



COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/20/2323/OF1
2.	Proposed Development:	CONVERSION/CHANGE OF USE OF OUTBUILDING INTO A HABITABLE ONE BEDROOMED DWELLING FOR THE PURPOSE OF HOLIDAY LET/PRIVATE LET
3.	Location:	THE LONNINGS, SNECKYEAT FARM, HENSINGHAM, WHITEHAVEN
4.	Parish:	Weddicar
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change, Preferred Route Corridor - Within Preferred Route Corridor
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: SITE AND LOCATION <p>This application relates to the outbuilding at The Lonnings, a barn conversion contained within a small collection of buildings at Sneckyeat Farm. The outbuilding is a former calf and bull pen which was granted planning permission in 2012 for the conversion into a garage to serve one of the former barns that was included in a wider scheme for the conversion of the traditional buildings within the group. The site is accessed by a single track from the C4003, north of Moor Row.</p> PROPOSAL <p>Planning Permission is sought for the conversion/change of use of the outbuilding into a habitable one-bedroom dwelling for the purposed of the holiday let/private let. The proposed conversion includes proposed alterations to the principal elevation of the building.</p> <p>The outbuilding will be used to house a bedroom, a kitchen-living area, a bathroom and a storage</p>	

area. The proposal will replace the garage door with a bedroom window and the outbuilding will retain the three existing windows and two access doors on the principal elevation. The side elevation facing the parking area will also retain an existing open porch and access door. The remaining two elevations will remain blank.

The existing walls, roof tiles, windows and doors will remain as existing and the new bedroom window will be a wooden double glazed window that will be painted in the same stone grey colour as the existing windows. The wall below the window will be built up with matching stone.

RELEVANT PLANNING APPLICATION HISTORY

Planning permission was previously been granted for the conversion of a barn and bryes into a single dwelling (ref: 4/15/2116/OF1) and the erection of a detached garage with PV panels (ref: 4/15/2250/OF1).

CONSULTATION RESPONSES

Consultees

Weddicar Parish Council – No objections.

Highways Authority – No objections.

Lead Local Flood Authority – No objections.

United Utilities – No comments received.

The Council's Flood Engineer – No objections.

Public Representations

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

Two objection letter have been received as a result of this consultation.

The first objection raises the following concerns:

- In principle there is no objection;
- A proportion of the change of use has already been carried out;
- Concern regarding the surface water into the currently non-maintained open gutter. The flow has been changed from that of the original yard 2015;
- Do not want development that could cause or become a nuisance or annoyance to the owners or occupiers to the adjoining land or near properties.

The other objection letter raised the following concerns:

- The garage has been changed inside to part living, with a new roof, upgraded walls, new doors and windows;
- Previous approval for barn 2 conversion into a dwelling also gave planning permission for conversion of garages with no extra windows at the ends or back into fields;
- The yard entrance has recently been block paved over existing concrete. Concerns surface water runs onto the road and down the existing ditch which should be piped into/connected to existing drains;
- Refuse and recycling should be contained and put in secure bins to ensure it does not blow onto adjoining neighbours land and property;
- The development should cause no disturbance.

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 ST1 – Spatial Development Strategy

Policy ER10 – Renaissance through Tourism

Development Management Policies (DMP)

Policy DM8 – Tourism Development in Rural Areas

Policy DM9 – Visitor Accommodation

Policy DM10 – Achieving Quality of Place

Policy DM15A – Conversion of Rural Buildings to Residential Use

Policy DM22 – Accessible Developments

Policy DM24 – Development Proposals and Flood Risk

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Cumbria Development Design Guide

ASSESSMENT

The key issues raised by this proposal are the principle of development, its scale and design, the potential impacts on residential amenity, highways safety, surface water drainage and the part-retrospective nature of the proposal.

Principle of Development

As the description of the proposed works includes holiday let/private let, the application falls to be assessed under Policy ER10 and Policy DM9 for the holiday let and Policy DM15A for a new dwelling.

Policies ER10 and DM9 of the Copeland Local Plan seek to encourage holiday accommodation within sustainable locations within the Borough and subject to policies protecting the environment and neighbouring amenity. Policy DM8 seeks to ensure tourism development in rural areas involve the re-use, conversion or replacement of existing buildings to enhance the place-bound asset and tourist provisions.

DM15A seeks to ensure that conversion of rural buildings to residential use are suitable for conversion, located within or adjacent to an existing village or group of buildings to promote sustainability and conserve the traditional character of the building and its surroundings.

The existing outbuilding is located within a small collection of buildings at Sneckyeat Farm, which falls just outside the settlement boundary of Whitehaven. The location can be classed as sustainable and as the proposal is for a conversion of an existing building it is an acceptable form of development that will add to holiday accommodation in the Borough and improve the tourism offer.

The structure is considered to be suitable for conversion and the submitted scheme would retain the traditional character and appearance of the building. It is also appropriately located adjacent to an existing group of buildings. On this basis, the building for residential or holiday use is considered to be sustainable and appropriate to the scale of the adjoining development.

Overall, the proposed holiday let/private let would increase the tourist or housing offer within close proximity to the Whitehaven and therefore the principle of development is considered to be acceptable.

