

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/23/2027/OF1
2.	Proposed Development:	PRIOR APPROVAL FOR CHANGE OF USE FROM A SANDWICH TAKEAWAY TO A RESIDENTIAL DWELLING
3.	Location:	113 MAIN STREET, DISTINGTON
4.	Parish:	Distington
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change, Outer Consultation Zone - Cycliffe 3KM
6.	Publicity Representations &Policy	Neighbour Notification Letter: YES Site Notice: NO Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report:	<p>PROPOSAL</p> <p>This application provides notice for prior approval for the change of use of a sandwich shop/takeaway to a single dwelling at 113 Main Street, Distington. The site was previously known as The Bate Box and forms part of a terrace made up of other residential properties.</p> <p>The building does not require any structural alterations, however the internals will be altered to provide a living room, kitchen, bedroom and bathroom on the ground floor. A single, obscure glazed window will be added to the side of the dwelling to light the bedroom. Parking and amenity space have not been specified by the Applicant.</p> <p>CONSULTATION RESPONSES</p> <p><u>Distington Parish Council</u></p>

No objections.

Cumbria County Highways

Although there is no parking provided for the application site, the use of a dwelling will have a much lower traffic volume travelling to and from the building. I can therefore confirm the Local Highway Authority have no objections to this proposal.

It should be noted that Cumbria County Council do not issue on-street parking permits to new developments therefore parking for the dwelling will be the responsibility of the occupant or developer.

Emergency Planning Officer

This response from Cumbria County Council Resilience Unit relates to emergency planning arrangements in the unlikely event of an incident occurring at Cyclife UK Ltd.

The Cyclife UK Ltd site is currently covered by the provision of the Radiation (Emergency Preparedness and Public Information) Regulations 2019. However, it has been established that there is no emergency planning zone required for this site.

Public Representation

The application has been advertised by way of neighbour notification letters issued to 3 no. properties.

No responses have been received as a result of these advertisements.

ASSESSMENT

The proposal is for the conversion of an existing sandwich shop takeaway (Use Class E) for use as a residential dwelling (Use Class C). Under Class MA of the General Permitted Development Rights 2015, this development can be completed under Permitted Development provided that the works meet a number of criteria and the Local Planning Authority receive a Prior Approval application.

On the basis of the information submitted, I am of the opinion that the proposal meets the criteria for conversion under Class MA. In relation to this site:

- The building has been vacant for at least 3 months immediately prior to application (The Bate Box closed in June 2022);
- The building was used as a shop for a continuous period of at least 2 years;
- The cumulative floor space does not exceed 1500 square metres;
- The building has no statutory designation, nor is it within the curtilage of one or designated area;

	<ul style="list-style-type: none"> • There is no agricultural tenancy; • There are no known contamination risks on the site; • The site is within flood zone 1 therefore does not pose a flood risk; • There are no noise concerns associated with the development; • Natural light has been provided to all habitable rooms; • The increase in cars accessing and egressing the site is acceptable and there is suitable parking. <p>In my opinion, the proposal meets the above criteria. Whilst there is no off street parking proposed – the Highway Authority raised no objections to the proposal as there is likely to be a material decrease in cars visiting the site as a result of the proposal. There is no amenity space shown on the plan, however there is a yard to the rear of the property which is typical of this type of terraced dwelling. The building has previously been used as a dwelling and is surrounded by residential properties, therefore the proposal will fit in with the surrounding area.</p> <p>There will be no noise impacts in relation to anything outside and the building has not been used for anything that would likely lead to contamination. The property is within the lowest category flood zone, and the location/siting is considered appropriate for a change of use.</p> <p>On the basis of the above, no objections are raised to the application and planning permission is not considered to be required as the proposal meets the criteria for prior notification approval.</p>
8.	<p>Recommendation: Prior Approval Not Required</p>
9.	<p>Conditions and reasons:</p> <ol style="list-style-type: none"> 1. It is a requirement of condition MA.2(5) of the GPDO that the Development under Class MA is permitted subject to the condition that it must be completed within a period of 3 years starting with the prior approval date. 2. It is a requirement of condition W.12 of the GPDO that the development must be carried out in accordance with the information that the developer provided to the Local Planning Authority, unless the Local planning authority and the developer agree otherwise in writing. For the avoidance of doubt, the details reviewed by the Local Planning Authority are as follows: <ul style="list-style-type: none"> - Site Location Plan, scale 1:200, received 26th January 2023; - Proposed Drawings, received 26th January 2023. <p>Reason</p> <p>To ensure that all works are properly implemented and retained.</p>

	Informative A separate planning application is required for all external alterations to the building. External alterations do not form part of the prior approval application.
Case Officer: Sarah Papaleo	Date : 21/03/2023
Authorising Officer: N.J. Hayhurst	Date : 23/03/2023
Dedicated responses to:- N/A	