



CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/23/2135/0F1	
2.	Proposed Development:	CONVERSION OF BARN TO FORM ADDITIONAL LETTING BEDROOMS ASSOCIATED WITH SELLA PARK HOTEL	
3.	Location:	BARN ADJACENT TO SELLA GRANGE, SELLA PARK HOTEL, CALDERBRIDGE	
4.	Parish:	Ponsonby	
5.	Constraints:	ASC;Adverts - ASC;Adverts, Safeguard Zone - Safeguard Zone, Coal - Off Coalfield - Data Subject To Change, DEPZ Zone - DEPZ Zone, Preferred Route Corridor - Within Preferred Route Corridor, Outer Consultation Zone - Sellafield 10KM	
6.	Publicity Representations & Policy	Neighbour Notification Letter	Yes
		Site Notice	Yes
		Press Notice	No
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	Report:		
	Site and Location	<p>This application relates to a vacant sandstone barn, located at the entrance to Sella Park County House Hotel sited to the southwest of Calderbridge. The barn sits within the overall development of the Hotel, which includes a principal Grade II Listed hotel building and a detached cottage. The barn, which is currently utilised as storage for the business, fronts</p>	

onto the highway between Calderbridge and the Sellafield site.

Relevant Planning History

No relevant planning history.

Proposal

This application seeks planning permission to convert the barn to form additional letting bedrooms associated with Sella Park Hotel. The proposed conversion works will create 10 ensuite double bedrooms, in order to support the expansion of the existing business.

The proposed conversion will utilise the existing footprint and structure of the barn, with no extensions proposed. Existing openings will be utilised and reinstated, however in order to ensure each new room has natural light to meet building regulations requirements additional openings are proposed. The development will include three new openings within the first floor of the east elevation, and a single opening within the first floor of the south and north gable elevations. Internally, the proposed conversion will replace the existing first floor structure with a new floor slabs and renewal of the ground floor slab with a new insulated concrete floor slab. It is also proposed to install four rooflights in the west elevation roof slope and a single rooflight in the east elevation.

The proposed bedrooms will be serviced by the main hotel building, with a large car park for guests. A new pedestrian link is proposed through the Listed Wall to the south of the barn, this will be subject to a separate Listed Building Consent application. Five external lights will also be installed within the east and north elevation.

Consultations Responses

Ponsonby Parish Council

The Parish Council support the application and the repurposing of an unused building within the Parish.

Cumberland Council – Highway Authority & Local Lead Flood Authority

22nd December 2023

As this falls under our Service Level Agreement (SLA) with your Council, this application does not need to be submitted to the Local Highway Authority or Lead Local Flood Authority; subject to the highway and drainage aspects of such applications being considered in accordance with the Agreement.

The highway and drainage implications of this application would therefore have to be decided by the Local Planning Authority.



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28th September 2023

I can confirm that the response made to the previous application 22/09/23 should still apply.

United Utilities

13th November 2023

As this planning application was for a conversion United Utilities have no comments to make.

Cumberland Council – Conservation & Design Officer

1st November 2023

Conclusion: Request further information and suggest design revision (See text in bold)

Assessment:

- This barn conversion appears to be a good way of giving the building a viable use and a more sustainable long-term future.
- One of the key challenges in preserving the character of a building of this sort when converting it is in inserting new openings, as such barns were typically constructed with few windows, and they were distinctly “un-domestic” in character.
 - There are apparently ventilation slits, although these have been infilled at some point and it is not proposed to reopen them. These are visible as paired stones just below the eaves on the east elevation. These make a positive contribution to the significance of the building, as the setting of Sella Park.
 - **It would be helpful if the locations of these stones could be indicated on the elevation drawing so it can be seen that the proposed new openings do not disturb them.**
 - **I am curious as to why Bedroom 7 has a differently shaped opening to Rooms 8 and 9 as this does not appear to be a reopened doorway, and wonder if a window of the same proportions as those next to it would be better?**
 - The appearance of the building could be improved if it were possible to dispense with the rooflights on the bathrooms for Bedrooms 9 and 10 – removing 9 would allow the entire roof pitch facing Sella Park to remain free of rooflights and removing 10 on the other side would allow the three remaining there to align. **I'd be grateful for comment on whether these two can be omitted, leaving those en suites artificially lit as with the other bathrooms**

in the development.

