



## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/26/2043/0F1
2.	<b>Proposed Development:</b>	NEW PORCH TO FRONT AND SIDE OF HOUSE
3.	<b>Location:</b>	12 BANK HEAD, 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>	<p><b>LOCATION</b></p> <p>This application relates to 12 Bank Head, an end semi-detached property located in Haverigg.</p> <p>The site faces onto North Lane and benefits from offroad parking and a garden to the front with a small flat roof porch on the front elevation.</p> <p>A Public Right of Way (416064) runs adjacent to the site along North Lane</p> <p><b>PROPOSAL</b></p> <p>Planning Permission is sought for the removal of the existing flat roof porch and construction of a slightly larger, wrap around pitched roof porch extension to the front/side elevation.</p> <p>The extension will project 1.82 metres from the front elevation of the dwelling, and it will be 4.53 metres in length. It has been designed to wrap around the side elevation slightly by 2.73m with a 1m projection from the side elevation.</p>

It includes a pitched roof with an eaves height of 2.52 metres and an overall height of 3.7 metres. A velux roof light is included within the roof.

The porch extension will be finished with light coloured render above a brickwork plinth, concrete roof tiles and white upvc windows and doors to match the existing.

### **RELEVANT PLANNING APPLICATION HISTORY**

There have been no previous planning applications at this property.

### **CONSULTATION RESPONSES**

#### Millom Town Council

No objections.

#### Public Representations

The application has been advertised by way of neighbour notification letters issued to 2 no. properties. No objections were received as a result of this consultation.

### **PLANNING POLICIES**

Planning law requires applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

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#### **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



## Cumberland Council

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

Policy N1: Conserving and Enhancing Biodiversity and Geodiversity

Strategic Policy CO6: Countryside Access

Strategic Policy N3: Biodiversity Net Gain

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

Cumbria Development Design Guide

Wildlife and Countryside Act 1981

The Conservation of Habitats and Species Regulations 2017 (CHSR)

### **Assessment**

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

#### Principle of Development

The proposed application relates to a residential dwelling situated within Haverigg. The development would provide a single storey front porch extension providing the dwelling with an enlarged coat/boot 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 porch extension will project 1.82 m from the front elevation of the dwelling, and it

will be 4.53 m in length. It has been designed to wrap around the side elevation slightly by 2.73m with a 1m projection from the side elevation.

The proposed porch extension will be replacing a smaller flat roof porch that already exists and is therefore appropriately located within the site.

The extension includes a pitched roof with an eaves height of 2.52 metres overall height of 3.7 metres with 1 velux roof light. The proposed scale, massing and siting of the extension is considered acceptable and is not considered to adversely alter the existing building or street scene, nor would it result in overdevelopment of the site.

The porch extension will be finished with light coloured render with brickworks below the dpc, concrete roof tiles and white upvc windows and doors 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 extension would be suitably located within the site and replaces an existing porch only at a slightly larger scale.

There are no windows proposed on the side elevation adjacent to Thompson Ground, and the rear of this property is approx 25m away from the proposed side elevation of the new porch extension. On this basis, there are no overlooking or privacy issues 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. There are also similar porch extensions within the immediate vicinity.

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

#### Impact on the Public Right of Way

Existing Public Rights of Way are protected by law and therefore do not need Policy protection, however Strategic Policy CO6 and The Countryside and Rights of Way Act 2000 seeks to exercise statutory rights of access.



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On this basis, as the Public Right of Way 416064 runs adjacent to the proposed extension along North Lane, consideration must be given to the potential impacts on both the physical and amenity of the footpath.

Whilst the proposal will likely be seen from the footpath, the dwelling is set back approx. 14m from the road, so it will not interfere with the footpath, nor will it harm the physical footpath, or the amenity of the user. The proposal is therefore considered to satisfy Policy CO6 and the NPPF guidance.

### Ecology and Biodiversity

Policy N1 outlines how the Council will protect and enhance the biodiversity and geodiversity within the Borough 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 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.

The application site is also identified as a potential area for natterjack toads, however, the development is considered to have a de minimis impact on onsite habitat as the application site is not located within 200m of a watercourse (as indicated within the ALGE trigger list), and is within an existing built-up residential area and on an existing area of hardstanding. 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.

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 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 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> 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 6<sup>th</sup> February 2026;</li> <li>- Site Location Plan, scale 1:1250, drawing MVC1231-01, received 6<sup>th</sup> February 2026;</li> <li>- Existing Site Plan, scale 1:200, drawing MVC1231-01, received 6<sup>th</sup> February 2026;</li> <li>- Existing Plans and Elevations, scale 1:50, drawing MVC1231-01, received 6<sup>th</sup> February 2026;</li> <li>- Proposed Plans and Elevations, scale 1:50, drawing MVC1231-02, received 6<sup>th</sup> February 2026;</li> <li>- Proposed Site Plan, scale 1:200, drawing MVC1231-02, received 6<sup>th</sup> February 2026;</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:</p> <p>(a) a Biodiversity Gain Plan has been submitted to the local planning authority, and</p>



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(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 : 02/04/2026**

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

**Date : 02/04/2026**

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