



Millom Without Parish Council

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6 February 2024

Christie Burns
Planning Officer
Via email

Dear Christie

**Consultation on Amended Description and Additional/Amended Information:
Planning Application Reference 4/23/2119/0F1
Change of use from Large Country House (C3) to 11 bed short stay self-catering
accommodation (Sui Generis) and Associated works including alterations to access,
parking & drainage
Dunningwell, The Green**

At the meeting of the Parish Council held on 5 February 2024, the above application was considered. Please find below the Councillors response to this application.

We have now reviewed the additional information supplied for application number 4/23/2119/0F1 for alterations to and change of use at Dunningwell Hall, Dunningwell, The Green.

We'd like to first thank you for seeking further information on this case and appreciate the increased clarity that this has given us on issues such as parking and foul drainage.

We have run through the amended information and our observations are as follows in **bold** within the agent's original text. :

1. Existing access plan – Dwg number 2018-06-003 enclosed at a metric scale of 1:100.
It remains unclear why these alterations are required. Even a single unit short term holiday let of this size is unlikely to require space enough for two large vehicles to pass each other. Staff vehicles and even potentially laundry and other deliveries would not reasonably account for changes on this scale. It remains the opinion of the Parish Council that the alterations and new gate lamps are both out of character with the local area and at an inappropriate scale (unless of course the applicant is preparing for a further phase of development with holiday lodges in the grounds of Dunningwell Hall), which makes no real sense for the development proposed.
If the applicant is planning further development, the application for the widening of the gates would more appropriately sit with that application and the Parish Council asks that this element of the application is withdrawn to



protect the existing character of a site that does not appear to demonstrate enough traffic to warrant the changes.

Application 4/17/2243/0F1 cannot be accessed/found through the Cumberland planning application search function (supposedly approved on the 2nd October 2017), so no comparison can be made. We do not have any record (see also item 10), of being consulted on this application so would like to be provided with a copy of the application, the officers report and decision notice (with conditions). More importantly, this permission has now lapsed and the Parish Council wonders whether this should be considered as a separate application given the above.

2. Floor Plans – Basement, Ground Floor, First Floor and Second Floor plans enclosed retitled “Existing and Proposed”.

NOTED

3. Foul Drainage & Drainage Field – Updated on drawing number 7676-211D which clearly shows the location within the application site area.

NOTED

4. Parking - Revised showing the provision of 13 spaces on dwg number 2018-06-002. Please note this proposal is not for a guest house with individual rooms. The proposal is for a single unit of holiday accommodation.

The reality is that once planning permission is granted, there is pretty much nothing the local authority can do to enforce arrival/departure patterns or the number of vehicles and therefore the impact on residential amenity down the line. The appeal/Judicial Review cases we have already drawn attention to also make it clear that this is an issue that is notoriously hard to enforce against because noise levels are likely to be variable across different times of the day and often potentially at their greatest on evenings and weekends when there are unlikely to be local authority respondents to noise complaints. The above statement is meaningless in the context of subsequent ability to control.

5. Transport form – As you correctly mention, please would you consult with the LLHA as the formal consultation response (see attached) raises no objection to the development and there is no requirement to complete the aforementioned.

The Parish Council would be interested to see the response to this given our comments on the widening of the gates which could only reasonably be required if a significant increase of traffic beyond that generated by the current application is envisaged.

6. Operation Statement – Bookings will be taken through Brockwood Hall. The number of guests will be dependent on the individual bookings, but this will be no more than 2 persons per double room maximum. Staffing is envisaged to be 3 x FTE dependant on bookings. The accommodation is for a single family or group unit. Therefore, it is expected families and groups will travel together and as such a maximum of 11 vehicle movements should result. It is in the applicant’s best interests to ensure this valued country house as part of the wider tourist business is well run and successfully integrates with the community. A warden will be monitoring the site and can be called upon if needed 24 hours a day 7 days a week.

This section and the document it refers to does not equate to a consideration of impact on residential amenity or provide any real strategy for mitigation. Like the situation with parking and vehicle movements, neither is it practically enforceable. The comment about integration with the community might have



more weight if the owner or their agent had attempted any meaningful (or in fact any) direct engagement with the community rather than using patronising language and being dismissive of community concerns. What is clear is that the community have asked for engagement and it hasn't been forthcoming.

7. Ownership - Ownership details are provided on the application form. The applicant is the General Manager who is acting on behalf of the owners. This is not unusual or unacceptable in planning terms.

Not an issue raised by us, although we are unsure why these details were considered so sensitive given that local residents already know who the owners are.

8. Application site area - The application site area measures 13412 sqm.

NOTED

9. Associated works - You are correct in assuming "associated works" is the new foul drainage. All 13 parking space can be accommodated on the existing hardstanding area, so no new works are proposed for parking.

There appears to be an inconsistency between the updated management plan and previous information supplied against Cumberland Council's letter of 22.05.23 they stipulate one car parking space per bedroom (11 no.) plus one car space per three staff. Given that the management plan states that there are 4 staff spaces, in theory this would leave only 9 for guests. It would be useful if this error could be corrected or if any rationale behind this presentation of numbers could be supplied.

10. Commencement of works - The drainage works have been undertaken as this was urgently required. Other works involve general maintenance and repair of the building. The applicant would be agreeable to a change in the description of the development to "part retrospective" in relation to the foul drainage if the LPA consider necessary. Third parties may be confusing work secured under planning permission reference 4/17/2244/OF1 dated 13/07/2017 for 'Addition of new rear extension for bathrooms, lift tower to rear roof and change of use of existing garage to form new kitchen'.

The Parish Council are concerned that this application cannot be found through the Councils planning search engine. Could the Council please supply a copy of this application, the officer's report and a copy of the approval letter as this would allow an assessment of whether the development reflects any granted permission.

11. Soakaway – As existing. There is no increase to hard surface areas such as roofs or hardstanding.

NOTED

12. Conclusion

What remains concerning to the Parish Council and the community is that yet again, despite repeated requests and a demonstration of how seriously the Planning Inspectorate and Judiciary take the issue of residential amenity with regard to short term holiday lets (particularly larger units), the applicant has offered no proper assessment of potential impact or a realistic or enforceable plan to mitigate these impacts.

Additionally, concerns we have previously raised about the conflict between this development and the most recent Local Plan Policies on sustainability have not been



addressed. This has a bearing on the agent's assertion that there is a desire for this development to ensure that this development 'integrates with the community'.

In conclusion, whilst we are clearer on parking and foul drainage the rest of the application remains problematic for the Parish Council and a number of our residents who will be most affected by any disruption or reduction in residential amenity.

In light of this, should Cumberland Council be minded to approve this application in the absence of any real attempt to assess and mitigate for impact on residential amenity, our resolution to consider commissioning a barrister to assess the application, the officer's report and its handling of material considerations such as residential amenity and highways issues remains.

Yours sincerely

Lesley Cooper (Mrs)
Clerk to Millom without Parish Council

Yours sincerely

Lesley Cooper
Clerk