

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2196/0F1
2.	Proposed Development:	ERECTION OF A FRONT PORCH MOUNTED ON AN EXISTING CONCRETE BASE.
3.	Location:	BANKSIDE, SEA MILL LANE, ST BEES
4.	Parish:	St. Bees
5.	Constraints:	ASC Adverts Coal – Standing Advice Outer Consultation Zone – Sellafield 10km
6.	Publicity Representations & Policy	See Report
7.	Report: SITE AND LOCATION <p>This application site relates to Bankside, a semi detached dwelling which is located on Sea Mill Lane within a residential location within in St Bees village. The site is accessed via a single lane and the railway line runs west of the host dwelling. There are open views to the rear of the property.</p> <p>The property benefits from a reasonable sized curtilage area to the front which is stepped down from the access lane, and a rear curtilage area which falls away from the host dwelling. There is space for one car parking space to the front elevation.</p> PROPOSAL	

Planning permission is sought for the erection of a single storey porch to the side elevation. This is to be 1.7m by 2.4m and have a total height of 2.28. The materials are to be UPVC frame with UPVC doors and windows.

RELEVANT PLANNING APPLICATION HISTORY

4/18/2282/OF1 – Two storey extension and balcony to rear elevation and creation of parking area to front – Approve.

4/18/2440/OF1 – Two storey extension and balcony to rear elevation and creation of parking area to front of property (Re-submission) – Approve.

CONSULTATION RESPONSES

St Bees Parish Council

No response to date.

Public Representations

The application has been advertised by way of 2 neighbour consultations being sent – No representations have been received as a result of this consultation process.

PLANNING POLICY

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 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:-

Policy DS1 – Development Strategy

Policy DS4 – Design and Development Standards

Policy H14 – Domestic Extensions and Alterations

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 siting, design, scale and the potential impacts on residential amenity.

Principle of Development

The proposed application relates to a semi-detached property located within a residential location. Policy H14 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 Policy HS14 of the Copeland Local Plan and the National Planning Policy Framework.

Scale and Design

Policy DS4 and section 12 of the NPPF seek to promote high quality designs. Policy H14 supports house extensions where the scale, design and materials of the proposed development would not adversely alter the character or appearance of the existing building, street scene or wider surrounding area.

The proposed single storey extension to the side elevation is to be 1.7m by 2.4m and have a total height of 2.28. The materials are to be UPVC frame with UPVC doors and windows.

The proposal is to be sited within close proximity to the boundary of the neighbouring property. The siting of the proposal is to be located to the side elevation and will replace the existing wooden shed that is currently in situ. The proposal has been designed as a glazed conservatory.

As there are a mixture of house types and a variety of additions to properties within this locality of similar appearance it is not considered that the proposal would impact upon the character and appearance of the locality.

The design would not impact upon the appearance of the existing property and given the proposal is to be set back from the principle elevation, the proposal is not considered to impact upon the character and appearance of the existing property, streetscene and the wider residential area.

On this basis, the proposal is considered to meet Policy DS4 and H14 of the Copeland Local Plan and NPPF guidance.

Residential Amenity

Policy H14 and section 12 of the NPPF seek to safeguard good levels of residential amenity.

No objections have been received from neighbouring properties to the proposal.

The proposed extension to the side is to be sited within close proximity to the neighbouring property 'Clinton'. The existing boundary between the properties is a small boundary wall. The site levels within this locality significantly change to the rear elevation, with steps running to the side elevation. Although it is accepted that the proposal is within close proximity to the boundary, given the size and height of the proposal and given there are no windows that are directly impacted by the proposed extension it is not considered that the proposal would result in significant loss of light or dominance to neighbouring properties.

On this basis, residential amenity issues are considered to be minimal and therefore the proposal is considered to satisfy Policy H14 and the NPPF.

Highway Safety

Policy H14 requires the operational car parking needs of the property to continue to be met.

There are no alterations to be made to the existing arrangements, and the proposal will not impact upon the use of the property.

On this basis, the proposal is considered to comply with Policy H14 and the Cumbria Development Design Guide.

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.

	<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 application seeks to erect a single storey extension to the side elevation.</p> <p>The proposal is considered to be appropriate in scale and design within the street-scene and will not have any detrimental impact upon the amenities of the neighbouring properties or highway safety.</p> <p>On balance, the proposed works represent an acceptable form of development which accords with the policies set within the Copeland 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"> The development hereby permitted must commence before the expiration of three years from the date of this permission. <p>Reason 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"> 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 17/06/2025; - Site Location Plan, scale 1:1250 received 17/06/2025; - Site Block Plan, scale 1:200, received 17/06/2025; - Porch Details, received 17/06/2025; - Proposed Floor Plan, scale 1:50, received 17/06/2025; - Proposed Front Elevation, scale 1:100, received 17/06/2025; - Proposed Side Elevation, scale 1:50, received 17/06/2025; <p>Reason To conform with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.</p> <p>Coal Informative</p> <p>The proposed development site lies within a coal mining area which may contain unrecorded</p>

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.

Informative Note Biodiversity Net Gain

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:

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

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. There are statutory exemptions which mean that the biodiversity gain condition does not always apply. 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.

Applicable exemption: Householder Development

Statement

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.

Case Officer: K. Bamford

Date : 10/07/2025

Authorising Officer: N.J. Hayhurst

Date : 21/07/2025

Dedicated responses to:- N/A