

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/23/2077/0F1
2.	<b>Proposed Development:</b>	CHANGE OF USE FROM DOMESTIC DWELLING WITH BED AND BREAKFAST TO DOMESTIC DWELLING AND HOLIDAY LET
3.	<b>Location:</b>	LITTLEBECK WARREN, 3 HAYESCASTLE ROAD, DISTINGTON
4.	<b>Parish:</b>	Distington
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Flood Area - Flood Zone 2, Coal - Standing Advice - Data Subject To Change
6.	<b>Publicity Representations &amp;Policy</b>	Neighbour Notification Letter: YES  Site Notice: NO  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 a semi-detached dwelling known as Littlebeck Warren. The property is a large two storey dwelling within a residential area of Distington. It is surrounded on all sides by the curtilages of other residential dwellings and fronts onto Hayescastle Road. This is a cul-de-sac road, leading to 8 residential properties and a farm.</p> <p>The property is currently in use partly as a guest house/B&amp;B and partly as a residential property.</p>	

## **PROPOSAL**

Planning Permission is sought for the change of use of the property to be a holiday let and dwelling.

No external alterations are proposed and the building will provide a permanent dwelling for the owner.

## **RELEVANT PLANNING APPLICATION HISTORY**

Conversion of one dwelling to 3 no. dwellings with new access arrangement to front and rear, approved in May 2008, application reference 4/08/2082/0 relates;

Change of use from private house to private house with bed and breakfast (5 guest rooms), approved in September 2011, application reference 4/11/2369/0F1 relates.

## **CONSULTATION RESPONSES**

### Distington Parish Council

Distington Parish Council has no objection to the above proposal.

### Highways and Local Lead Flood Authority

Cumbria County Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) has reviewed the above planning reference and I can confirm that we have no objection to the proposed development as it is considered that it will not have a material effect on existing highway conditions nor will it increase the flood risk on the site or elsewhere.

### Flood and Coastal Defence Engineer

With regards to the above Planning Application, I have no comments to make.

### Public Representation

The application has been advertised by way of neighbour notification letters issued to 6 no. properties.

No responses have been received to 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**

On 1st April 2023, Copeland Borough Council ceased to exist and was replaced by Cumberland Council as part of the Local Government Reorganisation of Cumbria.

Cumberland Council inherited the local development plan documents of each of the sovereign Councils including Copeland Borough Council, which combine to form a Consolidated Planning Policy Framework for Cumberland.

The inherited the local development plan documents continue to apply to the geographic area of their sovereign Councils only.

The Consolidated Planning Policy Framework for Cumberland comprises the Development Plan for Cumberland Council until replaced by a new Cumberland Local Plan.

### Core Strategy

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Policy ER10 – Renaissance Through Tourism

Policy ENV1 – Flood Risk and Risk Management

### Development Management Policies (DMP)

Policy DM9 – Visitor Accommodation

Policy DM10 – Achieving Quality of Place

Policy DM13 – Conversion of Buildings to Residential Use within Settlement Limits

Policy DM22 – Accessible Developments

Policy DM24 – Development Proposals and Flood Risk

### **Other Material Planning Considerations**

National Planning Policy Framework 2021 (NPPF)

### Emerging Copeland Local Plan

Cumberland Council are continuing the preparation and progression to adoption of the emerging Copeland Local Plan 2017-2038.

The emerging Copeland Local Plan 2017-2038 comprising the Publication Draft (January 2022) and Addendum (July 2022) have recently been examined by the Planning Inspector and their report on the soundness of the plan currently remains awaited.

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

Strategic Policy DS4PU: Settlement Boundaries

Policy DS6PU: Design and Development Standards

Strategic Policy T1PU: Tourism Development

Policy CO7PU: Parking Standards and Electric Vehicle Charging Infrastructure

## **ASSESSMENT**

### Principle of the change of use

The encouragement and expansion of new businesses is generally supported throughout national and local policy.

