

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/26/2220/0F1	
2.	Proposed Development:	CONSTRUCTION OF A 2 STOREY SIDE EXTENSION OVER THE EXISTING GARAGE INCLUDING THE INSTALLATION OF SOLAR PANELS, WITH EXTERNAL BRICK PILLAR AND ASSOCIATED LANDSCAPING, PLUS INTERNAL AND EXTERNAL ALTERATIONS TO AN EXISTING DWELLING	
3.	Location:	51 LOWTHER ROAD, MILLOM	
4.	Parish:	Millom	
5.	Constraints:	ASC Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change, Key Species - Potential areas for Natterjack Toads, PROWs - Public Right of Way	
6.	Publicity Representations & Policy	Neighbour Notification Letter	Yes
		Site Notice	No
		Press Notice	No
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	Report: Site and Location	This application relates to 51 Lowther Road, a detached residential property located within the south west of Millom. The property is located upon a corner plot, sited at the junction of Lowther Road and Ennerdale Close. The property benefits from a large front, side, and rear	

garden, a driveway, and a shed which is to be demolished as part of this development.

Relevant Planning History

No relevant planning history.

Proposal

This application seeks planning permission for the construction of a 2 storey side extension above the existing attached garage. The proposed first floor extension will project from the existing gable wall of the dwelling by 5.7m and will extend along this elevation by 8m. Within the ground floor a small L-shaped extension is proposed projecting from the side of the dwelling by 2.8m and extending by 5m. The remaining ground floor area will remain undeveloped with access proposed to the utility room. An external brick pillar is also proposed. The development will benefit from an eaves and ridge height to match the existing dwelling.

Internally the proposed ground floor extension will provide a utility room and toilet and will for the extension of the existing kitchen. The proposed first floor of the extension will provide a master bedroom with a dressing room and ensuite bathroom.

Externally the development will be finished with facing brick and painted render, plain concrete tiles and white UPVC windows and doors to match the existing dwelling. The application also seeks to install solar panels on the rear roof slope of the existing dwelling and proposed extension.

Consultation Responses

Millom Town Council

No objections.

Cumberland Council – Highway Authority & Lead Local Flood Authority

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.

If you have a particular aspect of this application you wish us to consider, please feel free to contact me direct.



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Public Representation

This application has been advertised by way of neighbour notification letters issued to five properties.

One letter of support has been received raising the following comments:

- As next door neighbour possibly most affected by the extension I fully support it as a welcome addition to their family home.

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.

Copeland Local Plan 2021 - 2039 (LP):

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

The LP 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.

Strategic Policy DS1: Settlement Hierarchy

Strategic Policy DS2: Settlement Boundaries

Policy DS4: Design and Development Standards

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

Strategic Policy N3: Biodiversity Net Gain

Strategic Policy CO4: Sustainable Travel

CO7: Parking Standards

Other Material Planning Considerations

National Planning Policy Framework (2024)

National Planning Practice Guidance (NPPG)

Cumbria Development Design Guide

Cumbria Landscape Character Guidance and Toolkit (CLCGT)

The Conservation of Habitats and Species Regulations 2017 (CHSR)

Assessment

The main issues raised by this application are the principle of development; scale and design; impact on residential amenity; highway safety; and impact on ecology and biodiversity.

Principle of Development

The application relates to an existing residential 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 the development is therefore accepted within the context of Policy H14 of the Copeland Local Plan.

Scale and Design

Policy DS4 of the Copeland Local Plan indicates that all new development should meet high quality standards.

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.

The proposal seeks to extend and alter the existing dwelling to create a large side extension above the existing garage. The dwelling is sited within a large corner plot, capable of accommodating an extension of this scale.

Whilst large in scale the overall design and materials of the proposed extension would not adversely alter the character of appearance of the existing dwelling. Although there are similar examples of this type of extension within the surrounding estate, the proposal is larger



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in width than those found within neighbouring properties. Whilst the development is larger, the corner plot and orientation of the existing dwelling allows for a larger extension at this site. As the majority of the ground floor will remain undeveloped to provide access to the ground floor element of the extension, and the front and rear gardens will remain undeveloped, this will ensure that the development appears subservient to the main dwelling. The development is therefore not considered to have an adverse impact on the overall streetscene or the surrounding area.

Given the scale of the extension an appropriately worded planning condition will be utilised to control its use to ensure that it remains part of the existing dwelling.

The proposal also includes the installation solar panels upon the rear roof slope of the dwelling and proposed extension. Given the panels are to be located within the rear of the site they are not considered to have an adverse impact on the overall streetscene.

On this basis, the proposal is considered to meet Policy DM18 of the Copeland Local Plan, H14 of the ELP and the NPPF guidance.

Impact 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.

As the proposal will not extend beyond the principal or rear elevation, the development will not bring the residential use closer to neighbouring properties. Whilst additional windows are proposed within the front and rear elevations, separation distances will be retained and therefore the development will not have an adverse impact on these neighbouring properties.

