



## COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/20/2353/OF1
2.	<b>Proposed Development:</b>	CHANGE OF USE FROM CLASS A2 FINANCIAL AND PROFESSIONAL SERVICES TO CLASS C3 DWELLING HOUSE
3.	<b>Location:</b>	25 SCOTCH STREET, WHITEHAVEN
4.	<b>Parish:</b>	Whitehaven
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Coal - Standing Advice - Data Subject To Change
6.	<b>Publicity Representations &amp; Policy</b>	Neighbour Notification Letter: YES  Site Notice: NO  Press Notice: NO  Consultation Responses: See report  Relevant Planning Policies: See report
7.	<b>Report:</b>  <b>SITE AND LOCATION</b>  This application relates to 25 Scotch Street, a terrace property situated within the town centre of Whitehaven which is currently used as an office. The building is located within the Whitehaven Conservation Area.  <b>PROPOSAL</b>  Planning permission is sought for the change of use of the whole building from Class A2 Financial and Professional Services to Class C3 Dwelling House. The proposal will provide a two bedroom dwelling with kitchen, living room, dining room, bathroom and a rear yard.  As the property was originally in use as a dwelling, the proposal includes no internal alterations and changes to facilitate the residential use now being proposed. The only external alteration proposed relates to the removal of the Financial and Professional Services signage.	

## RELEVANT PLANNING APPLICATION HISTORY

Previous planning approval for the change of use from Class C3 (dwelling house) to Class A2 (Financial & Professional Services), together with the erection of signage to the front elevation (application ref: 4/17/2324/0F1 relates).

## CONSULTATION RESPONSES

### Consultees

Whitehaven Town Council – No objections.

Highway Authority - No objections.

Lead Local Flood Authority - No objections.

Conservation Officer – No objections.

### Public Representation

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

No objections have been received as a result of this consultation.

## 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 – Strategic Development Strategy

Policy ENV4 – Heritage Assets

### Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

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

Policy DM22 – Accessible Developments

Policy DM27 – Built Heritage and Archaeology

## **Other Material Planning Considerations**

National Planning Policy Framework (NPPF)

Planning (Listed Building and Conservation Areas) Act 1990 (LBCA)

### **ASSESSMENT**

The key issues raised by this proposal are the principle of development, the sustainable housing location, the potential impacts on heritage assets and highway conditions and parking.

#### **Principle of Development**

Policies ST2, DM13 and the NPPF seek to encourage new residential within sustainable locations.

Policy ST2 designates Whitehaven as Copeland's Principal Town whereby the majority of the Borough's development should be focused. As a result, the proposed town centre location is considered to provide sustainable housing. The existing street contains a mix of residential and offices/ professional uses. In addition, the property was originally a dwelling house, until 2017 when an application to convert the dwelling house to a financial and professional services (use class A2) was approved. On this basis, the principle of housing within the street and building has previously been established.

#### **Impacts of the Development**

Policy DM10 seeks to promote high quality designs and Policy DM13 permits the conversion of non-residential buildings to provide new residential accommodation within settlement limits providing the standard of achievable accommodation is appropriate and adequate parking and amenity space can be secured.

The proposal does not require internal works to reinstate the dwelling house. The kitchen and bathroom will remain the same and the only external alterations include the removal of signs. The proposal will be modest in scale and the design is considered to preserve the character of the terrace street and building. In addition, as there are no major external alterations, it is not considered that the proposal will cause any amenity issues for adjoining neighbours. Whilst outdoor amenity space and parking are limited, the proximity to local parks and car parks mitigate this need. On this basis, the proposal is considered to satisfy Policies DM10, DM13 and the NPPF guidance.

#### **Heritage Assets**

Policy ENV4 and DM27 seek to protect the built heritage and maximise the value. DM27 supports development proposals which protect, conserve and where possible enhance the historic and cultural architectural character of the Borough's historic sites and their settings.

Section 72 of the LBCA requires that in considering whether to grant planning permission for development which affects a conservation area, the Local Planning Authority shall pay "special attention... to the desirability of preserving or enhancing the character of appearance" of the conservation area.

	<p>The proposal is located within Whitehaven Conservation Area and has an Article 4 Direction on the property. The Conservation Officer considered that the removal of the modest signage that was formerly required by the solicitors office would only involve minor alterations to the exterior of the building and therefore it would not harm the character and appearance of the conservation area, nor of the significance of the building.</p> <p>In addition, internally the modifications would be very minor. The drawings submitted with this application are the same drawings provided with the 2017 application to convert the property from C3 to A2 use, but with the “existing” and “proposed” labels swapped round. The agent has confirmed that there would be no internal building work to facilitate the use as a dwelling and therefore the Conservation Officer was reassured there would be no effect on this non-designated heritage asset.</p> <p>On this basis, the proposed alterations are considered to meet Policy DM27(A) and DM27(D), thereby satisfying the duties set out in the LBCA.</p> <p><u>Highway Safety and Parking Provision</u></p> <p>DM13 and DM22 seek to ensure developments to be accessible to all users and encourages innovative approaches to manage vehicular access and parking.</p> <p>The Highway Authority raised no objections as part of the consultation process and advised that although no parking is proposed with the development, given the town centre location and the proximity of nearby car parks this is not considered to be an issue. It is considered that there are a variety of parking options nearby, should the occupants require it. It is not considered that the proposal will affect the highway and on this basis, the proposal is considered to satisfy Policies DM13 and DM22 parking requirements.</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><b>Recommendation:</b></p> <p>Approve (commence within 3 years)</p>
9.	<p><b>Condition(s):</b></p> <ol style="list-style-type: none"> <li>1. The development hereby permitted must commence before the expiration of three years from the date of this permission.</li> </ol> <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"> <li>2. This permission relates to the following plans and documents as received on the respective</li> </ol>

dates and development must be carried out in accordance with them: -

Location Plan, scale 1:1250, drawing number 20-37-02, received 18<sup>th</sup> September 2020;  
Existing and Proposed Floor Plans and Elevations, scale 1:50 and 1:100 at A1, drawing number 20-37-01, received 18<sup>th</sup> September 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.

**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](http://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: Chloe Unsworth**

**Date : 16/11/2020**

**Authorising Officer: N.J. Hayhurst**

**Date : 16/11/2020**

**Dedicated responses to:- N/A**