



CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/26/2066/0F1	
2.	Proposed Development:	PROPOSED CHANGE OF USE FROM C3 DWELLING HOUSE TO 2 APARTMENTS	
3.	Location:	80 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	Neighbour Notification Letter	Yes
		Site Notice	Yes
		Press Notice	No
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	Report:		
	Site and Location		
	<p>This application relates to 80 Main Street, an end of terrace residential property, which fronts onto the Main Street through Egremont. The property is located at the junction of Main Street which provides access to Westlakes Academy and is located within the Egremont Conservation Area. The site benefits from a small rear yard with existing parking to the rear.</p>		

Relevant Planning History

4/92/0696/0 – Change of use to housing area office – Approved.

4/09/2061/0 – Change of use from offices to residential – Approved.

4/09/2319/0 – Remedial and selective crown reduction of 1 oak tree situated within a Conservation Area – Tree Preservation Approved.

Proposal

This application seeks planning permission to change the use of the existing residential dwelling house (use class C3) to two apartments.

The proposed change of use will be accommodated within the existing footprint of the building with no external alterations proposed.

It is proposed that the ground floor flat will be accessible and will accommodate a living room, bedroom, bathroom and kitchen. The second flat will utilise the first and second floor of the building and will accommodate a living room, kitchen and three ensuite bedrooms.

Consultation Responses

Egremont Town Council

Councillors are pleased that this dwelling is being brought back into use however they would like to request why one of the flats does not have a living area provided. Councillors further wish to comment that they remain neutral of the overall application as there was a concern that the dwelling may be turned into an HMO and the close proximity to the Westlakes Academy.

Cumberland Council – Highway Authority & Lead Local Flood Authority

16th March 2026

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.

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.



Cumberland Council

14th April 2026

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.

Cumberland Council – Environmental Health

26th March 2026

Environmental Health have considered the following matters in relation to this application:

Noise

The property is of Victorian age and construction, built before noise insulation standards were introduced into the modern Building Regulations regime. Environmental Health are therefore mindful of likely noise transmission through the adjoining floor between the two proposed apartments (ground and first floor).

Whilst the Building Regulations provide for a minimum standard of noise insulation, Environmental Health are of the opinion that an improved standard is required in this instance so that the amenity of the occupants is protected to a reasonable degree.

A condition on this is given below.

If the application were to be approved, a limit on the construction working hours is also requested.

Drainage

The applicant should note that a 225mm public combined sewer is shown on Council mapping to run under the rear external yard of the property.

If the rear yard is to be redeveloped, access to the public sewer should be retained and liaison with United Utilities may be required.

Radon

The indicative Radon Map UK shows the site to be within a 1 km grid square of elevated radon potential, with a maximum potential of 10 – 30%. This would indicate that full radon protection measures should be included within the conversion.

Alternatively the applicant can conduct a definitive property search or carry out a 3 month radon test inside the property to determine the presence of radon inside the property, see [UKradon - Introduction](#)

Fire Safety

The conversion should ensure compliance with Building Regulations for fire separation, fire detection and safety.

In conclusion, Environmental Health do not object to this development and request that the following conditions are considered if approval is granted: sound insulation and construction hours.

13th April 2026

There are no objections to this proposed amendment from Environmental Health.

Our comments dated 26.03.26 should still apply however.

Cumberland Council – Conservation Officer

17th March 2026

Conclusion: No objection

Assessment:

- No change is proposed externally, and therefore there is no impact on the character and appearance of the conservation area, or on the settings of the grade II listed Lowes Court Gallery and former Town Hall, to which it contributes slightly to setting.
- Little substantive change is proposed internally. The layout is remaining the same bar the insertion or removal of a couple of partition walls. I would view this as having neutral impact on the significance of the building.

14th April 2026

Conclusion: No objection

Assessment:

- Updated information has been provided. This includes the reconfiguration of the internal layout and the addition of two off-street parking bays to the rear, a bin store and a cycle store.
- I do not view the internal revisions as having an impact on the significance of the building.

Public Representation

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

Although the application site is located within a Conservation Area a press notice was not required for this application as no external alterations are proposed to the building therefore the application would not impact on the character of the Conservation Area.

One letter of objection was received to this application raising the following concerns:

- This seems to be an attempt to convert a family home into a 5 ensuite bedroom property. Giving 5 separate incomes.



Cumberland Council

- With the vicinity of the school, this is not a suitable place for this.
- Approval should not be given as this is not in the best interests of the town.

Public Reconsultation

Following the receipt of amended/additional information for the application and an amendment to the application description a reconsultation was undertaken for all neighbouring properties and those who previously commented on the application.

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.

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 R4: The Key Service Centres

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 BE1: Heritage Assets

Policy BE2: Designated Heritage Assets

Policy BE4: Non-Designated Heritage Assets

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; impact on heritage assets; parking and highway safety, flood risk and drainage; and biodiversity & ecology.

Principle of Development

Egremont is identified in Strategic Policy DS1 as a Key Service Centre due to it providing a wide range of services, including convenience and comparison stores, employment opportunities, schools and healthcare. It also acts as service hubs for nearby villages. It is stated that the focus for development in Key Service Centres will be for town centre developments, employment development and medium scale housing extensions, windfall and infill development.

