

COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/22/2030/OF1
2.	Proposed Development:	CONVERSION OF EXISTING STABLE TO CREATE 4 SELF CONTAINED HOLIDAY LETS INCLUDING EXTERNAL ALTERATIONS TO ALTER THE WINDOW AND DOOR OPENINGS
3.	Location:	LAND TO THE REAR OF MARKHAM HOUSE, ROWRAH
4.	Parish:	Arlecdon and Frizington
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Off Coalfield - 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: SITE AND LOCATION This application relates to an existing building, previously used for equestrian stables, located to the rear of Markham House in Rowrah. PROPOSAL Planning Permission is sought for the conversion of the existing stable to create 4 self contained holiday lets, including external alterations to alter the window and door openings. Each holiday let will contain a living room/kitchen, bedroom and bathroom. Each will be served by its own front door and double doors to the rear. Access will initially be taken from the existing drive way next to the house, with the access point further east to be opened up once the business is established.	

RELEVANT PLANNING APPLICATION HISTORY

Outline application for conversion of stables into dwelling, approved in July 2002 (application reference 4/02/0602/0 relates);

Proposed conversion of stables into habitable dwelling and construction of access road, approved in May 2008 (application reference 4/08/2154/0 relates).

CONSULTATION RESPONSES

Parish Council

No comments received

Cumbria Highways

1st Response

The access from the A5086 Highway maintainable at public expense 30mph speed road to the private site. The required visibility splay for a 30mph speed road should be 60m at the minimum in both direction back by 2.4m and at a height of 1.05m above the carriageway. Drivers need to be able to see obstructions 2m high down to a point 600mm above the carriageway. The latter dimension is used to ensure small children can be seen. Within the visibility splay or sight line envelope there should be no obstructions to vision such as walls or vegetation etc within the vertical profile. If any obstructions need to be reduced or removed within the visibility splay, it should be within the applicants ownership. Along with visibility splays, please could the applicant submit parking plans showing adequate parking for the development.

2nd Response

I can confirm that we have no objections to the proposal, subject to the following recommended conditions being included in any Notice of Consent which may be issued: The development shall not commence until visibility splays providing clear visibility of 60 metres measured 2.4 metres down the centre of each access road and the nearside channel line of the carriageway edge have been provided at the junction of the access road with the county highway as shown on the additional information. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grown within the visibility splay which obstruct the visibility splays. The visibility splays shall be constructed before general development of the site commences so that construction traffic is safeguarded.

Flood and Coastal Defence Engineer

1st Response

- Where does the building drain (foul if any and surface water) to at present?
- Is the existing drainage to be utilised and if so is it in suitable condition?

- Disposal to watercourse is likely to be the most appropriate means of surface water disposal, but in the first instance infiltration needs to be considered and suitable reasons for not using this means need to be provided, as per NPPG. (Even if ground conditions are OK, there is unlikely to be sufficient room for a soakaway).
- Will the proposed development increase surface water discharge? (As per NPPG, every development should seek to reduce this, or as a minimum not increase it.)
- Any new connection to a watercourse is likely to need consent from the LLFA, which would need a suitable outfall.

2nd Response

I expect that within the plot boundary, Building Control will inspect the new drains. The water draining to the main sewer is not a sustainable solution. Infiltration does need to be considered. Failing this, the watercourse would be the best means of surface water discharge, unless this is a good reason that it can't be used. Putting surface water into a sewer is not sustainable. It effectively means that sewage treatment plants are trying to clean more water. An increase in water in combined sewers will only increase the frequency of sewer flooding and consented discharges of untreated sewage into the environment.

3rd Response

The applicant has spoken to me. After discussions, I am happy that the site can be drained adequately. At this stage, full details need not be provided and can be covered by conditions.

4th Response

Disposal of foul sewage is to be via a new drainage system running to the adopted combined sewer that runs down Rowrah Road (A5086).

Currently surface water is drained to an old soakaway. At present it is unclear how the surface water will be disposed of. Following the drainage hierarchy, the options should be considered, but ultimately if other options are not suitable, then surface water can be connected to the adopted combined sewer as the last option.

The first consideration should be disposal by infiltration. The existing soakaway is unlikely to meet modern standards and shouldn't be used. The permeability of the land needs investigating, but consideration also needs to be given to siting of a new soakaway, as to whether it will comply with Building Regulations and if re-emergence of the water downslope would cause a nuisance.

As there are watercourse both to the front of current stables, disposal to watercourse should be a suitable option. Discharge rates need to be controlled, especially as there has been downstream flooding, where these watercourse converge with a third watercourse. Any new outfall will need to be properly constructed and consented by the LLFA. If crossing of third party land is required for

discharge to watercourse, then agreement with the third party will be required which could discount discharge to watercourses as a suitable option.

SUGGESTED CONDITIONS

As the site is at a low flood risk and can be drained adequately, the only condition that should be specifically included, should Planning Permission be granted, is that surface water disposal should follow the drainage hierarchy.

SUMMARY

Provided the drainage hierarchy for surface water disposal is followed, I would have no objection to the proposed development.

Public Representation

The application has been advertised by way of a site notice and neighbour notification letters issued to 4 no. properties.

No responses have been received to these advertisements.