Scale and Design

Policy ST1 and section 12 of the NPPF seek to promote high quality designs. Policy DM10 and Policy DM15A seek to ensure developments are of an appropriate scale and design which is appropriate to their surroundings and do not adversely affect the amenities of adjacent dwellings. Policy DM15A also seeks to ensure new residential dwellings include reasonable provisions of amenity space.

The proposed alterations do not include a change to the existing scale of the outbuilding and the only minor alteration proposed is the replacement of the existing garage door with a window. The

proposal is therefore considered to be modest and appropriate in design which will ensure that the traditional character and appearance of the building is maintained. The proposed replacement window and door are of a sympathetic design and will match the existing property.

The scheme will ensure that adequate outdoor amenity space is provided to serve the building, in accordance with Policy DM15A. Two objection letters were received which raised concerns regarding nuisance, annoyance or disturbance from the proposed use. However, these issues are not material planning considerations.

On this basis, the proposal is considered to comply with Policies DM10 and DM15A and the NPPF guidance.

Residential Amenity

Policy ST1, Policy DM10, Policy DM15A and section 12 of the NPPF seek to safeguard good levels of residential amenity of the parent property or adjacent dwellings.

Overshadowing and overlooking were considered as part of the assessment, although as the single-storey outbuilding is appropriately located at the edge of the site, it is not considered that the proposal will overshadow the neighbouring properties. In addition, due to the window design on the principal elevation facing the courtyard and the separation distance of approximately 12 metres, the proposal is not considered to cause significant overlooking to the neighbouring properties.

On this basis, the proposal will have little impact on the residential amenity and it is considered to comply with Policy DM10, DM15A and the NPPF guidance.

Highway Safety

Policy DM22 and Policy DM15A encourages innovative approaches to manage vehicular access and parking to avoid vehicles dominating the street scene.

The building is served by an existing entrance off a track that provides access to a number of buildings. The provision of one more unit is not likely to materially increase the volume of traffic visiting the site and, on this basis, the Highway Authority raised no objections on highway safety grounds.

In addition, the off-street parking will remain unchanged to the front and side of the property. It is therefore considered that the existing driveway provides adequate off-street parking for the property.

On this basis, the proposal is considered to satisfy Policy DM22 and the Cumbria Development Design Guide.

Surface Water Drainage

Policy DM24 seeks to protect developments against risks of flooding and ensure developments will not increase the risk of flooding elsewhere.

The two objections received raised concerns with the surface water drainage and maintenance. This

	<p>was taken into consideration, although as the proposal relates to an existing outbuilding it will not increase surface water runoff. It is therefore considered that the proposal will have no impact on the flood risk.</p> <p>The Councils Flood Engineer and the Lead Local Flood Authority both raised no objection to the proposal as submitted. On this basis it is therefore considered that the proposal will meet Policy DM24 and the NPPG guidance.</p> <p><u>Retrospective Nature of Proposal</u></p> <p>The National Planning Practice Guidance (PPG) clarifies that although a local planning authority may invite a retrospective planning application, it cannot be assumed that permission will be granted and the local planning authority should take care not to fetter its discretion prior to the determination of any application for planning permission. On this basis, such an application must be considered in the normal way.</p> <p>Two objection letters were received which raised concerns regarding a proportion of the change of use has already occurred. The submitted part retrospective planning permission seeks to regularise the development which has already been undertaken without the benefit of planning permission. The above assessment considers the application on its merits in accordance with the guidance set out in the PPG.</p> <p><u>Conclusion</u></p> <p>Overall, this is considered to be an acceptable form of development which accords with the policies set out within the adopted Local Plan and the guidance in the NPPF.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Condition(s):</p> <ol style="list-style-type: none"> 1. The development hereby permitted must commence before the expiration of three years from the date of this permission. <p>Reason</p> <p>To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.</p> <ol style="list-style-type: none"> 2. This permission relates to the following plans and documents as received on the respective dates and development must be carried out in accordance with them: - <p>Site Location Plan, scale 1:1250, received 17th August 2020; Site Drawing, scale 1:200, received 17th August 2020; Existing Floor Plan and Elevations, scale 1:100, received 17th August 2020;</p>

	<p>Proposed Floor Plan and Elevations, scale 1:100, received 17th August 2020; Design and Access Statement, received 17th August 2020.</p> <p>Reason</p> <p>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.</p> <p>3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking or re-enacting that Order with or without modification) no external alterations, including replacement windows, doors or skylights and roof coverings, or painting or rendering shall be carried out to the converted barn, nor shall any building, enclosure, extension, porch, domestic fuel container, pool or hardstanding be constructed within the curtilage without the prior written consent of the Local Planning Authority.</p> <p>Reason</p> <p>To safeguard the traditional appearance of the outbuilding in the interests of visual amenity.</p> <p>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.</p> <p>Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority</p> <p>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.</p>
Case Officer: Chloe Unsworth	Date : 12/10/2020
Authorising Officer: N.J. Hayhurst	Date : 12/10/2020
Dedicated responses to:- The two objectors	