



COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/22/2054/OF1
2.	Proposed Development:	CHANGE OF USE FROM A BAKERY INCLUDING SALES ON GROUND FLOOR AND A FLAT ON FIRST FLOOR INTO A 4 BEDROOM HOUSE
3.	Location:	26 SCALEGILL ROAD, MOOR ROW
4.	Parish:	Egremont
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations &Policy	Neighbour Notification Letter: YES Site Notice: NO Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: SITE AND LOCATION This application relates to 26 Scalegill Road, a terrace property situated within Moor Row. PROPOSAL This application seeks Planning Permission to change the use from a bakery including sales on the ground floor and a flat on the first floor to a 4-bedroom house. The works only involve internal alterations to change the shop area into a living room and the storeroom into a bedroom. No external alterations are proposed to facilitate the single use as a dwelling. RELEVANT PLANNING APPLICATION HISTORY Planning Permission has previously been granted for:	

- The change of use into two flats (ref: 4/94/0028/0);
- The change of use of ground floor to general store with bakery (ref: 4/10/2476/0F1).

CONSULTATION RESPONSES

Egremont Town Council

No comments received.

Highway Authority

Standing Advice.

Lead Local Flood Authority

Standing Advice.

Public Representation

The application has been advertised by way of neighbour notification letters issued to 2 no. properties - No objections have been received as a result of this consultation.

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 – Strategic Development Strategy

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

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

Policy DM22 – Accessible Developments

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

Cumbria Development Design Guide

Emerging Copeland Local Plan (ELP):

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

The key issues raised by this proposal are the principle of development and the potential impacts on amenity and highway conditions.

Principle of Development

Policies ST2, DM13 and the NPPF seek to encourage new residential within sustainable locations.

Policy ST2 designates Moor Row as one of Copeland's Local Centres whereby small scale development is appropriate within the settlement boundary. As a result, the proposed location is considered to provide a suitable and sustainable location for the change of use. The building is located within a row of existing terraced residential properties and prior to its conversion to a bakery was previously used as a single dwelling.

On this basis, the principle of housing within the street and in this particular building is already established.

Impacts on Amenity

Policy DM10 seeks to promote high quality designs and Policy DM13 permits the conversion of non-residential buildings to provide new residential accommodation within settlement limits providing the standard of achievable accommodation is appropriate and adequate parking and amenity space can be secured.

The proposal is modest in scale and as there are no external alterations proposed. It is not considered that the proposal will cause any significant amenity issues for adjoining neighbours. The kitchen and bathroom will remain as existing and the only proposed internal alterations include changing the shop area into the living room and the store room into a bedroom. This will ensure that the character of the building is preserved.

In addition, the rear yard will provide outdoor amenity space and this is considered to be appropriate to meet the needs of the property and it reflects the form and character of the amenity space associated with the surrounding residential properties.

On this basis, the proposal is considered to satisfy Policies DM10, DM13 and the NPPF guidance.

Highway Conditions

DM22 seeks to ensure developments to be accessible to all users and encourages innovative

	<p>approaches to manage vehicular access and parking.</p> <p>Due to the nature of the terraced street, the property does not benefit from any off-street parking and relies on Scalegill Road's existing on-street parking arrangement. Given the previous residential use and the existing commercial use of the property, it is not considered that the proposal will have a material effect on existing highway conditions.</p> <p>On this basis, the proposal is considered to satisfy Policy DM22 and the Cumbria Development Design Guide.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The change of use from a bakery on the ground floor and a flat on the first floor into a 4-bedroom house is considered to be an appropriate use within Moor Row which is listed as a Local Centre under Policy ST2 of the Local Plan.</p> <p>The property was originally a 4-bedroom dwelling before the change of use of the ground floor to a bakery in 2010 and therefore the principle of housing is acceptable. In addition, the proposal would not have any detrimental impacts on the amenities of the adjoining residential properties or the existing highway conditions.</p> <p>Overall, this is considered to be 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.	<p>Conditions:</p> <ol style="list-style-type: none"> <p>The development hereby permitted must commence before the expiration of three years from the date of this permission.</p> <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> <p>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: -</p> <p>Location Plan, scale 1:1250, received 2nd February 2022; Block Plan, scale 1:500, received 2nd February 2022; Existing Floor Plan, received 15th March 2022; Proposed Floor Plan, received 15th March 2022.</p>

	<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>Informative</p> <p>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.</p> <p>Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority</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. Unsworth	Date : 16/03/2022
Authorising Officer: N.J. Hayhurst	Date : 18/03/2022
Dedicated responses to:- N/A	