

PLANNING PANEL AGENDA – 26 MARCH 2014

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ITEM NO: 1.

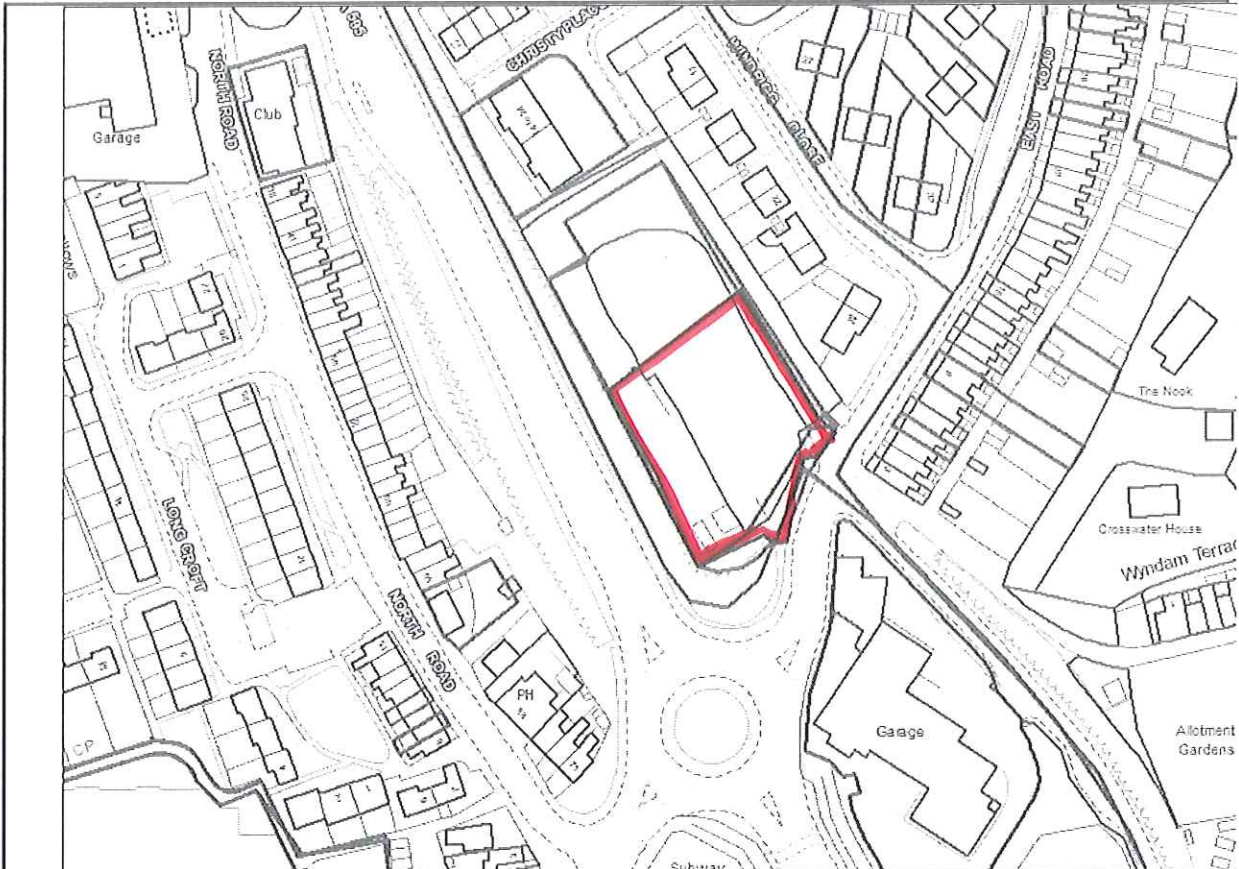


To: PLANNING PANEL

Development Control Section

Date of Meeting: 26/03/2014

<b>Application Number:</b>	4/14/2033/OF1
<b>Application Type:</b>	Full : CBC
<b>Applicant:</b>	Egremont Assets
<b>Application Address:</b>	VACANT FORMER DAIRY SITE, LAND OFF EAST ROAD, EGREMONT
<b>Proposal</b>	CONSTRUCTION OF A1 RETAIL DEVELOPMENT WITH ACCESS, CAR PARKING, SERVICING, LANDSCAPING AND ASSOCIATED WORKS
<b>Parish:</b>	Egremont
<b>Recommendation Summary:</b>	Site Visit



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## Introduction

This application relates to an elevated site some 0.38 ha in area situated adjacent to the junction of the Egremont Bypass /A595T and East Road in Egremont, adjoining a predominantly residential area. The bypass forms its western / southern boundary and East Road, the south eastern one. To the north it adjoins the remainder of the vacant site with a block of residential apartments, the gable end of which is some 15 m distant, beyond. Directly to the east it neighbours the residential dwellings of Wyndham Close.

A vacant site for over 25 years it formerly accommodated a dairy/ chocolate factory with associated buildings, the derelict shell of one which remains. Although the site itself is relatively flat, it is situated above the level of East Road and the bypass, the existing access

to it is situated at the south eastern corner off East Road is graded to accommodate the change in levels of approximately 3m.

## **Proposal**

The proposed scheme comprises a development of two single storey pitched roof buildings, to be used for A1 retail purposes, with associated parking and servicing arrangements.

The larger of the two units would measure some 28m in length by 14m in width with a gross floorspace of some 405 square metres and it is the intention this would be used as a single retail unit such as a general convenience store. In terms of layout this would be positioned lengthways on running north to south adjacent to the western boundary, the front of the unit would face inwards with parking in front. Adjacent would be the second smaller building measuring 21m in length by 14m in width, with a corresponding floorspace of 305 square metres. This would be split into three smaller A1 retail units. A 21 space car parking would be available directly in front incorporating two accessible spaces.

Vehicular access to the development would be via the existing access altered in accordance with highway requirements.

External materials proposed include a mixture of red/ brown brickwork walls and light grey cladding panels to the walls. Grey concrete tiled roof with dark grey aluminium glazed doors and windows.

- The application is accompanied by the following documents: Preliminary Risk Assessment
- Transport Statement
- Planning Statement

## **Consultations**

Egremont Town Council – no objection.

Highway Agency – no objection.

Highway Authority – key consultation response which is still outstanding.

Flood and Coastal Defence Engineer – Noted that the development falls into flood zone 1 and the majority of the site falls into an area not considered at risk of surface water flooding.

Scientific Officer - awaited

Planning Policy – key response which is awaited.

### **Other Representations**

To date one letter of objection has been received - the key summarised grounds of objection are:

- The application has failed to properly apply the sequential test to the selection of the site by appropriately assessing an available, suitable and viable site within the town centre, contrary to the requirements of the NPPF.
- The proposal would have a significantly and demonstrably adverse impact upon the vitality and viability of Egremont Town Centre and is therefore contrary to the NPPF and local policies within the recently adopted Copeland Local Plan.

### **Planning Policy**

#### **National Planning Policy Framework**

The National Planning Policy Framework (NPPF) sets out the planning guidelines at a national level and outlines that the purpose of the planning system is to contribute to the achievement of sustainable development.

It identifies three dimensions to sustainable development: economic, social and environmental. It defines an economic role as contributing to building a strong, responsive and competitive economy by ensuring that sufficient land of the right type is available in the right places and at the right time. A social role is defined as supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of the present and future generations. An environmental role is defined as contributing to protecting and enhancing our natural, built and historic environment.

Ensuring the vitality of town centres is one of the key objectives and in relation to decision making Paragraph 24 requires local authorities to apply sequential testing to planning applications for main town centre uses that are not in an existing centre. It cites that applications for such uses should be located in town centres, then in edge of centre locations and then only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals preference should be given to accessible sites that are well connected to the town centre.

Paragraph 27 advocates that where an application fails to satisfy the sequential test or is likely to have a significant adverse impact it should be refused.

The NPPF requires proposals to be determined in accordance with the development plan unless material considerations determine otherwise.

### **Copeland Local Plan 2013-2028**

The Core Strategy and Development Management Policies DPD (the Copeland Local Plan 2013-2028) was recently adopted by the Council in December 2013. It now replaces the majority of policies in the former Copeland Local Plan 2001-2016.

The adopted Plan is consistent with the NPPF and paragraph 196 of the NPPF makes it clear that all applications must be determined in accordance with the Development Plan.

The Policies in the Core Strategy and Development Management Policies DPD are a material consideration when determining planning applications.

The following Policies of the new local plan are considered relevant and now carry significant weight in decision making:

#### **Core Strategy**

Policy ST1 Strategic Development Principles. This sets out the fundamental principles that will achieve sustainable development.

