



COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/22/2389/OF1	
2.	Proposed Development:	CHANGE OF USE OF EXISTING BOARDING HOUSE TO FORM APART-HOTEL (USE CLASS C1), INCLUDING ASSOCIATED INTERNAL WORKS, NEW VEHICLE EXIT FROM THE SITE; AND CREATION OF PARKING AREAS TO REAR	
3.	Location:	GRINDAL HOUSE, MAIN STREET, ST BEES	
4.	Parish:	St. Bees	
5.	Constraints:	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Flood Area - Flood Zone 2, Listed Building - Listed Building, Coal - Standing Advice - Data Subject To Change, Outer Consultation Zone - Sellafield 10KM	
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 a large detached building, known as Grindal House, located within the centre of St Bees. The building is a Grade II Listed and lies within the centre of the St Bees Conservation Area. The front boundary sandstone wall for this site is also Grade II Listed in its own right.		
	The site fronts onto the B5345, the main road through the village, and lies opposite to the St Bees		

railway station and associated car park. The site is bounded to the north and east by land associated with St Bees School and to the south by existing residential properties.

The application site was formally used as accommodation for St Bees Secondary School and comprises of dormitory accommodation and classrooms. This use ceased with the closure of St Bees School in 2015. Whilst the main school site has reopened this property together with other properties detached from the school campus have remained vacant.

The site is currently accessed from the south of the site directly from the B5345.

Relevant Planning History

4/12/2217/OF1 – Change of use of part school building into hair & beauty salon – Approved

4/12/2218/OL1 – Listed building consent for internal alterations to part of school to form hair & beauty salon – Approved

4/12/2171/OF1 – Listed building consent for re-roofing & replacement windows – Approved

4/21/2486/OF1 – Change of use of ground floor of building from ancillary senior school accommodation to a children's day nursery, including new vehicle exit from the site, and creation of parking area to rear – Approved

4/21/2487/OL1 – Listed building consent for works associated with the change of use of ground floor from ancillary senior school accommodation to a children's day nursery, including new vehicle exit from the site, creation of parking areas to rear, and new door between rooms G1.07 & G1.09 – Approved

Proposal

This application seeks planning permission to change of use of the existing boarding house to form an apart-hotel (use class C1).

The proposal seeks to operate the building in the same way as a hotel, however the layout will be in apartment form. The use of the site will mainly be aimed at and to cater for Sellafield contractor workers, however the hotel will also take other guests, either business or leisure, with rooms having no minimum length of stay and operated with a nightly rate. The proposal will create 17 apartments. These will be a mix of single room apartments, which will benefit from an open plan bedroom/living/work/kitchen area with an ensuite bathroom, and two bedroom apartments, which benefit from an open plan living/kitchen/dining area, a bathroom, and two double bedrooms, one with an ensuite bathroom. The proposal will include eleven one bedroom apartments, and six two bedroom apartments accommodated within the ground, first, second floors and the attic of the building.

The lower ground floor will accommodate a gym, pool room, a lounge, a drying room, cinema room, workshop, stores, a lobby, a breakfast room, and a kitchen. A library will also be accommodated

within the ground floor of the building. The site will have a drinks licence for residents to cover the proposed recreation areas and the hotel rooms. The breakfast area/dining room will be open to hotel residents only.

The proposal will introduce a number of full and part time jobs, with the equivalent of 6 full time jobs to be created covering kitchen and housekeeping duties. There will also be two 'live in' members of staff who will occupy one of the apartments and will oversee the general running of the hotel, including reception duties, etc.

The application also seeks permission for internal works to the site including the installation of a lift, and the removal/insertion of new walls.

