

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2249/0F1
2.	Proposed Development:	REPLACEMENT OF POLYCARBONATE ROOF WITH TILED ROOF WITH INSTALLATION OF LARGE ROOFLIGHT, ERECTION OF FLAT ROOFED DORMER WINDOW ON REAR ELEVATION. INSTALLATION OF ROOFLIGHT TO MAIN ROOF ON FRONT ELEVATION, REMOVAL OF EXISTING SINGLE STOREY GARAGE AND CONSTRUCTION OF PITCHED ROOF GARDEN ROOM.
3.	Location:	27 EAST ROAD, EGREMONT
4.	Parish:	Egremont
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change, Outer Consultation Zone - Sellafield 10KM, PROWs - Public Right of Way
6.	Publicity Representations &Policy	See Report
7.	Report: Site and Location The application site comprises a two storey mid terraced dwelling house, situated to the north eastern side of Egremont. The application site has a small enclosed garden to the front and a small enclosed yard to the rear. Beyond the rear yard is a shared access lane, serving the terrace of dwellings. To the east side of the access lane is a separate garden containing a garage accessible via the lane, and a garden beyond. Other gardens and outbuildings are situated alongside, which appear to serve other properties within the terrace. The site is on sloping land such that the rear boundary of the rear garden is at lower land level than the access lane and dwelling.	

Proposal

The proposal involves:

1. Replacement of an existing polycarbonate roof to a single storey rear extension with a concrete tiled roof incorporating a roof light.
2. Erection of a flat roofed dormer window to the rear roof slope to be finished with horizontal boarding, a fibreglass flat roof and a UPVC window.
3. Installation of a rooflight to the front roof slope.
4. Removal of the existing detached garage within the rear garden, to be replaced with a parking space with garden room beyond measuring approx. 8m x 3.25m, with a height to eaves of approx. 2.2m (min) 3.9m (max) and an overall height of approx. 3.45m (min) 5.1m (max). Proposed external materials include dark grey wood grain cladding, insulated metal sheets, UPVC doors and windows.

Relevant Planning History

N/A

Consultation Responses

Town Council

No objections.

Local Highway Authority and Lead Local Flood Authority

The application falls under the Service Level Agreement, therefore the highways and drainage implications of the application 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 resulting representations have been received to date.

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 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 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 Egremont. The development would provide a dormer extension to the rear, alterations to the property and a detached outbuilding within the rear gardens.

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 development should meet high quality standards.

The proposal would result in the removal of an existing polycarbonate roof to the single

storey rear extension at the proposal to be replaced with a concrete tiled roof incorporating a roof light. This element of the proposal would not have an adverse impact upon the property or street scene and is therefore accepted as a suitable form of development.

The applicant also proposes to insert a roof light to the front roof slope of the property. There are a number of roof lights in evidence within the street scene such that the proposed roof light would not be at odds with the character of the terrace. This element of the proposal is therefore accepted.

A dormer window is proposed to the rear roof slope. The width of this has been amended throughout the course of the application process, to be contained within the site boundary. The applicant has also been asked to amend the proposed dormer to be set in from the ridge and eaves lines. The applicant has indicated that they wish to continue with the proposed dormer in its current format, with the dormer effectively squaring off the rear roof slope. Images of comparable developments within the locality have been provided in support of the proposed dormer extension.

It is acknowledged that dormer extensions such as that proposed within the current application are not uncommon within the terrace of properties at East Road. There are examples of dormers within the rear and front roof slopes. As such, the principle of a dormer extension is accepted as a suitable form of development within the locality. Although the applicant has indicated that they do not wish to amend the proportions of the dormer beyond the reduction in width, the position of the proposed dormer, to the rear of the dwelling, is such that the scale and massing of the proposal would not be significant so as to have an unacceptable adverse visual impact upon the building or street scene. On this basis, this element of the proposal is accepted in this case.

The development would result in the removal of the existing flat roofed garage within the rear garden, to be replaced with a parking space and garden room beyond. The proposed garden room would have a footprint and massing greater than the existing garage due to the pitched roof, underbuild brought about by the sloping land and the set back position of the garage within the garden. Comparable structures are in place within neighbouring gardens such that this form of development is considered suitable for the site. The position of the proposed development, within the rear garden, is such that the development would not have an adverse impact upon the building or street scene.

