

COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/22/2025/OF1	
2.	Proposed Development:	TEMPORARY USE OF EXISTING DWELLING BY LOCAL YOUTH GROUP	
3.	Location:	THE VICARAGE, THE BANKS, SEASCALE	
4.	Parish:	Seascale	
5.	Constraints:	ASC;Adverts - ASC;Adverts, Safeguard Zone - Safeguard Zone, Coal - Off Coalfield - Data Subject To Change, Key Species - Potential areas for Natterjack Toads, DEPZ Zone - DEPZ Zone, Outer Consultation Zone - Drigg 3KM, Outer Consultation Zone - Sellafield 10KM	
6.	Publicity Representations &Policy	Neighbour Notification Letter	Yes
		Site Notice	Yes
		Press Notice	No
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	Report:		
	Site and Location		
	This application relates to a detached property, The Vicarage, which fronts onto The Banks located within the east of Seascale. This residential property is owned by the Church of England and was formerly used as the vicarage for St Cuthbert’s Church adjacent to the site, however it is now unoccupied. The property has a shared access with the Church, which leads to a parking area to the		

front of the dwelling.

Relevant Planning History

There is no relevant planning history for this site.

Proposal

This application seeks temporary planning permission to change the use of the dwelling for use by the local youth group, Shackles Off.

Shakles Off Youth and Community Project delivers predominantly youthwork. They are currently sited within the property 1a South Parade where they operate their drop in centres and offices. They have operated from the site since 2009, however the building which they currently rent is now being sold, necessitating the need for them to find alternative premises. The long term plan of the Youth Group is to build a new facility within the village where they can operate in the future.

The current application seeks to utilise an existing residential dwelling to ensure the Youth Group can continue to operate until the new building is completed. The requested temporary period for this change of use is proposed as two years.

Shakles Off have stated that the following operations will be held at this site:

- Office space for 6 staff;
- Retained office space for vicar to continue to use;
- Small work groups with young people ages 11 – 18. These groups are of 2-10 young people and are conducted on Monday, Wednesday and Fridays between 5 – 9pm and consist of informal education workshops.
- Space for 1:1 work with young children and those who are NEET (not in education or employment). These are drop in sessions held Monday – Thursday in the afternoon.
- Tech and Chat afternoon sessions – these are drop in coffee afternoons for over 60s to chat and provide tech help to those who need it.
- Support groups, such as the autism support group for parents, held monthly during the day. These are drop in events and are usually 1-2 hours for around 6 – 10 people.

The proposed change of use will not require any internal or external alteration to the property. Internally the change of use will accommodate within the ground floor of the property the study to be used by the vicar, two rooms for group work, and a kitchen to be used by staff and for cooking bakery lessons. The first floor of the property will incorporate three rooms for offices and a single room for 1:1 counselling.

Consultation Responses

Seascale Parish Council

Seascale Parish Council formally submit a conditional acceptance based on the following condition.

The property automatically reverts to a residential property after 24 months, and a new temporary planning application must be submitted to extend this period.

Cumbria County Council – Cumbria Highways & LLFA

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.

Cumbria County Council – Resilience Unit

No comments received.

Public Representation

This application has been advertised by way of a site notice, and neighbour notification letters issued to six properties. The following were received in relation to this application

Objections:

Four letters of objection have been received in relation to this application raising the following concerns:

- Although I agree Shackles off do amazing work in the local community, I don't agree with turning the Vicarage into their base, there are other buildings that should be considered.
- Portacabins may be a better temporary solution.
- The site should be kept as a family dwelling not a base for a business.
- The village needs families to keep it thriving.
- Existing dwellings would be impacted unfavourably.
- This is not the right place for the youth project.
- Two years cannot be classed as temporary.
- Plans for the new site are not secured.
- A precedent will be set of other vacant properties in the area.
- This is a residential area not commercial.
- Allowing a temporary permission will act as a disincentive to the church to find a permanent residential solution for the site.
- High risk of anti-social behaviour.

- Overlooking of adjacent sites.
- There was no prior communication with the neighbours.
- Will outdoor activities have restricted noise levels?
- Limited parking.

Support:

Four letters of support have been received in relation to this application making the following comments:

- The group provide valuable community work.
- Their good work needs to continue with minimal interruption and disturbance.
- The temporary use will allow this group to continue until their permanent new premises is secured.
- As parents of children who use the service we were concerned when the currently building was put up for sale as we thought the service would no longer be available. We were relieved when we heard they had been offered the proposed building.
- The sessions are well organised and staff are helpful.
- There has never been any signs or anti-social behaviour or disturbances at the current service.
- There will be no impact on local residents.
- This is a well-run essential service for the young people of Seascale and it has nothing but a positive impact on the local community.
- SASRA are in full support of the group's future plans.

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 ER7 – Principle 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

Policy SS5 – Provision of Access to Open Space and Green Infrastructure

Policy ENV3 – Biodiversity and Geodiversity

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM22 – Accessible Developments

Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species

Other Material Planning Considerations

National Planning Policy Framework (2021)

Wildlife and Countryside Act 1981.

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 allow a youth project to operate from an existing residential property for a temporary period. The key issues raised by the applications relates to the principle of the development; impact of the development; highway safety; and ecology.