Policy ST2 Sets a spatial development strategy whereby development should be guided to the principle settlement and other centres and sustain rural services and facilities. It supports moderate levels of development in the key service centres of which Egremont is one.

Policy ST3 Strategic Development Priorities. Sets out the strategic development priorities for the Borough.

Policy ST4 Providing Infrastructure.

## **Development Management Policies**

The Development Management policies are set out to provide further detail on how the Core Strategy will be implemented. The following policies are relevant to this application:

Policy ER7 Principal Town Centre, Key Service Centres, Local Centres and other service areas: Roles and Functions. This emphasises the need to maintain and enhance the viability and vitality of existing retail centres including Egremont town centre.

Policy ER9 The Key Service Centres, Local Centres and other Smaller Centres. Supplements ER9. Again the policy emphasis here in respect of key service centres is to maintain and enhance the viability and vitality of existing centres rather than seek expansion and growth.

Policy DM11 seeks to ensure that development proposals reach high standards of sustainability.

## **Assessment**

There are a number of key issues this application raises which are likely to be contentious including impact on the local highway network as well as policy considerations, consultation responses in respect of which remain currently outstanding. In view of this Members are recommended in the intervening period to visit the site to fully appraise all the relevant planning matters prior to determination.

## **Recommendation:-**

Site Visit

ITEM NO: 2.



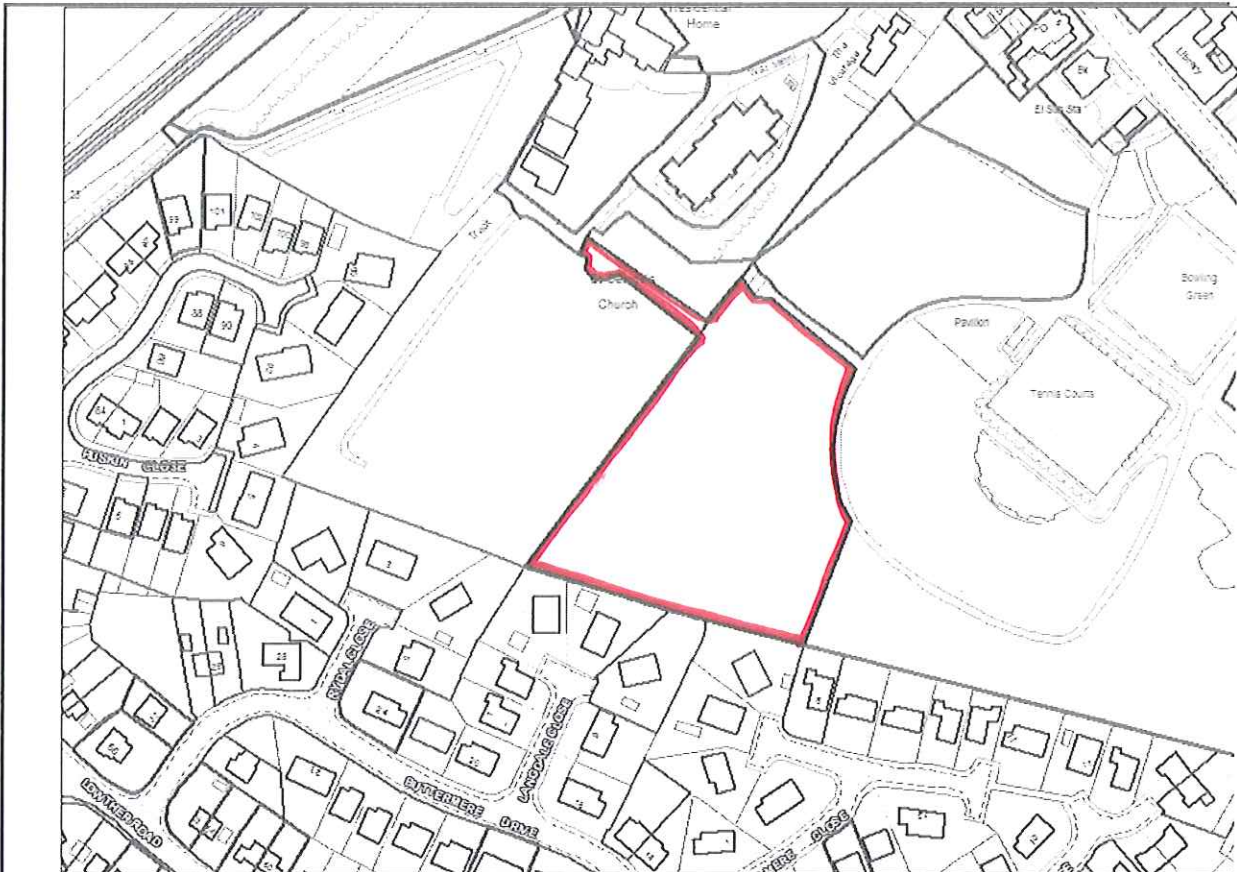
To: PLANNING PANEL

Development Control Section

Date of Meeting: 26/03/2014

Application Number:	4/14/2044/OF1
Application Type:	Full : CBC
Applicant:	Copeland Borough Council
Application Address:	PART OF PARKLAND IN S.W. CORNER OF MILLOM PARK, MILLOM
Proposal	EXTENSION TO EXISTING CEMETERY
Parish:	Millom
Recommendation Summary:	Approve (Regulation 3)





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## Introduction

This application relates to an area of land, some 0.71 ha in area which is situated to the immediate east of the existing cemetery at St George`s Church in Millom and is separated from it by a stone boundary wall. A section of the site, which is required to facilitate access from behind the church to the boundary wall however, falls within the towns Conservation Area and the setting of the listed grade II church, with the remainder being adjacent to it. The majority currently forms part of the public open space belonging to the town park. The land itself here is laid to grass, rising from north east to south west. It is flanked to the south by residential cul-de-sacs of Langdale and Thirlmere Close, to the west by the existing cemetery and church grounds, and to the north and east by existing open space within the town park.

## The Proposal

It is proposed to provide an extension to the existing cemetery serving the town. Vehicular access to it would be via the access used for the existing cemetery which also serves St Georges Church, just off St Georges Road, Millom.

In terms of development this will involve:

- Extending the existing vehicular access to the rear of the church by some 40m to create a new vehicular access into the site.
- Widening an existing pedestrian gateway in the boundary wall by some 2m to permit vehicular access into the site – both this and the above element of the work within the grounds of the listed church could potentially impact on its character and appearance which needs to be sensitively undertaken.
- Creating a new road into the site which will be of tarmac construction. This will extend a further 42m into the site in a south easterly direction before turning ninety degrees to run in a north west to south east for some 92m with associated turning. No public vehicles will be allowed, the intention being to make provision only for the funeral cortege in terms of access, turning and parking.
- A series of linked footpaths made of porous material interspersed with rows of memorial concrete plinths, which will act as a base for memorial stones to be attached. It is the intention that only pedestrian access will be permitted into the new ground.
- No major earth works are proposed only superficial levelling is needed to create the facility.
- Enhanced planting on the boundary at the southern end of the site to improve the existing hedge line.
- Erection of 1.2m high green coloured bow topped galvanised steel fencing to the north and eastern boundary to separate the new cemetery from the surrounding park land.
- Felling of one chestnut tree adjacent to the new access road at the rear of the church which is in poor condition and replaced elsewhere within the scheme.
- Felling of one Alder tree on the western boundary to permit the full eradication of Japanese Knotweed which has infested the site, to be replaced elsewhere within the scheme.
- Retention of the other tree, a sycamore, on the site.
- Provision of a SUDS system to contain any ground water run off on site.

The application is accompanied by:

- Tier 2 Screening Assessment
- Ecological Scoping Survey
- Supporting Statement, including tree survey, landscaping, ground water risk assessment, assessment of impact on the adjacent listed building and conservation area.

## **Need for the Facility**

It is envisaged that the current cemetery will run out of graves within 2 years and a new extension is therefore urgently required. The proposed site would have internments for a minimum of 30 years based on current burial rates. (between 21 - 30 burials per annum). The proposed extension will enable this rate to continue.

## **Relevant planning history.**

Of note is the recent grant of planning permission for a large skate park and BMX track on the open space area to the immediate north east of the site. 4/13/2358/0F1 refers.

## **Consultations**

**Millom Town Council** - no objection.

**Highway Authority** – awaited.

**Flood and Coastal Defence Engineer** – no objections as the development falls within Flood Zone 1 and surface water will be disposed of by a SUDS. Request details of SUDS be required by condition.

