

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/24/2361/DOC
2.	<b>Proposed Development:</b>	DISCHARGE OF CONDITION 3 OF PLANNING APPLICATION 4/24/2213/0F1
3.	<b>Location:</b>	HERDING NEB, DRIGG ROAD, SEASCALE
4.	<b>Parish:</b>	Seascale
5.	<b>Constraints:</b>	<p>ASC;Adverts - ASC;Adverts,  Safeguard Zone - Safeguard Zone,  Coal - Off Coalfield - Data Subject To Change,  Key Species - Known Sites for Natterjack Toads,  Key Species - Potential areas for Natterjack Toads,  DEPZ Zone - DEPZ Zone,  Outer Consultation Zone - Drigg 3KM,  Outer Consultation Zone - Sellafeld 10KM,  PROWs - Public Right of Way</p>
6.	<b>Publicity Representations &amp;Policy</b>	N/A
7.	<p><b>Report:</b></p> <p><b>Site and Location</b></p> <p>This application relates to Herding Neb, a detached property located in Seascale. The site benefits from a small garden area at the side/rear is adjacent to the B5344 Drigg Road and directly overlooks the beach on the clifftop.</p> <p><b>Proposal</b></p> <p>Planning permission was granted for the complete renovation of the property, including raising the eaves height by 600mm, the erection of a replacement single storey extension on the West elevation and creation of a first-floor balcony, and the enlargement of the window</p>	

openings and replacement window frames on 16<sup>th</sup> August 2024.

This application seeks to discharge condition 3 of the planning permission reference 4/24/2213/0F1.

Condition 3 states the following:

- Prior to their first use, confirmation of the materials to be used on the external finishes/surfaces of the development hereby permitted including doors and windows shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and so maintained thereafter.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity

The following information has been submitted in support of the application:

- Application Form
- Festa Window & Door Drawings – Final Design
- Proposed Elevations, Rev H & Rev G
- Ground Floor Plan, Rev D
- First Floor Plan, Rev D
- PPG EWI & Render Technical Specifications – Silicone Topcoat Render, Yorkshire Render Company

### **Consultation Responses**

None required as this application only seeks to discharge details of external finishes.

### **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



## Cumberland Council

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 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

### **Emerging Copeland Local Plan (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 closed 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.

The Report on the Examination of the ELP was received on the 23<sup>rd</sup> September 2024. Given the advanced stage of preparation and with adoption pending, full weight can be attached to the policies of the ELP.

The following policies are relevant to this proposal:

	<p>Policy DS1PU – Presumption in favour of Sustainable Development  Policy DS6PU – Design and Development Standards  Policy H14PU – Domestic Extensions and Alterations  Strategic Policy N1PU: Conserving and Enhancing Biodiversity and Geodiversity</p> <p><b>Other Material Planning considerations:</b>  National Planning Policy Framework (NPPF)  Cumbria Development Design Guide  Wildlife and Countryside Act 1981</p> <p><b>Assessment</b>  The proposed materials to be used on the external finishes/surfaces include:</p> <ul style="list-style-type: none"> <li>• Substrate: Brick and Stone construction. Finish: Johnstone’s Stormshield Full Silicone 1.5mm. Finish Colour: White</li> <li>• Festa Entrance Door – RAL 5004 Matt Blue Black frame finish with RAL 5004 internal finish, 0428 NT Cave external finish</li> <li>• Festa Windows - RAL 5004 Matt Blue Black frame finish</li> </ul> <p>These are considered to be acceptable and will be consistent with the character and appearance of the building itself and the wider area.</p>	
8.	<p><b>Recommendation:</b>  Approve Discharge of Condition</p>	
Case Officer: D. Crawford		Date : 05/11/2024
Authorising Officer: N.J. Hayhurst		Date : 06/11/2024
Dedicated responses to:- N/A		