Whilst the proposal will extend the dwelling closer to the adjacent neighbouring property, adequate separation is maintained. Due to the orientation of the existing properties, the development is not considered to be overdominant, overbearing or result in loss of light. The only side facing window will be at ground floor level and will serve a bathroom. The use of obscure glazing and the existing boundary treatment will mitigate against any potential overlooking. The proposal will therefore not result in overlooking or loss of privacy for neighbouring properties.

On this basis, the proposal will not have unacceptable adverse impact on the residential amenity and it is considered to comply with Policy DM18 of the Copeland Local Plan, Policy H14 of the ELP and provision of the NPPF.

Highway Safety

Policy H14 requires the operational car parking needs of the property to continue to be met.

The development will not alter the existing car park arrangements for the property. Whilst the

proposal will add an additional bedroom within the dwelling the proposal is considered to provide adequate off street parking within the large driveway to the front of the site.

The proposal therefore complies with Policy H14 of the Copeland Local Plan in this regard.

Flood Risk & Drainage

Policy DS6 seeks that development will not be permitted where: there is an unacceptable risk of flooding and or, the development would increase the risk of flooding elsewhere.

Policy DS7 requires that surface water is managed in accordance with the national drainage hierarchy and includes Sustainable Drainage Systems where appropriate.

The application site is located within Flood Zone 1. The majority of the proposed extension will be development upon existing hardstanding and therefore will not increase surface run off from the site or increase flood risk within the area.

On the basis the proposal is therefore considered to achieve the requirement of Policies DS6 and DS7 of the Copeland Local Plan, and the NPPF.

Impact on Biodiversity and Ecology

Policy N1 of the ELP seeks to ensure that new development will protect and enhance biodiversity and geodiversity and defines a mitigation hierarchy.

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.

The application is not supported by any ecology details as the site is located on an existing domestic curtilage area. On this basis, 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.

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.

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.

Planning Balance & Conclusion



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	The application seeks planning permission to extend and alter the existing residential property to create a large side extension. Whilst larger in scale than similar extensions found within the locality, the extension would not adversely alter the character of appearance of the existing dwelling in terms of design and materials. The location of the development within a large corner plot and the design of the ground floor of the extension ensures the proposal appears subservient to the main dwelling. The development is therefore not considered to have an adverse impact on the overall streetscene or the surrounding area and will not create amenity issues for neighbouring properties. A condition will control the use of the extension. The development is not considered to have an adverse impact highway safety, flood risk, or ecology. The proposal is therefore considered to be an acceptable form of sustainable development which is compliant with policies of the Copeland Local Plan and the provisions of the NPPF.
8.	Recommendation: Approve (commence within 3 years)
9.	Conditions: <u>Standard Conditions</u> 1. The development hereby permitted must 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 must relate 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 by the Local Planning Authority on the 7th July 2026. - Location/Block Plan, Scale 1:500 & 1:1250, Drawing Number: 26-26-P-L, Revision: -, received by the Local Planning Authority on the 7th July 2026. - Proposed Site Plan, Scale 1:200, Drawing Number: 26-26-P-01, Revision: -, received by the Local Planning Authority on the 7th July 2026. - Plans as Existing, Scale 1:100, Drawing Number: 26-26-P-02, Revision: -, received by

the Local Planning Authority on the 7th July 2026.

- Elevations as Existing, Scale 1:100, Drawing Number: 26-26-P-03, Revision: -, received by the Local Planning Authority on the 7th July 2026.
- Existing 3D Sketches, Scale: - , Drawing Number: 26-26-P-04, Revision: -, received by the Local Planning Authority on the 7th July 2026.
- Plans as Proposed, Scale 1:100, Drawing Number: 26-26-P-05, Revision: -, received by the Local Planning Authority on the 7th July 2026.
- Elevations as Proposed, Scale 1:100, Drawing Number: 26-26-P-06, Revision: B, received by the Local Planning Authority on the 25th August 2026.
- Proposed 3D Sketches, Scale: -, Drawing Number: 26-26-P-07, Revision: A, received by the Local Planning Authority on the 25th August 2026.
- Email from Agent – Justification for Proposed, received by the Local Planning Authority on the 27th July 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.

Other Conditions:

3. The extension hereby permitted must be used and occupied only as ancillary residential accommodation to the existing dwellinghouse, 51 Lowther Road, and shall thereafter at no time be subdivided, occupied or sold as a separate, independent residential planning unit.

Reason

The extension is not considered appropriate for use as a separate residential unit in accordance with DS4 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:



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- (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: The development falls under the definition of a householder application.

Statement:

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and negotiating with the applicants acceptable amendments to address them. As a result the Local Planning Authority has been able to grant planning permission for an acceptable proposal in accordance with Copeland Local Plan policies and the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

Case Officer: C. Burns

Date : 25.08.2026

Authorising Officer: N.J. Hayhurst

Date : 25.08.2026

Dedicated responses to:- N/A