**Scientific Officer** – no comments received.

**Natural England** – no comments received.

**Historic Environment Officer, CCC**, - no objections.

**Conservation and Urban Design Officer** – no objection in principle. Would have preferred to see a more robust boundary treatment on the park boundary but is satisfied that the proposed planting will give sufficient green cover. Has slight concern that piers are not being introduced at the new entrance. Advises that the wall be strengthened at this entrance either with suitably capped piers or raking buttresses using the stone removed to build the features.

## **Planning Policy**

### **National Planning Policy Framework (NPPF)**

The National Planning Policy Framework, which came into effect in March 2012, sets out the Government's current planning policies. It introduces a presumption in favour of sustainable development and emphasises that the purpose of the planning system is to contribute to the achievement of this. In terms of delivering sustainable development paragraphs 18, 19 and 20 are relevant and advocate this. They emphasise the commitment towards building a strong, competitive economy.

The NPPF is a material consideration in determining planning applications and requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise.

Section 8 in particular promotes healthy communities and supports high quality public areas which are safe and accessible.

Paragraph 74 of the NPPF seeks to protect sports and recreational facilities from loss.

### **Copeland Local Plan 2013-2028**

The Local Development Framework Core Strategy and Development Management Policies DPD (known as the Copeland Local Plan 2013-2028) was recently adopted by the Council in December 2013. It now replaces the majority of policies in the former Copeland Local Plan 2001-2016.

The adopted Plan is consistent with the NPPF and paragraph 196 of the NPPF makes it clear that all applications must be determined in accordance with the Development Plan.

The following Policies of the new local plan are considered relevant and now carry significant weight in decision making:

ST 1 Strategic Development Principles - sets out the fundamental principles to guide development in the Borough.

ST 2 Spatial Development Strategy and ST 3 Strategic Development Priorities - outline the overall spatial and regeneration strategies for the Borough.

SS4 Community Facilities and Services – aims to encourage the development and protection of such facilities.

SS5 Provision and Access to Open Space and Green Infrastructure – seeks to protect existing open space within settlements, promotes the establishment / protection of green infrastructure and sets minimum standards.

ENV5 Protecting and Enhancing the Borough's Landscapes – seeks to protect landscapes from inappropriate change and where the benefits outweigh potential harm ensure that the impact on the landscape is minimised through mitigation.

DM11 Sustainable Development Standards – advocates high quality design in all new development.

DM26 Landscaping – sets out a requirement for all new developments to consider landscape features and improvements.

### **Assessment**

The key issues to consider in assessing this application are:

Impact on Landscape, potential loss of public open space and the effect on the character and appearance on the listed and conservation area setting.

## **Landscape Impact**

The majority of the site is designated as an area of landscape importance in the Copeland Local Plan policies which are designed to protect the area from inappropriate change. In terms of landscape value the site is seen as part of Millom Town Park within the urban area of the town but as an important part of the areas green infrastructure. Whilst the creation of a cemetery extension will introduce an element of formal development on the site this is considered to be relatively low key in terms of operational development/ physical alteration of the land and together with adequate mitigation in terms of enhanced landscaping and the use of suitable external finishes is considered acceptable. A landscaping scheme supports the proposal.

## **Loss of Public Open Space**

The site is also designated as important amenity / recreation space within the town and any development which results in its loss would have to provide considerable benefits to outweigh any harm as a result of its loss along with appropriate mitigation. It should be noted in defence that this particular use will still maintain the open appearance of the site as no physical buildings are proposed and the argument is put forward that this particular area of the park is underused and even with its loss there would remain adequate open space provision in the Park. The circumstances appertaining to this application are relevant and need to be considered carefully in the planning balance. Members will be aware that there is an urgent need for a new cemetery in Millom and that several alternative sites have to date been investigated but have been found unsuitable. This site is considered to be the best option available and has local community support. It is well related to the existing cemetery and to the town itself. It is considered that the benefits in this case of creating a new cemetery extension in this location outweigh the potential harm in terms of public space loss and impact on the landscape.

## **Impact on the Listed Grade II Church and Conservation Area**

The construction of the access to the proposed site at the rear of the church will have an impact on the setting of the listed church coupled with the widening of the existing pedestrian gateway in the stone boundary wall. It is the intention that the access will take the form of an extension to the existing access road round the church leading to the pedestrian gateway which will be widened by some 1.8m, the metal pedestrian gate will be removed leaving an open gateway with posts either side created by the removed stone. A horse chestnut tree in the vicinity which is in poor condition will also be removed. Whilst the Conservation Officer raises no objection to the proposal as it is unlikely to have a significant impact on the character and appearance of the setting of the Church and Conservation Area, he does raise the question as to whether the opportunity should be taken to strengthen the wall at this point either with capped piers or raking buttresses, which has been raised with the applicant.

## Conclusion

Taking the above into account, I am satisfied that the construction of a new cemetery extension in this sensitive location, being within Millom Town Park which benefits from an open space/ urban green infrastructure designation and is adjacent to/ partly within the towns conservation area and the grounds of a listed grade II church, is an acceptable use taking into account the exceptional need case put forward and the fact that the physical development itself will be relatively low key.

The community benefits of creating a new cemetery extension in this location are for the reasons set out above considered to outweigh any potential harm in terms of landscape impact, loss of public space and impact on the setting of the listed church and conservation area. The proposal is therefore considered to meet the requirements of Policies SS5, ENV5 as regards the exceptional need case put forward and in terms of new community service provision, Policy SS4 of the Copeland Local Plan 2013-2028.

Please note as the Council are the applicants in this case and intend to develop the land Regulation 3 of The Town and Country Planning General Regulations 1992 (as amended) applies.

## Recommendation:-

Approve (Regulation 3) subject to the following conditions:

## Conditions

1. The development hereby permitted shall 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. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them:-

Supporting Statement, dated 2014, received 28 January 2014.

Ecological Scoping Survey, by Hesketh Ecology, dated 2013, received 28 January 2014.

Site Location and Key Features Plan, received 28 January 2014.

Tier 2 Assessment, September 2013, by Smith Grant LLP, Environmental Consultancy, received 28 January 2014.

Location Plan, scale 1:1250, received 28 January 2014.

Block Plan, scale 1:500, received 28 January 2014.

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.

3. No development shall commence until details of the sustainable urban drainage scheme for the site, including management and maintenance, has been submitted to and approved in writing by the Local Planning Authority. The sustainable urban drainage scheme shall be completed in accordance with the approved details and so managed and maintained thereafter in accordance with the agreed management and maintenance details.

Reason

To ensure the provision of a suitable sustainable drainage scheme.

4. Landscaping shall be carried out in accordance with the approved landscape schedule.

Reason

To ensure the implementation of a satisfactory landscaping scheme.

5. Before development commences, details of the specification and position of fencing for the protection of the retained trees from damage during the course of development shall be submitted to and approved in writing by the Local Planning Authority. The fencing shall be erected and so maintained in accordance with the approved details until completion of the development. No vehicles, plant or machinery shall be driven or placed within the areas enclosed by such fencing, nor shall any ground levels be altered or any excavation made, without the prior written approval of the Local Planning Authority.

Reason

To adequately protect the existing trees on site which are considered worthy of retention.

6. No development shall commence until full details of the scheme to widen the pedestrian gateway are submitted to and approved in writing by the Local Planning Authority. The works shall be undertaken in accordance with the

approved details and so maintained thereafter.

Reason,

To safeguard the amenities of the listed grade II Church and Millom Conservation Area.

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### 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.

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ITEM NO: 3.



To: PLANNING PANEL

Development Control Section

Date of Meeting: 26/03/2014

<b>Application Number:</b>	4/14/2051/OF1
<b>Application Type:</b>	Full : CBC
<b>Applicant:</b>	Rosehill Theatre
<b>Application Address:</b>	ROSEHILL THEATRE & BARN, MORESBY, WHITEHAVEN
<b>Proposal</b>	EXTENSION AND ALTERATION TO THEATRE AND BARN, TOGETHER WITH ASSOCIATED SITE IMPROVEMENTS
<b>Parish:</b>	Moresby
<b>Recommendation Summary:</b>	Approve (commence within 3 years)



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## INTRODUCTION

This application relates to the Rosehill Theatre and an adjoining detached barn. The buildings were formerly part of the larger complex of agricultural buildings that served Rosehill House to the north.

The larger barn was converted to form a theatre in 1959 and is a Grade 2 listed building. The detached barn which lies within the curtilage of the listed building is currently used as a function room.

The theatre and barn front onto a large car park which occupies the eastern portion of the site. This car park is accessed off the minor road which links the A595 to the north west with Moresby to the south east.

