

Supporting Statement

Re: Prior Approval change of use from B1(a) offices to C3 residential at first and second floor levels to provide 8x self-contained flats at 70 Lowther Street, Whitehaven, Cumbria CA28 7AF

Introduction

The application put forward to Copeland Borough Council is for the *'Prior Approval change of use from B1(a) offices to C3 residential at first and second floor levels to provide 8x self-contained flats.'*

Location/Site

The application site is located on the north side of Lowther Street within an area of mixed uses including commercial and residential. The site comprises of a 3-storey building which was previously occupied by the Post Office at ground floor level with BBC Radio Cumbria office at first floor and Whitehaven Offices at second floor level. The first and second floor levels have always been used as offices before 29th May 2013. This can be established through council records/ rates etc.

The site is located within a conservation area but it's not listed.

Relevant Planning Policies

The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2016 -

7.—(1) In Part 3 of Schedule 2, in Class O—

(a)for paragraph O.1(a) substitute—

“(a)the building is on article 2(5) land and an application under paragraph O.2(1) in respect of the development is received by the local planning authority on or before 30th May 2019;”;

(b)omit paragraph O.1(c);

(c)for paragraph O.2 substitute—

Permitted development

O. Development consisting of a change of use of a building and any land within its curtilage from a use falling within Class B1(a) (offices) of the Schedule to the Use Classes Order, to a use falling within Class C3 (dwellinghouses) of that Schedule.

Development not permitted

O.1 Development is not permitted by Class O if—

(b) the building was not used for a use falling within Class B1(a) (offices) of the Schedule to the Use Classes Order—

- (i) on 29th May 2013, or
- (ii) in the case of a building which was in use before that date but was not in use on that date, when it was last in use;
- (d) the site is, or forms part of, a safety hazard area;
- (e) the site is, or forms part of, a military explosives storage area;
- (f) the building is a listed building or is within the curtilage of a listed building; or
- (g) the site is, or contains, a scheduled monument.

“O.2.—(1) Development under Class O is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

- (a) transport and highways impacts of the development,
- (b) contamination risks on the site,
- (c) flooding risks on the site, and
- (d) impacts of noise from commercial premises on the intended occupiers of the development,
- (e) the provision of adequate natural light in all habitable rooms of the dwellinghouses, and the provisions of paragraph W (prior approval) apply in relation to that application.

(2) Development under Class O is permitted subject to the condition that it must be completed within a period of 3 years starting with the prior approval date.”;

(d) after paragraph O.2 insert—

“Interpretation of Class O

O.3. For the purposes of Class O, “commercial premises” means any premises normally used for the purpose of any commercial or industrial undertaking which existed on the date of application under paragraph O.2(1), and includes any premises licensed under the Licensing Act 2003(1) or any other place of public entertainment.”.

(2) With effect from 31st May 2019 omit—

- (i) article 2(5);
- (ii) Part 3 of Schedule 1 (article 2(5) land); and
- (iii) paragraph O.1(a) of Part 3 of Schedule 2 (as substituted by this Order).

Proposal

The proposal is for the ‘Prior Approval change of use from B1(a) offices to C3 residential at first and second floor levels to provide 8x self-contained flats.’.

Design & Appearance

The residential development will have no impact on the existing external appearance of the building or its surrounding context.

Transport & Highways Impact

The site is located within the vicinity of good public transport. The closest bus stop is situated within a 1-minute walk east of the site on Lowther Street serving a number of bus routes including 1, 29 and 30. The site is also within a short walking distance of 10 minutes to Whitehaven Train Station.

The proposed residential units will not result in any significant increase impact on the highway network than the existing offices use. Hence it is not considered that the residential units would cause a detrimental impact on safety and capacity of the surrounding highway network.

Parking

The development benefits from a nearby car park (Schoolhouse Lane Car Park) at the rear of the building providing 44 car parking spaces. There are also many other car parking facilities nearby within a short walking distance including Castle Meadows Car Park, Sandhills Lane Car Park, Swingpump Lane Car Park (4 storey car park), Carter Lane Car Park, Quay Street South Car Park, Beacon Car Park, Strand Street Car Park and Wellington Inn Car Park

Since the site has good connections to public transport; hence, it is not anticipated that the number of units created here would harm the existing parking conditions.

Access

Access to the proposed residential development is via the main road. The site is well set back from the established building line which helps alleviate ingress/egress activity on the pedestrian path.

