

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/23/2389/0F1
2.	Proposed Development:	CHANGE OF USE FROM PUBLIC HOUSE TO DOMESTIC DWELLING
3.	Location:	THE HOUND INN, ARLECDON, FRIZINGTON
4.	Parish:	Arlecdon and Frizington
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change
6.	Publicity Representations &Policy	Neighbour Notification Letter: NO Site Notice: YES Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: INTRODUCTION This application relates to the former public house known as The Hound Inn, situated on the A5086 at Arlecdon. There are no other buildings in the immediate surroundings, but the residential area of Arlecdon is situated approximately 60m to the east. PROPOSAL This application seeks full planning permission for the conversion of the building to provide a	

single residential dwelling.

No external alterations are proposed as part of the change of use.

RELEVANT PLANNING APPLICATION HISTORY

Proposed siting of former railway carriage to provide restaurant extension to existing pub, approved in August 1999 (application reference 4/99/0713/0 relates);

Extension for beer store and detached garage, approved in August 1993 (application reference 4/93/0505/0 relates);

Change of use from public house and car park to domestic dwelling, approved in December 2005 (application reference 4/04/2893/0 relates);

Erection of conservatory to side and rear of public house, approved in March 2007 (application reference 4/07/2561/0 relates);

Siting of railway carriage to provide restaurant to existing pub, approved in December 2009 (application reference 4/09/2556/0F1 relates);

Change of use from public house to domestic dwelling, approved in January 2010 (application reference 4/10/2056/0F1 relates).

CONSULTATION RESPONSES

Arlecdon and Frizington Parish Council

No response received.

Cumbria Highways and Local Lead Flood Authority

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

West Cumbria Campaign for Real Ale (CAMRA)

No response received.

Public Representation

The application has been advertised by way of a site notice.

No responses have been received with respect to these advertisements.



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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 SS1 – Improving the Housing Offer

Policy SS2 – Sustainable Housing Growth

Policy SS3 – Housing Needs, Mix and Affordability

Policy SS4 – Community and Cultural Facilities and Services

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM12 – Standards for New Residential Developments

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

Policy DM21 – Protecting Community Facilities

Policy DM22 – Accessible Developments

Emerging Copeland Local Plan (ELP):

Cumberland Council are continuing the preparation and progression to adoption of the ELP.

The Local Plan Examination Hearing Sessions were completed in March 2023.

The appointed Planning Inspector issued their post hearing letter in June 2023, which identified the next steps for the examination.

The appointed Planning Inspector has now considered all representations and the discussions that took place during the Local Plan Examination Hearing Sessions in 2023 and has identified a number of amendments or 'modifications' that are required in order to ensure the ELP is sound i.e. positively prepared, justified, effective and consistent with national planning policy.

A six week public consultation seeking views on the proposed modifications to the ELP commenced on Wednesday 14th February 2024 and will close on the 28th March 2024.

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 advanced stage of preparation of the ELP full weight can be attached to policies where no objections have been received or objections have been resolved. Once the consultation on the main modifications to the ELP is complete significant weight can be afforded to the policies of the ELP where modifications are proposed.

The following policies are relevant to this proposal:

- 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
- Strategic Policy R4PU: The Key Service Centres
- Strategic Policy H1PU - Improving the Housing Offer
- Strategic Policy H2PU - Housing Requirement
- Strategic Policy H3PU - Housing delivery
- Strategic Policy H4PU - Distribution of Housing
- Strategic Policy H5PU - Housing Allocations
- Policy H6PU - New Housing Development
- Policy H7PU - Housing Density and Mix Strategic
- Policy H13PU – Conversion and sub-division of buildings to residential use including large HMOs
- Policy CO7PU – Parking Standards and Electric Vehicle Charging Infrastructure

Other Material Planning Considerations

National Planning Policy 2023 (NPPF)

ASSESSMENT

Principle of a residential dwelling in this location

The principle of new housing is supported in the Copeland Local Plan through strategic policies ST1 and ST2 along with policy SS1 and policy H1PU of the ELP. These policies seek to promote sustainable development to meet the needs and aspirations of the boroughs housing market, as well as having consideration for the requirements of smaller settlements within the borough which respect their scale and function.

The building is existing and located adjacent to the development boundary for Arlecdon. The village is classed under Policy ST2 as one of the Borough's Local Centres where the conversion of existing buildings to residential use is acceptable within the confines of the settlement boundary. As the building is situated outside the settlement boundary, it is considered to be a rural building.

Policy DM15A of the CS allows for the conversion of rural buildings to residential use subject to a number of criteria:

A Applicants can demonstrate that alternative employment or mixed use live-work accommodation or community use is not viable.

