

**Planning and Design & Access Statement – Land Adjacent to 20 Lingmell Crescent, Seascale**

**Proposal:**

- 1) Change of Use of Land to Domestic Curtilage



**Applicant:** Martin Rigg

March 2026



## 1.0 Introduction

1.1 This Planning Statement has been prepared by Fellpath Planning in support of a planning application seeking change of use of a small parcel of grassland adjacent 20 Lingmell Crescent, Seascale, to domestic curtilage. The Statement describes the site and its surroundings, explains the development, assesses relevant planning policy, and evaluates technical matters before drawing an overall planning balance and conclusion. It demonstrates that the proposal represents a sustainable, proportionate and policy-compliant form of development.

1.2 The application also includes:

- Relocation of the existing pedestrian route in accordance with previously submitted drawings
- A condition preventing the erection of structures or buildings on the land.

1.3 A previous planning application was withdrawn following officer advice that the proposal conflicted with policies seeking to retain open amenity green spaces. (4/25/2313/0F1). However, review of the Copeland Local Plan Proposals Map confirms that the application site is not designated as:

- Protected Open Space (Policy N11 / N12)
- Local Green Space (Policy N13)
- Playing Pitch or formal recreation land
- Any other protected land allocation



- 1.4 The proposal must therefore be assessed against general development management policies rather than any site-specific open space protection policy.



## 2.0 Site and Surrounding Context

2.1 The site comprises of approximately 0.1 acres of small triangular area of maintained grass located on the junction between Lingmell Crescent and Hallsenna Road:



- 2.2 The land sits wholly within the defined settlement boundary of Seascale.
- 2.3 The land is informal grass with no play equipment, no sports use, no seating and no landscaping beyond routine mowing.
- 2.4 The pedestrian path crossing the land is proposed to be repositioned closer to the highway edge as illustrated on the below drawing



- 2.5 The Highway Authority raised no objection in principle subject to construction conditions
- 2.6 The local area is characterised by a planned, mid-to-late 20th century suburban residential estate comprising two-storey semi-detached and short terraced dwellings arranged along gently curving streets, interspersed with incidental grassed verges and larger areas of designated open space. The layout creates a modest sense of openness typical of suburban housing estates, rather than a formally designed parkland or village green setting.
- 2.7 A review of environmental constraints confirms that there are no constraints restricting development or the use of the site:
- Lies within Flood Zone 1;
  - Is not adjacent any SSSIs
  - Is not affected by AONB, National Park or public rights of way.



### **3.0 The Proposed Development**

3.1 The proposal is for change of use only. No buildings, hardstanding, sheds, decking, or domestic paraphernalia are proposed.

