

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2379/0F1
2.	Proposed Development:	SINGLE STOREY SIDE EXTENSION
3.	Location:	35 CLINTZ ROAD, EGREMONT
4.	Parish:	Egremont
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change, Key Species - Potential Area for Great Crested Newts, Outer Consultation Zone - Sellafield 10KM
6.	Publicity Representations &Policy	See report.
7.	Report: Site and Location The application site relates to 35 Clintz Road, a detached property situated on a residential estate within Egremont. The site benefits from a paved front garden with garage and driveway, and a modest size rear garden. Proposal The proposal seeks planning permission for the construction of a single storey side extension to provide a family room for the applicant. The new structure will project 4 metres from the side elevation and will be 7.2 metres from front to rear. The structure has been designed with a dual pitch roof with an eaves height of 2.7 metres and overall height of 4.5 metres. The roof design mimics the original roof design.	

The extension is to be finished with facing brickwork and cast stone detailing, black upvc windows and concrete interlocking roof tiles all to match the existing.

Relevant Planning History

4/01/0003/0 ERECTION OF 86 NO. DWELLINGS

Consultation Responses

Egremont Town Council

No objections.

Public Representations

The application has been advertised by way of neighbour notification letters issued to 4 properties. No representations have been received in response to this consultation.

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



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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 (NPPF)

Cumbria Development Design Guide

Wildlife and Countryside Act 1981

The Conservation of Habitats and Species Regulations 2017 (CHSR)

Assessment

The key issues raised by this proposal are the principle of development, its scale and design and the potential impacts on residential amenity, and impact on ecology and biodiversity.

Principle of Development

The proposed application relates to a residential dwelling within Egremont.

The development would provide a single storey front/side extension to provide a family room for the applicant.

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 development should meet high quality standards.

The proposed extension will be appropriately located to the side of the property.

The proposed extension will project 4 metres from the side elevation and will be 7.2 metres from front to rear.

The extension has been designed with a dual pitch roof with an eaves height of 2.7 metres and overall height of 4.5 metres. The roof design mimics the original roof design.

It will be finished with facing brickwork and cast stone detailing, black upvc windows and

concrete interlocking roof tiles all to match the existing. It is considered that the proposed materials are modern, and suitable for their use. As a result the design and materials proposed are considered to respect the character and appearance of the existing property.

The scale and design of the development would not, therefore, adversely alter the existing building or street scene, nor would it result in overdevelopment of the site.

The proposal therefore complies with Policies DS4 and H14 of the Copeland Local Plan in this regard.

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.

Whilst amenity issues between the proposed extension and the neighbouring properties were considered, the proposal would be positioned to the side of the property and is modest in scale.

The existing side elevation contains 1 small window. As part of the proposal, this elevation will now be blank, and thus, there are no overlooking or privacy concerns considered as part of the proposal.

No concerns were raised as a result of the neighbour consultation process.

On balance, the proposal is considered to be an acceptable scale and design acceptable which will not adversely harm the neighbouring amenity or the wider residential area.

The proposal therefore complies with Policies DS4 and H14 of the Copeland Local Plan in this regard.

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



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	<p>habitat than there was before the development. Some developments are however except from these BNG requirements.</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 the application is a Householder application, therefore the proposal falls within the list of developments except from providing Biodiversity Net Gain.</p> <p>The application site is identified as a potential area for Great Crested Newts. However, the application site is not located within 200m of a watercourse (as indicated within the ALGE trigger list), and the proposal is for an extension to a dwelling (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.</p> <p>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> <p><u>Planning Balance and Conclusion</u></p> <p>The proposed development is of an appropriate scale and design for the site and locality, which would not have an adverse impact on residential amenity.</p> <p>The proposal is exempt from Biodiversity Net Gain and is not required to be supported by any ecology details.</p> <p>No objections have been received as a result of the consultation process.</p> <p>The proposal is therefore considered an acceptable form of development which complies with the policies of the adopted Local Plan and 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</p>

by the Planning and Compulsory Purchase Act 2004.

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: -
- Application Form, received 12th November 2025;
 - Site Location Plan, scale 1:1250, received 12th November 2025;
 - Existing & Proposed Block Plans scale 1:500, drawing R/6, received 12th November 2025;
 - Existing Ground Floor Plan, scale 1:50, drawing R/1, received 12th November 2025;
 - Existing Front & Rear Elevations, scale 1:50, drawing R/2, received 12th November 2025;
 - Existing & Proposed Side Elevations, scale 1:50, drawing R/3, received 12th November 2025;
 - Proposed Ground Floor Plan, scale 1:50, drawing R/4, received 12th November 2025;
 - Proposed Front & Rear Elevations, scale 1:50, drawing R/5, received 12th November 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 Notes

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.



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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 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. Further information is also available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

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: Demi Crawford

Date : 08/01/2026

Authorising Officer: N.J. Hayhurst

Date : 09/01/2026

Dedicated responses to:- N/A