

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2312/0F1
2.	Proposed Development:	FIRST FLOOR EXTENSION AND BALCONY
3.	Location:	SYKE HOUSE, HOW MAN, EGREMONT
4.	Parish:	St Bees
5.	Constraints:	ASC Adverts Coal – Off Coalfield 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 detached dwelling house, situated in an isolated position within the open countryside, to the southeast of St Bees. Access to the site is available via a track from the B5345. Open countryside surrounds the site. The application dwelling is of a modern construction with modern alterations including a single-storey flat roofed rear extension and an extension to the side. The dwelling has gardens to the front, south east side and rear. Off street parking is available via a large hardstanding area to the front. A range of buildings are in place on land to the northwest side of the dwelling which accommodate a kennel business. Proposal The proposal involves the erection of a first floor extension above the existing single storey rear extension. The extension would create an extended bedroom.	

A first-floor balcony is also proposed, which would be accessed via the first-floor extension and an external staircase. The balcony would be positioned to the southeast side of the extension.

Proposed external finishes include rendered walls, slate roof, UPVC windows and a metal finish to the balcony elements.

Relevant Planning History

4/17/2011/0F1: Erection of double garage to side and canopy roof to front elevation; flat roof over rear extension replaces with slate hipped roof – 02/03/17 – Approve (commence within 3 years)

Consultation Responses

Parish Council

No objections.

Public Representations

The application has been advertised by way of neighbour notification letters issued to an adjacent property. 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 the open countryside, between the villages of St Bees and Nethertown. The development would provide a first-floor extension to the rear and a first-floor balcony with external staircase to the side.

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 developments should meet high quality standards.

The proposal would result in the erection of a first-floor extension to the rear and a balcony to the side. The proposed alterations are commensurate in scale and design with the modern character of the application property and site. The proposed external finishes are considered

acceptable for the site and surrounding area. As a result, the development would not adversely alter the existing building or street scene.

The application property has large surrounding gardens, the majority of which 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 development 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 first-floor extension to the rear and a first-floor balcony to the southeast side. The application property has large gardens to the rear and southeast side, with open countryside beyond. The nearest dwelling is to the southeast of the property at Howman, at a significant distance from the application property. Given that the dwelling is in an isolated location without immediate neighbours, the proposal would not harm the amenity of adjacent properties.

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 large hardstanding to the front, which would be retained within the development.

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.

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. 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. <u>Planning Balance and Conclusion</u> 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 15th September 2025 Site Location Plan, scale 1:1250, received 15th September 2025 Existing and Proposed Plans, Dwg No – 02, scale 1:100, received 15th September 2025 Existing and Proposed Elevations, Dwg No – 01, scale 1:100, received 15th September 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.

Informative Note**Biodiversity Net Gain – Exemption**

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 Planning Authority has been able to grant planning permission for an acceptable proposal.

Case Officer: L White

Date : 05/11/2025

Authorising Officer: N.J. Hayhurst

Date : 05/11/2025

Dedicated responses to:- N/A