

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/24/2208/0F1	
2.	Proposed Development:	MATERIAL CHANGE OF USE OF GARAGE AND WORKSHOP TO FORM CONFERENCE/COMMUNITY FACILITY AND THE DEMOLITION AND REPLACEMENT OF AN EXISTING SINGLE STOREY EXTENSION AND MINOR EXTERNAL ALTERATIONS TO THE REAR ELEVATION TO ENLARGE A WINDOW AND DOOR OPENING	
3.	Location:	FORMER BRICK HOUSE BAKERY TO REAR OF 27 MARKET PLACE, EGREMONT	
4.	Parish:	Egremont	
5.	Constraints:	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Flood Area - Flood Zone 2, Coal - Off Coalfield - Data Subject To Change, Outer Consultation Zone - Sellafield 10KM	
6.	Publicity Representations & Policy	Neighbour Notification Letter	Yes
		Site Notice	Yes
		Press Notice	Yes
		Relevant Policies	See Report
		Consultation Responses	See Report
7.	Report: Site and Location	This application relates to the former Brick House Bakery sited to the rear of 27 Market Place, located within the centre of Egremont. The building is currently dilapidated and vacant, however it has previously been operated as a bakery and most recently as a	

workshop/outbuilding.

The application site is located within the Egremont Conservation Area.

Relevant Planning History

4/18/2368/0F1 – Replacement of shop door, shop front (including side panels and fascia boarding) & side door, repair flat door, and repair of flat windows – Approved.

4/23/2007/0F1 – Change of use to an office – Approved.

Proposal

This application seeks planning permission to change the use of the existing garage and workshop to form a conference facility. The proposal will provide a small conference facility that can be used by local businesses and people to host training events, small parties and local meetings. The proposed change of use will be accommodated within the existing footprint of the building, however the existing single storey extension will be replaced with a new extension measuring 3.3m x 6m with a roof pitch extending from the main building. The proposed extension will include a larger door and window opening within the rear elevation, and a new side facing window.

Internally, the proposal will create a conference room, kitchen area, breakout area, bathroom facilities, and a store.

Access to the site will be from the existing gated access on Market Place. Foul and surface water will be disposed to the existing main sewer as existing.

Consultation Responses

Egremont Town Council

21st June 2024

No objections

18th July 2024

Councillors would like to defer comments as they request a definition of the term “conference/community facility” and what the intended use will be as there is concern as to what events the building may be used for. They also ask that the deadline for comments be extended so that when the explanation of the facility is received comments can then be made upon that. Please can the Town Council have confirmation of the extended date for further comments.

8th August 2024



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Following concerns regarding what the facility would be used for, three Town Councillors met with the owner for a site visit on 7/8/24.

All concerns were addressed and Councillors fully support the application for renovation & business plans for the dilapidated building.

Cumberland Council – Highway Authority & Lead Local Flood Authority

17th July 2024

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.

27th September 2024

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.

Environment Agency

18th June 2024

We have no flood risk objections to the proposed development, however we do wish to make the following comments:-

We would like to make the applicant aware that Skirting Beck runs in culvert under the small lane on the western boundary of the site.

2nd October 2024

Please refer to our previous response referenced NO/2024/116138/01-L01 and dated 17 June 2024. We do not wish to make any additional comments.

Cumberland Council – Environmental Health

2nd July 2024

There are no objections to this development from Environmental Health, subject to the following comments and suggested conditions.

The property is in a 1 km grid square where some parts are in bands of elevated radon potential, and 10 – 30 % of properties may exceed the Radon Action Level. The new extension may require full radon protection.

As a workplace, further information can be found at

<https://www.hse.gov.uk/radiation/ionising/radon.htm>

The proposed premises has a kitchen area, although there are no details of kitchen extract or other associated mechanical plant (refrigeration condenser units for example). Potential nuisance from noise and cooking odours should be considered if such plant is to be provided.

As a commercial kitchen, if food is to be sold, cooked, stored, handled, prepared or distributed, the premises will need to be registered with the Council as a food business and be subject to inspection through the food hygiene regime of the Food Safety Act 1990 and associated regulations.

Further information can be found at <https://register.food.gov.uk/new>

Likewise, if alcohol is to be sold or supplied at the premises or licensable activities undertaken, a Premises Licence (or Temporary Event Notice) under the Licensing Act 2003 would also be required from the Council.

The proposed hours of opening are not seen as excessive by Environmental Health although the hours and operations of any licensable activities could be further restricted in the above process.

