

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/26/2246/0F1
2.	Proposed Development:	CONVERSION OF ONE DWELLING INTO TWO DWELLINGS
3.	Location:	43 LORD STREET, MILLOM
4.	Parish:	Millom
5.	Constraints:	ASC Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change, Key Species - Potential areas for Natterjack Toads
6.	Publicity Representations &Policy	See report.
7.	Report: Site and Location This application relates to 43 Lord Street, a mid-terraced property located within the Millom Town Centre. <u>Proposal</u> This application seeks planning permission to convert the existing dwelling into two residential units. The existing unit is typically larger than your average terraced dwellinghouse and is understood to have once been 2 separate dwellinghouses but was previously converted into 1 larger dwelling. It currently comprises a kitchen, dining room, 2 lounge/living areas, utility room, shower room and attached external storage area on the ground floor, and 4 bedrooms on the first floor. The conversion involves the division of the property down the middle to allow each new unit to be served by a lounge, kitchen/dining area and utility room on the ground floor. The first floor will be identical in each unit, comprising 2 bedrooms and a small shower room. A new	

door will be inserted into the front elevation to create a new access point for the new dwelling.

Relevant Planning History

No previous applications at this site.

Consultation Responses

Millom Town Council

No objections.

Highway Authority & Local Lead 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.

Environmental Health

First response:

Given that this property is of pre-1919 age and construction and the proposed use is to divide the dwelling into two self-contained, two storey apartments, Environmental Health have some concerns over potential noise transmission between the two proposed apartments through the new dividing wall.

Whilst the Building Regulations provide for a minimum standard of noise insulation, Environmental Health are of the opinion that an improved standard is required in this instance so that the amenity of the occupants is protected to a reasonable degree. A condition on this is given below. If the application were to be approved, a limit on the construction working hours is also requested.

The indicative Radon Map UK shows that the property is within a 1 km grid of slightly elevated radon potential, with a maximum radon potential of 3 – 5%. This would indicate that basic radon protection measures should be included within the development. Alternatively, the applicant can conduct a site-specific radon search, see [UKradon - Introduction](#)

The applicant should also note that the property is within the Millom Smoke Control Area, designated under the Clean Air Act 1993, and residents and businesses must not emit smoke from a chimney and buy or sell unauthorised fuel for use unless it is used in an exempt



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appliance approved by DEFRA, see [Smoke Control Areas \(SCA\) - DEFRA UK Air - GOV.UK](#)

In summary, therefore, Environmental Health do not object to this proposed development and offer the following conditions to any approval granted:

Sound insulation – Submission of scheme and retention thereafter

- No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme of noise insulation measures for all residential accommodation. The scheme shall demonstrate that the following criteria will be achieved: Minimum airborne sound insulation (dividing walls between each dwelling) – 56 dB DnT, w Impact Sound transmission (between floors) – as per Building Regulations

Reason:

In order to safeguard the amenities of the occupiers and the details are needed prior to the start of work so that measures can be incorporated into the build

Noise from construction works

Following approval of the development, construction activities that are audible at the site boundary shall be carried out only between the following hours Monday to Friday 08.00 – 18.00 and Saturday 08.00 – 13.00 and at no time on Sunday or Bank Holiday.

Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above unless otherwise agreed with the Local Planning Authority.

Reason:

In the interests of the amenities of surrounding occupiers during the construction of the development.

Second response:

Thank you for the updated information on the internal party wall of this development. Given this, and the additional acoustic boarding to be put in place on the wall, Environmental Health are satisfied with this proposal. The previous request on sound insulation of the internal party wall can be withdrawn.

Our comments of 10.08.26 should still otherwise apply, however.

Public Representation

This application has been advertised by neighbour notification letters issued to 3 properties. No comments have been received in relation to this consultation.

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

Strategic Policy R4: The Key Service Centres

Policy DS4: Design and Development Standards

Strategic Policy H4: Distribution of Housing

Policy H13: Conversion and sub-division of buildings to residential uses including large HMOs

Policy N1: Conserving and Enhancing Biodiversity and Geodiversity

Strategic Policy N3: Biodiversity Net Gain

Other Material Planning Considerations

National Planning Policy Framework (NPPF 2026)

Cumbria Development Design Guide

Assessment

The key issues raised by this proposal are the principle of development, its scale and design,

impacts on residential amenity and biodiversity net gain.

Principle of Development

The application site is located within Millom Town Centre, which is identified under Strategic Policy DS1 of the Copeland Local Plan as a Key Service Centre. It is stated that the focus for development in Key Service Centres will be for town centre developments, employment development and medium scale housing extensions, windfall and infill development.

The application site is located within the Millom settlement boundary as defined under Strategic Policy DS2. It is stated that development within the defined settlement boundaries will be supported in principle where it accords with the Development Plan unless material considerations indicate otherwise.

The distribution of housing in the Plan area is broadly in line with the settlement hierarchy. Policy H4 of the Copeland Local Plan states that additional housing will be supported within settlement boundaries of the towns Key Service Centres and Local Service Centres where it accords with the Development Plan.

