

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/24/2090/0F1
2.	<b>Proposed Development:</b>	CONVERSION AND CHANGE OF USE OF THE FIRST AND SECOND FLOORS INTO TWO 2 BEDROOM HOLIDAY LETS AND CONVERSION OF LOFT INTO A 1 BEDROOM HOLIDAY LET (USE CLASS C3) WITH INTERNAL AND EXTERNAL ALTERATIONS
3.	<b>Location:</b>	49 KING STREET, WHITEHAVEN
4.	<b>Parish:</b>	Whitehaven
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Flood Area - Flood Zone 2, Flood Area - Flood Zone 3, Coal - Standing Advice - Data Subject To Change
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 a terraced building at 49 King Street in Whitehaven. This large property has an existing retail unit on the ground floor with two further floors and a loft space above. It is situated within the Whitehaven Conservation Area.</p> <p>King Street is one of Whitehaven's busiest shopping streets with many retail properties in the vicinity. The majority of the upper floors are utilized for storage in relation to the retail units,</p>

or for residential purposes.

## **PROPOSAL**

Planning Permission is sought for the change of use and conversion of the first and second floors into two 2 bedroomed holiday lets and the conversion of the loft into a 1 bedroomed holiday let. The ground floor will be retained as retail, with internal alterations to include a staircase to access the upper levels.

The external alterations include:

Front elevation – the addition of a new access door and the repair of defective panelling.

Rear elevation – the replacement of windows, the addition of a new door opening and the addition of a dormer window within the roof.

## **RELEVANT PLANNING APPLICATION HISTORY**

Fascia and projecting signs, approved in August 2000 (application reference 4/00/0370/0 relates);

New shop front, approved in August 2000, (application reference 4/00/0369/0 relates);

Conversion and change of use of the first and second floors into 2 no. one bedroomed apartments (use class C3), approved in January 2021, application reference 4/20/2453/0F1 relates);

Internal and external alterations to existing ground floor commercial unit, approved in November 2023 (application reference 4/23/2258/0F1 relates).

## **CONSULTATION RESPONSES**

### Whitehaven Town Council

No objections.

### Highways and Local Lead Flood Authority

#### *1<sup>st</sup> response*

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.



## Cumberland Council

It is noted that there is no onsite parking provision for this building currently, a point your Authority may wish to consider when determining this application, however this has always been the case and given its current usage this proposal is unlikely to adversely impact on the on-street parking situation overall. Please do note that residential/on-street parking permits are no longer issued to new developments and therefore the guests will be responsible for their own parking.

Informative's:

The LLFA surface water map show flooding close to the site and indicate 1 in 100 chance of occurring each year.

The applicant needs to consider the Standing Advice for vulnerable developments in flood zone 2 & 3 regarding floor levels, extra flood resistance and resilience measures, access and escape and surface water management.

### *2<sup>nd</sup> response*

I can confirm that the response made to the previous application 15/04/24 should still apply.

### *3<sup>rd</sup> response*

I can confirm that the response made to the previous application **4/24/2090/0F1** should still apply.

### Conservation Officer

#### *1<sup>st</sup> response*

**Description:** 49 King street is a three storey unlisted mid-terraced building, with rendered frontage and shopfront at ground floor level

**Conclusion:** Request further information and design adjustment

#### **Assessment:**

Following works are proposed:

- Subdivision of first floor space to create a 2-bed holiday let flat with bathroom, kitchen and central hall access of existing stairs;
- Subdivision of second floor space to create similar 2-bed holiday flat, with removal of some partition walls, relocated doorways, removal of fireplace and replacement of the attic staircase with a wider one;

- Addition of a new side door to the front elevation for separate access to upper floors;
- Addition of new door to rear for access to shop unit;
- Addition of dormer window to roof of rear elevation;
- Removal of a small lean-to at rear to create bin store;
- Replacement of timber windows with uPVC.

