

Planning Information – The Old Forge, Holme Forge, Beckermet, Cumbria

Proposal: Removal of a Section 106 Agreement



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1.0 Introduction

- 1.1 This statement has been prepared on behalf of the applicant in support of the removal of the Section 106 Agreement connected to planning application 4/03/1316/0, for the conversion of a derelict forge to a holiday letting at Holme Forge, Beckermest, Cumbria.
- 1.2 The Section 106 Agreement relates to the use of The Old Forge property as a holiday let unit only, which the submission is applying to remove.

2.0 Planning Application and Decision

- 2.1 A planning application was submitted in October 2003 for the conversion of a derelict forge to a holiday let residential unit, for which planning permission was granted on 16 April 2004, subject to a Section 106 agreement.
- 2.2 The property is adjacent to the dwellings known as Willow Barn Cottage, Barn Owl Cottage and Holm Forge. They all have independent property access points, garden curtilage and parking spaces. Holm Forge is the applicant's dwelling.

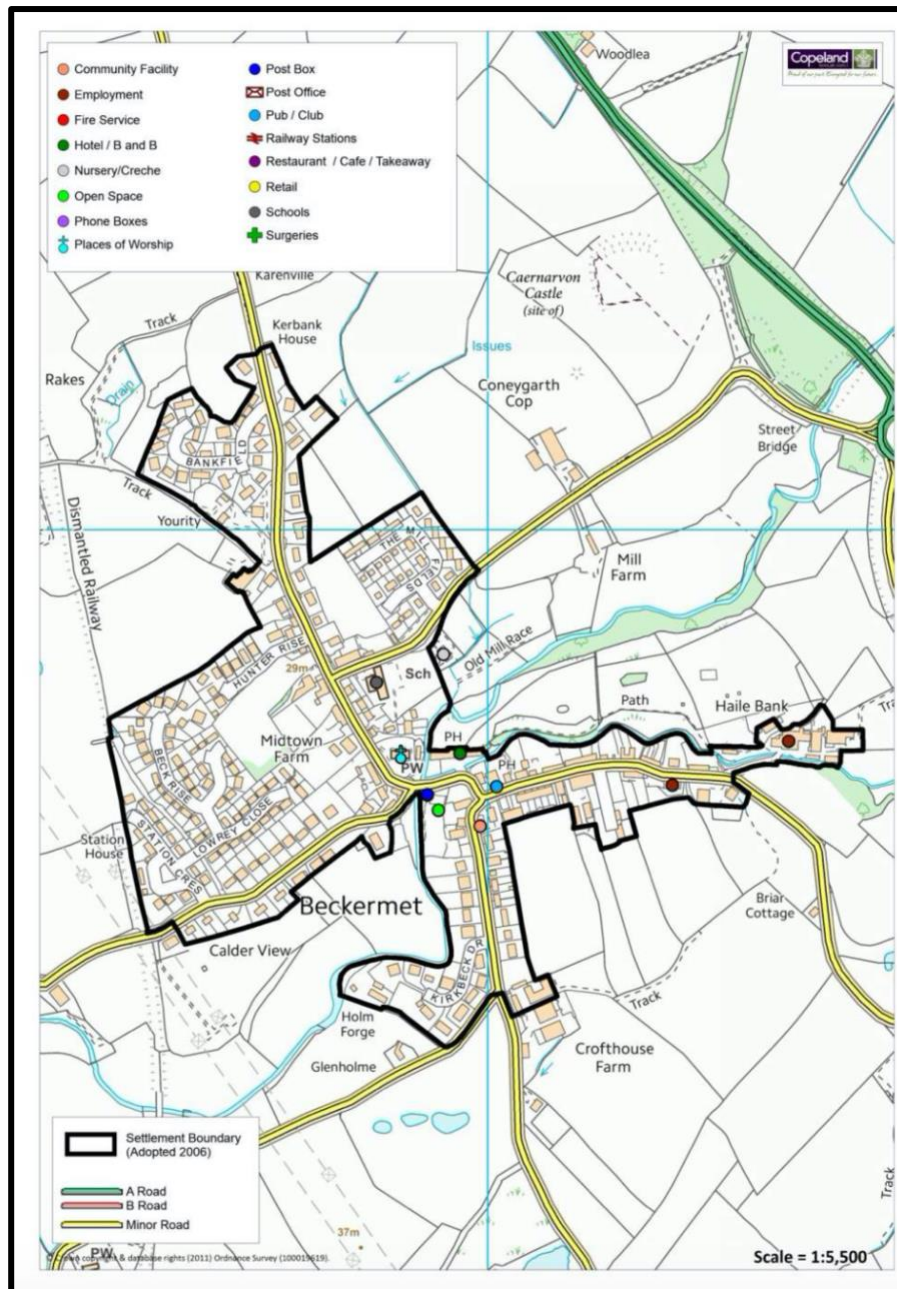
3.0 Pre-submission advice

- 3.1 Advice on this submission has been received from Christie Burns, Planning Officer, which states as follows:

'From a review of the planning history for this property I would advise that planning permission 4/03/1316/0 was approved subject to a S106 agreement restricting the occupancy of the property to holiday use only. In order to utilise this property as a residential property you will need to write to the Council to request that this S106 agreement is removed from the property, this will require justification. As part of this justification I would advise that you should provide detail to indicate how the site would incorporate adequate parking and amenity space for all properties at this site.'

4.0 Reasons for Removal

- 3.1 The property is located within its own curtilage, has a shared vehicular access, independent property access and marked parking space within the Holm Forge site.
- 3.2 The site is within the most recent settlement boundary for Beckermest, in the previous Local Plan, as adopted in 2006. This is detailed below:



3.3 The property is therefore considered to be in a sustainable location, suitable for permanent occupation and not holiday accommodation only.

3.4 The property has its own curtilage and access as detailed on the google earth image below:



