

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2088/OF1
2.	Proposed Development:	Proposed domestic garage/store/workshop
3.	Location:	Rose Lodge, Springfield Farm, Bigrigg
4.	Parish:	Egremont
5.	Constraints:	ASC Adverts Coal – Standing Advice
6.	Publicity Representations & Policy	See Report
7.	Report: Site and Location <p>The application site comprises a detached dwelling house with surrounding gardens, situated within the open countryside, to the north of Bigrigg village. The site is accessible via a lane from the A595, which also serves a farm and a small number of dwellings.</p> <p>The dwelling is a two storey detached property of a modern design, with gardens to the rear and sides, as well as off street parking to the front by means of a large hard standing area.</p> <p>The dwelling has one neighbouring property to the west side, at Rose Cottage. Open countryside surrounds the properties. The Grade II Listed Church of St John is situated approx. 75m to the east of the site.</p> Proposal <p>The proposal relates to the erection of a detached domestic garage/ store/ workshop, to the north east side of the dwelling. The detached building would measure approx. 7.5m x 12.64m with a height to eaves level of approx. 2.9m and an overall height of approx. 4.35m. Finishes include timber cladding and rendered walls with a seamless sheet steel roof.</p>	

Relevant Application History

4/22/2142/0F1 – Proposed side extension to provide garage and utility room with dressing room at first floor level and new dormer windows to existing front roof face at Rose Lodge, Springfield Farm, Bigrigg – Approve

4/21/2315/0F1 – Proposed double garage with loft space over at Rose Lodge, Springfield Farm, Bigrigg - Approve

Consultation Responses

Town Council

No objections

Highways

Consider that the proposal falls under the remit of the Service Level Agreement, therefore the highway and drainage implications of the application can be decided by the Local Planning Authority

Environmental Health

No objections. Reference is made to an immediate neighbour and the potential for conditions to be attached to any planning approval relating to noise from construction works and artificial lighting.

Public Representations

The application has been advertised by way of neighbour notification letters issued to adjacent properties. No resulting representations have been received to date.

Planning Policies

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 Local Plan as commenced by Copeland Borough Council.

The Local Plan 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:-

Strategic Policy DS1: Settlement Hierarchy

Strategic Policy DS2: Settlement Boundaries

Policy DS4: Design and Development Standards

Policy H14: Domestic Extensions and Alterations

Strategic Policy BE1: Heritage Assets

Policy BE2: Designated Heritage Assets

Policy CO7: Parking Standards

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 scale and design, the potential impacts on the amenities of the locality and the impact of the proposal on the setting of heritage assets.

Principle of Development

The proposed application relates to a residential dwelling to the north of Bigrigg. The development would provide a detached double garage/ store/ workshop to the north east of dwelling.

Policy H14 of the Copeland Local Plan supports domestic extensions and alterations to residential properties subject to detailed criteria, which are considered below.

The principle of development is therefore accepted within the context of Policy H14 of the Copeland Local Plan.

Scale and Design

Policy H14 of the Copeland Local Plan indicates that developments within the curtilage of existing properties will be permitted, provided that they would not adversely alter the existing building or street scene, and they would retain an adequate provision of outdoor amenity space to serve the property. Policy DS4 of the Copeland Local Plan indicates that all new development should meet high quality standards.

The proposal would result in the erection of a detached outbuilding within the domestic curtilage of the property. Although the footprint of the proposal is relatively large, the scale and massing of the proposal has been altered throughout the course of the application. Originally, the proposed outbuilding was to be approx. 3.65m to the eaves and approx. 5.1m overall. The amended scheme reduces the height of the eaves to approx. 2.90m with an overall height of approx. 4.35m. The amended scheme is considered to be of an appropriate and proportionate scale to the application property and the surroundings.

The proposed design is of an agricultural style. Finishes include timber cladding above rendered walls and seamless sheet roofing. As the property is located within the open countryside, the building design would be commensurate with the character of the locality.

The application property is surrounded by gardens which could comfortably accommodate the proposal, without resulting in the loss of significant amenity space to the application property. The siting of the outbuilding is such that it would not appear dominant within the site or adversely alter the visual amenity of the locality.

The proposal therefore complies with Policies DS4 and H14 of the Copeland Local Plan in this regard.

Amenity

Policy DS4 of the Copeland Local Plan states that all new development should maintain high levels of amenity. Policy H14 of the Copeland Local Plan indicates that house extensions will be permitted provided that the development would not harm the amenity of the occupiers of the parent property or adjacent dwellings.

The application property is situated on a lane within the open countryside to the north of Bigrigg. The dwelling has one immediate neighbour to the south west side. The proposed outbuilding would be situated to the north east side of the application property. As a result, the proposed outbuilding is considered to be sufficiently separated from the neighbouring dwelling so as not to have any significant adverse impact upon the amenity standards of adjacent properties.