The application also seeks planning permission for the creation of a new vehicle exit from the site, as approved under the previous planning permission at this site (ref: 4/21/2486/0F1 and 4/21/2487/0L1). The existing access is located to the south of the site and currently acts as the single entrance and exit for the property. As part of this application the existing access will be improved by widening the access to 6m by relocating one of the existing gate posts. A 4m road will be constructed around the perimeter of the building leading to the proposed new exit to the site located to the north of the building within an existing stone wall. This exit point will be 6.1m wide and will provide visibility splays of 2.4m x 4m to the south of the site and 2.4m x 56m to the north. This north visibility splay will be created by reducing the height of the existing sandstone wall to 1.05m from ground level and relocating and height reduction to one of the existing gate posts. As part of the new access point, a 6m stretch of the proposed access road into the application site will be made level with the adjacent highway to improve visibility. The existing access will therefore form the 'in' to the site with the new access point to the north of the site acting as the 'out'. The Grade II Listed wall fronting the site will remain unaltered.

A 25-space car park will also be created to the rear of the application site, separated into eleven spaces to the south of the building, including one disabled space, eleven spaces to the north, and three to the east. This plan also shows the retention of the existing tree to the south of the application site.

This application is being considered alongside a Listed Building Consent application for the same works, reference 4/22/2387/0L1.

Consultation Responses

St Bees Parish Council

28th October 2022

Grindal House is a large building in a prominent location in the village. It has been empty for some considerable time and the building is deteriorating and has been subject to vandalism. The Parish Council has no objections to either of the applications and would be pleased to see the building

brought back into use.

29th November 2022

No objections.

Cumbria County Council – Cumbria Highways & LLFA

24th October 2022

Cumbria County Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) has reviewed the above planning reference and our findings are detailed below. The documents submitted to the Local Planning Authority are welcomed by the LHA and LLFA. The LHA and LLFA are content to see the resubmission of the one-way system around the building and the wall at the exit is to be reduced in height giving improved visibility to the west towards the railway crossing, these details were requested by the LHA on previous applications for this site. Therefore, I can confirm that we have no objections to the proposal, subject to the inclusion of conditions relating to visibility splays, access road, access gates, access drive, parking/turning, and construction traffic management plan.

22nd November 2022

Previous comments should still apply.

United Utilities

No comments received.

Copeland Borough Council – Environmental Health

24th November 2022

I have no objections to this proposal from an Environmental Health perspective.

I would comment as follows:

- Contaminated Land – a desk top study of the area shows there to be a historical coal yard, approximately 50 metre to the north west of the site (over the railway crossing). This is not adjoined to Grindal House and should not affect any redevelopment. However, in the context of its proximity to the site, you may wish to include a condition relating to possible contaminated soil being encountered during any works:

Reporting of Unexpected Contamination – In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. A suitable investigation and risk

assessment will then be agreed upon by the Council and the developer and where remediation is necessary a remediation scheme must be prepared and submitted to and approved in writing by the Local Planning Authority.

- Advice – it is noted that the rooms of the apartment hotel are self-contained, with basic cooking facilities provided. There is, however, a small kitchen and various storage rooms and a laundry, that are provided at the rear of the lower ground floor extension. It is likely that some form of cooking extraction / ventilation is provided at these points, together with external refrigeration condenser units. The area given over to this usage is not large and I would presume that these facilities are limited in their scale. I would therefore not require an acoustic survey for the noise effects of any proposed plant and equipment. However, any external cooking and laundry extract ducting should be appropriately baffled to prevent excessive fan noise, and the kitchen cooking range have appropriate system of odour control, such as activated carbon filters etc, suitable to its cooking load. Any external condenser units should be sited as far away from the nearest noise-sensitive property as possible and / or be appropriately screened to mitigate noise transmission.

Copeland Borough Council – Conservation Officer

20th October 2022

Conclusion: Request further information and design revision

Assessment:

The proposal to give the building a viable new use is welcomed. I have summarised my thoughts to the main groupings of proposals, and where alternatives or additional information are necessary I've highlighted in yellow. Some sections are repeated, so I've summarised at the end.

