

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2370/0F1
2.	Proposed Development:	CHANGE OF USE FROM A PUBLIC HOUSE TO A PRIVATE DWELLING HOUSE
3.	Location:	THE STUMP, 50 HIGH ROAD, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change, Key Species - POTENTIAL AREA for the Small Blue
6.	Publicity Representations & Policy	Neighbour Notification Letter: YES 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 Stump, situated on High Road in Whitehaven. The building is located within a residential area and is a detached building. PROPOSAL This application seeks full planning permission for the change of use and conversion of the	

former public house to form a dwelling.

The property will comprise of two reception rooms, a store and WC on the ground floor and four bedrooms, a kitchen and bathroom on the first floor.

There are no changes proposed to the existing internal layout or the external features of the building.

The pub ceased trading in July 2023.

RELEVANT PLANNING APPLICATION HISTORY

Wheelie bin shelter and smoking shelter (retrospective), approved in May 2009 (application reference 4/09/2205/0F1 relates).

CONSULTATION RESPONSES

Whitehaven Town Council

No objections.

Highways and Local Lead Flood Authority

The Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) 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.

Public Representation

The application has been advertised by way of a site notice and neighbour notification letters issued to 9 no. properties.

One letter has been received raising concerns with possible asbestos within the garage roof affecting their property.

PLANNING POLICY

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



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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 2021-2039 (LP):

Cumberland Council continued the preparation of the LP as commenced by Copeland Borough Council.

The LP was adopted by Cumberland Council on the 5th of November 2024 replacing the Copeland Local Plan 2013-2028 and the saved policies of the Copeland Local Plan 2021-2016.

The policies relevant to this application are as follows:

- Strategic Policy DS1 – Settlement Hierarchy
- Strategic Policy DS2 – Settlement Boundaries
- Policy DS4 - Design and Development Standards
- Strategic Policy H1 - Improving the Housing Offer
- Strategic Policy H2 - Housing Requirement
- Strategic Policy H3 - Housing delivery
- Strategic Policy H4 - Distribution of Housing
- Strategic Policy H5 - Housing Allocations
- Policy H6 - New Housing Development
- Policy H7 - Housing Density and Mix Strategic
- Policy H13: Conversion and sub-division of buildings to residential uses including large HMOs
- Policy N3 – Biodiversity Net Gain
- Policy SC5 – Community and Cultural Facilities
- Policy CO7 – Parking Standards

Other Material Planning Considerations

National Planning Policy (NPPF)

Strategic Housing Market Assessment 2021 (SHMA)

Copeland Borough Council - Strategic Housing Market Assessment and Objectively Assessed Housing Need (SHMA)

Cumbria Development Design Guide (CDDG)

ASSESSMENT

Principle of Development

The existing building is located within the development boundary for Whitehaven as defined in Policy DS2 of the Local Plan. The town is classed under Policy DS1 as Copeland's Principal Town where the conversion of existing buildings to residential use is acceptable within the confines of the settlement boundary.

The principle of new housing is supported in the Copeland Local Plan through Policy H1 to H7 of the LP. The conversion of buildings to residential use is considered to be acceptable, subject to specific criteria within Policy H13. 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 surrounded by other residential dwellings and within walking distance of services required for day to day living and therefore is considered, in principle, to be an appropriate use in this location.

Design

Policy DS4 of the LP promotes good design and the aspiration that new dwellings will respond positively to their surroundings.

Policy H13 of the LP sets the standards for acceptable residential dwellings.

The following criteria are required to be met for the development to be considered to be acceptable:

- a) The development does not result in unacceptable levels of harm to residential amenity (noise and disturbance) for occupiers of the converted property and/or those occupying neighbouring properties;
- b) Future residents have adequate levels of natural lighting and privacy;
- c) The development does not have an adverse impact upon the privacy of neighbouring residents through direct overlooking;
- d) Off street parking is provided or sufficient parking is available within close proximity of the site;
- e) Adequate external amenity space is provided, including for waste and recycling bin storage without harming the visual amenity of the area where possible;



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- f) Cycle space is provided, where possible;
- g) Safe access is available from both the front and rear of the property, where possible; and
- h) The development does not result in an over-concentration of HMOs, taking into account the cumulative impacts of HMOs and subdivided properties within the vicinity of the site.