3.2 The applicant is willing to accept planning conditions to remove permitted development rights for:

- Outbuildings
- Hardstanding
- Further boundary treatments



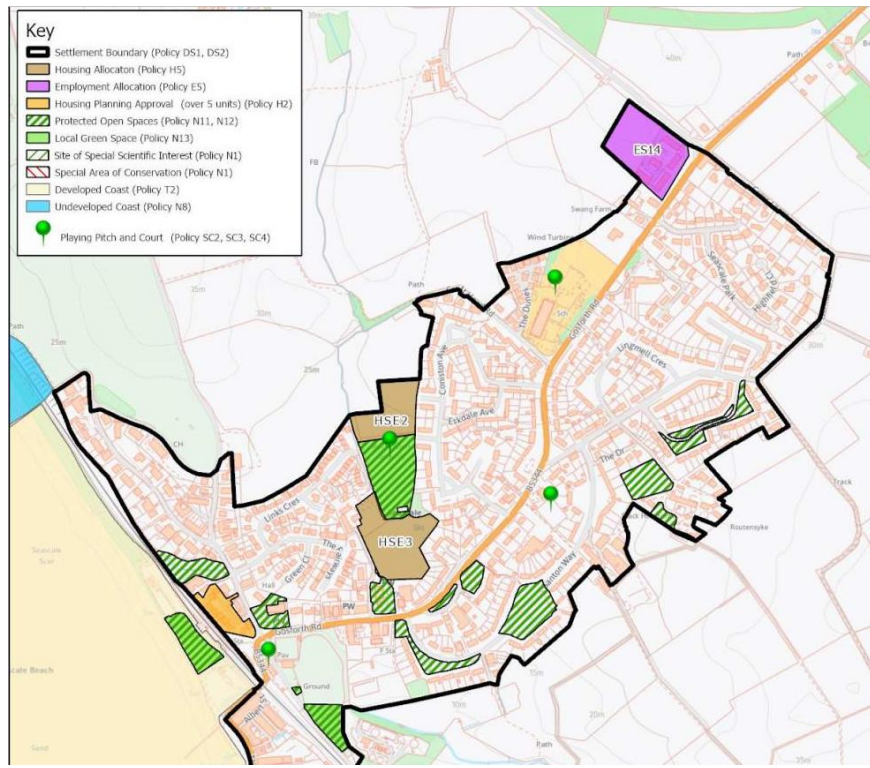
## 4.0 Planning Policy Context

### Development Plan

- 4.1 The statutory development plan comprises the Copeland Local Plan 2013–2028.
- 4.2 Policies protecting designated open spaces Policy N11 / N12 / N13 most apply only to land formally identified on the Proposals Map. Below is a plan detailing the immediate vicinity of the site showing some protected open spaces to the south of the site at Scawfell Crescent (in light green) but crucially the application site itself (highlighted in red) has not been designated as protected open space.



4.3 The application site is not designated as protected open space and therefore there is no direct policy conflict with open space protection policies. It should be noted that if the Council has only recently had the local plan adopted and if it felt this land was vital to be protected for local amenity it could have done so and treated it with the same protection as Scawfell Crescent and many other areas of protected open space in Seascale. The below plan shows the extent of protected green space within the village:-



- 4.5 Policy N12 enables other open spaces that are not protected to comply with the policy if there is evidence that they are of value you to the community. However there is no evidence. In fact the applicant has already received the support of the local Ward Member.
- 4.6 The proposal must instead be assessed against:
- Policy DM1 – Presumption in Favour of Sustainable Development
  - Policy DM10 – Achieving High Quality Design
  - Policy DM22 – Highway Safety
- 4.7 Policy DM1 – Presumption in Favour of Sustainable Development - The proposal accords with Policy DM1 as it represents sustainable development within the defined settlement boundary, results in no material harm to visual amenity, highway safety or environmental interests, and therefore complies with the development plan when read as a whole.
- 4.8 Policy DM10 – Achieving High Quality Design - The development complies with Policy DM10 as it retains the informal suburban character of the estate and preserves the spatial qualities of the surrounding residential area.
- 4.9 Policy DM22 – Accessible Developments - The proposal accords with Policy DM22 as the relocated pedestrian route will be constructed in accordance with Highway Authority requirements, ensuring safe and suitable access arrangements without adverse impact on highway or pedestrian safety. Crucially this was confirmed by the highways department when not objecting to the previous application in October 2025 subject to conditions. The applicant is happy to agree to those conditions once more.



4.10 The proposal:

- Retains the pedestrian route;
- Retains grassed appearance;
- Prevents future built form;
- Does not reduce recreational capacity of the village (given the presence of multiple designated green spaces shown on the Proposals Map).

4.11 There is therefore no conflict with a specific development plan policy.

National Planning Policy Framework

- 4.12 Paragraph 11 establishes the presumption in favour of sustainable development. As the proposal accords with the development plan and results in no identified adverse impacts that would significantly and demonstrably outweigh the benefits, paragraph 11 of the NPPF engages the presumption in favour of granting planning permission.
- 4.13 Paragraph 135 requires development to be sympathetic to local character. The development complies with paragraph 135 by responding positively to the established suburban character of the estate and maintaining visual amenity rather than detracts from the quality of the street scene.
- 4.14 Paragraph 8 confirms that planning decisions should support strong communities and safe environments. The proposal supports the social and environmental objectives of sustainable development by contributing to a safe and attractive residential environment, retaining pedestrian connectivity without causing environmental harm.



4.15 It is asserted that this proposal complies with both the Local Plan and the NPPF and therefore this application should be approved without delay



## 6.0 Planning Balance and Conclusion

6.1 This proposed development:-

- is not protected open space under the Copeland Local Plan
- Has previously received the support of the highways department
- Causes no residential amenity harm.
- Causes no ecological harm.
- Has the support of the local ward member

6.2 In the absence of policy designation, refusal would need to demonstrate clear and demonstrable harm. No such harm arises.

6.3 On this basis, it is concluded that there are no material planning reasons to withhold planning permission, and the Local Planning Authority is respectfully requested to grant approval for the proposed development.

### Prepared by:

David Wright MRTPI

Fellpath Planning

[www.fellpathplanning.co.uk](http://www.fellpathplanning.co.uk)

