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**CUMBERLAND COUNCIL  
DELEGATED PLANNING DECISION**

1.	<b>Reference No:</b>	4/23/2181/0F1
2.	<b>Proposed Development:</b>	CHANGE OF USE FROM COMMERCIAL (BEAUTY SALON) TO MIXED USE COMMERCIAL (FLORIST) AND RESIDENTIAL
3.	<b>Location:</b>	16 MAIN STREET, EGREMONT
4.	<b>Parish:</b>	Egremont
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Coal - Off Coalfield - Data Subject To Change, Outer Consultation Zone - Sellafield 10KM
6.	<b>Publicity Representations &amp; Policy</b>	Neighbour Notification Letter: YES  Site Notice: YES  Press Notice: NO  Consultation Responses: See report  Relevant Planning Policies: See report
7.	<b>Report:</b>	<p><b>SITE AND LOCATION</b></p> <p>This application relates to the 16 Main Street, a beauty salon which is located within Egremont Conservation Area. The site fronts the Main Street and benefits from a garden and off-street parking to the rear, accessed off Chapel Street.</p> <p><b>PROPOSAL</b></p>

Planning Permission is sought for the change of use of the existing commercial property (beauty salon) into a mixed-use commercial property (florist) and residential property.

The internal changes will include the conversion of the first-floor treatment rooms into 3 bedrooms and the ground floor will include the installation of a kitchen-dining-living room. The shop to the front of the property will remain.

The application is accompanied by the following:

- Site Location Plan;
- Site Plan with bin storage identified;
- Existing and Proposed Floor Plans;
- Off-Street Parking Plan;
- Supporting Cover Letter setting out the proposed use.

The proposed shop opening times include Monday to Saturday 09.00-16.00. No Sundays or Bank Holidays are proposed.

No external alterations to the building are proposed as part of this application.

### **RELEVANT PLANNING APPLICATION HISTORY**

There have been several previous planning applications at the property:

- CHANGE OF USE FROM NURSERY TO RETAIL SHOP (ref: 4/88/0145/0);
- CONVERSION OF GROUND FLOOR SHOP INTO A FLAT (ref: 4/94/0851/0);
- CHANGE OF USE TO PHYSIOTHERAPY CLINIC (ref: 4/00/0615/0);
- CHANGE OF USE FROM A PHYSIOTHERAPY SHOP TO A BEAUTY SALON (ref: 4/14/2129/0F1);
- A GROUND FLOOR REAR EXTENSION TO FORM A HAIR SALON TO BE USED IN CONNECTION WITH AN EXISTING BEAUTY SALON (ref: 4/18/2391/0F1);
- GROUND FLOOR REAR EXTENSION TO BE USED AS A HAIR SALON (A1) (ref: 4/18/2124/0F1).

### **CONSULTATION RESPONSES**

Egremont Town Council – No objections.

Conservation Officer – No objections.

Public Representation

The application has been advertised by way of site notice and neighbour notification letters



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issued to 4 properties – No comments have been received.

### **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 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 ER7 – Principal Town Centre, Key Service Centres, Local Centres and other service areas: Roles and Functions

Policy ER9 – The Key Service Centres, Local Centres and other small centres

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 DM6A – Managing Non-Retail Development in Town Centres

Policy DM10 – Achieving Quality of Place

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

Policy DM22 – Accessible Developments

Policy DM27 – Built Heritage and Archaeology

## **Other Material Planning Considerations**

National Planning Policy Framework (NPPF)

Strategic Housing Market Assessment 2019 (SHMA)

Strategic Housing Market Assessment Update 2021 (SHMAA)

Housing Needs Survey 2020

Copeland Borough Council Housing Strategy 2018-2023 (CBCHS)

Cumbria Development Design Guide

Conservation Area Design Guide SPD December 2017 (CADG)

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

Emerging Copeland Local Plan (ELP):

### **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 DS3PU- Settlement Hierarchy

Policy DS4PU – Settlement Boundaries

Policy DS6PU – Design and Development Standards

Policy R1PU – Vitality and Viability of Town Centres and villages within the Hierarchy

Policy R4PU – The Key Service Centres



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Policy R9PU – Non-Retail Development in Town Centres

Policy H1PU – Improving the Housing Offer

Policy H2PU – Housing Requirement

Policy H3PU – Housing delivery

Policy H4PU – Distribution of Housing

Policy BE1PU – Heritage Assets

Policy BE2PU – Designated Heritage Assets

### **ASSESSMENT**

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

#### Principle of Development

The proposal is located Egremont Town Centre and Policy ST2 supports moderate levels of development within Egremont to contribute to the regeneration of the town centres.

Policy ER7 reflects Egremont's role as a Key Service Centre within the Borough which seeks to protect and enhance the services and facilities and Policy ER9 encourages service sector provision within the defined boundaries.

Policies ST1 and ST2 along with Policies SS1, SS2, and SS3, seek to promote sustainable development to meet the need and aspirations of the Borough's housing market. These policies further concentrate development within the defined settlement boundaries in accordance with the Borough's settlement hierarchy. The NPPF also seeks to support the Government's objective of significantly boosting the supply of housing through sustainable development.

Policy DM13 also supports the conversion of buildings to residential use within the settlement limits subject to detailed criteria, which are considered below.

Given the location of the site within the centre of one of the Borough's Key Service Centres, in principle, the Local Planning Authority support the use of the site for a florist shop and three-bedroom residential property.

