

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2105/0F1
2.	Proposed Development:	REBUILD & PARTIAL DEMOLITION OF OUTHouses TO CREATE EXTENSION OF EXISTING RESIDENTIAL DWELLING INCLUDING CONNECTING LINK WITH HOUSE
3.	Location:	HAKODADI, ARLECDON
4.	Parish:	Arlecdon and Frizington
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change, Key Species - Bounds of Sensitive Area for Hen Harriers, PROWs - Public Right of Way
6.	Publicity Representations &Policy	Neighbour Notification Letter: NO Site Notice: YES Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: SITE AND LOCATION <p>This application relates to the dwelling known as Hakodadi, a detached property located between Frizington and Arlecdon. The property is accessed from a driveway which adjoins the main road. There are open fields surrounding the property with the access road running to the south east.</p> <p>The site comprises a detached property and several outbuildings which are located within the</p>	

rear garden area.

PROPOSAL

Planning Permission is sought for the rebuild and partial demolition of the outhouses to create an extension to the existing residential dwelling. The dwelling and extension will be connected with a link.

The single storey extension will create a new utility room, bathroom, games room and bedroom. It will be located to the rear of the existing dwelling and on the footprint of existing outbuildings to be partially utilised and partially demolished.

The extension will be an obscure shape. At the longest point it will be 11.7m and 9.3m in width. The overall height will be 2.4m to the eaves and 3.9m to the ridgeline. The existing outbuilding structure will be retained on the south west elevation which is 4m to the eaves and has an overall height of 5.2m.

The proposed extension will have rendered walls to match the main house, the replacement of the existing concrete tiles with slate for the roof, smaller openings will be UPVC and larger sliders will be powder coated aluminium. The back door into the yard and gutters and downpipes will be UPVC.

RELEVANT PLANNING APPLICATION HISTORY

Erection of a unit for a disabled family member, withdrawn in 2016 (application reference 4/16/2311/0F1 relates);

Outline application with all matters reserved for a four bedroomed detached dormer bungalow with garage, withdrawn in 2021 (application reference 4/20/2388/001 relates).

CONSULTATION RESPONSES

Arlecdon and Frizington Parish Council

No response received.

Highways and Local Lead Flood Authority

As this falls under our Service Level Agreement (SLA), this application does not need to be submitted to the Local Highway Authority or Lead Local Flood Authority; subject to the highway and drainage aspects of such applications being considered in accordance with the Agreement.

The highway and drainage implications of this application can therefore be decided by the Local Planning Authority.

However, a PROW (public footpath/bridleway/byway) number 401001 lies adjacent to/runs



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through the site, the Applicant must ensure that no obstruction to the footpath occurs during, or after the completion of the site works.

Reason: To support Local Transport Plan Policy W1, W2.

Natural England

No objection.

Council's Ecologist

No response received.

Public Representations

The application has been advertised by way of a site notice.

No responses have been received to this advertisement.

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

Strategic Policy N1 - Conserving and Enhancing Biodiversity and Geodiversity
Strategic Policy N3 - Biodiversity Net Gain
Policy CO7 - Parking Standards

ASSESSMENT

Principle of Development

The proposed application relates to a residential dwelling which is situated in close proximity to the adjoining village of Arlecdon. It seeks to provide an extended living space for the occupants and incorporates the reuse of part of the existing outbuildings on the site.

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 considered to accord with Policy H14 of the LP and the NPPF guidance.

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 single storey element to the rear of the dwelling whilst rebuilding and incorporating the existing outbuilding. The dwelling is sited on a large plot, capable of accommodating an enlargement of this dwelling comfortably.

The extension is considered to be significant, adding a large overall floor space and significant structure to the rear of the existing dwelling. Some of the proposed floor space is existing due to the many outbuildings that are existing at this property. Some will be demolished and some incorporated into the proposed extension. On the whole, the proposed extension will not increase the overall footprint of the dwelling and existing outbuildings.

