

## COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/22/2479/OF1
2.	<b>Proposed Development:</b>	CHANGE OF USE FROM F2 (LOCAL COMMUNITY USE) TO MIXED USE WITH F2 & C3 (TO CREATE ONE DWELLING) INCLUDING ENCLOSING A COVERED AREA & INCORPORATING INTO BUILDING ON GROUND FLOOR & AN EXTENSION TO THE FIRST FLOOR
3.	<b>Location:</b>	MORESBY SPORTS AND SOCIAL CLUB, SCHOOL BROW, MORESBY PARKS
4.	<b>Parish:</b>	Moresby
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	<b>Publicity Representations &amp; Policy</b>	Neighbour Notification Letter: YES  Site Notice: YES  Press Notice: NO  Consultation Responses: See report  Relevant Planning Policies: See report
7.	<b>Report:</b>  <b>SITE AND LOCATION</b>  <p>This application relates to the Moresby Sports and Social Club, situated on School Brow in Moresby Parks. The building has a primary school to the west, open fields to the north and residential development to the east and south.</p> <p>The building is currently privately owned and utilized for health and fitness classes. The site is accessed directly from School Brow.</p> <b>PROPOSAL</b>  <p>Planning Permission is sought for the change of use and extension of the building to allow for a mixed use of F2 (Local Community) and C3 (dwellinghouse).</p> <p>The proposal includes the loss of 50 square metres of floor space for community use to create a 4</p>	

bedroomed dwelling for the business owner to live in.

The ground floor will include public toilets, a function room with kitchen, two store rooms and a snooker room with private kitchen, study, store, living room and two bedrooms. The first floor will have a large activity room and kitchenette with a private master bedroom and dressing room, 4<sup>th</sup> bedroom and ensuite on the first floor.

The extension will raise the existing roof by 1.5m for a section extending to 7 metres.

The following external alterations are proposed:

- Front elevation – No alterations.
- Rear elevation – Removal of above eye level window on 1<sup>st</sup> floor, addition of feature window and bi-fold doors.
- East elevation – addition of 6 roof lights, addition of 3 ground floor windows, change of siting and shape of 2 ground floor windows and removal of ramped access.
- West elevation – Addition of 9 solar panels to roof, addition of 2 roof lights and 2 windows on first floor, changing one window to a door and the addition of a feature window.

Externally, a decked area and glass balustrade will be added to the rear at an overall height of 0.8m.

Parking will remain as existing with 10 off street parking spaces available.

#### **RELEVANT PLANNING APPLICATION HISTORY**

Change of use from former sports and social club to a fitness studio and space for private function hire, approved in January 2016 (application reference 4/15/2479/0F1 relates);

Replacement of 13 existing UPVC double glazed windows with 13 new UPVC double glazed windows and replacement of one single wooden entrance door, approved in October 2018 (application reference 4/18/2363/0F1 relates).

#### **CONSULTATION RESPONSES**

##### Moresby Parish Council

No response received.

##### Cumbria Highways

No objections as it is considered that there is unlikely to be a material effect on the highways conditions.

##### Local Lead Flood Authority

No objections as it is considered that there is unlikely to be an increase in flood risk on the site or elsewhere.

### Public Representation

The application has been advertised by way of a site notice and neighbour notification letters issued to 9 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 SS2 – Sustainable Housing Growth

Policy SS4 – Community and Cultural Facilities

#### Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM11 – Sustainable Development Standards

Policy DM12 – Standards for New Residential Developments

Policy DM22 – Accessible Developments

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 DS2PU - Reducing the impacts of development on Climate Change

Strategic Policy DS3PU: Settlement Hierarchy

Policy DS6PU: Design and Development Standards

Strategic Policy H1PU - Improving the Housing Offer

Strategic Policy H2PU - Housing Requirement

Strategic Policy H3PU - Housing delivery

Strategic Policy H4PU - Distribution of Housing

Strategic Policy H5PU - Housing Allocations

Policy H6PU - New Housing Development

Policy H7PU - Housing Density and Mix Strategic

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 Borough's Strategic Development Principles are set out in Policy ST1 of the CS and DS1PU of the ELP where the general thrust is to support access for everyone to community facilities and housing to support the needs of the Borough. Policy ST2 of the CS and DS3PU identify Moresby Parks as a Local Centre, therefore allowing housing development within the physical limits of the settlement boundary and the conversion or re-use of buildings for employment use. Policy SS4 of the CS and SC5PU of the ELP seek to enhance the existing community facilities in order to meet the demand created by new development.

The Moresby Sports and Social Club was privately bought and has been utilized for private health classes including yoga, mindfulness and pilates. The proposal seeks to improve and enhance the business, reducing the available space for community use by around 50 square metres, but allowing the business owner to live on site and utilize the building to its entirety. The principle of residential development is supported in Moresby Parks in policy terms and the extension will provide a suitable home for the owner whilst supporting the longevity of the business within the building.

