

**CUMBERLAND COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/25/2388/0F1
2.	Proposed Development:	REVISED SCHEME FOR PREVIOUSLY APPROVED APPLICATION 4/22/2299/0F1 (PROPOSED 2 STOREY EXTENSION TO REAR, WIDENING OF PARKING AND PROPOSED GARDEN SHED/SHELTER) – FOR A SINGLE STOREY EXTENSION TO REAR, INCREASE THE SIZE OF THE REAR DORMER, WIDENING OF PARKING & PROPOSED GARDEN SHED/SHELTER
3.	Location:	BRIMFULL, HAILE
4.	Parish:	Haile
5.	Constraints:	ASC Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change, DEPZ Zone - DEPZ Zone, Outer Consultation Zone - Sellafield 10KM, PROWs - Public Right of Way
6.	Publicity Representations &Policy	See report.
7.	Report:	<p>SITE AND LOCATION</p> <p>This application relates to Brimfull, a detached dormer bungalow within the village of Haile.</p> <p>The application dwelling sits on a generous sized plot that slopes downhill from east to west, with a lean-to porch/conservatory and detached garage to the rear.</p> <p>The dwelling has gardens to the front, side and rear and is bound by mature trees and hedgerow to the south, east and west. A PRoW runs adjacent to the site to the north.</p> <p>Off street parking is available via a hardstanding area to the side of the property.</p>

PROPOSAL

This proposal is an amended scheme to one previously approved under application reference 4/22/2299/0F1 for a proposed two storey extension to the rear.

Planning Permission is sought for the erection of a single storey rear extension, increasing the size of the existing rear dormer, construction of a garden shed/shelter and an enlarged parking area. The proposed extension will provide an enlarged kitchen dining area and a new utility/boot room. It will project 2.8m from the rear elevation and it will have a width of 7.1m. It has been designed to include a flat roof with roof light over, with an overall height of 3.1m, with a 0.4m roof overhang.

The design also includes a 2.5m roof overhang on the side/rear elevation to provide an undercover, outdoor seating area.

It will be finished in render and slate roof tiles to match the existing property, and the windows and doors will be powder coated aluminium.

The application also seeks permission for the enlargement of the two smaller rear dormers with one larger one. It will increase the projection by an additional 1.9m forward from the existing dormer and will be 2.7m in overall height.

The proposed outbuilding will include two stores and a covered sheltered area. It will measure 5.1 metres by 3.2 metres. It has been designed to include a dual pitched roof with an eaves height of 2.1 metres and an overall height of 3.1 metres. The front elevation will include access doors to the store and an open sheltered area. The south facing side elevation will also be open and the north facing side and rear elevations will be blank. It will be constructed out of natural timber boarding and felted roof tiles and the rear roof elevation will include solar panels.

The proposed widened parking area will extend into the front garden, and it will be constructed out of concrete to match the existing driveway, and it will drain towards the garden area. The parking area will provide two off-street parking spaces.

RELEVANT PLANNING APPLICATION HISTORY

4/99/0286/0 – REPLACEMENT GARAGE

4/22/2299/0F1 PROPOSED 2 STOREY EXTENSION TO REAR, WIDENING OF PARKING AND PROPOSED GARDEN SHED/SHELTER

CONSULTATION RESPONSES

Haile Parish Council

No comments received within consultation period,



Cumberland Council

Local Lead Flood Authority & Highways

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.

The LLFA surface water maps show that the site is very close to an area of flooding and indicates that a 0.1% (1 in 1000) chance of flooding occurring close to the site each year.

Note:- A PROW, public footpath lies adjacent to the site, the Applicant must ensure that no obstruction to the footpath occurs during, or after the completion of the site works.

Natural England

No comments received to date.

Cumberland Council Ecologist –

Breeding Birds

Works should be completed outside of the breeding bird period (March – August inclusive). If this is not possible a breeding bird check should be carried out no more than 48 hours prior to the planned development to ensure no birds and their nests are present. If active nests are discovered an appropriate buffer zone should be established and works within that area ceased until the young have naturally fledged.

