

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/26/2148/0F1
2.	Proposed Development:	PROPOSED TWO STOREY EXTENSION TO PROVIDE ADDITIONAL LIVING ACCOMMODATION
3.	Location:	3 WILLOW DRIVE, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change, Coal - Development Referral Area - 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 3 Willow Drive, a 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 Willow Drive to the north. Proposal	

The proposal seeks planning permission for the construction of a two-storey side extension which is to be sited on the south east of the property.

The proposal includes the addition of a home office, snug and WC on the ground floor and two dressing rooms to serve the existing bedrooms and an ensuite on the first floor.

The extension will project from the side of the dwelling by 2.9m and will be 8.3m in length spanning along the whole width of the dwelling. The overall roof height will be 8.2m to match the existing roofline. The eaves height will be the same at 5.2m overall. A new porch will be constructed as an infill which is to be in line with the existing garage. The proposed side elevation will include a door at ground level and a window for the ensuite bathroom at first floor.

The extension will be built to match the existing dwelling with facing brickwork, a concrete interlocking tiled roof and UPVC windows and doors.

Relevant Planning History

No previous planning applications at this site.

Consultation Responses

Whitehaven Town Council

No response received.

Highways/Local Lead Flood Authority

No comments.

Public Representations

The application has been advertised by way of neighbour notification letters issued to 4 properties.

No responses 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



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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 2.9m to the side of the dwelling and will be in line with the principal elevation of the dwelling. The overall roof height will be kept to the same height as the existing dwelling which allows the development to be in keeping with both the existing property and surrounding street scene. Similar extensions can be seen in the locality, and it is considered that the continuation of the eaves and roof line allows the extension to be read in context with the existing dwelling. The addition of the porch in line with the garage breaks up the massing but also integrates the extension into the existing dwelling to provide a coherent design.

Proposed external finishes will include facing brick and a tiled roof to match the existing. The proposed materials are suitable for their use and will ensure 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 closer to the boundary with the neighbouring property – 2 Willow Drive. Due to there being no windows serving habitable rooms in the side elevations of either property, it is considered that the proximity between the two 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 have any significant 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.

There will be no change to the existing situation with two off street parking spaces retained at the front of the property. The Highways Authority had no comments with regards to this



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	arrangement. 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. <u>Biodiversity Net Gain</u> 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>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;
Proposed Site Location Plan, Block Plan, Elevations and Floor Plans, scale 1:1250, 1:500 and 1:100, drawing number MM/KT/26/01, 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.

Informatives 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

Coal Informative

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety



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and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

<https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com <<http://www.groundstability.com>> or a similar service provider.

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:

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

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 : 18/06/2026

Authorising Officer: N.J. Hayhurst

Date : 03/07/2026

Dedicated responses to:- N/A