

COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/21/2497/OF1	
2.	Proposed Development:	INTERNAL ALTERATIONS TO SHOP TO FORM A SELF CONTAINED 1 BEDROOM FLAT ON THE GROUND FLOOR AND NEW STOCK ROOM AND WC IN SHOP; NEW WINDOW & DOOR OPENING TO REAR ELEVATION; LANDSCAPING TO CREATE NEW PRIVATE GARDEN & AMENITY SPACE FOR THE EXISTING 1ST FLOOR FLAT & PROPOSED GROUND FLOOR FLAT	
3.	Location:	ST BEES POST OFFICE, 122 MAIN STREET, ST BEES	
4.	Parish:	St. Bees	
5.	Constraints:	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Coal - Standing Advice - Data Subject To Change	
6.	Publicity Representations &Policy	Neighbour Notification Letter	Yes
		Site Notice	Yes
		Press Notice	Yes
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	Report:		
	Site and Location		
		This application relates to 122 Main Street, located within the centre of St Bees. The site is currently operated as the Post Office with a residential flat above, and is located within the St Bees Conservation Area.	
	Proposal		
		This application seeks internal alterations to enable the change the use of part of the ground floor flat to a self-contained 1 bedroom flat. In order to incorporate this change of use the existing kitchen, stock room and toilet will be changed to accommodate a double bedroom, a bathroom, and an open	

plan kitchen/living room. This ground floor flat and existing first floor flat will be accessed via the existing shared common hallway. The existing stock room and toilet will be relocated to the rear area of the shop and reduced in scale.

As part of this application new windows and door opening are proposed to the rear elevation. First floor windows will remain as existing, however the proposed flat will be served by double doors and a new access door will be provided to create a rear access for flat 1. The existing double ground floor opening will be infilled. No alterations are proposed to the front elevation of the property.

The application also seeks permission for landscaping to create a new private garden & amenity space for the existing first floor flat and proposed ground floor flat. The existing large rear garden will be subdivided to form a small garden for the proposed ground floor flat and a larger garden for the existing flat, separated by a new 2m high fence. There will also be a small bin store for the existing shop, enclosed by a 1.9m high closed boarded fence.

Consultation Responses

St Bees Parish Council

The Parish Council has no objections to the proposed alterations. The Post Office is a vital part of the village community and the creation of a small holiday let may help to ensure its continued viability. The location of the property means that it is not possible to provide off-street parking so there may be a small impact on parking on Main Street with additional vehicles associated with the proposed flat. However, there are already significant parking problems in the centre of the village and the Parish Council is developing a scheme to provide more off-street parking near the railway station which could be used by residents and visitors to relieve the parking congestion on Main Street.

Cumbria County Council – Cumbria Highways & LLFA

There is no proposed parking however considering the central location, Cumbria County Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) can confirm that we have no objection to the proposed development as it is considered that it will not have a material effect on existing highway conditions nor will it increase the flood risk on the site or elsewhere.

The LLFA surface water map show flooding to the area and indicate 0.1% (1 in 1000) chance of occurring each year.

United Utilities

No comments received.

Copeland Borough Council – Conservation Officer

10th December 2021

Request more information.

- The construction of the rear wall of the building is likely to be solid rubble, so I would recommend matching this construction type with any infill sections in order to avoid creating any junctions that could cause a problem with different moisture transmission behaviour or movement.
- The proposal to create the flat involves removing from the plan what appears to be a load-bearing wall and introducing a non-load-bearing wall in another location, so reinforcement or similar of the first floor may be necessary (E.g. RSJ, concrete padstones etc.) If the work will require inserting an RSJ or similar, where will it be supported? The left side of the hall (as shown in the plan), adjacent to the base of the stairs, would seem to be one hard point, and the party wall the other. If this is the case, would a boxed-in RSJ impact on headroom in the hall, or introduce a visual intrusion? The input of a structural engineer may be required, and this may impact on the proposal. I would be grateful for comment on this detail.
- External works are limited to the rear. It is anticipated these will have a neutral impact on the conservation area. The impact to the significance of the building is likely to be neutral.
- The rear elevation drawings, and the ground floor plans, do not appear to be drawn accurately, with two windows missing on the left side of the elevation – one lower floor, one upper.
- Use of timber for rear doors and windows would be desirable and in accordance with the Conservation Area Design Guide, however, as the existing windows and doors are uPVC and of low quality, this is not a listed building, and the rear aspect is not visible from the public areas of the conservation area, it would appear that the generic uPVC replacements proposed can have no worse than a neutral impact on the conservation area and the building.