Strategic Policy R4 of the Copeland Local Plan supports the roles of Cleator Moor, Egremont and Millom as the Key Service Centres, strengthens and diversifies their offer and improves vitality and viability will be encouraged, particularly where it is located within the town centre boundaries of the Key Service Centres and diversifies the range of residential accommodation in the Key Service Centres.

Policy H13 supports the conversion and sub division of residential properties.

The principle of this development is therefore considered acceptable in accordance with Policy DS1, DS2, R4, H4 and H13 of the Copeland Local Plan, and the provisions of the NPPF.

Scale, Design, and Impacts on Amenity

Policy DS4 of the Copeland Local Plan requires all new development to meet high-quality standards of design. This includes creating and enhancing locally distinctive places, the use of good quality materials that reflect the local character, including high quality and useful open spaces, providing high levels of residential amenity, adopting active travel principles, creating opportunities for social interaction, and effective use of land whilst maintaining amenity and maximising solar gain.

Policy DP3 of the NPPF states that development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets.

The proposal is located on Lord Street, a principal residential area within the Town Centre of Millom. The proposal is to convert one residential unit into two.

The existing unit is typically larger than your average terraced dwellinghouse and is understood to have already been converted from 2 dwellings into 1 larger. It currently comprises a kitchen, dining room, 2 lounge/living areas, utility room, shower room and attached external storage area on the ground floor, and 4 bedrooms on the first floor.

To create an adjoining but separate residential unit, the existing dwellinghouse will be essentially divided down the middle. A new door will be inserted into the front elevation to create a new access point for the new dwelling which is proposed to be where the original front door existed before it was removed. Both properties will then contain a lounge, kitchen dining area and utility room on the ground floor. The first floor will be identical in each unit, comprising 2 bedrooms and a small shower room.

Whilst a new residential unit is being created, the conversion will be restricted to the existing footprint of the existing dwelling, and would separate it into two units which it is understood was the original layout. The works are modest in scale and would not significantly alter the position for the neighbouring dwellings.

The conversion will be finished with smooth render, roof tiles and upvc windows/doors (repairs where necessary). The proposal is considered to be sympathetic to the area with the choice of matching materials, with external modifications limited to the associated new access point for the new unit on the front elevation, and the erection of a 2m (6ft) timber fence in the rear yard to separate the properties boundaries and define amenity space. It is therefore considered that the scale and design of the proposal will not create any additional overlooking, security or privacy issues.

Although no objections have been received to the proposal, Environmental Health have requested that a condition limiting construction hours to Monday to Friday 08.00 – 18.00 and Saturday 08.00 – 13.00 and at no time on Sunday or Bank Holiday to minimise disruption for neighbouring properties during construction. They also requested that a sound insulation scheme was submitted which demonstrates that Building Regulation criteria could be achieved to safeguard the amenities of the occupiers. This was submitted as additional information and Environmental Health confirmed that they were happy with the details provided.

It is therefore considered that the proposal would not negatively impact upon the character and appearance of the surrounding area and therefore complies with Policy DS4 of the Copeland Local Plan and provisions of 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. These policies set out the approach towards managing development proposals that are likely to have an effect on nature conservation sites, habitats and protected species.

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. In this instance, this application is exempt from BNG as per the de minimis rule. The application site is identified as a potential area for natterjack toads. However, the application site is not located within 200m of a watercourse (as indicated within the ALGE trigger list), and on this basis, the scale and nature of the proposal is not considered to significantly impact existing habitats. It is therefore considered that given the conditions proposed, the development will comply with Policies N1 and N3 of the Copeland Local Plan and the NPPF guidance. <u>Planning Balance and Conclusion</u> The application site is located within the designated settlement boundary of Millom which is classified as a Key Service Centre within the Borough. The proposal will assist in the delivering of the Councils housing targets, The proposed development is considered to be 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 considered to have any adverse impacts on existing highways conditions. 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 30th July 2026;
 - Site Location Plan, scale 1:1250
 - Proposed Site Plan,
 - Existing Floor Plans,
 - Proposed Floor Plans,
 - Existing and Proposed Elevations,
 - Sound Insulation Plan (additional), received August 2026;
 - Sound Insulation Detail Email (additional), received August 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. Following approval of the development, construction activities that are audible at the site boundary shall be carried out only between the following hours:

Monday to Friday 08.00 – 18.00 and
Saturday 08.00 – 13.00
and at no time on Sunday or Bank Holiday.

Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above unless otherwise agreed with the Local Planning Authority.

Reason:

In the interests of the amenities of surrounding occupiers during the construction of the development.

Informative Notes

Biodiversity Net Gain – Exemption Applies

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is



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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 exemption: De Minimus

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: Demi Crawford

Date : 23/09/2026

Authorising Officer: N.J. Hayhurst

Date : 24/09/2026

Dedicated responses to:- N/A