Considerations:

- The heritage statement says the upper two floors of the building will be converted to holiday lets, however, the plans show the upper three floors of a four-storey building converted to holiday lets, so it would be helpful if this is clarified.
- There should be more clarity on proposed windows, and any replacement should follow the advice set out in our Conservation Area Design Guide SPD where possible (e.g. making use of timber sliding-sash windows unless otherwise justified). These details could be included within the application docs, or supplied via a condition to be discharged prior to the replacement of the windows at a future date.
- I'm unclear about the location of new extractor vents and soil vent pipes, so if the locations of these could be highlighted, that would be of assistance.
- What rain water goods are currently in situ? In accordance with the Conservation Area Design Guide, rain water goods should be retained in cast iron and replacements carried out to match.
- Modifications to the shop front should be carried out in accordance with our Shopfront Design Guide SPD
- The proportions and detailing of the new rear dormer still appear rather simplistic and unrefined. The design could benefit from further work in this area.
- Although not a listed building, impact on non-designated heritage assets still needs to be taken into consideration in the determination of planning applications. It would therefore be very helpful to have supplied a collection of photos showing the interiors.

Guidance and SPDs can be found at [Conservation and Design Documents and Guidance](#)

*2<sup>nd</sup> response*

**Description:** 49 King street is a three storey unlisted mid-terraced building, with rendered frontage and shopfront at ground floor level

**Conclusion:** Request further information

**Assessment:**



## Cumberland Council

My previous consultation response made the following requests:

- The heritage statement says the upper two floors of the building will be converted to holiday lets, however, the plans show the upper three floors of a four-storey building converted to holiday lets, so it would be helpful if this is clarified.
- There should be more clarity on proposed windows, and replacement should follow the advice set out in our Conservation Area Design Guide SPD where possible (e.g. making use of timber sliding-sash windows unless otherwise justified). Window details could be included within the application docs, or supplied via a condition to be discharged prior to the replacement of the windows at a future date.
- I'm unclear about the location of new extractor vents and soil vent pipes, so if the locations of these could be highlighted, that would be of assistance.
- What rain water goods are currently in situ? In accordance with the Conservation Area Design Guide, rain water goods should be retained in cast iron and replacements carried out to match.
- Modifications to the shop front should be carried out in accordance with our Shopfront Design Guide SPD
- The proportions and detailing of the new rear dormer still appear rather simplistic and unrefined. The design could benefit from further work in this area.
- Although not a listed building, impact on non-designated heritage assets still needs to be taken into consideration in the determination of planning applications. It would therefore be very helpful to have supplied a collection of photos showing the interiors.

Updated information has now been received:

- Detail of the dormer window on the rear roof pitch has been updated to show slate pitches and cheeks and the addition of vertical glazing bars to the window.

The following information is still requested:

- Clarification on which floors are being converted
- Detail of proposed windows, which should be in accordance with guidance
- Locations of new extractor vents and soil vent pipes
- Clarification on the existing rain water goods, and of proposed replacements
- Internal photos

*3<sup>rd</sup> response*

**Description:** 49 King street is a three storey unlisted mid-terraced building, with rendered

frontage and shopfront at ground floor level

**Conclusion: No objection**

**Assessment:**

Updated information has been received, clarifying the following points:

- Three floors are to be converted to holiday lets.
- Prior to replacement of windows, details will be handled via a condition. I am supportive of this.
- Existing soil stacks will be used, and new bathroom ventilation will be located on the rear elevation close to the bathroom windows.
- Existing rain water goods are in cast iron, and replacement will be carried out to match.
- Modifications to the shop front have been carried out under a different application.
- Detail of the dormer window on the rear roof pitch has been updated to show slate pitches and cheeks and the addition of vertical glazing bars to the window.
- A collection of internal photos has been provided, which shows that the building largely lacks features and surfaces of significance internally.

This responds to the questions I previously had.

