

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2050/0F1
2.	Proposed Development:	Proposed single storey rear extension and internal alterations.
3.	Location:	Mill Close, Beckermet
4.	Parish:	Beckermet with Thornhill
5.	Constraints:	<p>Flood Area – Flood Zone 1, 2 and 3</p> <p>Safeguard Zone</p> <p>Coal – Off Coalfield</p> <p>DEPZ Zone</p> <p>Outer Consultation Zone – Sellafield 10KM</p> <p>PROW's – Public Right Of Way</p>
6.	Publicity Representations & Policy	See Report
7.	Report: SITE AND LOCATION <p>This application site relates to Mill Close, a detached property that is located in Beckermet. It is accessed via a private access and set back from the main road.</p> <p>The property is located within a generous plot and benefits from a reasonable sized curtilage area to the front and rear. The land to the rear sloping down towards the south elevation.</p> <p>There is a public right of way that runs to the eastern elevation.</p> <p>The majority of the application site falls within Flood Zone 1; however, the curtilage area of the property lies within Flood Zones 2 and 3. The land levels of the site vary considerably to the rear of the site.</p>	

PROPOSAL

Planning permission is sought for the removal of an existing conservatory and its replacement with a single storey extension that would provide a new living area and 2 additional bedrooms. The extension is to be 7m by 11m and the total height from the lowest land levels would be 4.7m in height with a flat roofed design.

The proposed external materials are to be white K Render, black concrete tiles and rubber to the roof and UPVC windows and doors.

RELEVANT PLANNING APPLICATION HISTORY

None.

CONSULTATION RESPONSES

Beckermeth with Thornhill Parish Council

No objections.

Countryside Officer

No objections to the development. However, it should be noted that FP 425005 is located on the boundary of the development site. The applicant must be advised that

- The granting of planning permission would not give them the right to obstruct, close or divert the public right of way shown on the attached plan.
- The public right of way as shown on the definitive map and statement must be kept open and unaltered for public use until an order made to divert, stop up or to temporarily close it has been confirmed.

Environment Agency

We have no objections to the development as proposed, however we do wish to make the following comments:-

The red-edge boundary of the planning application includes an area that is located within Flood Zone 3, which is land defined by the planning practice guidance as having a high probability of flooding. The National Planning Policy Framework (paragraph 167, footnote 55) states that an FRA must be submitted when development is proposed in such locations. While the application boundary falls within Flood Zone 3, the proposed development is wholly within Flood Zone 1, which is land defined as having a low probability of flooding. As no development is proposed within Flood Zone 3, there are no tidal or fluvial flood risks that we would expect to be considered through a FRA. The risk of flooding from other sources has not been considered. It will be for the Local Planning Authority to decide whether or not the

application should be supported by a FRA to consider the risk of flooding from other sources in this instance. A note to applicant should also be placed.

Public Representations

The application has been advertised by way of 5 neighbour letters being sent – No representations have been received as a result of this consultation process.

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.

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 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.

The policies relevant to this application are as follows:-

Policy DS1 – Development Strategy

Policy DS4 – Design and Development Standards

Policy DS6 – Reducing Flood Risk

Policy H14 – Domestic Extensions and Alterations

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 siting, scale and the potential impacts on residential amenity and flood risk etc.

Principle of Development

The proposed application relates to a detached property located at Mill Close in Beckermest. Policy H14 supports extensions and alterations to residential properties subject to detailed criteria, which are considered below.

On this basis, the principle of development is therefore considered to be acceptable and the extension satisfies Policy HS14 of the Copeland Local Plan and the National Planning Policy Framework.

Scale and Design

Policy DS4 and section 12 of the NPPF seek to promote high quality designs. Policy H14 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.

The proposed single storey extension to the rear of the property is considered to be suitably located within the site and will replace an existing conservatory extension. It is acknowledged that the proposed extension is larger in scale than the existing conservatory, and the scale of the rear extension is exacerbated with the land levels to the rear curtilage area of the site. Notwithstanding this as the proposal is located to the rear elevation, with minimal views from public vantage points it is considered that the proposal would not impact upon the character of the locality.

Given the isolated position and the lack of any defined design for the house types within this locality, the proposal is not considered to impact upon the character and appearance of the existing property, streetscene and the wider residential area.

On this basis, the proposal is considered to meet Policy DS4 and H14 of the Copeland Local Plan and NPPF guidance.

Residential Amenity

Policy H14 and section 12 of the NPPF seek to safeguard good levels of residential amenity. No objections have been received from neighbouring properties.

