly prevented through planning conditions.
- The cumulative effect of encroachment, loss of view, increased noise, and overbearing presence will almost certainly reduce the value of our property and those around it.
- This development would result in:
 1. A loss of openness and visual amenity;
 2. Visual harm to the setting of Grade II listed properties;
 3. Increased noise and disruption in a heritage-sensitive area;
 4. Encroachment and overdevelopment of the site;
 5. Drainage problems on an already compromised system;
 6. A decline in residential amenity and property value.
- The proposed development raises serious concerns regarding its impact on neighbouring amenity, local character, and the integrity of surrounding listed structures.
- The proposed structure includes a prominent and overbearing vertical element, whose considerable width and height would result in direct overlooking of private gardens. Of particular concern are the four proposed skylights, which would face directly towards adjacent properties, significantly compromising both internal and external privacy. Additionally, the potential for noise pollution from this elevated structure further adds to the intrusion and diminishes the quiet enjoyment of homes and gardens.



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- The height and massing of the proposed development are disproportionate to the surrounding built environment and would appear visually intrusive when viewed from neighbouring properties. Its scale, particularly the vertical element, creates an overbearing presence and would significantly impact the outlook from adjacent properties.
- Due to the structure's height and proximity to property boundaries, there are concerns about the loss of natural light to the rear section of adjacent gardens, especially during key periods of the day. This would negatively affect the usability, visual amenity, and enjoyment of the space.
- The proposed siting and design are inconsistent with the existing arrangement of gardens in the area. It introduces a form and mass that are unsympathetic to the surrounding landscape, breaking with the established character and visual harmony of the neighbourhood.
- The application indicates access and egress would be taken via a listed tunnel and associated soil-surfaced roadway. There are serious concerns about the practicality, safety, and long-term sustainability of this access route. There is also potential for damage to the listed structure due to increased use, construction traffic, or inadequate protection measures.
- Adjacent listed properties (ties in with above access/egress via tunnel) have previously experienced subsidence. Any excavation, heavy construction, or ground movement associated with the proposed development poses a real risk of further destabilisation. No detailed structural or heritage impact assessment appears to have been submitted alongside this application.
- This proposal would cause an unacceptable degree of harm to neighbouring residential amenity, heritage assets, and the established character of the local area.

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 2001-2016.

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

Strategic Policy BE1: Heritage Assets

Policy BE2: Designated Heritage Assets

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA)

Cumbria Development Design Guide (CDDG)

Assessment

The key issues raised by this proposal are the principle of development, its scale and design and the potential impacts on residential amenity, heritage assets, highways safety and flood risk.

Principle of Development

The proposed application relates to a residential dwelling within the town of Whitehaven. The development would provide an outbuilding to provide additional accommodation for domestic use.

Policy H14 of the Copeland Local Plan supports domestic extensions, alterations or additional buildings within the curtilage of residential properties subject to detailed criteria, which are considered below.



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The principle of development is therefore accepted within the context of Policy H14 of the Copeland Local Plan.

Scale and Design

Paragraph 135 of the National Planning Policy Framework states that Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policy H14 of the Copeland Local Plan provides specific criteria to indicate when proposals for house extensions and alterations or additional buildings within the curtilage of existing properties will be permitted, which includes that:

- a) 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;
- b) The extension or outbuilding would be subservient to the dwelling and would retain an adequate provision of outdoor amenity space to serve the property.

Policy DS4 of the Copeland Local Plan sets out that development must create and enhance locally distinctive places which are sympathetic to the surrounding context of the built, historic and natural environment and local landscape character.

The development would introduce a large outbuilding to the eastern side of the lane in place of the existing elevated garden, stone steps, boundary walling and small outbuilding. The outbuilding would consist of a quadruple garage and home office at ground floor level with

gym, rest room and shower room at first floor level. The development would measure approx. 11.5m (max) x 12.6m (max), with a height to eaves of approx. 4m and overall height of approx. 6m. The accommodation would be arranged in an L shaped configuration and would be to the northwest and front of the dwelling at Ivy Cottage. The outbuilding would be set back from the lane.

Third party representations received state that the development would introduce large scale disproportionate and unsympathetic development on a relatively small plot, which would result in overdevelopment of the site and would be out of proportion with the site and neighbouring homes. Comments also indicate that the proposal would narrow the spaces between properties and undermine the existing pattern of development.