The proposed external finishes across the development as a whole are considered acceptable for the site and surrounding area.

The application property has a rear yard and gardens. Adequate undeveloped curtilage area would be retained within the development.

The scale and design of the proposal are therefore accepted within the context of Policies

DS4 and H14 of the Copeland Local Plan.

Residential Amenity

Policy DS4 of the Copeland Local Plan states that all new developments 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 proposal would result in a dormer extension and alterations to the application property, as well as the erection of a detached outbuilding within the rear garden. The proposed extensions and alterations would be situated alongside the shared boundaries with neighbouring properties and gardens.

The proposed garden room would be situated alongside the shared side boundaries of the rear garden. It is noted that similar structures are in place within adjacent gardens, alongside the shared boundaries, which effectively mitigate and reduce the potential for significant adverse impact from this element of the proposal as a result of overbearing impact or overshadowing.

The proposal does not include any openings to the side elevations. Given the proximity of the proposed garden room to the side boundaries of the site, it is considered appropriate to remove permitted development rights from the side elevations of this element of the proposal, to preserve the amenity standards of the adjoining property going forward. Similarly, it is considered necessary to secure the use of the proposed garden room for ancillary residential purposes only, to ensure the development is compatible with surrounding land uses.

The alterations proposed to the main dwelling would have little impact upon adjacent amenity.

On balance, it is considered that the proposal would retain suitable standards of 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 application property has off street parking in the form of a detached garage which would be lost and replaced with an off street parking space.

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, with low risk of flooding. The development would

	not significantly increase the risk of flooding at the site or within the surrounding area. The proposal therefore complies with Policy DS6 of the Copeland Local Plan in this regard. <u>Biodiversity Net Gain</u> 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 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.	Recommendation: Approve (commence within 3 years)
9.	Conditions: 1. The development hereby permitted must commence before the expiration of three years from the date of this permission. Reason To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004. 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 17th July 2025

Location/ Block Plan, Drawing Reference: 25-26-P-L, scales 1:1250 and 1:500, received 17th July 2025

Proposed Site Plan, Drawing Reference: 25-26-P-01, scale 1:200, received 17th July 2025

Plans as Proposed – Dwelling, Drawing Reference: 25-26-P-07 Revision: A, scale 1:100, received 7th October 2025

Elevations as Proposed – Dwelling, Drawing Reference: 25-26-P-08 Revision: A, scale 1:100, received 7th October 2025

Proposed 3D Sketches – Dwelling, Drawing Reference: 25-26-P-09 Revision: A, received 7th October 2025

Garden Room – Plans as Proposed, Drawing Reference: 25-26-P-11, scale 1:100, received 17th July 2025

Garden Room – Elevations as Proposed, Drawing Reference: 25-26-P-12, scale 1:100, received 17th July 2025

Reason

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.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or in any Statutory Instrument revoking or re-enacting that Order with or without modification) no further windows, including dormer windows, or other openings on the north east and south west side elevations of the garden room hereby approved shall be formed without the prior written approval of the Local Planning Authority upon an application submitted to it.

Reason

To ensure the development accords with the provisions of Planning Policies H14 of the Copeland Local Plan and to safeguard the amenity of the locality, in compliance with the National Planning Policy Framework and Policy DS4 of the Copeland Local Plan.

4. The outbuilding hereby permitted must not be occupied at any time other than for purposes ancillary to the residential use of the dwelling at 27 East Road, Egremont, and must not be independently occupied, let or sold as a separate permanent dwelling, or used for any business purposes whatsoever.

Reason

To ensure the development accords with the provisions of Planning Policies H14 of the Copeland Local Plan and to safeguard the amenity of the locality, in compliance with the National Planning Policy Framework and Policy DS4 of the Copeland Local Plan.

Informative Note

Biodiversity Net Gain – Exemption Applicable

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 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



**Cumberland
Council**

	Planning Authority has been able to grant planning permission for an acceptable proposal.	
Case Officer: L. White		Date : 14/10/2025
Authorising Officer: N.J. Hayhurst		Date : 16/10/2025
Dedicated responses to:- N/A		