

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2359/0F1
2.	Proposed Development:	PROPOSED SINGLE STOREY REAR AND FRONT EXTENSIONS TO PROVIDE FAMILY ROOM, BEDROOM AND INTERNAL ALTERATIONS
3.	Location:	PALYN-LEA, 9 BECK CLOSE, BRAYSTONES
4.	Parish:	Lowside Quarter
5.	Constraints:	<p>ASC;Adverts - ASC;Adverts,</p> <p>Flood Area - Flood Zone 2,</p> <p>Flood Area - Flood Zone 3,</p> <p>Safeguard Zone - Safeguard Zone,</p> <p>Coal - Off Coalfield - Data Subject To Change,</p> <p>Key Species - Potential areas for Natterjack Toads,</p> <p>DEPZ Zone - DEPZ Zone,</p> <p>Outer Consultation Zone - Sellafield 10KM,</p> <p>PROWs - Public Right of Way</p>
6.	Publicity Representations &Policy	See Report.
7.	<p>Report:</p> <p>Site and Location</p> <p>This application relates to a detached bungalow, known as Palyn-Lea, which fronts onto the Beck Close cul de sac, located within Braystones.</p> <p>The dwelling is located on a large corner plot, that benefits from a paved driveway and modest size grassed front garden area, with side access to a detached double garage and</p>	

large narrow garden to the rear.

The property has an existing conservatory to the rear elevation.

Relevant Planning History

4/03/1268/0 MODIFICATIONS TO DWELLING AND DETACHED GARAGE

4/11/2306/0F1 SINGLE STOREY EXTENSION TO BEDROOMS

Proposal

This application seeks planning permission for the construction of a single storey rear and front extension to provide a family room and additional bedroom, with internal alterations throughout.

The proposed single storey extension to the rear elevation will replace the existing conservatory to provide an open plan kitchen, dining, family room. It will project 2.95 metres from the rear, before dog legging a further 5.7 metres on a 145 degree angle. It will be 6.8 metres in width and has been designed with a flat roof with 2 flat roof panels and bifold doors opening out onto the garden. It will be finished with a rubber membrane roof, rendered walls and upvc windows and doors to match the existing.

The proposed single storey extension to the front elevation will provide a large bedroom with en-suite and will allow for internal alterations to include Bedroom 3 and a study. It will project 4.85 metres from the front elevation with a cross gable roof and will be 6.15 metres in width. It will be finished with render, upvc windows and doors and concrete interlocking roof tiles all to match the existing property.

Internally the proposal will incorporate three bedrooms one with en suite, a main bathroom, study, utility room, and an open plan kitchen/dining/family room.

Consultation Response

Lowside Quarter Parish Council

No response received to date.

Highway & Local Lead Flood Authority

As this falls under our Service Level Agreement (SLA), this application does not need to be submitted to the Local Highway Authority or Lead Local Flood Authority; subject to the highway and drainage aspects of such applications being considered in accordance with the Agreement. The highway and drainage implications of this application can therefore be decided by the Local Planning Authority. If you have a particular aspect of this application you



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wish us to consider, please feel free to contact me direct.

The applicant needs to consider the Standing Advice for vulnerable developments in flood zone 2 & 3 regarding floor levels, extra flood resistance and resilience measures, access and escape and surface water management.

Environment Agency

No response received within the consultation period.

Public representations

This application has been advertised by neighbour notification letters issued to 4 properties.

1 letter of objection has been received in response to this consultation which raises the following concerns:

- Loss of Privacy. The proposed three new windows on the side elevation directly overlook my private, usable garden area where my family regularly sit and spend time. This represents an unacceptable loss of privacy and amenity.
- Overlooking of Private Amenity Space. The windows would have direct line into my primary outdoor living area. This materially harms my reasonable expectation of privacy.
- Loss of residential amenity. The number of windows proposed (at present there are none) would significantly increase the sense of being overlooked, impacting our enjoyment of the garden.
- Side-elevation window rule. Under permitted development rules, side elevation windows should be obscured glazed, and any openable part should be at least 1.7m above internal floor level. These windows to be clear and directly overlook private amenity. If permission is granted, we requested the following are applied: All glazing to be permanently obscured to at least Pilkington level 3, any openable parts to be at least 1.7m above internal floor level, windows to be non-opening below that height and restrictions preventing future removal of obscure glass without new permission.

Planning Policy

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 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 (LP):

Cumberland Council continued the preparation of the LP as commenced by Copeland Borough Council. The LP 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 following policies are relevant to this proposal:

Policy DS4: Design and Development Standards

Strategic Policy DS6: Reducing Flood Risk

Policy H14 – Domestic Extensions and Alterations

Policy N1: Conserving and Enhancing Biodiversity and Geodiversity

Strategic Policy N3: Biodiversity Net Gain

Other Material Planning Considerations

National Planning Policy Framework (2024)

National Design Guide (NDG).

