

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2328/0F1	
2.	Proposed Development:	PROPOSED 2 STOREY REAR PITCHED ROOF EXTENSION WITH A SINGLE STOREY PITCHED ROOF ELEMENT	
3.	Location:	POOLSIDE BARN, POOLSIDE, HAVERIGG	
4.	Parish:	Millom	
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change, Key Species - Potential areas for Natterjack Toads, PROWs - Public Right of Way	
6.	Publicity Representations &Policy	Neighbour Notification Letter	Yes
		Site Notice	No
		Press Notice	No
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	Report:		
	Site and Location		
		This application site relates to Poolside Barn in Haverigg, a detached property situated near Haverigg Industrial estate.	
		The property is a modern large, detached property and benefits from a reasonable sized curtilage area to both the front and rear. There is an existing driveway to the front.	

### **Relevant Planning History**

4/15/2337/0F1 – Prior approval of proposed change of use of agricultural building to dwelling house - Approved

4/18/2113/0F1 – Erection of a three bedroomed house – Approved

4/19/2284/0F1 – Variation of condition 2 and 8 of planning approval 4/18/2113 for erection of a three bedroom house – Approved

4/25/2170/0F1 – Proposed two storey pitched roof extension – Approved

### **Proposal**

In August 2025, planning permission (ref: 4/25/2170/0F1) was granted for a two storey rear extension with a single storey element benefitting from a flat roof at this property.

This current application seeks permission for a two storey rear extension with a single storey element benefitting from a flat roof.

The proposed two storey extension will measure 5.5m x 8.2m, and an eaves height of 3.7m and overall height of 7m. The single storey element will project 3.7m from the two storey element of the extension, and will benefit from a mono pitched roof with an eaves height of 2.65m and an overall height of 3.7m.

Internally the ground floor of the extension will accommodate a games room, sunroom and toilet. The proposed first floor will incorporate two bedrooms. Externally the extension will be finished with materials to match the existing dwelling.

### **Consultation Responses**

#### Millom Town Council

No objections in principle.

#### Cumberland Council – Highway Authority

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

If you have a particular aspect of this application you wish us to consider, please feel free to contact me direct.

#### Cumberland Council – Countryside Access Officer

No comments received.

Environment Agency

No comments received.

Public Representation

This application has been advertised by way of neighbour notification letters issued to 4 properties. No responses have been received to this statutory notification period.

**Planning Policy**

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 the 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 LP as commenced by Copeland Borough Council.

The LP was adopted by Cumberland Council on the 5<sup>th</sup> of November 2024 replacing the Copeland Local Plan 2013-2028 and the saved policies of the Copeland Local Plan 2001-2016.

Strategic Policy DS1: Settlement Hierarchy

Strategic Policy DS2: Settlement Boundaries

Policy DS4: Design and Development Standards

Strategic Policy DS6: Reducing Flood Risk

Policy DS7: Sustainable Drainage

Policy H14: Domestic Extensions and Alterations

Strategic Policy N1: Conserving and Enhancing Biodiversity and Geodiversity

Strategic Policy N3: Biodiversity Net Gain

Strategic Policy CO4: Sustainable Travel

CO7: Parking Standards

### **Other Material Planning Considerations**

National Planning Policy Framework (2024)

National Planning Practice Guidance (NPPG)

Cumbria Development Design Guide

Cumbria Landscape Character Guidance and Toolkit (CLCGT)

The Conservation of Habitats and Species Regulations 2017 (CHSR)

### **Assessment**

The main issues raised by this application are the principle of development; scale and design; impact on residential amenity; highway safety; and impact on ecology and biodiversity.

#### Principle of Development

The application relates to an existing residential dwelling located to the north of one of the Borough's Local Centres.

Policy H14 of the Copeland Local Plan supports domestic extensions and alterations to residential properties subject to detailed criteria, which are considered below.

Planning permission (ref: 4/25/2170/0F1) was previously granted in August 2025 for a two storey rear extension with a single storey element benefitting from a flat roof. The principle for extending this residential property has therefore been established by this previous permission.

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

#### Scale and Design

Policy DS4 of the Copeland Local Plan indicates that all new development should meet high quality standards.

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.