Principle of Development

Policies ST1, ST2, SS4 and SS5 of the Copeland Local Plan and Section 6 and 8 of the NPPF seek to encourage the provision and retention of good quality services and facilities which meet the needs of local communities and are accessible by public transport, cycling or on foot. Policy SS4 of the Copeland Local Plan also allows for the expansion and or enhancement of existing community and cultural facilities to assist continuing viability, particularly in areas where new development will increase the demand for facilities.

Shakles Off Youth and Community Project has operated within Seascale since 2009. The project

delivers predominantly youth work but they also offer different services for the local community. The group has operated from 1a South Parade throughout this time however the building is now being sold. Their long term plan is the build a new facility within the village, however in the short term permission is sought to temporarily use an existing dwelling to run this community facility. This proposal will allow the vital community facility to operate until a more permanent solution can be found within the village.

On this basis, the proposed works are considered to comply with Policies ST1, ST2, SS4 and SS5 of the Copeland Local Plan and Section 6 and 8 of the NPPF.

Impact of Development

Policy ST1, DM10 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.

The application seeks to change the use of the Vicarage, an existing dwelling, to allow the youth group to operate from this site. There will be no external or internal alteration to accommodate this change of use, therefore the development will not impact on the overall character of the area.

Concerns have been raised by local residents with regard to the potential impacts of the change of use on the residential area. Although the dwelling is located within a residential estate, the property is detached and sited a significant distance from other nearby properties. Whilst there may be some impacts on residents in terms of comings and goings from the site the change of use will allow an essential community facility to continue to operate within Seascale. The group have indicated that the use of this site is temporary until they find a permanent solution for their facility. It is therefore considered appropriate to include within this decision notice an appropriately worded planning condition to ensure the use is only permitted for the requested two year period. A condition will also be included to restrict the operation hours of the site from 9am-9pm Monday to Friday as requested by the applicant. These controls should help to limit the impact on residential amenity within the locality.

On this basis, the proposed works are considered to comply with Policies ST1 and DM10 of the Local Plan and section 12 of the 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.

The application site has a shared access within the Church which leads to a parking area in front of the property. The property currently benefits from 7 parking spaces. These will be retained as part of the application. The site is also located within a residential area with no on street parking restrictions. The application site is sited within a sustainable location within the centre of Seascale, and is accessed by public transport links and is within walking distance of a free car park. Cumbria highways have offered no objections to the proposed development as it is considered that it will not have a

	<p>material effect on existing highway conditions.</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>Ecology</u></p> <p>Policies ST1, ENV3 and DM25 of the Copeland Local Plan and section 15 of the NPPF outline how the Council will protect and enhance the biodiversity and geodiversity within the Borough. These policies set out the approach towards managing development proposal that are likely to have an effect on nature conservation sites, habitats and protected species.</p> <p>The application site is identified as a potential area for natterjack toads. The application is not supported by any ecology details as the site is not located within 200m of a watercourse (as indicated within the ALGE trigger list), and is located within the centre of a built up residential area. On this basis it is considered that this is not a habitat that is likely to contain natterjack toads and so it would not be necessary to seek an ecological survey for this minor application. Furthermore the development will be located upon the footprint of an existing extension therefore will not disturb any habitats.</p> <p>It is therefore considered that the development complies with policies ST1, ENV3 and DM25 of the Copeland Local Plan and NPPF.</p> <p><u>Planning Balance & Conclusion</u></p> <p>The proposed change of use will allow Shakles Off, a local youth group, to continue to offer its valuable services to the local community within one of the Borough Local Service Centres until they find a more permanent solution within the village. There will be no external or internal alteration to accommodate this change of use, therefore the development will not impact on the overall character of the area.</p> <p>Whilst there may be some impacts on residents in terms of comings and goings from the site the change of use will allow an essential community facility to continue to operate within Seascale. Operation hours and the temporary use of the site will be conditioned to limit the impacts on residential properties.</p> <p>No objections have been received from Cumbria Highways and the site is located within a sustainable location with parking and public transport options. The development therefore represents an acceptable form of development which accords with the policies set out within the adopted Local Plan and the guidance in the NPPF.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>

9. **Conditions:**

Standard Conditions:

1. This permission shall expire on the 9th March 2024. At or before the expiration of this period the use of the site for operation by Shakles Off, and all other materials and equipment brought onto the land in connection with its use must be removed unless prior written approval of the Local Planning Authority has been obtained for its continued siting.

Reason

The site is not appropriate for the long term retention of the container or fence hereby approved due to the detrimental impact on visual amenity.

2. This permission relates to the following plans and documents as received on the respective dates and development must be carried out in accordance with them:-
 - Location Plan, Scale 1:1250, received by the Local Planning Authority on the 17th January 2022.
 - Block Plan, received by the Local Planning Authority on the 17th January 2022.
 - Site Plan, received by the Local Planning Authority on the 17th January 2022.
 - Plan of Room Use, received by the Local Planning Authority on the 17th January 2022.
 - Design and Access Statement, received by the Local Planning Authority on the 17th January 2022.

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 use of the property hereby permitted must only be open to the public/customers between:
 - 09:00am – 21:00pm Monday to Friday;
 - 09:00am – 13:00pm Saturdays and Sundays.

Reason

To minimise potential disturbance to nearby residences and to safeguard the amenities of the locality.

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 : 09.03.2022

Authorising Officer: N.J. Hayhurst

Date : 09.03.2022

Dedicated responses to:-