Recommendations:

- Confirmation as to rear wall construction type. Infill ought to match it to avoid risk of introducing problems at junctions.
- Addition to D&A statement describing how infilled rear elevation sections will be made good.
- Confirmation as to any structural alterations required to facilitate removal of wall currently dividing stock room from kitchen, or confirmation that this is not yet known and a structural engineer's report is forthcoming.
- Revision of rear elevation drawings and ground floor plans to reflect window(s) that have been omitted.

17th December 2021

Request further information

- Rear wall infill section
 - I think the D&A statement is confirming that the infill section will match the existing structure type, although it's not 100% clear so I'd request it be double-checked and updated if need be. The GF plan shows a double skin wall as infill, so this will need revising.
 - The reason for requesting this is that due to the different thermal and load bearing performance between a cavity concrete block wall and a random rubble wall, there may be issues of condensation or differential movement at the junctions that would cause issues. There may also be a need for some kind of drainage in case of water accessing/condensing in the cavity – so I wouldn't recommend this construction for an infill section within a random rubble wall.
- Insertion of loadbearing steel
 - A possible specification has been suggested, and I think that the implications in heritage terms, which need "taking into consideration" are likely to be minimal even in the event of an RSJ being needed. I suggest that if an RSJ is provided below ceiling level, it be boxed in.
- Rear elevation and ground floor plan drawings
 - Drawings have been updated to show additional openings.
 - This shows a window and door opening into the bin store very close together. This looks a little odd, although I think has minimal heritage implications, however I bring it up in case this detail needs revising for structural reasons.

24th January 2022

No objection

- Rear wall infill section
 - Confirmation has been provided that the infill will match the existing rubble construction, and the GF has been updated accordingly.
- Insertion of loadbearing steel
 - Confirmation has been provided that an RSJ is likely not needed; if one is needed it will be within the floor depth and boxed in. One might ask, if an RSJ were inserted within the floor and parallel with the existing joists, what would it be holding up? Presumably only the floorboards above – However, in heritage terms I would view either of these

cases as entailing little to no impact, so have no objection.

- Rear elevation and ground floor plan drawings
 - Confirmation has been received that the rear elevation drawing showing the bin store doorway and adjoining window very close together is correct. I do not view this as having more than a negligible heritage implication, so express no objection.

Public Representation

This application has been advertised by way of a site notice, press notice and neighbour notification letters issued to six 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 ER7 – Principal Town Centre, Key Service Centres, Local Centres and other Service Areas: Roles and Functions

Policy ER9 – The Key Service Centres, Local Centres and other small centres

Policy SS4 – Community and Cultural Facilities and Services

Policy T1 – Improving Accessibility and Transport

Policy ENV4 – Heritage Assets

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM11 – Sustainable Development Standards

Policy DM12 – Standards of New Residential Developments

Policy DM13 – Conversion of Buildings to Residential Use within Settlement Limits

Policy DM21 – Protecting Community Facilities

Policy DM22 – Accessible Developments

Policy DM27 – Built Heritage and Archaeology

Other Material Planning Considerations

National Planning Policy Framework (2021)

National Design Guide (NDG)

Cumbria Development Design Guide

Planning (Listed Buildings and Conservation Areas) Act 1990

Conservation Area Design Guide SPD (Adopted December 2017)

Copeland Borough Council Housing Strategy 2018 – 2023 (CBCHS)

Emerging Copeland Local Plan (ELP):

The emerging Copeland Local Plan 2017-2035 was recently the subject of a Preferred Options Consultation which ended on 30 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

This application seeks planning permission to change the use of part of the existing post office to a 1 bed residential unit. The key issues raised by this application relate to the principle of the development, loss of community facility, scale, design and impact on residential amenity, highway safety, and the impact on the Conservation Area and heritage assets.