Bats

As this development will not result in the destruction or disturbance of a bat roost this work can be undertaken under a precautionary method of works, as follows:

- All work involving the roof is to be carried out under supervision of an ecologist who holds a Level 2 Bat Licence from Natural England.
- Should any bats be discovered during the works, all activities in that area should immediately cease until advice from Natural England has been sought.
- Breathable roofing membranes pose a risk of entrapment to bats and therefore they should not be used on this development. Therefore, Type 1F Hessian Reinforced Bitumen Felt should be used within the roof.
- Site lighting is to be kept to a minimum during construction and operation. If lighting is necessary, there are a number of ways to minimise the effect of lighting on bats. Information can be taken from the Institution of Lighting Professionals and Bat Conservation Trust's Guidance Note 08/18 Bats and Artificial Lighting in the UK (2018).
- If the works are delayed by more than 18 months from the end of the surveys of September 2025 then update surveys will be required.

Countryside Access Footpaths Officer

No comments received within the consultation period.

Public Representations

The application has been advertised by way of neighbour notification letters issued to 3 no. properties. No comments 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 2001- 2016.

The policies relevant to this application are as follows:-

Policy DS4: Design and Development Standards

Policy H14: Domestic Extensions and Alterations

Strategic Policy CO6: Countryside Access

Policy CO7: Parking Standards

Strategic 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



Cumberland Council

Wildlife and Countryside Act 1981

ASSESSMENT

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

Principle of Development

The proposed application relates to a residential dwelling within Haile and it will provide an enlarged kitchen-dining area with new utility room, enlargement of the existing rear dormer, the erection of a new storage outbuilding and a widened parking area.

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.

This proposal is an amended scheme to one previously approved under application reference 4/22/2299/0F1 for a proposed two storey extension to the rear.

The proposed new single storey rear extension will provide an enlarged kitchen dining area and a new utility/boot room. It will project 2.8m from the rear elevation and it will have a width of 7.1m. It has been designed to include a flat roof with roof light over, with an overall height of 3.1m, with a 0.4m roof overhang. The design also includes a 2.5m roof overhang on the side/rear elevation to provide an undercover, outdoor seating area.

It will be finished in render and slate roof tiles to match the existing property, and the windows and doors will be powder coated aluminium.

The application also seeks permission for the enlargement of the existing rear dormer. It will increase the projection by an additional 1.9m forward of the existing dormers and will be 2.7m in overall height.

The proposed outbuilding will include two stores and a covered sheltered area. It will measure 5.1 metres by 3.2 metres. It has been designed to include a dual pitched roof with an eaves height of 2.1 metres and an overall height of 3.1 metres. The front elevation will

include access doors to the store and an open sheltered area. The south facing side elevation will also be open and the north facing side and rear elevations will be blank. It will be constructed out of natural timber boarding and felted roof tiles, and the rear roof elevation will include solar panels.

The proposed widened parking area will extend into the front garden and it will be constructed out of concrete to match the existing driveway and it will drain towards the garden area. The parking area will provide two off-street parking spaces.

The proposed scale and design of the new single storey rear extension, enlargement of the rear dormers and single-storey outbuilding are considered to be relatively modest while respecting the character of the existing dwelling. The single storey rear extension and dormer enlargement will be located behind the main element of the existing dwelling which will ensure that the proposal does not appear excessively prominent within the locality.

The single-storey outbuilding will be suitably located within the large rear garden, and it will be of a suitable design for a domestic storage shed. The proposed materials are also typical of a shed and therefore it will not be a dominant feature within the garden.

The proposed external finishes will modernise the appearance of the existing dwelling and 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 is surrounded by a large, landscaped 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.

Whilst potential amenity issues between the proposed extension, outbuilding and the neighbouring properties were considered, the proposal is considered to be suitable in scale and design.

Due to the siting of the extension and outbuilding within the large rear garden and the significant separation distances across the access track to the closest neighbours to the north, it is considered that the proposal will not cause a significant loss of light or privacy on the neighbouring property.

The proposal is also a smaller scheme than what was already approved under application



Cumberland Council

reference 4/22/2299/0F1.

In addition, no concerns were raised as a result of the neighbour consultation process in relation to the proposed scheme.

The proposal therefore complies with Policies DS4 and H14 of the Copeland Local Plan and provisions of the NPPF 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 hardstanding to the side of the dwelling. It is proposed to extend the parking area slightly into the front garden and will be constructed out of concrete to match the existing driveway.

It is therefore considered that the widened driveway will provide adequate off-street parking and the proposal will not have a detrimental effect on the existing highway conditions.

No objections were received from The Highway Authority in relation to the proposed scheme.

The proposal therefore complies with Policy CO7 of the Copeland Local Plan in this regard and the standards set out in the Cumbria Development Design Guide.