- The details of the revised entryway are the same as those recently approved under 4/21/2487/0L1 and 4/21/2486/0F1. They are therefore supportable.
- The site layout is generally the same as that previously approved, with the exception of additional car parking.
 - The car parking on the west side of the building (nos. 21-25) constitutes less-than-substantial harm to the building's setting. Additionally, it is less-than-substantial harm to the character and appearance of the conservation area.
 - This will effectively convert part of the adjoining field into car parking.
 - If additional parking is needed, it would be preferable to explore other options. I appreciate this is earmarked for a laundry and storerooms, but would removing part of the single storey extension to the rear, which makes a negative impact on the building and conservation area, be an alternative way of accommodating the extra spaces?
 - Alternatives positions for bays 21-25 should be prioritised..
- Internally, at basement level it is proposed to remove the partition walls creating the showers

for use as a pool room, and to reorder the WC in the centre plan to create a lift shaft and new staircase.

- This will evidently be one of the more major alterations.
 - I note that two existing staircases are to be blocked. This entails some harm, but the change is reversible due to the use of studwork, and I would view this as justified as the documentation shows their treads are deflected and they are not safe for large numbers of guests to regularly use.
 - Justification for the lift should be more detailed. Is it an essential or only a desirable feature?
- On the ground floor, I note that a staircase indicated as being blocked off at basement level is shown as removed altogether. The design and heritage statement refers to it being blocked off.
 - Clarification is needed on this, and justification if removing.
- The spaces to the north-west side of the ground floor are shown as being converted into a two-bed apartment. This is likely to represent a negligible level of harm.
 - A fireplace is shown as being blocked up. Clarification on the value of this feature, if any, should be supplied in the heritage statement along with justification.
- The housemaster's study is to be substantially modified by the insertion of the lift shaft and lobbies for the apartment in the north corner of the floor.
 - Justification for lift needed.
- Some reordering of partition walls is proposed at the south-east side of the ground floor. I would anticipate a negligible level of harm here.
- On the first floor, reordering of partition walls is proposed. I anticipate this to have a negligible impact on the building's significance.
- The lift will be continued through this floor, in the location of a storeroom.
 - Justification for lift needed.
- On the second floor and attic, changes include minimal reordering of partition walls and the additional of the lift shaft.
 - Justification for lift needed.

Summary:

The reuse of this building is welcomed. The use as an apart hotel appears well suited, considering it was built as a hotel.

The proposals to the building itself are generally quite light touch, however there are a couple of areas in which alternatives would be preferable if they could be found, or where justification could be addressed more fully in the design, access and heritage statement.

- It would be preferable to omit or relocate parking bays 21-25, so alternative options should be considered.
- More detail on the fireplace being blocked in apartment 1 should be supplied as I'm not able

to estimate its contribution to the building's significance.

- Clarification should be provided on the extent of the staircase at the north corner being removed between basement and ground floor level.
- Additional justification should be supplied for the insertion of the lift as this is a major intervention.

17th November 2022

Conclusion: No objection

Assessment:

In my previous consultation response, I raised for following four main points:

- It would be preferable to omit or relocate parking bays 21-25, so alternative options should be considered.
 - A revised site plan with bays 23-25 relocated has been provided.
 - Although bays 21 and 22 will remain where they are, this does much to avoid the visible spread of parking onto the adjoining field.
- More detail on the fireplace being blocked in apartment 1 should be supplied as I'm not able to estimate its contribution to the building's significance.
 - A photo has been provided showing the blocked-up fireplace on the plan is a shelf alcove. This possibly was a fireplace at one time, however as it makes little or no contribution to the building's significance, I have no objection to it being infilled.
- Clarification should be provided on the extent of the staircase at the north corner being removed between basement and ground floor level.
 - The removal will extend to the upper section of handrail, which can be retained in the boxed-in void that is being created. The staircase will sit underneath/behind and could in theory be reinstated in future.
 - I request that the removed section of handrail be safely stowed in the void in case it is needed in future.
- Additional justification should be supplied for the insertion of the lift as this is a major intervention.
 - More detailed justification has been provided, showing the need for the lift and that its impact will be minimal given the benefits in terms of accessibility.

Historic England

7th October 2022

Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

We suggest that you seek the views of your specialist conservation and archaeological advisers. You

may also find it helpful to refer to our published advice at <https://historicengland.org.uk/advice/find/>

17th November 2022

On the basis of this information, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

National Amenities Society

No comments received.

