

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/26/2086/0F1
2.	Proposed Development:	TWO STOREY SIDE EXTENSION FOR GARAGE, UTILITY AND WC AT GROUND FLOOR AND BEDROOM WITH EN-SUITE AT FIRST FLOOR
3.	Location:	13 BOW FELL ROAD, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations &Policy	Neighbour Notification Letter: YES Site Notice: NO Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: Site and Location The application site relates to 13 Bow Fell Road, a semi-detached property located within an existing residential area of Whitehaven. The property benefits from a driveway to the front, with a modest sized garden to the front and rear. Access is taken from Bow Fell Road to the south. Proposal The proposal seeks planning permission for the construction of a two-storey side extension	

which is to be sited on the north west of the property.

The proposal includes the addition of a garage and utility/WC at ground floor level and a master bedroom and en-suite bathroom on the first floor.

The extension will project from the side of the dwelling by 3m at the front of the property, reducing to 2.5m due to a sloping boundary. The overall roof height will be 7.2m, which is 0.4m less than the existing roof. The eaves height will be the same at 4.8m overall. A new porch roof is also to be added and extended across the new extension. There will be no windows in the side elevation.

The extension will be built to match the existing dwelling with dry dash walls, a grey concrete interlocking tiled roof, white UPVC windows and black UPVC doors. The garage will include a roller shutter door.

Relevant Planning History

No previous planning applications at this site.

Consultation Responses

Whitehaven Town Council

No objections.

Highways/Local Lead Flood Authority

The Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) can confirm as follows:

We have no objections to the two Storey side extension for garage, utility and wc at ground floor and bedroom with en-suite at first floor.

The provision of a full width dropped kerb will reduce on street parking opportunities for other road users; however, this is considered an amenity issue rather than a highway safety concern. On this basis, no objections are raised to the proposed development. The applicant is advised to ensure that the proposed access is suitably drained to prevent any surface water discharging onto or off the highway.

Informatives: If the application is approved, the applicant must not commence works, or permit any person to carry out works, on any part of the public highway until the appropriate permit has been obtained. The applicant should contact Streetworks at streetworks.cumberland@cumbria.gov.uk to apply for the necessary permit.

Public Representations

The application has been advertised by way of neighbour notification letters issued to 3



Cumberland Council

properties.

One neutral letter has been received stating the following:

The boundary line illustrated on the 'block plan' document is different from the location plan as well as the deeds. Whilst the space up to the garage has been paved by the previous owners of number 13 the original boundary (location plan) is correct. The boundary line runs from the dividing garden wall constructed by number 11 directly to the centre line divide of the outhouses.

There are no dimensions to determine how close the building is to the existing garage and utility of number 11, or if it crosses the boundary described above. More information on this is required.

We are querying how the proposed building will be constructed specifically regarding access in relation to the parts close to our garage and utility, and how the plans will allow access for future maintenance of both properties.

Upon re-consultation, no further response was received.

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

Policy CO7: Parking Standards

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 proposes to construct a double storey side extension to the existing dwelling to provide additional living space.

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.

Policy DS4 of the Copeland Local Plan indicates that all new development should meet high quality standards.

The proposed extension will project by 3m to the side of the dwelling and be 1.7m forward of the principal elevation at ground floor level and 0.3m forward of the principal elevation at first floor level. The overall roof height will be kept below the existing which helps the development to appear subservient to the parent dwelling. Similar extensions can be seen elsewhere within the locality and it is considered that the continuation of the ground floor roof line allows the extension to be read in context with the existing dwelling. The sloped roof on the garage will match the porch roof and existing dwelling, breaking up the massing but also incorporating the extension into the existing dwelling.

Proposed external finishes include render and a tiled roof to match the existing. The proposed materials are 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, overall, it is not considered that the existing situation will be considerably worsened. The proposal will bring the dwelling close to the boundary with the neighbouring property – 11 Bow Fell Road. Due to there being no windows serving habitable rooms in the side elevations of either property, it is considered that the proximity will not give rise to loss of light issues or overlooking or privacy concerns.

Furthermore, no objections were received as a result of the consultation process. Current and future occupiers have been considered during the planning process.

On balance, 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 substantially adversely harm the neighbouring amenity.

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

Highways and Parking

Policy CO7 seeks to ensure that developments provide adequate parking provision and do not have a negative effect on the surrounding road networks.

Whilst the proposal will reduce the parking to the side of the property, the development includes the addition of a garage and two off street parking spaces will be retained at the front of the property. The Highway Authority raised no objections to this arrangement.

The Applicant proposes to drop the kerb onto Bow Fell Road. This is subject to a separate application to be undertaken with the highways department.

Overall, it is unlikely that the proposal will have a significant impact on the local highways network and is considered to comply with Policy CO7 of the Copeland Local Plan.

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 exempt from these BNG requirements. Based on the information available this proposal is considered to be one which will not require the approval of a Biodiversity Gain plan before development is begun because the application is for householder development and therefore the proposal falls within the list of developments except from providing Biodiversity Net Gain. <u>Comments Received</u> One neutral letter was received questioning the submitted boundaries on the site location and block plans. The plans were amended by the Agent and resubmitted to match. Furthermore, the commenter requested information as to how the works would be undertaken so as not to have an effect on the neighbouring property. The Agent responded with the need for a party wall agreement – it is considered that this will be dealt with under the Building Regulations legislation. <u>Planning Balance and Conclusion</u> 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. 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 17th March 2026;
 - Location Plan, scale 1:1250, received 17th March 2026;
 - Existing and Proposed Block Plans and Parking Arrangement, scale 1:500 and 1:100, drawing number SB/8B, received 14th April 2026;
 - Existing and Proposed Rear Elevations, scale 1:50, drawing number SB3, received 17th March 2026;
 - Proposed Ground Floor Plan, scale 1:50, drawing number SB/5A, received 14th April 2026;
 - Proposed First Floor Plan, scale 1:50, drawing number SB6, received 17th March 2026;
 - Proposed Side Elevation, scale 1:50, drawing number SB7, received 17th 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

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 Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

Highways Permit

If the application is approved, the applicant must not commence works, or permit any person to carry out works, on any part of the public highway until the appropriate permit has been

obtained. The applicant should contact Streetworks at streetworks.cumberland@cumbria.gov.uk to apply for the necessary permit.

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.

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: Householder application.

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: Sarah Papaleo	Date : 11/05/2026
Authorising Officer: N.J. Hayhurst	Date : 18/05/2026
Dedicated responses to:- N/A	