During the application process, the Applicant stated that the building had been marketed for a total of 6 years, with only one viewing. On this basis, it is considered that there is no appetite for the ongoing use of the building for any other purpose.

B Where the subject building is currently or was last used for agriculture, applicants can also demonstrate that there is no alternative site or premises available in the locality within existing settlements

Not applicable.

C The building is structurally sound and is capable of accepting conversion works without significant rebuilding, modifications or extensions

The building is structurally sound and no extensions or external modifications are proposed.

D The building in its existing form is of a traditional construction and appearance and

the proposed conversion works conserve the essential character of the building and its surroundings. In this regard existing features of interest and external facing materials should as far as possible be retained

The building has been retained in its original form.

E The building is located within or adjacent to a village or existing group of buildings

The building directly adjoins the settlement boundary for Arlecdon, one of the Borough's Local Centres.

F The building is served by a satisfactory access from the public highway network without the requirement for extensive private roads or tracks and domestic

services such as water supply and electricity must be readily available to the site

The A5086 flanks the site with an existing access available for utilization. There are existing services to the pub.

G The conversion works incorporate reasonable standards of amenity

The building is large and suitable for a satisfactory family home. There is a large curtilage for use as a garden including parking and turning space for several cars.

H The number of dwellings proposed is appropriate to the scale of adjoining

development and will not substantially increase the number of dwellings in the countryside

One dwelling is proposed which is considered to be proportionate.

Similar criteria are repeated within Policy H13PU of the ELP.

The building is situated opposite other residential dwellings and within walking distance of services required for day to day living and therefore is considered to be an appropriate use in this location.

Loss of the Community Facility

Policies SS4 and DM24 of the CS and Policy R4PU of the ELP seek to resist the change of use of a community facility where there is evidence that there is a demand for that facility that is unlikely to be met elsewhere. The Applicant has stated that The Hound has been struggling as a business for quite some time, with little demand for the facility. Other



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provision of drinking establishments within the area include The Ennerdale Brewery Tap at Rowrah, The Countryman Pub at Lamplugh and The Parkside at Parkside. These are likely to fulfill the needs of local residents, therefore the permanent loss of The Hound is considered to be acceptable.

The outbreak of Covid in the UK in 2020 has made the retention of public houses very difficult and it is understood that many are no longer sustainable.

On this basis, the loss of the community facility is acceptable and the proposal complies with policies SS4 and DM24 of the Copeland Local Plan and policy R4PU of the ELP.

Design

Policies DM10 of the CS and DS6PU of the ELP promote good design with the aspiration that new dwellings will respond positively to their surroundings. No external alterations are proposed as part of the development and the internal space is suitable for family living. Consequently, there will be no change to the character and appearance of the building.

The proposed change of use will give the building a new purpose and allow for its ongoing use, avoiding the building being left vacant and falling into disrepair.

On this basis, the living standards are deemed to be acceptable and the retention of the external character is considered to comply with Policies DM10 of the CS and DS6PU of the ELP.

Parking and Highway Safety

The building is currently served by an existing car park to the east. In relation to the previous use as a public house, the use as a single residential dwelling is expected to reduce vehicle movements on and around the site, therefore creating a less intensive usage. Furthermore, the site is located close to a regular bus route with cycling and walking opportunities widely available for nearby local services.

Overall, it is considered that the proposal complies with Policy DM22 of the Copeland Local Plan and Policy CO7PU of the ELP and will provide an accessible development.

Planning Balance and Conclusion

No objections have been received to the proposal from either statutory or neighbouring consultees.

The loss of the community facility is acceptable as there is other alternative provision in the vicinity. This affords neutral weight to the application.

The principle of residential development in this location complies with planning policy due to its situation adjacent to the settlement boundary for the Local Centre of Arlecdon and the satisfaction of the criteria within the policies relating to the conversion of buildings within the open countryside. This carries great weight and the building is located in a sustainable village.

	<p>There are no issues raised relating to parking or highway safety.</p> <p>On balance this is considered to be an acceptable form of development which will be consistent with the details set out in national and local policy.</p>	
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>	
9.	<p>Conditions:</p> <p>1. The development hereby permitted shall be commenced 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. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them: -</p> <p>Application form, received 4th January 2024; Site Location Plan, received 12th September 2023.</p> <p>Reason</p> <p>To conform with the requirement of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.</p> <p>Statement</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>	
Case Officer: Sarah Papaleo		Date : 12/03/2024
Authorising Officer: N.J. Hayhurst		Date : 13/03/2024
Dedicated responses to:- N/A		