



CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/26/2036/0F1
2.	Proposed Development:	CHANGE OF USE FROM FOUR NO APARTMENTS TO ONE APARTMENT
3.	Location:	1A MAIN STREET, EGREMONT
4.	Parish:	Egremont
5.	Constraints:	ASC Adverts - ASC;Adverts, Conservation Area - Conservation Area, Coal - Off Coalfield - Data Subject To Change, Outer Consultation Zone - Sellafield 10KM
6.	Publicity Representations &Policy	See Report.
7.	Report:	<p>Site and Location</p> <p>This application relates to 1A Main Street which is located on the main commercial street within the Market town of Egremont. The existing premises comprises a retail unit at ground level with an access hall and stairs leading to 4x one-bedroom apartments, 3 at first floor and one within the roof space at the second floor level.</p> <p>The property is located within the Egremont Conservation Area.</p> <p>Proposal</p> <p>This application seeks planning permission to change the use of the property from 4 single apartments into 1 large apartment.</p> <p>The proposed change of use will be confined to the existing footprint of the building and will create a kitchen, dining living area on the second floor, with 3 bedrooms and associated bathrooms on the first floor.</p>

No external alterations are proposed to accommodate the change of use.

Relevant Planning History

4/96/0303/0 - CONVERSION OF FIRST AND SECOND FLOORS INTO FOUR, BEDSITS, TOGETHER WITH ALTERATIONS TO PROVIDE, ACCESS AT GROUND FLOOR LEVEL - Approve

Consultation Responses

Egremont Town Council

No objections.

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.

Environmental Health

Environmental Health have considered the following matters:

Radon

The indicative Radon Map UK shows the site to be within a 1 km grid square of elevated radon potential, where the maximum radon potential is 10 – 30 %. This would indicate that radon protection measures should be designed in to the conversion. Whilst radon comes from the ground and can concentrate in lower levels of buildings like basements and ground floors, it can travel up through building structures and openings (service ducts etc) and affect upper floors. Mitigation can be via improved ventilation (passive or positive) measures.

However, Environmental Health would recommend that the upper floors are tested (over a continual 3 months period) for radon gas prior to works, for further information see:

<https://www.ukradon.org/>

Noise

It is proposed that the ground floor remains in commercial use. The current commercial use does not pose a noise hazard to any occupants above and standard Building Regulations for noise insulation and fire protection would suffice.

Environmental Health would request that any construction works are limited to agreed working hours. As such, there are no objections to this proposed development and the following condition is suggested to any approval that is granted:



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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 Holiday.

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.

Conservation Officer

No objections - I don't expect there will be any heritage impact from the proposal.

Public Representation

This application has been advertised by way of a site notice, and neighbour notification letters issued to 7 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 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.

The following policies are relevant to this proposal:

Strategic Policy DS1: Settlement Hierarchy

Strategic Policy DS2: Settlement Boundaries

Policy DS4: Design and Development Standards

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

Strategic Policy R4: The Key Service Centres

Policy H1: Improving the Housing Offer

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

Strategic Policy N3: Biodiversity Net Gain

Strategic Policy CO4: Sustainable Travel

Policy CO7: Parking Standards

Strategic Policy BE1: Heritage Assets

Policy BE2: Designated Heritage Assets

Policy BE4: Non-Designated Heritage Assets

Other Material Planning Considerations

National Planning Policy Framework

National Planning Practice Guidance (NPPG)

Cumbria Development Design Guide

The Planning (Listed Buildings and Conservation Areas) Regulations 1990

Assessment

The key issues raised by this application relate to the principle of the development; Impact of development; Impact on Heritage, parking and highway safety, and biodiversity net gain.

Principle of Development

Egremont is defined under Strategic Policy DS1 as one of the Key Service Centres. These are self-sufficient towns that provide a wide range of services, including convenience and comparison stores, employment opportunities, schools and healthcare. They also act as service hubs for nearby villages. The focus will be for town centre developments, employment development and medium scale housing extensions, windfall and infill development.

Strategic Policy R4 of the Copeland Local Plan supports development within the Key Service



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Centres which improves vitality and viability particularly where development is located within the town centre boundaries of the Key Service Centres and includes proposals to diversify the range of residential accommodation in the Key Service Centres, including the reuse of vacant floors over shops.

The settlement boundary for Egremont is defined under Strategic Policy DS2. The application site is located within the Egremont settlement boundary, within Egremont Town Centre. 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 part commercial/residential premises located within the centre of Egremont. The ground floor commercial use will remain the same, and the proposed works will reinstate the first and second floors as one residential accommodation unit.

