

**CUMBERLAND COUNCIL  
DELEGATED PLANNING DECISION**

1.	<b>Reference No:</b>	4/26/2084/0F1
2.	<b>Proposed Development:</b>	TWO STOREY REAR EXTENSION & SINGLE STOREY INFILL EXTENSION
3.	<b>Location:</b>	76 VICTORIA ROAD, WHITEHAVEN
4.	<b>Parish:</b>	Whitehaven
5.	<b>Constraints:</b>	ASC Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	<b>Publicity Representations &amp;Policy</b>	See report.
7.	<b>Report:</b>	<p><b>LOCATION</b></p> <p>This application relates to 76 Victoria Road, an end semi-detached Victorian property located in Whitehaven. The application site benefits from a small front garden with side access, a detached garage and offroad parking, and a modest sized tiered garden to the rear.</p> <p><b>PROPOSAL</b></p> <p>Planning Permission is sought for the construction of a two-storey rear extension and a single storey infill extension to the rear/side.</p> <p>The two-storey rear extension will project 3.8m externally from the rear elevation and will be 3.5m in width to meet the party wall of the neighbouring property. It has been designed with an eaves and ridge height to match the existing property, and mirror the size of the extension at the neighbouring property 74 Victoria Road. It will provide an enlarged kitchen area and additional bedroom with en-suite on the ground floor, and a principal bedroom with balcony overlooking the rear garden on the first floor.</p> <p>A small single storey extension is also proposed to infill part of the courtyard formed by the existing L-shaped footprint of the building. It will project an additional 2.9m from the existing</p>

side elevation and 5.3m from the existing rear elevation and will primarily serve to rationalise the ground floor layout and expand the kitchen space. It has been designed with a flat roof with an overall height of 2.7m.

The two storey extension will be finished with render, slate roof tiles and upvc windows and doors to match the existing. The single storey infill extension will include a single-ply membrane roof.

### **RELEVANT PLANNING APPLICATION HISTORY**

There have been no previous planning applications at this property.

### **CONSULTATION RESPONSES**

#### Whitehaven Town Council

No objections.

#### Public Representations

The application has been advertised by way of neighbour notification letters issued to 1 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



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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

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

### **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 two-storey rear, and single storey infill extension for the existing dwelling.

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 and should maintain high levels of amenity.

The two-storey rear extension will project 3.8m externally from the rear elevation and will be 3.5m in width to meet the party wall of the neighbouring property. It has been designed with an eaves and ridge height to match the existing property. It will provide an enlarged kitchen area and additional bedroom with en-suite on the ground floor, and a principal bedroom with

balcony feature overlooking the rear garden on the first floor.

The proposed scale, massing and siting of the side extension is considered to be acceptable and is not considered to adversely alter the existing building or street scene as the design mirrors the size of the extension at the neighbouring property 74 Victoria Road.

A small single storey extension is also proposed to infill part of the courtyard formed by the existing L-shaped footprint of the building. It will project an additional 2.9m from the existing side elevation and 5.3m from the existing rear elevation and will primarily serve to rationalise the ground floor layout and expand the kitchen space. It has been designed with a flat roof with overall height of 2.7m.

Both extensions are suitably located at the rear and remain subservient to the host property. The proposed scale, massing and siting of the extensions are considered acceptable and are not considered to adversely alter the existing building or street scene, nor would it result in overdevelopment of the site.

The two storey extension will be finished with render, slate roof tiles and upvc windows and doors to match the existing. The single storey infill extension will include a single-ply membrane roof. The use of matching materials are considered acceptable and suitable for their use and 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 existing rear projection will be extended in a south-easterly direction, continuing the already established building line at first floor level. This aligns with the existing two-storey rear extension at 74 Victoria Road.

The single storey infill extension is small in scale and cannot be seen from the neighbouring property 74 Victoria Road. There is a wall on the adjacent boundary which will screen this extension from the roadside, with a separation distance of approx. 26m from the next nearest neighbouring property 82 Victoria Road.

On this basis, there are no additional overlooking, privacy issues or loss of light considered to



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	<p>occur as a result of this development.</p> <p>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.</p> <p>The proposal therefore complies with Policies DS4 and H14 of the Copeland Local Plan in this regard.</p> <p><u>Ecology and Biodiversity</u></p> <p>Policy N1 outlines how the Council will protect and enhance the biodiversity and geodiversity within the Borough and defines a mitigation hierarchy.</p> <p>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.</p> <p>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.</p> <p>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.</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.</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> <ol style="list-style-type: none"><li>1. The development hereby permitted shall be commenced before the expiration of three</li></ol>

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 16<sup>th</sup> March 2026;
- Site Location Plan, scale 1:1250, drawing 2526-03, received 16<sup>th</sup> March 2026;
- Proposed Site Plan, scale 1:200, drawing 2526-03, received 16<sup>th</sup> March 2026;
- Existing Floor Plans, scale 1:50, drawing 2526-S01, received 16<sup>th</sup> March 2026;
- Proposed Floor Plans, scale 1:50, drawing 2526-01, received 16<sup>th</sup> March 2026;
- Existing Elevations, scale 1:100, drawing 2526-S02, received 16<sup>th</sup> March 2026;
- Proposed Elevations and Sections, scale 1:100, drawing 2526-02, received 16<sup>th</sup> March 2026;
- Design & Access Statement, received 16<sup>th</sup> March 2026;

#### 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**

#### **Development Low Risk Area – Standing Advice – Mining Remediation Authority**

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

#### **Biodiversity Net Gain – Exemption Applies**

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.



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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 : 07/05/2026**

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

**Date : 11/05/2026**

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