Planning permission and Listed Building Consent were granted for the alteration, extension and upgrading of the existing buildings to provide enhanced facilities on the site in 2010 under references 4/10/2429/0F1 and 4/10/2430/0L1. Both of these permissions have now lapsed.

## PROPOSAL

Planning permission is sought for the extension, alteration and upgrading of both the theatre and the barn to provide improved facilities on the site. The scheme is a revision to the previously approved scheme and the majority of the proposals remain the same. The main change relates to the north elevation of the theatre. It is now proposed to increase the scale of the upper floor of the proposed extension which will result in the loss of the roof top terrace in front of the restaurant which formed part of the previously approved scheme.

The existing annexes on the northern elevation of the theatre which currently house the kitchen, former bistro and lounge are to be demolished to allow the addition of a two and three storey extension. The new extension will allow a new main entrance to the theatre and box office to be created directly off the car park. The upper floors are to be used to create an enlarged lobby, enhanced toilet facilities and a restaurant. The rear portion of the extension will allow the backstage accommodation to be improved

The extension is to be constructed with a combination of reclaimed stone and render and is of a contemporary design which will contrast with the traditional appearance of the existing theatre which includes a significant element of timber cladding. This cladding has suffered water penetration over the years and is now showing signs of decay. It is proposed to replace the timber boarding with new matching panels that will also include a layer of insulation.

It is also proposed to demolish two single storey elements within the yard area on the southern elevation of the theatre.

The detached barn is to be extended and modified to improve the entrance, provide a new fire escape and also to create a roof terrace at first floor level on the rear elevation. The roof terrace is to overlook an existing enclosed space which is to be reconfigured to form an outdoor performance area. The theatre and the barn are to be linked by a new terrace which is to be created by demolishing an existing stone wall which forms a barrier between the two buildings.

Significant improvements are also proposed to the existing car park. Individual parking spaces are to be defined and these will be interspersed with new planting. Several existing trees which are to be removed are to be replaced with native planting.

The two existing entrances into the car park are to be upgraded to improve visibility from the public highway. Access into the site from the public highway is also to be enhanced by separating the public access from the coach and service access. The two routes proposed will have explicit traffic movement priorities designed to reduce congestion.

The planning application is accompanied by the following information:-

- Detailed layout and elevation drawings which illustrate the development proposals
- Design and access statement
- Tree survey and proposed protection plan

A detailed Listed Building Consent application for the alterations to the theatre building and barn is included on the agenda under reference 4/14//2052/OL1

## PLANNING POLICY

### National Planning Policy Framework

The National Planning Policy Framework (NPPF), which came into effect in March 2012, sets out the Government's new planning policies and how these are to be applied. It introduces a presumption in favour of sustainable development and emphasises that the purpose of the planning system is to contribute to the achievement of this.

It outlines that there are three dimensions to sustainable development; economic, social and environmental. A social role includes support for cultural facilities.

Paragraph 17 sets out a number of core planning principles which. Amongst other things, seeks to secure high quality designs and also conserving heritage assets in a manner appropriate to their significance.

Paragraph 56 emphasizes that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development.

Paragraph 70 seeks to deliver social, recreational and cultural facilities and services.

In terms of conserving and enhancing the historic environment the NPPF states that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.' It also clarifies that any harm should be weighed against the public benefits of the proposal.

The NPPF constitutes guidance for local planning authorities and in respect of development control is a material consideration in determining planning applications. It does not change the status of the development plan and the planning system remains plan led - requiring that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

### Copeland Local Plan 2013-2028

The Core Strategy and Development Management Policies DPD (known as the Copeland Local Plan 2013-2028) was adopted by the Council in December 2013.

The Policies in the Core Strategy and Development Management Policies DPD are a material consideration when determining planning applications and carry significant weight.

The following Core Strategy policies are considered relevant to this application:-

ST 1 sets out the Strategic Development Principles that underpin the planning policies. This places an emphasis on supporting development that provides or contributes to the Boroughs social and community infrastructure and also seeks to protect and enhance the Boroughs cultural and historic features and their settings.

Policy ER 10 seeks to maximise the potential of tourism within the Borough by supporting appropriate developments which improve and enhance the quality of the tourism product.

Policy SS4 seeks to protect community and cultural facilities. Specifically this policy allows the expansion and or enhancement of existing cultural facilities to assist continuing viability, particularly in areas where new development will increase the demand for facilities.

Policy DM 8 encourages tourism in rural areas where it is necessary for enhancing the cultural or heritage value of the place bound asset.

Policy DM 22 seeks to secure developments which are accessible to all users.

Policy DM 26 seeks to secure appropriate landscaping as part of development proposals.

Policy DM 27 seeks to protect, conserve and enhance listed buildings and their setting.

## CONSULTATION RESPONSES

### Highway Control Officer

Generally speaking the alteration, demarcation of parking areas, the proper construction/marketing of the junctions off the public highway and the segregation of coaches and servicing vehicles is welcome. However I am concerned that the existing loop road that exists to the north of the theatre is to be walled up. This will result in an absence of turning facilities for coaches and service lorries which is likely to have an adverse impact on highway safety.

### Tree Officer (Capita)

There is potential for improving the quality of the tree stock on the site with an appropriate landscaping plan. This together with adequate maintenance could be the subject of suitably worded conditions on any planning permission.

### Copeland Disability Forum

Have asked for clarification on whether there is access via the lift to the lower ground floor area in the new extension. Have also requested that additional disabled parking spaces above the 6 spaces shown on the submitted plan proposed are provided as part of the development.

### Flood and Coastal Defence Engineer

To be reported

Theatre Trust

The Trust supports the application and the scheme in principle because the extension and alterations will provide much needed and improved facilities for both theatre audiences and performers. Theatres need to invest and keep pace with the audience's expectations and we are keen to support theatre owners do more to improve and adapt their buildings and to attract new audiences.

From our interpretation of the plans, the proposed extension will provide a new and clearly designated entrance, a box office and administration space on the lower ground floor, an expanded foyer and circulation space at ground floor, and a larger more functional bistro and kitchen on the first floor. The back-of-house extension significantly increases the size of the dressing rooms, laundry and storage space. The new facilities in the extension allows for the reconfiguration of the existing entry foyer and bar to also make it more functional and accessible. The works and new facilities will provide better comfort, safety and amenity to theatregoers and the general public and are in keeping with the existing buildings. In addition, the improved front-of-house facilities, extended backstage accommodation and the refurbished function rooms will help expand and support the work of the theatre and also enable the theatre to potentially generate more revenue and thus be more sustainable over the long term.

The Theatres Trust is pleased to support the proposed works and advise that planning permission should be granted.

Conservation Officer

I note that alterations have been made to the previously approved scheme. My main concern relates to the increase in the scale of the restaurant/kitchen facilities which has resulted in the loss of the balcony which overlooks the courtyard to the rear of the barn. This increase in floor area has resulted in a change in the massing and modelling to the north west elevation and north eastern corner. The impact of these is to add a heavier structure than the lighter touch of the original scheme. The northern elevation is now shown as a more dominant feature of the whole complex rather than the slightly more subservient attitude of the approved scheme.

No justification has been put forward for the scale of the revised first floor extension.

## ASSESSMENT

The Theatre is a great asset to the community both as a cultural and social venue as well as a heritage asset and the proposed redevelopment represents a significant alteration to the theatre complex.

Since the previous planning approval was granted in 2010 the Theatre has been actively trying to secure sufficient funding to allow the project to proceed.

The main changes from the original scheme relate to the proposed extension on the northern elevation of the building. The applicant's agent has outlined that the increase in the scale of the proposed extension is required to provide larger restaurant/conference facilities which are vital to ensure that the theatre remains viable. This is vital to secure the future of the theatre as a cultural venue.

The extension to the theatre is of a high quality contemporary design which will provide a clear contrast between the old building and the new element. The extension is to be created using some of the existing stone which will result from the demolition of the north wing of the building. Positive discussions have taken place with the applicant's agent in an attempt to reduce the scale and massing of this extension to address the concerns raised by the Conservation Officer. It is anticipated that a revised design for the northern elevation will be submitted to reflect these discussions prior to the meeting. Members will be given an update on the outcome of the negotiations at the meeting.

The provision of a new entrance into the theatre will be clearly visible from the main car park and will make the form of the building more legible to visitors. The enhanced internal space will improve the functioning of the building and improve the circulation space.

The alterations to the adjoining barn are focussed on its rear elevation and will provide enhanced facilities to the visitor. These alterations are considered to be of an acceptable design and will allow the creation of an external performance space which will enhance the role of the site as an arts theatre.



The general layout of the proposed development will provide a more coherent and accessible arrangement of spaces, circulation, and uses and provide the facilities which will help to make the theatre work in a way that protects its future.

