

**CUMBERLAND COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/26/2005/0F1
2.	Proposed Development:	PROPOSED SINGLE STOREY CLASSROOM EXTENSION
3.	Location:	FRIZINGTON NURSERY AND PRE SCHOOL, MAIN STREET, FRIZINGTON
4.	Parish:	Arlecdon and Frizington
5.	Constraints:	ASC Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations &Policy	See Report.
7.	Report:	<p>SITE AND LOCATION</p> <p>The site relates to Frizington Nursery School, located on Frizington Road within Frizington. The site is adjacent to residential dwellings to the north east and to the village school, library and community centre to the south west. A small play area is located to the front of the site and sports playing fields to the rear.</p> <p>The current site comprises a single storey detached building of modern design with a small covered outdoor play space and a further uncovered area to the rear of the property. A single storey classroom extension has also been added to the rear.</p> <p>PROPOSAL</p> <p>The application seeks planning permission for the erection of a small infill extension to the front elevation, adjacent to the main entrance. It will provide an additional 31 square metres of internal floorspace to create a classroom within the existing nursery building. Some minor internal reconfiguration is also required alongside the extension.</p> <p>The extension will be 4.06m wide and will project 5.01m from the existing entrance to bring it in line with the existing front elevation of the school. A new reception entrance will be 1.8m</p>

wide from the new classroom and the existing doors will be removed and retained to re-use.

It has been designed with a flat roof with an overall height of 3.3m.

The extension would be faced externally with krend and facing brick walls. The extension will incorporate white upvc windows and white aluminium doors under a black rubber roof.

RELEVANT PLANNING APPLICATION HISTORY

4/11/9004/0F2: LAWFUL DEVELOPMENT CERTIFICATE FOR PROPOSED SINGLE STOREY EXTENSION TO FORM MUSIC ROOM – Approved

4/14/9001/0F2: SINGLE STOREY CLASSROOM EXTENSION – Approved

4/24/2398/0F1: PROPOSED SINGLE STOREY CLASSROOM EXTENSION – Approved

CONSULTATION RESPONSES

Arlecdon & Frizington Parish Council

No comments received to date.

Highways Authority/LLFA

The Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) can confirm that we have no objection to the proposed development as it is considered that it will not have a material effect on existing highway conditions nor will it increase the flood risk on the site or elsewhere.

Public Representations

he application has been advertised by way of a site notice and neighbour notification letters issued to 3 properties. No objections have been received as a result of this consultation period.

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



Cumberland Council

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 2001- 2016.

The following policies are relevant to this proposal:

Strategic Policy DS2: Settlement Boundaries

Strategic Policy DS3: Planning Obligations

Policy DS4: Design and Development Standards

Strategic Policy N1: Conserving and Enhancing Biodiversity and Geodiversity

Strategic Policy N3: Biodiversity Net Gain

Policy SC1: Health and Wellbeing

Policy SC5: Community and Cultural Facilities

Strategic Policy R4: The Key Service Centres

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

ASSESSMENT

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

Principle of Development

Strategic Policies DS1 and DS2 of Copeland Local Plan concentrate development within the defined settlement boundaries in accordance with the Borough's settlement hierarchy.

Frizington is identified under Policy DS2 as a local service centre within the settlement hierarchy, which has a role in supporting Copeland's towns containing a broad range of services. It is acknowledged that settlements operate independently to meet day to day needs or as a well-connected cluster, linked to a neighbouring town or village of a similar scale by frequent public transport service and/or safe pedestrian routes a mile or less in length.

The focus in local service centres is to support the retention and small-scale growth of existing services and businesses. Development will be focussed on existing employment allocations, moderate housing allocations, windfall and infill development.

The site is located within the settlement boundary of Frizington. It is stated that development within the defined settlement boundaries will be supported in principle where it accords with the Development Plan unless material considerations indicate otherwise.

The proposal delivers demonstrable public benefit by enhancing early years education provision, supporting working families, and strengthening local social infrastructure by expanding a current educational facility.

The principle of development is therefore considered to be acceptable in accordance with policies DS1 and DS2.

Scale, Design and Impact on the area

Policy DS4 of the Copeland Local Plan 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.

Whilst the proposed extension will be located to the front of the existing nursery school complex, it will infill an area of hardstanding and extend in line with the existing front elevation of the building.