The Local Planning Authority is also supportive of the retention of the shop at ground floor level in accordance with Policy DM6A which seeks to protect vitality of town centres through the retention of the shop frontage.

On this basis, the principle of the development is therefore considered to be acceptable and the change of use satisfies Policies ST1, ST2, SS1, SS2, SS3, DM13, ER7, ER9 and DM6A

of the Local Plan and the NPPF guidance.

### Scale and Design

Policy ST1 and section 12 of the NPPF seek to promote high quality designs. Policy DM10 and 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 DM13 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 proposed building is considered to be a suitable for conversion. The existing beauty salon benefits from a large ground floor with treatment rooms on the first floor and therefore the building can easily accommodate a new florist shop to the front of the building and a residential property to the rear. The first floor treatment rooms can be converted into bedrooms without extensive alterations and the property can provide adequate internal space for the kitchen and bathroom facilities.

No external alterations are proposed so the character of the building will be maintained and the property also benefits from a rear garden to provide suitable external amenity space.

In addition, the scale of florist business is considered to be appropriate in terms of the building size and location. The main opening times will be between 09.00 and 16.00 Monday to Saturday. These are considered to be acceptable opening times and are consistent with other businesses within the centre of Egremont.

On this basis, the proposed change of use is considered to be of a suitable scale and design in accordance with Policies DM10 and DM13 of the Copeland Local Plan.

### Residential Amenity

Policy ST1, Policy DM10, DM13 and section 12 of the NPPF seek to safeguard good levels of residential amenity of the parent property or adjacent dwellings.

Given the town centre location, it is not expected that the proposed use will result in harmful amenity issues. The current use is a beauty salon and therefore the use as a florist and residential property is unlikely to cause nuisance or noise issues and therefore it will maintain reasonable standards of general amenity in the area.

On this basis, the proposal is considered to satisfy Policy DM10 and DM13 amenity standards of the Copeland Local Plan and the NPPF guidance.

### Highway Impacts and Parking Standards

Policy DM22 requires developments to be accessible to all users and encourages innovative



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	<p>approaches to manage vehicular access and parking to avoid vehicles dominating the street scene.</p> <p>The site benefits from off-street parking to the rear of the site accessed off Chapel Street. This has been shown on a site plan and therefore the maintenance can be secured by the use of a planning condition.</p> <p>Overall, the proposal is considered to be acceptable in terms of highway impacts and satisfies Policy DM22 of the Copeland Local Plan and the Cumbria Development Design Guide.</p> <p><u>Heritage Impacts</u></p> <p>The site is located within Egremont Conservation Area and Policy DM27 seeks to ensure development preserves or enhances the character and appearance of conservation areas.</p> <p>The Conservation and Design Officer has confirmed that the proposal will have a small positive impact on the appearance of the Conservation Area and the setting of the listed buildings at 12 Main Street and the Town Hall. The retention of the shop should preserve the active use the building currently has and no external alterations are proposed.</p> <p>Overall, it is considered that the change of use meets the requirements of the Conservation Policies within the Copeland Local Plan and the adopted Conservation Design Guide and it will have a small positive impact on the heritage assets.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The proposal seeks to change of use of the existing beauty salon into a mixed-use florist and residential property. The application is suitably located within Egremont Town Centre and the proposed use is considered to be a compatible use for this part of the town.</p> <p>The proposal will retain the active shop front and the conversion of the rear section of the building to form a residential property is considered to be acceptable. The property will provide adequate internal space standards and outdoor amenity space.</p> <p>The proposal will not have any significant impacts on residential amenity, highway safety and parking standards or the conservation area and heritage assets.</p> <p>On balance, the proposal 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.</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 must commence before the expiration of three years from the date of this permission.</li></ol>

Reason

To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

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 23<sup>rd</sup> June 2023;
  - Site Location Plan, scale 1:1250, received 3<sup>rd</sup> June 2023;;
  - Site Plan with Bin Storage Identified, scale 1:500, received 3<sup>rd</sup> June 2023;;
  - Existing Floor Plans, scale 1:50, received 3<sup>rd</sup> June 2023;;
  - Proposed Floor Plans, scale 1:50, received 3<sup>rd</sup> June 2023;
  - Off-Street Parking Plan, scale 1:1250, received 8<sup>th</sup> August 2023;
  - Covering Letter, received 3<sup>rd</sup> June 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.

3. The dwelling hereby approved shall be not occupied until the approved parking layout has been made available for use in accordance with the approved Off-Street Parking Plan, received by the Local Planning Authority on 8<sup>th</sup> August 2023. The approved parking layout shall be retained for the lifetime of the development.

Reason

In the interests of highway safety in accordance with Policy DM22 of the Copeland Local Plan 2013-2028.

**Informative Note**

Any works within the Highway must be agreed with the Highway Authority.

Before any works are commenced, you should contact Cumbria Highway's Street Works team to obtain an appropriate permit.





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<p>Enquires should be made to Cumbria County Councils Streetwork's team <a href="mailto:streetworks.west@cumbria.gov.uk">streetworks.west@cumbria.gov.uk</a></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>	
<p><b>Case Officer: C. Unsworth</b></p>	<p><b>Date : 08/08/2023</b></p>
<p><b>Authorising Officer: N.J. Hayhurst</b></p>	<p><b>Date : 08/08/2023</b></p>
<p><b>Dedicated responses to:- N/A</b></p>	