

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/23/2114/0F1
2.	Proposed Development:	CHANGE OF USE FROM DWELLING TO MIXED USE (C3 DWELLING - HOUSE OR HOLIDAY LET)
3.	Location:	HAMPTON HOUSE, 29 MAIN STREET, ST BEES
4.	Parish:	St. Bees
5.	Constraints:	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Coal - Standing Advice - Data Subject To Change, Outer Consultation Zone - Sellafield 10KM
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 Hampton House, 29 Main Street, an end of terraced property on the Main Street in St Bees. The site benefits from a large garden and an off-street parking to the rear of the dwelling. The site also falls within St Bees Conservation Area.</p>

PROPOSAL

Planning Permission is sought for the change of use from the dwelling to a mixed-use dwelling (use class C3) and holiday let (sui generis).

The property benefits from 7 bedrooms with 2 bathrooms and 1 WC. It benefits from a large garden with off-street parking to the rear.

The application is supported by a Supporting Statement setting out the property will be rented out with a target market of multi-generational holidays. It is estimated that 34 annual booking will be made for a mix of short stays (Monday to Friday or Friday to Monday) or weeklong stays.

RELEVANT PLANNING APPLICATION HISTORY

There have been no previous planning applications at this property.

CONSULTATION RESPONSES

St Bees Parish Council

No objections.

Highways and Lead Local Flood Authority

No objections.

Conservation Officer

No objections.

Public Representations

The application has been advertised by way of site notice and neighbour notification letters issued to 2 no. properties.

One letter of objection was received which raised the following comments:

- In the Copeland plan St. Bees was targeted for extra housing as it was suggested that there was a shortage in the area. If this is the case it makes no sense to take out of circulation a perfectly good family size house, in the middle of the village that has parking;
- There is perfectly good hotel, caravan park and public houses for tourists in St Bees;
- Family houses should not be granted permission to become holiday lets to then be replaced by building on green fields.



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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.

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

Core Strategy

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Policy ER10 – Renaissance through Tourism

Policy ENV4 – Heritage Assets

Development Management Policies (DMP)

Policy DM9 – Visitor Accommodation

Policy DM10 – Achieving Quality of Place

Policy DM22 – Accessible Developments

Policy DM27 – Built Heritage and Archaeology

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

Cumbria Development Design Guide

Conservation Area Design Guide

Emerging Copeland Local Plan (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:

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

Strategic Policy BE1PU - Heritage Assets

Policy BE2PU - Designated Heritage Assets

ASSESSMENT

The key issues raised by this proposal are the principle of development, the potential impacts on residential amenity, its scale, design and potential impact on the Conservation Area and highways safety.

Principle of Development

This application relates to a proposed mix-use dwelling and holiday let within the centre of St Bees.

Policies ER10 and DM9 of the Copeland Local Plan seek to encourage holiday accommodation within sustainable locations within the Borough and subject to policies protecting the environment and neighbouring amenity. Policy T1PU from the Emerging Local



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Plan also supports tourism development in line with the settlement hierarchy.

St Bees is a Local Centre where expansion of tourism developments are supported. Provision is also made for the provision of small scale growth in terms of new residential units within the ELP

On this basis, the principle of development is therefore considered to be acceptable and the extension satisfies Policies ST2, ER10 and DM9 of the Local Plan and the NPPF guidance.

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.

The application is supported by a Supporting Statement setting out the property will be rented out with a target market of multi-generational holidays. It is estimated that 34 annual booking will be made for a mix of short stays (Monday to Friday or Friday to Monday) or weeklong stays.

The property is an end of terraced property, located on the Main Street of St Bees and, given the details set out above, it is not considered that the proposal will significantly harm neighbouring amenity. A planning condition is proposed to ensure the use operates in accordance with the supporting statement.

Concerns were received regarding housing requirements within St Bees and the loss of a family home which is located in the middle of the village with parking. Whilst this concern is noted the proposal relates to a mixed use of both a dwelling and holiday let which is not considered to be unacceptable in this location. It will also have less potential impact in comparison to a permanent holiday let.

On this basis, the proposal will not have a significant impact on the residential amenity and it is considered to comply with Policy DM10 and the NPPF guidance.

Scale and Design and the Impact on the Conservation Area

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

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 proposed change of use does not include any alterations to the existing property and the proposal use is considered to be suitable in scale in relation to the size of the property.

The Conservation Officer raised no objections to the proposal as the change of use would not entail any impact on the character and appearance of the conservation area, or on the significance of the non-designated heritage asset itself, or on the settings of any surrounding heritage assets.

On this basis, the proposal is considered to comply with Policies DM10, DM27 and the NPPF guidance.

Highway Safety

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

The site benefits from existing off-street parking to the rear of the property and therefore it is not expected that the change of use would have an impact on the existing highway conditions. The Highway Authority raised no objections on highway safety grounds.

In addition, the off-street parking will remain unchanged to the rear of the property and therefore it is considered that the existing driveway provides adequate off-street parking for the property.

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

Planning Balance and Conclusion

This application relates to a proposed mix-use of dwelling and holiday let within the centre of St Bees. St Bees is a Local Centre where expansion of tourism is supported and therefore the location is suitable.

The proposed use is considered to be appropriate in scale and this can be secured by the use of a planning condition to ensure the use operates in accordance with the submitted details. Despite concerns, the mixed-use will reduce potential amenity issues compared to a full-time holiday let and it is not expected that the proposal will impact highways, residential amenity or the conservation area.

On balance, this is considered to be an acceptable form of development which accords with the policies set out within the adopted Local Plan and the guidance in the NPPF.



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8.	<p>Recommendation: Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <ol style="list-style-type: none"><li data-bbox="159 672 1508 918">1. The development hereby permitted must commence before the expiration of three years from the date of this permission. Reason To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.<li data-bbox="159 929 1508 1411">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: - Application Form, received 24th April 2023; Site Location Plan, scale 1:1250, received 24th April 2023; Site Plan, scale 1:200, received 24th April 2023; Supporting Statement, received 24th 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.<li data-bbox="159 1478 1508 1836">3. The proposed use must operate in accordance with the details set out in the Supporting Statement received by the Local Planning Authority on 24th April 2023 and be maintained at all times thereafter. Reason To safeguard neighbouring amenity in accordance with Policy DM10 of the Copeland Local Plan. <p>Informative</p> <p>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</p>

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

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.

Case Officer: C. Unsworth

Date : 06/06/2023

Authorising Officer: N.J. Hayhurst

Date : 12/06/2023

Dedicated responses to:- N/A