The proposal is small in scale measuring 4.06m in width with a project of 5.01m from the existing entrance. A new reception entrance will be 1.8m wide from the new classroom and the existing doors will be removed and retained and re-used to provide a larger reception area.

The extension is considered to be of an appropriate scale and has been designed to infill between an existing classroom and food prep area and the existing head teacher's office, on the front of the current reception area. It has been designed with a flat roof with an overall height of 3.3m to reduce the scale and bulk of the development within the site.

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

The school is set back from Frizington Road by approx. 26m which helps to reduce the impact on visual amenity of the locality. Following a site visit, it is clear that this location is appropriate when viewed in the context of the existing site and the proposal.

The proposal will be located no closer to residential properties than the existing extensions on site and is therefore not considered to have a detrimental impact on existing residential amenity.

On the basis of the above, it is considered that the proposal complies with Policy DS4 of the



Cumberland Council

Copeland Local Plan and the provisions of the NPPF.

Health and Wellbeing

Planning has a key role in addressing the health and wellbeing challenges within Copeland. It is important that the Council enables well-designed developments such as housing and health and educational facilities to meet the changing needs of our communities.

Strategic Policy SC1 of the Copeland Local Plan will promote health and wellbeing in Copeland by supporting new developments that address these challenges.

Policy SC5 supports proposals for community facilities in principle subject to criteria.

It is considered that the proposed nursery extension will improve overall health and wellbeing by enhancing access to services within this well-established nursery school, within a local service centre.

The extension would contribute positively to the community's social infrastructure services that meet local needs, particularly in areas with growing populations or where existing facilities are under pressure. An increase in teaching space would allow for the nursery to accommodate more pupils and/or improve the services already provided.

On this basis, the proposal is considered to satisfy Policies SC1 and SC5 of the Copeland Local Plan.

Highway Safety

The access into the site would remain unchanged; the highways authority has raised no objections to the proposal.

It is considered that there is sufficient parking and turning within the curtilage of the site as a whole for the proposed use without compromising the parking available.

It is considered that the potential small increase in vehicles that may use the facility would not be of a scale that requires any additional parking provision to be included.

There is on street parking within the vicinity of the site which provides additional capacity should this be required.

Biodiversity Net Gain

Policy N1 seeks to ensure that new development will protect and enhance biodiversity and geodiversity and defines a mitigation hierarchy.

Policy N3 of the ELP 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 above. 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

	<p>preference</p> <p>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.</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 one which is exempt from BNG under the de minimis rule as the proposal is to be located on an existing hardstanding area, where there are no key species present.</p> <p>Planning Balance and Conclusion</p> <p>The proposed extension to the nursery school is of an acceptable scale and design that responds positively to the site.</p> <p>It is not considered to introduce significant harm to the nearest neighbouring properties in terms of amenity given what already exists on site and the separation distances involved.</p> <p>There are also no significant impacts on the appearance of the building or surrounding area that arise as a result of the proposal.</p> <p>The proposal is not subject to BNG.</p> <p>On this basis the proposal is considered to be an acceptable form of development in line with policies within the 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 8th January 2026;
 - Site Location Plan, scale 1:1250 drawing FNPS-LD-001, received 8th January 2026;
 - Site Block Plan, scale 1:500 drawing FNPS-LD-001, received 8th January 2026;
 - Existing Floor Plan, scale 1:75 drawing FNPS-LD-002, received 8th January 2026;
 - Existing Elevations, scale 1:100 drawing FNPS-LD-002, received 8th January 2026;
 - Proposed Floor Plans, scale 1:75 drawing FNPS-LD-003, received 8th January 2026;
 - Proposed Elevations, scale 1:100 drawing FNPS-LD-003, RECEIVED 8TH January 2026;
 - Proposed Floor Plan & Section, scale 1:30 drawing FNPS-LD-004, received 8th January 2026;
 - Design & Access Statement DAS-001, received 8th January 2026;

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: De minimis development

Development Low Risk Area – Standing Advice – Mining Remediation Authority

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 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: Demi Crawford

Date : 03/03/2026

Authorising Officer: N.J. Hayhurst

Date : 04/03/2026

Dedicated responses to:- N/A