

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2100/0F1
2.	Proposed Development:	PROPOSED TWO-STOREY SIDE EXTENSION, INTERNAL ALTERATIONS & UPGRADE EXISTING DRIVEWAY
3.	Location:	FOLLY FAULD, LAMPLUGH
4.	Parish:	Lamplugh
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change, Coal - Development Referral Area - Data Subject to Change, PROWs - Public Right of Way
6.	Publicity Representations & Policy	Neighbour Notification Letter: YES Site Notice: NO Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: SITE AND LOCATION This application relates to the dwelling known as Folly Fauld, located off the A5086 at Beck. The site is between Rowrah and Lamplugh. The property is an end of terrace dwelling with further dwellings to the north west and south east. There are open fields to the north east and south west. A public right of way number 412010 runs to the south west of the site.	

PROPOSAL

Planning Permission is sought for a two storey side extension including internal alterations and the upgrade of the existing driveway. The proposal also includes the erection of a new detached garage which is to be sited to the south east of the property.

The two-storey side extension will comprise additional accommodation to serve the dwellings and includes an open plan living room and kitchen to the ground floor with two bedrooms and a bathroom on the first floor level. It will project by 5m from the side of the dwelling and will be 11m in width. The roof height will match the existing.

Two Juliet balconies are proposed on the side elevation to serve the bedrooms and a flue from the ground floor to serve the living room.

The detached single garage will be 5m x 6m.

The extension and garage will be constructed to match the existing property with painted cement rendered walls, a slate roof and black UPVC windows, doors, fascias and soffits.

RELEVANT PLANNING APPLICATION HISTORY

There are no previous applications on the site.

CONSULTATION RESPONSES

Lamplugh Parish Council

No response received.

Countryside Access Officer

We have no objection to the development. However, it should be noted that Public Right of Way FP 412010 passes along the boundary of the development site.

The applicant must be advised that:

- The granting of planning permission would not give them the right to obstruct, close or divert the public right of way shown on the attached plan.
- The public right of way as shown on the definitive map and statement must be kept open and unaltered for public use until an order made to divert, stop up or to temporarily close it has been confirmed.

Public Representations

The application has been advertised by way of neighbour notification letters issued to 4 no. properties.

No responses have been received as a result of these advertisements.

PLANNING POLICY

Planning law requires 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 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 2021-2038 (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 2021-2016.

The policies relevant to this application are as follows:

Strategic Policy DS1 – Settlement Hierarchy

Strategic Policy DS2 – Settlement Boundaries

Policy DS4 – Design and Development Standards

Policy H14 – Domestic Extensions and Alterations

Policy CO7: Parking Standards

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

Cumbria Development Design Guide

ASSESSMENT

Principle of Development

The proposed application relates to a residential dwelling between Rowrah and Lamplugh and seeks to provide an extended living space for the occupants. Policy H14 of the LP supports extensions and alterations to residential properties subject to detailed criteria, which are considered below.

On this basis, the principle of development is considered to satisfy Policy H14 of the LP and the NPPF guidance.

Scale and Design

Policies DS4 and H14 of the LP seek to ensure domestic alterations are of an appropriate scale and design which is appropriate to their surroundings and do not adversely affect the amenities of adjacent dwellings.

The proposal will add a two storey element to the side of the dwelling which will be a significant addition to the property. However, the dwelling is sited on a large plot and is capable of accommodating an enlargement of this scale comfortably.

The extension has been designed to match the height and appearance of the existing dwelling, and it will replicate the terraced form of the building group which will ensure that it fits in with the streetscene in this locality. The property is set back from the road with established boundaries and is therefore not highly visible. Notwithstanding this, the proposed extension will modernise and improve the property and provide enhanced living conditions to the occupants.

On this basis, the proposal is considered to meet Policy H14 of the LP and the NPPF guidance.

Residential Amenity

Policy H14 of the LP and section 12 of the NPPF seek to safeguard good levels of residential amenity of the parent property or adjacent dwellings.

The proposal will be located in the side garden and on the opposite side to the adjoining dwelling. The detached garage will be sited to the south east of the dwelling and away from other residential properties. In this location neither the proposed extension nor the detached garage will have any significant impact on any of the surrounding residential properties.

No objections have been received as a result of the consultation process undertaken for this application.

On this basis, the proposal will not have any significant adverse impact on the residential amenity of the occupiers of the adjoining properties and it is considered to comply with Policy H14 of the LP and NPPF guidance.

Highway Safety

Policy CO7 of the LP encourage innovative approaches to manage vehicular access and parking to avoid vehicles dominating the street scene.

	The site access and off-street parking will remain unchanged to the front of the property with the addition of a detached garage to replace the existing integral garage. It is therefore considered that the proposals will not increase the required level of off-street parking to meet the needs of the property. On this basis, the proposal is considered to satisfy Policy CO7 of the LP and the standards set out in the Cumbria Development Design Guide. <u>Biodiversity Net Gain</u> Policy N3 of the LP 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 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 except from these BNG requirements. 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 the application falls under a householder application, therefore the proposal falls within the list of developments except from providing Biodiversity Net Gain. <u>Planning Balance and Conclusion</u> The application seeks planning permission for a two storey side extension and a single detached garage. The proposed extension is considered to reflect the character and appearance of the existing property and similar extensions within the locality. It is of an appropriate scale and design and would not have any significant detrimental impact on the amenities of the adjoining properties or highway safety. The detached garage would replace the existing integral garage that will be lost as part of the extension. It is of an appropriate scale and design and will maintain existing parking provision to serve the dwelling. Overall, it represents an acceptable form of development which accords with the policies set out within the adopted Local Plan and the guidance in the NPPF.
8.	Recommendation: Approve (commence within 3 years)

9.	Conditions: The development hereby permitted shall be commenced before the expiration of three years from the date of this permission. Reason To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004. 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 19th March 2025; Site Location Plan and Site Block Plan, scales 1:2500 and 1:1250, drawing number FF-GM-001A, received 19th March 2025; Proposed Ground Floor and Garage Plans, scale 1:50, drawing number FF-GM-004B, received 1st April 2025; Proposed First Floor Plan, scale 1:50, drawing number FF-GM-005B, received 1st April 2025; Proposed North East Elevation, scale 1:50, drawing number FF-GM-008B, received 1st April 2025; Proposed North West Elevation, scale 1:50, drawing number FF-GM-009B, received 1st April 2025; Proposed South East Elevation, scale 1:50, drawing number FF-GM-007B, received 1st April 2025; Proposed South West Elevation, scale 1:50, drawing number FF-GM-006A, received 1st April 2025; Existing and Proposed Drainage Plans, drawing number FF-GM-010, received 19th March 2025; Design and Access Statement, drawing number DAS-001, received 19th March 2025. 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.

Informatives

Coal Mining Legacy

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 Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

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 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: Sarah Papaleo

Date : 16/05/2025

Authorising Officer: N.J. Hayhurst

Date : 20/05/2025

Dedicated responses to:- N/A