Principle of Development

Policy ST1 and ST2 of the Copeland Local Plan supports the principle of new housing and seeks to concentrate development within the defined settlement boundaries in accordance with the Borough's settlement hierarchy. The principle of new housing is also supported by in the Copeland Local Plan through 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.

The application site lies within the designated settlement boundary for St Bees, which is identified as a Local Centres in Policy ST2 of the Copeland Local Plan. This policy allows for new housing developments within the defined physical limits of the settlement, as such the principle of development is considered to be acceptable.

Scale, Design and Impact on Neighbouring Properties

Policy ST1, DM10, DM11, DM12 and section 12 of the NPPF seeks protection of residential amenity, a high standard of design, fostering of quality places, and proposals, which respond to the character of the site. DM13 of the Copeland Local Plan seeks to allow for the conversion of building within settlement limits to those which can provide adequate internal space, off street parking in accordance with parking standards, and adequate amenity space. This policy also states that conversions should conserve the character of the building and will not create amenity issues for residents of the adjacent properties.

This application seeks to change the use of part of the existing Post Office to form a small residential flat. The proposed change of use will be within the existing footprint of the building and will not require any external extensions. There are no alterations proposed to the front elevation however a double and single door will be inserted into the rear elevation. These are not considered to create overlooking concerns for neighbouring properties as these replace existing openings. The creation of an additional garden area is also not considered to adversely impact on the neighbouring dwelling as there is currently a low boundary wall, which allows some overlooking already within the site.

Concerns were originally raised with the agent for this application regarding the overall internal space of the property. The proposed ground floor flat only comprises a double bedroom, a bathroom, and an open plan kitchen/living room, therefore it was considered that the internal space did not meet the required space standards for a residential unit. The agent has confirmed that the proposed use of this site is only for holiday let purposes, therefore he has confirmed that the applicant would be willing to accept an appropriately worded planning condition to restrict the use of the site to overcome concerns with regards to the internal space of the property. The use of this condition to restrict the use of the residential unit to holiday let only will also meet the requirements of Policies ST1, ER10, DM8 and DM9 of the Copeland Local Plan which seek to maximise the potential of tourism in the Borough and will seek to expand tourism outside of the Lake District National Park boundaries to take pressure off the National Park's busiest locations and deliver economic benefit in the Borough.

On the basis of the amended plans for this application, it is considered that the proposal complies with the policies of the Copeland Local Plan and Section 12 of the NPPF.

Loss of Community Facility

Policy ST1, SS4, DM12 and DM21 seek to encourage and retain good quality services and facilities which meet the needs of the local community. These policies also state that developments or change of uses which would result in the loss of a community facility will be resisted unless the demand for the facility is like to be met elsewhere.

This application seeks to change the use of part of the existing Post Office to a small residential flat. The existing Post Office is a key facility for the local community, therefore it is important that this facility is not lost. The shop will only be slightly reduced in size with the majority of the change of use relating to the existing stock room and kitchen. The creation of a small residential unit restricted to use as a holiday let will help to support and ensure the continued viability of this community facility. It is therefore considered that this application complies with Policies SS4 and DM12 of the Copeland Local Plan.

Highway Safety

DM13 of the Copeland Local Plan seeks to allow for the conversion of building within settlement limits to those which can provide off street parking in accordance with parking standards. 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.

The application site does not include any provision for off street parking. The site fronts onto Main Street, which has no parking restrictions and is therefore used by numerous properties in the area for on street parking. Cumbria Highways have noted this lack of onsite parking provision, however given the central location they have offered no objections to the proposed development as it is considered that it will not have a material effect on existing highway conditions.

Although the site does not provide onsite parking, the site is located within a central location, and therefore it is considered that the development would be in accordance with the aims and objectives of both the adopted Copeland Local Plan and the NPPF.

Impact on Conservation Area & Heritage Asset

Policy ST1, ENV4, DM27 of the Copeland Local Plan seek to protect, conserve and where possible enhance the historic, cultural and architectural character of the Borough's historic sites.

The Planning (Listed Buildings and Conservation Areas) Act 1990 establishes a need "in considering whether to grant listed building consent for any works [for the Local Planning Authority to] have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest" [Section 16(2)]. This requirement also applies to the granting of planning permission affecting a listed building or its setting [Section 66(1)].

