



## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/26/2033/0F1
2.	<b>Proposed Development:</b>	REMOVE EXISTING GARAGE AND REBUILD WITH ENSUITE BATHROOM OVER. EXTEND DORMER TO BEDROOM 2 ON REAR ELEVATION
3.	<b>Location:</b>	20 SEASCALE PARK, SEASCALE
4.	<b>Parish:</b>	Seascale
5.	<b>Constraints:</b>	ASC Adverts - ASC;Adverts, Safeguard Zone - Safeguard Zone, Coal - Off Coalfield - Data Subject To Change, Key Species - Potential areas for Natterjack Toads, DEPZ Zone - DEPZ Zone, Outer Consultation Zone - Sellafield 10KM
6.	<b>Publicity Representations &amp;Policy</b>	See Report.
7.	<b>Report:</b>	<p><b>Site and Location</b></p> <p>The application site relates to 20 Seascale Park, a detached dormer bungalow located within an existing residential area of Seascale.</p> <p>The property benefits from a small garden area with driveway to the front, an attached garage to the side and a modest size garden ad conservatory to the rear. There is also a flat roof dormer projection on the rear roof slope.</p> <p><b>Proposal</b></p> <p>This application seeks planning permission for the demolition of the existing garage to allow for the erection of an extension which includes first floor accommodation. The extension will occupy a slightly larger footprint than the existing garage. It is also proposed to increase the</p>

width of the existing flat roof dormer to provide a bedroom.

The extension will project 2.9m from the side elevation at its widest point which narrows to 2.7m at the front and will be 7.1m in length from front to back. It has been designed with a dual pitch roof which matches the existing dwelling roof height, with the addition of 2 velux roof lights – 1 in the front elevation roof slope and 1 in the rear.

Proposed external finishes include render, profiled roof and white upvc windows and doors to match the existing.

### **Relevant Planning History**

No previous planning applications at this site.

### **Consultation Responses**

#### Seascale Parish Council

No comments received to date.

#### Highways and 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.

#### Public Representations

The application has been advertised by way of neighbour notification letters issued to 3 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



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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:-

DS4: Design and Development Standards

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, ecology and biodiversity net gain.

#### Principle of Development

The proposed application relates to a residential dwelling situated within Seascale. The development proposes to demolish the existing garage and replace it with a larger extension to provide an en-suite within the roof space. It is also proposed to the increase in width of the existing flat roof dormer to provide a bedroom.

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.

Policy DS4 of the Copeland Local Plan and Section 12 of the NPPF indicates that all new development should meet high quality standards.

The extension will project 2.9m from the side elevation at its widest point which narrows to 2.7m at the front and will be 7.1m in length from front to back. The extensions are considered to be appropriately located to the side and rear of the site to ensure that they will not be excessively prominent in the street scene.

The extension has been designed with a dual pitch roof which matches the existing dwelling roof height, with the addition of 2 velux roof lights – 1 in the front elevation roof slope and 1 in the rear. The proposed scale, massing and siting of the extension is considered acceptable and is not considered to adversely alter the existing building or street scene.

The extension of the rear flat roof dormer will increase by 2.5m which will take the total length to 6.5m overall.

Proposed external finishes include render, profiled roof and white upvc windows and doors to match the existing. The proposed materials are suitable for their use and ensures that the proposal compliments the existing property, and the wider residential area.

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 and section 12 of the NPPF 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 proposed extension would be suitably located within the site to the side/rear, and it is stepped off the boundary by 0.8m with number 19 Seascale Park.

Although the proposal is slightly larger in footprint than the current garage, and proposes an additional storey, there are no windows proposed on the side elevation, which is a reduction in the glazing which currently exists. This is considered acceptable and is considered to reduce overlooking or privacy concerns.

There were also no objections received as a result of the consultation process.

On balance, taking into account the siting of the extension and the orientation of the existing property, the proposed extension design is acceptable, and it will not adversely harm the neighbouring amenity.



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

### Ecology and Biodiversity

Policy N1 outlines how the Council will protect and enhance the biodiversity and geodiversity within the Borough, 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. In this instance the development is considered exempt from BNG as the development falls within the definition of a householder application.

The application site is also identified as a potential area for natterjack toads. The development is not considered to have an impact on onsite habitat as the application site is not located within 200m of a watercourse (as indicated within the ALGE trigger list) and is within an existing built-up residential area and on an existing area of hardstanding.

On this basis, 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.

The applicant has stated within their supporting statement which accompanies the application that the established trees on site will be retained, and further planting will take place to encourage further wildlife habitats.

On this basis, 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

The proposed development is of an appropriate scale and design for the site and locality, which would preserve the amenities of the parent property and wider residential area.

The proposal is not subject to Biodiversity Net Gain or Ecology details.

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.

8.	<p><b>Recommendation:</b> Approve (commence within 3 years)</p>
9.	<p><b>Conditions:</b></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"> <li>- Application Form, received 30<sup>th</sup> January 2026;</li> <li>- Site Location Plan, scale 1:1250, drawing 26/0448/01, received 30<sup>th</sup> January 2026;</li> <li>- Existing Plans, scale 1:100, drawing 26/0448/02, received 30<sup>th</sup> January 2026;</li> <li>- Existing Elevations, scale 1:100, drawing 26/0448/03, received 30<sup>th</sup> January 2026;</li> <li>- Existing Section, scale 1:50, drawing 26/0448/04, received 30<sup>th</sup> January 2026;</li> <li>- Proposed Ground Floor Plan, scale 1:50, drawing 26/0448/05, received 30<sup>th</sup> January 2026;</li> <li>- Proposed First Floor Plan, scale 1:50, drawing 26/0448/06, received 30<sup>th</sup> January 2026;</li> <li>- Proposed Elevations, scale 1:100, drawing 26/0448/07, received 30<sup>th</sup> January 2026;</li> <li>- Proposed Sections, scale 1:50, drawing 26/0448/08, received 30<sup>th</sup> January 2026;</li> </ul> <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><b>Biodiversity Net Gain – Exemption Applies</b></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:</p> <p>(a) a Biodiversity Gain Plan has been submitted to the local planning authority, and</p> <p>(b) the local planning authority has approved the plan.</p>



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Council**

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 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 : 23/03/2026**

**Authorising Officer: N.J. Hayhurst**

**Date : 24/03/2026**

**Dedicated responses to:- N/A**