

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/22/2476/OF1
2.	Proposed Development:	SINGLE STOREY REAR EXTENSIONS TO PUBLIC HOUSE
3.	Location:	KEEKLE INN, 33 KEEKLE TERRACE, CLEATOR MOOR
4.	Parish:	Weddicar
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - 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 <p>This application relates to the Keekle Inn, a public house located within Keekle Terrace close to Cleator Moor. The pub has terraced housing to the north and south, the B5295 located to the east and open fields to the west.</p> <p>Parking for the Keekle Inn is available on the opposite side of the B5295 road.</p> PROPOSAL <p>Planning Permission is sought for a rear extension to the public house to create an extended fridge, store and cellar and a further seating area. The rear extension will replace the existing detached shed and will extend into the existing beer garden.</p> <p>The fridge, store and cellar will extend 10m from the rear of the building and will be 2.66m in width. The additional seating area will extend 3.46m and will be 5.63m in width. The extension has been</p>	

designed with a flat roof extending to an overall height of 2.55m. The materials will match the existing building and will be faced with wet dashed render. There will be a small patio area and paved path surrounding the extension and steps leading to the remaining beer garden.

RELEVANT PLANNING APPLICATION HISTORY

Ground floor kitchen extension, approved in May 2000 (application reference 4/00/0241/1 relates.

CONSULTATION RESPONSES

Weddicar Parish Council

No response received.

Cumbria Highways

It is considered that the proposal will not have a material effect on existing highway conditions. I can therefore confirm that the Highway Authority has no objection to the proposal.

Environmental Health

No EH objections to this application.

The applicant should ensure that any external refrigeration / condenser plant unit is located or screened in such a manner to avoid noise disturbance to neighbours.

For information, the Keekle Inn has a premises licence with the Councils Licensing Team that regulates use of the rear beer garden in the evenings to avoid noise nuisance.

I am advised by colleagues in Licensing that a premises licence variation may be required should this planning application be approved.

Public Representation

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

There have been no responses received as a result of 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 SS4 – Community and Cultural Facilities

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place
Policy DM21 – Protecting Community Facilities
Policy DM22 – Accessible Developments

Other Material Planning Considerations

National Planning Policy Framework 2021 (NPPF)
Planning Practice Guidance (PPG)
Cumbria Development Design Guide

Emerging Copeland Local Plan (ELP).

The emerging Copeland Local Plan 2017-2038 comprising the Publication Draft (January 2022) and Addendum (July 2022) have recently been submitted for examination by the Planning Inspector.

As set out at Paragraph 48 of the National Planning Policy Framework (NPPF), Local Planning Authorities may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan; the extent to which objections to relevant policies have been resolved; and the degree to which emerging policies are consistent with the NPPF.

Given the stage of preparation of the emerging Copeland Local Plan 2017-2038 some weight can be attached to policies where no objections have been received or objections have been resolved. The Publication Draft (January 2022) and Addendum (July 2022) 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 NPPF.

The policies relevant to this proposal are:

Strategic Policy DS1PU: Presumption in favour of Sustainable Development
Strategic Policy DS3PU: Settlement Hierarchy
Policy DS6PU: Design and Development Standards
Strategic Policy E1PU: Economic Growth
Policy SC5PU: Community and Cultural Facilities
Policy CO7PU: Parking Standards and Electric Vehicle Charging Infrastructure

ASSESSMENT

Principle of development

The Policies in the Core Strategy and Development Management Policies DPD are a material consideration when determining planning applications and carry significant weight in the decision

making process. The emerging local plan is currently undergoing examination, therefore some weight can be given to the policies it contains in the decision making process.

The Borough's Strategic Development Principles are set out in Policy ST1 of the CS and DS1PU of the ELP which seek to support access for everyone to community facilities. Policy ST2 of the CS and DS3PU identify Keekle as outside any identified settlement boundary, therefore the emphasis is on the retention of existing services provision that support the local communities. Policy SS4 of the CS and SC5PU of the ELP seek to enhance existing community facilities in order to meet the demand created by new development. Policy DM10 of the CS and DS6PU seek to achieve a high standard of design whilst Policies DM22 of the CS and CO7PU of the ELP ensure that developments are accessible for all.

The Keekle Inn is an established business which has been trading successfully for a number of years. The proposal seeks to improve and enhance the business, providing extra seating for the pub, especially for food covers. The extension to provide a store, fridge and cellar will also support the expansion of the business and allow for a more permanent solution than the existing detached shed building. Overall, the extensions will allow the improvement in the appearance of the rear of the property and ensure the longevity of the business.

On this basis the principle of development is considered to be acceptable.

Impacts on Visual and Residential Amenity

The extension will project to the rear of the building within the existing beer garden. At present, there are high boundaries on either side protecting the view from the neighbouring properties. Due to the open fields at the rear, the extensions will not be seen from any public viewpoints.

Whilst the store, cellar and fridge extension will be sizeable, projecting 10m from the rear of the pub, it has been designed with a low roof height and will not be visually prominent for the neighbouring dwellings. It has been designed to be modern, but reflective of the existing building and will be faced with wet dashed render to match.

Furthermore, the extension will replace part of the existing beer garden. This is considered to be betterment as the beer garden is likely to create more noise. Environmental Health raised no objections to the proposal but commented that any external refrigeration system should be screened to avoid noise nuisance for the neighbouring properties. It is considered reasonable to secure this by use of a planning condition to ensure protection of the amenity of the occupiers of surrounding dwellings.

The extension to the seating area is also considered to be betterment – replacing outdoor seating with indoor space. Whilst the bi-fold doors can be opened during better weather, the enclosed space will still contain more noise than the existing outdoor seating. No objections have been raised from neighbouring properties.

The proposal is therefore considered to be acceptable and unlikely to create any visual or residential amenity issues.

	<p><u>Access and Parking Provision</u></p> <p>Access to the pub and parking provision on the opposite side of the road will remain as existing. The car park can accommodate upwards of 30 cars and therefore provides ample space for users of the pub. There are no alterations proposed to this provision and it is considered to be more than suitable for the pub and its extension. Cumbria Highways raised no objections to the proposal and considered there was unlikely to be a material change to the existing highway conditions.</p> <p><u>Planning Balance and Conclusion</u></p> <p>On balance, whilst the extension is significantly sized, it will enhance a well used existing community facility. The overall height has been kept to a minimum and it will complement the existing building due to the use of matching materials. A condition can be added to any approval to ensure that there is no noise disturbance from external fridges, should these be installed. The details submitted are considered to comply with the Policies of the adopted Local Plan which seek to retain and permit extensions to existing community facilities and ensure their longevity to service the surrounding communities.</p> <p>There have been no objections received to the proposal.</p> <p>This proposal is considered to be a sustainable form of development and complies with the policies set out in the Copeland Local Plan and emerging local plan.</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 shall be commenced 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>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: -</p> <p>Application form, received 8th December 2022; Proposed plans and elevations, scale 1:100, drawing number 2A, received 8th December 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>3. Prior to their installation any external fridge unit must be clad in a soundproof material or otherwise housed in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. Development must be carried out in accordance with the approved details and maintained as such at all times thereafter.</p> <p>Reason</p> <p>In order to ensure there is no affect on the amenity of the neighbouring properties and in accordance with Policy ST1 of the Copeland Local Plan.</p> <p>Informatives</p> <p>1) 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>2) The proposed works require a revised premises license. This must be applied for and approved prior to the first use of the extensions hereby approved.</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: Sarah Papaleo	Date : 01/02/2023
Authorising Officer: N.J. Hayhurst	Date : 02/02/2023
Dedicated responses to:- N/A	

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