- The proposed plans show a lining system of insulation and boarding, which risks introducing interstitial condensation behind, leading to problems. This lining system is also likely to introduce substantial cold bridging around openings. I appreciate the proposed plan is not a construction detail drawing, but draw attention to these areas. For example, the external access to Room 5 is likely to suffer from considerable cold bridging and potential development of internal black mould, and this will apply more generally to the other openings.
 - To show how this can be avoided, **an example detail drawing should be provided showing the insulation design into the reveals of openings.**
- **More detailed drawing, or an equivalent such as a quotation sheet or annotated brochure, should be provided for the external windows and doors, to demonstrate their likely impact** on the non-designated heritage asset itself and the setting of Sella Park, which extends to the area that contributes to Sella Park's significance or allows it to be appreciated, as well as to views from Sella Park itself.

16th November 2023

Conclusion: Request further information (please see bold)

Assessment:

- The proposal requires removal of three of the seven pairs of ventilation slit stone on the east elevation.
 - There is some doubt as to whether this conforms fully with Policy DM15A, below, as the stones are part of the character of the barn.
 - **Would a solution where the windows of Rooms 7 and 8 shuffle slightly to the side work? I see there are trusses overhead with this solution, so this may be a complicating factor.**
- Bedroom 7 opening
 - This is to resemble a winnowing door opening. There is no winnowing door opening here, but I have no objection to its addition for the sake of varying the openings.
- Rooflights
 - The east elevation rooflight has been removed. The others have been retained as viewing is restricted from this side due to the proximity of the road.



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- Ext. doors and window
 - o I don't think a very fine level of detail is needed here, such as sections or detail drawings, but **if an annotated brochure or quotation sheet showing materials, opening manner and layout of the windows in enough detail to allow the impact to be understood could be provided via a condition, to be discharged prior to their installation, that would be helpful.**
- Insulation
 - o The insulation scheme as shown may lead to cold bridging to the detriment of the building. If the agent would prefer not to address this as part of the planning stage, I'm sure a later stage such as Building Regulations or post-occupancy will do.

5th December 2023

Conclusion: No objection

Assessment:

Thank you for the updated details and info for this conversion.

- A revision to the fenestration has been provided that retains the existing vent slot stones
 - o This is a lower impact solution to the conversion, allowing these stones, which are an positive part of the barn's character, to remain.
- A detail drawing sheet showing the timber fenestration has been provided, and appears suitable.

Natural England

No comments received.

Cumberland Council & Westmorland and Furness Council – Resilience Unit

Thank you for the opportunity to comment on the above planning application. This response from the Joint Emergency Management and Resilience Team relates to emergency planning arrangements in the unlikely event of an incident occurring at Sellafield Ltd. The Sellafield site is currently covered by the provision of the Radiation (Emergency Preparedness and Public Information) Regulations 2019.

The applicant should note that they are required to contact the Joint Emergency Management and Resilience office via emergency.planning@westmorlandandfurness.gov.uk to ensure information about the development can be captured and the Sellafield Off Site Emergency Plan can be updated accordingly. The type of information required to be included in the plan is the location and type of development. This information is vital to ensure public protection is

in place in the event of an incident at the Sellafield Site.

During the construction phase of the development, there could be an increase in the number of persons in the area (including trade people), in the event of the application being granted, it is required that the applicant liaise with this office prior to the start of construction via emergency.planning@westmorlandandfurness.gov.uk. This liaison is essential to ensure the applicant, and their trades people/contractors plus paying guests are aware of the appropriate information and actions to take should there be an incident at the Sellafield site.

There are no objections to the proposed works.

Public Representation

This application has been advertised by way of a site notice, and neighbour notification letters issued to five properties. One letter of neutral response was received in relation to the statutory notification procedure which raised concerns about possible light pollution and whether the outdoor lighting would be p.i.r.

Planning Policy

Planning law requires that 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 ER6 – Location of Employment

Policy ER10 – Renaissance through Tourism



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Policy T1 – Improving Accessibility and Transport

Policy ENV1 – Flood Risk and Risk Management

Policy ENV3 – Biodiversity and Geodiversity

Policy ENV4 – Heritage Assets

Policy ENV5 – Protecting and Enhancing the Borough's Landscape

Development Management Policies (DMP)

Policy DM8 – Tourism Development in Rural Areas

Policy DM9 – Visitor Accommodation

Policy DM10 – Achieving Quality of Place

Policy DM15b – Conversion of Rural Buildings to Commercial or Community Use

Policy DM22 – Accessible Developments

Policy DM24 – Development Proposals and Flood Risk

Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species

Policy DM26 – Landscaping

Policy DM27 – Built Heritage and Archaeology

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.

