

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/25/2348/0F1
2.	<b>Proposed Development:</b>	REMOVAL OF EXISTING OUTBUILDING AND SECTIONS OF THE EXISTING ROOF AND THE CONSTRUCTION OF NEW FRONT, REAR, AND SIDE EXTENSIONS TO AN EXISTING DWELLING WITH INTERNAL AND EXTERNAL ALTERATIONS
3.	<b>Location:</b>	PENHAVEN, NORTH LANE, HAVERIGG
4.	<b>Parish:</b>	Millom
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change, Key Species - Potential areas for Natterjack Toads, PROWs - Public Right of Way
6.	<b>Publicity Representations &amp;Policy</b>	See Report.
7.	<b>Report:</b>  <b>Site and Location</b>  <p>This application relates to a detached bungalow, known as Penhaven, which fronts onto North Lane, located within the northwest of Haverigg.</p> <p>The dwelling is located on a large plot, with a paved driveway for numerous vehicles to the front, and a modest size garden to the rear. The site also contains two large separate outbuildings/garages.</p> <p>Access to the site is achieved from North Lane to the front of the site.</p> <p>The dwelling is bound on both sides by residential properties and to the rear by farm buildings.</p>  <b>Relevant Planning History</b>  4/25/2015/0F1 DEMOLITION OF AN EXISTING BUNGALOW AND THE CONSTRUCTION	

## OF A NEW SINGLE STOREY DWELLING WITH INTEGRAL GARAGE AND ASSOCIATED LANDSCAPING – Approve June 2025

### **Proposal**

This application seeks planning permission for the removal of one of the existing outbuildings and sections of the existing dwellings roof, to facilitate construction of a new front, rear and side extension with some internal and external alterations throughout.

The existing bungalow is located within the centre of the application site, set back from the adjacent highway, with access to the rear of the site maintained at the side of the property.

It is proposed that the one outbuilding will be demolished and one will be retained.

Internally the proposed dwelling will incorporate an integrated garage, hallway, lounge, three double bedrooms, a bathroom, utility room, pantry, master bedroom with ensuite bathroom and dressing room, and an open plan kitchen/dining/snug.

The extension comprises a new single storey side extension with pitched roof over forming a new garage, a new rear pitched roof extension with 2no. Velux rooflights, a new dual roof pitch design for proposed side extensions and a new flat roof extension forming the new utility.

Solar Panels are also proposed to be installed to the South facing roof slope.

The current access to the site will be retained as existing however the existing splayed brick wall around the driveway will be removed to create a larger access point. The existing driveway area to the front of the dwelling will be retained for off street parking.

Externally the property will be finished with smooth white render, facing stone, concrete roof tiles, and a mix of grey upvc/aluminium windows and doors.

### **Consultation Response**

#### Millom Town Council

No objections

#### Highway & Local Lead Flood 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.

#### United Utilities



## Cumberland Council

No comments received.

### Public representations

This application has been advertised by neighbour notification letters issued to two properties. No responses have been received in response to this consultation.

### **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 5th of November 2024 replacing the Copeland Local Plan 2013-2028 and the saved policies of the Copeland Local Plan 2001- 2016.

The following policies are relevant to this proposal:

Strategic Policy DS1: Settlement Hierarchy

Strategic Policy DS2: Settlement Boundaries

Policy DS4: Design and Development Standards

Policy H14 – Domestic Extensions and Alterations

Policy N1: Conserving and Enhancing Biodiversity and Geodiversity

Strategic Policy N3: Biodiversity Net Gain

Policy CO7: Parking Standards

### **Other Material Planning Considerations**

National Planning Policy Framework (2024)

National Design Guide (NDG).

Cumbria Development Design Guide (CDG)

Wildlife and Countryside Act 1981

The Conservation of Habitats and Species Regulations 2017 (CHSR)

### **Assessment**

The key issues raised by this application relate to the principle of the development; scale, design, and impact on residential amenity; access, parking, and highway safety; and impact on ecology and biodiversity.

### **Principle of Development**

Haverigg is identified under Strategic Policy DS1 of the Copeland Local Plan as one of the Local Centres, which have a supporting role to Copeland's towns containing a broad range of services. These settlements also operate independently from the main towns to meet day to day needs or as a well-connected cluster, linked to a neighbouring town or village of a similar scale by a frequent public transport service and/or safe pedestrian routes a mile or less in length.

It is stated that the focus for development in Local Centres will be to support the retention and small-scale growth of existing services and businesses, with development focused on existing employment allocations, moderate housing allocations, and windfall and infill developments.