The proposal seeks to erect a single-storey rear extension which will replace the existing conservatory. The proposal is to project beyond the rear of the existing dwelling by

approximately 7m and will extend the full width of the existing property. The proposal will be lower in height than the host dwelling given its flat roof design.

The nearest neighbouring property is approximately 10m away and the host dwelling is set forward in the plot. Given the orientation of the proposal in relation to the neighbouring property along with the separation distances involved it is not considered that the proposed extension would result in an overbearing or un-neighbourly development resulting in dominance or loss of light to the adjoining properties.

The proposal will also create Juliette balconies to the rear of the proposal. As there is already an existing patio area that exists to the rear of the site, it is not considered that the new arrangements would impact upon residential amenity in terms of loss of privacy over and above what already exists to the site.

On this basis, residential amenity issues are considered to be minimal and therefore the proposal is considered to satisfy Policy H14 and the NPPF.

Highway Safety and Public Right Of Way

Policy H14 requires the operational car parking needs of the property to continue to be met.

There are no alterations to be made to the existing car parking arrangements to the site. There is sufficient parking within the curtilage of the property to serve the dwelling. Therefore, the existing car parking arrangements to the site are considered acceptable.

There is a Public Right of Way which runs to the eastern boundary of the site. No objections have been received from the Countryside Officer. However, it was stated that a note to the applicant should be provided as part of any decision. This can be included as an informative.

On this basis, the proposal is considered to comply with Policy H14 and the Cumbria Development Design Guide.

Flood Risk

Policy DS6 seeks that development will not be permitted where; there is an unacceptable risk of flooding and or, the development would increase the risk of flooding elsewhere.

The part of the application site that is to house the extension is located within Flood Zone 1. However, the red line which includes its curtilage area, falls within Flood Zone 2 and 3. To the south and east elevations of the curtilage area lies 'Kirk Beck' which is set lower than the host dwelling with considerable differences in land levels to the rear curtilage area. The Environment Agency has confirmed that they have no objections to the proposal subject to an advice note being placed as appropriate. However, it is stated the Local Planning Authority are to decide whether or not the application should be supported by a FRA to consider the risk of flooding from other sources in this instance. Given the proposal site where the extension is to be built is located within Flood Zone 1, and given the levels of existing hardstanding to the rear it would be un-reasonable to request a flood risk assessment in this

	<p>instance. Therefore, following Environment Agencies comments it is considered that the proposal would not impact upon flooding or increase the risk elsewhere.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The application seeks to erect a single storey rear extension to the rear elevation.</p> <p>The proposed extension is considered to be appropriate in scale and design within the street-scene and will not have any detrimental impact upon the amenities of the neighbouring properties, flood risk or highway safety.</p> <p>On balance, the proposed works represent an acceptable form of development which accords with the policies set within the Copeland Local Plan and the guidance in the NPPF.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <p>1. The development hereby permitted must commence 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> <p>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:-</p> <p>Application Form, received 12/02/2025:-</p> <ul style="list-style-type: none"> - Dwg MC-MV-001 – Site Location Plan and Proposed Block Plan, scale 1:500 and 1:1250 received 12/02/2025; - Dwg MC-MV-004 - Proposed Elevations and Floor Plan, scale 1:100 received 12/02/2025; - Dwg MC-MV-003 – Proposed Floor Plan, scale 1:50, received 12/02/2025; - Dwg MC-MV-005 – Proposed North Elevation, scale 1:50, amended plan received 13/03/2025; - Dwg MC-MV-006 – Proposed South Elevation, scale 1:50, received 12/02/2025;

- Dwg MC-MV-007 - Proposed East Elevation, scale 1:50, received 12/02/2025;
- Dwg MC-MV-008 – Proposed West Elevation, scale 1:50, received 12/02/2025;
- Dwg MC-MV-009 – Proposed Drainage Plan, scale 1:1250 and 1:100, received 12/02/2025.

Reason

To conform with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

Informative Notes

Countryside Access Team Comments

It should be noted that FP 425005 is located on the boundary of the development site. The applicant must be advised that:

- The granting of planning permission would not give them the right to obstruct, close or divert the public right of way shown on the attached plan.
- The public right of way as shown on the definitive map and statement must be kept open and unaltered for public use until an order made to divert, stop up or to temporarily close it has been confirmed.

Coal Informative

The proposed development site 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.

Environmental permit

Advice to applicant - The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

on or within 8 metres of a main river (16 metres if tidal)

on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)

on or within 16 metres of a sea defence

involving quarrying or excavation within 16 metres of any main river, flood defence (including

a remote defence) or culvert

in the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

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: K. Bamford

Date : 03/04/2025

Authorising Officer: N.J. Hayhurst

Date : 10/04/2025

Dedicated responses to:- N/A