Cumbria County Council – Historic Environments Officer

5th October 2022

I defer to any forthcoming comments that your conservation officer may make regarding the acceptability of the scheme.

Network Rail

5th October 2022

Network Rail has reviewed the above application and we are placing a holding objection on this application.

- (1) The proposed vehicle entry/exit plan is not acceptable to Network Rail and
- (2) the wall height reducing works require Network Rail Asset Protection involvement.

This proposal will require full agreement for layout and works from Network Rail to ensure the proposal does not impact the safe operation of the railway and the level crossing.

At this stage, the applicant MUST submit the attached form to AssetProtectionLNWNorth@networkrail.co.uk and enter into a basic asset protection agreement.

15th November 2022

Network rail have met on site with the Outside Party to discuss the attached proposed vehicle access/egress plan.

Network rail now understand that this has been thoroughly reviewed/accepted by Cumbria Highways with all other alternatives that were in our minds discounted within that process.

So having discussed with our level crossing colleagues we can now advise that our Holding Objection can be removed with the following conditions:

- Discussions concerning any additional highway signage take place with Network Rail via Asset Protection.
- A BAPA is entered into for Network Rail Asset Protection involvement in the undertaking of

the visibility splay wall height reducing works and highway works, in line with NRSWA given this is within 200m of a Level Crossing.

18th November 2022

Same as 15th November 2022.

Public Representation

This application has been advertised by way of a site notice, press notice, and neighbour notification letters issued to eleven 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 – 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 ER10 – Renaissance through Tourism

Policy SS4 – Community and Cultural Facilities

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

Policy T1 – Improving Accessibility and Transport

Policy ENV1 – Flood Risk and Risk Management

Policy ENV4 – Heritage Assets

Development Management Policies (DMP)

Policy DM9 – Visitor Accommodation

Policy DM10 – Achieving Quality of Place

Policy DM22 – Accessible Developments

Policy DM21 – Protecting Community Facilities

Policy DM22 – Accessible Developments

Policy DM24 – Development Proposals and Flood Risk

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)

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.

Strategic Policy DS1PU: Presumption in favour of Sustainable Development

Strategic Policy DS2PU: Reducing the impacts of development on Climate Change

Strategic Policy DS3PU: Settlement Hierarchy Strategic

Policy DS4PU: Settlement Boundaries

Strategic Policy E1PU: Economic Growth

Strategic Policy E2PU: Location of Employment

Strategic Policy R1PU: Vitality and Viability of Town Centres and villages within the Hierarchy

Strategic Policy R2PU: Hierarchy of Town Centres

Policy R9PU: Non-Retail Development in Town Centres

Strategic Policy T1PU: Tourism Development

Policy SC5PU: Community and Cultural Facilities

Strategic Policy BE1PU: Heritage Assets

Policy BE2PU: Designated Heritage Assets

Policy BE3PU: Archaeology

Policy BE4PU: Non- Designated Heritage Assets

Strategic Policy CO4PU: Sustainable Travel

Policy CO7PU: Parking Standards and Electric Vehicle Charging Infrastructure

Assessment

The main issues raised by this application are the principle of development; suitability of the use for the building as a new tourism facility; design and impact on neighbouring properties; access, parking and highway safety; impact on heritage assets; and flood risk and drainage.

Principle of Development

Policy ST1, ST2 and ER6 of the Copeland Local Plan seeks to concentrate development within the defined settlement boundaries in accordance with the Borough's settlement hierarchy. The application site lies within the designated settlement boundary for St Bees, which is identified as a Local Centre in Policy ST2 of the Copeland Local Plan. This policy seeks to retain employment within Local Centres, and states that new provision for tourism will most likely be provided through conversion/re-use of existing buildings or completion of sites which are already allocated.

The proposed development would utilise an existing vacant dilapidated building within the centre of St Bees for a new apart-hotel, therefore the principle for developing this site for a tourism accommodation is considered to be acceptable.