Strategic Policy DS1PU: Presumption in favour of Sustainable Development

Strategic Policy DS2PU: Reducing the impacts of development on Climate Change

Strategic Policy DS3PU: Settlement Hierarchy

Strategic Policy DS4PU: Settlement Boundaries

Policy DS6PU: Design and Development Standards

Policy DS7PU: Hard and Soft Landscaping

Strategic Policy DS8PU: Reducing Flood Risk

Policy DS9PU: Sustainable Drainage

Policy E1PU: Economic Growth Strategic

Policy E2PU: Location of Employment Strategic

Policy E5PU: Employment Sites and Allocations

Policy RE3PU: Conversion of rural buildings to commercial or community use

Strategic Policy T1PU: Tourism Development

Strategic Policy N1PU: Conserving and Enhancing Biodiversity and Geodiversity

Strategic Policy N2PU: Local Nature Recovery Networks

Strategic Policy N3PU: Biodiversity Net Gain

Strategic Policy N6PU: Landscape Protection

Strategic Policy N9PU - Green Infrastructure

Strategic Policy BE1PU: Heritage Assets

Policy BE2PU: Designated Heritage Assets

Strategic Policy CO4PU - Sustainable Travel

Policy CO5PU - Transport Hierarchy

Policy CO7PU - Parking Standards and Electric Vehicle Charging Infrastructure

Other Material Planning Considerations

National Planning Policy Framework (2023)

National Design Guide (NDG)

Cumbria Development Design Guide (CDG)

The Conservation of Habitats and Species Regulations 2017 (CHSR)



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Wildlife and Countryside Act 1981

Copeland Economic Development Needs Assessment (EDNA)

Assessment

The key issues raised by this application relate to the principle of the development; creation of a new tourism facility; settlement character, landscape and visual impact; design and impact on neighbouring properties; access, parking and highway safety; drainage and flood risk.

Principle of Development

Policy ST1 of the Copeland Local Plan seeks to support development that provides or contributes to the Borough's social and community infrastructure enabling everyone to have good access to jobs, shops, services, and recreational/sport facilities. This policy also seeks to support the development of tourism in appropriate locations.

Policies ST1, ST2 and ER6 of the Copeland Local Plan concentrate development within the defined settlement boundaries in accordance with the Borough's settlement hierarchy. The application site lies adjacent to Sella Park Country House Hotel and the buildings associated with this business, to the south west of Calderbridge. Policy ST2 of the Copeland Local Plan identifies the application site as outside of any defined settlement boundary. Policy ST1 and ST2 of the Copeland Local Plan seeks to support development outside of designated settlement to those which have a proven requirement for such a location, including land uses characteristically located outside settlements such as tourism activities requiring location in the countryside.

Within the Emerging Local Plan, under Policy DSPU3 the application site continues to be identified as within open countryside. Policy DM4PU allows for a number of types of developments within open countryside where there is a proven need, including agriculture, forestry, farm diversification, or tourism proposals.

The NPPF also recognises that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements.

As such the principle for developing this site for a tourism accommodation is considered to be acceptable.

Creation of New Tourism Facility

Policy ST1, ST2, and ER6 of the Copeland Local Plan seek to facilitate grow of the Borough's local economy. The NPPF states that planning policies and decisions should help to create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. Paragraph 83 adds that planning policies and decisions should recognise and address the specific locational requirements of different sectors.

Policy ST1, ER10, DM8 and DM9 of the Copeland Local Plan seeks to maximise the potential of tourism in the Borough and will seek to expand tourism outside of the Lake District National Park boundaries to take pressure off the National Park's busiest locations and deliver economic benefit in the Borough. The NPPF also states that planning policies and decision should enable the sustainable growth and expansion of all types of businesses in rural area both through conversion of existing and well-designed new buildings, and sustainable rural tourism developments which respect the character of the countryside.

