

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2193/0F1
2.	Proposed Development:	PROPOSED SINGLE STOREY EXTENSIONS TO SIDE AND REAR & INTERNAL ALTERATIONS TO PROVIDE ADDITIONAL LIVING ACCOMODATION TO EXISTING DWELLING
3.	Location:	5 GILL CLOSE, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC Adverts Coal - Development Referral Area PROWs - Public Right of Way
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 property is located within Whitehaven on a residential estate on the north eastern periphery of the town and compromises a single storey detached dwelling which benefits from gardens to the front and rear with an attached garage and driveway. It is setback from the carriageway edge by a low brick wall. The dwelling and garage are set higher than the adjoining carriageway with an inclined driveway to access the property.

The site is located on a large residential estate of mixed two and single storey dwellings of a similar design and appearance.

PROPOSAL

The application seeks permission for the erection of an extension to the gable elevation which in turn projects into the rear garden, the extension would see the removal of the existing garage. The whole of the internal space is to be reconfigured to provide a 3 bedroom dwelling with living areas, workshop/home gym and office space. The internal reconfiguration and extension would not lead to an increase in bedrooms associated with the property.

The extension will measure 15.55m in length x 10.65m in width wrapping around the rear of the existing dwelling and would have a height of 5.4m to the ridge with the eaves height being 2.75m adjacent to the boundary with 4 Gill Close.

The proposed extension would be faced externally with rendered walls and a tiled roof.

RELEVANT PLANNING APPLICATION HISTORY

No relevant site history

CONSULTATION RESPONSES

Whitehaven Town Council

No negative objections or comments

Public Representations

The application has been advertised by way of neighbour notification letter - No objections have been received as a result of this consultation process.

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 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:

The council has agreed to adopt the Local Plan on 5 November and full weight is given to the policies contained within.

The following policies are relevant to this proposal:

Strategic Policy DS1 - Settlement Hierarchy

Policy DS4 – Design and Development Standards

Policy H14 – Domestic Extensions and Alterations

Policy CO7 – Parking Standards

Other Material Planning Considerations

National Planning Policy Framework 2024 (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.

Principle of Development

The proposed application relates to a residential dwelling within Whitehaven and it will provide extended living accommodation in the form of a gable and rear extension. Policy H14 of the Local Plan supports extensions and alterations to residential properties subject to detailed criteria, which are considered below.

On this basis, the principle of development is therefore considered to be acceptable and the extension satisfies Policies DS4 and H14 of the Copeland Local Plan 2021-2039 and the guidance within the NPPF.

Scale and Design

Policy DS4 and section 12 of the NPPF seek to promote high quality designs, whilst Policy H14 of the Local Plan seek to ensure domestic alterations are of an appropriate scale and design which is appropriate to their surroundings and does not adversely affect the amenities of adjacent dwellings.

The existing flat roof garage would be removed to allow for the gable extension, the new extension running the full length of the property. This would result in an alteration to the pitch of the existing roof, although the existing ridgeline height would be retained. The shallower roof pitch allows the eaves to be kept to a minimum adjacent to the boundary; however, in terms of design it would not have a negative effect on the appearance of the dwelling or streetscene.

The extension to the rear of the property and would not be readily visible from a public perspective with only limited viewpoints available from the garden areas of neighbouring properties and highway directly adjacent to the site.

The extension brings the dwelling close to the boundary of the neighbouring property; however, given its single storey nature, the scale is considered acceptable.

The gable extension including its projection beyond the rear elevation, although large in scale, given the design, it is still considered to be an acceptable scale in relation to the host dwelling.

The design and materials would reflect the host dwelling and would not detract from the overall appearance of the property.

The scale and design of the proposal is considered to comply with policy.

Residential Amenity

H14 of the Local Plan and section 12 of the NPPF seek to safeguard good levels of residential amenity of the parent property or adjacent dwellings.

The site doesn't benefit from any significant screening with low fencing and walls acting as boundaries. The boundary to the rear looks onto open land and the new patio doors to the southeast elevation (labeled SW on the plan) would look in to the applicant's garden area. In terms of the northwest elevation (labeled NE on the plan) new windows would be inserted within the elevation adjacent to the boundary, in the main part the windows would look onto non habitable areas of the adjacent property. However, given the proximity of the new extension near to the boundary, the window within bedroom two could afford views into the garden area which are not presently gained from the current dwelling given.

Given the introduction of windows nearer to the boundary of 4 Gill Close, a condition is considered to be appropriate to secure an increase the height of the boundary treatment to 1.8m in height (or other means of screening) adjacent to the garden area of number 4 to ensure privacy is maintained for all parties. The increase in wall height or alternative screening can be conditioned to be installed prior to the occupation of the extension.

Given the single storey nature of the extension and position of the alterations the proposed development would not be considered to have any overbearing effects on the adjoining properties. The orientation of the property would not result in any significant loss of light to neighboring properties.

Overall no significant residential amenity issues are considered to be raised by the proposal over and above the existing arrangement.

Highway Safety

The proposal sees the removal of the existing garage and a large section of the driveway the proposal does not see an increase in bedrooms and two vehicles could still utilise the curtilage, plus parking is also available on street. On this basis, the proposed parking arrangements are considered to be acceptable.

Other Issues

The proposal would not be visible from the nearby public right of way and would not have any effects on the enjoyment of its use

Biodiversity Net Gain

Policy N3 of the LP 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 above. 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 application is not considered to be one which will require the approval of a Biodiversity Gain plan before development is begun as development. the development relates to a householder application which falls under an exempted category; therefore, does not trigger a requirement of a 10% Biodiversity Net Gain.

Planning Balance and Conclusion

The proposed extension to the dwelling is considered to be of an acceptable scale and design with no significant harm arising to neighbouring properties in terms of amenity. There are no significant impacts on the appearance of the dwelling or surrounding area. On this basis the proposal is therefore considered an acceptable form of development in line with policies within the Local plan.

8. Recommendation:

Approve (commence within 3 years)

9.	Conditions: 1. The development hereby permitted must commence 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. This permission relates to the following plans and documents as received on the respective dates and development must be carried out in accordance with them: - - Application Form, received 5 June 2025; - Site Location Plan, scale 1:1250, drawing reference 602 01001 Rev 2, received 5 June 2025; - Block Plan, scale 1:250, drawing reference 602 01002 Rev 2, received 5 June 2025; - Proposed Elevations scale 1:100, drawing reference 602 05001 Rev 1, received 5 June 2025 - Proposed Floor Plans, scale 1:50, drawing reference drawing reference 602 04001 Rev 2 - received 5 June 2025. 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 existing boundary wall adjacent to the rear garden of 4 Gill Close and the application site 5 Gill Close shall be increased to 1.8m in height or a solid fence/other means of enclosure 1.8m in height shall be erected. The increase in wall height or solid fence/other means of enclosure shall be fully implemented prior to the first use of the extension approved and shall be retained at all times thereafter unless agreed in writing with the Local Planning Authority. Reason To safeguard the residential amenity of the occupiers of the neighbouring dwellinghouses, in compliance with the National Planning Policy Framework and Policy H14 of the Copeland Local Plan Adopted November 2024
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Informative Notes

Ground Conditions

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 Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at: <https://www.gov.uk/government/organisations/mining-remediation-authority>

Biodiversity Net Gain – Exemption Applicable

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Cumberland Council.

There are statutory exemptions which mean that the biodiversity gain condition does not always apply.

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 of the statutory exemptions is 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 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 Smith	Date : 29/08/2025
Authorising Officer: N.J. Hayhurst	Date : 01/09/2025
Dedicated responses to:- N/A	