

**COPELAND BOROUGH COUNCIL  
DELEGATED PLANNING DECISION**

1.	Reference No:	4/20/2513/OF1	
2.	Proposed Development:	CHANGE OF USE FROM FORMER BED AND BREAKFAST TO RESIDENTIAL STATUS	
3.	Location:	THE OLD VICARAGE, OAKLANDS, BECKERMET	
4.	Parish:	Beckermest with Thornhill	
5.	Constraints:	ASC;Adverts - ASC;Adverts, Flood Area - Flood Zone 2, Coal - Off Coalfield - Data Subject To Change, DEPZ Zone - DEPZ Zone	
6.	Publicity Representations &Policy	Neighbour Notification Letter	Yes
		Site Notice	No
		Press Notice	No
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	Report:		
	Site and Location		
		This application relates to The Old Vicarage, a detached property located off the A595 opposite the properties at Oaklands. The property is currently vacant and is currently registered as a Bed and Breakfast.	
	Proposal		
		This application seeks permission to change the use of the property from a Bed & Breakfast to a residential dwelling. The vacant property is currently registered as a Bed and Breakfast, however the applicant has indicated that the last use of the site was company offices for Trinity Care Services.	

The proposed change of use to a dwelling house will not involve any external alterations to the property.

### **Consultation Responses**

#### Beckermeth with Thornhill Parish Council

No comments received.

#### Cumbria County Council – Cumbria Highways & Lead Local Flood Authority

No comments received.

#### Cumbria County Council - Resilience Unit

No objections to the proposed works.

#### Public Representation

This application has been advertised by way of neighbour notification letters issued to three properties. No comments have been received in relation to the statutory notification procedure.

### **Planning Policy**

Planning law requires that 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 SS1 – Improving the Housing Offer

Policy SS2 – Sustainable Housing Growth

Policy SS3 – Housing Needs, Mix and Affordability

Policy ENV1 – Flood Risk and Risk Management

#### Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM11 – Sustainable Development Standards

Policy DM12 – Standards of New Residential Developments

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 (2019)

Cumbria Development Design Guide

Emerging Copeland Local Plan (ELP):

The emerging Copeland Local Plan 2017-2035 was recently the subject of a Preferred Options Consultation. The Preferred Options Consultation builds upon the completed Issues and Options Consultation, which finished in January 2020. Given the stage of preparation, the emerging Copeland Local Plan 2017-2035 has only limited weight in decision making, but provides an indication of the direction of travel of the emerging planning policies, which themselves have been developed in accordance with the provisions of the National Planning Policy Framework.

### **Assessment**

#### Principle of Development

The NPPF states that housing should be considered in the context of the presumption in favour of sustainable development, and that Local Planning Authorities should deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. The principle of new housing is supported in the Copeland Local Plan through strategic policies ST1 and ST2 along with policies SS1, SS2 and SS3. These policies seek to promote sustainable development to meet the needs and aspirations of the Boroughs housing market, as well as having consideration for the requirements of smaller settlements within the Borough, which respect their scale and function.

Policy ST1 and ST2 of the Copeland Local Plan seeks to concentrate development within the defined settlement boundaries in accordance with the Borough's settlement hierarchy. Policy ST2 restricts development outside of defined settlement boundaries other than that which have a proven requirement, including conversion of rural buildings to residential use. Policy DM15a aims to restrict development that involves the conversion of rural buildings, to those that are structurally sound and

capable of conversion works, conserve the traditional appearance and character, incorporate reasonable standards of amenity, and are within or well related to a village or existing group of buildings.

The Old Vicarage lies within the open countryside site opposite a small group of properties known as Oaklands. The property is currently vacant and has a registered use as a Bed & Breakfast. This use incorporated residential accommodation for the owners of the premises. The proposed change of use to a residential property is considered to be appropriate for this property based on its previous use and also as the site is located near to existing residential dwellings. The proposed change of use will retain the character and appearance of the existing building as it does not seek to make any internal or external alterations to the property to facilitate its change to a private residential dwelling. The property benefits from a large garage, outbuilding and onsite car parking and therefore provides a reasonable standard of amenity in line with Policy DM15a of the Copeland Local Plan. The change of use is not considered to have a detrimental impact on any nearby residential properties.

