
**CUMBERLAND COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/23/2294/0F1
2.	Proposed Development:	FIRST FLOOR EXTENSION ABOVE ATTACHED GARAGE
3.	Location:	44 WASDALE PARK, SEASCALE
4.	Parish:	Seascale
5.	Constraints:	ASC;Adverts - ASC;Adverts, Safeguard Zone - Safeguard Zone, Coal - Off Coalfield - Data Subject To Change, Key Species - Potential areas for Natterjack Toads, DEPZ Zone - DEPZ Zone, Outer Consultation Zone - Drigg 3KM, Outer Consultation Zone - Sellafield 10KM
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 44 Wasdale Park, a semi-detached property situated on an existing

housing estate within Seascale. The property benefits for a large driveway to the front of the property which leads to an attached garage, and a large domestic garden to the rear.

PROPOSAL

Planning Permission is sought for the erection of a first-floor extension over the existing garage.

The proposed extension will be built over the current garage, kitchen and toilet and will be located to the North West gable of the property. This part of the dwelling currently benefits from a flat roof with an overall height of 2.2m. The proposed extension will project along the gable of the property by 7.9m in line with the existing ground floor, and will benefit from an eaves height of 4.6m and an overall ridge height of 6.8m to match the existing dwelling. The development will allow for the reconfiguration of the first floor of the property to create a study and a larger bedroom which will benefit from an en-suite and a rear Juliette balcony.

The extension would be finished externally with render and dash to the walls, profiles concrete roof tiles, and white UPVC doors and windows to match the existing dwelling.

RELEVANT PLANNING APPLICATION HISTORY

Planning Permission has previously been granted for the same first-floor extension over the existing garage which has now lapsed (ref: 4/15/2470/0F1).

CONSULTATION RESPONSES

Consultees

Seascale Town Council – No objections.

Public Representations

The application has been advertised by way of neighbour notification letters issued to 2 no. properties - 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

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 2013 – 2028 (Adopted December 2013):

Core Strategy

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Policy ENV3 – Biodiversity and Geodiversity

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM18 – Domestic Extensions and Alterations

Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

Wildlife and Countryside Act 1981

Emerging Copeland Local Plan 2021-2038 (ELP):

Cumberland Council are continuing the preparation and progression to adoption of the emerging Copeland Local Plan 2017-2038.

The emerging Copeland Local Plan 2017-2038 comprising the Publication Draft (January 2022) and Addendum (July 2022) have recently been examined by the Planning Inspector and their report on the soundness of the plan currently remains awaited.

As set out at Paragraph 48 of the National Planning Policy Framework (NPPF), Local Planning Authorities may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan; the extent to which objections to relevant policies have been resolved; and the degree to which emerging policies are consistent with the NPPF.

Given the stage of preparation of the emerging Copeland Local Plan 2017-2038 some weight can be attached to policies where no objections have been received or objections have been resolved. The Publication Draft (January 2022) and Addendum (July 2022) provides an indication of the direction of travel of the emerging planning policies, which themselves have been developed in accordance with the provisions of the NPPF.

The following policies are relevant to this proposal:

Policy DS1PU – Presumption in favour of Sustainable Development

Policy DS6PU – Design and Development Standards

Policy H14PU – Domestic Extensions and Alterations

ASSESSMENT

The key issues raised by this proposal are the principle of development, its scale and design, the potential impacts on residential amenity and ecology.

Principle of Development

The proposed application relates to a residential dwelling within Seascale, and it will provide an additional bedroom on the first floor and en-suite. Policy DM18 supports extensions to residential properties subject to detailed criteria, which are considered below.

On this basis, the principle of the development is therefore considered to be acceptable, and the extension satisfies Policies ST2, DM18 and the NPPF guidance.

Scale and Design

Policy ST1 and section 12 of the NPPF seek to promote high quality designs. Policy DM10 and DM18 seek to ensure domestic alterations are of an appropriate scale and design which is appropriate to their surroundings and do not adversely affect the amenities of adjacent dwellings.

The proposed first-floor extension will be appropriately located above the existing garage, and it will be relatively modest in scale. The design includes a continuation of the existing eaves and ridge height to match the existing property and other two-storey side extensions along the street. As a result, the proposed extension will not be excessively prominent in the street scene and the design is considered to respect the character and appearance of the existing property. In addition, the materials will match the existing property, and this will therefore reduce the impact on the street scene.

On this basis, the proposal is considered to meet Policy DM18(A) and NPPF guidance.

Residential Amenity

Policy ST1, Policy DM18 and section 12 of the NPPF seek to safeguard good levels of



Cumberland Council

residential amenity of the parent property or adjacent dwellings.

Whilst amenity issues between the proposed extension and the neighbouring properties were considered, the first-floor extension is considered to be relatively modest in scale and it will be suitably located above the existing garage.

No concerns were raised as a result of the neighbour consultation process and, due to the orientation of the extension to the north-west of the existing property, it is considered that the proposed two-storey side extension will not cause a significant loss of light or dominance on the neighbouring properties.

In addition, the proposed first floor extension will not increase the number of windows within the gable elevation of the property, the existing first floor side window will be removed, and therefore the potential for overlooking will not be increased.

On balance, the proposal is considered to be acceptable. Taking into account the siting of the extension and the orientation of the existing property, the proposed extension design is acceptable, and it will not adversely harm the neighbouring amenity. It is therefore considered that the proposal satisfies Policies DM18(B), DM18(C) and the NPPF guidance.

Ecology

Policy ST1, ENV3 and DM25 and section 15 of the NPPF outline how the Council will protect and enhance the biodiversity and geodiversity within the Borough. 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.

The application site is identified as a potential area for natterjack toads. The application is located on an existing housing estate at first-floor level and therefore 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.

It is therefore considered that the development complies with Policies ST1, EV3 and DM25 of the Copeland Local Plan and the NPPF guidance.

Planning Balance and Conclusion

This application seeks to erect a first-floor extension to a semi-detached property above the existing garage. The proposed extension is considered to be of an appropriate scale and design to reflect other extensions within the street-scene and will not have any significant detrimental impact on the amenities of the neighbouring properties or ecology.

On balance, the proposed extension represents an acceptable form of development which accords with the policies set out within the adopted Local Plan and the guidance in the NPPF.

- | | |
|----|---|
| 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 19th October 2023;

Location Plan, scale 1:1250, dated 17-Oct-2023, received 19th October 2023;

Site Layout Plan, scale 1:200, drawing reference 2015.691.02, received 19th October 2023;

Proposed Floor Plans and Elevations, scale 1:50, drawing reference 2015.691.02, received 19th October 2023.

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.

Informative Note

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

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



**Cumberland
Council**

	development as set out in the National Planning Policy Framework.	
Case Officer: C. Wootton		Date : 04/12/2023
Authorising Officer: N.J. Hayhurst		Date : 12/12/2023
Dedicated responses to:- N/A		