The proposed works to the car park will result in the addition of native planting which will improve the appearance and setting of the building. The definition of individual parking spaces and the division of the access routes to separate public traffic from service and staff will provide a more legible layout. This together with the upgrading of the existing entrances onto the public highway is welcome. The applicants agent has clarified that space will be provided within the site to allow coaches and service vehicles to turn so that they can leave the site in a forward direction.

The number of disabled spaces within the car park has been increased to a total of 8 spaces in response to the comments from the Copeland Disability Forum. This is more spaces than was provided on the previously approved scheme.

Overall this proposal will provide an upgrade to the existing facilities on the site which is necessary to strengthen the viability of the theatre and help to secure its future. Subject to a satisfactory outcome to negotiations with the applicants agent to secure design improvements to the northern elevation of the proposed extension this application is considered to be an appropriate form of development.

**Recommendation:-**

Approve, subject to:-

**Conditions**

1. The development hereby permitted shall 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. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them:-
- Location plan, scale 1:2500, drawing number 11382-10A, received on 05 February 2014
  - Site Plan as Proposed, scale 1:200, drawing number 11382-15D, received on 05 February 2014
  - Site Sections as Proposed, scale 1:200, drawing number 11382-16 A, received on 05 February 2014
  - Theatre Elevations as Proposed, scale 1:100, drawing number 11382-17 C, received on 05 February 2014
  - Theatre Layout Plans as Proposed, scale 1:100, drawing number 11382-18 C, received on 05 February 2014
  - Barn Plans, Sections and Elevations as Proposed, scale 1:100, drawing number 11382-19 B, received on 05 February 2014
  - Theatre Roof Plan, scale 1:100, drawing number 11382-22A, received on 05 February 2014
  - Barn Roof Plan, scale 1:100, drawing number 11382-23, received on 05 February 2014
  - Tree Survey and Protection Plan prepared by Johnston and Wright, received on 05 February 2014
  - Design and Access Statement prepared by Johnston and Wright, received on 05 February 2014.

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.

3. Before development commences representative samples of the materials to be used on the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and so maintained thereafter.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity.

4. Prior to the development commencing a sample panel of all the proposed external materials shall be constructed on the site for the written approval of the Local Planning Authority. This panel shall be of sufficient size to indicate the method of jointing and coursing to be used.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity.

5. No development shall be carried out on the site which is the subject of this permission until full details of the design, extent and content of the proposed surfacing materials around the theatre, barn, the space between the two buildings and the car park have been submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out otherwise than in full accordance with such approved details.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity.

6. No development shall commence on the refurbishment of the main car park which is the subject of this permission until full details of the design and specification of any external lighting for the car park have been submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out otherwise than in full accordance with such approved details.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity.

7. No development shall be carried out on the site which is the subject of this permission until full details of the external access stairs that are to be added to the south east elevation of the barn have been submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out otherwise than in full accordance with such approved details.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity.

8. No development shall be carried out on the site which is the subject of this permission until full details of the removable canopy that is to be added to the barn, its method of support and also the provisions for the storage of the canopy and support have been submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out otherwise than in full accordance with such approved details.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity.

9. Full details of the soft landscaping works including planting plans and written specifications of plants, species, sizes and densities, shall be submitted to and approved in writing by the Local Planning Authority. Landscaping shall be carried out in accordance with the approved details.

Reason

To enhance the appearance of the development in the interests of visual amenities and to ensure a satisfactory landscaping scheme.

10. No development shall take place until a schedule of landscape maintenance has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details for its implementation. Development shall be carried out in accordance with the approved schedule.

Reason

To ensure the implementation of a satisfactory landscaping scheme.

11. A landscape management plan including long term design objectives, management responsibilities and maintenance schedules for all landscape areas shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The landscape management plan shall be carried out as approved.

Reason

To ensure a satisfactory landscaping scheme.

12. Before development commences adequate protection measures for the retained trees including the erection of fencing, and the installation of weight bearing root barrier membranes and appropriate ventilation / irrigation systems shall be undertaken in accordance with British Standard BS 5837. Details of such protection methods in the form of a method statement shall be submitted to and approved in writing by Local Planning Authority.

Reason

To adequately protect the existing trees on site which are considered worthy of retention in the interests of visual amenity.

13. Details of any proposed modifications to the accesses over the highway verge shall be submitted to the Local Planning Authority for written approval. The site improvement works shall not be completed until the details have been approved and the modifications have been constructed.

Reason

For the avoidance of doubt and in the interests of highway safety.

14. Before development commences full details of the surface water drainage scheme, including attenuation measures, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall become operational before the development is brought into use and shall be so maintained thereafter.

Reason

To ensure a satisfactory scheme of surface water disposal from the site.

15. No development shall be carried out on the site which is the subject of this permission until full details of the design, method of construction and schedule of materials to be used on the new entrance that is to be created within the extension to the theatre, including the entrance canopy, have been submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out otherwise than in full accordance with such approved details.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity.

**Informative**

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining.

Further information is also available on The Coal Authority website at [www.coal.decc.gov.uk](http://www.coal.decc.gov.uk)

Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at [www.groundstability.com](http://www.groundstability.com) <<http://www.groundstability.com>>

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Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and negotiating with the applicants acceptable amendments to address them. As a result the Local Planning Authority has been able to grant planning permission for an acceptable proposal in accordance with Copeland Local Plan policies and the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

ITEM NO: 4.



To: PLANNING PANEL

Development Control Section

Date of Meeting: 26/03/2014

<b>Application Number:</b>	4/14/2052/OL1
<b>Application Type:</b>	Listed Building Consent : CBC
<b>Applicant:</b>	Rosehill Theatre
<b>Application Address:</b>	ROSEHILL THEATRE & BARN, MORESBY, WHITEHAVEN
<b>Proposal</b>	LISTED BUILDING CONSENT FOR WORKS ASSOCIATED WITH ALTERATION AND EXTENSION TO THEATRE (LISTED) AND BARN (NOT LISTED), TOGETHER WITH SITE IMPROVEMENTS
<b>Parish:</b>	Moresby
<b>Recommendation Summary:</b>	Approve Listed Building Consent (start within 3yr)



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## INTRODUCTION

This application relates to the Rosehill Theatre and a detached barn.

The Theatre was created from a converted barn in 1959 and is a Grade 2 listed building. It is noted, in particular, for its interior decor which was designed by Oliver Messel and represents his only permanent theatre work. The detached barn which lies within the curtilage of the listed building is currently used as a function room.



## PROPOSAL

Listed building consent is sought for the extension and upgrading of both the theatre building and detached barn to provide improved facilities on the site. The proposed scheme is a revision to a previously approved scheme for the extension and enhancement of the theatre which was approved in 2010 and the majority of the proposals remain the same. The main change relates to the north elevation of the theatre. It is now proposed to increase the scale of the upper floor of the proposed extension which will result in the loss of the roof top terrace in front of the restaurant which formed part of the previously approved scheme.

The existing annexes on the northern elevation of the theatre which currently house the kitchen former bistro and lounge are to be demolished to allow the addition of a two and three storey extension. The new extension will allow a new main entrance to the theatre and box office to be created directly off the car park. The upper floors are to be used to create an enlarged lobby, enhanced toilet facilities and a restaurant. The rear portion of the extension will allow the backstage accommodation to be improved

The extension is to be constructed of reclaimed stone and also render and is of a contemporary design which will contrast with the traditional appearance of the existing theatre. The external timber cladding is to be replaced with treated cedar to match the existing.

It is also proposed to demolish two single storey elements within the yard area on the southern elevation of the theatre.

The detached barn is to be extended and modified to improve the entrance, provide a new fire escape and also to create a roof terrace at first floor level on the rear elevation. The roof terrace is to overlook an existing enclosed space which is to be reconfigured to form an outdoor performance area. The theatre and the barn are to be linked by a new terrace which is to be created by demolishing an existing stone wall which currently forms a barrier between the two buildings.

A detailed planning application for the redevelopment of the site is included on the agenda under reference 4/14/2051/0F1.

The Listed Building Consent application is accompanied by the following information:-

- Detailed description of listed building alterations
- Design and access statement
- Detailed layout and elevation drawings which illustrate the development proposals

## CONSULTATION RESPONSES

English Heritage

To be reported

Conservation Officer

I note that alterations have been made to the previously approved scheme. My main concern relates to the increase in the scale of the restaurant/kitchen facilities which has resulted in the loss of the balcony which overlooks the courtyard to the rear of the barn. This increase in floor area has resulted in a change in the massing and modelling to the north west elevation and north eastern corner. The impact of these is to add a heavier structure than the lighter touch of the original scheme. The northern elevation is now shown as a more dominant feature of the whole complex rather than the slightly more subservient attitude of the approved scheme.