Creation of New Tourism Facility

Policy ST1, ST2, and ER6 of the Copeland Local Plan seek to facilitate growth of the Borough's local economy. The NPPF states that planning policies and decisions should help to create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. Paragraph 83 adds that planning policies and decisions should recognise and address the specific locational requirements of different sectors.

Policy ST1, ER10, DM8 and DM9 of the Copeland Local Plan seeks 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. The NPPF also states that planning policies and decision should enable the sustainable growth and expansion of all types of businesses in rural area both through conversion of existing and well-designed new buildings, and sustainable rural tourism developments which respect the character of the countryside.

The proposal will create 17 apartments which will be operated in the same way as a hotel. The use of the site will mainly be aimed at Sellafield contract workers, however the hotel will also take other guests. The reuse of this existing building within the centre of St Bees will comply with Policy DM8 and will help build the capacity to accommodate and attract additional visitors to the Borough. Due to the lack of external alterations and the number of rooms provided the development is also considered to be of a scale and character appropriate for this location ensuring the development complies with Policy DM9.

Concerns were originally raised with regard to the proposed use of the site, as the submitted planning statement indicated that the use would be restricted to Sellafield workers only. Following discussions with the agent it has been established that whilst the main market is Sellafield workers the site will also be open to other tourists. The planning statement has been updated to reflect the proposed use of the site. The description of the application has also been updated to ensure the change of use falls under C1 use. This will also be controlled by an appropriately worded planning condition.

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

Design & Impact on Neighbouring Properties

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 property has historically been used as accommodation for St Bees Secondary School and comprises of dormitory accommodation and classrooms. There will be no external works to the main building and only internal alteration to accommodate the change of use.

As part of the development a new exit to the site will be formed, which was approved under the previous permissions at this site to change the use of the building to a nursery reference ref: 4/21/2486/0F1 and 4/21/2487/0L1. This alteration will provide a one-way system around the building, however this new access point is located away from neighbouring dwelling so is not considered to adversely impact on amenity. Although the proposal will reinstate the use of the existing access which lies directly adjacent to residential properties, the historic use of the building would have also used this access as both the exit and entrance point for the school building thereby impacting on residential properties. The fall-back position of the current use and the movements associated with the existing access is therefore a material consideration when determining this

application.

Whilst there may be some impacts on residents in terms of comings and goings from the site, these will be reduced by limiting the existing access as an entrance only. Appropriately worded planning conditions will be included within the decision notice for this application to secure and retain this one-way system.

Although there may be some impacts the proposed change of use will allow a new tourism facility to be created within the centre of one of the Borough's Local Service Centres and will ensure this prominent building has a viable use. In order to limit the impacts of this development during the construction phase a condition will be included to require the submission of a construction management plan.

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.

Access, Parking and Highway Safety

Policies ST1 and T2 of the Copeland Local Plan seeks to ensure developments accommodate traffic and access arrangements in ways that make it safe and convenient for pedestrians and cyclists to move around. Policy DM22 of the Copeland Local Plan requires developments to be accessible to all users and to meet adopted standards, which reflect the needs of the Borough in its rural context. Section 9 of the NPPF requires that planning applications ensure that a safe and suitable access to the site can be achieved for all users.

The application site is located within the centre of St Bees which is one of the Borough's Local Centres. The application reflects the proposed access arrangements and access road which have previously been approved under applications 4/21/2486/0F1 and 4/21/2487/0L1, following extensive discussions with the Highway Authority. As well as the new access additional parking spaces will also be created within the rear portion of the site, providing 25 spaces for occupants of the building. These parking spaces are considered to provide adequate onsite parking provision for staff and users of the hotel.

The site is also considered to be located within a sustainable location meaning less reliance on cars and therefore the need for parking. Cumbria Highways have therefore offered no objections to the proposal, subject to the inclusion of conditions relating to visibility splays, the access road, access gates, access drive, parking/turning, and construction traffic management plans.

On the basis of the above and based on the inclusion of appropriately worded planning conditions to secure the construction and retention of the proposed access and visibility splay, the proposal is considered to be compliant with the Policy DM22 of the Copeland Local Plan and Section 9 of 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 listing 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).