The scale and massing of the proposed development is significant when compared to the application property. The eaves height of the proposal would be only approx. 1.2m below that of the main dwelling and approx. 0.6m below that of the approved extension. The ridge height of the proposal would only be approx. 1m below that of the main dwelling and the higher part of the approved extension and approx. 0.4m below that of the lower part of the approved extension. Similarly, the width of the outbuilding as viewed from the lane would extend across the rear of both 12 and 13 Lonsdale Place at approx. 11.5m whilst the width of the main house extends approx. 9.3m. The proposed siting of the outbuilding is such that it would be within the garden of the application property, visible ahead of the property and on approach along the access lane.

The large proportions of the outbuilding, in combination with its proposed siting, ahead of the principal elevation of the dwelling, would result in a form of development which would be disproportionate in scale and massing to the host property so as to not be subservient to the dwelling. The scale and massing of the development in this position would similarly dominate and obscure views of the main dwelling so as to adversely impact upon the character and appearance of the existing building.

Although there is development in place to the eastern side of the lane, it is limited. There are a few dwelling houses which are set back from the lane with relatively long intervening front gardens to separate, which reduces the visible impact of the properties when viewed from the lane. There are also a limited number of single storey modest structures associated with dwellings, which either sit upon the lane or are slightly set back. These are typically single storey only with a footprint and roof height commensurate and subservient to adjacent development and host properties. The visual impact of these is similarly minimised by the low rooflines and moderate footprints.

The scale and massing of the proposed development would significantly contrast when compared to these structures. As a result, the proposed outbuilding would be apparent so as to be visually jarring and overbearing compared with the relatively simple and modest development to the eastern side of the narrow-cobbled lane. The proposal would therefore conflict with existing development along the lane due to its imposing scale and massing.



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The applicant has amended the proposal throughout the application process. The height of the eaves and ridge have been reduced. Despite this, given that the footprint, width and position of the proposal remain unchanged, and that the height would remain significant so as to dominate the site and obscure the main dwelling, the proposal is still considered to be significantly disproportionate in its scale and massing, to the detriment of the character of the application property and the surrounding area.

Overall, the scale, massing and position of the proposed development are such that it is considered that the development would not be commensurate to or subservient to the existing dwelling and adjacent development, which in turn would have a detrimental impact upon the character of the application property and the locality. The development would not, therefore, comply with Paragraph 135 of the National Planning Policy Framework, or Policies H14 and DS4 of the Copeland Local Plan in relation to scale and design.

Residential Amenity

Policy DS4 of the Copeland Local Plan indicates that all new development should maintain high levels of amenity. Policy H14 of the Copeland Local Plan states that domestic extensions and alterations will be permitted provided that the extension or outbuilding would not materially harm the amenity of the occupiers of the parent property or adjacent dwellings through loss of natural light, overlooking, privacy, potential noise nuisance or the overbearing nature of the proposal.

Representations have been received from neighbouring properties raising concerns that the proposed development would result in loss of privacy due to overlooking from proposed rooflights to the front elevation, facing onto the lane.

The proposed development incorporates four rooflights across the principal roof slope, which would front onto the lane. The submitted details indicate these would serve a first floor gym. The properties at Lonsdale Place each feature high sided walls to the rear boundary, abutting the lane, which encloses the rear garden of these dwellings. The proposal has been reduced in height by approx. 0.6m from the original submission.

Due to the distances between the development area and the properties at Lonsdale Place, as well as the intervening high sided boundaries between which provide screening to the gardens and lower windows of neighbouring dwellings, and the reduction in height of the proposal, it is considered that the proposed development would not result in a significant loss of privacy to the occupiers of neighbouring dwellings.

Comments have been received that the proposal would lead to a loss of natural light to adjacent.

Although the scale and massing of the proposal is such that it would be evident when viewed from adjacent properties, given the set back distance of the proposal from the rear facades of neighbouring properties, it is considered that the development would not be in such close proximity so as to lead to a significant loss of natural light to the occupiers of adjacent

properties.

Concerns are also raised that the development would result in a loss of amenity due to noise and vibration from construction activities as well as the activities proposed within the outbuilding itself. Commentators note that the adjacent properties are Grade II Listed and thus have single glazed windows only, making them particularly vulnerable to noise nuisance.

Although construction activities may result in some disturbance to occupiers of the dwelling, this is not uncommon in a residential area and does not warrant refusal of the application. It is considered that construction activities could be suitably controlled by condition, to avoid significant disturbance to occupiers of neighbouring properties.

The proposal therefore complies with Policies DS4 and H14 of the Copeland Local Plan in relation to safeguarding residential amenity.

Heritage Assets

Strategic Policy BE1 of the Copeland Local Plan indicates that heritage assets and their setting will be preserved and enhanced by ensuring new development is sympathetic to local character and history and which is of high-quality design and architecture.

