

**COPELAND BOROUGH COUNCIL  
DELEGATED PLANNING DECISION**

1.	Reference No:	4/21/2011/OF1										
2.	Proposed Development:	CHANGE OF USE OF FORMER UNDERWOOD HOUSE HOTEL TO A SINGLE C3 DWELLING HOUSE, CHANGE OF USE OF BOWER COTTAGE TO ASSOCIATED RESIDENTIAL ACCOMMODATION AND CHANGE OF USE OF FROM HOTEL COACH HOUSE TO OFFICE ACCOMMODATION IN ASSOCIATION WITH SLACKS MILLOM LTD										
3.	Location:	UNDERWOOD, THE HILL, MILLOM										
4.	Parish:	Millom Without										
5.	Constraints:	ASC;Adverts - ASC;Adverts, TPO - TPO, Coal - Off Coalfield - Data Subject To Change										
6.	Publicity Representations &Policy	<table><tr><td>Neighbour Notification Letter</td><td>No</td></tr><tr><td>Site Notice</td><td>Yes</td></tr><tr><td>Press Notice</td><td>No</td></tr><tr><td>Consultation Responses</td><td>See Report</td></tr><tr><td>Relevant Policies</td><td>See Report</td></tr></table>	Neighbour Notification Letter	No	Site Notice	Yes	Press Notice	No	Consultation Responses	See Report	Relevant Policies	See Report
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7.	Report:											
	Site and Location											
		This application relates to a detached property known as Underwood House, located to the south west of The Hill, Millom. The application site is accessed from the A5093 and adjoins the curtilage of Ghyll Scuar Quarry. The large site comprises a large detached former Hotel (Underwood House), a Coach House and outbuildings, and a detached property known as Bower Cottage.										
	Proposal											
		This application seeks planning permission to change the use of the former Underwood House hotel to a single dwelling. The property is a 7 bedroomed guest house but has been unused for approximately 6 years since the closure of the business. The change of use will not consist of any internal or external alteration, other than fixing the existing roof. The small outbuildings to the north										

west area of the site will be used as a workshop/store room and goat shed.

This application also seeks permission to change the use of the Coach House building, to form an office for the applicant's business, Slacks Millom Ltd, which is based at an existing factory at Borwick Rails in Millom. The site would be used as a form of Home Office, for the applicants who are Managing Director and Officer Administrator for Slack Millom Ltd. The site would also be used by another office administrator and a bookkeeper. One room within the building would also be set out as a meeting room, to be used to a small number of staff or customers that's require a confidential table space, approximately once a month.

The application also seeks to use the property known as Bower Cottage as additional residential accommodation to the main dwelling, Underwood. There will be no internal or external alterations to the property, other than fixing the existing roof.

### **Consultation Responses**

#### Millom without Parish Council

No comments received.

#### Cumbria County Council – Cumbria Highways & LLFA

No objection to the proposed development as it is considered that the proposal will not have a material effect on existing highway conditions nor does it increase the flood Risk on the site or elsewhere.

#### Public Representation

This application has been advertised by way of a site notice. 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 ER6 – Location of Employment

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

**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 which closed on 30<sup>th</sup> November 2020. 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.

Underwood House lies within the open countryside, set within its own grounds, adjacent to the Quarry site. The property is currently vacant and was previously used as a Hotel. The proposed change of use to a residential property is considered to be an appropriate use for this building. The proposal 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 curtilage and on-site 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.

#### Growth of Existing Business

Policy ST1, ST2, and ER6 of the Copeland Local Plan seek to facilitate growth of the Borough's local economy. Policy ER7 seeks to promote the diversification of the Borough's economy by expanding new and expanding employment sectors, and by supporting the development of commercial units, which meet the needs of business, encourage start up and promote further expansion in order to retain enterprise, jobs and skills within the Borough. The NPPF also states that planning decisions should help create the conditions in which businesses can invest, expand and adapt.

The application also seeks planning permission to change the use of the Coach House building to an office for the applicant business, Slacks Millom Ltd, which is located within Millom. The site will be used as a home office for the applicants and two other members of staff. The site will also be used occasionally as a meeting room. Although the proposed site is located within the open countryside, the use of the site for the applicants business is considered to be acceptable given the small scale nature of the proposal. It is also considered that the proposed business use of the Coach House can be controlled and tied to the main dwelling through the use of appropriately worded planning conditions. The use of part of the site for business use is not considered to adversely impact on any neighbouring properties due to its location.

On this basis it is considered that the proposal complies with the policies ST1, ST2, ER6 and ER7 of the Copeland Local Plan and NPPF.

#### 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.

	<p>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.</p> <p>The property currently benefits from a single entrance point which is directly accessed from the A5093. The property and two associated buildings are to continue to use the existing access with no alterations proposed. Given the previous use of the main dwellings as a Hotel, the proposed use as a dwelling, home office and additional residential accommodation is not considered to significantly increase the traffic from this site and will therefore not significantly impact on highway safety. No objections have been received from the Highway Authority.</p> <p>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.</p> <p><u>Planning Balance</u></p> <p>The application seeks planning permission for the change of use of the former hotel to a residential dwelling, and the use of Bowers Cottage as ancillary accommodation to the main dwelling. The proposed change of use is considered acceptable given its location and nature of the existing site. The application also seeks to utilise one of the existing buildings within the site as an office for the applicants business, Slacks Millom Ltd. Although the proposed site is located within the open countryside, the use of this building in connection with the applicants business is considered to be acceptable given the small scale nature of the proposal. It is also considered that the proposed business use can be adequately controlled and tied to the main dwelling through the use of appropriately worded planning conditions. Given the previous use of the site the proposal is not considered to have an adverse impact on highway safety.</p> <p><u>Conclusion</u></p> <p>On balance, 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> <p><u>Standard Conditions</u></p>

1. The development hereby permitted must 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. 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:-
  - Site Location Plan, Scale 1:2500, received by the Local Planning Authority on the 11<sup>th</sup> January 2021.
  - Underwood House Sale Plan, Scale 1:1250, Drawing No 20.09.1460.TR.A.002, Version V5, received by the Local Planning Authority on the 11<sup>th</sup> January 2021.
  - Planning Statement, received by the Local Planning Authority on the 11<sup>th</sup> January 2021.
  - Underwood Building Plan (Additional), received by the Local Planning Authority on the 25<sup>th</sup> January 2021.

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.

#### Other Conditions

3. The building known as Bowers Cottage, shown in blue on the approved plan 'Underwood Building Plan (Additional), received by the Local Planning Authority on the 25th January 2021', must not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Underwood House, The Hill, Millom, and shall not be let or sold as a separate permanent dwelling.

Reason

The annexe is not considered appropriate for use as a separate residential unit.

4. The building known as Coach House, shown in green on the approved plan 'Underwood Building Plan (Additional), received by the Local Planning Authority on the 25th January 2021', must not be occupied, sold or let separately from the work or business associated with the occupants of Underwood House, The Hill, Millom.

	<p>Reason</p> <p>To ensure that non-conforming uses are not introduced into the area.</p> <p><b>Statement:</b></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>
<b>Case Officer:</b> C. Burns	<b>Date :</b> 05.03.21
<b>Authorising Officer:</b> N.J. Hayhurst	<b>Date :</b> 05/03/2021
<b>Dedicated responses to:-</b> N/A	