Distington is designated as a Local Centre within Policy ST2 of the CS and remains as a Local Service Centre within Policy DS3PU of the ELP where the retention and expansion of tourism is encouraged.

Policy ER10 of the CS and T1PU of the ELP seek to locate tourism accommodation where there is proven capacity for additional visitors without adverse environmental or amenity



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impacts. Policy DM9 of the CS supports proposals for visitor accommodation provided the scale and character is appropriate to the location and setting.

As the building is located within the settlement boundary for Distington and is already partly in use as a bed and breakfast, the conversion to holiday accommodation is considered to be appropriate.

The building is currently used in its entirety and without sub-division - with living accommodation for permanent use available in the northern section of the building and bedrooms and amenity space for holiday let purposes in the rest. The Applicant suggests that an application for sub-division may be made in the future.

On this basis, the proposal is considered to comply with policies ST2, ER10 and DM9 of the CS and DS3PU and T1PU of the ELP.

### Scale, Design and Impact on Neighbouring Dwellings

Policies ST1 and DM10 of the CS and DS6PU of the ELP seek to ensure that dwellings and holiday lets are of a suitable scale and layout for their purpose and also that there are no negative effects on the neighbouring amenity.

The layout of the holiday let is appropriate, with sufficient facilities available, whilst retaining private space for the permanent dwelling residents.

The use as a single holiday let is likely to be less intensive than that of a bed and breakfast, and is likely to attract single family groups as opposed to smaller groups.

The closest residential properties are Woodlands to the east (approximately 18 metres away) and Lorient to the west (approximately 16 metres away). Due to the separation distances and proposed use for accommodation, it is unlikely that any issues with neighbouring amenity will arise, and the use will not materially change from its existing use. There have been no objections to the proposal.

### Access and Parking

Policy DM22 of the CS and CO7PU of the ELP detail the minimum provision of parking that should be available for new developments. Furthermore a suitable access should be available and turning space within the site to enable access and egress in a forward gear.

The existing access to the site from Hayescastle Road will remain, with no change to the current arrangement.

The building benefits from a large double garage to the north and ample further parking is available in front of the property. Given the previous use as a bed and breakfast and

	<p>dwelling, the use as a holiday let and dwelling is unlikely to change the existing arrangements. The Highways Officer has raised no objections and does not consider that there will be a material effect on the surrounding highway network.</p> <p>Overall, due to the location of the development it is considered to be accessible and complies with Policy DM22 of the CS and CO7PU of the ELP.</p> <p><u>Planning Balance and Conclusion</u></p> <p>No objections have been received to the proposal.</p> <p>The proposal seeks to change the use of an existing bed and breakfast and dwelling to a holiday let and dwelling within the current building which is located within the settlement boundary for Distington. Current Local Plan policies and Government guidance encourage the re-use of existing buildings and tourism related uses.</p> <p>The proposed use is considered to be compatible for this part of the Distington and will not have any significant impacts on residential amenity.</p> <p>Sufficient parking is available with no changes to the existing access road.</p> <p>Overall this proposal is considered to be an acceptable form of development which accords with the policies in the adopted local plan and guidance set out within the NPPF.</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>1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.</li> </ol> <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"> <li>2. 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: -</li> </ol> <p>Application form, received 21<sup>st</sup> March 2023;  Site Location Plan, scale 1:1250, received 21<sup>st</sup> March 2023;  Site Block Plan, scale 1:500, received 21<sup>st</sup> March 2023;</p>

	<p>Planning Statement, written by Ken Thompson, dated 11<sup>th</sup> March 2023, received 21<sup>st</sup> March 2023; Floor Plan, received 23<sup>rd</sup> May 2023.</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><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>
<b>Case Officer: Sarah Papaleo</b>	<b>Date : 06/06/2023</b>
<b>Authorising Officer: N.J. Hayhurst</b>	<b>Date : 08/06/2023</b>
<b>Dedicated responses to:- N/A</b>	