



The Market Hall  
Market Place  
Whitehaven  
Cumbria CA28 7JG  
Telephone 0300 373 3730  
cumberland.gov.uk

## Application for a Lawful Development Certificate for a Proposed Use or Development

### Town and Country Planning Act 1990 (as amended)

#### Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

### Site Location

**Disclaimer:** We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

Address Line 1

Address Line 2

Address Line 3

Town/city

Postcode

Description of site location must be completed if postcode is not known:

Easting (x)

Northing (y)

Description

## Applicant Details

### Name/Company

Title

Mr

First name

Nick

Surname

Toone

Company Name

### Address

Address line 1

Bali Hai Harbour View

Address line 2

Address line 3

Town/City

Whitehaven

County

Cumberland

Country

Postcode

CA28 9AD

Are you an agent acting on behalf of the applicant?

☒ Yes

☐ No

### Contact Details

Primary number

\*\*\*\*\* REDACTED \*\*\*\*\*

Secondary number

\*\*\*\*\* REDACTED \*\*\*\*\*

Fax number

Email address

## Agent Details

Name/Company

Title

Mr

First name

Kurt

Surname

Greenhalgh

Company Name

Rural Landscapes & Buildings LTD

## Address

Address line 1

Unit 2

Address line 2

Hartley Fold

Address line 3

Hartley

Town/City

Kirkby Stephen

County

Country

United Kingdom

Postcode

CA17 4JH

# Contact Details

Primary number

\*\*\*\*\* REDACTED \*\*\*\*\*

Secondary number

\*\*\*\*\* REDACTED \*\*\*\*\*

Fax number

Email address

\*\*\*\*\* REDACTED \*\*\*\*\*

## Description of Proposal

Does the proposal consist of, or include, the carrying out of building or other operations?

- ☒ Yes
- ☐ No

If Yes, please give detailed description of all such operations (includes the need to describe any proposal to alter or create a new access, layout any new street, construct any associated hard-standings, means of enclosure or means of draining the land/buildings) and indicate on your plans (in the case of a proposed building the plan should indicate the precise siting and exact dimensions)

The proposal involves several modest developments within the rear garden of a residential property. These works aim to improve privacy, create a functional workspace, and support health and wellbeing. All elements are incidental to the main dwelling and are designed to comply with Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

1. Detached Garden Office Pod. A single-storey garden building will be installed in the rear garden for use as a home office. It will measure approx. 9m (L) x 2.8m (W) x 2.5m (H) and be sited 0.15m from the rear boundary. The structure will be used solely for work and will not contain any sleeping, kitchen, or bathroom facilities. It will be placed on a new concrete pad and supported by a raised garden platform approx. 9m x 3m, standing 1.3m above natural ground level. The pod will feature underfloor heating and be built with thicker-gauge walls for insulation and structural strength. No changes to access, drainage, or boundaries are proposed.
2. Cedar Privacy Fence. An 8m long, 1.7m high cedar timber privacy fence will be erected along the rear garden, running from the rear of the existing garage to the rear of the proposed office pod. It will be installed atop a raised decking structure approx. 0.8m above natural ground, making the total height from ground level approx. 2.5m. The fence is intended to address direct overlooking from a neighbouring kitchen window into the applicant's bedroom, thereby preserving residential amenity.
3. Ice Bath Hut. A small, detached hut will be constructed to house an ice bath, positioned adjacent to a boundary wall in the rear garden. It will be built from natural stone and cedar timber, with a sedum (green) roof. The roof will be mono-pitched, measuring 2.5m high at the front, sloping to 2.3m at the rear. Internal dimensions are approx. 2.4m x 2.2m. The structure will not require plumbing, as the ice bath will be filled and maintained manually. It will not be used for residential accommodation.
4. Rear garden wall. A clear boundary wall to be established in the rear garden. Currently is very hard to access and offers no benefit to the applicant. This align with the neighbour's garden. The boundary wall is 9m long and to level with the existing garden, as the land dips beyond the current boundary. It will be built up using suitable retaining structures and fill. The aim is to create a more functional garden space and allow for the placement of a garden pod. The area will be landscaped to match the existing garden and will not affect neighbouring properties or boundaries.

All elements will remain under the 2.5m height limit where within 2m of a boundary, and the total coverage of outbuildings will not exceed 50% of the curtilage. The works are consistent with Class E permitted development rights and will not negatively impact neighbouring properties or the character of the area.

