

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2093/0F1
2.	Proposed Development:	PROPOSED TWO STOREY SIDE EXTENSION TO PROVIDE LIVING ROOM, UTILITY AND BEDROOM ACCOMODATION
3.	Location:	17 COMMON SIDE, DISTINGTON
4.	Parish:	Distington
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change, PROWs - Public Right of Way
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 semi detached at 17 Common Side, Distington. It is located within an existing housing estate and is adjoined by open fields to the east. The site is accessed from Common Side along a pedestrian footpath. PROPOSAL Planning Permission is sought for a two storey side extension which is to be sited on the	

eastern elevation of the property.

The two-storey side extension will provide a living room and utility room to the ground floor and bedroom and en suite to the first floor. It will project from the existing gable by 3.5m and will have an overall height of 7.2m.

The extension will be constructed with rendered walls, grey tiled roof and UPVC windows and doors.

RELEVANT PLANNING APPLICATION HISTORY

There are no previous applications on the site.

CONSULTATION RESPONSES

Distington Parish Council

No objections.

Highways and Local Lead Flood Authority

No comments.

Footpaths Officer

No response received.

Public Representations

The application has been advertised by way of neighbour notification letters issued to 3 no. properties.

No responses have been received as a result of these advertisements.

PLANNING POLICY

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 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.

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

Policy CO7: Parking Standards

Other Material Planning Considerations

National Planning Policy Framework 2024 (NPPF)

Cumbria Development Design Guide

ASSESSMENT

The key issues raised by this proposal are the principle of development, its scale and design and the impact on the surrounding residential amenity.

Principle of Development

The proposed application relates to a residential dwelling within Distington to provide an extended living space for the occupants. Policy H14 of the LP 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 Policies DS4 and H14 of the Copeland Local Plan 2021-2039 and the guidance within the NPPF.

Scale and Design

Policy DS4 of the LP and section 12 of the NPPF seek to safeguard good levels of quality and attractiveness. Policy H14 of the LP seek to ensure domestic alterations are of an appropriate scale and design which is appropriate to their surroundings and do not adversely

affect the amenities of adjacent dwellings.

The proposal will add a two-storey element to the side of the dwelling which will be subservient to the existing property. The dwelling is sited on a large plot and is capable of accommodating an enlargement of this scale comfortably.

The design of the side extension includes an overall roof height which is less than the existing, with the front elevation in line with the parent dwelling which reduces the perceived scale. In addition, the proposed materials will match the existing property.

The property is set back from the road with established boundaries and will therefore not be highly visible within the local streetscene. Notwithstanding this, the proposed extension will modernise and improve the external appearance of the property.

On this basis, the proposal is considered to meet Policy H14 of the LP and the NPPF guidance.

Residential Amenity

Policy H14 of the LP and section 12 of the NPPF seek to safeguard good levels of residential amenity of the parent property or adjacent dwellings.

The proposal will be located within the side garden and on the opposite side to the adjoining dwelling.

No objections have been received from any of the neighbouring properties. There are no significant residential amenity issues raised by this proposal and it is considered to comply with Policy H14 of the LP and NPPF guidance.

Highway Safety

Policy CO7 sets out the parking standards for all development types.

The site access and off-street parking will remain unchanged to the front of the property and therefore it is considered that the proposals will not increase the required level of off-street parking to meet the needs of the property.

On this basis, the proposal is considered to satisfy Policy CO7 of the LP and the standards set out in the Cumbria Development Design Guide.

Biodiversity Net Gain

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.

In England, BNG is now mandatory under Schedule 7A of the Town and Country Planning



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	<p>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 application seeks planning permission for a two storey side extension.</p> <p>On balance, the proposed extension is considered to reflect the character and appearance of the existing property and similar extensions within the locality. The proposal is of an appropriate scale and design and would not have any significant detrimental impact on the amenities of the adjoining properties or highway safety.</p> <p>Overall, it represents an acceptable form of development which accords with the policies set out within the adopted Local Plan and the guidance in the NPPF.</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 shall be commenced 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 by the Planning and Compulsory Purchase Act 2004.</p> <ol style="list-style-type: none"> 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: - <ul style="list-style-type: none"> Application form, received 18th March 2025; Site Location Plan, scale 1:1250, drawing number 01001 01, received 18th March 2025; Proposed Site Plan, scale 1:200, drawing number 01002 01, received 18th March 2025;

Proposed Ground Floor Plan, scale 1:50, drawing number 04001 02, received 18th March 2025;

Proposed First Floor Plan, scale 1:50, drawing number 04002 02, received 18th March 2025;

Proposed Elevations, scale 1:100, drawing number 05001 02, received 18th March 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.

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

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 been granted subject to the condition “(the biodiversity gain condition)” that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the local planning authority, and
- (b) the local planning authority has approved the plan.

The planning authority, for the purposes of the Biodiversity Gain Plan is Cumberland Council.

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.

Applicable exemption: De minimis – Householder Development

Statement

The Local Planning Authority has acted positively and proactively in determining this



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	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 : 02/05/2025
Authorising Officer: N.J. Hayhurst		Date : 13/05/2025
Dedicated responses to:- N/A		