As part of the previous approvals at this site to change the use of the property to a nursery and for the creation of a new access point, extensive discussions were undertaken with the Council's Conservation Officer. These discussions led to a number of alterations to the proposed site access, which also had to meet the requirements of the Highway Authority. Following these amendments the Conservation Officer offered no objections to the new access arrangements at this site, which has been reflected within his latest comments for this current application.

As part of the Council's Conservation Officer's initial response, he confirmed that the reuse of this building is welcomed, and the proposed use is well suited as the site was originally built as a hotel. The Officer further stated that whilst the proposed works to the building itself are a light-touch, additional justification was requested for a number of the internal works, including the installation of the lift, removal of staircases and blocking up fires. It was also requested that a number of parking

bays were either relocated or omitted to limit the projection of the development into the adjacent field.

Following these concerns amended plans were submitted to relocate four parking spaces to the rear/east of the site, and additional justification was provided for the internal works. Based on these details the Conservation Officer has confirmed that he has no objections to the development, subject to the inclusion of a condition to store the staircase handrail in case it is needed in future. This condition will only be attached to the Listed Building Consent decision notice as it relates specifically to internal works.

The proposed change of use and associated works therefore provide a viable use for this heritage asset located within a prominent position within the Conservation Area and will ensure the vacant building is reused securing its long-term future. Based on the amendments to the scheme, although there will be some impacts on the heritage asset due to the creation of a new access, the works have been designed to protect and conserve the historic site whilst ensuring the site has a viable use and is served by a safe access arrangement. On the basis of the above it is considered that the proposal complies with policies of the Copeland Local Plan and the NPPF.

Flood Risk and Drainage

Policy ST1B(ii) and paragraph 163 of the NPPF seek to focus development on sites that are at least risk of flooding and where development in flood risk is unavoidable, ensure that the risk is minimised or mitigated through appropriate design. Policy ENV1 and DM24 of the Copeland Local Plan reinforces the focus of protecting development against flood risk.

The majority of the application site is located within Flood Zone 1, however a small section to the north of the application site is located within Flood Zone 2. This area will accommodate part of the proposed new access road around the building. Based on this the agent has submitted a FRA to support the application. The Lead Local Flood Authority and United Utilities have been consulted on this application. The LLFA have offered no objections to the proposal and UU have not submitted any comments. The agent has also confirmed that the drainage for the site will be as existing, and the proposed new access road and parking will utilise permeable surfacing materials and benefit from a new ACO channel connected into a stone filled verge to avoid any need for surface water collection. A condition will be included to ensure that the surface water drainage is carried out in accordance with this detail to secure proper drainage within the site and will manage the risk of flooding and pollution, ensuring that the development complies with Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013 – 2028 and the provisions of the NPPF.

Planning Balance & Conclusion

The application seeks planning permission to convert an existing vacant dilapidated building located within the centre of one of the Council's Local Service Centres to new tourist accommodation facility. Although there are no major internal or external alterations proposed to the building to

	<p>accommodate a change of use a new access and one way system is proposed within the site, which will reflect those approved within previous applications at this site. The new access point is located away from residential properties and, although the use of the existing access will be reinstated as part of the development, impacts on existing residential properties will be reduced by limiting the existing access as an entrance only.</p> <p>Based on additional justification for the proposed internal works and the relocation of a small number of parking spaces the Council's Conservation Officer has offered no objections to the proposal.</p> <p>On balance, whilst some conflicts are identified in terms of the impact on the character of the village and heritage asset, these are not considered sufficiently harmful to significantly and demonstrably outweigh the identified benefits of the development, which would include the retention and enhancement of a local facility and the reuse of a Listed vacant dilapidated building within a prominent location within the Conservation Area, when assessed against the policies in the NPPF taken as a whole.</p>
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 must be carried out in accordance with them:- <ul style="list-style-type: none"> - Location Plan, Scale 1:1250, received by the Local Planning Authority on the 26th September 2022. - Existing Site Plan, Scale 1:250, Drawing No: 2213.07, received by the Local Planning Authority on the 26th September 2022.