## Cumberland Council

The current application for a two storey rear extension with a single storey element reflects the overall scale of the previously approved scheme. The current application however seeks to alter the roof of the single storey element of the extension from a flat roof to a mono pitched roof and removes the proposed Juliette balcony from the rear elevation.

Whilst large in scale the principle for the development has already been established. The proposal is considered to be an acceptable scale in relation to the parent property and neighbouring dwellings. As per the previous permission the use of the extension will be controlled by an appropriately worded planning condition.

The modern design of the extension is considered acceptable in terms of the existing property and neighbouring dwellings.

On balance this is considered to be an appropriate form of development that is in accordance with the requirements of Policies H14 and DS4 of the adopted Local Plan.

### Impact in 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 extension is located within close proximity of the amenity space of the neighbouring property. The scale of the extension has already been established, however the proposed amendments to the roof of the extension are not considered to significantly impact on the amenity of neighbouring properties. The proposed side facing high level ground floor windows are not considered to create overlooking issue, with the boundary wall provided additional screening.

No objections have been received from neighbouring properties.

On balance this is considered to be an appropriate form of development that is in accordance with the requirements of Policies H14 and DS4 of the adopted Local Plan.

### Highway Safety and Public Right of Way

Policy H14 requires the operational car parking needs of the property to continue to be met.

There are no alterations to be made to the existing arrangements, and the proposal will not impact upon the use of the property. Whilst the number of bedrooms will be increased by the development, the property still provides sufficient off street parking.

There is a public right of way that runs to the west of the site – FP 415010. The Countryside Officer has been consulted as part of the proposal, however, to date no comments have been received. The proposal would not directly impact upon the footpath given the proposal is located over 30m away from the route. However, an informative has been included to advise

that if any works impact upon the footpath a separate permit will be required as necessary.

On this basis, the proposal is considered to comply with Policy H14 and the Cumbria Development Design Guide.

#### Flood Risk & Drainage

Policy DS6 seeks that development will not be permitted where: there is an unacceptable risk of flooding and or, the development would increase the risk of flooding elsewhere.

Policy DS7 requires that surface water is managed in accordance with the national drainage hierarchy and includes Sustainable Drainage Systems where appropriate.

The application site is located within Flood Zone 1.

The application is however supported by a Flood Risk Assessment, which concludes the site is at low risk of flooding and details flood defences which contribute to local resilience. The Assessment details flood protection measures which are considered suitable for the location of the dwelling within Flood Zone 1.

On the basis the proposal is therefore considered to achieve the requirement of Policies DS6 and DS7 of the Copeland Local Plan, and the NPPF.

#### Impact on Biodiversity and Ecology

Policy N1 of the ELP seeks to ensure that new development will protect and enhance biodiversity and geodiversity and defines a mitigation hierarchy.

Policy N3 requires that all development, with the exception of that listed in the Environment Act must provide a minimum of 10% biodiversity net gain over and above existing site levels, following the application of the mitigation hierarchy set out in Policy N1. This is in addition to any compensatory habitat provided under Policy N1. It is stated net gain should be delivered on site where possible and where on-site provision is not appropriate, provision must be made elsewhere in accordance with a defined order of preference.

The application is not supported by any ecology details as the site is located on an existing domestic curtilage area. On this basis, it is considered that this is not a habitat that is likely to contain natterjack toads and so it would not be necessary to seek an ecological survey for this minor application.

In England, BNG is now mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Applications must now deliver a Biodiversity Net Gain of 10%, resulting in more or better-quality natural habitat than there was before the development. Some developments are however exempt from these BNG requirements. In this instance the development is considered exempt from BNG as the development falls within the definition of a householder application.