Within the Emerging Local Plan, Policy T1PU states that the Local Plan supports the creation, enhancement and expansion of tourist attractions, new build visitor accommodation and infrastructure in line with the settlement hierarchy. All tourism development must be of an appropriate scale, located where the environment and infrastructure can accommodate the visitor impact, and where it does not result in unacceptable harm to environmental assets or the character of the area. This policy further states that tourism development will be supported out of the defined settlement boundaries where the proposal includes a function or activity that requires a location that cannot be accommodated within the Principle Town, Key Service or Local Service Centres, the proposal enhances existing place bound assets, the proposal is for a change of use or diversification of an existing building to provide overnight or longer stay visitor accommodation, or the proposal is for a farm diversification in rural area that will provide or enhance tourist provision.

This application seeks to convert the vacant barn to form additional letting bedrooms associated with Sella Park Hotel. The proposed conversion works will create 10 additional ensuite double bedrooms, in order to support the expansion of the existing business. Policy DM8 of the Copeland Local Plan states that tourism facilities within rural area will be permitted in rural areas where it involves small scale development and it involved the reuse, conversion or replacement of existing buildings on site. The development is also considered to be of a scale and character appropriate for this location ensuring the development complies with Policy DM9.

On the basis of the above it is considered that the proposal complies with Policies ST1, ST2, ER6, ER10, DM8 and DM9 of the Copeland Local Plan, Policies T1PU of the Emerging Local Plan, and the provisions of the NPPF.

Landscape Impact and Visual Impact

Policy ENV5 states that the Borough's landscapes will be protected and enhanced by: protecting all landscapes from inappropriate change by ensuring that the development does not threaten or detract from the distinctive characteristics of that particular area; that where the benefits of the development outweigh the potential harm, ensuring that the impact of the development on the landscape is minimised through adequate mitigation, preferably on-site; and, supporting proposals which enhance the value of the Borough's landscapes.

Policy DM10 seeks that development responds positively to the character of the site and the immediate and wider setting and enhances local distinctiveness.



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Policy DM26 of the Copeland Local Plan stated that where necessary development proposals will be required to include landscaping schemes that retain existing landscape features, reinforce local landscape character, and mitigate against any adverse visual impact. Care should be taken that landscaping schemes do not include invasive non-native species.

Within the Emerging Local Plan, Policy N6PU states that the Borough's landscapes will be protected and enhanced by supporting proposals which enhance the value of the Borough's landscapes, protecting all landscapes from inappropriate change by ensuring that development conserves and enhances the distinctive characteristics of that particular area in a manner commensurate with their statutory status and value. It is stated that proposals will be assessed according to whether the proposed structures and associated landscaping relates well in terms of visual impact, scale, character, amenity value and local distinctiveness and the cumulative impact of developments will be taken into account as part of this assessment and that consideration must be given to the Council's Landscape Character Assessment, Settlement Landscape Character Assessment and the Cumbria Landscape Character Guidance and Toolkit at the earliest stage.

The application seeks to convert an existing vacant building, which is sited within the grounds of the existing hotel. The building is located adjacent to the highway but the external alterations within the predominant highway elevation will be minimal. It is therefore considered that the proposal will not have a significant detrimental impact on the overall landscape in accordance with Policies ENV5, DM10, and DM26 of the Copeland Local Plan, Policies N6PU of the Emerging Local Plan, and the provisions of the NPPF.

Design & Impact on Neighbouring Properties

Within the Copeland Local Plan, Policies ST1 and DM10 of the Local Plan, and section 12 of the NPPF seek to secure high standards of design to achieve quality of place. These policies seek to create and maintain a reasonable standard of amenity.

Policy DS6PU of the Emerging Local Plan requires all new development to meet high-quality standards of design. This includes creating and enhancing locally distinctive places, the use of good quality materials that reflect the local character, including high quality and useful open spaces, providing high levels of residential amenity, adopting active travel principles, creating opportunities for social interaction, and effective use of land whilst maintaining amenity and maximising solar gain.

Policy DM15b aims to restrict development that involves the conversion of rural buildings to commercial or community use, to those that are structurally sound and capable of conversion works, conserve the traditional appearance and character, incorporate reasonable standards of amenity, and are within or well related to a village or existing group of buildings.

