

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2250/0F1
2.	Proposed Development:	THE REMOVAL OF AN EXISTING METAL PITCHED ROOF GARAGE AND THE CONSTRUCTION OF A SINGLE STOREY FLAT ROOF GARAGE
3.	Location:	PLOT 22, EAST ROAD ALLOTMENTS, EGREMONT
4.	Parish:	Egremont
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change, Key Species - Potential Area for Great Crested Newts, Outer Consultation Zone - Sellafield 10KM
6.	Publicity Representations &Policy	Neighbour Notification Letter: NO Site Notice: YES Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: Site and Location <p>The application site comprises a garage site within the allotment gardens located to the north of Egremont. The allotment gardens have residential dwellings to the north, west and south with open space to the east.</p> <p>There is a row of garages to the north of the site, with some located sporadically throughout the rest of the site.</p>	

Proposal

Planning permission is sought for the erection of a detached flat roofed garage to replace an existing metal pitched roof garage. The garage will measure 5.2m x 3.2m, with a maximum height of 2.3m. The roof will have a slight fall.

The proposed external finishes include dashed walls, a fibre cement panelled roof and a metal up and over garage door.

Relevant Planning History

There have been no previous applications on the site.

Consultation Responses

Egremont Town Council

No objections.

Local Highways Authority

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

Public Representations

The application has been advertised by way of site notice.

No comments have been received as a result of this advertisement.

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



Cumberland Council

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 2001-2016.

The policies relevant to this application are as follows:-

Strategic Policy DS1: Settlement Hierarchy

Strategic Policy DS2: Settlement Boundaries

Policy DS4: Design and Development Standards

Strategic Policy DS6: Reducing Flood Risk

Policy CO7: Parking Standards

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

Cumbria Development Design Guide

Assessment

Principle of Development

The proposed application relates to an existing garage site within the allotments at Egremont. The development would provide a detached structure to replace the existing metal garage.

Policies DS1 and DS2 of the Copeland Local Plan identifies Egremont as a Key Service Centre where the focus is for town centre developments, employment development and medium scale housing extensions, windfall and infill development.

As the precedent is already set for garages on this site and the garage will replace an existing structure, it is considered that the principle of development is acceptable.

Scale and Design

Policy DS4 of the Copeland Local Plan indicates that all new developments should meet high quality standards.

The footprint of the garage will be slightly larger than the existing structure, however the overall height will be less, therefore reducing the perceived scale of the garage.

The proposal has been designed with modern finishes and form, which is commensurate with the general character and architecture of the site. The scale and massing of the proposal is considered suitable for the site and as the garage will replace an existing structure, it is considered that there will not be a material change to the site.

The proposal does not constitute overdevelopment either on the site or the wider street scene.

The proposal therefore complies with Policy DS4 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 proposal would involve the retention of a parking provision at the site.

The proposal therefore complies with Policy CO7 of the Copeland Local Plan with regards to parking.

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.

Biodiversity Net Gain

Policy N3 of the LP requires that all development, with the exception of that listed in the Environment Act must provide a minimum of 10% biodiversity net gain over and above existing site levels, following the application of the mitigation hierarchy set out in Policy N1 above. This is in addition to any compensatory habitat provided under Policy N1. It is stated net gain should be delivered on site where possible and where on-site provision is not appropriate, provision must be made elsewhere in accordance with a defined order of preference.

In England, BNG is now mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Applications must now deliver a Biodiversity Net Gain of 10%, resulting in more or better-quality natural habitat than there was before the development.

There are exemptions to the biodiversity net gain requirement. An exemption applies to development which does not displace more than 25 square metres of on-site habitat. It is therefore accepted that the biodiversity net gain condition should not be applied in this case.

Planning Balance and Conclusion



Cumberland Council

	<p>The proposed development is of an appropriate scale and design for the site and the locality. It would preserve the amenities of the area and highways safety.</p> <p>The proposal is therefore considered an acceptable form of development which complies with the policies of the adopted 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 shall be commenced 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. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them: - <p>Application form, received 15th July 2025;</p> <p>Site Location and Block Plan, scales 1:1250 and 1:500, drawing number 25-26-P-L2, received 15th July 2025;</p> <p>Proposed Site Plan, scale 1:200, drawing number 25-26-P-13, received 15th July 2025;</p> <p>Proposed Garage Floor Plans and Elevations, scale 1:100, drawing number 25-26-P-10, received 15th July 2025.</p> <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</p> <p>Biodiversity Net Gain – Exemption Applicable</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: (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.</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>
<p>Case Officer: Sarah Papaleo</p>	<p>Date : 03/09/2025</p>
<p>Authorising Officer: N.J. Hayhurst</p>	<p>Date : 11/09/2025</p>
<p>Dedicated responses to:- N/A</p>	