The design of the rear extension includes an overall roof height which is less than the parent dwelling, and its location to the rear of the dwelling will reduce its prominence. In addition, the proposed materials will modernise, tidy up and match the existing property. The property is set back from the road with established boundaries and is therefore not highly visible from the public highway or immediate locality.

Whilst the extension will be large in scale, it is considered that it meets the needs of the current occupiers. The existing outbuildings were previously in use as domestic storage in association with the residential use of the site.

Due to the scale of the extension, it is considered reasonable to include a suitably worded planning condition to ensure that the extension is not utilised as an independent dwelling or let out or sold separately to the parent house.



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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 in the rear garden. Hakodadi is a detached dwelling, set on a large plot in an isolated location away from the adjoining village. The closest residential dwellings are Hollins Green, 285m to the north east and Kirkland Howe Cottage, 365m to the north west. Due to the overall distances involved, there will not be any impact on the neighbouring properties due to loss of light or amenity.

No objections have been received to the application.

On this basis, the proposal will not have an adverse impact on the residential amenity and it is considered to comply with Policy H14 of the LP and NPPF guidance.

Highway Safety

Policy CO7 of the LP seeks to ensure that development proposals are served by adequate parking provision.

The site access and off-street parking will remain unchanged to the front and side of the property and therefore it is considered that the existing driveway will provide adequate 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 and Ecology

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 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. 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 the application falls under a householder application, therefore the proposal falls within the list of developments except from providing Biodiversity Net Gain.

	<p>Policy N1 relates to the mitigation hierarchy adopted by the Council in order to avoid, mitigate and compensate for any effect on the Borough's protected species.</p> <p>The application has been supported with a Bat Survey, undertaken on 22nd January 2025. This was required as part of the proposal involves the demolition of the outbuildings which have potential for bats to roost there. The results of the survey showed no bats were present on site, with the closest recorded 2km away from Hakodadi. It is therefore considered that the risk remains low and that the standing advice from Natural England should be followed. Natural England raised no objections to the proposal. On this basis, the proposal is considered to comply with Policy N1 of the Copeland Local Plan.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The application seeks planning permission for a single storey rear extension to provide enhanced living accommodation.</p> <p>Whilst the extension is significant in terms of its scale, it is considered that there will not be an increase in overall floor space beyond the space occupied by the existing outbuildings. The proposed extension and conversion is considered to be of an acceptable design and it will maintain the character and appearance of the existing property. The proposal would not have any significant detrimental impact on the amenities of any surrounding properties due to the separation distances involved and there will be no effect on highway safety. A suitably worded planning condition is proposed to ensure that the extension is not utilised, let out or sold as an independent dwelling.</p> <p>Biodiversity Net Gain does not apply to this application.</p> <p>A bat survey has confirmed that there are no bats present on the site.</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>



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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 17th March 2025;
Proposed Location Plan, Block Plan, Floor Plan and Elevations, scales 1:1200, 1:200 and 1:50, drawing number 24.04.07c, received 17th March 2025;
Bat Survey, written by Envirotech, received 17th 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.
3. The extension hereby approved must only be used as ancillary accommodation to the dwelling known as "Hakodadi" and shall not be let, sold or occupied as an independent dwelling at any time.
- Reason
- In order that a new dwelling is not introduced on site within an area not appropriate for new dwellings and in accordance with Policies DS1 and DS2 of the Copeland Local Plan.

Informatives

- 1) 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

<http://www.gov.uk/government/organisations/the-coal-authority>

- 2) A PROW (public footpath/bridleway/byway) number 401001 lies adjacent to/runs through the site, the Applicant must ensure that no obstruction to the footpath occurs during, or after the completion of the site works.

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

	<p>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: Householder development</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>
Case Officer: Sarah Papaleo	Date : 20/05/2025
Authorising Officer: N.J. Hayhurst	Date : 23/05/2025
Dedicated responses to:- N/A	