



## CUMBERLAND COUNCIL

### DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/25/2400/0F1
2.	<b>Proposed Development:</b>	PROPOSED REAR EXTENSION TO FORM KITCHEN AND DINING ROOM AND SIDE EXTENSION TO PROVIDE UTILITY ROOM
3.	<b>Location:</b>	ASHLEIGH, BRICKWORKS ROAD, LOW ROAD, WHITEHAVEN
4.	<b>Parish:</b>	Whitehaven
5.	<b>Constraints:</b>	ASC Adverts - ASC;Adverts, Coal - Development Referral Area - Data Subject to Change
6.	<b>Publicity Representations &amp;Policy</b>	See report.
7.	<b>Report:</b> <b>Site and Location</b>  The application site relates to Ashleigh, a detached single storey bungalow located within an existing residential area of Whitehaven.  The property is located down a private access serving 4 dwellings and is set within a generous plot. The land slopes slightly uphill.  <b>Proposal</b>  The proposal seeks planning permission for the construction of a single storey side and rear extension to the existing dwelling.  The single storey side extension will project 5.35m from the side elevation and will be 7.58m in length from front to rear. It has been designed with a roof height to match the existing property and will provide an open plan kitchen/dining area.  The single storey rear extension will project 2.4m from the rear elevation and will be 3.71m in width. It has been designed with a flat roof with an overall height of 2.6m and will provide a	

W/C and utility room.

The proposed external finishes include sand and cement render, interlocking roof tiles and upvc windows and doors all to match the existing.

### **Relevant Planning History**

None relevant.

### **Consultation Responses**

#### Whitehaven Town Council

No comments received to date.

#### The Coal Authority

No comments received to date.

Public Representations - The application has been advertised by way of neighbour notification letters issued to 6 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.

The policies relevant to this application are as follows:-

DS4: Design and Development Standards

Policy H14: Domestic Extensions and Alterations

Strategic Policy N3: Biodiversity Net Gain

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, and biodiversity net gain.

Principle of Development

The proposed application relates to a residential dwelling situated within Whitehaven. The development would provide a single storey side and rear extension providing an open plan kitchen dining area, and a separate W/C utility room.

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 single storey side extension will project 5.35m from the side elevation and will be 7.58m in length from front to rear. It has been designed with a roof height to match the existing property.

The single storey rear extension will project 2.4m from the rear elevation and will be 3.71m in width. It has been designed with a flat roof with an overall height of 2.6m and will provide a W/C and utility room.

The proposed extensions will be appropriately located to the side and rear of the property on a generous sized plot to ensure that they will not be excessively prominent in the street scene. The proposed scale, massing and siting of the extensions are considered to be

acceptable and are not considered to adversely alter the existing building or street scene, nor would it result in overdevelopment of the site.

The proposed external finishes include sand and cement render, interlocking roof tiles and upvc windows and doors all to match the existing. The use of matching materials ensures that the proposal compliments the existing property, and the wider residential area.

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 extensions would be suitably located within the site.

The proposed single storey side extension will be located approx. 3m from the garage boundary with Woodbine Villas, and approx. 7m from the boundary with Stormont.

As the parent property slopes uphill, the neighbouring properties ground levels are located higher than the host property, there are no overlooking issues considered.

In addition, given the separation distances from the nearest dwelling, no additional privacy concerns are considered to occur as a result of this 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.

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

#### Biodiversity Net Gain

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.

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 Policy 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 requirements.

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. Recommendation:**

Approve (commence within 3 years)

#### **9. Conditions:**

1. The development hereby permitted shall be commenced 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. 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: -

- Application Form, received 25<sup>th</sup> November 2025;
- Site Location Plan,, scale 1:1250 drawing DC/AT/25/02, received 25<sup>th</sup> November 2025;
- Site Block Plan, scale 1:500, drawing DC/AT/25/02, received 25<sup>th</sup> November 2025;
- Existing Plans & Elevations, scale 1:100 drawing DC/AT/25/01, received 25<sup>th</sup> November 2025;
- Proposed Plans & Elevations, scale 1:100 drawing DC/AT/25/02, received 25<sup>th</sup> 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.

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

**Coal Mining Legacy**

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:

<https://www.gov.uk/government/organisations/mining-remediation-authority>

**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



<b>Case Officer:</b> Demi Crawford	<b>Date :</b> 19/01/2026
<b>Authorising Officer:</b> N.J. Hayhurst	<b>Date :</b> 20/01/2026
<b>Dedicated responses to:-</b> N/A	