Policy RE3PU of the Emerging Local Plan supports the conversion of rural buildings to commercial or community use where the building is redundant or disused, is of a traditional design and construction and the proposal would not have an adverse effect on the historic

environment, the character of the local landscape or its setting; the building is structurally sound and capable of conversion without the need for significant extension, alteration or reconstruction; the development conserves the essential character of the buildings and enhances the immediate surroundings; safe road access is in place or can be created without damaging the rural character of the surrounding area; the proposed curtilage area is appropriate in scale to the character of the building and will not result in adverse visual impacts; and the conversion would not have a significant negative impact on the natural environment and appropriate surveys are carried out where necessary.

The proposed barn conversion will accommodate the commercial use within the existing footprint of the existing barn with no external extensions. As part of the proposed conversions traditional materials are proposed, including timber windows and doors, and roof slates. As part of any decision notice for this application conditions will be attached to ensure traditional materials are utilised within the development, and permitted development rights removed so they cannot be altered without planning permission to safeguard the character of the buildings.

However, the proposal will require some external alterations to the existing barn to accommodate the proposed conversion, including additional windows and rooflights. Concerns were originally raised with regard the insertion of the new window openings and the proposed openings not utilising the whole of the existing openings. Amended plans were therefore submitted to show the full use of existing openings and the relocation of some new openings in order to reflect a more traditional fenestration patterns within the development. The agent also confirmed that additional windows are required so that every room is served by an opening in order to meet the requirements of building regulations. The majority of the new openings are on the eastern elevation away from the public highway, with a single window proposed in each gable to limit the impact on the character of the building. Although the barn is located within a group of properties associated with the main hotel building, adequate separation distances are maintained so that the proposed conversion will not result in overlooking issues.

The occupant of a neighbouring property raised concerns with regard to external lighting and the possible light pollution from the development. Based on these concerns the agent for the application submitted an amended plan to show the siting of five external lights along the north and east elevation of the property which are require for health and safety reasons. The agent has also confirmed that as there is a lack of street lighting in the area the lighting is required for the exit routes on Health and Safety grounds however these are to be operated on dawn to dusk daylight sensors. The small number of lights controlled by sensors are not considered to have an adverse impact on residential amenity. The lighting will be controlled by an appropriately worded planning condition.

Based on the basis of the above and inclusion of appropriately wording conditions, it is considered that the development conserves the traditional appearance and character of the building, and is considered to comply with the requirements of Policies ST1, DM10 and



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DM15b of the Copeland Local Plan, Policies DS6PU and RE3PU, and the provisions of the NPPF.

Access and Highway Safety

Policy T1 of the Core Strategy requires mitigation measures to be secured to address the impact of major housing schemes on the Boroughs transportation system. Policy DM22 of the Copeland Local Plan requires developments to be accessible to all users and to meet adopted car parking standards, which reflect the needs of the Borough in its rural context.

Policies CO4PU, CO5PU and CO7PU of the ELP promotes active travel.

It is proposed that the converted barn will be accessed via the existing entrance to the main hotel located to the south of the building. Parking for the additional bedrooms will also be within the grounds of the main hotel which is currently over the normal parking standards required. A new pedestrian link is also proposed between the barn and the main hotel building through the Listed wall to the south of the site providing direct access, this is subject to a separate Listed Building Consent application yet to be submitted.

The Highway Authority have offered no comments on this application.

It is therefore considered that the proposal will not have a detrimental impact on highway safety in accordance with Policies T1 and DM22 of the Copeland Local Plan, Policies CO4PU, CO5PU and CO7PU of the Emerging Local Plan and provisions of the NPPF.

Flood Risk and Drainage

Policy ST1 of the Copeland Local Plan and paragraph 159 of the NPPF seek to focus development on sites that are at least risk of flooding and where development in flood risk is unavoidable, ensure that the risk is minimised or mitigated through appropriate design for the lifetime of the development.

Policy ENV1 and DM24 of the Copeland Local Plan, and Policy DS8PU of the Emerging Local Plan state that development will not be permitted where: there is an unacceptable risk of flooding and or, the development would increase the risk of flooding elsewhere.

Policy DM11 of the Copeland Local Plan and Policy DS9PU of the Emerging Local Plan requires that surface water is managed in accordance with the national drainage hierarchy and includes Sustainable Drainage Systems where appropriate.

The application site lies within Flood Zone 1, therefore a Flood Risk Assessment has not been submitted to support this application.

As part of this application is it proposed that surface water will be dealt with via the existing drainage at the site, and foul water will be connected to the existing public sewer to the south of the application site. This will be secured by condition.

