

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/25/2392/0F1
2.	<b>Proposed Development:</b>	REMOVAL OF THE EXISTING SINGLE STOREY GARAGE ROOF COVERING AND THE CONSTRUCTION OF A FIRST FLOOR SIDE EXTENSION, NEW FRONT PORCH, AND MONO-PITCH ROOF CANOPY TO FRONT ELEVATION WITH BRICK PILLAR
3.	<b>Location:</b>	17 SEATHWAITE CLOSE, MILLOM
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
6.	<b>Publicity Representations &amp;Policy</b>	See report.
7.	<b>Report:</b>  <b>Site and Location</b>  The application site relates to 17 Seathwaite Close, a semi-detached property situated in a residential area of Millom.  The site benefits from a small front garden with a driveway and offroad parking, a garage and a modest size rear garden. There is an existing conservatory on the rear elevation.  The dwelling slopes slightly downhill to the rear.  <b>Proposal</b>  The proposal seeks planning permission for the erection of a first-floor extension over the existing garage to provide a master bedroom with en-suite, with the construction of a new front porch with roof canopy to the front elevation.  The new first-floor extension will be built on the same footprint as the existing garage and will be 3.9m in width and 7.6m in length from front to back. It has been designed with a dual	

pitched roof that matches the existing roof height.

The new front porch will project 0.7m from the front elevation to bring into line with the front building line of the property. It has been designed with a mono pitched roof canopy with brick pillar to the front elevation.

Proposed external finishes include facing brickwork with dashed render, concrete roof tiles and white upvc windows and doors to match the existing.

### **Relevant Planning History**

None relevant.

### **Consultation Responses**

#### Millom Town Council

No objections.

Public Representations - The application has been advertised by way of neighbour notification letters issued to 4 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:-

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

### **Other Material Planning Considerations**

National Planning Policy Framework (NPPF)

Cumbria Development Design Guide

Wildlife and Countryside Act 1981

### **Assessment**

The key issues raised by this proposal are the principle of development, its scale and design and the potential impacts on residential amenity, impacts on ecology and biodiversity net gain.

#### Principle of Development

The proposed application relates to a residential dwelling situated within Millom. The development would provide a first-floor extension over the existing garage to the side elevation providing a master bedroom with en-suite. The application also seeks permission for a small front porch extension with a mono pitched roof canopy over.

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 above an existing garage. Externally, the extension is proposed to be 7.6m in length from front to back and 3.9m in width on the same footprint as the garage. The design includes a continuation of the existing eaves and ridge height to match the existing property. As a result, the proposed

extension will not be excessively prominent in the street scene.

The proposal also includes a small porch extension which projects 0.7m, to fall in line with the existing garage building line. It has been designed with a mono pitched roof canopy along the front elevation which integrates the existing garage and with the proposed porch and maintains visual coherence with the front of the parent 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.

Proposed external finishes include facing brickwork with dashed render, concrete roof tiles and white upvc windows and doors to match the existing.

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

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 extension and the neighbouring properties were considered, the proposed extension would be positioned to the side of the property above an existing garage.

The proposed extension is located approx. 2.7m from the boundary with number 16 Seathwaite Close at its widest point, and no openings are proposed on this side elevation therefore not increasing overlooking impacts.

The increase in height proposed from the current height of the garage roof to the proposed overall height of the proposed extension is considered to be minimal. The extension is therefore not considered to add any significant impact upon adjacent residential amenity in terms of overbearing impact or loss of privacy.

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

Following a site visit, it was clear that other properties within the immediate area have also carried out similar development.

Taking into account the siting of the extension and the orientation of the existing property, the proposed extension design is acceptable, and it will not adversely harm the neighbouring amenity.



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The proposal therefore complies with Policies DS4 and H14 of the Copeland Local Plan in this regard.

### Impact on Ecology and Biodiversity Net Gain

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.

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 therefore the proposal falls within the list of developments except from providing Biodiversity Net Gain.

The application site is also identified as a potential area for natterjack toads. The application site is not located within 200m of a watercourse (as indicated within the ALGE trigger list), and the proposal is for the construction of a first floor extension and front porch (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 Conclusion

The proposed development is of an appropriate scale and design for the site and locality, which would preserve the amenities of the parent property and wider residential area.

The proposal is not subject to Biodiversity Net Gain or any additional ecology details.

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.

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 20<sup>th</sup> November 2025;</li> <li>- Site Location Plan, scale 1:1250, drawing 25-45-P-L, received 20<sup>th</sup> November 2025;</li> <li>- Site Block Plan, scale 1:500, drawing 25-45-P-L, received 20<sup>th</sup> November 2025;</li> <li>- Proposed Site Plan, scale 1:200, drawing 25-45-P-01, received 20<sup>th</sup> November 2025;</li> <li>- Existing Plans, scale 1:100, drawing 25-45-P-02, received 20<sup>th</sup> November 2025;</li> <li>- Existing Elevations, scale 1:100, drawing 25-45-P03, received 20<sup>th</sup> November 2025;</li> <li>- Existing 3D Sketches, drawing 25-45-P04, received 20<sup>th</sup> November 2025;</li> <li>- Proposed Plans, scale 1:100, drawing 25-45-P05, received 20<sup>th</sup> November 2025;</li> <li>- Proposed Elevations, scale 1:100, drawing 25-45-P06, received 20<sup>th</sup> November 2025;</li> <li>- Proposed 3D Sketches, drawing 25-45-P07, received 20<sup>th</sup> November 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><b>Informative Note</b></p> <p><b>Biodiversity Net Gain – Exemption</b></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: (a) a Biodiversity Gain Plan has been submitted to the local planning</p>



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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.

### Statement

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

**Case Officer: Demi Crawford**

**Date : 14/01/2026**

**Authorising Officer: N.J. Hayhurst**

**Date : 15/01/2026**

**Dedicated responses to:- N/A**