

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2365/0F1
2.	Proposed Development:	REPLACEMENT OF EXISTING CARPORT STRUCTURE
3.	Location:	SYCAMORES, THE GROVES, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC;Adverts - ASC;Adverts, TPO - TPO, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations &Policy	See report.
7.	Report: Site and Location <p>The application site relates to Sycamores, a detached property situated on The Groves, in a residential area of Whitehaven.</p> <p>The site benefits from a paved front garden with driveway area, and an existing carport structure located to the side of the property.</p> Proposal <p>The proposal seeks planning permission for the replacement of the existing carport structure located on the side elevation, with a new contemporary, steel structure.</p> <p>The new structure will project 4.29 metres from the side elevation and will be 7.3 metres in length from front to rear. The structure has been designed with a flat roof and will have an overall height of 2.815 metres.</p> <p>It will be finished with grey galvanized steel support posts, integrated gutters and downpipes hidden within the supports and clad in Rhombus thermowood which will be oak in colour.</p>	

Relevant Planning History

None relevant.

Consultation Responses

Whitehaven Town Council

No objections.

Local Highways Authority and Lead Local 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.

Public Representations

The application has been advertised by way of neighbour notification letters issued to 3 properties.

No representations have been received in response to this consultation.

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.



Cumberland Council

The policies relevant to this application are as follows:-

Policy DS4: Design and Development Standards

Policy H14: Domestic Extensions and Alterations

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.

Principle of Development

The proposed application relates to a residential dwelling within Whitehaven.

The development would provide a replacement carport structure to the existing element located on the side elevation, with a new contemporary, steel structure.

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 proposed extension will be appropriately located to the side of the property and will replace an existing car port structure on the same footprint.

The new structure will project 4.29 metres from the side elevation and will be 7.3 metres in length from front to rear. The new structure has been designed with a flat roof and will have an overall height of 2.815 metres.

It will be finished with grey galvanized steel support posts, integrated gutters and downpipes hidden within the supports and clad in Rhombus thermowood which will be oak in colour. It is considered that the proposed materials are modern, and suitable for their use.

As a result, the proposed extension will not be excessively prominent in the street scene, and

the design and materials used are considered to respect the character and appearance of the existing property.

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.

Whilst amenity issues between the proposed new carport structure and the neighbouring properties were considered, the proposed car port would be positioned to the side of the property and will replace an existing structure.

The existing car port is of pitched roof construction with roof tiles. The new structure has been designed with a flat roof. Overall, the new structure is considered to reduce impacts on residential amenity. The proposed new car port structure is therefore not considered to add any significant impact upon adjacent residential amenity in terms of overbearing impact.

No concerns were raised as a result of the neighbour consultation process.

On balance, the proposed design is considered to be acceptable, and it will not adversely harm the neighbouring amenity. The proposal therefore complies with Policies DS4 and H14 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.



Cumberland Council

	<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 not have an adverse impact on residential amenity.</p> <p>The proposal is exempt from Biodiversity Net Gain.</p> <p>No objections have been received as a result of the consultation.</p> <p>The proposal is therefore considered an acceptable form of development which complies with the policies of the adopted Local Plan and provisions of the NPPF.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</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">- Application Form, received 27th October 2025;- Site Location Plan, scale 1:1250, received 27th October 2025;- Site Plan, scale 1:200, received 27th October 2025;- Plans & Elevations, scale 1:50, received 27th October 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> <p>Informative Notes</p>

	<p>Development Low Risk Area - Standing Advice</p> <p>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</p> <p>Biodiversity Net Gain – Exemption</p> <p>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:</p> <p>(a) a Biodiversity Gain Plan has been submitted to the local planning authority, and</p> <p>(b) the local planning authority has approved the plan.</p> <p>The planning authority, for the purposes of the Biodiversity Gain Plan is Cumberland Council.</p> <p>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.</p> <p>Applicable exemption: Householder development</p> <p>Statement</p> <p>The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework</p>
<p>Case Officer: Demi Crawford</p>	<p>Date : 18/12/2025</p>
<p>Authorising Officer: N.J. Hayhurst</p>	<p>Date : 19/12/2025</p>
<p>Dedicated responses to:- N/A</p>	