Environment Agency

*1<sup>st</sup> Response*

The planning application is accompanied by a Flood Risk Assessment (FRA) prepared by Unda Consulting Limited, referenced 90087-Perriment-KingSt and dated November 2020. We have reviewed the FRA in so far as it relates to our remit, and we are not satisfied that the development would be safe without exacerbating flood risk elsewhere. In the absence of an acceptable flood risk assessment (FRA) we object to this application and recommend that planning permission is refused.

*2<sup>nd</sup> response*

Please refer to our previous response letter, NO/2024/115993/01-L01 and dated 9 April 2024, in which we objected to the absence of an acceptable Flood Risk Assessment (FRA).

An updated FRA has not been submitted as part of the re-consultation and we therefore must **maintain our objection** to the proposed development due to the absence of an acceptable FRA and recommend that planning permission is refused.



## Cumberland Council

### *3<sup>rd</sup> response*

In our previous response letter referenced NO/2024/115993/01-L01 and dated 9 April 2024, we objected to the absence of an acceptable Flood Risk Assessment (FRA).

The planning application is now accompanied by a revised Flood Risk Assessment (FRA) prepared by Unda Consulting Limited (referenced: 92458-Imovina-KingSt, version v1.0 280524; dated: June 2024)

### **Environment Agency position**

We withdraw our objection to the proposed development, however we do wish to make the following comments:-

On the basis of the additional information provided we are minded to remove our objection. We are satisfied that the development would be safe without exacerbating flood risk elsewhere if the proposed flood risk mitigation measures are implemented. The proposed development must proceed in strict accordance with this FRA and the mitigation measures identified as it will form part of any subsequent planning approval. Any proposed changes to the approved FRA and / or the mitigation measures identified will require the submission of a revised FRA.

### Environmental Health

Further to the above planning application.

Environmental Health have no objections in principle to this development, subject to the comments and suggested planning conditions below.

The mix of an existing ground floor commercial unit with upper floors converted to holiday let requires considerable fire safety improvements. Whilst these may fall within the remit of Building Regulations, it may be helpful to see and appraise a fire safety scheme for the converted building. A suggested condition for this is noted below.

Noise disturbance from both the building conversion works, and from holiday guests to nearby residential occupiers, is also a possibility.

As such, the following planning conditions are requested if the development were to be approved:

#### Fire Safety Scheme – Submission of scheme and retention thereafter

No development shall take place until a detailed scheme of fire safety measures has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall include, but not be limited to:

- Provision of fire doors and protected escape route;
- Provision of fire protection to structure (walls and ceilings);

- Emergency lighting system of protected escape route;
- Provision of fire escape windows in all habitable rooms of upper floor/s that are no higher than 4.5 m above the exterior ground level;
- A minimum ceiling height of 2.2 m of loft room/s;
- A linked fire alarm and detection system;
- A maintenance and testing programme.

The approved scheme shall be implemented prior to the commencement of the use and to be permanently retained thereafter.

Reason: In order to safeguard the amenity of occupiers and adjoining occupiers. Details are needed prior to the start of the work so that measures can be implemented into the build.

#### Noise Management Plan

No building or use hereby permitted shall be occupied or the use commenced until a Noise Management Plan has been submitted to and approved in writing by the Local Planning Authority.

The Noise Management Plan shall include undertakings and procedures for:

- (i) The name/s of an (on-site) supervisor/s responsible for the behaviour of guests and for liaison with local residents and this Council;
- (ii) The control and use of outside areas;
- (iii) The control of noise breakout from within the building;
- (iv) Access and egress to and from the property by guests including arrangements for vehicle parking;
- (v) Recording of complaints and response to those complaints;
- (vi) The annual review of the Noise Management Plan and, if necessary, the submission and approval in writing by the Local Planning Authority of any revised Noise Management Plan;
- (vii) Any other matters that are reasonably required by the Local Planning Authority.

Reason: To safeguard the amenity of nearby residents and the area generally.