The Local Planning Authority also have a duty under section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 to give special regard to the desirability of preserving or enhancing listed buildings, their setting or any features of special architectural or historic interest which they possess.

Representations indicate that the development would compromise the distinct character and heritage setting of the Grade II Listed terrace of dwellings at Lonsdale Place. The loss of the stone steps and walling are also noted as these are considered to contribute to the character of the area and are in keeping with existing architectural features within the setting.

The proposed outbuilding would be set back from the lane and would be positioned 6m beyond the rear boundary wall of the properties at 12 and 13 Lonsdale Place, extending across the full width of both properties. Although the scale, massing and design of the proposal would conflict with the character of these properties, it is noted that the Inspectors Report relating to a previous matter adjacent to the development area made clear that the significance of 7-19 Lonsdale Place is derived from their facades, and that development to the rear would have little significance on any enjoyment of these heritage assets. On this basis, although the proposed development would not enhance the Listed Buildings, the limited relationship between the development site and adjacent heritage buildings are such that the impact of the proposal on the setting of the adjacent Listed Buildings is considered to be less than significant in this case.

Whilst the loss of architectural features would erode the historic character of the lane and locality to a degree, particularly those of traditional materials which complement those of the adjacent Listed Buildings including the stone steps and walling, it is noted that these features are unprotected and therefore could be removed outside the control of the planning system.



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Comments received also raise concerns about construction activities including vehicular movements alongside the Listed Buildings and the potential for damage and harm to these designated buildings.

Although it is recognised that the development area is constrained by limited space upon the access and lane, and that activities would be carried out within proximity to these Buildings, it cannot be determined that construction works would necessarily result in harm to the Listed Buildings. Works within proximity to and alongside Listed Buildings are therefore not considered justification for refusal of the application in this case.

The proposal therefore complies with Strategic Policy BE2 of the Copeland Local Plan with regards to preservation of heritage assets and their setting.

Highway Safety

Paragraph 116 of the National Planning Policy Framework states that, 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios'.

Paragraph 117 of the National Planning Policy Framework also sets out that applications for development should give priority first to pedestrian and cycle movements..., and should create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles...

Policy DS4 of the Copeland Local Plan states that all developments must create layouts that provide safe, accessible and convenient pedestrian and cycling routes that encourage walking and cycling and must not give rise to severe impacts on highways safety and/ or a severe impact on the capacity of the highway network.

The proposal would provide four off street parking spaces available for use by the occupiers of Ivy Cottage and 15 Lonsdale Terrace, both of which are within the applicant's ownership. Access would be provided via the carriageway access between the dwellings at 11 and 12 Lonsdale Place and via the rear lane serving the dwellings at Lonsdale Place. The proposed structure would be set back from the lane, providing a 6m wide lane at this point in the lane. The applicant submits that the provision of parking will reduce the parking congestion on the main highway to the front of the dwellings and improve the parking and access arrangements to the rear of the dwellings.

Comments have been received referencing the tunnel access and that it was never intended for intense vehicle use or construction vehicles and is already showing signs of wear. The lane is soil surfaced and there are questions about the long-term sustainability, practicality and safety of its use for the development.

Representations received also raise concerns that the lane and access tunnel are in use by children playing and pedestrians accessing the back of the properties which should be considered.

The Highways Authority conducted a site visit and note that the access from the A5094 is very narrow and serves a small number of properties, without pedestrian stand-off. It was also noted that there was very little space to turn within the lane without significant shunting. The Highways Authority recognise that Ivy Cottage has a right or established practice of using the land for access and parking, but do not think this should be extended to 15 Lonsdale Terrace beyond access for property maintenance, with concerns raised that approving any additional parking could set an undesirable precedent or become a catalyst for further intensification.

The access from the A5094 and rear lane are both narrow. The lane to the south of the carriage access is largely overgrown and, at the time of the site visit, was restricted further by refuse bins and debris. On this basis, it is considered likely that this section of the lane is predominantly used by pedestrians accessing the rear of the properties at Lonsdale Place. The lane to the north of the carriage access features a cobbled uneven surface. There are pedestrian accesses to the rear of the properties at Lonsdale Place, situated to the west of the lane. The lane also provides access to the properties to the eastern side of the lane at Ghyll Cottage, Labroe Cottage and Ivy Cottage. It is therefore accepted that there is currently some level of vehicular access in use to the north of the lane, albeit this is limited. However, the large majority of properties using the lane would likely do so for pedestrian purposes only.