Does the proposal consist of, or include, a change of use of the land or building(s)?

- ☐ Yes  
☒ No

Has the proposal been started?

- ☐ Yes  
☒ No

## Grounds for Application

### Information about the existing use(s)

Please explain why you consider the existing or last use of the land is lawful, or why you consider that any existing buildings, which it is proposed to alter or extend are lawful

The proposal consists of the carrying out of building operations within the domestic curtilage of a residential property (Use Class C3). Specifically, the works include the installation of an ice bath hut, a garden office pod, and a cedar privacy fence.

A small, detached hut will be constructed to house an ice bath, positioned adjacent to a boundary wall in the rear garden. It will be built from natural stone and cedar timber, with a sedum (green) roof. The roof will be mono-pitched, measuring 2.5m high at the front, sloping to 2.3m at the rear. Internal dimensions are approximately 2.4m x 2.3m. The structure will not require plumbing, as the ice bath will be filled and maintained manually. It will not be used for residential accommodation.

All elements will remain under the 2.5m height limit where within 2m of a boundary, and the total coverage of outbuildings will not exceed 50% of the curtilage. The works are consistent with Class E permitted development rights and will not negatively impact neighbouring properties or the character of the area.

The land where the pod will be placed forms part of the garden, which is in lawful use as part of the domestic curtilage of a residential property (Use Class C3). The proposed garden office will be used solely as a home office for personal and/or remote working purposes. It will not be used for sleeping, living accommodation, cooking, or sanitary purposes. The structure is not intended to function as a separate dwelling or business premises and will remain ancillary to the main house. The pod will be installed on a suitable concrete pad and is fully within the residential boundary of the property.

The proposed cedar privacy fence will be installed along the rear portion of the garden, extending approximately 8 metres from the rear boundary to the left rear corner of the proposed garden building. The fence will sit on top of an existing raised decking structure measuring approximately 0.8 metres in height, with the fence itself being 1.7 metres tall. This results in a combined total height of 2.5 metres from the original ground level, in full compliance with permitted development rules.

The fence will provide essential privacy and screening, as neighbouring kitchen windows directly overlook the bedroom area of the main dwelling. It will be constructed from natural cedar to complement the surrounding residential character and will sit entirely within the domestic curtilage of the property. The fence is intended solely for residential use and will not enclose any space used for separate habitation or commercial activity.

The proposed garden extension will raise a 3m x 9m area by approx. 1.3m to level it with the existing garden, as the land dips. The raised section will be supported by suitable retaining structures. This will provide additional usable garden space within the domestic curtilage and allow for the installation of a garden pod. Use remains entirely residential.

Please list the supporting documentary evidence (such as a planning permission) which accompanies this application

Photos of existing garden.  
Site location.  
Elevation of existing rear garden.  
Elevation of proposed garden office, cedar fence, bath hut and extension.  
Copy of eDRS Submission Receipt.  
Copy of HM Land Registry Transfer of whole of registered titles(s).

Select the use class that relates to the existing or last use.

C3 - Dwellinghouses

### Information about the proposed use(s)

Select the use class that relates to the proposed use.

C3 - Dwellinghouses

Is the proposed operation or use

- ☒ Permanent  
☐ Temporary

Why do you consider that a Lawful Development Certificate should be granted for this proposal?

The proposed garden office will be used as a home office ancillary to the main residential use of the property (Use Class C3). It will not be used for sleeping, living accommodation, cooking, or sanitation. The structure is to be placed on a concrete pad within the residential garden (curtilage), and will not be a separate business premises or independent dwelling. As such, the use is consistent with permitted development rights under Class E of the General Permitted Development Order (GPDO) 2015 (as amended), and I believe a Lawful Development Certificate should be granted.

### Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- ☐ Yes  
☒ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- ☒ The agent  
☐ The applicant  
☐ Other person

### Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- ☐ Yes  
☒ No

### Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:

- (a) a member of staff  
(b) an elected member  
(c) related to a member of staff  
(d) related to an elected member

It is an important principle of decision-making that the process is open and transparent.

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

- ☐ Yes  
☒ No

## Interest in the Land

Please state the applicant's interest in the land

- ☒ Owner  
☐ Lessee  
☐ Occupier  
☐ Other

## Declaration

I/We hereby apply for Lawful development: Proposed use as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.

I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

I/We also accept that, in accordance with the Planning Portal's terms and conditions:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☒ I / We agree to the outlined declaration

Signed

David Loftus

Date

21/07/2025