

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/21/2029/OF1
2.	Proposed Development:	PROPOSED INTERNAL ALTERATIONS TO EXISTING RETAIL BUILDING TO PROVIDE AN INCREASE IN RETAIL AREA (USE CLASS 1A); PROVIDE DDA CUSTOMER ACCESS TO FULL RETAIL AREA; EXTERNAL REPAIRS TO BUILDING; EXTERNAL HARD LANDSCAPING TO PROVIDE DESIGNATED CUSTOMER PARKING
3.	Location:	CONVENIENCE STORE & POST OFFICE, 1 MAIN STREET, FRIZINGTON
4.	Parish:	Arlecdon and Frizington
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
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:	<p>SITE AND LOCATION</p> <p>This application relates to the Post Office and Convenience Store situated at 1 Main Street, Frizington. The building lies at the end of terrace of properties and has an associated a large car park to the rear with access directly from Main Street.</p> <p>PROPOSAL</p> <p>Planning Permission is sought for internal alterations to the existing building to provide an increase in retail space, external repairs to the building and external hard landscaping to provide designated customer parking.</p> <p>The retail space will increase from 184.2m2 to 220.9m2. A new customer entrance will be created off</p>

Main Street with both a ramped and stepped approach. A new entrance door will be fitted to include automatic sliding doors. The existing external areas will be repaired with a new tarmac black top finish and marked out to provide 8 customer parking bays, one of which will be allocated as a disabled bay.

A new plant and bin store area will be formed to the rear of the site with a 2m high close boarded fence surrounding it.

RELEVANT PLANNING APPLICATION HISTORY

Illuminated fascia sign and illuminated projecting sign, approved in November 1997 (application reference 4/97/0679/0 relates);

New shop layout, entrance door and security shutter, approved in November 1997 (application reference 4/97/0680/0 relates);

Installation of 1 metre satellite dish for connection to ATM, approved in November 2003 (application reference 4/03/1356/0 relates).

CONSULTATION RESPONSES

Parish Council – no comments received

Cumbria County Highways – Initially requested a tracking diagram for the expected movements of delivery vehicles in order to ensure that there is sufficient space for parking, turning and deliveries. Further to the receipt of the diagram, the Highways department stated that there will not be a material change from the existing situation, therefore raise no objections. They note that the dropped kerb will be relocated and that this will require a permit.

Local Lead Flood Authority – No objections.

Public Representation

The application has been advertised by way of a site notice and neighbour notification letters issued to 23 no. properties.

One letter has been received as a result of the advertisements raising concerns that “there is a systemic problem with shop customers parking on the pavement and pedestrian crossing”.

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 SS4 – Community and Cultural Facilities and Services

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM22 – Accessible Developments

Other Material Planning Considerations

National Planning Policy Framework 2019 (NPPF)

Cumbria Development Design Guide

Emerging Copeland Local Plan

The emerging Copeland Local Plan 2017-2035 has recently been 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 the development

Planning policies ST1 and ST2 seek to encourage the re-use and refurbishment of existing businesses within the settlement limit of Frizington. Policy SS4 supports the retention and expansion of services whilst Policy DM10 seeks to ensure good design.

The refurbishment and extension of this building and its retention as a shop is consistent with Policies ST1, ST2 and SS4 of the Copeland Local Plan and therefore the principle of development is supported.

Design

The proposed ramped and stepped entrance will improve the appearance of the front of the shop and improve accessibility for all users. The refuse store will be situated at the rear of the building and will only be visible from the car park. The 2m high hit and miss fence will help to screen this area from public view.

	<p>Overall, the proposal accords with Policy DM10 of the Copeland Local Plan relating to design.</p> <p><u>Access</u></p> <p>The existing parking area is currently in need of restoration as it is very uneven and in a poor state of repair. The proposal to resurface this area is welcomed and will improve the facility. The provision of marked parking spaces should help to improve the current parking problems which result from cars parking on Main Street as well as being badly parked within the site. This should alleviate the concerns of the local resident who have raised issues with anti-social parking issues in the area.</p> <p>The Cumbria Highways Authority initially requested a tracking diagram to show how deliveries could be undertaken whilst still retaining the customer car parking. Further to the receipt of this plan, the Highways Authority concluded that there is unlikely to be a material change to the existing situation and therefore is considered to be acceptable.</p> <p>The proposal is in accordance with Policy DM22 in relation to accessibility and is therefore considered to be acceptable.</p> <p><u>Planning Balance and Conclusion</u></p> <p>On balance, the upkeep and retention of the business is supported throughout the Copeland Local Plan and the proposal will ensure that the service is available for local residents in the future. The formalized parking is likely to improve the current situation and vehicles will have a space to park which is fit for purpose and more useable.</p> <p>There are no material planning considerations that would justify refusal of the application and overall it is considered that the proposal accords with the policies set out within the Copeland Local Plan and is an acceptable form of sustainable development.</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 shall be commenced 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. 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: -

Site Location Plan, scale 1:1250, received 26th January 2021;
Proposed Site Plan, scale 1:100, drawing number 03P1, received 26th January 2021;
Existing Plan and Elevations, scale 1:200, drawing number 06P1, received 26th January 2021;
Proposed Plan and Elevations, scale 1:200, drawing number 06P1, received 26th January 2021;
Design and Access Statement, received 26th 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.

Informatives

1) The applicant must not commence works, or allow any person to perform works, on any part of the highway until in receipt of an appropriate permit allowing such works. They will need to contact Streetworks Central streetworks.central@cumbria.gov.uk for the appropriate permit.

2) 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

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: Sarah Papaleo

Date : 20/04/2021

Authorising Officer: N.J. Hayhurst

Date : 23/04/2021

Dedicated responses to:- N/A