The LLFA have offered no comments on the application. UU have also confirmed that they

have no comments to make on the application as it's a conversion.

The imposition of appropriate conditions will secure proper drainage within the site and will manage the risk of flooding and pollution, ensuring that the development complies with Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013 – 2028 and the provisions of the NPPF.

Ecology & Biodiversity

Policies ST1, ENV3, and DM25 seeks to ensure that new development will protect and enhance biodiversity and geodiversity.

Policy N1PU of the Emerging Local Plan defines a mitigation hierarchy.

Policy N3PU of the Emerging Local Plan requires that all development, with the exception of that listed in the Environment Act must provide a minimum of 10% biodiversity net gain over and above existing site levels, following the application of the mitigation hierarchy set out in Policy N1PU above. This is in addition to any compensatory habitat provided under Policy N1PU. It is stated net gain should be delivered on site where possible and where on-site provision is not appropriate, provision must be made elsewhere in accordance with a defined order of preference.

A Preliminary Roost Assessment Survey and Presence/Likely Absence Survey for Bats has been carried out for this application. This report concludes the following:

- Evidence of previous bat activity was observed within the barn's interior during the Preliminary Roost Assessment, in the form of scattered bat droppings and a brown long-eared bat carcass. The building was assessed to provide high suitability for roosting bats.
- During the Dusk Emergence Surveys, day / transient roosts used by a small number of Brandt's and soprano pipistrelle bats were identified within the roof of the surveyed barn.
- No evidence of brown long-eared bat activity was found within the barn's interior or the surrounding habitat during the Dusk Emergence Surveys. It is considered that the brown long-eared bat roost identified within the barn's interior during the Preliminary Roost Assessment is no longer active.
- No obvious signs of current bird nesting activity were observed within the surveyed barn. Access to the interior appeared to be sealed off for birds and barn owls, with owl holes, ventilation grills, and window openings either blocked off or boarded up.
- A Natural England Mitigation Licence will be required to derogate from relevant wildlife legislation and lawfully proceed with the building's conversion.
- A detailed mitigation strategy and methodology for works must be submitted as part of



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a Mitigation Licence application to Natural England.

Following discussions with the agent regarding the required bat licence an updated statement has been provided by the Ecologist for this application which confirms that any non-structural works within the interior of the barn (e.g., clearance works) or works conducted at ground floor level of the barn (e.g., removal of the concrete floor slabs at the ground floor level) are considered to pose a very low risk of disturbance to the bats using the roof area for roosting (as identified within the Bat Survey Report – Referenced LE033). Any low levels of disturbance resulting from the above works (e.g., noise) are considered insignificant in terms of the impact on the identified roosts and will not require a Natural England Mitigation Licence to proceed. Based on this an appropriately worded planning condition will be attached to any decision notice for this application to ensure the required bat survey is submitted to the Local Planning Authority prior to any structural works, or works to the first floor or roof of the building and any mitigation measures outlined are implemented and retained.

In accordance with the CHSR, it is necessary to consider the likelihood of a license being granted by Natural England and in doing so engage with the three derogation tests. The rigour and stringency with which the tests are applied increase with the importance and significance of the roost.

Is the proposed development necessary for imperative reasons of overriding public interest?

The proposed works will help secure the future maintenance of the vacant barn located within close proximity of a Listed Heritage Asset. For these reasons it is considered that the test is passed.

Is there a satisfactory alternative?

It is unlikely that the development could proceed in such a way as to avoid the licensable activities. In conclusion there is no satisfactory alternative.

Will the favourable conservation status of the species be maintained within its natural range?

Taking into account the use of the site by bats and the potential mitigation and compensation measure to be secured as part of the licencing application the favourable conservation status of the species will be maintained within its natural range.

It is therefore considered that the three tests are met and a licence would be likely to be granted by Natural England.

No comments have been received from Natural England.

Subject to the planning conditions set out above the proposal is considered to achieve the requirement of Policies ST1, ENV3 and DM25 of the Copeland Local Plan, Policies N1PU and N3PU of the Emerging Local Plan and the provisions of the NPPF.

Impact on Heritage Assets

Policy ENV4 and Policy DM27 of the Copeland Local Plan and Policy BE1PU and BE2PU of the Emerging Local Plan seek to protect, conserve and where possible enhance heritage assets including archaeological assets.