- 3.5 On the above, the red line indicates the curtilage associated with The Old Forge, the blue area is the shared pedestrian access and the green area is the marked parking space for The Old Forge.
- 3.6 The separation of the property from the parent property will not impact on the amenity on Holm Forge in any way. This will retain its own garden area, parking spaces to the north of the property, and the two properties do not overlook each other. Neither Willow Barn Cottage and Barn Owl Cottage also overlook the property, and both have separate parking spaces to this property on the site.
- 3.7 As detailed above, the property was granted planning permission in 2004. The Copeland Local Plan 2001 – 2016 was adopted in 2006. Policy DM 15 of that Local Plan covered the conversion of buildings within urban areas, which this is as it was within a settlement boundary. The following criteria was listed in that policy, which is still applicable to this being an acceptable submission:

POLICY HSG 16 15: Conversion to Dwelling in Urban Areas

In urban areas proposals for the conversion of suitable non- residential buildings or sub-division of large houses to provide new residential accommodation will be permitted so long as:

- 1. adequate internal space standards and exclusive use of kitchen and bathroom facilities can be achieved without extensive alterations or additions to the property**
- 2. off-street car parking is provided**

3. adequate external amenity space is provided

4. the conversion works retain the character of the building

5. no alterations or associated works create amenity problems for residents of adjacent properties

- 3.8 Therefore the property is acceptable for non-holiday residential use. The property is completely independent from Holm Forge so there are no shared facilities; There is an off-street parking space; It has adequate external amenity space; the existing conversion retains the buildings character; and the property does not cause any amenity problems for any of the adjacent properties.
- 3.9 The applicant also owns the adjacent Barn Owl Cottage, which was originally restricted to holiday accommodation by condition (4/09/2218/0), and the condition was then removed in 2018 by Copeland Borough Council to allow permanent accommodation. In an identical situation, this also has separate curtilage to the other properties, a separate point of access, and a parking space.
- 3.9 In accordance with the above, it is considered that the Section 106 agreement relating to Planning Application 4/03/1316/0 can be removed from the property.

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