On this basis, it is considered that the development complies with the requirements of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 and Policies N1

	<p>and N3 of the Copeland Local Plan and the provisions of the NPPF.</p> <p><u>Planning Balance &amp; Conclusion</u></p> <p>The application seeks planning permission to extend the existing residential property, the principle for the development has already been established by a previous planning approval at the site.</p> <p>The scale of the extension has already been established, however the proposed amendments to the roof of the extension are not considered to significantly impact on the amenity of neighbouring properties or character of the property or surrounding area.</p> <p>The proposal is therefore considered to be acceptable in terms of scale, design, and would not have any significant detrimental impact on the amenities of the neighbouring properties.</p> <p>The development is not considered to have an adverse impact highway safety, flood risk, or ecology and biodiversity.</p> <p>The proposal is therefore considered to be an acceptable form of sustainable development which is compliant with policies of the Copeland Local Plan and the provisions of the NPPF.</p>
8.	<p><b>Recommendation:</b></p> <p>Approve (commence within 3 years)</p>
9.	<p><b>Conditions:</b></p> <p><u>Standard Conditions</u></p> <ol style="list-style-type: none"> <li>1. The development hereby permitted must be commenced before the expiration of three years from the date of this permission.</li> </ol> <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"> <li>2. Permission must relate to the following plans and documents as received on the respective dates and development must be carried out in accordance with them: <ul style="list-style-type: none"> <li>- Application Form, received by the Local Planning Authority on the 1<sup>st</sup> October 2025.</li> <li>- Cover Sheet, Scale 1:100, received by the Local Planning Authority on the 1<sup>st</sup></li> </ul> </li> </ol>

October 2025.

- Location Plan, Scale: 1:1250, Ref Drg No: MEJ/2025/854/002, received by the Local Planning Authority on the 1<sup>st</sup> October 2025.
- Site Plan. Scale: 1:500, Ref Drg No: MEJ/2025/854/002A, received by the Local Planning Authority on the 1<sup>st</sup> October 2025.
- Existing Ground Floor Plan, Scale: 1:100, Ref Drg No: MEJ/2025/854/003, received by the Local Planning Authority on the 1<sup>st</sup> October 2025.
- Existing First Floor Plan, Scale: 1:100, Ref Drg No: MEJ/2025/854/004, received by the Local Planning Authority on the 1<sup>st</sup> October 2025.
- Proposed Ground Floor Plan (Amended), Scale: 1:100, Ref Drg No: MEJ/2025/854/005, Issue: 2, received by the Local Planning Authority on the 13<sup>th</sup> November 2025.
- Proposed First Floor Plan (Amended), Scale: 1:100, Ref Drg No: MEJ/2025/854/006, Issue: 3, received by the Local Planning Authority on the 21<sup>st</sup> November 2025.
- Existing and Proposed Rear Elevation & Existing Side Elevations (Amended), Scale: 1:100, Ref Drg No: MEJ/2025/854/007, Issue: 2, received by the Local Planning Authority on the 21<sup>st</sup> November 2025.
- Proposed Side Elevations (Amended), Scale: 1:100, Ref Drg No: MEJ/2025/854/008, Issue: 3, received by the Local Planning Authority on the 21<sup>st</sup> November 2025.
- Flood Risk Assessment, Prepared by Malcolm Jones, Issue 1 September 2025, received by the Local Planning Authority on the 1<sup>st</sup> October 2025.
- Flood Map for Planning, received by the Local Planning Authority on the 1<sup>st</sup> October 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.

#### Other Conditions:

3. The rear extension hereby permitted must be used and occupied only as ancillary



residential accommodation to the existing dwellinghouse, Poolside Barn, and shall thereafter at no time be subdivided, occupied or sold as a separate, independent residential planning unit.

**Reason**

The extension is not considered appropriate for use as a separate residential unit in accordance with DS4 of the Copeland Local Plan.

**Informative Notes:**

**Public Right of Way**

The granting of planning permission would not give the applicant the right to block or obstruct the public right of way shown on the attached plan.

The public right of way as indicated must be kept open and unaltered for public use until an order made to divert, stop up or to temporarily close it has been confirmed.

**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 exemptions: The development falls under the definition of a householder application.

**Statement:**

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and negotiating with the applicants acceptable amendments to address them. As a result the Local Planning Authority has been able to grant planning permission for an acceptable proposal in accordance with Copeland Local Plan policies and the presumption in favour of sustainable development as

	set out in the National Planning Policy Framework.	
<b>Case Officer:</b> C. Burns		<b>Date :</b> 21.11.2025
<b>Authorising Officer:</b> N.J. Hayhurst		<b>Date :</b> 24.11.2025
<b>Dedicated responses to:-</b> N/A		