#### Highway Safety

Policy DM22 of the Copeland Local Plan requires developments to be accessible to all users and to meet adopted car parking standards, which reflect the needs of the Borough in its rural context. Section 9 of the NPPF promotes sustainable transport. Paragraph 102 states that transport issue should be considered from the earliest stages of development proposals, so that the potential impacts of development on transport networks can be assessed, opportunities to promote walking, cycling and public transport are identified and pursued, environmental impact of traffic can be identified, and patterns of movement, street and parking are integral to design of schemes, and contribute to making high quality places.

The property currently benefits from a single access point which directly adjoins the A595. The proposal seeks to utilise this existing access with no alterations proposed. Given that the property is currently registered as a B&B, and has previously been utilised as an office building, the proposed use as a single dwelling is considered to reduce the use of the existing access and will therefore not significant impact on highway safety. No comments have been received from Cumbria Highways in relation to this proposal.

On this basis the proposal is considered to be compliant with the Policy DM22 of the Copeland Local Plan and Section 9 of the NPPF.

#### Flood Risk

Policy ST1B(ii) and paragraph 163 of the NPPF seek to focus development on sites that are at least risk of flooding and where development in flood risk is unavoidable, ensure that the risk is minimised or mitigated through appropriate design. Policy ENV1 and DM24 of the Copeland Local Plan reinforces the focus of protecting development against flood risk.

	<p>The edge of the properties curtilage is located within Flood Zone 2. The applicant has therefore submitted a Flood Risk Assessment to support this application. This assessment states that the proposal will not increase the chance of flood risk as there will be no changes to the building. The property does not fall within the flood zone, only the boundary of the site. As there are no alterations proposed to the site the development is not considered to increase flood risk. No comments have been received from the Lead Local Flood Authority.</p> <p>On the basis of the above the proposal is therefore considered to comply with policies ST1, ENV3 and DM24 of the Copeland Local Plan and provision of the NPPF.</p> <p><u>Conclusion</u></p> <p>The proposal is considered to be an acceptable form of sustainable development which is compliant with policies of the Copeland Local Plan and the provisions of 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 be commenced 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 dates and development shall be carried out in accordance with them:- <ul style="list-style-type: none"> <li>- Site Location Plan, Scale 1:1250, received by the Local Planning Authority on the 22<sup>nd</sup> December 2020.</li> <li>- United Utilities: CON29 Drainage and Water Enquiry, received by the Local Planning Authority on the 22<sup>nd</sup> December 2020.</li> <li>- Flood Risk Assessment, received by the Local Planning Authority on the 22<sup>nd</sup> December 2020.</li> </ul> </li> </ol> <p>Reason</p> <p>To conform with the requirement of Section 91 of the Town and Country Planning Act 1990,</p>

as amended by the Planning and Compulsory Purchase Act 2004.

3. The development must be carried out in accordance with and implement all of the details and mitigation measures specified within the approved document 'Flood Risk Assessment, received by the Local Planning Authority on the 22<sup>nd</sup> December 2020'. Once installed these measures must be retained at all times thereafter.

**Reason**

For the avoidance of doubt and to ensure that adequate measures are incorporated to protect the occupiers from flooding.

**Informative:**

In view of the fact that this application could increase the number of persons in the area (including trade people) the applicant should liaise with the Resilience Unit office via [emergency.planning@cumbria.gov.uk](mailto:emergency.planning@cumbria.gov.uk) to allow for further discussion to ensure the applicant and their trades people/contractors are aware of the appropriate information and actions to take should there be an incident at the Sellafield site.

**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:** C. Burns

**Date :** 10.02.2021

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

**Date :** 12/02/2021

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