



CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/23/2105/0F1
2.	Proposed Development:	CHANGE OF USE FROM BED AND BREAKFAST TO SINGLE DWELLING WITH ADDITION OF SINGLE STOREY REAR EXTENSION TO PROVIDE AN ACCESSIBLE WET ROOM
3.	Location:	1 CAMBRIDGE STREET, MILLOM
4.	Parish:	Millom
5.	Constraints:	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Coal - Off Coalfield - Data Subject To Change, Key Species - Potential areas for Natterjack Toads
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:	<p>SITE AND LOCATION</p> <p>This application relates to Cambridge House, 1 Cambridge Street, a large end of terraced property situated on the corner of Cambridge Street and Duke Street within Millom.</p> <p>The property comprises a three-storey, L-shaped late-Victorian building; with traditional brick frontage facing Cambridge Street, and rough grey render on the Duke Street elevation. It is a former Bed and Breakfast and the site benefits from rear yard which is bound by a 2-metre-high boundary wall.</p>

The site also falls within Millom Conservation Area.

PROPOSAL

Planning Permission is sought for the change of use from a Bed and Breakfast to a single dwelling with the addition of a single-storey rear extension to provide an accessible wet room.

The rear extension will project 3.5 metres and it will have a width of 3 metres. It has been designed with a flat roof and an overall height of 3 metres. It will include a blank rear elevation along the boundary and a window on the side elevation facing the yard. It will be finished in render and UPVC windows to match to existing dwelling.

The application is supported by a Planning and Heritage Statement.

RELEVANT PLANNING APPLICATION HISTORY

There is no relevant planning history at this property.

CONSULTATION RESPONSES

Millom Town Council

No objections.

Highway Authority

Standing advice.

Lead Local Flood Authority

Standing advice.

Conservation Officer

No objections.

Public Representations

The application has been advertised by way of site notice and neighbour notification letters issued to 5 no. properties - No objections have been received as a result of this consultation process.

PLANNING POLICIES

Planning law requires applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.



Cumberland Council

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.

Copeland Local Plan 2013 – 2028 (Adopted December 2013):

Core Strategy

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Policy SS1 – Improving the Housing Offer

Policy SS2 – Sustainable Housing Growth

Policy SS3 – Housing Needs, Mix and Affordability

Policy ENV4 – Heritage Assets

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

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

Policy DM22 – Accessible Developments

Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species

Policy DM27 – Built Heritage and Archaeology

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

Cumbria Development Design Guide

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

Conservation Area Design Guide

Wildlife and Countryside Act 1981

Emerging Copeland Local Plan 2021-2038 (ELP):

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 following policies are relevant to this proposal:

Policy DS1PU – Presumption in favour of Sustainable Development

Policy DS6PU – Design and Development Standards

Policy CO7PU – Parking Standards and Electric Vehicle Charging Infrastructure

Policy BE1PU – Heritage Assets

Policy BE2PU – Designated Heritage Assets

ASSESSMENT

The key issues raised by this proposal are the principle of development, its scale and design, the potential impacts on residential amenity, highway safety, the heritage assets and ecology.

Principle of Development

The proposed application relates to a Bed and Breakfast which is located within Millom settlement boundary and it will create a dwelling with a single-storey rear extension to provide an accessible ground floor bedroom and shower room. Policy DM13 supports the conversion of buildings to residential use within the settlement limits subject to detailed criteria, which are considered below.

On this basis, the principle of the development is therefore considered to be acceptable and the extension satisfies Policies ST2, SS1, DM13 and the NPPF guidance.

Scale and Design



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

Policy DM13 also supports the conversion of buildings to residential use, so long as, adequate internal space standards and exclusive use of kitchen and bathroom facilities can be achieved without extensive alterations or additions to the property; the conversion works conserve the character of the building; and adequate and appropriate external amenity space is provided.

The previous use as a Bed and Breakfast ensures adequate internal space standards and kitchen and bathroom facilities are provided. The proposed single-storey rear extension to provide an accessible ground floor bedroom and shower room is also suitable in scale and design with additional internal alterations to accommodate the family's needs.

The character of the building will be maintained, and the modest rear extension will ensure external amenity space is provided in the yard.

On this basis, the proposal is suitable in scale and design while maintaining the character of the existing property, in accordance with Policy DM10 and DM13 of the Copeland Local Plan.

Residential Amenity

Policy DM10 and DM13 seek to safeguard amenity for residents of adjacent properties.

The proposed change of use is not considered to harm neighbouring amenity and the proposed rear extension will be located within a rear yard which is bound by a 2-metre-high boundary wall.

On this basis, the proposal is considered to satisfy Policies DM10 and DM13 amenity standards.

Parking Standards and Highway Safety

Policy DM22 encourages innovative approaches to manage vehicular access and parking to avoid vehicles dominating the street scene.