Consideration will also be given to the loss of the original property and whether this supports the Housing Strategy informed by the Council's SHMA and Housing Needs Study.

Externally, no alterations are proposed. Internally, the dwelling created will have sufficient facilities for everyday living without any alterations to the layout. All criteria from Policy H13 are considered to have been met. The proposal has been fully considered and it is considered that the residential property is of a suitable standard.

On this basis, the living standards are deemed to be acceptable for each property and the design overall is considered to comply with Policies DS4 and H13 of the LP.

Loss of the community facility

Policy SC5 of the LP seeks 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.

Whitehaven has a plethora of bars and pubs within the town centre and within walking distance of the site. This is likely to fulfill the needs of local residents, therefore the permanent loss of The Stump is acceptable.

The former pub closed in 2023 citing a loss of trading and money as the reasons for the closure. The Agent for the application has submitted a statement to show that the building had been marketed for over 18 months with very little interest. It is hoped that gaining planning permission for use as a residential dwelling will allow the property to be sold as prospective purchasers will be able to gain a residential mortgage.

On this basis, the loss of the community facility is acceptable and alternative provision is available locally under the terms of Policy SC5 of the LP.

Parking

The building currently utilises a long driveway at the side of the property for parking. In relation to the previous use as a public house, the use as a residential dwelling is expected to reduce vehicle movements in and around the site, therefore creating a less intensive usage. Furthermore, the site is located on a regular bus route with cycling and walking opportunities widely available for nearby local services.

The Highways Authority has raised no objections to the proposal and considers that there is unlikely to be a negative effect on the surrounding highways network.

Overall, it is considered that the proposal complies with Policy CO7 of the LP and will provide an accessible development.

Biodiversity Net Gain

	<p>Policy N3 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 N1. This is in addition to any compensatory habitat provided under Policy N1. 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.</p> <p>Biodiversity Net Gain became mandatory for small sites in the UK on 01st April 2024.</p> <p>This application relates to the conversion of an existing building and does not involve the creation of any additional space. The land surrounding the building is all hard surfaced and has traditionally been used as a garden and parking. The proposals will not impact more than 25m² of on-site habitat, i.e. the De Minimis Exemption.</p> <p><u>Local Concerns</u></p> <p>One neutral letter has been received stating that there is allegedly asbestos within the roof of the garage on site and this may have a negative effect on their property if any work is undertaken to it. The proposals do not include any work to the garage and this concern has therefore not been considered as part of this application.</p> <p><u>Planning Balance</u></p> <p>The loss of the community facility is acceptable as there is alternative provision within walking distance of the site. This affords neutral weight to the application.</p> <p>The site falls within the settlement boundary of the Principal Town of Whitehaven and the principle of residential development is acceptable in this location. The proposed use will result in the viable use of a vacant building. This is afforded significant weight.</p> <p>No external alterations are proposed to the building as part of the conversion.</p> <p>The site is located within a sustainable location, and no issues are raised relating to parking provision to serve the proposed use. This carries moderate weight within the planning balance.</p> <p>The concern received from a local resident has not been considered as part of the application as it relates to a building that is not proposed for alteration. No objections have been received from statutory consultees.</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>



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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 5th November 2025; Site Location Plan, scale 1:1250, received 5th November 2025; Site Plan, scale 1:200, received 5th November 2025; Existing and Proposed Floor Plans, received 5th November 2025; Loss of Amenity Planning Statement, received 5th November 2025; Biodiversity Net Gain Exemption Statement, received 5th November 2025.</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>Informative</p> <p>Development Low Risk Area – Standing Advice – Mining Remediation Authority</p> <p>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 Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242 Further information is also available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK</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</p>
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	policies and any representations that may have been received, and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.	
Case Officer: Sarah Papaleo		Date : 16/12/2025
/Authorising Officer: N.J. Hayhurst		Date : 17/12/2025
Dedicated responses to:- N/A		