

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/20/2280/OF1
2.	Proposed Development:	CHANGE OF USE FROM STORE TO FORM A SINGLE RESIDENTIAL UNIT INCLUDING EXTERNAL ALTERATIONS AND AN EXTENSION TO AN EXISTING DORMER WINDOW ON THE REAR ELEVATION
3.	Location:	122 ENNERDALE ROAD, CLEATOR MOOR
4.	Parish:	Cleator Moor
5.	Constraints:	SC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations & Policy	Neighbour Notification Letter: YES Site Notice: YES Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report:	<p>SITE AND LOCATION</p> <p>This application relates to 122 Ennerdale Road, a mid terraced property situated on the main road leading out of Cleator Moor to the south. The building was previously in use as a Post Office and is currently utilised as storage.</p> <p>PROPOSAL</p> <p>Planning Permission is sought for the conversion of the property to create a 3 bedroomed house. The proposal includes the addition of a front door and window on the front elevation to replace the existing shop front, the addition of patio doors and the extension of the existing dormer window on the rear elevation.</p> <p>The ground floor will have a living room, kitchen, utility room and cloakroom with stairs leading to 3 bedrooms and a bathroom on the first floor. There will be patio area, garden and off street parking</p>

area to the rear.

The dormer window will be increased from 3.2m to 4.4m in width with the addition of a window to serve the bathroom and the reconfiguration of the bedroom window to two equal panes.

RELEVANT PLANNING APPLICATION HISTORY

There have been no previous applications on the site.

CONSULTATION RESPONSES

Consultees

Cleator Moor Town Council – No objections.

Cumbria County Highways – Raised no objections subject to a condition to require new ground floor windows and doors to hang to open inwards to minimize any danger to pedestrians.

Local Lead Flood Authority – No objections.

Public Representation

The application has been advertised by way of a site notice and neighbour notification letters issued to 2 no. properties.

One letter has been received to state that the front of the premises was altered prior to the submission of planning permission and that 121 Ennerdale Road also requires planning permission.

PLANNING POLICIES

Planning law requires applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Development Plan

Copeland Local Plan 2013-2028 (Adopted December 2013)

Core Strategy

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Policy SS3 – Housing Needs, Mix and Affordability

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM12 – Standards for New Residential Developments

Policy DM13 – Conversions of Buildings to Residential Use within Settlement Limits

Policy DM22 – Accessible Developments

Other Material Planning Considerations

National Planning Policy Framework 2019 (NPPF)

Interim Housing Policy (IHP) 2017

ASSESSMENT

Policy context

Planning policies ST1 and DM13 seek to encourage the re-development of existing buildings within the settlement boundary subject to set criteria. Policies DM12 and DM22 seek to ensure that new residential properties meet the minimum acceptable standards whilst including a suitable access and parking.

Principle of development

The conversion of this building to residential use is acceptable in principle as it is located within the defined settlement limits for Cleator Moor and would result in the re-use of an existing building. Bringing vacant buildings back into use is supported throughout national and local planning policy and the provision of a residential property will help to increase the housing supply for Copeland, in close proximity to the town centre of Cleator Moor which is defined under Policy ST2 as a Key Service Centre.

Policy DM13 of the Copeland Local Plan seeks to ensure that any conversions can provide adequate standards of living without the need for significant alterations and additions to the property. Furthermore, any works to be undertaken should maintain the character of the building and adequate amenity space should be provided.

The proposed conversion only involves minor alterations with the addition of new windows and doors and the extension of the existing dormer. These works will not increase the footprint of the existing structure. The extended dormer will allow for more head room within the proposed bathroom and will project from the roof at the same level as the existing dormer window. This addition will not have an effect on the neighbouring property as the west elevation of 121 Ennerdale Road extends 1.3m south from the rear wall of 122 Ennerdale Road. Furthermore, there are no windows proposed on the side of the dormer which will prevent overlooking.

The overall character of the terraced property will be maintained and the finish will reflect the appearance of the surrounding dwellings. Amenity space has been provided to the rear of the property and is considered to be satisfactory for a dwelling of this size.

On this basis, it is considered that the development satisfies policies ST1, ST2, SS3, DM12 and DM13 of the Copeland Local Plan.

Access and parking

The building is within easy walking distance of the town centre with there is an on street parking provision to the front. The Applicant has included an off street parking area at the rear of the property which will accommodate several cars within the existing curtilage. It is unlikely that the proposal will have a material effect on the existing highway conditions and no objections were received from Cumbria Highways on this basis. A planning condition is appropriate to ensure that any windows and doors on the ground floor level only open inwards in order to protect the safety of any passing pedestrians.

The proposals therefore align with Policy DM22 of the Copeland Local Plan relating to accessible developments.

Public consultation letter received

One letter has been received with concerns that works have already started on this proposal and the neighbouring property. It is not an offence to undertake works without planning permission and it is considered that as there is a live application for planning permission for 122, no further action is required. Any planning permission for 121 Ennerdale Road will be considered separately and is not material to the determination of this planning application.

Conclusion

Overall, it is considered that the proposal is an acceptable form of development and accords with the policies set out within the Copeland Local Plan.

8. **Recommendation:**
Approve (commence within 3 years)

9. **Condition(s):**

1. 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.

2. 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: -

Location Plan, scale 1:1250, received 24th July 2020;
Existing and Proposed Floor Plans, scale 1:100, received 24th July 2020;
Existing and Proposed Elevations, scale 1:100, received 24th July 2020;
Existing and Proposed Drainage, scale 1:100, received 24th July 2020.

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.

3. Any new ground floor windows and doors abutting the highway must be of a type which cannot open outwards towards the highway. Once installed they shall be maintained as such at all times thereafter.

Reason

To minimise possible danger to other highway users and in accordance with Policy DM22 of the Copeland Local Plan.

Informative

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

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 : 17/09/2020
Authorising Officer: N.J. Hayhurst	Date : 17/09/2020
Dedicated responses to:-	