- Block Layout Plan as Proposed (Amended), Scale 1:250, Drawing No: 2131-200-PL, Revision H, received by the Local Planning Authority on the 12th December 2022.
- Existing Lower Floor Plan, Scale 1:100, Drawing No: 22.13/01a, received by the Local Planning Authority on the 26th September 2022.
- Existing Ground & First Floor Plan, Scale 1:100, Drawing No: 22.13/02a, received by the Local Planning Authority on the 26th September 2022.
- Existing Second Floor & Roof Space, Scale 1:100, Drawing No: 22.13/03a, received by the Local Planning Authority on the 26th September 2022.
- Proposed Lower Ground Floor Plan, Scale 1:100, Drawing No: 22.13/04a, received by the Local Planning Authority on the 26th September 2022.
- Proposed Ground Floor & First Floors, Scale 1:100, Drawing No: 22.13/05a, received by the Local Planning Authority on the 26th September 2022.
- Proposed Second Floor & Attic, Scale 1:100, Drawing No: 22.13/06a, received by the Local Planning Authority on the 26th September 2022.
- Site Access as Existing & Proposed, Scale 1:200, Drawing Number: 2131-EX-101, Rev A, received by the Local Planning Authority on the 26th September 2022.
- Planning Statement – Response to Conservation Officer Comments, received by the Local Planning Authority on the 31st October 2022.
- Planning Statement (Amended), Rev D 11/12/22, received by the Local Planning Authority on the 12th December 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.

Pre-Commencement Conditions:

3. The new access and access road hereby approved must be constructed in accordance with the approved plan 'Block Layout Plan as Proposed (Amended), Scale 1:250, Drawing No: 2131-200-PL, Revision H, received by the Local Planning Authority on the 12th December 2022', and must be brought into use before work on the development commences.

Reason

To ensure that the proposed new access road is constructed within a reasonable timescale, in the interests of highway safety (and general amenity) in accordance with Policy T1 and DM22 of the Copeland Local Plan.

4. Development must not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The CTMP must include details of:

- retained areas for vehicle parking, manoeuvring, loading and unloading for their specific purpose during the development;
- cleaning of site entrances and the adjacent public highway;
- details of proposed wheel washing facilities;
- the sheeting of all HGVs taking spoil to/from the site to prevent spillage or deposit of any materials on the highway;
- construction vehicle routing;
- the management of junctions to and crossings of the public highway and other public rights of way/footway;
- Details of any proposed temporary access points (vehicular / pedestrian)
- surface water management details during the construction phase
- specific measures to manage and limit the impact on the school, including working hours, any special measures to accommodate pedestrians

Deliveries and movement of equipment on the road network surrounding the site must not take place during school muster times in the interests of road safety.

The development must be carried out in accordance with these approved details at all times thereafter.

Reason

To ensure the undertaking of the development does not adversely impact upon the fabric or operation of the local highway network and in the interests of highway and pedestrian safety in accordance with Policy T1 and DM22 of the Copeland Local Plan.

Prior to Operation Conditions:

5. The development hereby approved must not become operational until the new access, access road and parking have been completed in accordance with the approved plan 'Block Layout Plan as Proposed (Amended), Scale 1:250, Drawing No: 2131-200-PL, Revision H, received by the Local Planning Authority on the 12th December 2022'. The access, access road, and parking must be retained in accordance with these approved details at all times thereafter.

Reason

In the interests of highway safety in accordance with Policy T1 and DM22 of the Copeland

Local Plan.

6. The development must not become operational until visibility splays providing clear visibility of 56 metres to the west and 4 metres to the east measured 2.4 metres down the centre of the 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. 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 grow within the visibility splay which obstruct the visibility splays. The visibility splays must be constructed before general development of the site commences so that construction traffic is safeguarded.

Reason

In the interests of highway safety in accordance with Policy T1 and DM22 of the Copeland Local Plan.

