

**CUMBERLAND COUNCIL  
DELEGATED PLANNING DECISION**

1.	<b>Reference No:</b>	4/26/2113/0F1
2.	<b>Proposed Development:</b>	DEMOLITION AND REPLACEMENT OF EXISTING REAR KITCHEN EXTENSION WITH A NEW PITCHED ROOF EXTENSION AND ERECTION OF A NEW REAR EXTENSION
3.	<b>Location:</b>	65 HOPE STREET, MILLOM
4.	<b>Parish:</b>	Millom
5.	<b>Constraints:</b>	ASC Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change, Key Species - Known Sites for Natterjack Toads
6.	<b>Publicity Representations &amp;Policy</b>	See Report.
7.	<b>Report:</b>	<p><b>LOCATION</b></p> <p>This application relates to 65 Hope Street, a mid-terraced property located in Millom.</p> <p>The property can be accessed from both Furness Street and Devonshire Road and is situated on a small terrace of 6 dwellings to the rear of the properties at 185-207 Devonshire Road. The application site benefits from a small rear yard.</p> <p><b>PROPOSAL</b></p> <p>Planning Permission is sought for the demolition and replacement of the existing rear kitchen extension, and the construction of a new rear extension.</p> <p>The new kitchen extension will be constructed on the same footprint as the old extension but will be an additional 0.3m in height, with a pitched roof. The new kitchen extension has been designed with a sloped/pitched roof with an overall height of 3.3m sloping to 2.4m, along the boundary with number 63 Hope Street.</p> <p>The proposal also includes a new single storey rear extension which will project 1.58m from</p>

the rear elevation and will be 0.9m in width to adjoin the adjacent kitchen replacement extension. It has been designed on the boundary with number 67 Hope Street and will be 3m in height sloping down to 2.5m.

Internally, both extensions will adjoin to create an open plan kitchen and separate shower area.

Both extensions will be finished with render, grey concrete roof tiles and white upvc windows and doors to match the existing.

### **RELEVANT PLANNING APPLICATION HISTORY**

4/21/2378/0E1 LAWFUL DEVELOPMENT CERTIFICATE FOR A REAR EXTENSION -  
Approve

### **CONSULTATION RESPONSES**

Millom Town Council – No objections.

Highways & LLFA - 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 2 no. properties. 1 letter of support was received which states the following:

- My partner and myself are very pleased with the plans for the development of the property. The property has stood empty for several years and has previously been a source of damp into our home. Furthermore, the empty home had previously detracted from the aesthetic of the community. The plans for the property will preserve the historic qualities of the cottage and will contribute to the regeneration of the area and the bright future planned for the community in general.

### **PLANNING POLICIES**

Planning law requires 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

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

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 & Countryside Act 1981

### **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 ecology & biodiversity net gain.

#### Principle of Development

The proposed application relates to a residential dwelling situated within Millom. The development would provide 2x single storey rear extensions to 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, Design and impacts on residential amenity

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. House extensions will be permitted provided that the development would not harm the amenity of the occupiers of the parent property or adjacent dwellings.

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 proposal includes the demolition of the existing single storey kitchen extension, and replacement with an extension on the same footprint, with a slightly higher roof line. The new kitchen extension has been designed with a sloped/pitched roof with an overall height of 3.3m (an additional 0.3m from the existing kitchen extension) sloping to 2.4m, along the boundary with number 63 Hope Street.

The application also seeks permission for the construction of a new, smaller extension to the rear along the boundary with number 67 Hope Street. This will project 1.58m from the rear elevation and will be 0.9m in width to adjoin the adjacent extension to create an open plan kitchen and separate shower area. It has been designed again with a sloped roof to mimic the extension at number 67 Hope Street, with an overall height of 3m sloping down to 2.5m.

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.

Neither extension has any windows proposed on the side elevations and instead proposes 2x velux roof lights in both extension roof slopes. On this basis, there are no additional overlooking, privacy issues or loss of light considered to occur as a result of this development.

Both extensions will be finished with render, grey concrete roof tiles and white upvc windows and doors to match the existing. 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.

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.

#### 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



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	<p>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>The application site is also identified as a potential area for natterjack toads. Whilst the application site is located within 200m of a watercourse (as indicated within the ALGE trigger list), the proposal is for the erection of a rear extension on an area that is already located on hard surfaces on an existing residential site, located within a built up area. On the basis of the above 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.</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 or any ecology details.</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> 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 years from the date of this permission.</li></ol> <p>Reason</p> <p>To comply with Section 91 of the Town and Country Planning Act 1990 as amended</p>

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 8<sup>th</sup> April 2026;
- Site Location Plan, scale 1:1250 drawing 0001, received 8<sup>th</sup> April 2026;
- Site Plans, scale 1:200 drawing 0101, received 8<sup>th</sup> April 2026;
- Existing Plans, scale 1:100 drawing 0201, received 8<sup>th</sup> April 2026;
- Proposed Floor Plans, scale 1:50 drawing 0201, received 8<sup>th</sup> April 2026;
- Existing Elevations, scale 1:100 drawing 0301, received 8<sup>th</sup> April 2026;
- Proposed Elevations, scale 1:100 drawing 0301, received 8<sup>th</sup> April 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**

#### **BNG 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



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	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: Demi Crawford</b>		<b>Date : 02/06/2026</b>
<b>Authorising Officer: N.J. Hayhurst</b>		<b>Date : 03/06/2026</b>
<b>Dedicated responses to:- N/A</b>		