



CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/24/2025/DOC
2.	Proposed Development:	DISCHARGE OF CONDITION 2 OF PLANNING APPLICATION 4/23/2056/0F1
3.	Location:	OCEAN EDGE, BRAYSTONES
4.	Parish:	Lowside Quarter
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 - Sellafield 10KM
6.	Publicity Representations & Policy	See Report
7.	Report:	<p>Site and Location</p> <p>This application relates to Ocean Edge, a detached bungalow located on the sea front near Braystones. The property is accessed along an unclassified beach track and is bound by the railway to the rear and a public right of way to the front.</p> <p>Planning History</p> <p>Planning Permission has previously been approved for:</p> <ul style="list-style-type: none"> - EXTENSION TO SIDE OF PROPERTY & COMPOSITE WOODEN DECKING TO

FRONT OVER EXISTING YARD (RETROSPECTIVE) (ref: 4/23/2056/0F1).

Proposal

In 2023, planning permission (ref: 4/23/2056/0F1) was granted for a single storey side extension with composite decking to the front.

This current application seeks approval of details reserved by planning condition 2 attached to the planning approval. This condition states the following:

2. Within six months of the date of this permission, a balustrade on the front of the decking must be installed. Details must be submitted to and approved in writing by the Local Planning Authority prior to the installation.

Reason

To ensure satisfactory appearance of the development in accordance with Policy DM18 of the Copeland Local Plan.

The information submitted in support of this current application comprises the following:

- Floor Plan and Elevations with Balustrade details.

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 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



Cumberland Council

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 ENV6 – Access to the Countryside

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM18 – Domestic Extensions and Alterations

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

Policy DM22 – Accessible Developments

Policy DM24 – Development Proposals and Flood Risk

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 ELP.

The Local Plan Examination Hearing Sessions were completed in March 2023.

The appointed Planning Inspector issued their post hearing letter in June 2023, which identified the next steps for the examination.

The appointed Planning Inspector has now considered all representations and the discussions that took place during the Local Plan Examination Hearing Sessions in 2023 and has identified a number of amendments or 'modifications' that are required in order to ensure the ELP is sound i.e. positively prepared, justified, effective and consistent with national planning policy.

A six week public consultation seeking views on the proposed modifications to the ELP commenced on Wednesday 14th February 2024 and will close on the 28th March 2024.

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 advanced stage of preparation of the ELP full weight can be attached to policies where no objections have been received or objections have been resolved. Once the consultation on the main modifications to the ELP is complete significant weight can be afforded to the policies of the ELP where modifications are proposed.

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

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 design which is appropriate to their surroundings and do not adversely affect the amenities of adjacent dwellings.

Policy H14PU also supports house extensions where the scale, design and materials of the proposed development would not adversely alter the character or appearance of the existing building, street scene or wider surrounding area.

Based on the floor plan and elevations submitted, the Local Planning Authority is satisfied with the information provided for the front decking balustrade. The proposed 1-metre-high balustrade will be located on the front and side of the decking and its design is considered to be acceptable.

On this basis, the balustrade design is considered to be acceptable in accordance with Policies DM10, DM18, H14PU and the NPPF guidance.

Conclusion

Approve requirements of planning condition 2 of planning application 4/23/2056/0F1.



**Cumberland
Council**

8.	Recommendation: Approve discharge of condition 2.	
Case Officer: C. Wootton		Date : 14/03/2024
Authorising Officer: N.J. Hayhurst		Date : 22/03/2024
Dedicated responses to:- N/A		