The principle of this development is therefore considered acceptable in accordance with Policy DS1, DS2, and R1 and R4 of the Copeland Local Plan, and the provisions of the NPPF.

Impact of the Development

Policy H13 of the Copeland Local Plan states that conversion 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 convert the 4x one-bedroom apartments over the first and second floors back into 1 residential unit. 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.

Whilst there were no objections to the proposal, Environmental Health have requested that any construction works are limited to agreed working hours and that deliveries to and removal of plant, equipment, machinery and waste from the site only take place within the permitted hours in the interests of the amenities of surrounding occupiers during the construction of the development. This can be controlled by the use of an appropriately worded Planning Condition.

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.

Impact on Heritage

Strategic Policy BE1 provides for the preservation and enhancement of built heritage assets and ensures that new development is sympathetic to local character and history.

Policy BE2 states that development should preserve or enhance designated heritage assets (or important archaeological sites) and their settings. Proposals that preserve or enhance the character or appearance of a Conservation Area, especially those elements which have been identified in a Conservation Area Appraisal as making a positive contribution to its significance will be supported.

Policy BE4 refers to non-designated heritage assets, saying that development should preserve or enhance such heritage assets and their settings. Proposals that better reveal the significance of heritage assets will be supported in principle. Proposals affecting non-designated heritage assets or their settings should demonstrate that consideration has been given to their significance.

The host property is just located within the Egremont Conservation Area boundary. The property is not a Listed Building and is therefore classed as a non-designated Heritage Asset.

There are no external alterations proposed as part of the application.

The Council's Conservation & Design Officer has been consulted on the application, and he has raised no objections.

On this basis, it is considered that the proposal will not have a negligible impact on this non-designated heritage asset, nor will it have an impact on the character and appearance of the Egremont Conservation Area. The proposal is acceptable in terms of Policies BE1, BE2 and BE4 of the Copeland Local Plan.

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



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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.

No details have been provided with the application to demonstrate any dedicated parking to serve the building. Notwithstanding this the proposal will reduce the number of residential units on the site and it also occupies a town centre location which benefits from existing on-street parking and public parking. The Highway Authority has 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.

Biodiversity Net Gain

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.

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 impact on onsite habitat.

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.

Planning Balance and Conclusions

The application site is located within the defined settlement boundary for Egremont, which is identified as a Key Service Centre under Policy DS1 of the Local Plan. The proposed works will convert 4x one-bedroom apartments into 1 large residential flat within the centre of

	<p>Egremont. No external alterations are proposed to the existing building. The works are therefore not considered to alter the appearance of the building and will not create amenity issues for neighbouring properties, or the character and appearance of the Egremont Conservation Area.</p> <p>The application site lies within a town centre location and so the lack of dedicated car parking is not considered to be a significant issue in this case. The Highway Authority has raised no objections.</p> <p>The application is not subject to Biodiversity Net Gain.</p> <p>On balance the development is acceptable and complies with the Policies set out in the Copeland Local Plan and the guidance within the NPPF.</p>
8.	<p>Recommendation: Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <ol style="list-style-type: none"> 1. The development hereby permitted shall 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. 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"> - Application Form, received 2nd February 2026; - Design and Access Statement, received 2nd February 2026; - Site Location Plan, scale 1:1250, drawing 25/0445/01, received 2nd February 2026; - Existing Floor Plans, scale 1:100, drawing 25/0445/02, received 2nd February 2026; - Existing & Proposed Sections & Elevations, scale 1:100, drawing 25/0445/03, received 2nd February 2026; - Proposed Ground Floor Plan, scale 1:50, drawing 25/0445/04, received 2nd February 2026; - Proposed 1st Floor Plan, scale 1:50, drawing 25/0445/05, received 2nd February 2026; - Proposed 2nd Floor Plan, scale 1:50, drawing 25/0445/06, received 2nd February 2026;



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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.

3. 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 Holiday.

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.

Biodiversity Net Gain – Exemption Applies

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:

- (a) a Biodiversity Gain Plan has been submitted to the local planning authority, and
- (b) the local planning authority has approved the plan.

The planning authority, for the purposes of the Biodiversity Gain Plan is Cumberland Council. 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.

Applicable exemption: De Minimis

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.
Case Officer: Demi Crawford	Date : 24/03/2026
Authorising Officer: N.J. Hayhurst	Date : 24/03/2026
Dedicated responses to:- N/A	