

# Cumberland Council

## Delegated Planning Application

**Reference No:** HOU/2025/0144  
**Valid Date:** 1 September 2025  
**Location:** 10 Oakland Avenue, Maryport CA15 7BU  
**Applicant:** Katie Cartner  
**Proposed:** Extension to dwelling  
**Recommendation:** Granted with Conditions

### Site Description

The site consists of a semi detached dwelling with driveway and garage on a housing estate in Maryport.

### Site History

None

### Proposal

The proposal is for a single storey rear extension.

### Consultation Responses

#### Town/Parish Council comments?

Maryport Town Council- No objections

#### Representations received from public?

No letters of support or objection have been received.

#### Other representations?

No further representations were received.

### Duties

Does the site affect the setting of a listed building?

No

Is the site within a designated conservation area?

No

Is the site within a designated Area of Outstanding Natural Beauty?

No

Is the development likely to have a significant effect upon a Natura 2000 designation?

No

### **Environmental Impact Assessment**

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017

The development is neither within Schedule 1 nor 2 and, as such, is not EIA development.

### **Development Plan Policies**

Full policy weight is afforded to the following development plan policies that are consistent with the provisions of the National Planning Policy Framework (2024);-

S2 S4 S32 DM14 DM15

DM15 is particularly relevant and the proposal is principally considered against its criteria

### **Other Material Considerations**

**National Planning Policy Framework (NPPF) (2024)**

### **Weighting**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise. This means that the Allerdale Local Plan (Part 1) 2014 and the Allerdale Local Plan (Part 2) 2020 policies have primacy.

### **Assessment**

a) Does the scale, design and materials of the development adversely alter the appearance of the existing building?

The proposal replaces a conservatory with a brick extension projecting 4.8m to the rear and has a pitched roof. The proposed development is to the rear elevation and facing brick is present within the locality and street scene. Officers do not consider that the proposal would adversely alter the appearance of the existing building.

Its scale and design is appropriate in where its dimensions meet extended permitted development rights which are subject to prior approval.

b) Does the development achieve a satisfactory visual and architectural relationship with adjoining development and/or the character of the area?

The extension replaces an existing conservatory and is at the rear of the site. It has a good architectural relationship with the plot and does not impact upon the character of the area.

c) Would the extension become the dominant feature of the building?

No, the extension is to the rear and cannot be viewed from the public highway.

d) Would the extension result in the overdevelopment of the curtilage of the property?

No

e) Would the extension materially harm the amenity of the occupants of neighbouring or adjacent properties?

Whilst the extension is larger than the previous conservatory, which is fully glazed, the new development consists of a solid wall towards the adjoining property. Furthermore, it will abut the neighbours single storey extension which is of the same projection and abuts the boundary. There are therefore no concerns regarding the impact on amenity of the adjoining dwelling.

The extension has part glazing to the rear and bifold doors in the side elevation into the applicants garden. The impacts of the development are not considered to be worse than the existing glazed conservatory.

It is important to note that there has been no objections to the proposal and therefore would have been permitted under the prior approval procedure.

f) Would the operational car parking needs of the property continue to be met?

N/A

## **Conditions / Reasons for Refusal**

1

**The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

Reason: In order to comply with Section 91 of the Town and Country Planning Act 1990.

2

**The development hereby permitted shall be carried out solely in accordance with the following plans:**

**Site Location Plan**

**Drawing 2- Existing and Proposed Ground Floor Plan**

**Drawing 3- Existing Front Elevation, Proposed Rear and Side Elevations and Block Plan**

Reason: In order to ensure that the development is carried out in complete accordance with the approved plans and any material and non-material alterations to the scheme are properly considered.

## **Pro-active Statement / Notes to Applicant**

### **Informative Householder**

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Cumberland Council.

There are statutory exemptions which mean that the biodiversity gain condition does not always apply. 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 of the statutory exemptions is considered to apply.

Applicable exemption: Householder

Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A 'householder application' means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

### **Statement Application Approved Without Amendment**

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against, primarily, the development plan policies, any duties applicable and also all material considerations, including Local Plan policy, the National Planning Policy Framework and any stakeholder representations that may have been received. It has subsequently determined to grant planning permission.