CUMBERLAND COUNCIL
DELEGATED PLANNING DECISION

1.	**Reference No:**	4/26/2275/0F1
2.	**Proposed Development:**	ERECTION OF PROPOSED UTILITY ROOM IN GARDEN
3.	**Location:**	IVY COTTAGE, LONSDALE PLACE, WHITEHAVEN
4.	**Parish:**	Whitehaven
5.	**Constraints:**	ASC Adverts - ASC;Adverts, Listed Building - Listed Building, Coal - Standing Advice - 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

This application relates to Ivy Cottage, a detached property which is located to the rear of Lonsdale Place in Whitehaven.

There are two detached dwellings to the north of the property known as Labroe Cottage and Ghyll Cottage and a terrace of Grade II Listed residential properties to the west. A beck runs to the east and south of the dwelling.

The site is accessed through an archway between dwellings on Lonsdale Place and via a narrow access road to the west. Parking for the property is on street in front of Lonsdale

Terrace.

A separate parcel of land is located to the south west and utilised as garden space for the property.

Proposal

The proposal seeks planning permission for the construction of a single storey utility building for use as a private office, gym and sunroom.

The building will be 6.7m in length and 3.4m in width. It will have a flat roof and will be 2m in overall height. There will be a single pedestrian entrance on the west elevation with two sets of bifold doors on the north elevation.

Proposed external finishes include masonry walls, a single ply roofing membrane and dark grey UPVC windows and doors.

Relevant Planning History

Two storey front elevation extension for new master bedroom, living kitchen and dining room and refunctioning of existing spaces, approved at appeal 2025;

New garages and gym, shower room and home office for domestic use, refused in August 2025, dismissed at appeal in 2026, (application reference 4/25/2232/0F1 relates).

Consultation Responses

Whitehaven Town Council

No objections.

Highways/LLFA

I can confirm that we have no objection to the proposed development as it is considered that it will not have a material effect on existing highway conditions nor will it increase the flood risk on the site or elsewhere.

Public Representations

The application has been advertised by way of neighbour notification letters issued to 5 no. properties. No comments have been received as a result of this advertisement.

Planning Policies

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Cumberland Council

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:-

DS4: Design and Development Standards
Policy H14: Domestic Extensions and Alterations
Strategic Policy N3: Biodiversity Net Gain

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, 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 single storey outbuilding, associated with the existing dwelling to provide a utility room for the parent property.

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. A previous application for a two storey utility space and garage was refused by the LPA and that decision upheld at appeal. The reasons for refusal included: *1. The combined scale, massing and siting of the proposed development are such that the development would not be commensurate or subservient to the application property and adjacent development, which in turn would have a detrimental impact upon the character of the host dwelling and the locality, contrary to Paragraph 135 of the National Planning Policy Framework, and Policies H14 and DS4 of the Copeland Local Plan.* The plans submitted have significantly reduced the scale of the proposed building – designing it to be single storey and in scale with the existing boundary wall and surrounding out buildings. The extension will project 3.4m from the south side boundary wall and will have an overall height of 2m to allow it to be screened by the existing boundary wall. Whilst the outbuilding will be situated forward of the front elevation of the property, it will be well screened by the existing boundary treatments and within the large curtilage associated with Ivy Cottage. The flat roofed design allows for it to remain subservient to the parent dwelling whilst it will be appropriately located within the curtilage of the property to ensure that it will not be excessively prominent in the street scene. Due to the location of the property, behind a terrace of properties on Lonsdale Place, the proposal is not considered to adversely alter the existing building or street scene. Proposed external finishes include masonry to match the existing boundary treatment, a flat roof and windows and doors to match the parent property. The proposed materials are suitable for their use and ensures that the proposal compliments the existing property, and the wider residential area. It is considered that the concerns leading to refusal of the previous application have been addressed satisfactorily and the proposal therefore now 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, the proposed extension would be suitably located within the site to the south where there are no other residential properties and therefore it will not worsen the existing situation.

There are suitable boundary treatments between Ivy Cottage and the neighbouring property known as Labroe Cottage and due to the proposed use of the building as an ancillary utility room, gym and summerhouse, the proposal is not considered to increase 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 building and the orientation of the existing property, the proposed extension design is acceptable, and it will not adversely harm the neighbouring amenity.

The proposal therefore complies with Policies DS4 and H14 of the Copeland Local Plan in this regard.

Biodiversity Net Gain

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.

Planning Balance and Conclusion

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 3rd September 2026; General Arrangement Plan, scale 1:50, drawing number 24/0463/04, received 3rd September 2026; Proposed Sectional Elevation, scale 1:50, drawing number 24/0463/10, received 3rd September 2026; Proposed Block Plan, scale 1:200, drawing number 24/0463/09, received 3rd September 2026; Proposed Elevations, scale 1:100, drawing number 24/0463/08, received 3rd September 2026; Proposed Elevations, scale 1:100, drawing number 24/0463/07, received 3rd September 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. The detached garage hereby approved must only be used in association with and ancillary to the residential property known as Ivy Cottage and must not be used for any commercial or business purposes or as a separate residential unit whatsoever. Reason

Cumberland Council

To ensure that non conforming uses are not introduced into the area in accordance with Policies DS4 and H14 of the Copeland Local Plan 2021-2039.

Informative Notes

Coal

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 Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

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

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 : 03/11/2026**
Authorising Officer: N.J. Hayhurst	**Date : 03/11/2026**
Dedicated responses to:- N/A	