If the development were to be approved, Environmental Health are mindful of potential disturbance from noise and dust during the demolition / construction phase, and nuisance from external lighting.

As such the following conditions are requested: Noise/dust from demolition/construction works, and artificial lighting.

11th July 2024

Many thanks for the additional information, which is noted.

Please remind the applicant that the premises will still need to be registered with the Council as a new food business (this requirement includes the storage, handling and distribution of food as well as cooking and serving).

The registration can be completed off the web link below –

<https://register.food.gov.uk/new>

The premises may need a Premises Licence also, as advised, and further information on this can be sought from the Councils Licensing Team.

30th September 2024

There are no objections from Environmental Health to the amendments dated September 2024 on this development.

Cumberland Council – Conservation and Design Officer

16th July 2024



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Conclusion: Information requested

Assessment:

- I am supportive of the aim to give this structure a new use. The use appears suitable for the building.
- It appears to have some heritage significance, likely on account of the connection between it and the various activities and people that have been connected to it over time.
- This is a fairly low level. The building is not listed and is well hidden within the conservation area.
- It is part of the surviving cluster of dense red sandstone fabric around St Bridget's Lane near the Market Place.
- It contributes to the significance of the place and 27 Market Place itself through being a record of the past grain, layout and usage of this part of Egremont.
- The structure itself has little aesthetic value and is in a very poor state. The refurbishment of these spaces will build upon what's there while allowing it to retain its general character.
- I'm no expert on floor construction but note the intention to cast the new concrete slabs over the existing tiles, which sounds like it could perform rather poorly.

Further information:

- I was not able to observe details of proposed external doors and windows in the application and suggest that these should be either included or otherwise approved via a condition to be discharged prior to their installation. Our Conservation Area Design Guide advises use of timber for windows and doors in conservation areas, so this should be the starting point for specification.

30th September 2024

I note the increased footprint of the extension by taking the rear wall out roughly 1m further, and the according change to the roof pitch. I do not believe this alters the impact of the proposal in heritage terms, or changes the assessment of it as a piece of design, so have no new comments to add.

Public Representation

This application has been advertised by way of a site notice, press notice, and neighbour notification letters issued to three properties. Twelve letters of support have been received to this application which make the following comments:

- Reuse of a building in a bad state.

- Great idea for the town and local community.
- Creates employment for local people and

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 ER7 – Principle 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 ER10 – Renaissance through Tourism

Policy ER11 – Developing Enterprise and Skills

Policy SS4 – Community and Cultural Facilities

Policy T1 – Improving Accessibility and Transport

Policy ENV1 – Flood Risk and Risk Management

Policy ENV3 – Biodiversity and Geodiversity

Policy ENV5 – Protecting and Enhancing the Borough's Landscapes

Policy ENV4 – Heritage Assets



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Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM11 – Sustainable Development Standards

Policy DM22 – Accessible Developments

Policy DM21 – Protecting Community Facilities

Policy DM22 – Accessible Developments

Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species

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 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 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.

The Report on the Examination of the ELP was received on the 23rd September 2024. Given the advanced stage of preparation and with adoption pending, full weight can be attached to the policies of the ELP.

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
	Policy DS7PU: Hard and Soft Landscaping
	Strategic Policy DS8PU: Reducing Flood Risk
	Policy DS9PU: Sustainable Drainage
	Policy DS10PU: Soils, Contamination and Land Stability
	Policy DS11PU - Protecting Air Quality
	Policy SC5PU: Community and Cultural Facilities
	Strategic Policy SC1PU: Health and Wellbeing
	Policy SC2PU: Sporting, Leisure and cultural Facilities (excluding playing pitches)
	Policy SC5PU: Community and Cultural Facilities
	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 R1PU: Vitality and Viability of Town Centres and villages within the Hierarchy
	Policy SC5PU: Community and Cultural Facilities
	Strategic Policy BE1PU: Heritage Assets
	Policy BE2PU: Designated Heritage Assets
	Policy BE3PU: Archaeology
	Policy BE4PU: Non- Designated Heritage Assets
	Strategic Policy CO4PU - Sustainable Travel
	Policy CO5PU - Transport Hierarchy
	Policy CO7PU - Parking Standards and Electric Vehicle Charging Infrastructure
	Strategic Policy N1PU: Conserving and Enhancing Biodiversity and Geodiversity
	Strategic Policy N2PU: Local Nature Recovery Networks
	Strategic Policy N3PU: Biodiversity Net Gain



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Other Material Planning Considerations

National Planning Policy Framework (2023)

National Design Guide (NDG)

Cumbria Design Guide

Planning (Listed Buildings and Conservation Areas) Act 1990

Conservation Area Design Guide SPD (Adopted December 2017)

The Conservation of Habitats and Species Regulations 2017 (CHSR)

Wildlife and Countryside Act 1981

Assessment

The key issues raised by this application relate to the principle of the development; enhancement of community facilities; scale, design, and impact of the development; access, parking and highway safety, flood risk and drainage; and impact on heritage assets.