No justification has been put forward for the scale of the revised first floor extension.

## Theatres Trust

In terms of heritage, the works proposed will not adversely harm the special architectural significance or historic value of the Grade II listed heritage asset. The 1959 auditorium and stage designed by Oliver Messel are to remain unaltered, and while the existing backstage accommodation and parts of the northern façade will be changed, they are of little architectural significance and are not suited to the current needs of the theatre. The overall public benefits of the proposal for the operation of the theatre justify their redevelopment.

## PLANNING POLICY

### National Planning Policy Framework

The National Planning Policy Framework (NPPF), which came into effect in March 2012, sets out the Government's new planning policies and how these are to be applied. It introduces a presumption in favour of sustainable development and emphasises that the purpose of the planning system is to contribute to the achievement of this.

It sets out that there are three dimensions to sustainable development; economic, social and environmental.

Paragraph 17 sets out a number of core planning principles which, amongst other things, seeks to secure high quality designs and also conserve heritage assets in a manner appropriate to their significance.

Paragraph 56 emphasizes that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development.

In terms of conserving and enhancing the historic environment the NPPF states that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.' It also clarifies that any harm should be weighed against the public benefits of the proposal.

The NPPF constitutes guidance for local planning authorities and in respect of development control is a material consideration in determining planning applications. It does not change the status of the development plan and the planning system remains plan led - requiring that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

## Copeland Local Plan 2013-2028

The Core Strategy and Development Management Policies DPD (known as the Copeland Local Plan 2013-2028) was adopted by the Council in December 2013.

The Policies in the Core Strategy and Development Management Policies DPD are a material consideration when determining planning applications and carry significant weight.

The following Core Strategy policies are considered relevant to this application:-

ST 1 sets out the Strategic Development Principles that underpin the planning policies. This places an emphasis on supporting development that provides or contributes to the Boroughs social and community infrastructure and also seeks to protect and enhance the Boroughs cultural and historic features and their settings.

. Policy DM 27 seeks to protect, conserve and enhance listed buildings and their setting.

## ASSESSMENT

The Theatre is a great asset to the community both as a cultural and social venue as well as a heritage asset.

The proposed redevelopment scheme involves the demolition of the existing annexes on the northern elevation of the Theatre building. Government guidance outlined in the NPPF outlines that any harm to or loss of a heritage asset should be weighed against the public benefits of the proposal. In 2010 when the original scheme was considered both English Heritage and the Councils Conservation consultant initially raised concerns with regards to the demolition of this section of the listed building as it is part of the original building and it helps to tell the story of the history of the complex and how it grew out of the old farm buildings. In response to these concerns the applicants agent has provided a detailed justification for the loss of the surviving north wing including the other options that were investigated to see if all or part of the structure could be retained. This information confirms that the design and character of the existing building has informed the designs of the proposals. This justification is still relevant when considering the revised scheme.

The general layout of the proposed development will provide a more coherent and accessible arrangement of spaces, circulation, and uses and provide the facilities which will help to make the theatre work in a way that protects its future. The replacement of the larch clad exterior of the original theatre is also welcome.

The proposed redevelopment has been designed to exclude the interior of the theatre. It is acknowledged that the redevelopment will result in the loss of the former dwelling. However this heritage loss needs to be considered against the benefits of the proposal.

The applicant's agent has confirmed that the redevelopment of Rosehill is essential for its future well being, not only to improve and upgrade the condition, services and facilities of its present buildings but also to provide the wherewithal to engage much more substantively and in greater numbers with young people and in its many surrounding communities. This role can only be achieved through the generation of additional income, complementing the Theatres core public funding.

On balance the proposed redevelopment is considered to be of a high quality of design and the benefits that would result from the redevelopment are considered to outweigh the loss of the northern section of the building.

It is anticipated that following discussions with the applicants agent improvements to the design of the extension on the north elevation of the theatre which reduces its scale and massing will be secured. These improvements will reduce the impact on the character and appearance of the Listed Building. Members will be updated on the outcome of these discussions at the meeting. Subject to a satisfactory outcome this proposal is considered to be acceptable.

**Recommendation:-**

Approve, subject to:-

## Conditions

1. The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

### Reason

To comply with Sections 18 and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them:-
  - Location plan, scale 1:2500, drawing number 11382-10A, received on 05 February 2014
  - Site Plan as Proposed, scale 1:200, drawing number 11382-15D, received on 05 February 2014
  - Site Sections as Proposed, scale 1:200, drawing number 11382-16 A, received on 05 February 2014
  - Theatre Elevations as Proposed, scale 1:100, drawing number 11382-17 C, received on 05 February 2014
  - Theatre Layout Plans as Proposed, scale 1:100, drawing number 11382-18 C, received on 05 February 2014
  - Barn Plans, Sections and Elevations as Proposed, scale 1:100, drawing number 11382-19 B, received on 05 February 2014
  - Theatre Roof Plan, scale 1:100, drawing number 11382-22A, received on 05 February 2014
  - Barn Roof Plan, scale 1:100, drawing number 11382-23, received on 05 February 2014
  - Design and Access Statement prepared by Johnston and Wright, received on 05 February 2014.
  - Detailed Description of Listed Building Alterations prepared by Johnston and Wright, received on 05 February 2014.
  -

### 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.

3. Prior to the carrying out of any demolition on the site a full schedule of recording shall be carried out in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning

Authority. The appropriate level of building recording should be determined in consultation with Cumbria County Councils Historic Environmental Service and should include:-

- A full record of the existing annexes on the northern elevation of the theatre building that are to be demolished
- A full record of the sections of the barn that are to be removed or demolished
- A record of any historic fabric that is exposed following demolition that is to be incorporated into the new build
- A record of the layout form and appearance of all internal fixtures, fittings or layout that are to be lost or altered in the listed building
- A full record of the external stone garden wall that is to be demolished

Reason

To ensure that a permanent record is made of the buildings of architectural and historic interest prior to their alteration / demolition.

4. Within two years of the commencement of the development hereby approved a report which sets out the evidence gathered in the comprehensive building record shall be published in a suitable journal as approved beforehand by the Local Planning Authority. Copies of this report shall also be deposited with the County Historic Record.

Reason

To ensure that a permanent and accessible record by the public is made of the buildings of architectural and historic interest prior to their alteration / demolition.

5. Before development commences representative samples of the materials to be used on the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and so maintained thereafter.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity.

6. No development shall be carried out on the site which is the subject of this permission until full details of all the new materials to be used in the replacement/repair works have been submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out otherwise than in full accordance with such approved details.

Reason

To ensure that the character and appearance of this Listed Building is not adversely affected by reason of the appearance of the type and colour of the materials to be used in the development.

7. No development shall be carried out on the site which is the subject of this permission until full details of the extent of the roof repairs and a specification for any repairs to the theatre or barn have been submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out otherwise than in full accordance with such approved details.

Reason

To ensure that the character and appearance of the Grade II Listed Building is not adversely affected by reason of the appearance of the type and colour of materials to be used in the proposed development.

8. No development shall be carried out on the site which is the subject of this permission until full details of a specification of the internal decorative finishes including flooring has been submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out otherwise than in full accordance with such approved details.

Reason

To ensure that the character and appearance of the Grade II Listed Building is not adversely affected by reason of the appearance of the type and colour of the materials to be used in the proposed development.



9. No development shall be carried out on the site which is the subject of this permission until full details of a specification for the repair/replacement for the following items have been submitted to and approved in writing by the Local Planning Authority.

- the external timber cladding of the building and its fixings
- windows
- doors (external and internal)
- rainwater goods.

Development shall not be carried out otherwise than in full accordance with such approved details.

#### Reason

To ensure that the character and appearance of the Grade II Listed Building is not adversely affected by reason of the appearance of the type and colour of the materials to be used in the proposed development.

10. No development shall be carried out on the site which is the subject of this permission until a specification and full details of the upgrades to ventilation, fire/smoke and security alarms, soil and waste disposal where they affect the appearance of the interior and exterior of the building have been submitted to and approved in writing by the Local Planning Authority.

Development shall not be carried out otherwise than in full accordance with such approved details.

#### Reason

To ensure that the character and appearance of the Grade II Listed Building is not adversely affected by reason of the appearance of the type and colour of the materials to be used in the proposed development.

11. No development shall be carried out on the site which is the subject of this permission until full details of the external access stairs that are to be added to the south east elevation of the barn have been submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out otherwise than in full accordance with such approved details.

