

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2248/0F1
2.	Proposed Development:	PROPOSED ERECTION OF NEW DOUBLE STOREY EXTENSION TO SIDE OF EXISTING DWELLING
3.	Location:	43 BRANSTY ROAD, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC Adverts Coal – Standing Advice
6.	Publicity Representations & Policy	See Report
7.	Report: Site and Location The application site comprises a modern two storey semi-detached dwelling house in Bransty, Whitehaven. The application site is on Bransty Road, which connects to the A595 at the northern junction and the A5094 at the southern junction. The dwelling is situated on a corner plot, at the junction of Crosfield Road with Bransty Road. The property has front, side and rear gardens, the rear of which is elevated to the dwelling owing to the gradients of the site. A detached garage is currently in place to the side of the dwelling, which is accessed via Crosfield Road. Proposal The proposal involves the erection of a two storey extension to the side gable of the dwelling house. The proposal has been amended throughout the course of the application to reduce the width of the extension from approx. 5.4m to approx. 4.4m. The extension would have an eaves and a ridge height to match the existing dwelling. Proposed external finishes include	

concrete roof tile, dash finished walls and double glazed UPVC windows and doors, all to match the existing dwelling.

In addition, alterations are proposed to the front and rear window openings of the existing dwelling which include widening of existing openings, amalgamation of existing openings, insertion of double doors to the rear and removal of an existing opening to the rear.

Relevant Planning History

4/20/2277/0F1 – Removal of sectional garage to be replaced with a block built garage at 43 Bransty Road, Whitehaven - Approved

Consultation Responses

Town Council

No negative objections or comments raised.

Local Highways Authority and Lead Local Flood Authority

The application falls under the Service Level Agreement. The highway and drainage implications can therefore be decided by the Local Planning Authority.

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 two storey extension to the side providing additional living accommodation.

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 has been amended throughout the course of the application. The width of the proposed two storey extension has been reduced, which is considered a more proportionate scale of extension for the application property which would also maintain a suitable set back position from the boundary, in line with other developments within the immediate locality. As a result, the impact of the development on the street scene is minimised.

The proposed design incorporates changes to the fenestration of the existing dwelling. Although permitted development rights would permit these changes outside the planning system, the proposed alterations would include window sizes and proportions in evidence within the locality such that these alterations would not be significantly out of character with development within the street scene or wider area.

The application property has front 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 two storey extension would be positioned to the side of the property. The extension would be sufficiently separated from neighbouring properties so as not to have any significant impact upon adjacent residential amenity in terms of overbearing impact or loss of privacy.

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 application property has off street parking provision available via the detached garage and a driveway. These would be retained within the development and offer sufficient parking provision for the occupiers of the dwelling.

	The proposal therefore complies with Policy CO7 of the Copeland Local Plan in this regard. <u>Flood Risk</u> 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. <u>Biodiversity Net Gain</u> 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. <u>Planning Balance and Conclusion</u> 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. The proposal is therefore considered an acceptable form of development which complies with the policies of the adopted Local Plan.
8.	Recommendation: Approve (commence within 3 years)
9.	Conditions: 1. The development hereby permitted must commence before the expiration of three years from the date of this permission. Reason To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

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:
Application Form, received 15th July 2025
Location Plan and Block Plan, Drg. 001 MOD C, scales 1:1250 and 1:500, received 22nd September
Proposed Plans and Elevations, Drg. 003 MOD B, scale 1:100, received 23rd September 2025
Proposed Drainage Plan, Drg. 006 MOD B, scale 1:100, received 22nd September 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 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 : 02/10/2025
Authorising Officer: N.J. Hayhurst	Date : 06/10/2025
Dedicated responses to:- N/A	