The settlement boundary for Egremont is defined in Strategic Policy DS2. The application site



Cumberland Council

is located within the designated 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 an existing residential property located within the centre of Egremont. The proposal will reuse an existing vacant property within a prominent location within the town, splitting the large property into two apartments which will diversify the residential offer within the town centre. 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 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.

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.

The proposed development will retain the residential use of the site; however the large property will be split into two separate apartments. 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. The property benefits from a rear yard which will be utilised as shared parking, bin store and bike store. Whilst the external amenity space is limited the town centre location provides residents with easy access to facilities including open space.

Whilst the Council's Environmental Health team have offered no objection to the application they have raised concerns regarding noise. The concerns relate to noise insulation standards between the two apartments. It is stated that whilst Building Regulations provide for a minimum standard of noise insulation, Environmental Health are of the opinion that an improved standard is required in this instance so that the amenity of the occupants is

protected to a reasonable degree. Based on this a condition is requested to secure a noise insulation scheme. The agent has confirmed that they are happy to progress the application on the basis of this condition.

A condition regarding limiting construction hours has also been requested by Environmental Health.

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 Assets

Strategic Policy BE1 and BE2 of the Copeland Local Plan seek to protect or enhance heritage assets and their setting. Proposals that better reveal the significance of heritage assets will be supported in principle.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, states that “special attention shall be paid to the desirability of preserving or enhancing the character or appearance of [a conservation] area.”

Paragraph 139 of the National Planning Policy Framework (NPPF) asserts that “Development that is not well designed should be refused”.

NPPF para. 210 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. 212 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. 208).

Paragraph 216 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. 219)

Referring to assets in a conservation area, NPPF para. 220 states that loss of an element that makes a positive contribution to a conservation area should be treated as either substantial (under para. 214) or less-than-substantial harm (under paragraph 215).

The Council’s Conservation Officer has offered no objections to the proposal. The Officer has confirmed that as there are no external alterations there will be no impact on the character and appearance of the Conservation Area or setting of nearby Listed Buildings. Furthermore, the limited alterations internally will have a neutral impact on the significance of the building.

The development is considered to preserve the Egremont Conservation Area and is therefore



Cumberland Council

considered to comply with Policies BE1 and BE2 of the Copeland Local Plan, and 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 existing property is currently served by two parking spaces to the rear of the application site. Given the current residential use of the site the proposal is not considered to significant impact on existing parking arrangements within the area. The property is located within the town centre meaning there are different options for on-street parking and access to sustainable transport methods.

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.

Impact on Biodiversity and Ecology

Policy N1 of the ELP seeks to ensure that new development will protect and enhance biodiversity and geodiversity and defines a mitigation hierarchy.

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 with the existing footprint of the building so there will be no or only a de minimis 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 application site relates to an existing residential property located within the centre of Egremont. The proposal will reuse an existing vacant property within a prominent location within the town, splitting the large property into two apartments which will diversify the residential offer within the town centre

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.

No objections have been received from the Conservation Officer as the works are not considered to impact on the character or appearance of the Conservation Area.

No objections have been received to this proposal in terms of highway safety, drainage, flood risk, or ecology/biodiversity.

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.



**Cumberland
Council**

8.	<p>Recommendation: 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. 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 shall be carried out in accordance with them:-<ul style="list-style-type: none">- Application Form, received by the Local Planning Authority on the 24th February 2026.- Location and Block Plan (Amended), Scale 1:500 & 1:1250, Drawing Number: 0010, Revision: A, received by the Local Planning Authority on the 26th March 2026.- Existing Plans and Elevations, Scale 1:100, Drawing Number: /, received by the Local Planning Authority on the 24th February 2026.- Proposed Plans and Elevations (Amended), Scale 1:100, Drawing Number: 0011, Revision: A, received by the Local Planning Authority on the 26th March 2026.- Planning Statement (Amended), received by the Local Planning Authority on the 31st March 2026. 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. <p><u>Pre Commencement Conditions:</u></p>

3. No development must take place until a detailed scheme of noise insulation measures for residential accommodation has been submitted to and approved in writing by the Local Planning Authority. In addition to mandatory Building Regulations standards on noise insulation, the scheme must demonstrate that the following criteria will be achieved between the floor of the first floor flat and the flat below on the ground level:

- Minimum airborne sound insulation (between floor of each respective flat) – 56 dB DnT, w
- Impact sound transmission (between floor of each respective flat) – 56 dB L'nt, w

The approved noise insulation measures must be installed before the first occupation of either of the approved apartments and must be retained for the lifetime of the development.

Reason

In order to safeguard the amenities of the occupiers in accordance with DS4 of the Copeland Local Plan.

Other Conditions:

4. 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
- 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.

Reason

In the interests of the amenities of surrounding occupiers during the construction of the development in accordance with Policy DS4 of the Copeland Local Plan.

Informatives:

Biodiversity Net Gain – Exemption Applies



**Cumberland
Council**

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 exemptions: Development subject to the de minimis exemption.

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: C. Burns

Date : 28.04.2026

Authorising Officer: N.J. Hayhurst

Date : 30.04.2026

Dedicated responses to:- N/A