The Planning (Listed Buildings and Conservation Areas) Act 1990 establishes a need “in considering whether to grant listed building consent for any works [for the Local Planning Authority to] have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest” [Section 16(2)]. This requirement also applies to the granting of planning permission affecting a listing building or its setting [Section 66(1)].

Paragraph 134 of the National Planning Policy Framework (NPPF) asserts that “Development that is not well designed should be refused”.

NPPF para. 197 states that “In determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation...”.

NPPF para. 199 states, in the case of designated heritage assets, “great weight should be given to the asset’s conservation”, irrespective of whether potential harm is substantial, less-than-substantial, or total loss. Where harm to a designated heritage asset is less-than-substantial, it should be weighed against the public benefits of the proposal (para. 202).

Paragraph 203 of the National Planning Policy Framework (NPPF) states the effect on the significance of a non-designated heritage asset should be taken into account when making decisions.

Opportunities should be sought for new development within conservation areas and the settings of heritage assets that enhances or better reveals their significance. (para. 206).

The Council’s Conservation Officer has confirmed that the barn conversion is a good way to give the building a viable use and a more sustainable long-term future. The Officer however raised a number of queries with the original submission for this application in terms of new openings, retaining ventilation slits, proposed roof lights, insulation, and window and door details. Based on these comments, and amendments requested by the Planning Officer, the



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fenestration pattern was amended to ensure the new openings reflected the traditional character of the barn. Additional details were also submitted to address the Conservation Officer comments. Based on a review of these details the Officer confirmed that he has no objections to the proposal.

On the basis of the above, the conversion of this barn is considered to create a long term viable use for the building which complies with Policies ENV4 and Policy DM27 of the Copeland Local Plan, Policies BE1PU and BE2PU of the Emerging Local Plan and the provisions of the NPPF.

Planning Balance & Conclusion

This application site relates to a detached vacant barn located to the south west of Calderbridge. Policy ST2 of the Copeland Local Plan identifies the application site as outside of any defined settlement boundary. Policy ST1 and ST2 of the Copeland Local Plan seeks to support development outside of designated settlement to those which have a proven requirement for such a location, including land uses characteristically located outside settlements such as tourism activities requiring location in the countryside. As such the principle for developing this site for a tourism accommodation is considered to be acceptable.

The site lies adjacent to Sella Park Country House Hotel. The proposed conversion works will create 10 additional ensuite double bedrooms, in order to support the expansion of the existing well established business.

The proposed barn conversion will accommodate the commercial use within the existing footprint of the existing barn with no external extensions and will utilise traditional materials. The proposal will include some external alterations to the existing barn, however the alterations are not considered to have a detrimental impact on the traditional character of the barn. The development is not considered to create overlooking issues given the existing relationship with surrounding buildings.

The development is not considered to have any adverse impact on flood risk or highway safety as the existing facilities within the site will be utilised. The development is also considered to preserve this building and provide a viable long term use for the building, with no objections from the Conservation Officer.

Given the results of the Bat Survey, a Natural England Mitigation Licence will be required to derogate from relevant wildlife legislation and lawfully proceed with the building's conversion. A detailed mitigation strategy and methodology for works must be submitted as part of a Mitigation Licence application to Natural England.

The proposal is therefore considered to be an acceptable form of sustainable development which is compliant with policies of the Copeland Local Plan and the provisions of the NPPF.

8.	<p>Recommendation: Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <p><u>Standard Conditions:</u></p> <ol style="list-style-type: none"> 1. The development hereby permitted must be commenced before the expiration of three years from the date of this permission. <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"> 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:- <ul style="list-style-type: none"> - Location Plan, Scale 1:1250, received by the Local Planning Authority on the 18th September 2023. - Proposed Block Plan, Scale 1:500, received by the Local Planning Authority on the 18th September 2023. - As Proposed Plan (Amended), Scale 1:50, Dwg No: 02, Rev: L, received by the Local Planning Authority on the 30th November 2023. - Structural Mark Up (Amended), Scale 1:500, Dwg No: 06, Rev: A, received by the Local Planning Authority on the 14th November 2023. - Preliminary Roost Assessment Survey and Presence/Likely Absence Survey for Bats (Amended), Prepared by Lakeland Ecology December 2023, received by the Local Planning Authority on the 11th December 2023. - Design and Access Statement (Amended), Prepared by Green Swallow Nov 2023, Rev: B, received by the Local Planning Authority on the 14th November 2023. - Email from Agent – Ecology Update Statement, received by the Local Planning Authority on the 15th November 2023. - Timber Frame Details – Typical Elevations & Vertical Section, received by the Local Planning Authority on the 27th November 2023.