Whilst the two uses complement each other for the owner of the building, it is possible that issues could be created should the dwelling be sold or let separately to the business, or vice versa. It is

therefore considered to be acceptable to attach a condition to any approval that the two uses be tied to ensure that the building remains as a single planning unit. The Applicant's Agent has confirmed that this would be an acceptable condition during the application process.

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

#### Design and impacts on Residential Amenity

Policy DM10 of the CS and DS6PU of the ELP seek to achieve a high standard of design.

The extension to the building is relatively modest, requiring that 7m of roof space be increased by 1.5m in height. This allows for the room in the roof to be utilized and provide a second story for the residential property. This modest increase is unlikely to create any adverse effects for the surrounding properties in relation to overshadowing or loss of sunlight.

The separation distances stipulated within Policy DM12 of the Copeland Local Plan have been adhered to with no separation distances between facing elevations of habitable rooms being less than 21 metres. Whilst the proposal will add windows to the first floor elevation facing west and towards the school, it is considered that this will not be a material change from the existing situation and will not draw the building any closer to the Primary School. On the ground floor, there are suitable boundary treatments to mitigate any overlooking issues.

Externally, a small decked area with glass balustrade is proposed to the rear. This is unlikely to create any overlooking issues due to the modest height of 0.8m which will allow the deck to be at a similar height as the ground floor level.

The materials to be used will match the existing property with rendered block walls and a reconstituted slate roof. The windows and doors will be UPVC. These are considered to be acceptable and will allow the extension to be cohesive with the existing building.

In order to ensure that the design of the building is retained, it is considered prudent to remove permitted development rights. This allows the Council some control as to any future alterations to the dwelling in the interests of protecting residential amenity.

Overall, it is considered that the proposal forms an acceptable design and is unlikely to impact on the amenity of the adjacent occupiers or the primary school to the west.

#### Access and Parking Provision

Policies DM22 of the CS and CO7PU of the ELP ensure that developments are accessible for all.

Access to the building will remain as existing with the retention of the 10 off street parking spaces available. There are no alterations proposed to this provision and it is considered to be more than suitable for the community use and dwelling together. Cumbria Highways raised no objections to the proposal and considered there was unlikely to be a material change to the existing highway conditions.

#### Planning Balance and Conclusion

On balance, whilst the change of use will alter the character of the building slightly, the live/work use to be created for the owner will enhance a well used existing community facility and ensure its

	<p>longevity for the local area.</p> <p>The overall height has been kept modest and it will complement the existing building due to the use of matching materials. 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. Furthermore, the Local Centre of Moresby Parks is supported for residential development within the Copeland Local Plan and the utilization of an existing building is encouraged.</p> <p>There have been no objections received to the proposal from the neighbouring dwellings or adjacent primary school</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><b>Recommendation:</b></p> <p>Approve (commence within 3 years)</p>
9.	<p><b>Conditions:</b></p> <ol style="list-style-type: none"> <li> <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> </li> <li> <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 13<sup>th</sup> December 2022;  Site Location Plan, scale 1:500, drawing number 22-FSK-39-01, received 13<sup>th</sup> December 2022;  Proposed Ground Floor Plan, scale 1:50, drawing number 22-FSK-39-03, received 13<sup>th</sup> December 2022;  Existing and proposed First Floor Plans, scale 1:50, drawing number 22-FSK-39-04, received 13<sup>th</sup> December 2022;  Proposed Elevations, scale 1:50, drawing number 22-FSK-39-06, received 13<sup>th</sup> December 2022;  Existing and proposed sections, scale 1:50, drawing number 22-FSK-39-07, received 13<sup>th</sup> December 2022.</p> <p>Reason</p> </li> </ol>

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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking or re-enacting that Order with or without modification) no external alterations, including replacement windows, doors or skylights and roof coverings, or painting or rendering shall be carried out to the converted building, nor will any building, enclosure, extension, porch, domestic fuel container, pool or hardstanding be constructed within the curtilage without the prior written consent of the Local Planning Authority.

**Reason**

To safeguard the traditional appearance of the building in the interests of visual amenity and in accordance with Policy DM10 of the Copeland Local Plan.

4. The dwelling hereby approved must not be let, sold or otherwise used separately from the Moresby Sports and Social Club at any times during the lifetime of the development.

**Reason**

To ensure that unacceptable noise and amenity issues are not created for local residents and in accordance with Policy ST1 of the Copeland Local Plan.

**Informative**

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](http://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.

<b>Case Officer: Sarah Papaleo</b>	<b>Date : 06/02/2023</b>
<b>Authorising Officer: N.J. Hayhurst</b>	<b>Date : 07/02/2023</b>
<b>Dedicated responses to:- N/A</b>	