Reason

To ensure that the character and appearance of the barn is not adversely affected by reason of the appearance of the type and colour of the materials to be used in the proposed development.

12. No development shall be carried out on the site which is the subject of this permission until full details of the removable canopy that is to be added to the barn, its method of support and also the provisions for the storage of the canopy and support have been submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out otherwise than in full accordance with such approved details.

Reason

To ensure that the canopy is of an appropriate design and does not adversely affect the character and appearance of the barn.

13. Before development commences the detailed specification for the proposed restoration of the retained building fabric, including Oliver Messel's interior theatre design shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and so maintained thereafter.

Reason

To demonstrate that the redevelopment is balanced by enhancement of the surviving historic fabric of the building.

14. No development shall be carried out on the site which is the subject of this permission until full details of the alterations to and any repair to the external stone garden wall have been submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out otherwise than in full accordance with such approved details.

Reason

To ensure that the character and appearance of the wall which lies within the curtilage of the Grade II Listed Building is not adversely affected by reason of the appearance of the type and colour of the materials to be used in the proposed development.

15. No development shall be carried out on the site which is the subject of this permission until full details of the design, extent and content of the proposed surfacing materials around the theatre, barn and the space between the two buildings have been submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out otherwise than in full accordance with such approved details.

Reason

To ensure that the character and appearance of the Grade II Listed Building is not adversely affected by reason of the appearance of the type and colour of the materials to be used in the proposed development.

16. A sample of all the proposed external surfacing materials to be used in the development shall be constructed on the site for the further written approval of the Local Planning Authority and this approval shall be obtained before any constructional works are commenced. The sample shall be of sufficient size to indicate the method of jointing and coursing to be used.

Reason

To ensure that the character and appearance of the Grade II Listed Building is not adversely affected by reason of the appearance of the type and colour of the materials to be used in the proposed development.

17. Prior to the commencement of any development in the site a detailed business plan which sets out the benefits of the proposed development and also a timescale when these benefits will be delivered shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details thereafter.

Reason

For the avoidance of doubt and to support the case for the loss of fabric or heritage significance which will result from this proposal.

18. No development shall be carried out on the site which is the subject of this permission until full details of the design, method of construction and schedule of materials to be used on the new entrance that is to be created within the extension to the theatre, including the entrance canopy, have been submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out otherwise than in full accordance with such approved details.

Reason

To ensure that the character and appearance of the Grade II Listed Building is not adversely affected by reason of the appearance of the type and colour of the materials to be used in the proposed development.

19. Prior to the removal or alteration of any part of the Listed Building a report which outlines the method and detail of how the existing asbestos will be removed from the building shall be submitted to and approved in writing by the Local Planning Authority.

Reason

For the avoidance of doubt and to ensure that the removal of any asbestos does not have an adverse impact on the character and appearance of the heritage asset.

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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 listed building consent in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

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## List of Delegated Decisions

**Selection Criteria:**

**From Date:** 18/02/2014

**To Date:** 17/03/2014

**Printed Date:** Monday, March 17, 2014

**Printed Time:** 2:47 PM

<b>Application Number</b>	4/13/2470/0F1
<b>Applicant</b>	Pacha Properties Ltd
<b>Location</b>	THE COMMERCIAL, 5 HIGH STREET, CLEATOR MOOR
<b>Proposal</b>	CONVERSION OF PUBLIC HOUSE TO 2 NO. SEMI-DETACHED HOUSES AND 6 NO. FLATS
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	13 February 2014
<b>Dispatch Date</b>	5 March 2014
<b>Parish</b>	Cleator Moor

<b>Application Number</b>	4/13/2472/0F1
<b>Applicant</b>	Mr M Foster
<b>Location</b>	33 TANGIER STREET, WHITEHAVEN
<b>Proposal</b>	CHANGE OF USE OF GROUND FLOOR FROM A1 TO A5 USE
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	28 January 2014
<b>Dispatch Date</b>	21 February 2014
<b>Parish</b>	Whitehaven

<b>Application Number</b>	4/13/2487/0F1
<b>Applicant</b>	Mr P Lockhart
<b>Location</b>	TARN BANK, BRAYSTONES, BECKERMET
<b>Proposal</b>	REVISED APPLICATION FOR THE ERECTION OF 3 NO. AFFORDABLE HOMES INCLUDING GARAGES, WITH AMENDED ACCESS ARRANGEMENTS AND PLOT LAYOUT FOR 2 NO. DWELLINGS AND THE RETENTION & REFURBISHMENT OF TARNBANK
<b>Decision</b>	Withdrawn
<b>Decision Date</b>	27 February 2014
<b>Dispatch Date</b>	27 February 2014
<b>Parish</b>	Lowside Quarter

<b>Application Number</b>	4/13/2500/001
<b>Applicant</b>	Persimmon Homes
<b>Location</b>	LAND OFF LAUREL BANK, THE HIGHLANDS, WHITEHAVEN
<b>Proposal</b>	OUTLINE APPLICATION FOR UP TO 60 NEW RESIDENTIAL UNITS AND ASSOCIATED ACCESS
<b>Decision</b>	Withdrawn
<b>Decision Date</b>	24 February 2014
<b>Dispatch Date</b>	24 February 2014
<b>Parish</b>	Whitehaven

<b>Application Number</b>	4/13/2504/0F1
<b>Applicant</b>	Henry Boot Developments Ltd
<b>Location</b>	PLOT 7A, CROW PARK WAY, WESTLAKES SCIENCE & TECHNOLOGY PARK, MOOR ROW
<b>Proposal</b>	NEW TWO STOREY OFFICE BUILDING WITH ASSOCIATED CAR PARKING AND LANDSCAPING
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	26 February 2014
<b>Dispatch Date</b>	27 February 2014
<b>Parish</b>	Egremont

<b>Application Number</b>	4/13/2511/0F1
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<b>Application Number</b>	4/13/2521/OF1
<b>Applicant</b>	Sellafield Limited
<b>Location</b>	AREA H, SELLAFIELD SITE, SELLAFIELD, SEASCALE
<b>Proposal</b>	NEW FENCE, STERILE ZONE & PATROL TRACK
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	24 February 2014
<b>Dispatch Date</b>	25 February 2014
<b>Parish</b>	Ponsonby

<b>Application Number</b>	4/13/9013/OF2
<b>Applicant</b>	Cumbria Waste Management Ltd
<b>Location</b>	FRIZINGTON HWRC, YEATHOUSE QUARRY, YEATHOUSE, FRIZINGTON
<b>Proposal</b>	VARIATIONS OF CONDITIONS 1 AND 3 OF PLANNING PERMISSION 4/09/9012 FOR EXTENSION TO OPERATIONAL TIME OF HWRC SITE AND RESTORATION
<b>Decision</b>	County Council Approved
<b>Decision Date</b>	28 February 2014
<b>Dispatch Date</b>	28 February 2014
<b>Parish</b>	Arlecdon and Frizington

<b>Application Number</b>	4/14/2002/TPO
<b>Applicant</b>	Mr W Sumner
<b>Location</b>	3 LAUREL BANK, FOXHOUSES ROAD, WHITEHAVEN
<b>Proposal</b>	REMOVAL OF 3 TREES SITUATED WITHIN A CONSERVATION AREA (RETROSPECTIVE)
<b>Decision</b>	Approve
<b>Decision Date</b>	21 February 2014
<b>Dispatch Date</b>	25 February 2014
<b>Parish</b>	Whitehaven

<b>Application Number</b>	4/14/2009/OF1
<b>Applicant</b>	Mr G Mawdsley
<b>Location</b>	RIVENDELL, POOLSIDE, HAVERIGG, MILLOM
<b>Proposal</b>	ERECT SINGLE STOREY KITCHEN/DINER EXTENSION TO REAR ELEVATION (REPLACING CONSERVATORY)
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	6 February 2014
<b>Dispatch Date</b>	20 February 2014
<b>Parish</b>	Millom

<b>Application Number</b>	4/14/2011/OL1
<b>Applicant</b>	St Bees School
<b>Location</b>	FOUNDATION BUILDING, ST BEES SCHOOL, ST BEES
<b>Proposal</b>	LISTED BUILDING CONSENT FOR REPLACEMENT WINDOWS



<b>Decision</b>	Approve Listed Building Consent (start within 3yr)
<b>Decision Date</b>	4 March 2014
<b>Dispatch Date</b>	4 March 2014
<b>Parish</b>	St. Bees

