

Cumberland Council

Delegated Planning Application

Reference No: HOU/2025/0157

Valid Date: 1 October 2025

Location: Port House, Port Carlisle CA7 5BU

Applicant: Rob Pattinson

Proposed: Installation of velux roof light to uppermost story of the existing dwelling, replacing smaller existing roof light.

Recommendation: Granted with Conditions

Site Description

The site forms a detached dwelling set back from the highway on the main road through Port Carlisle. It is within the Conservation Area, Solway Coast National Landscape and Hadrians Wall Setting. There is a listed building either side of the site.

Site History

2/2007/0535- Revised house type & garage for dwelling approved under 2/84/0298- Approved with conditions
2/2007/0281- Revised house type for garage and dwelling approved under 2/84/0298- Withdrawn
CON1/2007/0538- Discharge of conditions 2,3,4,5,6,7,9,10,11,12- Conditions discharged

Proposal

The application is for the installation of a velux rooflight to the front roof slope of the property.

Consultation Responses

Town/Parish Council comments?

Bowness on Solway Parish Council- No response received to date

Representations received from public?

No letters of support or objection have been received.

Other representations?

The application has been advertised via neighbour letter, site notice and press notice. No further representations were received.

Duties

Does the site affect the setting of a listed building?

There is a listed building either side of the application site, Heskett House and Marine Cottage. Both of these sit forward on the edge of the highway, the application site is set back and the proposal is not considered to affect their setting.

Is the site within a designated conservation area?

Yes, Section 72(1) of the Listed Buildings Act 1990 states that, with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

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

Yes, Section 85 of the Countryside and Rights of Way Act 2000 requires a local planning authority to seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.

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 S27 S32 S34 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 development includes a replacement roof light in the front roof slope of Port House. Currently there are two small conservation roof lights in the frontage, the proposal is to install a new, larger conservation roof light to obtain more light and a better view. The original submission has been amended to a reduced scale and more sympathetic roof light which better fits with the character of the building.

The proposed roof light is in line with the current smaller roof light in terms of its position in the roof slope. Its enlarged appearance has a sympathetic design which is not considered to adversely alter the appearance of the existing building. The window is in proportion with the building and roof slope.

Its design has been amended to reflect an appropriate development which respects the existing building. The proposed is a heritage conservation roof light with a thin profile which is suitable for the site. The roof light will be aluminum clad timber and will be finished black to match the adjacent roof light.

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

The proposed development has a good visual and architectural relationship with the site and is designed to respect the character of the building and the area. Officers consider that the development is appropriate to the setting of the area and continues to preserve and enhance the heritage area.

c) Would the extension become the dominant feature of the building? d) Would the extension result in the overdevelopment of the curtilage of the property?

The window is proportionate and does not result in a dominant feature of the building. There are no extensions proposed which would occupy the curtilage space.

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

The development comprises a roof light to the front of the building which overlooks the applicants front garden and the wider coastline. There are no properties or other factors which will be impacted upon or overlooked as a result of the proposed development. Officers are satisfied that the proposal would not create harm on amenity of the surrounding area.

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

N/A

Are there any other relevant considerations (key words flood risk/ ecology/ contamination/ stability)?

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:

Email from Aditus 24-11-25

Amended Plan Dwg No 2515-02C Proposed Elevations, Plans & Section 24-11-25

Amended Plan Dwg No 2515-03C Proposed Location, Site and Roof Plans 24-11-25

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.

3

The development hereby approved shall be finished in the colour black, in accordance with the approved email 'Email from Aditus 24-11-25'.

Reason: To ensure a satisfactory standard of development for the external appearance of the approved scheme which is compatible with the character of the surrounding area, in compliance with the National Planning Policy Framework and Policy DM14 of the Allerdale Local Plan (Part 1), Adopted July 2014.

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

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. In this context, having identified matters of concern with the application as originally submitted and, if applicable, following negotiations with the applicant, acceptable amendments and solutions to the proposal have been received. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal.