

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/25/2137/0F1
2.	<b>Proposed Development:</b>	PROPOSED SINGLE STOREY SIDE EXTENSION
3.	<b>Location:</b>	LINGMELL COTTAGE, SEASCALE
4.	<b>Parish:</b>	Whitehaven
5.	<b>Constraints:</b>	ASC Adverts Safeguard Zone Coal - Off Coalfield Key Species - Potential areas for Natterjack Toads DEPZ Zone Outer Consultation Zone - Sellafield 10KM
6.	<b>Publicity Representations &amp; Policy</b>	See Report
7.	<b>Report:</b>  <b>SITE AND LOCATION</b>  The property is located within the village of Seascale on a small private road comprising a range of domestic single and two storey properties, with the adjacent large scale 3 storey property converted into numerous flats. The host property comprises a single storey detached dwelling with accommodation in the roof space and benefits from gardens to the front, rear and west, plus a private driveway.  <b>PROPOSAL</b>  The application seeks permission for the erection of a single storey extension to the western gable to form additional living accommodation at ground floor, in the form of a small garden room and bathroom which will link into the dwelling and rear garden.	

The extension will be built with Rockwood composite cladding for the walls, black upvc doors and would have a dual pitch black composite clad roof. The proposed extension would measure 4.7m in length by 2.36m in width and would have a height of 2.75m in height to the ridge.

### **RELEVANT PLANNING APPLICATION HISTORY**

No relevant site history.

### **CONSULTATION RESPONSES**

#### Parish Council

No objections.

#### Public Representations

The application has been advertised by way of neighbour notification letter - No objections have been received as a result of this consultation process.

### **PLANNING POLICIES**

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 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:**

The Council has agreed to adopt the Local Plan on 5 November and full weight is given to the policies contained within.

The following policies are relevant to this proposal:

Strategic Policy DS1 - Settlement Hierarchy

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 potential impacts on residential amenity.

#### Principle of Development

The proposed application relates to a residential dwelling within Seascale and will provide extended living accommodation in the form of a single-storey extension to the gable of the dwelling. Policy H14 of the Local Plan 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 and section 12 of the NPPF seek to promote high quality designs, whilst Policy H14 of the Local Plan seeks to ensure domestic alterations are of an appropriate scale and design which is appropriate to their surroundings and does not adversely affect the amenities of adjacent dwellings.

The extension would project from the gable of the dwelling into an area which currently forms a small, enclosed garden space used in association with the property.

The extension would not be readily visible from a public perspective from the nearby highway which is screened by mature vegetation. On this basis there would be no negative effects on the street scene arising from the proposal.

The design is of a modern appearance with the use of composite cladding; however, it is considered to be acceptable and provides a modern juxtaposition with the form of the original dwelling which is not of a traditional vernacular.

The extension would be considered ancillary in scale to the host dwelling and the design and materials are deemed acceptable. Overall, the scheme would not detract from the overall appearance of the property.

The scale and design of the proposal is considered to comply with policies within the Local Plan.

#### Residential Amenity

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

No new overlooking elements are introduced by the extension. The boundary of the site to the rear of the proposal is screened by existing mature vegetation within the curtilage of the neighbouring property which is set behind an existing 2m high solid fence. The rear of the building would form the new boundary behind the vegetation. The doors on the front elevation of the extension face into a private enclosed garden area.

The development is not considered to have any issues with overlooking from the extension any more than the existing dwelling.

Given the scale and position of the extension and existing boundary treatments there would be no overbearing issues raised by the extension.

There are not considered to be any significant residential amenity issues raised by the proposal over and above the existing arrangement.

#### Highways and Parking

There would be no loss in parking or requirement for additional parking arising from the proposed extension. The extension is set back from the carriageway with no negative effects on highway safety arising from the proposal.

#### Biodiversity Net Gain

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 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.

Biodiversity Net Gain became mandatory for small sites in the UK on 01st April 2024.

In terms of considering the proposal in relation to Biodiversity Net Gain, the development relates to a householder application which falls under an exempted category; therefore, does not trigger a requirement of a 10% Biodiversity Net Gain.

#### Planning Balance and Conclusion

	<p>The proposed extension to the dwelling is of an acceptable scale and design with no significant harm arising to neighbouring properties in terms of amenity. There are no significant impacts on the appearance of the dwelling or surrounding area.</p> <p>On this basis the proposal is therefore considered an acceptable form of development in line with policies within the Local plan.</p>
8.	<p><b>Recommendation:</b></p> <p>Approve (commence within 3 years)</p>
9.	<p><b>Conditions:</b></p> <ol style="list-style-type: none"> <li>1. The development hereby permitted must commence before the expiration of three years from the date of this permission.</li> </ol> <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"> <li>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: - <ul style="list-style-type: none"> <li>Application form, received 10 April 2025</li> <li>Design and Access Statement, drawing reference DAS-001 received 10 April 2025</li> <li>Site Location Plan, Block Plan, Scale 1:1250 and 1:500, drawing reference LC-JJ-001 received 10 April 2025</li> <li>Proposed Floor Plan, Scale 1:50, drawing reference LC-JJ-004 Rev A received 10 April 2025</li> <li>Proposed North Elevation, Scale 1:50, drawing reference LC-JJ-005 Rev A received 10 April 2025</li> <li>Proposed South Elevation, Scale 1:50, drawing reference LC-JJ-006 Rev A received 10 April 2025</li> <li>Proposed West Elevation, Scale 1:50, drawing reference LC-JJ-007 Rev A received 10 April 2025</li> <li>Proposed Drainage Plan, NTS, drawing reference LC-JJ-006 received 10 April 2025</li> </ul> </li> </ol>

	<p>Reason</p> <p>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.</p> <p><b>Informative Note</b></p> <p><b>Biodiversity Net Gain</b></p> <p>The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:</p> <p>(a) a Biodiversity Gain Plan has been submitted to the planning authority, and</p> <p>(b) the planning authority has approved the plan.</p> <p>The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Cumberland Council.</p> <p>There are statutory exemptions which mean that the biodiversity gain condition does not always apply.</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 of the statutory exemptions is considered to apply.</p> <p>Applicable exemption: Householder Development</p> <p><b>Statement</b></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>
<b>Case Officer: Sarah Smith</b>	<b>Date : 04/06/2025</b>
<b>Authorising Officer: N.J. Hayhurst</b>	<b>Date : 05/06/2025</b>
<b>Dedicated responses to:- N/A</b>	