



## COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

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| 1. | Reference No:                     | 4/22/2115/OF1  |            |
| 2. | Proposed Development:             | REMOVAL OF TIMBER PERGOLA AND CONSTRUCTION OF TIMBER FRAMED AND TIMBER CLAD FLAT ROOFED EXTENSION (RETROSPECTIVE)  |            |
| 3. | Location:                         | CALDER HOUSE HOTEL, THE BANKS, SEASCALE  |            |
| 4. | Parish:                           | Seascale   |            |
| 5. | Constraints:                      | ASC;Adverts - ASC;Adverts,<br>Safeguard Zone - Safeguard Zone,<br>Coal - Off Coalfield - Data Subject To Change,<br>Key Species - Potential areas for Natterjack Toads,<br>DEPZ Zone - DEPZ Zone,<br>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 Calder House Hotel, which is located within the residential area known as The Banks. The existing Hotel is located within the south west of Seascale.  |            |
|    | Relevant Planning History         |  |            |
|    |                                   | 4/14/2422/OF1 – Replacement rear porch, extension to owner accommodation and decking area –  |            |

Approved.

### **Proposal**

This application seeks retrospective planning permission for the construction of a timber framed extension, to provide additional customer facilities for the hotel. In order to accommodate this extension the previously sited timber pergola has been removed.

The extension projects from the gable of the existing hotel by 13.75m and extends along this elevation by 4.2m. The extension benefits from a flat roof with an overall height of 3.25m. The extension also include a small covered porch to the rear measuring 1.5m x 2.25m, with a roof to match the main extension. The development is finished with grey timber clad, a mineral felt roof, UPVC windows and timber doors.

### **Consultation Responses**

#### Seascale Parish Council

No objection subject to meeting all building regulations regarding the above mentioned retrospective planning application.

#### Cumbria County Council – Cumbria Highways & LLFA

Cumbria County Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) has reviewed the above planning reference and I 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.

#### United Utilities

No comments received.

#### Natural England

No comments.

#### Cumbria County Council – Footpaths Officer

No comments received.

#### Copeland Borough Council – Environmental Health

No comments received.

#### Resilience Unit

There are no objections to the proposed works.

However it should be noted that the location of the property is situated within an area outside the

site which, in liaison with Sellafield Ltd and the Office for Nuclear Regulation, special arrangements are made for residents/business premises, this area is referred to as the Detailed Emergency Planning Zone (DEPZ). As a direct result particular attention is paid to ensuring that people are aware of the appropriate action to take in the event of an incident at the Sellafield site.

#### Public Representation

This application has been advertised by way of a site notice, and neighbour notification letters issued to ten 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 ER6 – Location of Employment

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 ENV3 – Biodiversity and Geodiversity

ENV5 – Protecting and Enhancing the Borough's Landscapes

#### Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM11 – Sustainable Development Standards

Policy DM12 – Standards of New Residential Developments

Policy DM22 – Accessible Developments

DM25 – Protecting Nature Conservation Sites, Habitats and Species

DM26 – Landscaping

## **Other Material Planning Considerations**

National Planning Policy Framework (2021)

Wildlife and Countryside Act 1981.

Cumbria Development Design Guide

### Emerging Copeland Local Plan (ELP):

The emerging Copeland Local Plan 2017-2035 has recently been the subject of a Publication Draft Consultation. The Publication Draft Consultation builds upon the previously completed Issues and Options and Preferred Options consultations. Given the stage of preparation of the Copeland Local Plan 2017-2035 some weight can be attached to policies within the Publication Draft where no objections have been received. The Publication Draft 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 main issues raised by this application relate to the principle of the development; growth of the existing business; impact of the development; ecology; and impact on highway safety.

### Principle of Development

Policies ST1, ST2 and ER6 of the Copeland Local Plan concentrate development within the defined settlement boundaries in accordance with the Borough's settlement hierarchy. The site lies within Seascale, which is identified as one of the Borough's Local Centres, where the emphasis is on retaining existing businesses and providing opportunities for expansion of tourism facilities. As such the principle of development is considered to be acceptable.

### Growth of Existing Business

Policy ST1, ST2, and ER6 of the Copeland Local Plan seek to facilitate growth of the Borough's local economy. Policy ER7 seeks to promote the diversification of the Borough's economy by expanding new and existing employment sectors, and by supporting the development of commercial units, which meet the needs of business, encourage start up and promote further expansion in order to retain enterprise, jobs and skills within the Borough. The NPPF also states that planning decisions should help create the conditions in which businesses can invest, expand and adapt.

