

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2309/0F1
2.	Proposed Development:	DEMOLITION OF EXISTING GARAGE AND REPLACEMENT WITH TWO STOREY SIDE EXTENSION AND ADDITION OF BALCONY TO REAR
3.	Location:	COGRA GHYLL, CROSSGATES, LAMPLUGH
4.	Parish:	Lamplugh
5.	Constraints:	ASC;Adverts - ASC;Adverts, Flood Area - Flood Zone 2 Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations &Policy	See Report
7.	Report: SITE AND LOCATION <p>The application site is a large detached property set within substantial grounds. Linear development is located to the north of the site. Open countryside is located to the south of the site. Wood Beck is located to the east of the site. The site is located within Flood Zone 2. The properties are set down from the road to the west of the site quite significantly.</p> PROPOSAL <p>The application seeks consent for the erection of a two storey extension to the side of the property. It will replace an existing single storey garage. The proposed extension would be of a modern design with a gable feature with a high level of glazing to the front, and a balcony to the rear.</p> RELEVANT PLANNING APPLICATION HISTORY <p>None relevant</p>	

CONSULTATION RESPONSES

Parish Council

No comments received

Public Representation

This application has been advertised by way of a neighbour notification letters issued to the adjoining residential properties. No responses have been received in response to 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 the 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 following policies are relevant to this proposal:

DS1 – Settlement Hierarchy

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



Cumberland Council

ASSESSMENT

The key issues raised by this proposal are the potential impacts on visual amenity; and impact on public safety.

Principle of Development

The proposed application relates to a residential dwelling, and it will provide extended living accommodation in the form of a two storey extension. 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 proposed extension is relatively large and has a height matching the host dwelling. The extension would be forward of the front elevation, and rear elevation. The design is relatively modern but does not create an incongruous feature on the dwelling or in the wider area. The property is set down from the road and is not overly prominent when viewed from the public realm. The design is of a high standard. Other properties in the area have also been extended quite significantly in the past.

On balance, the design is considered to be acceptable and is not significantly to be out of character with the dwelling and surrounding area and would not be considered to have any negative effects on the street scene. The extension is of a scale, design and appearance to reflect the host dwelling and would not detract from the overall appearance of the property and 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.

The proposed two storey extension would be located approximately 20.5m from the rear elevation of the property to the north. It is set at an angle away from the rear elevation and the separation distance is considered sufficient so as not to lead to a loss of privacy for the neighbouring residents over and above what they already experience. The windows in the rear elevation, and the proposed balcony will look out over agricultural land to the rear. It is considered that in terms of privacy, the scheme fully complies with Policy H14 of the Local Plan.

In terms of overbearing impact, the scheme is considered to be a sufficient distance from the

	<p>neighbouring properties so as not to lead to any significant loss of light, the creation of an overbearing impact. In this regard the scheme accords with Policy H14 of the Local Plan.</p> <p><u>Highway Safety</u></p> <p>The property sits within a large site with ample car parking. The increase in vehicles that may result from an increase in bedrooms will not have an adverse impact on the highway network. The scheme therefore accords with Policy CO7.</p> <p><u>Flood Risk and Drainage</u></p> <p>Policy DS6 seeks that development will not be permitted where: there is an unacceptable risk of flooding and or, the development would increase the risk of flooding elsewhere.</p> <p>The site is located within Flood Zone 2. In line with Env. Agency advice, the applicant has completed the flood assessment form and has indicated resilience measures by means of ensuring that the finished floor level of the extension will be no lower than that of the original dwelling. This is considered to be acceptable for a domestic extension of less than 250m².</p> <p><u>Biodiversity Net Gain</u></p> <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. In terms of considering the proposal in relation to Biodiversity Net Gain, the development relates to a householder application which falls under an exempted category; therefore, does not trigger a requirement for 10% Biodiversity Net Gain.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The proposed development is 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.</p> <p>On this basis the proposal is considered to be 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> <p>1. The development hereby permitted must commence before the expiration of three</p>



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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 as received on the respective dates and development must be carried out in accordance with them: -

Application Form,

Location Plan,

Existing Plans DWG01

Proposed Plans DWG02

Householder and Other Minor Extensions in Flood Zones 2 and 3 form

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. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those as stated in the application form and submitted drawings unless otherwise approved in writing by the Local Planning Authority.

Reason

To ensure that the finished appearance of the development will enhance the character and visual amenities of the area.

Informative Notes

Development Low Risk Area - Standing Advice

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered

	<p>during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.</p> <p>Further information is also available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK</p> <p>Biodiversity Net Gain – Exemption</p> <p>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:</p> <p>(a) a Biodiversity Gain Plan has been submitted to the local planning authority, and</p> <p>(b) the local planning authority has approved the plan.</p> <p>The planning authority, for the purposes of the Biodiversity Gain Plan is Cumberland Council.</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 or more of the statutory exemptions or transitional arrangements is/are 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>
<p>Case Officer: D. Gibson</p>	<p>Date : 13/11/2025</p>
<p>Authorising Officer: N.J. Hayhurst</p>	<p>Date : 19/11/2025</p>
<p>Dedicated responses to:- N/A</p>	