

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2325/0F1
2.	Proposed Development:	ALTERATIONS, EXTENSION AND RENOVATIONS INCLUDING CHANGE OF USE OF ATTACHED BUILDING
3.	Location:	WOODEND MILL, WOODEND, EGREMONT
4.	Parish:	Egremont
5.	Constraints:	<p>Flood Area - Flood Zone 2 & 3</p> <p>Coal - Standing Advice</p> <p>Key Species - Potential Area for Great Crested Newts</p> <p>Outer Consultation Zone - Sellafield 10KM</p>
6.	Publicity Representations & Policy	See Report
7.	Report: SITE AND LOCATION <p>The application site was formally a mill, located in the countryside to the east of the A5086. To the east lies Longland Lake Country Park. The property sits within a large plot.</p> PROPOSAL <p>The applicant seeks consent for a two storey side extension, a single storey side extension, the use of the store as accommodation and alterations to the roof. The extensions would be finished in stone and wood panelling.</p> RELEVANT PLANNING APPLICATION HISTORY <p>None relevant</p>	

CONSULTATION RESPONSES

Parish Council

No objections

Env. Agency

No objections but recommend that informatives are added to decision notice.

Highways

No objections

Env. Health

No objections subject to conditions relating to ground contamination, drainage, and noise

No neighbour responses received.

Public Representations

The application has been advertised by way of neighbour consultations being sent.

No representations have been received as a result of 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.

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.

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

Development Plan

Copeland Local Plan 2021 - 2039

The following policies are relevant to this proposal:

DS1 – Settlement Hierarchy

DS4 – Design and Development Standards Strategic

Policy H14 – Domestic Extensions and Alterations

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 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 extensions are relatively minor and are subservient to the main dwelling. The design is relatively traditional and the use of different materials creates an interesting architectural feature but does not create an incongruous feature on the dwelling or in the wider area. The property is set back from the road and is not overly prominent when viewed from the public realm. The design of the extensions are of a high standard.

The design is considered to be acceptable and not significantly out of character with the dwelling and surrounding area and would not be considered to have any negative effects on the street scene. The extensions are 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.

On balance, the scheme is considered to be of an acceptable design for this dwelling and will not have a significant detrimental impact on the character of the host property or the wider area.

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 extensions would be located well away from any of the neighbouring properties and will not lead to any overlooking or the creation of an overbearing impact. It is considered that in terms of privacy and amenity, the scheme fully complies with Policy H14 of the Local Plan.

Env Health have requested a planning condition to control noise levels during construction. It is considered that this condition is necessary to protect the amenity of neighbouring residents.

Highway Safety

The property sits within a large site with ample car parking. The increase in bedrooms, and potentially an increase in vehicles will not have an adverse impact on the highway network as it is considered that the site can handle the increased capacity safely. The scheme therefore accords with Policy CO7.

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. 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.

Flood Risk and Drainage

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 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.

Env. Health have requested a condition be placed on any permission asking for details of foul and surface water drainage as they are concerned the works may not meet building regulations requirements. For this small scale domestic extension, this is not considered to be a reasonable or necessary condition. Issues such as drainage will be covered under the required building regulations application. To place such a condition would replicate information that would be provided under different legislation.

	<p><u>Contamination</u></p> <p>In accordance with the request from Env Health conditions are proposed for remedial work should any contamination be found on site.</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.</p> <p>There are no significant impacts on the appearance of the dwelling or surrounding area.</p> <p>Other material issues can be dealt with through relevant planning conditions.</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: Approve</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: - <p>Application Form, Proposed Ground Floor Plan, reference 21/0298/01 Proposed First Floor Plan, reference 21/0298/02 Proposed Elevations Plan, reference 21/0298/03 Proposed Section Plan BB, reference 21/0298/09 Proposed Section Plan CC, reference 21/0298/10 Proposed Block Plan and Location Plan, reference 21/0298/11 Flood Risk Assessment prepared by Geoffrey Wallace Limited Design and Access Statement, prepared by Geoffrey Wallace Limited, reference 24/298, dated 28th May 2025</p> <p>Reason</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.

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.

4. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and, where remediation is necessary, a remediation scheme must be prepared and be submitted and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared which is subject to the approval in writing of the Local Planning Authority.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors

5. Prior to the commencement of works details for the separate foul and surface water drainage systems shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented prior to the occupation of any dwelling houses hereby approved.

Reason

To ensure a satisfactory standard of surface water and foul drainage.

6. Following approval of the development, construction activities that are audible at the site boundary shall be carried out only between the following hours.

Monday to Friday 08.00 – 18.00 and
Saturday 08.00 – 13.00 and at no time on Sunday or Bank Holiday.

Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above unless otherwise agreed with the Local Planning Authority.

Reason

In the interests of the amenities of surrounding occupiers during the construction of the development

INFORMATIVES

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place –

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>

or contact our National Customer Contact Centre on 03708 506 506.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

The applicant should be aware of the benefit of flood warnings/alerts. Flood warnings/alerts can give people valuable time to prepare for flooding – time that allows them to move themselves, their families and precious items to safety. Flood warnings/alerts can also save lives and enable the emergency services to prepare and help communities.

To register for a flood warning/alert, please call Floodline on 0345 988 1188 or visit <https://www.gov.uk/sign-up-for-flood-warnings>. This is a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or

text message and anyone can sign up.

For practical advice on preparing for a flood, visit <https://www.gov.uk/prepare-for-flooding>.

To get help during a flood, visit <https://www.gov.uk/help-during-flood>.

For advice on what do after a flood, visit <https://www.gov.uk/after-flood>.

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 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 and transitional arrangements 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 the statutory exemption listed below is considered apply:

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: David Gibson

Date : 02/12/2025

Authorising Officer: N.J. Hayhurst

Date : 05/12/2025



Dedicated responses to:- N/A	