

Allerdale Borough Council

Delegated Planning Application

Reference No: 2/2016/0645

Valid Date: 30/09/2016

Location: 25
Coronation Drive
Salterbeck
Workington

Applicant: Impact Housing Association

Drawing Numbers: 2836/101/25 A- Site Location Plan □ 2836/103 - Proposed Plan and Elevations

Proposed Development: Prior approval for a change of use of unit from A1 retail to C3 dwellinghouse and associated works

Recommendation: NOINR

Summary/Key Issues

Issue	Conclusion
Change of use as permitted development	Criteria of part 3 Class m satisfied. Prior approval not required

Proposal

Application to request the need for prior approval for conversion of a vacant shop (A1) to a one bedroom ground floor flat. The application is made with regard to Schedule 2 Part 3 Class M of the General Permitted Development Order.

Minor external alterations are required to replace doors and windows and subdivide outside spaces with means of enclosure.

Tandem applications are under consideration for adjacent properties in the same terrace at numbers 9 15 17 and 31.

A previous application 2/2006/0677 has already been approved for two flats at the same location. This was considered a full application prior to the procedure of prior approval being available.

Site

The application site comprises a unit within a parade of vacant shops with flats above in a residential area. The shops have been vacant for some time with a history of different businesses. Two ground floor shops are already converted. One well used general store remains

Relevant Policies

NPPF

Delivering a wide choice of high quality homes
Requiring good design
Promoting healthy communities

Allerdale Local Plan 2014

Policy S1 - Presumption in favour of sustainable development
Policy S2 - Sustainable development principles
Policy S3 - Spatial Strategy and Growth
Policy S32 - Safeguarding amenity
Policy S4 - Design principles
Policy S5 - Development Principles
Policy S7 - A mixed and balanced housing market

Relevant Planning History

Tandem applications 2016/0643,0644,0642,0646

Representations

Town Council – No response to date. Email asking for extension of time denied on this occasion considering the type of application under permitted development.

Highway authority – No objection

Environmental Health – No objection

Assessment

Briefly, the procedure of prior approval considers the site location, existing lawful use, floorspace, necessary alterations, loss of local retail provision, matters of contamination, flood risk and highway impacts. The proposed flats are considered to meet the criteria of Part M of the GPDO and satisfy the conditions of that legislation. The relevant criteria are documented as follows in full.

Class M – retail or betting office or pay day loan shop to dwellinghouses

Permitted development

M. Development consisting of—

(a) a change of use of a building from—

(i) a use falling within Class A1 (shops) or Class A2 (financial and professional services) of the Schedule to the Use Classes Order;

(ii) a use as a betting office or pay day loan shop, or

(iii) a mixed use combining use as a dwellinghouse with—

(aa) a use as a betting office or pay day loan shop, or

(bb) a use falling within either Class A1 (shops) or Class A2 (financial and professional services) of that Schedule (whether that use was granted permission under Class G of this Part or otherwise),

to a use falling within Class C3 (dwellinghouses) of that Schedule, and

(b) building operations reasonably necessary to convert the building referred to in paragraph (a) to a use falling within Class C3 (dwellinghouses) of that Schedule.

Development not permitted

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

(a) the building was not used for one of the uses referred to in Class M(a)—

(i) on 20th March 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;

(b) permission to use the building for a use falling within Class A1 (shops) or Class A2 (financial and professional services) of the Schedule to the Use Classes Order has been granted only by this Part;

(c) the cumulative floor space of the existing building changing use under Class M exceeds 150 square metres;

(d) the development (together with any previous development under Class M) would result in more than 150 square metres of floor space in the building having changed use under Class M;

(e) the development would result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point;

(f) the development consists of demolition (other than partial demolition which is reasonably necessary to convert the building to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order); or

- (g) the building is—
 - (i) on article 2(3) land;
 - (ii) in a site of special scientific interest;
 - (iii) in a safety hazard area;
 - (iv) in a military explosives storage area;
 - (v) a listed building; or
 - (vi) a scheduled monument.

Conditions

M.2—(1) Where the development proposed is development under Class M(a) together with development under Class M(b), development 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 in relation to the building,
- (c) flooding risks in relation to the building,
- (d) whether it is undesirable for the building to change to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order because of the impact of the change of use—

- (i) on adequate provision of services of the sort that may be provided by a building falling within Class A1 (shops) or, as the case may be, Class A2 (financial and professional services) of that Schedule, but only where there is a reasonable prospect of the building being used to provide such services, or

- (ii) where the building is located in a key shopping area, on the sustainability of that shopping area, and

- (e) the design or external appearance of the building, and the provisions of paragraph W (prior approval) of this Part apply in relation to that application.

(2) Where the development proposed is development under Class M(a) only, development 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 the items referred to in sub-paragraphs (1)

(a) to (d) and the provisions of paragraph W (prior approval) of this Part apply in relation to that application.

(3) Development under Class M is permitted subject to the condition that—

- (a) development under Class M(a), and under Class M(b), if any, must be completed within a period of 3 years starting with the prior approval date; and

- (b) a building which has changed use under Class M is to be used as a dwellinghouse within the meaning of Class C3 of the Schedule to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the primary use as such a dwellinghouse.

Conclusion

The conversion of this property (and cumulatively with the other units in the parade) is considered to satisfy the criteria and conditions of Part M of the GPDO with no significant

impacts and with no harm to local amenity with other retail opportunities in the area. A well-used general store will remain in the parade and not planned for conversion. The properties have been vacant for some time and are becoming a blight on the locality. The change of use to flats is considered a positive outcome providing some improvement to visual amenity and additional low occupancy accommodation for a housing association.

No further planning application is required in accordance with current legislation.

Local Financial Considerations

Having regard to S70 (2) of the Town and Country Planning Act. There are relevant matters of the increase in Council Tax Revenue. This has carried no weight in the determination.

**Notes to
Applicant:**

Case Officer Signature		Date	
Counter Signing Officer		Date	