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### Noise from Construction Works

Following approval of the development, construction activities that are audible at the site boundary shall be carried out only between the following hours: Monday to Friday 08.00 – 18.00 and Saturday 08.00 – 13.00 and at no time on Sunday or Bank Holidays.

Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above unless otherwise agreed with the Local Planning Authority.

Reason: In the interests of the amenities of surrounding occupiers during the construction of the development.

### Public Representation

The application has been advertised by way of a site notice, press notice and neighbour notification letters issued to 4 no. properties.

No responses have been received to these advertisements.

### **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.

#### Core Strategy

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Policy ER10 – Renaissance Through Tourism

Policy ENV1 – Flood Risk and Risk Management

Policy ENV4 – Heritage Assets

Development Management Policies (DMP)

Policy DM9 – Visitor Accommodation

Policy DM10 – Achieving Quality of Place

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

Policy DM22 – Accessible Developments

Policy DM24 – Development Proposals and Flood Risk

Policy DM27 – Built Heritage and Archaeology

**Emerging Copeland Local Plan**

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 closed on the 28<sup>th</sup> March 2024. The Planning Inspector's Report is 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 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 policies relevant to this proposal are:

Strategic Policy DS1PU: Presumption in favour of Sustainable Development



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Strategic Policy DS3PU: Settlement Hierarchy

Strategic Policy DS4PU: Settlement Boundaries

Policy DS6PU: Design and Development Standards

Strategic Policy DS8PU: Reducing Flood Risk

Strategic Policy T1PU: Tourism Development

Strategic Policy BE1PU – Heritage Assets

Policy BE2PU – Designated Heritage Assets

Policy CO7PU: Parking Standards and Electric Vehicle Charging Infrastructure

### **Other Material Planning Considerations**

National Planning Policy Framework (NPPF)

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

Conservation Area Design Guide SPD

### **ASSESSMENT**

#### Principle of the Development

Whitehaven is designated as Copeland's Principal Town within Policy ST2 of the CS and remains as such within Policy DS3PU of the ELP where the retention and expansion of tourism is encouraged.

Policy ER10 of the CS and T1PU of the ELP seek to locate tourism accommodation where there is proven capacity for additional visitors without adverse environmental or amenity impacts. Policy DM9 of the CS supports proposals for visitor accommodation provided the scale and character is appropriate to the location and setting.

As the building is located within the settlement boundary for Whitehaven and already has planning permission for residential use, the conversion to holiday accommodation is considered to be appropriate and will not materially change this use.

On this basis, the proposal is considered to comply with policies ST2, ER10 and DM9 of the CS and DS3PU and T1PU of the ELP.

#### Scale, Design and Impact on Residential Amenity

Policies ST1 and DM10 of the CS and DS6PU of the ELP seek to ensure that holiday lets are of a suitable scale and layout for purpose and also that there are no negative effects on the neighbouring amenity.

The layout of the building is appropriate, with sufficient facilities and space available to accommodate the level of holiday accommodation proposed.

The proposed external alterations are modest and these together with the general repair of the existing property will have a positive effect on the overall appearance of the building and provide it with a viable use.

The use as holiday lets is likely to be of a similar nature to the approved use as private dwellings. Any issues relating to noise are able to be dealt with by Environmental Health through separate legislation as a Statutory Nuisance, however two conditions have been requested by Environmental Health to ensure that the surrounding properties are protected during the construction and occupation phases of the development.

There have been no objections received to the proposal.

#### Impact on Conservation Area

Policies ENV4 and DM27 of the CS and BE1PU and BE2PU of the ELP relate to the protection and enhancement of the Conservation Area and seek to ensure that any alterations are in keeping and respect the existing character of the area. Policy DM10 of the CS and DS6PU of the ELP requires good design.

The LBCA sets out a clear presumption that gives considerable importance and weight to the desirability of preserving a heritage asset and its setting.