The settlement boundary for Haverigg is defined in Strategic Policy DS2. It is stated that development within the defined settlement boundaries will be supported in principle where it accords with the Development Plan unless material considerations indicate otherwise. This application relates to an existing residential site within the settlement boundary for Haverigg.

Policy H14 supports extensions and alterations to residential properties subject to detailed criteria, which are considered below.

On this basis, the principle of the development is therefore considered to be acceptable, and the extension satisfies Policies, DS1, DS2 and HS14 of the Copeland Local Plan and the provisions of the National Planning Policy Framework.

### **Scale, Design and Impact on Residential Amenity**

Policy DS4 of the Copeland Local Plan and section 12 of the NPPF requires all new development to meet high-quality standards of design. This includes creating and enhancing locally distinctive places, the use of good quality materials that reflect the local character, including high quality and useful open spaces, providing high levels of residential amenity, adopting active travel principles, creating opportunities for social interaction, and effective use of land whilst maintaining amenity and maximising solar gain.

Policy H14 supports extensions where 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.

The proposal comprises the removal of one of the existing outbuildings and sections of the dwellings existing roof, to facilitate the construction of a new front, rear and side extension with some internal and external alterations throughout.

From front to rear, the extension will be approx. 18 metres in length and will be 16 metres wide from the widest point, with an eaves height of 2.4 metres and overall height of 4.8 metres.

The extensions proposed comprise a new single storey side extension which will project 3.8 metres from the side of the original dwelling with pitched roof over forming a new integral garage. The pitched roof height will match the existing roof height of the original dwelling.

A new rear pitched roof extension with 2no. Velux rooflights will project 6 metres from the rear of the original dwelling and will be 7 metres wide. It will incorporate an open plan kitchen/dining/snug. This will link a new small flat roof extension forming the new utility which will project 2.7 metres from the side of the new rear extension, and 3.2 metres from the back of the new side extension with a height of 2.8 metres.

A new single storey pitched roof side and nominal front extension will link a new dual roof pitch design for proposed side extensions to accommodate a front lounge and a master bedroom with ensuite and dressing room. The extensions will have an eaves height of 2.4 metres and will be 4.5 metres in overall height.

This side elevation is adjacent to the neighbouring property Fairwinds and is located approx. 1.6 metres from the boundary.

It is proposed to extend the existing roof projection by 1 metre on the front elevation to form an entrance canopy.

As part of the proposal, solar Panels are to be installed to the South facing roof slope. The design/materials used for the proposal panels will be included as a planning condition to ensure good design is maintained.

Whilst the proposed works are large in overall scale, a previous scheme for demolition of the entire dwelling and construction of a larger dwelling was approved in June 2025, so the scale of the proposed extensions and alterations for this current application are more modest and in keeping with the site and the surrounding area.

Whilst the development will be located in close proximity to the neighbouring properties, the side elevation windows adjacent to Stable Hill remain unaltered from the existing dwelling, so no further impact is proposed.

The side elevation adjacent to Fairwinds proposes only 1 window on this elevation, which is within the master bedroom ensuite. A condition to retain obscure glazing within perpetuity can be used to protect residential amenity from overlooking.

In addition, to further protect residential amenity, where noted on the proposed site plan, new timber fence panels up to a height of 1.8m from external ground levels are to be erected, whilst the existing boundary are to be retained thereafter. The installation and retention of this boundary treatment will be again secured by an appropriately worded planning condition.

The scale and design of the proposal is therefore acceptable, and is not considered to create any overlooking, security or privacy issues for the neighbours.

Externally the property will be finished with smooth white render, facing stone, concrete roof tiles, and a mix of grey upvc/aluminium windows and doors. The materials proposed are considered to be acceptable and suitable for their use.

It is therefore considered that given the planning conditions proposed, the proposal would not impact upon the character and appearance of the existing property itself, nor would it impact upon the character of the wider residential area.

On this basis, the proposal is considered to meet Policy DS4 and H14 of the Copeland Local Plan and NPPF guidance.

#### **Access, Parking and Highway Safety**

Policy CO7 of the Copeland Local Plan states that proposals for new development will be required to provide adequate parking provision, including cycle parking and accessible parking bays, in accordance with the Cumbria Development Design Guide (or any document that replaces it) where appropriate.

The current driveway will be retained at this site to provide access and parking for the proposed dwelling. It is proposed to widen the entrance to the access to improve access to the property.

It is considered that there is adequate parking provisions for the size of the dwelling.

The Highway Authority have reviewed the application and have confirmed no objections to the proposal.

Based on the above, the proposal is considered to be compliant with Policy CO7 of the Copeland Local Plan, and provisions of the NPPF.