Noise Impact

The building is of sound construction with solid timber floors hence already giving a degree of sound proofing and fire resistance. However, in addition our proposal allows for sound proofing vertically between the commercial unit at ground floor level and vertically between the proposed flats on each level. The soundproofing specifications will be made up as per following;

Independent suspended ceiling as false ceiling below existing timber floor, void to be filled with Rockwool ProRox RW5 acoustic slab insulation and finished with 2 Layers of 15mm Soundbloc board.

Flood Risk

The site is located in 'Flood Zone 1' which has a low probability of flooding. The flats are situated on the first and second floors of the building further reducing the risk of flooding.

The detailed information below explains the long term flood risk as shown on the Environment Agency website;

The flood risk from rivers or the sea is very low

What this means

Very low risk means that each year this area has a chance of flooding of less than 0.1%. This takes into account the effect of any flood defences in the area. These defences reduce, but do not completely stop the chance of flooding as they can be overtopped, or fail.

The flood risk from surface water is very low

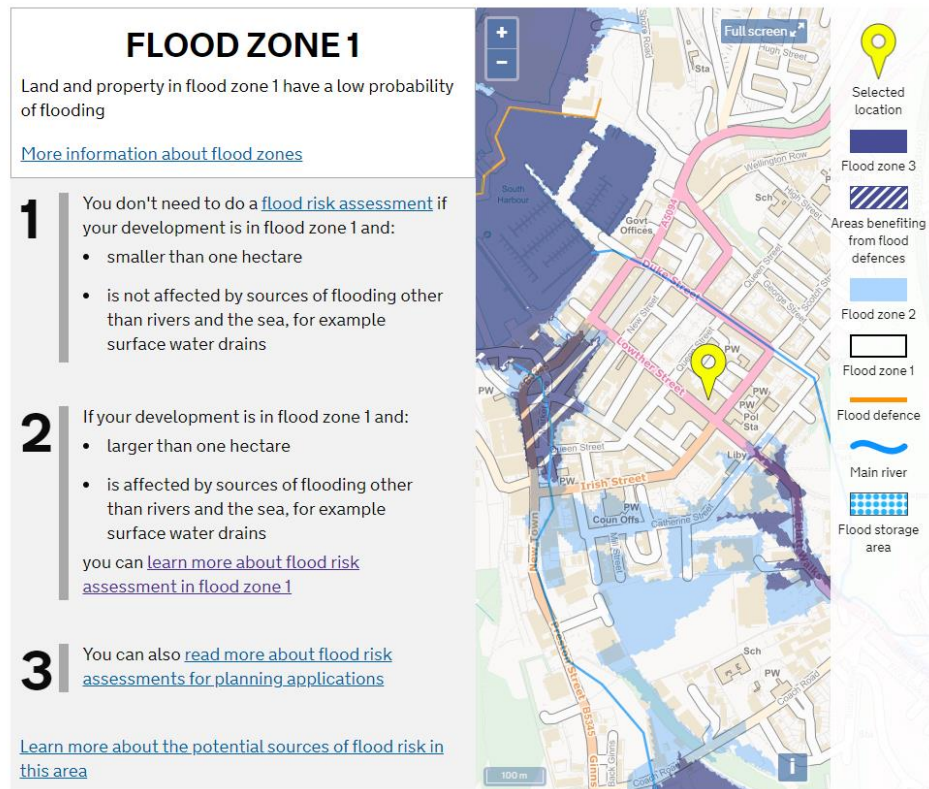
What this means

Low risk means that each year this area has a chance of flooding of between 0.1%. Flooding from surface water is difficult to predict as rainfall location and volume are difficult to forecast.

Furthermore, the below image shows the flood probability as shown on the gov.uk website.

Likelihood of flooding in this area

This location is in an area with a low probability of flooding



Waste / Recycle

Waste and recycle provision is provided within a dedicated storage area within the development. Waste and recycle disposal arrangements will be in accordance with council collection procedures.

Contamination

The subject site is not considered to be contaminated and no ground works are proposed. As such the proposal should not cause concern or issues in relation to this.

Natural Light

The proposed flats benefit from adequate natural light as the large windows on the front elevation of the building are south-west facing. Furthermore, two of the flats are double aspect further increasing natural light.

Conclusion

It is considered that the proposed change of use accords with the requirements of Class O of the amended GPDO and prior approval procedure. The proposal provides much needed residential units in the borough.