

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/21/2447/OG1
2.	Proposed Development:	REMOVAL OF CONDITION 3 (OCCUPANCY RESTRICTION) OF PLANNING APPROVAL 4/18/2019/0F1 - ERECTION OF BUILDING FOR STAFF ACCOMMODATION
3.	Location:	GROVE COURT HOTEL, CLEATOR
4.	Parish:	Cleator Moor
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations & Policy	<p>Neighbour Notification Letter: YES</p> <p>Site Notice: NO</p> <p>Press Notice: NO</p> <p>Consultation Responses: See report</p> <p>Relevant Planning Policies: See report</p>
7.	<p>Report:</p> <p>Site and Location:</p> <p>This application relates to the Grove Court Hotel, situated off the A5086 in Cleator Moor.</p> <p>Planning Permission was approved in 2018 for the retention of a building for staff accommodation, previously approved in 2013 (application reference 4/13/2233/0F1 relates).</p> <p>The building is situated in the north east of the site, detached from the main hotel.</p> <p>Proposal:</p> <p>A planning condition imposed on application ref. 4/18/2019/0F1 states the following:</p> <p>3. The building hereby permitted shall be used to provide staff accommodation in association with the Grove Court Hotel, Cleator only and shall not be let or sold as a separate permanent</p>	

dwelling.

Reason

The accommodation is not considered appropriate for use as a separate permanent dwelling.

This application seeks to remove this condition as the hotel has been closed for some time and the owner is seeking to create residential properties on the site.

Consultee:	Nature of Response:
Cleator Moor Town Council	No objections.
Cumbria County Council	No comments.
Neighbour Responses:	
One letter - Application will be made for historical listed building status for the Grove Court Hotel, Cleator, CA233BS, former school. It has significant historical interest to the area and is a building of historical interest regarding education. I would like any planning decisions to take this application into account, and be placed on hold until the outcome of the application is known.	

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 (CS):

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Development Management Policies (DMP):

Policy DM17 – Removal of Occupancy Conditions

Other Material Planning Considerations

National Planning Policy Framework 2021 (NPPF)

Emerging Copeland Local Plan

The emerging Copeland Local Plan 2017-2035 was recently the subject of a Preferred Options

	<p>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.</p> <p>Assessment:</p> <p>The removal of condition 3 is requested as the owner of the site is seeking to redevelop the whole site for residential development.</p> <p>Policy DM17 of the Copeland Local Plan states that <i>“planning permission for the removal of occupancy conditions will only be granted where it can be demonstrated that there is no longer a need for housing for the particular group that the occupancy relates to within the local housing market area.”</i></p> <p>The hotel has been closed since a kitchen fire in August 2019, which caused smoke damage and limited trading facilities. Furthermore, it has been marketed for sale between October 2018 and November 2020 but remained unsold due to it not being viable and the cost for refurbishment of the buildings. The occupancy condition on the bungalow is also considered to restrict the market sale of the hotel. The removal of the condition on the bungalow would allow for it to be sold as an open market property without ties to the former hotel, which is no longer in business.</p> <p>The Applicant has demonstrated that the bungalow is no longer required for the staff of the hotel and is restricting the sale of the hotel as a business.</p> <p>Cleator is identified as a Local Centre under Policy St 2 of the Local Plan. Given the existing residential properties to the west and south west of the site on Floss Meadows, Cross Grove and Hawthorne Fields, it is considered acceptable for the occupancy condition to be removed from this property and allow the dwelling to be occupied on the open market.</p> <p>No objections to the application have been raised.</p>
8.	<p>Recommendation:</p> <p>Approve removal of condition</p>
9.	<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 remove the occupancy condition in accordance with the presumption in favour of sustainable development as set</p>

	out in the National Planning Policy Framework.	
Case Officer: Sarah Papaleo		Date : 01/12/2021
Authorising Officer: N.J. Hayhurst		Date : 02/12/2021
Dedicated responses to:- N/A		