The proposed development would introduce an additional four parking spaces within the rear lane. The introduction of four additional parking spaces accessible from the lane would encourage further use of the carriage access and lane for vehicles, leading to a significant increase in the number of vehicles utilising the access and within the lane. Given that the lane is narrow, unevenly surfaced and used by pedestrians, this would be an undesirable intensification of use with potential safety impacts.

Further use of the lane and access would similarly increase the potential for vehicles meeting either other vehicles or pedestrians along the access. As there are no passing or turning places for either available, it is likely this would result in the need for reversing in a constrained position, where there is poor visibility onto the main highway at the access point due to the boundary walls of the properties to either side of the access and cars parked upon the A5094. Any intensification of use of the access and the lane would therefore be to the detriment of pedestrians and vehicles on the public highway, as well as on the access and lane itself, creating a safety risk.

The Highways Authority addresses the applicants statement that the proposal would ease constrained parking on the A5094 with the note that this benefit would be limited to the applicant alone and is unlikely to provide any wider community benefit. Similarly, the widening of the back lane would only benefit the applicant who would use this for their own manoeuvring, with no wider highway gain. It is also indicated that any minor benefit brought about by the proposal would be outweighed by the increase of use of a sub-standard access, which from a highway safety perspective is not desirable.

Parking within the locality is generally provided on the street at New Road (A5094), which is a



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main route into the town centre of Whitehaven, and is wide enough to allow for passing traffic as well as on street parking to each side. Development is limited on New Road and does not extend along the full length of each side of the Road. As a result, on street parking is not generally over prescribed. The applicant's suggestion that the proposal would bring about wider benefits is therefore of little weight in this case.

The Highways Authority reference that it is unclear how construction works are to be carried out noting that it is likely a streetworks permit would be needed to cordon off construction parking and provide a safe loading/unloading space. Comments have also been received from neighbouring occupiers raising concerns about construction traffic and works.

Although it is recognised that construction works relating to development within the rear lane would be of concern within this locality from a safety perspective and in terms of protection and preservation of the Listed Buildings, it is considered that appropriate measures could be secured through Permitting schemes and Construction Management.

The Highways Authority recommend that the garage and parking provision be reduced. In the absence of a reduction, they recommended that the application be refused due to the intensification of the narrow lane with no pedestrian stand-off, no meaningful ability for vehicles to turn increasing the risk of reversing onto the A5094 and limited visibility at the existing sub-standard access point.

Although the proposal has been amended throughout the course of the application process, the amendment relates to the height of the building only and does not negate the concerns of the Highways Authority.

As the development would lead to an intensification of use of the substandard access with poor visibility at the access point, which would lead to conflict between pedestrians and vehicles and have an adverse impact upon the highway network at the A5094, the proposal would have an unacceptable impact upon highways safety. The proposal would therefore fail to comply with Paragraphs 116 and 117 of the National Planning Policy Framework and Policy DS4 of the Copeland Local Plan.

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, in an area with a low probability of flooding. The proposed development would be unlikely to increase the risk of flooding in the locality.

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

Other Matters

Concerns have been raised by commentators that the development could be used for alternative purposes such as for commercial activities or for separate residential purposes.

The application has been submitted as a householder application for planning permission for

works or extension to a dwelling with all submitted information suggesting that the proposal is required for these purposes. The application has been determined on this basis.

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 gain condition following the grant of planning permission, to ensure the objective of at least 10% net gain will be met for a development.

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.

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.

Planning Balance and Conclusion

The proposed development is of an inappropriate scale and massing for the site and locality. In addition, it would result in further use of a substandard access, which would lead to an adverse impact upon pedestrian and highways safety.

The proposal is therefore considered an unacceptable form of development which would fail to comply with Paragraphs 116, 117 and 135 of the National Planning Policy Framework and Policies H14 and DS4 of the Copeland Local Plan.

8. **Recommendation:** REFUSE

Reasons for Refusal:

1. The combined scale, massing and siting of the proposed development are such that the development would not be commensurate or subservient to the application property and adjacent development, which in turn would have a detrimental impact upon the character of the host dwelling and the locality, contrary to Paragraph 135 of the National Planning Policy Framework, and Policies H14 and DS4 of the Copeland Local Plan.
2. The development would lead to an intensification of use of a substandard access with poor visibility at the access point, which would lead to conflict between pedestrians and vehicles and have an adverse impact upon highways safety at the A5094, contrary to Paragraphs 116 and 117 of the National Planning Policy Framework and



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Council**

Policy DS4 of the Copeland Local Plan.

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 proposal and discussed those with the applicant, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and, due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

Case Officer: L. White

Date : 15/04/2026

Authorising Officer: N.J. Hayhurst

Date : 20/04/2026

Dedicated responses to:-