

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2211/0F1
2.	Proposed Development:	REPLACEMENT OF EXISTING REAR CONSERVATORIES WITH SINGLE STOREY EXTENSION AND INSTALLATION OF GROUND FLOOR GABLE WINDOW.
3.	Location:	1 GREENBANK, LAMPLUGH
4.	Parish:	Lamplugh
5.	Constraints:	ASC Adverts Coal – Standing Advice PROW – Public Right Of Way
6.	Publicity Representations & Policy	See Report
7.	Report: SITE AND LOCATION This application site relates to a semi detached property at 1 Greenbank which is located within the open countryside to the west of the village of Lamplugh. The property benefits from a reasonable sized curtilage area to the side and rear of the property with open fields located to the rear elevation. A small open hardstanding area lies to the front of the property. PROPOSAL Planning permission is sought for the erection of a single storey rear extension to an existing conservatory. The proposed extension is to extend beyond the rear wall by 3.5m and will have a width of 11.1m and a height to eaves of 3.3m with a total height of 3.8m. The	

proposed extension is to be faced with Lakeland stone to the external walls, zinc roofing and UPVC glazing. The proposal seeks to incorporate a storage area and sun room.

RELEVANT PLANNING APPLICATION HISTORY

None.

CONSULTATION RESPONSES

Lamplugh Parish Council

No response was received within the consultation period.

Countryside Officer

No response was received within the consultation period,

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 and ecology.

Principle of Development

The proposed application relates to a semi-detached property located within an isolated position within the open countryside. 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 rear extension is to be sited to the rear curtilage area of the host dwelling and is to extend beyond the rear wall by 3.5m. It will be 11.1m in width and will extend to an eaves height of 3.3m with a total height of 3.8m. The extension is to be faced with Lakeland stone to external walls, zinc roofing and UPVC glazing.

The proposal is to be sited within close proximity to the boundary of the neighbouring property. The neighbouring property benefits from a single storey rear extension that is similar in size to the proposal and has a solid boundary wall between the two properties. On this basis the siting of the proposal within the rear curtilage area is considered to be acceptable. The curtilage area to the rear elevation is large in scale and the proposal is

considered to be of an appropriate scale in relation to the host dwelling itself and would not appear over-dominant at this location.

It is acknowledge that part of the proposal will be visible from the main road as there are low boundaries to the site. However, given the proposed design it is not considered to impact upon the appearance of the existing property. Given the set back within the rear curtilage area 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.

To date no objections have been received from neighbouring properties. The proposed single-storey extension is to be sited within close proximity to the neighbouring property No 2 Greenbank. The existing boundary between the properties is a solid wall which forms part of the neighbouring properties single storey rear extension. Beyond this a small boundary wall exists with an access gate. Although the proposal is within close proximity to the boundary, given the size and height of the proposal it is not considered that the proposal would result in any significant loss of light or dominance to neighbouring properties. The proposal does not include windows that look onto the neighbouring elevation and there are open views to the rear elevation of these properties, therefore the proposed works would not result in harmful overlooking or loss of privacy concerns.

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 and Public Right of Way

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.

There is a public right of way that runs to the east of the site – FP 412006. The Countryside Officer has been consulted as part of the proposal, however, has not made any comments. The proposal would not directly impact upon the footpath given the proposal is located more than 30m away from its route. An informative note can be added to the decision notice to advise that if any works impact upon the footpath a separate permit will be required as necessary.

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

Biodiversity Net Gain

	<p>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.</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 application seeks to erect a single storey rear extension.</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, Public Right of Ways 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"> 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 12/06/2025; - Site Location Plan, Proposed Plans and Elevations, scale 1:1250 and 1:50 received 12/06/2025.

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.

Informative Notes

Coal Informative

The proposed development site 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.

Public Right Of Way

The granting of planning permission would not give the applicant the right to block or obstruct the public right of way shown on the attached plan.

The public right of way as indicated must be kept open and unaltered for public use until an order made to divert, stop up or to temporarily close it has been confirmed.

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