

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/25/2172/0F1
2.	<b>Proposed Development:</b>	Alterations and extensions to dwelling house for new living, kitchen, diner and master bedroom
3.	<b>Location:</b>	The Stables, Winscales Farm, Egremont
4.	<b>Parish:</b>	Haile
5.	<b>Constraints:</b>	<p>ASC Adverts</p> <p>Coal – Off Coalfield</p> <p>DEPZ Zone</p> <p>Outer Consultation Zone – Sellafield 10km</p>
6.	<b>Publicity Representations &amp; Policy</b>	See Report
7.	<p><b>Report:</b></p> <p><b>Site and Location</b></p> <p>The application site comprises a two storey attached converted barn, located within the open countryside, to the south east of Egremont. The dwelling is accessible via a lane, which also serves a small number of adjacent dwellings.</p> <p>The dwelling has private parking to the front and an elevated garden and parking area is situated to the south of the dwelling. A neighbouring property at Winscales Farm is attached to the application property at its south west corner.</p> <p><b>Proposal</b></p> <p>Planning permission is sought for alterations and extensions to the dwelling, comprising a two storey extension to the south east elevation creating a dining/ family sitting room at ground floor level and a new master bedroom at first floor level.</p>	

The extension would measure approx. 6.3m x 4.9m, with eaves and ridge height to match that of the existing dwelling. Proposed finishes include rendered walls, slate roof and brown upvc doors and windows. A Juliet balcony would be installed to the first floor south east elevation.

An existing ground floor window to the south elevation is to be replaced with a door.

### **Relevant Planning History**

4/20/2176/0F1 – Replace existing wooden shed with a block building for storage space -  
Approve

### **Consultation Responses**

#### Parish Council

No response received within the consultation period.

#### Lead Local Flood and Highway Authority

The application falls under the Service Level Agreement. The highways and drainage implications of the proposal can be decided by the Local Planning Authority.

#### Public Representations

The application has been advertised by way of neighbour notification letters issued to adjacent properties. No comments have been received as a result of this consultation process.

### **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 5<sup>th</sup> 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 DS4: Design and Development Standards

Strategic Policy DS6: Reducing Flood Risk

Policy H14: Domestic Extensions and Alterations

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 and the potential impacts on residential amenity, highways safety and flood risk.

Principle of Development

The proposed application relates to a residential dwelling within the open countryside, to the south east of Egremont and to the east of Thornhill. The development would provide alterations and extensions to the existing dwelling, involving the replacement of an existing window to the south west elevation with a door as well as a two storey extension to the south east elevation.

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 developments should meet high quality standards.

The application site is situated in a rural location, with access to the property achieved via a lane which also serves the small cluster of surrounding properties. The site is therefore relatively isolated from development within the wider locality.

The cluster of dwellings within the vicinity are within an agricultural setting, with the farmhouse adjoining the application property and the remaining dwellings converted from former agricultural buildings. The dwellings are therefore irregularly positioned with each having differing architectural features reflective of their original character.

The proposal would introduce a two storey extension to the south east elevation of the dwelling. The extension would replicate the form of the main dwelling. The garden and majority of the parking area would remain undeveloped. The scale of the proposed extension is considered commensurate with the host building.

The proposed design has been amended since the original submission. A dormer window proposed within the roof slope of the south west elevation has been omitted and replaced with a roof light within the south west roof slope. The finish of the front elevation of the extension has also been amended from render to stone facing to match the front façade of the existing dwelling. The proposed amendments are considered an improvement to the overall design of the development, which are respectful of the existing finishes and simple architecture of the site and surroundings.

The proposal includes the provision of a first floor Juliet balcony to the south east elevation. This element of the design is considered to be accepted and appropriate for the site. The design proposes rendered finishes to the north east and south west side elevations of the extension, replicating the rendered finishes in place to the existing side elevations of the property and adjacent properties. The use of render within the side elevation would not, therefore, conflict with the character of the dwelling or wider locality.

The proposed external alterations to the existing fenestration would have minimal impact upon the character of the dwelling and surroundings and are therefore considered to be acceptable.

On balance, the proposals would not adversely alter the existing building or street scene, nor would they result in the overdevelopment of the site.

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

#### Residential 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 proposed extended accommodation would be sufficiently separated from neighbouring dwellings so as not to have any significant adverse impact upon adjacent residential amenity.

The proposal therefore complies with Policies DS4 and H14 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 via a hardstanding to the front of the property, the majority of which would be retained within the development.

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

#### Flood Risk

Strategic Policy DS6 of the Copeland Local Plan looks to ensure flood risk is reduced and mitigated through appropriate measures within development.

The application site is within Flood Zone 1, in an area with a low probability of flooding. The application details suggest existing drainage arrangements will be utilised within the development. The submitted details are considered suitable.

The proposal therefore complies with Policy DS6 of the Copeland Local Plan in this regard.

#### Biodiversity Net Gain

Biodiversity Net Gain is mandatory from 12 February 2024 under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). The statutory framework for biodiversity net gain involves discharge of the biodiversity net gain condition following the grant of planning permission, to ensure the objective of at least 10% net gain will be met for a development.

The application details indicate that it is believed that if permission is granted for the development to which the application relates, the biodiversity net gain condition would not apply.

There are exemptions to the biodiversity net gain requirement. An exemption applies to development which is the subject of a householder application. It is therefore accepted that the biodiversity net gain condition should not be applied in this case.

#### Planning Balance and Conclusion

The proposed development, as amended, is of an appropriate scale and design for the site and locality, which would preserve the amenities of the area and highways safety.

	The proposal is therefore considered an acceptable form of development which complies with the policies of the adopted Local Plan.
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 received on the respective dates and development must be carried out in accordance with them:  Application Form, received 15<sup>th</sup> May 2025  Existing Block Plan and Location Plan, DWG No. 24/0429/01, scale 1:1250 and 1:2500, received 11<sup>th</sup> July 2025  Proposed Ground Floor Plan, DWG No 24/0429/06, scale 1:50, received 11<sup>th</sup> July 2025  Proposed First Floor Plan, DWG No 24/0429/07, scale 1:50, received 11<sup>th</sup> July 2025  Proposed Elevations, DWG No 24/0429/08, scale 1:100, received 11<sup>th</sup> July 2025  Proposed Sectional Elevation, DWG No 24/0429/09, scale 1:50, received 11<sup>th</sup> July 2025  Proposed Block Plan, DWG No 24/0429/10, scale 1:200, received 11<sup>th</sup> July 2025</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 – Exemption</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 the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition)” that development may</p>

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: Householder development.

### **Statement**

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against, primarily, the development plan policies, any duties applicable and also all material considerations, including Local Plan policy, the National Planning Policy Framework and any stakeholder representations that may have been received. In this context, having identified matters of concern with the application as originally submitted and, if applicable, following negotiations with the applicant, acceptable amendments and solutions to the proposal have been received. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal.

**Case Officer:** L White

**Date :** 15/07/2025

**Authorising Officer:** N, J. Hayhurst

**Date :** 18/07/2025

**Dedicated responses to:-** N/A