Section 66.1 requires that: *'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'*.

Section 72 requires that: *'special attention shall be paid to the desirability of preserving or enhancing the character or appearance'* of a conservation area.

The application was accompanied by a Heritage Assessment which concludes that there is unlikely to be any harm created to the significance of the character and appearance of the Conservation Area.

The principle of improving the aesthetics and ensuring the longevity of use of a building are supported throughout local and national planning policy. It is therefore considered that the works to restore it should be encouraged in principle and no objections were received from the Council's Conservation Officer.

Full details of the replacement windows and proposed dormer have not been received and the Conservation Officer has, therefore, requested this information prior to the commencement of the development. The Conservation Officer raised concerns relating to the use of UPVC within the Conservation Area and advised that this was unlikely to be acceptable. A suitably worded planning condition is proposed to ensure the fabric and



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character of the building is retained.

### Access and parking

Policy DM22 of the CS and CO7PU of the ELP detail the minimum provision of parking that should be available for new developments. Furthermore, a suitable access should be available and turning space within the site to enable access and egress in a forward gear.

The existing property does not feature any off street parking, however that is typical of terraced properties within the town centre of Whitehaven. Due to the town centre location, it is considered that there are a variety of alternative transport modes, including cycling, walking, bus and rail and that there are ample public car parking options within the surrounding area which would provide adequate provision to serve the building.

The Highways Team have raised no objections and do not consider that there will be a material effect on the surrounding highway network.

Overall, due to the location of the development it is considered to be accessible and complies with Policy DM22 of the CS and CO7PU of the ELP.

### Flood risk

Policy DM24 of the CS and DS8PU and DS9PU of the ELP seek to protect developments against risks of flooding.

The proposal is located within Flood Zones 2 and 3 and will create a use that is considered to be "more vulnerable". All residential use will be located on the first and second floors and the attic, with no changes proposed to the ground floor. The Applicant intends to incorporate flood proofing where appropriate and will prepare an emergency flood warning and evacuation plan.

Overall, the proposal is considered to be acceptable in terms of DM24 of the Copeland Local Plan, DS8PU and DS9PU of the ELP and the NPPG guidance.

### Planning Balance and Conclusion

The proposal seeks to change the use of the upper floors of 49 King Street to three separate holiday lets within a town centre location. Current Local Plan policies and Government guidance encourage the re-use of existing buildings and the use for expanding tourism is welcomed. The principle of the use is therefore acceptable and this carries significant weight within the planning balance.

The proposed use is considered to be compatible for this part of Whitehaven and will not have any significant impacts on residential amenity. There will be a positive effect on the Conservation Area, ensuring its future proofing and improvement within the wider street scene.

Sufficient parking is available within Whitehaven town centre nearby and the proposed use will not materially change the current parking requirements. Flood risk has been considered

	<p>and where practical, mitigated.</p> <p>Overall this proposal is considered to be an acceptable form of development whereby the benefits greatly outweigh any harm created. The proposal accords with the policies in the adopted local plan and guidance set out within the NPPF.</p>
8.	<p><b>Recommendation:</b></p> <p>Approve (commence within 3 years)</p>
9.	<p><b>Conditions:</b></p> <p><u>Standard Conditions</u></p> <ol style="list-style-type: none"> <li>1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.</li> </ol> <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"> <li>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: - <ul style="list-style-type: none"> <li>Application form, received 25th March;</li> <li>Site Location Plan, scale 1:1250, drawing number A0700-P1, received 25th March 2024;</li> <li>Existing and proposed ground floor plans, scale 1:100, drawing number A0800-P1, received 25th March 2024;</li> <li>Existing and proposed first floor plans, scale 1:100, drawing number A0850-P1, received 25th March 2024;</li> <li>Existing and proposed second floor plans, scale 1:100, drawing number A0900-P1, received 25th March 2024;</li> <li>Existing and proposed third floor plans, scale 1:100, drawing number A0950-P1, received 25th March 2024;</li> <li>Existing and proposed front elevations, scale 1:100, drawing number A01000-P1, received 25th March 2024;</li> <li>Flood Risk Assessment, written by UNDA, document reference 92458-Imovina-KingSt,</li> </ul> </li> </ol>

received 14th June 2024;

Heritage Statement, written by Next Level Architecture, document number KS2023-A0600, received 25th March 2024;

Design and Access Statement, written by Next Level Architecture, document number KS2023-A0500, received 25th March 2024.