Public Right of Way

Existing Public Rights of Way are protected in law and therefore do not need policy protection. The Countryside and Rights of Way Act 2000 introduced a statutory right of access on foot for open air recreation to mountain, moor, heath, down and registered common land. Policy CO6 of the Copeland Local Plan seeks to help residents and visitors exercise that right.

Although the application site lies within the 50-metre buffer of the Public Right of Way 410001 and the proposed development might be visible from a small section of the public footpath, it will be modest in scale, and it will be viewed in the context of the existing dwelling.

The site visit confirmed the PROW runs along the access track adjacent to Brimfull and as such it will not have any detrimental impact on the Public Right of Way. An informative note has been attached to ensure the right of way remains open and un-obstructed.

No comments were received by the Countryside Access Footpaths Officer in relation to this proposed scheme.

Overall, the proposal is considered to satisfy CO6 of the Copeland Local Plan.

Impacts on Ecology and Biodiversity Net Gain

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 exempt from these BNG requirements. 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.

A Bat Survey has been submitted in support of the planning application. The Bat Report confirmed that 'Brimfull' has a low potential for roosting bats and therefore the potential impacts are low risk. However, bats were present around the site at the time of the survey, albeit no more than two bats were observed at one time over 2 separate surveys, and it is not considered that the bats are associated with the building and were instead seen to be commuting across the site from one area of trees to another.

On this basis, the report includes a mitigation strategy to minimise the risk of any harm to individual bats and maintain the favourable status of bats in the locality. Planning conditions are proposed to secure that the completion of relevant mitigation and enhancement measures as proposed.

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.

Planning Balance and Conclusion

This application relates to a residential dwelling within Haile and it will provide an single storey rear extension for an enlarged kitchen dining area and new utility room, an enlarged rear dormer extension, a new storage outbuilding and a widened parking area.

The proposal is considered to be acceptable in terms of scale and design and, given the size of the site and significant separation distances, it will not have any detrimental impact on the amenities of the adjoining properties.

In addition, the proposal will not affect highway safety, the public right of way or protected species and it will enhance biodiversity with the provision of new roosting sites. These measures can be secured by the use of a planning condition.

On balance, the proposed extension, outbuilding and enlarged driveway represents acceptable forms of development which accords with the policies set out within the adopted Copeland Local Plan and the guidance in the NPPF.



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8.	<p>Recommendation: Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <p>1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.</p> <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> <p>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: -</p> <ul style="list-style-type: none">- Application Form, received 3rd December 2025;- Existing Plans, Sections & Elevations, scale 1:100, received 3rd December 2025;- Proposed Plans, scale 1:50, received 3rd December 2025;- Proposed Block Plan, scale 1:200, received 3rd December 2025;- Combined Bat Roost Assessment, received 3rd December 2025; <p>Reason</p> <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.</p> <p>3. The mitigation measures associated with bat roosts must be implemented as part of the development hereby permitted in accordance with the details set out in the Combined Bat Roost Assessment, Report Reference J123, received by the Local Planning Authority on 3rd December 2025.</p> <p>Reason</p> <p>To enhance biodiversity in accordance with the provisions of Policies N1 and N3 of the Copeland Local Plan.</p> <p>Informative Notes</p> <p>Bats</p>

It is an offence under Wildlife and countryside Act to damage or destroy a bat roost. It is likely the applicant will need to a wildlife mitigation licence from Natural England before the work can start. For more details on how to apply for a bat mitigation licence, please follow the link: <https://www.gov.uk/government/publications/bats-apply-for-a-mitigation-licence>

Public Right of Way

A PROW (public footpath) number 410001 lies adjacent to the site. The Applicant must ensure that no obstruction to the footpath occurs during, or after the completion of the site works.

Emergency Planning

The site is located within the Detailed Emergency Planning Zone (DEPZ). The Cumbria County Council Resilience Unit therefore advised due to the fact that the application could increase the number of persons in the area (including trade people), the applicant should liaise with Resilience Unit via emergency.planning@cumbria.gov.uk to allow for further discussions to ensure the applicant and their trades people/contractors are aware of the appropriate information and actions to take should there be an incident at the Sellafield site.

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 identifying matters of concern with the proposal and negotiating with the applicant’s 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



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	development as set out in the National Planning Policy Framework	
Case Officer: Demi Crawford		Date : 27/01/2026
Authorising Officer: N.J. Hayhurst		Date : 28/01/2026
Dedicated responses to:- N/A		