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- Email from Agent, received by the Local Planning Authority on the 1st December 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.

Prior to Works/First Use/Installation

3. Prior to the commencement of any structural works, and/or works to the first floor or roof of the building, the European Protected Species Mitigation (EPSM) Licence secured from Natural England must be submitted to and approved in writing by the Local Planning Authority. The development must be carried out in accordance with and implement all of the mitigation and compensation measures set out within the approved Licence and retained thereafter.

Reasons

To protect the ecological interests evident on the site.

4. The drainage for the development hereby approved, must be carried out in accordance with principles set out in the approved document 'Design and Access Statement (Amended), Prepared by Green Swallow Nov 2023, Rev: B, received by the Local Planning Authority on the 14th November 2023'. For the avoidance of doubt surface there will no change to the existing surface water arrangement on site. Prior to the first occupation of the proposed development, the drainage schemes must be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason

To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

5. The development hereby approved must be carried out in accordance with the approved document 'Structural Mark Up (Amended), Scale 1:500, Dwg No: 06, Rev: A, received by the Local Planning Authority on the 14th November 2023'.

Reason

To safeguard the traditional appearance of the barns/buildings in the interests of visual

amenity in accordance with policy DM15a of the Copeland Local Plan.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking or re-enacting that Order with or without modification) no external alterations, including replacement windows, doors or skylights and roof coverings, or painting or rendering shall be carried out to the property, nor shall any building, enclosure, extension, porch, domestic fuel container, pool or hardstanding be constructed within the curtilage without the prior written consent of the Local Planning Authority.

Reason

To safeguard the traditional appearance of the barns/buildings in the interests of visual amenity in accordance with policy DM15b of the Copeland Local Plan.

7. All rooflights to be installed in the building hereby approved must be of a conservation design and, fitted flush with the slated roof surface and shall remain as such at all times thereafter.

Reason

To safeguard the traditional appearance of the barns/buildings in the interests of visual amenity in accordance with policy DM15a of the Copeland Local Plan.

8. The proposed windows and doors permitted within this development must be of a timber construction and a painted finished, and must installed in accordance with the approved plan 'Timber Frame Details – Typical Elevations & Vertical Section, received by the Local Planning Authority on the 27th November 2023'. The development must be maintained in accordance with these details at all times thereafter.

Reason

To safeguard the traditional appearance of the barns/buildings in the interests of visual amenity in accordance with policy DM15a of the Copeland Local Plan.

9. Any alterations, repairs or replacements of the existing roof slates must be slate as per the existing building and must be maintained as such at all times thereafter.

Reason



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To safeguard the traditional appearance of the barns/buildings in the interests of visual amenity in accordance with policy DM15a of the Copeland Local Plan.

10. Any external lighting used within the development hereby approved must be installed in accordance with the following approved details:

- As Proposed Plan (Amended), Scale 1:50, Dwg No: 02, Rev: L, received by the Local Planning Authority on the 30th November 2023
- Email from Agent, received by the Local Planning Authority on the 1st December 2023.

The development must be maintained in accordance with these details at all times thereafter.

Reason

In order to protect residential amenity.

Informative:

The applicant should note that they are required to contact the Joint Emergency Management and Resilience office via emergency.planning@westmorlandandfurness.gov.uk to ensure information about the development can be captured and the Sellafield Off Site Emergency Plan can be updated accordingly. The type of information required to be included in the plan is the location and type of development. This information is vital to ensure public protection is in place in the event of an incident at the Sellafield Site.

During the construction phase of the development, there could be an increase in the number of persons in the area (including trade people), in the event of the application being granted, it is required that the applicant liaise with this office prior to the start of construction via emergency.planning@westmorlandandfurness.gov.uk. This liaison is essential to ensure the applicant, and their trades people/contractors plus paying guests are aware of the appropriate information and actions to take should there be an incident at the Sellafield site.

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. Burns	Date : 15.12.2023
Authorising Officer: N.J. Hayhurst	Date : 15.12.2023
Dedicated responses to:- N/A	