#### 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 Construction Conditions

3. Prior to the replacement of any windows or doors within the building, full details and specifications must be submitted to and approved in writing by the Local Planning Authority. Any windows and doors replaced must be done so in accordance with the approved details and retained as such at all times thereafter.

#### Reason

In order to ensure that the character of the Conservation Area is maintained and in accordance with Policies ENV4 and DM27 of the Copeland Local Plan.

4. Prior to its installation, full details of the dormer window to be situated in the roof on the rear elevation must be submitted to and approved in writing by the Local Planning Authority. Development must be carried out in accordance with the approved details and retained as such at all times thereafter.

#### Reason

To ensure a satisfactory design with the Conservation Area and in accordance with Policies ENV4 and DM27 of the Copeland Local Plan.

#### Prior to Occupation Condition

5. No building or use hereby permitted must be occupied or the use commenced until a Noise Management Plan has been submitted to and approved in writing by the Local Planning Authority.

The Noise Management Plan must include undertakings and procedures for:

- I. The name/s of an (on-site) supervisor/s responsible for the behaviour of guests and for liaison with local residents and this Council;
- II. The control and use of outside areas;
- III. The control of noise breakout from within the building;
- IV. Access and egress to and from the property by guests including arrangements for vehicle parking;
- V. Recording of complaints and response to those complaints;
- VI. The annual review of the Noise Management Plan and, if necessary, the submission and approval in writing by the Local Planning Authority of any revised Noise Management Plan;
- VII. Any other matters that are reasonably required by the Local Planning Authority.

**Reason**

To safeguard the amenity of nearby residents and the area generally in accordance with Policy ST1 of the Copeland Local Plan.

**Other Conditions**

6. Following approval of the development, construction activities that are audible at the site boundary must be carried out only between the following hours:
- Monday to Friday 08.00 – 18.00 and Saturday 08.00 – 13.00 and at no time on Sunday or Bank Holidays.

Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above unless otherwise agreed with the Local Planning Authority.

**Reason**

In the interests of the amenities of surrounding occupiers during the construction of the development in accordance with Policy ST1 of the Copeland Local Plan.

7. Any rainwater goods replaced must be in cast iron and retained as such at all times.



**Reason**

In order to respect the character of the Conservation Area and in accordance with Policies ENV4 and DM27 of the Copeland Local Plan.

8. Development must be carried out in accordance with all of the conclusions and mitigation measures outlined within the Flood Risk Assessment for Planning, written by Unda, document reference 92458-Imovina-KingSt and received 14<sup>th</sup> June 2024.

**Reason**

In order to ensure that the risk of flooding is not increased either on site or in the surrounding area and in accordance with Policies ENV1 and DM24 of the Copeland Local Plan.

**Informative Notes**

- 1) 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 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](http://www.gov.uk/government/organisations/the-coal-authority)

- 2) The LLFA surface water map show flooding close to the site and indicate 1 in 100 chance of occurring each year.

The applicant needs to consider the Standing Advice for vulnerable developments in flood zone 2 & 3 regarding floor levels, extra flood resistance and resilience measures, access and escape and surface water management.

**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.

<b>Case Officer: Sarah Papaleo</b>	<b>Date : 24/07/2024</b>
<b>Authorising Officer: N.J. Hayhurst</b>	<b>Date : 26/07/2024</b>
<b>Dedicated responses to:- N/A</b>	