

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2302/0F1
2.	Proposed Development:	Proposed two storey side extension
3.	Location:	66 Winchester Drive, 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, situated on a no through road, in a residential area to the eastern side of Whitehaven. The dwelling is situated on an irregular shaped plot, with gardens to the front, side and rear. A single garage is situated within the side garden, which is attached to the single garage of the neighbouring property at 64 Winchester Drive. A conservatory extension is also in place to the side elevation. Proposal The proposal involves the erection of a two storey extension to the side gable of the dwelling house, measuring approx. 6.7m x 3.8m. with a height to eaves of approx. 4.9m and an overall height of approx. 6.6m, approx. 0.7m below the ridge height of the existing dwelling. The extension would be set back from the front elevation by approx. 4m and extend approx. 2m into the rear garden. The existing conservatory would be removed.	

Single storey lean to extensions are also proposed to the rear and side. The side extension would front the proposed two storey extension and would measure approx. 2.925m x 2.025m, with a height to eaves of approx. 2.75m and an overall height of approx. 3.65m. The rear extension would adjoin the north west side elevation of the proposed two storey extension and would measure approx. 1.98m x 2.1m, with a height to eaves of approx. 2.3m and an overall height of approx. 3.3m.

The extensions would be finished with dry dash cement rendered walls, concrete roof tiles and white UPVC doors and windows.

Relevant Planning History

N/A

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 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

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 two storey extension to the side providing additional living accommodation. Single storey extensions are also proposed to the side and rear elevations.

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 the 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 and site. The extensions are also set back from the frontage of the host property such that the impact of the development on the street scene is minimised.

The proposed design incorporates features and finishes which are commensurate with the application property and those within the locality. The proposed development would not, therefore, 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 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 neighbouring property at 32 Winchester Drive is located to the south east of the application property. The rear garden of this property adjoins the side garden of the application property and is triangular shaped, due to the irregular shape of the plot. The property at 32 Winchester Drive is also angled such that the rear windows of this property front onto the side and rear gardens of the application property, with the western corner of this dwelling being closest to the shared boundary.

The proposed two storey extension would be positioned to the side of the property. The position and footprint of this element of the proposal have been amended throughout the course of the application. Notably, the width of the extension has been reduced from 5.45m to approx. 3.8m wide, which positions the proposed development further from the side boundary shared with the dwelling at 32 Winchester Drive.

Given the separation distances between the amended proposal and the property and gardens of the dwelling at 32 Winchester Drive, the proposed extensions are considered sufficiently set back from the shared boundary so as not to result in a significant loss of

amenity due to loss of light of overbearing impact to the occupiers of the neighbouring dwelling.

Although the proposed two storey extension omits side openings from the design, it is considered appropriate to prevent openings being inserted in the future, to ensure the privacy of the occupiers of the neighbouring dwelling and application property are maintained going forward. It is therefore suggested that a condition be attached to any planning approval.

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 a 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.

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.

	<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 3rd September 2025 - Existing Site and Proposed Block Plan, Ref 66WD-MN-001 Rev A, scales 1:500 and 1:1250, received 26th November 2025 - Proposed Drainage Plan, Ref 66WD-MN-006 Rev A, received 26th November 2025 - Proposed Floor Plans, Ref 66WD-MN-004 Rev B, received 11th November 2025 - Proposed Elevations, Ref 66WD-MN-005 Rev B, received 11th November 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. 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 south east side elevations of the extensions hereby approved

shall be formed without the prior written approval of the Local Planning Authority upon an application submitted to it.

Reason

To ensure the development accords with the provisions of Planning Policies H14 of the Copeland Local Plan and to safeguard the amenity of the locality, in compliance with the National Planning Policy Framework and Policy DS4 of the Copeland Local Plan.

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 : 26/11/2025
Authorising Officer: N.J. Hayhurst		Date : 26/11/2025
Dedicated responses to:- N/A		