

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

|    |                                   |                                                                                                                                                                                                                                                                                                                                                                                   |            |
|----|-----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1. | Reference No:                     | 4/26/2200/DOC                                                                                                                                                                                                                                                                                                                                                                     |            |
| 2. | Proposed Development:             | DISCHARGE OF CONDITION 3 OF PLANNING APPLICATION<br>4/26/2095/0F1                                                                                                                                                                                                                                                                                                                 |            |
| 3. | Location:                         | 2 CHURCH WALK, MILLOM                                                                                                                                                                                                                                                                                                                                                             |            |
| 4. | Parish:                           | Millom                                                                                                                                                                                                                                                                                                                                                                            |            |
| 5. | Constraints:                      | ASC Adverts - ASC;Adverts,<br>Coal - Off Coalfield - Data Subject To Change,<br>Key Species - Potential areas for Natterjack Toads,<br>PROWs - Public Right of Way                                                                                                                                                                                                                |            |
| 6. | Publicity Representations &Policy | Neighbour Notification Letter                                                                                                                                                                                                                                                                                                                                                     | No         |
|    |                                   | Site Notice                                                                                                                                                                                                                                                                                                                                                                       | No         |
|    |                                   | Press Notice                                                                                                                                                                                                                                                                                                                                                                      | No         |
|    |                                   | Consultation Responses                                                                                                                                                                                                                                                                                                                                                            | See Report |
|    |                                   | Relevant Policies                                                                                                                                                                                                                                                                                                                                                                 | See Report |
| 7. | Report:                           |                                                                                                                                                                                                                                                                                                                                                                                   |            |
|    | Site and Location                 |                                                                                                                                                                                                                                                                                                                                                                                   |            |
|    |                                   | This application relates to 2 Church Walk, a semi-detached property located within the west of Millom. Church Walk is an unadopted road located off Holborn Hill which contains a mix of terraced, semi-detached and detached dwellings. The site previously benefitted from three flat roofed garages attached to the side of the house (now demolished) and also a rear garden. |            |

### **Relevant Planning History**

4/23/2120/0F1 – Raise the roof height, erect three storey side and rear extension, two storey rear extension and provide a first floor rear facing terrace – Approved.

4/23/2120/0F1 – Non material amendment – Approved.

4/23/2127/0F1 – Add three and two storey side and rear extensions, raise the roof height and provide a rear facing terrace (alternative scheme – amended roof) – Refused.

4/25/2081/0B1 – Variation of condition 2 (external changes) of planning approval

4/23/2120/0F1 – Raise the roof height, erect three storey side and rear extension, two storey rear extension and provide a first floor rear facing terrace – Approved.

4/25/2286/DOC – Discharge of conditions 3 and 4 of planning approval 4/25/2081/0B1 – Approved.

4/26/2090/DOC – Discharge of condition 4 of planning application 4/25/2081/0B1 – Approved.

4/26/2095/0F1 – Change of use of former garage land to extend domestic curtilage to increase the width of the proposed single garage approved under planning approval

4/25/2081/0B1 & extend the office roof to cover the rear 1 metre wide section of the pergola – Approved.

### **Proposal**

In May 2026, planning permission (ref: 4/26/2095/0F1) was granted to change the use of former garage land to extend the domestic curtilage of 2 Church Walk to increase the width of the proposed single garage approved under planning approval 4/25/2081/0B1 & extend the office roof to cover the rear 1 metre wide section of the pergola.

This current application seeks to discharge condition 3 attached to planning approval 4/26/2095/0F1. This condition states the following:

3. Prior to their first use within the development, full details of the materials to be used in the construction of the external surfaces of the development hereby approved must be submitted to and approved in writing by the Local Planning Authority. Development must be completed in accordance with the approved details of materials and must be retained for the lifetime of the development.

### **Reason**

To ensure a satisfactory appearance of the development in the interests of visual amenity and to incorporate measures to design out crime in accordance with DS4 of the Copeland Local Plan.

The information submitted to support this application comprises of the following:

- Application Form, received by the Local Planning Authority on the 19<sup>th</sup> June 2026.
- Materials Schedule, received by the Local Planning Authority on the 26<sup>th</sup> June 2026.

### **Planning Policy**

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 the 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.

The LP was adopted by Cumberland Council on the 5<sup>th</sup> of November 2024 replacing the Copeland Local Plan 2013-2028 and the saved policies of the Copeland Local Plan 2001-2016.

#### Copeland Local Plan 2021 - 2039 (LP):

Cumberland Council continued the preparation of the LP as commenced by Copeland Borough Council.

Strategic Policy DS1: Settlement Hierarchy

Strategic Policy DS2: Settlement Boundaries

Policy DS4: Design and Development Standards

Policy DS5: Hard and Soft Landscaping

Strategic Policy DS6: Reducing Flood Risk

Policy DS7: Sustainable Drainage

Policy H14: Domestic Extensions and Alterations

Strategic Policy N1: Conserving and Enhancing Biodiversity and Geodiversity

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|-------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
|                                           | <p>Policy N3: Biodiversity Net Gain</p> <p>Strategic Policy N6: Landscape Protection</p> <p>Strategic Policy CO4: Sustainable Travel</p> <p>Policy CO5: Transport Hierarchy</p> <p>Policy CO7: Parking Standards</p> <p><b>Other Material Planning Considerations</b></p> <p>National Planning Policy Framework</p> <p>National Planning Practice Guidance (NPPG)</p> <p>Cumbria Development Design Guide</p> <p>Cumbria Landscape Character Guidance and Toolkit (CLCGT)</p> <p>The Conservation of Habitats and Species Regulations 2017 (CHSR)</p> <p><b>Assessment</b></p> <p>This application seeks to discharge condition 3 attached to planning approval 4/26/2095/0F1.</p> <p>Based on the details submitted within this application, the Local Planning Authority are satisfied with the information provided and confirm that the materials proposed are acceptable for this site and in the context of the surrounding area. The materials proposed within this application also match those approved under application 4/26/2090/DOC for the works to the main dwelling, although are from a different supplier.</p> <p>It is therefore confirmed that condition 3 can be discharged for this application.</p> |                          |
| 8.                                        | <p><b>Recommendation:</b></p> <p>Approve discharge of condition 3.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                          |
| <b>Case Officer:</b> C. Burns             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Date :</b> 01.07.2026 |
| <b>Authorising Officer:</b> N.J. Hayhurst |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Date :</b> 01.07.2026 |
| <b>Dedicated responses to:-</b> N/A       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                          |