<b>Application Number</b>	4/14/2018/OF1
<b>Applicant</b>	Atos IT Services UK Limited
<b>Location</b>	PRINCESS ROYAL BUILDING, WESTLAKES SCIENCE AND TECHNOLOGY PARK, MOOR ROW
<b>Proposal</b>	INSTALLATION OF A NEW ROLLER SHUTTER DOOR TO THE REAR ELEVATION WITHIN THE COURTYARD
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	4 March 2014
<b>Dispatch Date</b>	5 March 2014
<b>Parish</b>	Egremont

<b>Application Number</b>	4/14/2020/OF1
<b>Applicant</b>	Mr J Hayes
<b>Location</b>	LAND TO REAR OF MARINE VIEW, HAVERIGG ROAD, HAVERIGG, MILLOM
<b>Proposal</b>	ERECTION OF DOG KENNEL (RETROSPECTIVE)
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	19 February 2014
<b>Dispatch Date</b>	20 February 2014
<b>Parish</b>	Millom

<b>Application Number</b>	4/14/2021/OF1
<b>Applicant</b>	Mrs J Dickinson
<b>Location</b>	3 HIGHFIELD CLOSE, SEASCALE
<b>Proposal</b>	TWO STOREY SIDE EXTENSION IN PLACE OF SINGLE STOREY GARAGE
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	4 March 2014
<b>Dispatch Date</b>	11 March 2014
<b>Parish</b>	Seascale

<b>Application Number</b>	4/14/2022/OF1
<b>Applicant</b>	Whitehaven Development Co Ltd
<b>Location</b>	FOUR SEASONS DISCOUNT STORE, SWINGPUMP LANE, WHITEHAVEN
<b>Proposal</b>	IMPROVED SHOP FRONTAGE, NEW ROLLER SHUTTERS AND RAMPED ACCESS TO PROVIDE DISABILITY ACCESS IMPROVEMENTS
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	11 March 2014
<b>Dispatch Date</b>	11 March 2014
<b>Parish</b>	Whitehaven

<b>Application Number</b>	4/14/2024/001
<b>Applicant</b>	Mrs S Charlton
<b>Location</b>	LAND ADJACENT TO LORIEN, ROPER STREET, CLEATOR
<b>Proposal</b>	OUTLINE APPLICATION FOR ONE DWELLING
<b>Decision</b>	Approve in Outline
<b>Decision Date</b>	19 February 2014
<b>Dispatch Date</b>	26 February 2014
<b>Parish</b>	Cleator Moor

<b>Application Number</b>	4/14/2025/OF1
<b>Applicant</b>	Mr J Sanders
<b>Location</b>	1 CHURCH WALK, MILLOM
<b>Proposal</b>	ERECTION OF SINGLE STOREY EXTENSION AND PATIO TO FRONT ELEVATION
<b>Decision</b>	Approve
<b>Decision Date</b>	12 February 2014
<b>Dispatch Date</b>	20 February 2014
<b>Parish</b>	Millom

<b>Application Number</b>	4/14/2028/OF1
<b>Applicant</b>	Mr and Mrs P Sage
<b>Location</b>	BURNEY, THE GREEN, MILLOM
<b>Proposal</b>	EXTENSIONS AND ALTERATIONS TO EXISTING BUNGALOW AND ERECTION OF DETACHED GARAGE
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	26 February 2014
<b>Dispatch Date</b>	4 March 2014
<b>Parish</b>	Millom Without

<b>Application Number</b>	4/14/2029/OF1
<b>Applicant</b>	Mr D Barnes
<b>Location</b>	CARAVAN ADJACENT TO GLENCOE, THE GREEN, MILLOM
<b>Proposal</b>	LAWFUL DEVELOPMENT CERTIFICATE FOR AN EXISTING USE OF A HOLIDAY CARAVAN
<b>Decision</b>	Approve
<b>Decision Date</b>	13 March 2014
<b>Dispatch Date</b>	14 March 2014
<b>Parish</b>	Millom Without

<b>Application Number</b>	4/14/2030/HPAE
<b>Applicant</b>	Mr J Robson
<b>Location</b>	14 QUEENS CLOSE, WHITEHAVEN
<b>Proposal</b>	PRIOR NOTIFICATION FOR A GROUND FLOOR BEDROOM AND SHOWER ROOM
<b>Decision</b>	Permitted Development
<b>Decision Date</b>	13 February 2014
<b>Dispatch Date</b>	3 March 2014
<b>Parish</b>	Whitehaven

<b>Application Number</b>	4/14/2032/OF1
<b>Applicant</b>	Mr W McCarron
<b>Location</b>	ELLERGROVE, ARLECDON PARKS ROAD, ARLECDON, FRIZINGTON
<b>Proposal</b>	SINGLE STOREY EXTENSION TO SIDE OF BUNGALOW TO CREATE AN ANNEX FOR ELDERLY PARENTS
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	6 March 2014
<b>Dispatch Date</b>	13 March 2014
<b>Parish</b>	Arlecdon and Frizington

<b>Application Number</b>	4/14/2034/TPO
<b>Applicant</b>	Mr G Moxon
<b>Location</b>	1 CROFT VIEW, BECKERMET

<b>Proposal</b>	HEIGHT REDUCTION AND THINNING OF VARIOUS TREES SITUATED WITHIN A CONSERVATION AREA
<b>Decision</b>	TREE PRESERVATION APPROVE
<b>Decision Date</b>	6 March 2014
<b>Dispatch Date</b>	6 March 2014
<b>Parish</b>	Beckermet with Thornhill

<b>Application Number</b>	4/14/2037/OF1
<b>Applicant</b>	Mr N Schaffer
<b>Location</b>	SPUNHAM, THE HILL, MILLOM
<b>Proposal</b>	ERECT SUNROOM AND SHOWER/WET ROOM TO S.E. ELEVATION
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	7 March 2014
<b>Dispatch Date</b>	12 March 2014
<b>Parish</b>	Millom Without

<b>Application Number</b>	4/14/2042/HPAE
<b>Applicant</b>	Mr and Mrs Seaton
<b>Location</b>	19 WINDER GATE, FRIZINGTON
<b>Proposal</b>	PRIOR NOTIFICATION FOR REAR KITCHEN EXTENSION
<b>Decision</b>	Permitted Development
<b>Decision Date</b>	21 February 2014
<b>Dispatch Date</b>	21 February 2014
<b>Parish</b>	Arlecdon and Frizington

<b>Application Number</b>	4/14/2043/OF1
<b>Applicant</b>	Home to Work Ltd
<b>Location</b>	HOME TO WORK LTD, ENNERDALE ROAD, CLEATOR MOOR
<b>Proposal</b>	FORMATION OF SMALL FUEL STORAGE SHED IN SIDE/REAR YARD AREA
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	27 February 2014
<b>Dispatch Date</b>	11 March 2014
<b>Parish</b>	Cleator Moor

<b>Application Number</b>	4/14/2045/TPO
<b>Applicant</b>	Home Group Ltd
<b>Location</b>	LAND TO REAR OF 35 EHEN COURT ROAD, EGREMONT
<b>Proposal</b>	FELL AND REMOVE TWO SYCAMORE TREES COVERED BY A TREE PRESERVATION ORDER
<b>Decision</b>	Withdrawn
<b>Decision Date</b>	11 March 2014
<b>Dispatch Date</b>	11 March 2014
<b>Parish</b>	Egremont

<b>Application Number</b>	4/14/2047/ON1
<b>Applicant</b>	Mr M Messenger
<b>Location</b>	LAND AT ADAMGILL FARM, MORESBY, WHITEHAVEN
<b>Proposal</b>	NOTICE OF INTENTION FOR AN AGRICULTURAL STORAGE BUILDING
<b>Decision</b>	Approve Notice of Intention
<b>Decision Date</b>	27 February 2014
<b>Dispatch Date</b>	27 February 2014
<b>Parish</b>	Moresby

<b>Application Number</b>	4/14/2049/0F1
<b>Applicant</b>	Mr P Whelan
<b>Location</b>	SAN MARIE, PADSTOW, CLEATOR MOOR
<b>Proposal</b>	REMOVAL OF FLAT PORCH ROOF, REPLACE WITH PITCHED TILED ROOF
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	5 March 2014
<b>Dispatch Date</b>	11 March 2014
<b>Parish</b>	Weddicar

<b>Application Number</b>	4/14/2054/HPAE
<b>Applicant</b>	Mr R Pierce
<b>Location</b>	15 BASKET ROAD, KELLS, WHITEHAVEN
<b>Proposal</b>	PRIOR NOTIFICATION FOR SINGLE STOREY SUN ROOM EXTENSION TO KITCHEN AT REAR
<b>Decision</b>	Permitted Development
<b>Decision Date</b>	4 March 2014
<b>Dispatch Date</b>	6 March 2014
<b>Parish</b>	Whitehaven