The Council's Environmental Health Department have set out that conditions relating to noise from construction works and artificial lighting could be attached to any planning application, taking into consideration the neighbouring dwelling at Rose Cottage. However, given the separation distance of the proposal site from the neighbouring property, and the domestic

nature of the proposal, it is not considered necessary or reasonable to attach such conditions in this case.

The proposal therefore complies with Policies DS4 and H14 of the Copeland Local Plan in this regard.

Impact on Heritage Assets

Strategic Policies BE1 and BE2 of the Copeland Local Plan indicate that heritage assets and their setting will be preserved and enhanced by ensuring new development is sympathetic to local character and history.

The proposal site is approx. 75m from the Grade II Listed St Johns Church. The Church is Listed for its historic and architectural interest, being a small, yet carefully detailed and intact rural church. The Church and application site are separated by open land, trees and the timber boundary fence of the application property.

The backdrop to the Church is one of agricultural land and structures. The proposal would be seen within this context, reflecting the immediate character. Given the separation distances of the proposal site from the Listed Church, the mature trees and open land situated around the proposal site and the heritage asset, it is considered that the proposed amended development would not have a significant adverse impact upon the setting of the Grade II Listed Building.

The proposal therefore complies with Strategic Policies BE1 and BE2 of the Copeland Local Plan in this regard.

Highway Safety

Policy CO7 of the Copeland Local Plan requires that all new development provide adequate parking provision.

The property currently has off street parking provision in place by means of a large hardstanding to the front. The application proposal would provide additional off street parking within the development. It is therefore considered that the proposal would provide adequate parking provision.

The proposal therefore complies with Policy CO7 of the Copeland Local Plan in this regard.

Use

The application property is situated outside the defined settlement boundary of Bigrigg. Development outside of defined settlements is restricted, as set out within Strategic Policies DS1 and DS2 of the Copeland Local Plan.

The application has been submitted as a householder application for planning permission for works or extension to a dwelling, and has been assessed as such. It is therefore also considered appropriate to ensure the proposal is used for domestic purposes only. A suitably worded condition is proposed.

	<p><u>Biodiversity Net Gain</u></p> <p>Policy N3 of the LP 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 above. This is in addition to any compensatory habitat provided under Policy N1. It is stated net gain should be delivered 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 except from these BNG requirements.</p> <p>Based on the information available this application is not considered to be one which will require the approval of a Biodiversity Gain plan before development is begun. It is a form of householder development and therefore the proposal falls within the list of developments except from providing Biodiversity Net Gain (De Minimis</p> <p><u>Planning Balance and Conclusion</u></p> <p>The proposed building, as amended, is of an appropriate scale and design for the locality and setting. The development would preserve the amenities of the locality and respect the setting of the Grade II Listed building, situated to the east of the site.</p> <p>The proposal is therefore considered an acceptable form of development which complies with the policies of the adopted Local Plan.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <ol style="list-style-type: none"> 1. The development hereby permitted must commence before the expiration of three years from the date of this permission. <p>Reason</p> <p>To comply with Section 91 of the Town and Country Planning Act 1990 as amended</p>

by the Planning and Compulsory Purchase Act 2004.

2. This permission relates to the following plans and documents received on the respective dates and development must be carried out in accordance with them:

Site Location Plan, Drwg No: 01001 Rev:03, scale 1:1250, received 17th March 2025

Block Plan, Drwg No: 01002 Rev:03, scale 1:500, received 17th March 2025

Proposed Plan, Section and Elevations, Drwg No: 04001 Rev:04, scale 1:100, received 11th April 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 development hereby permitted shall be solely used for ancillary domestic purposes and shall at no time be used for commercial or business purposes whatsoever, or subdivided, occupied or sold as a separate, independent unit.

Reason

To safeguard the residential amenity levels of the locality and in the interests of highway safety, in accordance with Policy DS4 of the Copeland Local Plan.

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 Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

Biodiversity Net Gain – Exemption

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have

	<p>been granted subject to the condition “(the biodiversity gain condition”) that development may not begin unless:</p> <p>(a) a Biodiversity Gain Plan has been submitted to the local planning authority, and</p> <p>(b) the local planning authority has approved the plan.</p> <p>The planning authority, for the purposes of the Biodiversity Gain Plan is Cumberland Council.</p> <p>Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements is/are considered to apply.</p> <p>Applicable exemption: De minimis</p> <p>Statement</p> <p>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.</p>
<p>Case Officer: L White</p>	<p>Date : 06/05/2025</p>
<p>Authorising Officer: N.J. Hayhurst</p>	<p>Date : 08/05/2025</p>
<p>Dedicated responses to:- N/A</p>	