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.

Policy ST1, ST2 and ER6 of the Copeland Local Plan seeks to concentrate development within the defined settlement boundaries in accordance with the Borough's settlement hierarchy. The application site lies within the designated settlement boundary for Egremont, which is identified as one of the Borough's Key Service Centres in Policy ST2 of the Copeland Local Plan. This policy seeks to encourage opportunities for the start-up and growth of small and medium enterprises, with a focus on linkages to the nuclear sector and tourism, and seeks to support mixed use development in principle.

Policy DS3PU of the Emerging Local Plan continues to identify Egremont as a Key Service Centre, where the focus will be on town centre and employment developments, and medium scale housing extensions, windfall and infill developments. Policy DS4PU of the Emerging Local Plan states that development within the identified settlement boundaries will be supported in principle where it accords with the Development Plan unless material considerations indicate otherwise.

The application seeks to change the use of an existing building within the centre of Egremont, introducing a conference facility for use by the local community and local businesses within a vacant dilapidated site. The principle of this development is therefore considered to be acceptable. On this basis, the proposal is considered to comply with Policies ST1, ST2, and ER6 of the Copeland Local Plan, Policies DS3PU and DS4PU of the Emerging Local Plan,

and provisions of the NPPF.

Impact on Community Facilities

Policy SS4 of the Copeland Local Plan protects range of services and facilities serving the Borough's communities by encouraging the provision and retention of good quality services and facilities which meet the needs of local communities and are accessible by public transport, cycling or on foot. This policy also allows for the expansion and enhancement of existing community and cultural facilities to assist continuing viability and guards against the loss of land or buildings belonging to existing facilities in all locations by ensuring sites are retained for other forms of community use and ensuring satisfactory alternative provision is made where development will result in a loss of a service. Policy DM21 of the Copeland Local Plan states that development or change of use which would result in the loss of an existing social, community, cultural or sports facility will be resisted where there is evidence that there is a demand for that facility that is unlikely to be met elsewhere.

Policy SC5PU of the Emerging Local Plan states that proposals for new community facilities will be supported in principle and developments must be located within a settlement boundary identified within the hierarchy unless the proposal is for a specific activity that required a location that cannot be accommodated within a settlement, be accessible by sustainable transport modes where possible, be of a scale appropriate to its surroundings, ensure adequate parking is provided, ensure the development does not cause unacceptable harm on residential amenity, and ensure that biodiversity conservation interests would not be harmed as a result. This policy also states that the loss of existing community facilities through change of use or new development requiring planning permission will only be permitted where it can be clearly demonstrated, to the satisfaction of the Council, that its continued use as a community or cultural facility is no longer feasible, having had regard to appropriate marketing, there is sufficient provision of such facilities in the area, and/or sufficient alternative provision has been, or will be made elsewhere which is equally accessible and of the same quality or better than the facility being lost.

The proposed change of use will utilise an existing vacant town centre building, therefore the development will not result in the loss of any existing facility. The proposal will provide a small conference facility that can be used by local businesses and people to host training events, small parties and local meetings. The facility can also help to encourage local small businesses to host their own events, provide a facility for uses such as art and craft classes or fitness classes, and will also be available for local charities to use and hold fundraising events.

This application will create a new facility within the Key Service Centre which will provide a diverse range of uses for the local community. The development will enhance existing provision and will increase footfall within the Town Centre.

Scale, Design, and Impact of the Development

Policy SS1 of the Copeland Local Plan seeks to make Copeland a more attractive place to

build homes and to live through requiring new development to be designed and built to a high standard.

Policy DM10 of the Copeland Local Plan expects high standards of design and the fostering of quality places. It is required that development responds positively to the character of the site and the immediate and wider setting and enhance local distinctiveness. It is required that development incorporate existing features and address vulnerability to and fear of crime and antisocial behaviour.

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.

