

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/24/2418/0F1
2.	Proposed Development:	SINGLE STOREY EXTENSION TO HOBBY WORKSHOP
3.	Location:	FAIRBANKS, WHINNEY HILL, CLEATOR MOOR
4.	Parish:	Cleator Moor
5.	Constraints:	ASC;Adverts - ASC;Adverts, 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 a detached dwelling known as Fairbanks, situated at Whinney Hill, Cleator Moor. The dwelling benefits from an outbuilding currently utilised as a hobby workshop. Relevant Planning History Extension of side boundary to incorporate double garage, approved in June 1996 (application reference 4/96/0363/0 relates);	

Conservatory, approved in June 2002 (application reference 4/02/0595/0 relates).

Proposal

This application seeks planning permission to extend the existing hobby workshop with a single storey extension.

The proposed extension will be 6.9m in length and 3.9m in width. It will have an overall height of 4m and an eaves height of 2.5m.

The extension will match the existing hobby workshop and will have dry dash rendered walls with a facing brick plinth, a concrete interlocking tiled roof and brown UPVC windows and doors.

Consultation Responses

Cleator Moor Town Council

No objections.

Highways and Local Lead Flood Authority

No comments.

Public Representation

This application has been advertised by way of a site notice, press notice, and neighbour notification letters issued to four properties.

One letter of objection was received raising the following concerns:

- The extension is likely to obstruct light from the neighbour;
- There are power cables between the properties that may be disturbed

Planning Policy

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.



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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 2021 - 2039 (LP):

Cumberland Council continued the preparation of the LP as commenced by Copeland Borough Council.

The LP 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 2021-2016.

Strategic Policy DS1: Settlement Hierarchy

Strategic Policy DS2: Settlement Boundaries

Policy DS4: Design and Development Standards

Policy DS5: Hard and Soft Landscaping

Policy H14: Domestic Extensions and Alterations

Strategic Policy N3: Biodiversity Net Gain

Policy CO7: Parking Standards

Other Material Planning Considerations

National Planning Policy Framework

National Planning Practice Guidance (NPPG)

Cumbria Development Design Guide

Assessment

Principle of Development

Cleator Moor is identified in Strategic Policy DS1 as a Key Service Centre where development is encouraged.

The application is for a householder enhancement which is supported under Policy H14 of the Copeland Local Plan, subject to criteria. These are considered below.

The principle of this development is therefore considered acceptable in accordance with Policy DS1 and H14 of the Copeland Local Plan, and the provisions of the NPPF.

Impact of the Development

Policy DS4 of the Copeland Local Plan requires all new development to meet high-quality

standards of design. This includes creating and enhancing locally distinctive places, the use of good quality materials that reflect the local character, including high quality and useful open spaces, providing high levels of residential amenity, adopting active travel principles, creating opportunities for social interaction, and effective use of land whilst maintaining amenity and maximising solar gain.

Whilst the proposed extension will double the size of the existing hobby shed it does reflect the existing building in terms of scale, design and height. As the extension will project towards the neighbouring dwelling, further to amendments to the plans were secured following comments received. The revision ensures that adequate separation is retained between the two properties to protect amenity. Further to the receipt of amended plans, no objections were received in response to the reconsultation.

The extension will be finished in the same materials in order that it reflects the existing situation and surrounding street scene.

Due to the overall scale of the development, it is considered to be reasonable and necessary to attach a suitably worded planning condition to ensure that no commercial uses are undertaken from the outbuilding and that there is no independent living. These uses would not be considered to be compatible with the development.

On this basis the proposal is considered to comply with Policy DS4 of the Copeland Local Plan, and the provisions of the NPPF.

Highway Safety

Policy CO7 of the Copeland Local Plan states that proposals for new development will be required to provide adequate parking provision, including cycle parking and accessible parking bays, in accordance with the Cumbria Development Design Guide (or any document that replaces it) where appropriate.

The application site will not have a material change affecting the highway and the situation will stay as it is currently.

The Highway Authority have offered no objections to the proposal as it is considered that it will not have a material effect on existing highway conditions

On this basis the proposal is considered to be compliant with the Policy CO4 of the Copeland Local Plan, and provisions of the NPPF.

Impact on Biodiversity

Policy N1 of the ELP seeks to ensure that new development will protect and enhance biodiversity and geodiversity and defines a mitigation hierarchy.

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



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	<p>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.</p> <p>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. In this instance the development is considered exempt from BNG as the development is for a small extension accommodated within a residential garden and falls below the size threshold.</p> <p>On this basis, it is considered that the development complies with the requirements of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 and Policy N3 of the Copeland Local Plan and the provisions of the NPPF.</p> <p><u>Planning Balance and Conclusions</u></p> <p>The application site is located within the defined settlement boundary for Cleator Moor, which is identified as a Key Service Centre under Policy DS1 of the Local Plan. Policy H14 supports the provision of residential alterations and extensions. This carries great weight within the planning balance.</p> <p>The proposal seeks to extend the existing building to create more internal space for the site to be utilised as a private store and workshop for the applicant. The domestic use is considered to be acceptable with a planning condition proposed to ensure that the building is only used for domestic purposes.</p> <p>The proposed extension reflects the character of the existing building. Adequate separation is retained with the adjacent property to protect amenity.</p> <p>The proposal is considered to be an acceptable form of sustainable development which is compliant with policies of the Copeland Local Plan and the provisions of the NPPF.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <p>1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.</p> <p>Reason</p> <p>To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.</p>

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 19th December 2024;
Site Location Plan, scale 1:1250, received 19th December 2024;
Proposed Plan, scale 1:50, drawing number GP/2B, received 14th February 2025;
Proposed Elevations, scale 1:50, drawing number GP/3B, received 14th February 2025.

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 workshop hereby approved must be used in association with Fairbanks, Whinney Hill, Cleator Moor and not let out, sold or used as a commercial property at any time.

Reason

In order to protect the neighbouring amenity and ensure that conflicting uses are not brought into the area in accordance with Policy H14 of the Copeland Local Plan.

4. The workshop hereby approved must be used as an ancillary building to Fairbanks, Whinney Hill, Cleator Moor and not let out, sold or lived in as an independent dwelling at any time.

Reason

The use is not considered to be compatible with the site and in accordance with Policy DS1 of the Copeland Local Plan.

Informative

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 <



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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 : 14/03/2025

Authorising Officer: N.J. Hayhurst

Date : 19/03/2025

Dedicated responses to:- N/A