

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2398/0F1	
2.	Proposed Development:	CHANGE OF USE FROM A BEAUTY SALON (GROUND FLOOR) TO A 1 BEDROOM FLAT	
3.	Location:	1 CHURCH STREET, MOOR ROW	
4.	Parish:	Egremont	
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change	
6.	Publicity Representations &Policy	Neighbour Notification Letter	Yes
		Site Notice	Yes
		Press Notice	No
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	Report:		
	Site and Location		
		This application relates to 1 Church Street, the ground floor of the end of terrace property located within the centre of Moor Row. The site has previously been utilised as a nail bar/beauty salon however the use has now ceased and the site is vacant.	
	Relevant Planning History		
		4/08/2438/0 – Change of use from post office to ground floor flat and alterations to existing dwelling above – Approved.	

4/12/2116/0F1 – Change of use of ground floor flat to nail bar and treatment room – Approved.

Proposal

This application seeks planning permission to change the use of the property from a beauty salon to a one-bedroom flat.

The proposed change of use will be confined to the existing footprint of the building and will create a living room, bedroom, bathroom and kitchen. There is a small yard to the rear of the building. No external alterations are proposed to accommodate the change of use.

Consultation Responses

Egremont Town Council

No comments.

Cumberland Council – Highway Authority & Lead Local 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

This application has been advertised by way of a site notice, and neighbour notification letters issued to 2 properties. No responses have been received to this statutory notification period.

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



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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 2001-2016.

Strategic Policy DS1: Settlement Hierarchy

Strategic Policy DS2: Settlement Boundaries

Policy DS4: Design and Development Standards

Strategic Policy DS6: Reducing Flood Risk

Policy DS7: Sustainable Drainage

Strategic Policy R1: Vitality and Viability of Town Centres and Villages within the Hierarchy

Strategic Policy H1: Improving the Housing Offer

Strategic Policy H2: Housing Requirement

Strategic Policy H3: Housing Delivery

Policy H13: Conversion and sub-division of buildings to residential uses including large HMOs

Strategic Policy N1: Conserving and Enhancing Biodiversity and Geodiversity

Strategic Policy N2: Local Nature Recovery Networks

Strategic Policy N3: Biodiversity Net Gain

Strategic Policy CO4: Sustainable Travel

Policy CO5: Transport Hierarchy Strategic

Other Material Planning Considerations

National Planning Policy Framework (2023)

National Planning Practice Guidance (NPPG)

Cumbria Development Design Guide

The Conservation of Habitats and Species Regulations 2017 (CHSR)

Assessment

The key issues raised by this application relate to the principle of the development; impact of

the development; parking and highway safety, flood risk and drainage; and biodiversity & ecology.

Principle of Development

Moor Row is identified in Strategic Policy DS1 as a Sustainable Rural Village. These are settlements that offer a limited number of services, but which could support a limited amount of growth to maintain communities. This Policy states that the focus of development in Sustainable Rural Villages will be to support the retention and small scale growth of existing services and businesses, with small scale housing allocations, and windfall and infill development supported in principle.

The settlement boundary for Moor Row is defined in Strategic Policy DS2. The application site is located within the Moor Row settlement boundary. It is stated that development within the defined settlement boundaries will be supported in principle where it accords with the Development Plan unless material considerations indicate otherwise.

Strategic Policy R1 of the Copeland Local Plan seeks to enhance the vitality and viability of town centres and villages identified in the settlement hierarchy by working with partners and applicants to support a network of healthy, vibrant and resilient town centres, comprised of a diverse range of retail, residential, leisure and other main town centre uses, that can effectively respond to change. This policy also seeks to support regeneration projects, refurbishment of buildings and public realm improvements within the retail hierarchy.

The application site relates to a vacant commercial premises located within the centre of Moor Row. Whilst the ground floor commercial use will be lost, the proposed works will reinstate the ground floor as a residential flat. The principle of this development is therefore considered acceptable in accordance with Policy DS1, DS2, and R1 of the Copeland Local Plan, and the provisions of the NPPF.

Impact of the Development

Policy H13 of the Copeland Local Plan states that conversions of properties within the Borough settlement boundaries will be supported as long as the development does not result in unacceptable harm to residential amenity, future residents have adequate light and privacy, does not result in loss of privacy, and adequate external amenity space and off-street parking is provided or available within close proximity of the site.

Policy DS4 of the Copeland 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 proposed works will reinstate the ground floor as a residential flat. No external alterations are proposed to the existing building. The works are therefore not considered to alter the



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character of the building and will not create amenity issues for neighbouring properties.

