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**CUMBERLAND COUNCIL  
DELEGATED PLANNING DECISION**

1.	<b>Reference No:</b>	4/26/2046/0F1
2.	<b>Proposed Development:</b>	DEMOLITION OF THE EXISTING DETACHED GARAGE AND THE CONSTRUCTION OF A SINGLE STOREY PITCHED ROOF SIDE EXTENSION WITH INTERNAL AND EXTERNAL MODIFICATIONS TO AN EXISTING DWELLING
3.	<b>Location:</b>	4 THIRLMERE 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>	<p><b>SITE AND LOCATION</b></p> <p>This application relates to 4 Thirlmere Close, a detached bungalow located on an existing housing estate within Millom. The site benefits from an existing driveway and detached garage to the front/side.</p> <p>The host property slopes slightly uphill and is elevated slightly higher than the adjoining property number 3 Thirlmere Close.</p> <p><b>PROPOSAL</b></p> <p>Planning Permission is sought for the demolition of the existing detached garage, and construction of a single storey pitched roof side extension.</p> <p>The extension will project 5m from the side/front elevation and will be 7.05m in width. It has been designed with a dual pitched roof with an eaves height of 2.4m and an overall height of 4.6m.</p>

The proposed extension will be finished with facing brick up to DPC and painted wet dash render, concrete interlocking roof tiles and grey upvc windows and doors to match the existing property.

### **RELEVANT PLANNING APPLICATION HISTORY**

4/20/2144/0F1ERECT BEDROOMS EXTENSION TO WEST ELEVATION AND ALTERATIONS – Approve

### **CONSULTATION RESPONSES**

#### Millom Town Council

No objections.

#### Highways and 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.

#### Public Representations

The application has been advertised by way of neighbour notification letters issued to 4 no. properties. No objections have been received in response to this application.

### **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



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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

Strategic Policy DS6: Reducing Flood Risk

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

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, Flood Risk, and Ecology and biodiversity net gain.

#### Principle of Development

The proposed application relates to a residential dwelling situated within Millom. The development would provide a single storey front/side extension providing the dwelling with a snug 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 extension will project 5m from the side/front elevation and will be 7.05m in width. It has been designed with a dual pitched roof with an eaves height of 2.4m and an overall height of 4.6m. The proposed extension will replace an existing detached garage, but on a slightly larger footprint and is therefore considered to be appropriately located within the site.

The proposed scale, massing and siting of the extension is considered to be acceptable and is not considered to adversely alter the existing building or street scene, nor would it result in overdevelopment of the site.

The proposed extension will be finished with facing brick up to DPC and painted wet dash render, concrete interlocking roof tiles and grey upvc windows and doors to match the existing property. The use of matching materials ensures that the proposal compliments the existing property, and the wider residential area. The proposed materials are therefore considered acceptable and suitable for their use.

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 detached only at a slightly larger scale.

Whilst the host property is located on slightly elevated ground adjacent to Number 3 Thirlmere Close, there are no windows that currently exist on the side elevation of number 3 Thirlmere Close. 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 side extensions within the immediate vicinity.

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



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this regard.

### Flood Risk

Strategic Policy DS6 aims to reduce Flood Risk by ensuring that flood risk is mitigated.

The NPPF directs development away from areas at the greatest risk of flooding. New development should be located in Flood Risk Zone 1 where possible.

The application includes a Flood Map which shows that the site is located within Flood Zone 1. The area is highlighted as having a low probability of flooding.

Due to the nature of the extension use and the modest scale, it is considered that the proposal is acceptable and won't have a detrimental effect on flood risk. Overall, the proposal is not considered to significantly increase the surface water run-off and therefore the proposal will not have a detrimental effect on flood risk on the site or elsewhere. The LLFA also raised no objections to the proposal.

The proposal therefore complies with policy DS6 of the Copeland Local Plan.

### 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 not considered to effect 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

	<p>and N3 of the Copeland Local Plan and the provisions of the NPPF.</p> <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 preserve the amenities of the parent property and wider residential area.</p> <p>The proposal is not subject to Biodiversity Net Gain or Ecology details.</p> <p>The proposal is not considered to increase flood risk on site or elsewhere.</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><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 6<sup>th</sup> February 2026;</li> <li>- Site Location Plan, scale 1:1250, drawing 26-07-P-L, received 6<sup>th</sup> February 2026;</li> <li>- Site Block Plan, scale 1:500, drawing 26-07-P-L, received 6<sup>th</sup> February 2026;</li> <li>- Existing Plans, scale 1:100, drawing 26-07-P-02, received 6<sup>th</sup> February 2026;</li> <li>- Proposed Plans, scale 1:100, drawing 26-07-P-05, received 6<sup>th</sup> February 2026;</li> <li>- Existing Elevations, scale 1:100, drawing 26-07-P-03, received 6<sup>th</sup> February 2026;</li> <li>- Proposed Elevations, scale 1:100, drawing 26-07-P-06, received 6<sup>th</sup> February 2026;</li> <li>- Proposed 3D Sketches, drawing 26-07-P-07, received 6<sup>th</sup> February 2026;</li> <li>- Existing 3D Sketches, 26-07-P-04, 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>



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**Informative Note**

**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 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**