Section 72 of the 1990 Act states that "special attention shall be paid to the desirability of preserving

or enhancing the character or appearance of [a conservation] area.”

Paragraph 194 of the National Planning Policy Framework (NPPF) states that “In determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation...”

NPPF para. 199 states, in the case of designated heritage assets, “great weight should be given to the asset’s conservation”, irrespective of whether potential harm is substantial, less-than-substantial, or total loss. Where harm to a designated heritage asset is less-than-substantial, it should be weighed against the public benefits of the proposal (para. 202).

Paragraph 203 of the National Planning Policy Framework (NPPF) states the effect on the significance of a non-designated heritage asset should be taken into account when making decisions.

Referring to assets in a conservation area, NPPF para. 207 states that loss of an element that makes a positive contribution to a conservation area should be treated as either substantial (under para. 201) or less-than-substantial harm (under paragraph 202). In new development, opportunities should be sought to enhance or better reveal the significance of conservation areas (NPPF para. 206).

Initially the Council’s Conservation Officer requested clarification on a number of matters, including the proposed rear wall infill, the insertion of loadbearing steel and the submitted rear elevation and ground floor plan. Following discussions with the agent, sufficient amended information was submitted in order for the Conservation Officer to offer no objections on the proposed works to this property. Based on this and due to the lack of alterations proposed as part of this change of use application to the front elevation of the proposal, the development is considered to protect and conserve the St Bees Conservation Area.

On the basis of the above it is considered that the proposal complies with policies of the Copeland Local Plan and the NPPF.

Planning Balance & Conclusion

This application seeks to change the use of part of the existing Post Office to form a small residential flat within on the Borough’s Local Service Centres, delivering a new residential unit within a sustainable location. Whilst there is no onsite parking proposed as part of the development, the site is located within a central location with available on street parking and public transport links. The proposed change of use will not result in a loss of a well-established community facility, but will help to retain the viability of a local shop. Although concerns were raised with regard to the adequacy of the internal space this is considered to be acceptable for use as a holiday let. A condition will therefore be attached to this permission to restrict the use of the site. The Council’s Conservation Officer has also confirmed that he has no objections to the proposal.

On this basis the proposal is therefore 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.
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <p><u>Standard Conditions</u></p> <ol style="list-style-type: none"> 1. The development hereby permitted must 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. 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"> - Location Plan, Scale 1:1250, Drwg No: 01002, Rev: 1, received by the Local Planning Authority on the 12th November 2021. - Block Plan, Scale 1:500, Drwg No: 01003, Rev: 1, received by the Local Planning Authority on the 12th November 2021. - Site Plan, Scale 1:100, Drwg No: 01004, Rev: 1, received by the Local Planning Authority on the 12th November 2021. - Existing Ground Floor Plans (Amended), Scale 1:50, Drwg No: 01001, Rev: 3, received by the Local Planning Authority on the 21st January 2022. - Proposed Ground Floor Plans (Amended), Scale 1:50, Drwg No: 04001, Rev: 4, received by the Local Planning Authority on the 21st January 2022. - Existing Rear Elevations (Amended), Scale 1:50, Drwg No: 02001, Rev: 2, received by the Local Planning Authority on the 15th December 2021. - Proposed Rear Elevations (Amended), Scale 1:50, Drwg No: 05001, Rev: 4, received by the Local Planning Authority on the 21st January 2022.

	<ul style="list-style-type: none"> - Design and Access Statement (Amended), received by the Local Planning Authority on the 16th December 2021. - Email Correspondence: 112 Main Street St Bees 4/21/2497/0F1, received by the Local Planning Authority at 18:47 on the 5th January 2022. <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><u>Other Conditions:</u></p> <p>3. The residential unit hereby approved must be occupied solely for holiday letting purposes and must not be sold or let as a permanent dwelling.</p> <p>Reason</p> <p>The site is not considered appropriate for permanent residential use.</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: C. Burns		Date : 24.01.2022
Authorising Officer: N.J. Hayhurst		Date : 27/01/2022
Dedicated responses to:-		