The main element of the proposed change of use will be within the existing footprint of the building, with limited external alterations to the main building. The proposal does however seek to replace and slightly extend the existing rear extension. The replacement extension will extend the roof pitch of the main building. This alteration to the property is not considered to significantly impact on the overall character or appearance of the existing building, particularly as the existing structure is in a poor state of repair. The application also seeks to refurbish the existing building including replacement windows and alterations to existing openings. As limited details have been provided in terms of the proposed external materials for the refurbishment of the building, and the proposed extension, full materials specifications will be secured by an appropriately worded planning condition.

As the proposed change of use will utilise the footprint of the existing building, with only a small increase to the rear extension, the proposal will not bring the property closer to any neighbouring properties retaining separation distances. The location of existing openings will be retained, therefore not increasing the potential for overlooking of adjacent sites. An additional side facing window will be located within the rear extension, serving the proposed kitchen area. Due to concerns regarding overlooking, this opening will be fitted with obscure glazing as agree with the agent for this application. The installation and retention of the proposed obscure glazing will be secured by an appropriately worded planning condition.

The Council's Environmental Health Officer has reviewed this application and have confirmed that they have no objections to the development subject to conditions relating to noise/dust from demolition/construction works, and artificial lighting. Following confirmation from the agent that an extraction system is not required as no food will be made on site, the Officer has confirmed that the proposed operation hours are not excessive with any licensable activities controlled through the premises licence process. Operation hours will however be controlled by an appropriately worded planning condition on any decision notice for this application.

Based on the inclusion of conditions outlined above, the proposal is considered to comply with Policies SS1 and DM10 of the Copeland Local Plan, Policy DS6PU of the Emerging Local Plan, and the provisions of the NPPF.

Access, Parking, 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.

The application site currently has no off-street parking, this will not be altered as part of this application. The site is however located within the town centre which benefits from existing on-street parking, nearby car parks, and other sustainable transport links. The Highway Authority have confirmed that they have no objections to the application as it is considered that it will not have a material effect on existing highway conditions.

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 ST1B(ii) and paragraph 163 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. Policy ENV1 and DM24 of the Copeland Local Plan reinforces the focus of protecting development against flood risk.

The application site is located within Flood Zone 1, however the rear boundary wall is located within Flood Zone 2. A Flood Risk Assessment has not been submitted for this application as the proposed works are located within Flood Zone 1. As the development utilises the existing footprint of the building, with a minor extension, the development is not considered to increase flood risk at the site or within the surrounding area. The EA have offered no objections to the application.

The application also confirms that surface and foul water will be disposed of by the mains as existing. No objections have been received to this from the LLFA as it is considered that the development will not increase the flood risk on the site or elsewhere.

On this basis, the development complies with Policy ST1, ENV1, DM11, and Policy DM24 of the Copeland Local Plan, Policy DS8PU and DS9PU of the Emerging Local Plan and the provisions of the NPPF.

Impact on Heritage Assets

Policy ST1, ENV4, 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



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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)].

Section 72 of the 1990 Act states that “special attention shall be paid to the desirability of preserving or enhancing the character or appearance of [a conservation] area.”

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)

Referring to assets in a conservation area, NPPF para. 207 states that loss of an element that makes a positive contribution to a conservation area should be treated as either substantial (under para. 201) or less-than-substantial harm (under paragraph 202).

The Council’s Conservation Officer has confirmed that he is supportive of the proposals aim to give the structure a new use which is considered suitable for the building. The Officer confirms that the building has low level heritage significance, is well hidden within the Conservation Area, and has little aesthetic value and is in a very poor state. As details of the proposed replacement external doors and windows are not included within this application, the Officer has requested that this be secured by condition.

Given the proposal will create a new use for and redevelop this dilapidated building, based on the inclusion of the requested condition, the application is considered to enhance the existing heritage asset which is currently in a poor state of repair and therefore the proposal is considered to comply with Policies ST1, ENV4, DM27 of the Copeland Local Plan, Policy BE1PU and BE2PU of the Emerging Local Plan, and provisions of the NPPF.

Impact on Ecology

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 LP 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.

In England, BNG is now mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Applications must now deliver a Biodiversity Net Gain of 10%, resulting in more or better-quality natural habitat than there was before the development. Some developments are however except from these BNG requirements. In this instance the application is exempt from BNG as the development is for a change of use of an existing property so there will be no or only a de minimis impact on onsite habitat. Furthermore, the minor increase to the rear extension is below the threshold of minor developments requiring BNG assessments.

