

## COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/23/2007/OF1
2.	<b>Proposed Development:</b>	CHANGE OF USE TO AN OFFICE
3.	<b>Location:</b>	27 MARKET PLACE, EGREMONT
4.	<b>Parish:</b>	Egremont
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Coal - Off Coalfield - Data Subject To Change, Outer Consultation Zone - Sellafield 10KM
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>  This application relates to the 27 Market Place, which is located in a prominent location within the centre of the Egremont Conservation Area.  <b>PROPOSAL</b>  Planning Permission is sought for the change of use of the existing shop and residential dwelling into one commercial property for financial advice. This includes a financial advice shop and an office for admin staff and financial advisers to advise clients on their financial, pension, mortgage and protection needs.	

The internal changes will include the conversion of the bedrooms and storeroom into 4 offices and the living room into a reception.

The application is accompanied by the following:

- Site Location Plan;
- Site Plan;
- Existing and Proposed Floor Plans;
- Supporting Statement setting out the proposed use.

The proposed opening times include Monday to Friday 09.00-17.00 and the occasional Saturday 09.00-16.00. No Sundays or Bank Holidays are proposed.

No external alterations to the building are proposed as part of this application. These are to be submitted as a different application following pre-application advice from the Conservation and Design Officer.

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

There have been several previous planning applications at the property:

- CHANGE OF USE FROM BAKERY TO COFFEE SHOP (ref: 4/09/2479/0);
- CHANGE OF USE FROM SWEET SHOP TO TAXI BOOKING OFFICE (ref: 4/10/2447/0F1);
- REPLACEMENT OF SHOP DOOR, SHOP FRONT (INCLUDING SIDE PANELS AND FACIA BOARDING), SIDE DOOR & FLAT DOOR; AND REPAIR OF FLAT WINDOWS (ref: 4/18/2368/0F1).

#### **CONSULTATION RESPONSES**

##### Egremont Town Council

No objections as long as the regulations regarding the conservation area are adhered to.

##### Highway Authority

No objections.

##### Lead Local Flood Authority

No objections.

##### Conservation Officer

No objections.

##### Public Representation

The application has been advertised by way of site notice and neighbour notification letters issued to

3 properties – No comments have been received.

## **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 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 ENV4 – Heritage Assets

#### Development Management Policies (DMP)

Policy DM6A – Managing Non-Retail Development in Town Centres

Policy DM10 – Achieving Quality of Place

Policy DM22 – Accessible Developments

Policy DM27 – Built Heritage and Archaeology

#### 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. The Examination commenced at the end of January 2023 and is scheduled to close in early March 2023.

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 following policies are relevant to this proposal:

Policy DS1PU – Presumption in favour of Sustainable Development

Policy DS6PU – Design and Development Standards

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

Strategic Policy R4PU – The Key Service Centres

Policy R9PU – Non-Retail Development in Town Centres

Strategic Policy BE1PU – Heritage Assets

Policy BE2PU – Designated Heritage Assets

### **Other Material Planning Considerations**

National Planning Policy Framework (NPPF)

Cumbria Development Design Guide

Conservation Area Design Guide SPD December 2017 (CADG)

Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA)

### **ASSESSMENT**

The key issues raised by this proposal are the principle of the change of use, its scale and design, the potential impacts of residential amenity, highway safety and the adjacent conservation area.

#### Principle of the change of use

Policy ST2 supports moderate levels of development within Egremont to contribute to the regeneration of the town centre. Policy ER7 reflects Egremont's role as a Key Service Centre within the Borough which seeks to protect and enhance the services and facilities and Policy ER9 encourages service sector provision within the defined boundaries.

Given the location of the site within the centre of one of the Borough's Key Service Centres, in principle, the Local Planning Authority support the use of the site for a commercial business of this nature.

The Local Planning Authority is also supportive of the retention of the shop front located within the ground floor of the property in accordance with Policy DM6A which seeks to protect vitality of town centres through the retention of the shop frontage.

On this basis, the principle of the development is therefore considered to be acceptable and the change of use satisfies Policies ST2, ER7, ER9 and DM6A of the Local Plan and the NPPF guidance.