Given the previous use as a Bed and Breakfast, the change of use to a single dwelling with a new accessible ground floor bedroom and bathroom is not considered to have a material impact on the highway conditions.

On this basis, the proposal is considered to satisfy Policy DM22 and the Cumbria Development Design Guide.

Heritage Assets

Policy ENV4 and DM27 seek to protect the built heritage and maximise the value. DM27 supports development proposals which protect, conserve and where possible enhance the historic and cultural architectural character of the Borough's historic sites and their settings.

The Listed Building and Conservation Areas Act sets out a clear presumption that gives considerable importance and weight to the desirability of preserving a heritage asset and its setting.

Section 72 of the LBCA requires that in considering whether to grant planning permission for development which affects a conservation area, the Local Planning Authority shall pay “special attention... to the desirability of preserving or enhancing the character of appearance” of the conservation area.

Paragraphs 189 – 208 of the NPPF in respect of heritage include a requirement that when considering the impact of development proposals on designated heritage assets such as a conservation area, great weight should be given to the conservation of the asset’s significance; however, less than significant harm should be weighed against the public benefits of a development.

The application site is located within Millom Conservation Area and the application is supported by a Heritage Statement.

The Conservation Officer noted the current structures to the rear of the property do not make a positive contribution to the character and appearance of the conservation area and appear to be of fairly neutral contribution to the significant of the building itself.

The design is not of great merit, but it will be well concealed and in keeping with the rest of the rear of the property. The proposal is not in accordance with the Conservation Area Design Guide, however in accordance with the tests set out in the LBCA and the NPPF, the impact on the conservation area appears to be neutral and therefore less weight is given to this material planning consideration.

The proposal is also justified by the advantage of providing the applicant with an accessible ground floor bedroom and shower room with the relevant access ramps.

On balance, the Conservation Officer raised no objections to the proposal and therefore it is considered to meet Policy DM27(A) and DM27(C), thereby satisfying the duties set out in the LBCA.

Ecology

Policy ST1 and DM25 and section 15 of the NPPF outline how the Council will protect and enhance the biodiversity and geodiversity within the Borough. These policies set out the approach towards managing development proposals that are likely to have an effect on nature conservation sites, habitats and protected species.

The application site is identified as a potential area for natterjack toads. The application is not supported by any ecology details as the site is not located within 200m of a watercourse (as indicated within the ALGE trigger list) and is located within the town centre. On this basis, it is considered that this is not a habitat that is likely to contain natterjack toads and so it would not be necessary to seek an ecological survey for this minor application.



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	<p>It is therefore considered that the development complies with Policies ST1 and DM25 of the Copeland Local Plan and the NPPF guidance.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The proposed application relates to a Bed and Breakfast which is located within Millom settlement boundary and it will create a single dwelling with a single-storey rear extension to provide an accessible ground floor bedroom and shower room.</p> <p>The building is suitable for conversion to residential use as the previous bed and breakfast use provides adequate internal space standards and exclusive use of kitchen and bathroom facilities, in accordance with Policy DM13.</p> <p>The proposed single-storey rear extension to provide an accessible ground floor bedroom and shower room is also suitable in scale and design.</p> <p>The proposal is not considered to harm neighbouring amenity, highway conditions. the surrounding heritage assets or ecology.</p> <p>On this basis, the proposal represents an acceptable form of development which accords with the policies set out within the adopted Local Plan and the guidance in the NPPF.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <p>1. 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> <p>2. 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 6th April 2023;</p>

Location Plan, scale 1:1250, drawing no. 22/03401/01, received 6th April 2023;
Existing Block Plan, scale 1:200, drawing no. 22/03401/01, received 6th April 2023;
Existing Ground Floor Plan, scale 1:50, drawing no. 22/03401/02, received 6th April 2023;
Existing Elevations, scale 1:100, drawing no. 22/03401/03, received 6th April 2023;
Existing Sectional Elevations, scale 1:50, drawing no. 22/03401/04, received 6th April 2023;
Existing Elevations, scale 1:50, drawing no. 22/03401/05, received 6th April 2023;
Proposed Ground Floor Plan, scale 1:50, drawing no. 22/03401/06, received 6th April 2023;
Proposed Roof Plan, scale 1:50, drawing no. 22/03401/07, received 6th April 2023;
Proposed Elevations, scale 1:50, drawing no. 22/03401/08, received 6th April 2023;
Proposed Sectional Elevations, scale 1:50, drawing no. 22/03401/09, received 6th April 2023;
Proposed Block Plan, scale 1:200, drawing no. 22/03401/10, received 6th April 2023;
Planning and Heritage Statement, received 6th April 2023.

Reason

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.

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.



**Cumberland
Council**

Case Officer: C. Unsworth	Date : 25/07/2023
Authorising Officer: N.J. Hayhurst	Date : 25/07/2023
Dedicated responses to:- N/A	