

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/26/2147/0F1
2.	Proposed Development:	DEMOLITION OF EXISTING GARAGE AND ERECTION OF NEW GARAGE
3.	Location:	21 STANDINGS RISE, 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 comprises a detached dwelling at 21 Standings Rise, Whitehaven. The property is situated within a residential area. Standings Rise runs to the north of the property. Access is taken directly from Standings Rise to the north. Proposal Planning permission is sought for the erection of a garage which is to be attached to the side of the dwelling. It will replace the existing detached garage which will be demolished. The garage will be sited to the north east of the dwelling and be 7.1m x 11.1m. It will have a	

pitched roof, solar panels on the rear and a garage door on the front. Pedestrian access into the garage will be through the main dwelling.

Relevant Planning History

There have been no previous applications on the site.

Consultation Responses

Whitehaven Town Council

No objections.

Local Highways Authority

The application falls within the remit of the Service Level Agreement. The highways and drainage implications of the 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 6 no. properties.

No comments have been received as a result of these advertisements.

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:-

Strategic Policy DS1: Settlement Hierarchy
 Strategic Policy DS2: Settlement Boundaries
 Policy DS4: Design and Development Standards
 Strategic Policy DS6: Reducing Flood Risk
 Policy H14: Domestic Extensions and Alterations
 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, 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 demolish the existing detached garage and construct a single storey garage attached to the side of the property to give an increased space for the occupant.

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 extension will project 7.1m from the side elevation, which is significant but will leave a serviceable gap at the side of the dwelling for external access from the front to the rear. The

single storey pitched roof design allows for it to remain subservient to the parent dwelling whilst it will be appropriately located to the side of the property. Whilst the extension is significant, it will not be dominant on the street scene as it will replace the existing detached garage and infill the gap between the dwelling and the garage to provide additional space.

The overall scale of the garage is considered to be large, however the Agent has justified this with a statement that the Applicant has a car hobby. As it would be considered unacceptable for a commercial use to be brought into the area, a suitably worded planning condition is proposed to control the use in the interests of residential amenity.

The proposed scale, massing and siting of the extension are considered to be acceptable and is not considered to adversely alter the character and appearance of the existing building or street scene.

Proposed external finishes include render and a metal roller shutter door. 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, the proposed extension would be suitably located within the site to the side and will not worsen the existing situation.

There is an existing detached garage on the site, therefore the proposal is not considered to increase 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 adversely harm the neighbouring amenity.

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

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 exempt from providing Biodiversity Net Gain. <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 14th May 2026;

Existing Block Plan and Location Plan, scale 1:2500 and 1:200, drawing number 26/0458/01, received 14th May 2026;
Proposed Block Plan, scale 1:200, drawing number 26/0458/05, received 14th May 2026;
Proposed First Floor Plan, scale 1:50, drawing number 26/0458/03, received 14th May 2026;
Proposed Elevations, scale 1:100, drawing number 26/0458/05, received 14th May 2026;
Proposed Sectional Elevation, scale 1:50, drawing number 26/0458/06, received 14th May 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.

3. The garage hereby approved must only be used in association with and ancillary to the residential property 21 Standings Rise and must not be used for any commercial or business purposes or as a separate residential unit whatsoever.

Reason

To ensure that non conforming uses are not introduced into the area in accordance with Policy H16 of the Copeland Local Plan.

Informative Notes

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



Cumberland Council

	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 : 13/07/2026
Authorising Officer: N.J. Hayhurst	Date : 17/07/2026
Dedicated responses to:- N/A	