#### **Impact on Ecology and Biodiversity**

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



## Cumberland Council

preference. 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 except from these BNG requirements.

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 the application is a Householder application, therefore the proposal falls within the list of developments except from providing Biodiversity Net Gain.

The application site is identified as a potential area for natterjack toads. Although the application site is located within 200m of a watercourse (as indicated within the ALGE trigger list), the proposal is for an extension to a dwelling (some areas of which are already located on hard surfaces) on an existing residential site, located within a built up area.

On the basis of the above 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.

Based on the above, 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 and N3 of the Copeland Local Plan and the provisions of the NPPF.

### **Planning Balance and Conclusions**

The application relates to an existing residential site within the settlement boundary for Haverigg, which is identified as one of the Borough's Local Centres.

The application seeks to extend an existing bungalow on an existing residential plot.

The details submitted propose a development which is of a scale and design which reflects the surrounding properties, and is not considered to have a detrimental impact on the nearby residential properties. The proposal is considered to be designed to reflect the character of the parent property, and the wider residential area.

Appropriately worded planning conditions will be utilised to secure full details of proposed solar panels to ensure an appropriate design, and to secure and retain relevant boundary treatments and obscure glazing where appropriate to protect amenity of neighbouring properties.

The site access and parking will remain as existing with improvements proposed as part of the development.

No objections have been raised from statutory consultees or from neighbour consultations.

The proposal is therefore considered to be an acceptable form of development that has no negative impacts on residential amenity; access, parking, and highway safety; or ecology and

	<p>biodiversity.</p> <p>Overall, the proposal is complaint 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>1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.</p> <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> <p>2. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them: -</p> <ul style="list-style-type: none"> <li>- Application Form, received 15<sup>th</sup> October 2025;</li> <li>- Site Location Plan, scale 1:1250, drawing 24-36-P-L, received 15<sup>th</sup> October 2025;</li> <li>- Site Block Plan, scale 1:500, drawing 24-36-P-L, received 15<sup>th</sup> October 2025;</li> <li>- Proposed Site Plan, scale 1:250, drawing 24-36-P-15, received 15<sup>th</sup> October 2025;</li> <li>- Existing Plans, scale 1:100, drawing 24-36-P-02, received 15<sup>th</sup> October 2025;</li> <li>- Proposed Plans, scale 1:100, drawing 24-36-P-11, received 15<sup>th</sup> October 2025;</li> <li>- Existing Elevations, scale 1:100, drawing 24-36-P-03, received 15<sup>th</sup> October 2025;</li> <li>- Existing 3D Sketches 01, drawing 24-36-P-04, received 15<sup>th</sup> October 2025;</li> <li>- Existing 3D Sketches 02, drawing 24-36-P-05, received 15<sup>th</sup> October 2025;</li> <li>- Proposed 3D Sketches 01, drawing 24-36-P-13, received 15<sup>th</sup> October 2025;</li> <li>- Proposed 3D Sketches 02, drawing 24-36-P-14, received 15<sup>th</sup> October 2025.</li> </ul> <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> <p>3. The master bedroom ensuite window as shown on drawing reference 24-36-P-11 shall be fitted with obscure glass and thereafter be permanently retained as such once</p>



installed.

Reason

To safeguard the amenities of occupiers of adjoining properties.

4. Prior to the occupation of the extensions hereby approved the boundary fence as shown on Proposed Site Plan, drawing 24-36-P-15 shall be installed and maintained at a height not exceeding 1.8 metres in accordance with details submitted to and approved in writing by the Local Planning Authority and shall not be raised to a height exceeding 1.8 metres thereafter.

Reason

To protect residential amenity in accordance with Policy HP14 of the Copeland Local Plan.

5. Prior to the first installation within the development hereby approved, details of the proposed solar panels will be submitted to and approved in writing by the Local Planning Authority. The development must be carried out in accordance with the approved details at all times thereafter and must not be altered without the prior consent of the Local Planning Authority.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity in accordance with 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

	<p>more of the statutory exemptions or transitional arrangements is/are considered to apply.</p> <p>Applicable exemption: Householder development.</p> <p><b>Public Right of Way</b> This site takes access from PROW 416064, the Applicant must ensure that no obstruction to the footpath occurs during, or after the completion of the site works.</p> <p><b>Statement:</b> 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.</p>	
<b>Case Officer: Demi Crawford</b>		<b>Date : 08/12/2025</b>
<b>Authorising Officer: N.J. Hayhurst</b>		<b>Date : 10/12/2025</b>
<b>Dedicated responses to:- N/A</b>		