

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

| | | |
|----|---|---|
| 1. | Reference No: | 4/25/2178/0F1 |
| 2. | Proposed Development: | INSTALL CONSERVATORY EXTENSION TO THE FRONT OF THE PROPERTY |
| 3. | Location: | 30 SEASCALE PARK, SEASCALE |
| 4. | Parish: | Seascale |
| 5. | Constraints: | ASC - Adverts Safeguard Zone - Safeguard Zone Outer Consultation Zone - Drigg 3KM Outer Consultation Zone - Sellafield 10KM DEPZ Zone - DEPZ Zone PROWs - Public Right of Way Coal - Off Coalfield - Data Subject To Change |
| 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 The property is located within the village of Seascale on a large residential estate of mixed two and single storey dwellings of similar design and appearance. The host property | |

compromises a single storey semi-detached dwelling with accommodation in the roof space and benefits from gardens to the front, rear and west, plus a private driveway and garage.

PROPOSAL

The application seeks permission for the erection of a single storey extension to form additional living accommodation in the form of a conservatory to the front elevation.

The extension would be constructed from white upvc with a single pitch roof. The proposed extension would measure 3.15m in projection by 3.35m in width and would have a height of 2.61m.

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 front 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 front of the dwelling into an area which currently forms the front garden space used in association with the property. The property is located at the end of a cul-de-sac with the gable facing towards the highway; however, the main door into the property and the adjoining property are on the elevation where the extension is to be

constructed and although not facing the highway it would be considered that this would be the principal/front elevation.

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

The design is of a modern appearance and would match the existing doors and windows on this relatively modern property.

The extension would be considered ancillary scale to the host dwelling with 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.

Although the conservatory would face towards the adjoining dwellings front garden, the conservatory is set back from the boundary by 6m plus there is planting to the majority of the existing boundary. Given the setback distance off the boundary it is considered that there would be no direct lines of site into the property itself.

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

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

On this basis it is not considered that there would 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.

Other Issues

The proposal would not be visible from the nearby public right of way and would not have any effects on the enjoyment of its use.

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).

| | |
|----|---|
| | <p>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.</p> <p>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.</p> <p>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.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The proposed extension to the dwelling is considered to be 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, the proposal is therefore considered an acceptable form of development in line with policies within the 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 by the Planning and Compulsory Purchase Act 2004.</p> <ol style="list-style-type: none"> 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"> Application form, received 27 May 2025 Site Location Plan, Scale 1:1250 drawing reference 90016127, Serial number 460422, received 27 May 2025 Block Plan, Scale 1:500, drawing reference 90016127, received 27 May 2025 Proposed Floor Plan and elevations, Scale 1:100, drawing reference 900/16127 page 2 of 2 received 27 May 2025 |

| | |
|---|---|
| | <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>Informative Note</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>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 Smith | Date : 18/07/2025 |
| Authorising Officer: N.J. Hayhurst | Date : 21/07/2025 |
| Dedicated responses to:- N/A | |