No objections have been received from any neighbouring properties.

On this basis the proposal is considered to comply with Policies DS4 and H13 of the Copeland Local Plan, and the provisions of the NPPF.

Access, Parking & Highway Safety

Strategic Policy CO4 requires that proposals must include safe and direct connections to routes that promote active travel, such as cycling and walking routes where appropriate. Support in principle is outlined for developments which encourage the use of sustainable modes of transport, in particular: proposals that have safe and direct connections to cycling and walking routes where appropriate and those that provide access to regular public transport services; proposals that make provision for electric vehicles; and proposals for the integration of electric vehicle charging infrastructure into new developments. It is required that developments that are likely to generate a large amount of movement secure an appropriate Travel Plan and be supported by a Transport Assessment.

Policy CO7 of the Copeland Local Plan states that proposals for new development will be required to provide adequate parking provision, including cycle parking and accessible parking bays, in accordance with the Cumbria Development Design Guide (or any document that replaces it) where appropriate.

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.

The Highway Authority have offered no objections to this application as the proposed change of use is not considered to have a material effect on existing highway conditions.

On this basis the proposal is considered to be compliant with the Policy CO4 of the Copeland Local Plan, and provisions of the NPPF.

Flood Risk & Drainage

Policy DS6 seeks that development will not be permitted where: there is an unacceptable risk of flooding and or, the development would increase the risk of flooding elsewhere.

Policy DS7 requires that surface water is managed in accordance with the national drainage hierarchy and includes Sustainable Drainage Systems where appropriate.

The application site is located within Flood Zone 1 and therefore has a low probability of flooding.

As the change of use will be accommodated within the footprint of the existing building, the development is not considered to increase surface water run off or flood risk.

The LLFA have offered no objections to the application and have confirmed that it will not increase the flood risk on the site or elsewhere.

	<p><u>Impact on Biodiversity and Ecology</u></p> <p>Policy N1 of the ELP seeks to ensure that new development will protect and enhance biodiversity and geodiversity and defines a mitigation hierarchy.</p> <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>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 exempt from these BNG requirements. In this instance the development is considered exempt from BNG as the development is for a change of use within the existing footprint of the building so there will be no or only a de minimis impact on onsite habitat.</p> <p>On this basis, it is considered that the development complies with the requirements of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 and Policies N1 and N3 of the Copeland Local Plan and the provisions of the NPPF.</p> <p><u>Planning Balance and Conclusions</u></p> <p>The application site is located within the defined settlement boundary for Moor Row, which is identified as a Sustainable Rural Village under Policy DS1 of the Local Plan.</p> <p>The proposed works will reinstate the ground floor as a residential flat from a vacant commercial unit within the centre of Moor Row. No external alterations are proposed to the existing building. The works are therefore not considered to alter the character of the building and will not create amenity issues for neighbouring properties.</p> <p>The proposal continues to offer no off-street parking, however, the site is located within the town centre which benefits from existing on-street parking. No objections have been received from the Highway Authority. There are also considered to be no issues relating to ecology, or drainage as part of the proposed works.</p> <p>On balance the positive benefits that would result from this proposal, including the reuse of a vacant building, 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>



**Cumberland
Council**

9. **Conditions:**

1. The development hereby permitted must be commenced before the expiration of three years from the date of this permission.

Reason

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

2. This permission relates to the following plans and documents as received on the respective dates and development must be carried out in accordance with them:-
 - Application Form, received by the Local Planning Authority on the 25th November 2025.
 - Location Plan, Scale 1:1250, Drawing No: 5, received by the Local Planning Authority on the 25th November 2025.
 - Existing Floor Plan, Scale 1:100, Drawing No: 3, received by the Local Planning Authority on the 25th November 2025.
 - Proposed Floor Plan, Scale 1:100, Drawing No: 3, received by the Local Planning Authority on the 25th November 2025.
 - Biodiversity Net Gain Exception Statement, received by the Local Planning Authority on the 25th November 2025.

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.

Informative:

Biodiversity Net Gain – Exemption

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition)” that development may not begin unless:

	<p>(a) a Biodiversity Gain Plan has been submitted to the local planning authority, and (b) the local planning authority has approved the plan.</p> <p>The planning authority, for the purposes of the Biodiversity Gain Plan is Cumberland Council.</p> <p>Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements is/are considered to apply.</p> <p>Applicable exemptions: Development subject to the de minimis exemption.</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: C. Burns	Date : 07.01.2026
Authorising Officer: N.J. Hayhurst	Date : 13.01.2026
Dedicated responses to:- N/A	