On this basis, it is considered that the development would be in accordance with the aims and objectives of both the adopted Copeland Local Plan, Emerging Local Plan and the NPPF.

Planning Balance and Conclusions

The application seeks to change the use of an existing building within the centre of Egremont, which is identified as one of the Borough's Key Service Centre, introducing a conference facility for use by the local community and local businesses within a vacant dilapidated site. The proposal will create a new facility within Egremont which will provide a diverse range of uses for the local community and will enhance existing provision and increase footfall within the Town Centre.

Given the proposed change of use will be within the existing footprint of the building, with a slightly extended replacement rear extension, the works are not considered to significantly impact on the overall character or appearance of the existing building, particularly as the existing structure is in a poor state of repair. Details of materials and replacement windows/doors will be secured by condition.

The proposal offers no off-street parking, however the site is located within the town centre which benefits from existing on-street parking, nearby car parks, and other sustainable transport links. The Highway Authority have offered no objections to the proposal. No concerns have been raised regarding the proposed drainage or flood risk for the development.



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	<p>Conditions will also be utilised to secure operation hours, construction hours, and lighting.</p> <p>On balance the positive benefits that would result from this proposal outweigh any potential harm and the proposal represents a sustainable form of development which complies with the Policies set out in the Copeland Local Plan and the guidance within the NPPF.</p>
8.	<p>Recommendation:</p> <p>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">- Site Location Plan, Site Block Plan, and Existing Plans & Elevations, Scale 1:50, 1:100, 1:500 & 1:1250, Drg 001, received by the Local Planning Authority on the 10th June 2024.- Existing Sections, Scale 1:100, Drg 002, received by the Local Planning Authority on the 10th June 2024.- Proposed Plans and Elevations (Amended), Scale 1:50, Drg 003, received by the Local Planning Authority on the 12th August 2024.- Proposed Sections (Amended), Scale 1:100, Drg 004, received by the Local Planning Authority on the 12th August 2024.- BNG Exception Statement, received by the Local Planning Authority on the 10th June 2024.- Heritage Statement, Prepared by Wright Land & Property Ltd, received by the Local Planning Authority on the 10th June 2024.- Planning Statement/Design and Access Statement (Amended), Prepared by Wright Land & Property Ltd 18th September 2024, received by the Local Planning

Authority on the 18th September 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 First Use/Occupation Conditions:

3. Prior to their first use within the development hereby approved, samples and details of the materials to be used within the external surfaces of the development must be submitted to and approved in writing by the Local Planning Authority. Development must be completed in accordance with the approved details of materials and must be retained for the lifetime of the development.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity and to safeguard the heritage asset.

4. Prior to the first installation within the development hereby approved, details of the proposed doors and windows must be submitted to and approved in writing by the Local Planning Authority. The development must be carried out in accordance with the approved details at all times thereafter and must not be altered without the prior consent of the Local Planning Authority.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity and to safeguard the heritage asset.

5. Prior to the first use of the development hereby approved the side facing window within the south elevation of the rear extension must be fitted with obscure glazing. The obscure glazing must be permanently retained at all times thereafter.

Reason

To safeguard the amenities of occupiers of adjoining properties in accordance with the

provisions of Policy ST1 of the Copeland Local Plan 2013-2028.

Other Conditions:

6. The use of the building hereby approved must only be permitted to the public/customers between:

- 8:30am – 23:00pm Monday to Friday; and
- 9:00am – 23:00pm Saturdays, Sundays and bank holidays

Reason

To minimise potential disturbance to nearby residences and to safeguard the amenities of the locality.

7. Following approval of the development, demolition/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
- Saturday 08.00 – 13.00

No construction works shall take place at any time on Sundays 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.

Measures for the mitigation of dust and other airborne pollutants should also be taken at all times during the construction phase.

Reason

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

8. Artificial light to the development must conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone E2 contained within Table 2 of the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting GN01:2021.

	<p>Reason</p> <p>To safeguard the amenities of nearby residential occupiers.</p> <p>Statement:</p> <p>The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and negotiating with the applicants acceptable amendments to address them. As a result the Local Planning Authority has been able to grant planning permission for an acceptable proposal in accordance with Copeland Local Plan policies and the presumption in favour of sustainable development as set out in the National Planning Policy Framework.</p>	
Case Officer: C. Burns		Date : 16.10.2024
Authorising Officer: N.J. Hayhurst		Date : 17.10.2024
Dedicated responses to:- N/A		