7. The development hereby approved must not become operational until the front sandstone boundary wall to the north of the site has been reduced in height in accordance with the details set out in the following approved documents:

- Block Layout Plan as Proposed (Amended), Scale 1:250, Drawing No: 2131-200-PL, Revision H, received by the Local Planning Authority on the 12th December 2022.
- Planning Statement (Amended), Rev D 11/12/22, received by the Local Planning Authority on the 12th December 2022.

The boundary wall should be retained in accordance with these details at all times thereafter.

Reason

In the interests of highway safety in accordance with Policy T1 and DM22 of the Copeland Local Plan, and in the interest of protecting the heritage asset in accordance with Policies ENV4 and DM27 of the Copeland Local Plan.

8. The surface water drainage for the development hereby approved, must be carried out in accordance with the following approved documents:

- Block Layout Plan as Proposed (Amended), Scale 1:250, Drawing No: 2131-200-PL, Revision H, received by the Local Planning Authority on the 12th December 2022.

- Planning Statement (Amended), Rev D 11/12/22, received by the Local Planning Authority on the 12th December 2022.

The development hereby approved must not become operational until the drainage scheme has been completed in accordance with these approved details and must be retained thereafter for the lifetime of the development.

Reason

To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

Other Conditions:

9. The access road and one-way system hereby approved must only be operated in accordance with the details outline within the approved documents:

- Block Layout Plan as Proposed (Amended), Scale 1:250, Drawing No: 2131-200-PL, Revision H, received by the Local Planning Authority on the 12th December 2022.
- Planning Statement (Amended), Rev D 11/12/22, received by the Local Planning Authority on the 12th December 2022.

The one-way system must not be altered without the approval of the Local Planning Authority and must be retained at all times.

Reason

In the interests of highway safety in accordance with Policy T1 and DM22 of the Copeland Local Plan.

10. Access gates, if provided, shall be hung to open inwards only away from the highway.

Reason

In the interests of highway safety in accordance with Policy T1 and DM22 of the Copeland Local Plan.

11. The gradient of the access drive (exit) must be no steeper than 10% for a distance not less than 5m as measured from the carriageway edge of the adjacent highway.

Reason

In the interests of highway safety in accordance with Policy T1 and DM22 of the Copeland Local Plan.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), and the Use Classes Order 1987 (or any equivalent Order following the amendment, revocation and re-enactment thereof) the units of accommodation within the premises hereby approved must only be used as serviced accommodation within Use Class C1 and at no time used as residential dwellinghouses within Use Class C3. The units must not be occupied by any one individual, family or group for a period exceeding eight weeks in any three month period. The owner/occupier must maintain an up-to-date register of the names of all occupier of the units of accommodation and their home address, and must make this register available to the Local Planning Authority within 14 days of receipt of a written request.

Reason

The units are configured such that they do not provide the standard of residential amenity required for permanent occupation.

13. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. A suitable investigation and risk assessment will then be agreed upon by the Council and the developer and where remediation is necessary a remediation scheme must be prepared and submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure the protection of controlled waters from potential land contamination.

Informative:

1. Any works within or near the Highway must be authorised by Cumbria County Council and no works shall be permitted or carried out on any part of the Highway including Verges, until you are in receipt of an appropriate permit (I.E Section 184 Agreement) allowing such works. Enquires should be made to Cumbria County Councils Street Work's team - streetworks.central@cumbria.gov.uk

2. Please be advised that the Highway outside and or adjacent to the proposal must be kept clear and accessible at all times.
3. Discussions concerning any additional highway signage take place with Network Rail via Asset Protection.
4. A BAPA must be entered into for Network Rail Asset Protection involvement in the undertaking of the visibility splay wall height reducing works and highway works, in line with NRSWA given this is within 200m of a Level Crossing.
5. The installation of any external cooking extraction/ventilations systems or flues may require planning permission and listed building consent, therefore the applicant should discuss this with the Local Planning Authority prior to their use within the site.
6. 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.

Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

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 : 12.12.2022

Authorising Officer: N.J. Hayhurst

Date : 15.12.2022

Dedicated responses to:- N/A