



COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/20/2366/OF1
2.	Proposed Development:	CONVERSION OF UPPER FLOORS TO 3 SELF CONTAINED FLATS (RETROSPECTIVE)
3.	Location:	34-35 TANGIER STREET, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Listed Building - Listed Building, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations &Policy	Neighbour Notification Letter: YES Site Notice: NO Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report:	<p>SITE AND LOCATION</p> <p>This application relates to the first and second floors of 34-35 Tangier Street, Whitehaven which lie within the town centre Conservation Area and close to the main shopping streets in Whitehaven. The first and second floors have been used historically as storage and managers accommodation for the retail premises on the ground floor but have been vacant for some time.</p> <p>PROPOSAL</p> <p>Retrospective Planning Permission is sought to regularise the use of first and second floors to three residential flats. The proposals include the following:</p> <p>Flat 1</p> <ul style="list-style-type: none"> The creation of a partition wall adjacent to the kitchen area to create a fire protected

entrance hall and allow for a suitable means of escape;

- A new partition and door to the second floor bedroom in order that a suitable landing can be provided to comply with building regulations.

Flat 2

- New window to the west elevation to be an exact replica of the existing window on the north elevation.

Flat 3

- Internal layout alterations to swap the kitchen/dining room with the lounge.

Each flat will have either one or two bedrooms, a kitchen, living/dining room and a bathroom.

This application has been submitted in tandem with an application for Listed Building Consent for the same works (application reference 4/20/2367/OL1 relates).

RELEVANT PLANNING APPLICATION HISTORY

Sub-division and change of use from an Indian restaurant and takeaway (Use class A3/A5) to create 1 no. class A1 unit (shops) and 1 no. Class A5 unit, approved in October 2016 (application reference 4/16/2170/OF1 relates);

Listed Building Consent for the same works, approved in October 2016 (application reference 4/16/2171/OL1 relates);

1 no. fascia sign, 2 no. tile logo signs and 1 no. projecting sign, approved in January 2017 (application reference 4/16/2394/0A1 relates);

Listed Building Consent for the same works, approved in January 2017 (application reference 4/16/2395/OL1 relates).

CONSULTATION RESPONSES

Town Council

No objections.

Public Representation

The application has been advertised by way of neighbour notification letters issued to 4 no. properties.

No consultation responses have been received in response to this advertisement.

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 ER8 – Whitehaven Town Centre

Policy SS1 – Improving the Housing Offer

Policy ENV4 – Heritage Assets

Development Management Policies (DMP)

Policy DM6A – Managing Non-Retail Development in Town Centres

Policy DM24 – Development Proposals and Flood Risk

Policy DM27 – Built Heritage and Archaeology

Other Material Planning Considerations

National Planning Policy Framework 2019 (NPPF)

Conservation Area Design Guide SPD December 2017 (CADG)

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

ASSESSMENT

Introduction and policy position

Policies ST1 and ST2 promote the regeneration of Copeland's Principal town whilst ensuring economic viability. Policy ER8 and DM6A seek to manage the development within the town centre in order to ensure that inappropriate uses are not introduced. These policies also seek to encourage a mixed use provided it will not undermine the retail function of the main shopping areas of Whitehaven. Policy SS1 promotes housing within Whitehaven.

Policies ENV4 and DM27 seek to protect the Borough's heritage assets including the Conservation

Area, and acknowledge that there is a balance between any harm caused by development against the likely positive outcomes created.

Principle of the development

The change of use of the first and second floors at 34-35 Tangier Street to three residential flats is acceptable in principle as it is situated within a mixed use area close to the main shopping street in Whitehaven. The majority of the properties within the centre of Whitehaven have a retail use at ground floor level and residential properties above.

The Copeland Local Plan 2013- 2028 seeks to diversify the offer in the town centre and allows residential use provided that it does not lead to an over-concentration of non-retail uses. As Tangier Street contains mixed uses and the retail unit on the ground floor has been retained, it is considered that the residential use on the upper floors will not have a negative impact on the town centre.

Specific works and the Conservation Area

In order to allow for the dwellings to be in line with current Building Regulations, the application includes the addition of a window in the west elevation. This will not be seen from any public viewpoints and has the same design as the window in the north elevation facing the former bus depot site. The addition of the window will allow for more light into the living/dining room and therefore creates a more practical solution for the room. The window will not create any overlooking issues therefore no amenity issues will result from this change. Furthermore, there will be no effect on the overall street scene, therefore maintaining the character of the Conservation Area.

The proposed internal works do not require planning permission.

Highways and parking

Whilst the change of use application does not specify an area for off street parking, it is considered that there are a range of parking solutions and sustainable transport options within the town centre, with all essential services within walking distance. Consequently the lack of designated car parking is considered to be acceptable in this location.

Conclusion

Overall, the creation of residential flats within the town centre of Whitehaven is considered to be a sustainable form of development which and will provide a viable use to the upper floors of the building which will help to maintain its condition. The development is considered to accord with the policies within the Copeland Local Plan.

8.	<p>Recommendation: Approve</p>
9.	<p>Condition(s):</p> <p>1. 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: -</p> <p>Location and block plans, scales 1:1250 and 1:500, drawing number 94.17/01.1, received 16th September 2020; Existing ground floor plan, scale 1:100, drawing number 94.17/02.1 received 16th September 2020; Existing first floor plan, scale 1:100, drawing number 94.17/02.2, received 16th September 2020; Existing second floor plan, scale 1:100, drawing number 94.17/02.3 received 16th September 2020; Existing front and rear elevations, scale 1:100, drawing number 94.17/02.4, received 16th September 2020; Existing side elevations, scale 1:100, drawing number 94.17/02.5, received 16th September 2020; Proposed second floor plan, scale 1:100, drawing number 94.17/03.3, received 16th September 2020; Proposed first floor plan, scale 1:100, drawing number 94.17/03.2, received 16th September 2020; Proposed front and rear elevations, scale 1:100, drawing number 94.17/03.4, received 16th September 2020; Design, access and heritage statement, written by Architecture Design Limited, received 16th September 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>Statement</p> <p>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: Sarah Papaleo	Date : 07/12/2020
Authorising Officer: N.J. Hayhurst	Date : 8/12/2020
Dedicated responses to:- N/A	