

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2253/0F1
2.	Proposed Development:	PROPOSED SINGLE STOREY SIDE AND REAR EXTENSION WITH REPLACEMENT GARAGE ROOF. EXISTING SINGLE STOREY UTILITY ROOM TO BE DEMOLISHED.
3.	Location:	19 AIKBANK ROAD, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC Adverts Coal – Standing Advice PROWs – Public Right of Way
6.	Publicity Representations & Policy	See Report
7.	Report: Site and Location <p>The application site comprises a modern single storey detached dwelling house with first floor dormer, situated in a residential area of Whitehaven.</p> <p>The dwelling has front and rear gardens. Off street parking is available via an attached garage to the side and driveway to the front.</p> <p>The application property and site are on sloping land. As a result, the dwelling is elevated to the highway and the dwelling at 17 Aikbank Road, whilst being lower than the dwelling at 21 Aikbank Road.</p> Proposal <p>The proposal involves the erection of a single storey extension to the side and rear of the dwelling, creating a kitchen/ dining room, wc/ wet room and a utility. An existing utility room connecting the garage to the main dwelling is to be demolished to accommodate the proposed extension.</p>	

The extension would project approx. 2.7m beyond the rear façade of the main dwelling and approx. 4.6m beyond the rear of the garage, with a width of approx. 7.1m. The floor levels and eaves height of the extension would match those of the main dwelling. The ridge height would be approx. 1.5m lower than that of the main existing dwelling. The extension would be finished with facing brick walls, red concrete plain tiles to match the existing dwelling and white UPVC double glazed windows and doors.

In addition, the proposal involves amendments to the pitch of the existing garage such that the ridge height would reduce by approx. 0.1m and the eaves height would increase by approx. 0.1m.

Relevant Planning History

N/A

Consultation Responses

Town Council

No negative objections or comments raised.

Local Highway Authority and Lead Local Flood Authority

The application falls under the Service Level Agreement, therefore the highways and drainage implications of the application can 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 the 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 and rear. Alterations are also proposed to the roof of the existing garage.

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 changes to the roof of the existing garage, increasing the eaves height whilst reducing the ridge height. The proposed height changes amount to approx. 0.1m to both the eaves and ridge, effectively altering the pitch of the garage roof. Overall, the proposed changes would not result in any significant increase in the massing of the existing garage and are considered to have minimal visual impact.

The proposed extension would replace an existing utility room which is situated between the garage and dwelling. Although the extension would be of a larger footprint and massing than existing development at the site, the proposed extension is considered commensurate to the host dwelling and site. The siting of the extension, to the side and rear of the dwelling, as well as the lower ridge height than that of the main dwelling, would result in development which is subservient to the application property.

The proposed extension would be finished with facing brick walls. Although the application property and those within the locality are predominantly finished with rendered walls, the Agent highlights that there are examples of brick with architectural features within the application property and those adjacent, as well as within boundary walls. Given that there is evidence of brick detailing within the application property and within the surrounding properties, and the set back position of the extension relative to the application property, the proposed brick finish is accepted in this case. All other finishes would reflect those of the application building and are considered suitable.

The street scene is characterised by modern single and two storey dwelling houses. The scale, design and siting of the proposed development would retain the visual amenity of the existing street scene.

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 proposal are therefore accepted within the context of Policies DS4 and H14 of the Copeland Local Plan.

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 extensions and alterations would be situated alongside the shared boundary with the neighbouring property at 17 Aikbank Road. Although the levels differ between the two sites, the siting, scale and massing of the proposal is such that it would not differ greater

from existing development at the application site. As a result, the proposal would not result in a significant loss of residential amenity to the occupiers of 17 Aikbank Road either as a result of overbearing impact or through loss of light.

The proposal does not include any openings to the west side elevation, towards the property at 17 Aikbank Road. Given the proximity of the single storey extension to the shared side boundary, it is considered appropriate to remove permitted development rights from the side elevation of this extension, to preserve the amenity standards of the adjoining property going forward.

The proposed development would be sufficiently separated from other neighbouring dwellings so as not to adversely affect the amenity of the occupiers of these properties.

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 in the form of the attached garage to the side and driveway to the front. These would be retained within the development.

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 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.

	<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: Application Form, received 16th July 2025 Site Location Plan, 2425-007-01 Rev A, scale 1:1250, received 16th July 2025 Proposed Site Plan, 2425-007-05 Rev A, scale 1:250, received 16th July 2025 Proposed Ground Floor Plan, 2425-007-06 Rev A, scale 1:50, received 16th July 2025 Proposed Roof Plan, 2425-007-07 Rev A, scale 1:50, received 16th July 2025 Proposed Elevations, 2425-007-08 Rev A, scale 1:100, received 16th July 2025 <p>Reason</p> <p>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.</p> <ol style="list-style-type: none"> 3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or in any Statutory Instrument revoking or re-enacting that Order with or without modification) no further windows, including dormer windows, or other openings on the east side elevation shall be formed without the prior written approval of the Local Planning Authority upon an application submitted to it.

Reason

The Local Planning Authority wishes to retain control over any proposed alterations/extensions in the interests of the appearance of the site and the amenities of adjacent properties.

Informative Notes

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 : 10/09/2025
Authorising Officer: N.J. Hayhurst		Date : 10/09/2025
Dedicated responses to:- N/A		