CUMBERLAND COUNCIL
DELEGATED PLANNING DECISION

1.	**Reference No:**	4/26/2282/0F1
2.	**Proposed Development:**	PROPOSED NEW VEHICULAR ACCESS AND DRIVEWAY
3.	**Location:**	98 BRANSTY ROAD, WHITEHAVEN
4.	**Parish:**	Whitehaven
5.	**Constraints:**	ASC Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	**Publicity Representations &Policy**	See Report.
7.	**Report:**	

Site and Location

The application site relates to 98 Bransty Road, a semi-detached property located within the Bransty Area of Whitehaven.

Proposal

The application seeks permission to extend the existing driveway with permeable block paving. The driveway will extend 6.6m from front to rear and will be 3.6m in width. The development will be finished with block paving and an ACO drain with sump unit has also been included.

Relevant Planning History

4/21/2067/0F1 ALTERATION AND EXTENSION FOR ACCESSIBLE BATHROOM AND BEDROOM AND THE CREATION OF TWO CAR PARKING SPACES (RESUBMISSION - AMENDED SCHEME)

Consultation Responses

Whitehaven Town Council

No objections.

Local Highway Authority and Lead Local Flood Authority

First response:

Drainage is required to the entrance of the development to stop water running onto and off the highway, a suitable drainage channel should be installed across the access. Details of the proposed drainage measures, including an ACO drain or similar drainage channel located at the bottom of the driveway should be shown on a scaled plan. However this can be conditioned.

Condition

Details of all measures to be taken by the applicant/developer to prevent surface water discharging onto or off the highway shall be submitted to the Local Planning Authority for approval prior to development being commenced. Any approved works shall be implemented prior to the development being completed and shall be maintained operational thereafter. Reason:

In the interests of highway safety and environmental management.

Informative:

It is advised that the Local Planning Authority where possible seeks the applicant to use permeable paving for paved surfaces and driveways and other forms of permeable discharge to ground and surface water reuse/retention. Any works within or near the Highway must be authorised by the Council and no works shall be permitted or carried out on any part of the Highway including Verges, until you are in receipt of an appropriate permit from the LHA Streetworks team.

Second response:

Thank you for your consultation on the above Planning Application. The Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) can confirm as follows: An Aco drain has been proposed at the entrance of the site and permeable paving used, we are content with these.

I can confirm that we have no objections to the proposal, subject to the following recommended conditions being included in any Notice of Consent which may be issued:

Condition:

The vehicular crossing over the footway, including the lowering of kerbs, shall be carried out to the specification of the Local Planning Authority in consultation with the Highway Authority.

Reason:

To ensure a suitable standard of crossing for pedestrian safety.

Informative:

Any works within or near the Highway must be authorised by the Council and no works shall be permitted or carried out on any part of the Highway including Verges, until you are in receipt of an appropriate permit from the LHA Streetworks team. https://www.cumberland.gov.uk/parking-roads-and-transport/streets-roads-and-pavements/street-licences-and-permits/street-permit-and-licence-fees-and-charges.

Please be advised that the Highway outside and or adjacent to the proposal must be kept clear and accessible at all time. It is advised that the LPA where possible seeks the applicant to use permeable paving for paved surfaces and driveways and other forms of permeable discharge to ground and surface water reuse/retention.

Public Representations

The application has been advertised by way of neighbour notification letters issued to 2 properties. No comments have been received as a result of this consultation process.

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:- Policy DS4: Design and Development Standards Policy H14: Domestic Extensions and Alterations Policy CO7: Parking Standards 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 and the potential impacts on highways safety, and biodiversity net gain. <u>Principle of Development</u> The application relates to a residential dwelling within the Bransty Area of Whitehaven. The development provides an access and driveway to the front of the parent property for off street parking provisions. 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. <u>Scale & Design</u> 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, street scene or wider surrounding area. Policy DS4 of the Copeland Local Plan indicates that all new developments should meet high quality standards. This application seeks permission for the creation of a vehicular access and extended driveway to the front of the property. The driveway will extend 6.6m from front to rear and will be 3.6m in width. The driveway will be finished with block paving and an ACO drain with sump unit is proposed to provide drainage. The proposed materials are suitable for their use. There are other examples of similar arrangements within Bransty and wider locality. The design of the development would not, therefore, adversely alter the existing building,

	street scene or wider surrounding area. The proposal therefore complies with Policies DS4 and H14 of the Copeland Local Plan in this regard. <u>Highway Safety</u> Policy CO7 of the Copeland Local Plan requires that all new development provide adequate parking provision. Policy DS4 of the Copeland Local Plan sets out that developments must not give rise to severe impacts on highways safety and/ or a severe impact on the capacity of the highway network. The proposal provides an off-street parking area and highway access available to the dwelling. The site is on a relatively straight section of road which provides reasonable visibility in each direction. The Highway Authority has raised no objections to the proposal, subject to a condition ensuring that the development is in accordance with the details agreed by the LHA. The proposal therefore complies with Policy CO7 of the Copeland Local Plan in this regard. <u>Biodiversity Net Gain</u> Biodiversity Net Gain is mandatory from 12 February 2024 under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). The statutory framework for biodiversity net gain involves discharge of the biodiversity net gain condition following the grant of planning permission, to ensure the objective of at least 10% net gain will be met for a development. There are exemptions to the biodiversity net gain requirement. An exemption applies to development which is the subject of a householder application. It is therefore accepted that the biodiversity net gain condition should not be applied in this case. <u>Planning Balance and Conclusion</u> This application seeks permission for the installation of an access and driveway to the front of the dwelling. It is considered that the driveway and access are of an appropriate scale and design for the site and locality, which would preserve the amenities of the area. It would not result in any detriment to highway safety, subject to the use of a planning condition which ensures the development is built in accordance with the approved details. The proposal is therefore considered an acceptable form of development which complies with the policies of the adopted Local Plan.
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 8th September 2026; - Site Location Plan, scale 1:1250 - Driveway Details, drawing 02 Rev P1, - Existing & Proposed Plans/Sections, scale 1:50 (amended), received 7th October 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 vehicular crossing over the footway, including the lowering of kerbs, shall be carried out to the specification of the Local Planning Authority in consultation with the Highway Authority. Reason To ensure a suitable standard of crossing for pedestrian safety. **Informative Notes** **Development Low Risk Area – Standing Advice – Mining Remediation Authority** 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

Cumberland Council

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: Mining Remediation Authority - GOV.UK

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 exemption: Householder development.

Highways

Any works within or near the Highway must be authorised by the Council and no works shall be permitted or carried out on any part of the Highway including Verges, until you are in receipt of an appropriate permit from the LHA Streetworks team. https://www.cumberland.gov.uk/parking-roads-and-transport/streets-roads-and pavements /street-licences-and-permits/street-permit-and-licence-fees-and-charges Please be advised that the Highway outside and or adjacent to the proposal must be kept clear and accessible at all times.

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 : 02/11/2026**
Authorising Officer: N.J. Hayhurst		**Date : 02/11/2026**
Dedicated responses to:- N/A		