Cumbria Development Design Guide (CDG)

Wildlife and Countryside Act 1981

The Conservation of Habitats and Species Regulations 2017 (CHSR)

Assessment

The key issues raised by this application relate to the principle of the development; scale, design, and impact on residential amenity; flood risk, and impact on ecology and biodiversity.

Principle of Development

Policy DS4 of the Copeland Local Plan and section 12 of the NPPF requires all new development to meet high-quality standards of design.

Policy H14 supports extensions and alterations to residential properties subject to detailed criteria, which are considered below.

On this basis, the principle of the development is therefore considered to be acceptable, and the extension satisfies Policies DS4 and HS14 of the Copeland Local Plan and provisions of the NPPF.



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Scale, Design and Impact on Residential Amenity

Policy DS4 of the Copeland Local Plan and section 12 of the NPPF requires all new development to meet high-quality standards of design. This includes creating and enhancing locally distinctive places, the use of good quality materials that reflect the local character, including high quality and useful open spaces, providing high levels of residential amenity, adopting active travel principles, creating opportunities for social interaction, and effective use of land whilst maintaining amenity and maximising solar gain.

Policy H14 supports extensions where the scale, design and materials of the proposed development would not adversely alter the character or appearance of the existing building, street scene or wider surrounding area.

The proposal comprises the removal of the existing rear conservatory to facilitate the construction of a single storey rear extension to provide an open plan kitchen/dining/family room, and the construction of a single storey front extension to provide a third bedroom and facilitate various internal alterations.

The proposed single storey rear extension comprises an irregular design with an angled projection. It will project 2.95 metres from the rear, before a further 5.7 metres on a 145 degree angle. It will be 6.8 metres in width and has been designed with a flat roof with 2 flat roof panels and bifold doors opening out onto the garden.

It will be finished with a rubber membrane roof, render, and upvc windows and doors to match the existing.

Whilst the rear extension is not of your typical traditional rectangular design/projection, it still allows for the proposal to remain subservient to its surroundings given the properties position on the cul de sac.

The proposed single storey extension to the front elevation will provide an additional bedroom with en-suite, and will allow for internal alterations to include Bedroom 3 and a study. It will project 4.85 metres from the front elevation, and will be 6.15 metres in width. It has been designed with a cross gable roof.

The front extension will be finished with render, upvc windows and doors and concrete interlocking roof tiles all to match the existing property.

Concerns were raised regarding overlooking into the neighbouring property due to the location of the three new windows proposed on the front extension side elevation. Following a site visit, it was clear that the existing property was already within close proximity to the boundary wall/garden with the neighbouring property Tarn Cottage, however, the existing boundary wall was only 1m in overall height so some loss of privacy from the neighbouring garden would already occur as a result.

Given three new windows are proposed on this elevation, amended plans were sought which now proposes the installation of a 1.8m timber fence along this section of wall which will

screen the proposed new windows.

Further concerns were raised regarding the regulations for side elevation windows under Permitted Development; however, the regulations don't apply to ground floor windows. Under current Permitted Development Regulations, conditions regarding the requirement for obscure glazing and non-opening windows only apply to upper-floor windows located in a wall or roof slope forming a side elevation. It is therefore not appropriate to condition this in this instance, however, a Planning Condition will be imposed which ensures that the proposed 1.8m high fence along the boundary with Tarn Cottage is erected before the front extension is brought into use, and that the fence remains in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority, which is considered to adequately protect residential amenity.

Following a re-consultation of the amended plans, no further comments were received from the objector.

Notwithstanding the front projection, and overall scale of the proposed extensions and alterations for this application, the proposal is considered to still be in keeping with the site and the surrounding area and will not result in overdevelopment.

The scale and design of the proposal is therefore acceptable, and is not considered to create any overlooking, security or privacy issues for the neighbours.

The materials proposed are considered to be acceptable and suitable for their use.

It is therefore considered that subject to the planning condition proposed, the proposal would not impact upon the character and appearance of the existing property itself, nor would it impact upon the character of the wider residential area.

On this basis, the proposal is considered to meet Policy DS4 and H14 of the Copeland Local Plan and NPPF guidance.

Flood Risk

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.

The application site is located within Flood Zone 2 and 3 and a Flood Risk Assessment has been submitted to support this application.

The FRA proposes the following:

- Finished Floor Level (FFL): Equal to or 150 mm above existing floor level.
- Surface Water Drainage (SuDS): Soakaways, permeable paving, and maintained flow routes.
- Flood-Resilient Construction: Water-resistant materials up to 300 mm above ground, raised electrics.
- Site Access and Safety: Safe dry access via Beck Close and the B5345; residents to sign



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up for EA Flood Warnings.

The Local Lead Flood Authority have reviewed the application and have confirmed no objections to the proposal. The Environment Agency have also offered no comments on the application.