#### Scale and Design

Policy ST1 and section 12 of the NPPF seek to promote high quality designs. Policy DM10 and seek to

ensure developments are of an appropriate scale and design which is appropriate to their surroundings and do not adversely affect the amenities of adjacent dwellings.

The proposed commercial use for financial advice is considered to be a suitable use of the currently vacant building.

In addition, the scale of business is considered to be appropriate in terms of the building size and location. The main opening times will be between 09.00 and 17.00 Monday to Friday with the occasional Saturday 09.00 to 16.00. These are considered to be acceptable opening times and they can be secured by the use of a planning condition.

On this basis, the proposed change of use is considered to be of a suitable scale and design in accordance with Policy DM10 of the Copeland Local Plan.

#### Residential Amenity

Policy ST1, Policy DM10 and section 12 of the NPPF seek to safeguard good levels of residential amenity of the parent property or adjacent dwellings.

Given the town centre location, it is not expected that the proposed use will result in harmful amenity issues. The current use is a shop and therefore the use as a commercial property for financial advice is unlikely to cause nuisance or noise issues and therefore it will maintain reasonable standards of general amenity within the area.

On this basis, the proposal is considered to meet the requirements from Policy DM10 of the Copeland Local Plan and the NPPF guidance.

#### Highway Impacts

Policy DM22 requires developments to be accessible to all users and encourages innovative approaches to manage vehicular access and parking to avoid vehicles dominating the street scene.

The site is located within close proximity to a number of parking facilities within the town and other sustainable transport links.

The Highway Authority confirmed that, due to the property's town centre location and existing use, it is considered that the proposal will be unlikely to have a material effect on existing highway conditions.

It appears there is no parking allocated to this building on or off street and therefore the Highway Authority advised it should be noted that the surrounding streets have various parking restrictions and arrangements in place which may require a permit. Cumbria County Council no longer issue permits to new developments therefore alternative parking will be the responsibility of the occupants.

Overall, the proposal is considered to be acceptable in terms of highway impacts and satisfies Policy DM22 of the Copeland Local Plan.

#### Heritage Impacts

The site is located within Egremont Conservation Area and Policy DM27 seeks to ensure development

	<p>preserves or enhances the character and appearance of conservation areas.</p> <p>The Conservation and Design Officer confirmed the proposed change of use does not appear to entail any impact on the heritage value of the building and any works associated with the shop front will be made under a separate application.</p> <p>Overall, it is considered that the change of use meets the requirements of the Conservation Policies within the Copeland Local Plan and the adopted Conservation Design Guide and it will create less than substantial harm to the surrounding Conservation Area.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The proposal seeks to change of use of the existing shop and residential dwelling into one commercial property for financial advice.</p> <p>The application is suitably located within Egremont Town Centre and the proposed use is considered to be a compatible use for this part of the town. It will not have any significant impacts on residential amenity, highway safety or the conservation area.</p> <p>On balance, the proposal is considered to be an acceptable form of development which accords with the guidance set out in the NPPF and the adopted 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 must commence before the expiration of three years from the date of this permission.</p> <p>Reason</p> <p>To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.</p> </li> <li> <p>This permission relates to the following plans and documents as received on the respective dates and development must be carried out in accordance with them: -</p> <p>Application Form, received 10<sup>th</sup> January 2023;  Site Location Plan, scale 1:1250, received 10<sup>th</sup> January 2023;  Site Plan, received 10<sup>th</sup> January 2023;  Existing Floor Plans, received 10<sup>th</sup> January 2023;  Proposed Floor Plans, received 10<sup>th</sup> January 2023;  Supporting Statement of the Proposed Use, received 10<sup>th</sup> January 2023.</p> </li> </ol>

	<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. The hours of opening shall be restricted to Mondays to Friday 09.00 to 17:00 and Saturday 09:00 to 16:00 and not at all on Sundays or Bank Holidays.</p> <p>Reason</p> <p>In the interest of neighbouring amenity in accordance with Policy DM10 of the Copeland Local Plan.</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>	
<p><b>Case Officer: C. Unsworth</b></p>	<p><b>Date : 06/03/2023</b></p>	
<p><b>Authorising Officer: N.J. Hayhurst</b></p>	<p><b>Date : 06/03/2023</b></p>	
<p><b>Dedicated responses to:- N/A</b></p>		