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 ER10 – Renaissance Through Tourism

Policy ENV1 – Flood Risk and Risk Management

Development Management Policies (DMP)

Policy DM8 – Tourism Development in Rural Areas

Policy DM9 – Visitor Accommodation

Policy DM10 – Achieving Quality of Place

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

Policy DM22 – Accessible Developments

Policy DM24 – Development Proposals and Flood Risk

Other Material Planning Considerations

National Planning Policy Framework 2021 (NPPF)

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 Change of Use

The encouragement and expansion of new businesses and tourist related development is generally supported throughout national and local policy. This application raises issues with regards to the appropriateness of the location, access and drainage.

Rowrah is designated as a Local Centre within Policy ST2 of the Copeland Local Plan where the retention and expansion of tourism is encouraged.

Policy ER10 seeks to locate tourism accommodation where there is proven capacity for additional visitors without adverse environmental or amenity impacts. Policy DM9 supports proposals for visitor accommodation provided the scale and character is appropriate to the location and setting.

As the building is located within the settlement boundary for Rowrah, the conversion to holiday accommodation is appropriate and the use to encourage tourism is welcomed. The layout of the holiday lets is appropriate, with sufficient facilities for each unit. The works to be undertaken to provide the separate units is minimal and will not alter the character of the building.

The closest residential properties are Rowrah Head to the west and 6 Pheasants Rise to the east. Due to the separation distances involved and the proposed use for holiday accommodation, it is unlikely that any issues with residential amenity will arise. There have been no objections to the proposal.

On this basis the principle of the use is considered to be acceptable and complies with Policies ST2, ER10 and DM13 of the Copeland Local Plan.

Access and parking

There are two proposed accesses to the accommodation, with the existing access adjacent to Markham House to be utilized initially, then the opening up of the existing access to the east once the business is established. The Highways department raised no objections to the proposal, but requested that visibility splays are in place prior to the commencement of the business.

Parking is provided to the north of the properties within the existing curtilage of Markham House.

	<p>There is sufficient space for all of the units to have a dedicated car parking space and it is unlikely that the development will lead to anti-social parking.</p> <p>Overall, due to the location of the development it is considered to be accessible and complies with Policy DM22 of the Copeland Local Plan.</p> <p><u>Drainage</u></p> <p>The proposal is located within Flood Zone 1.</p> <p>The Applicant did not provide any drainage information for the proposal, which raised an initial objection from the Flood and Coastal Defence Engineer. Following discussions with the Applicant, the foul water was agreed to drain from a new connection to the existing combined sewer. The Applicant has not specified drainage for surface water, however is aware of the drainage hierarchy and will provide this information at a later date. It is therefore considered prudent to apply a condition to any planning approval to ensure that drainage can be provided efficiently.</p> <p>On this basis, the proposal will likely comply with Policies ENV1 and DM24 of the Copeland Local Plan.</p> <p><u>Planning Balance and Conclusion</u></p> <p>No objections have been received to the proposal.</p> <p>The proposal seeks to change the use of an existing vacant building to visitor accommodation in a satisfactory location. Current Local Plan policies and Government guidance encourage the re-use of vacant buildings and the use for expanding tourism is welcomed.</p> <p>The proposed use is considered to be compatible for this part of the Rowrah and will not have any significant impacts on residential amenity.</p> <p>Overall this proposal is considered to be an acceptable form of development which accords with the policies in the adopted local plan and guidance set out within the NPPF.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</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 7th February 2022;
Proposed Floor Plan, scale 1:100, drawing number 6, received 18th January 2022;
Proposed Front Elevation, scale 1:100, drawing number 7, received 18th January 2022;
Proposed Rear Elevation, scale 1:100, drawing number 8, received 18th January 2022;
Proposed Side Elevation (looking west), scale 1:100, drawing number 9, received 18th January 2022;
Proposed Side Elevation (looking east), scale 1:100, drawing number 10, received 18th January 2022;
Flood Risk Mitigation, received 18th January 2022;
Visibility Splays, received 10th February 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.

3. The four units hereby approved shall be occupied solely for holiday letting purposes and shall not be sold or let as a permanent dwelling.

Reason

The site is not considered appropriate for permanent residential use.

4. Prior to the first use as holiday accommodation as approved, full details of the surface water drainage scheme, including any attenuation measures and in accordance with the drainage hierarchy, must be submitted to and approved in writing by the Local Planning Authority. The approved scheme must become operational before the development is brought into use and must be so maintained thereafter.

Reason

To ensure a satisfactory scheme of surface water disposal from the site in accordance with Policies ENV1 and DM24 of the Copeland Local Plan.

5. The development must not be brought into use until visibility splays providing clear visibility of 60 metres measured 2.4 metres down the centre of each access road and the nearside channel line of the carriageway edge have been provided at the junction of the access road with the county highway as shown on the additional information.

	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind will be erected, parked or placed and no trees, bushes or other plants will be planted or be permitted to grown within the visibility splay which obstruct the visibility splays.</p> <p>Reason</p> <p>To ensure a minimum standard of construction in the interests of highway safety and in accordance with Policy DM22 of the Copeland Local Plan.</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>	
<p>Case Officer: Sarah Papaleo</p>	<p>Date : 14/03/2022</p>	
<p>Authorising Officer: N.J. Hayhurst</p>	<p>Date : 17/03/2022</p>	
<p>Dedicated responses to:-</p>		