An appropriately worded Planning Condition can be imposed to ensure that the development is carried out in accordance with the FRA provided.

On this basis, given the Planning Condition proposed, it is considered that the proposal will not have a detrimental impact on flood risk in accordance with Policies DS6 of the Copeland Local Plan, and the provisions of the NPPF.

Impact on Ecology and Biodiversity

Policy N1 of the ELP seeks to ensure that new development will protect and enhance biodiversity and geodiversity and defines a mitigation hierarchy. Policy N3 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. 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. Some developments are however except from these BNG requirements.

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 application is a Householder application, therefore the proposal falls within the list of developments except from providing Biodiversity Net Gain.

The application site is identified as a potential area for natterjack toads. Although the application site is located within 200m of a watercourse (as indicated within the ALGE trigger list), the proposal is for an extension to a dwelling (some areas of which are already located on hard surfaces) on an existing residential site, located within a built up area.

On the basis of the above it is considered that this is not a habitat that is likely to contain natterjack toads and so it would not be necessary to seek an ecological survey for this minor application.

Based on the above, it is considered that the development complies with the requirements of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 and Policies N1 and N3 of the Copeland Local Plan and the provisions of the NPPF.

	<p>Planning Balance and Conclusions</p> <p>The application relates to an existing residential site in Braystones. The application seeks to extend an existing detached bungalow on an existing residential plot with a single storey rear and front extension.</p> <p>The details submitted propose a development which is of an appropriate scale and design and is not considered to have a detrimental impact on the nearby residential properties. The proposal is considered to be designed to reflect the character of the parent property, and the wider residential area.</p> <p>Appropriately worded planning conditions will be utilised to secure and retain relevant boundary treatments where appropriate to protect the amenity of the neighbouring property, and to ensure that the submitted Flood Risk Assessment is complied with to mitigate from flooding.</p> <p>No objections have been raised from statutory consultees. 1 letter of objection was received from a neighbouring property; however no further comments were made following the submission of amended plans.</p> <p>Given the planning conditions proposed, the proposal is therefore considered to be an acceptable form of development that has no negative impacts on residential amenity, flood risk or ecology and biodiversity.</p> <p>Overall, the proposal is compliant with policies of the Copeland Local Plan and the provisions of the NPPF.</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: -



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- Application Form, received 21st October 2025;
- Site Location Plan, scale 1:1250, received 21st October 2025;
- Existing and Proposed Block Plans (amended), drawing N/12, scale 1:500, received 29th November 2025;
- Existing Floor Plan, scale 1:50, drawing N/1, received 21st October 2025;
- Existing Part Floor Plan (rear), scale 1:50, drawing N/2, received 21st October 2025;
- Existing Part Floor Plan (front), scale 1:50, drawing N/3, received 21st October 2025;
- Existing Elevations (front & rear), scale 1:50, drawing N/4, received 21st October 2025;
- Existing Side Elevations, scale 1:50, drawing N/5, received 21st October 2025;
- Proposed Part Floor Plan (rear), scale 1:50, drawing N/6, received 21st October 2025;
- Proposed Part Floor Plan (front, scale 1:50, drawing N/7, received 21st October 2025;
- Proposed Elevations (front), scale 1:50, drawing N/8, received 21st October 2025;
- Proposed Elevations (rear), scale 1:50, drawing N/9, received 21st October 2025;
- Proposed Elevations (rear), scale 1:50, drawing N/10, received 21st October 2025;
- Proposed Sections (front & rear), scale 1:50, drawing N/11, received 21st October 2025;
- Flood Risk Assessment, received 21st October 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. The development hereby approved must be carried out in accordance with the flood resilience and mitigation measures set out in the Flood Risk Assessment received by the Local Planning Authority on 21st October 2025. The flood resilience and mitigation measures must be maintained thereafter.

Reason

To protect the property against flood damage in accordance with Policy DS6 of the Copeland Local Plan.

4. Prior to the occupation of the front extension hereby approved the boundary fence as shown on 'Existing and Proposed Block Plans, drawing N/12' shall be installed and maintained at a height not exceeding 1.8 metres in accordance with details which must be submitted to and approved in writing by the Local Planning Authority. The approved fence shall be maintained in accordance with the approved details at all times thereafter.

Reason

To protect residential amenity in accordance with Policy H14 of the Copeland Local Plan.

	<p>Informative Notes:</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: (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.</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 identifying matters of concern with the proposal and negotiating with the applicants acceptable amendments to address them. As a result the Local Planning Authority has been able to grant planning permission for an acceptable proposal in accordance with Copeland Local Plan policies and the presumption in favour of sustainable development as set out in the National Planning Policy Framework</p>
<p>Case Officer: Demi Crawford</p>	<p>Date : 06/01/2026</p>
<p>Authorising Officer: N.J. Hayhurst</p>	<p>Date : 09/01/2026</p>
<p>Dedicated responses to:- N/A</p>	