This application seeks to enhance existing facilities for customers within this business which is located within Seascale. On this basis it is considered that the proposal complies with the policies ST1, ST2, ER6 and ER7 of the Copeland Local Plan and 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 proposed extension is located to the north west gable of the existing hotel. Due to the sloping nature of the land and the existing change in levels between the front and rear of the site, only a small section of the development can be viewed from the highway to the front of the application site. The development is subservient to the main hotel building, is relatively small in scale, and is designed with a flat roof to minimise the impact of the development upon the surrounding area.

The development is not considered to impact on adjacent properties as it is set away from the boundaries of the site and there are no side facing windows.

No comments have been received from the Council's Environmental Health department who have been consulted on this application.

Although the development can be viewed from the adjacent footpath, and the land to the rear of the hotel, the design of the development ensures this ties in with the existing hotel. Furthermore, whilst the development is timber clad this has been painted grey to match the main building again ensuring the character of the site is not impacted.

On the basis of the above it is considered that the proposal complies with ST1 and DM12 of the Local Plan and section 12 of the NPPF.

#### Ecology

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.

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.

Natural England have also been consulted and have offered no comments on the application.

It is therefore considered that the development complies with policies ST1, ENV3 and DM25 of the Copeland Local Plan and NPPF.

#### Impact on 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. Section 9 of the NPPF promotes sustainable transport. Paragraph 102 states that transport issue

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|    | <p>should be considered from the earliest stages of development proposals, so that the potential impacts of development on transport networks can be assessed, opportunities to promote walking, cycling and public transport are identified and pursued, environmental impact of traffic can be identified, and patterns of movement, street and parking are integral to design of schemes, and contribute to making high quality places.</p> <p>Although the extension is located to the side/rear of the existing hotel, the development has not impacted on the existing access or parking within the site. Cumbria Highways have therefore confirmed that they have no objection to the development as the extension is not considered to have an adverse impact on existing highway conditions. As the parking within the site is retained and the development will not produce the need for additional parking, the development is considered to be consistent with parking standards set out within the Cumbria Development Design Guide.</p> <p>On the basis of the above it is considered that the proposal complies with ST1 and DM22 of the Local Plan and section 9 of the NPPF.</p> <p><u>Planning Balance and Conclusions</u></p> <p>This application seeks permission to extend a well-established business within the south of the Borough. The proposal will support the growth of this business and will provide additional customer facilities within the existing hotel.</p> <p>Due to existing ground levels the development has limited impacts from the front of the site. Although the development is visible from the rear of the site and adjacent footpaths the development has been designed to minimise the impact on the surrounding area and is constructed from materials to reflect the character of the existing prominent hotel. The development is therefore not considered to impact on the overall area or neighbouring properties as the development is seen in the context of the existing site.</p> <p>The proposal is not considered to have any adverse ecology impacts as the site is not likely to contain natterjack toads. The development does not alter the existing car parking or access to the site therefore does not impact on highway safety.</p> <p>On balance the positive benefits that would result from this proposal outweigh any potential harm and the proposal represents a sustainable form of development which complies with the Policies set out in the Copeland Local Plan and the guidance within the NPPF.</p> |
| 8. | <p><b>Recommendation:</b><br/>Approve</p>  |
| 9. | <p><b>Conditions:</b></p> <p><u>Standard Conditions</u></p> <ol style="list-style-type: none"> <li>1. This permission relates to the following plans and documents as received on the respective</li> </ol>  |

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|   | <p>dates and development shall be carried out in accordance with them:-</p> <ul style="list-style-type: none"> <li>- Location and Block Plan, Scale 1:500 &amp; 1:1250, Drg No: 2207-01, received by the Local Planning Authority on the 8<sup>th</sup> March 2022.</li> <li>- Proposed Floor Plan, Scale 1:100, Drg No: 2207-02, received by the Local Planning Authority on the 8<sup>th</sup> March 2022.</li> <li>- Proposed Elevations, Scale 1:100, Drg No: 2207-03, received by the Local Planning Authority on the 8<sup>th</sup> March 2022.</li> <li>- Design and Access Statement, received by the Local Planning Authority on the 8<sup>th</sup> March 2022.</li> </ul> <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><b>Informative:</b></p> <p>The applicant should liaise with the CCC Resilience Office via <a href="mailto:emergency.planning@cumbria.gov.uk">emergency.planning@cumbria.gov.uk</a> to allow for further discussion to ensure the applicant and their trades people/contractors are aware of the appropriate information and actions to take should there be an incident at the Sellafeld site.</p> <p><b>Statement:</b></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> |
| <b>Case Officer:</b> C. Burns             | <b>Date :</b> 26.04.2022   |
| <b>Authorising Officer:</b> N.J. Hayhurst | <b>Date :</b> 28.04.2022   |
| <b>Dedicated responses to:-</b> N/A       |  |