

**COPELAND BOROUGH COUNCIL  
DELEGATED PLANNING DECISION**

1.	<b>Reference No:</b>	4/20/2227/OF1
2.	<b>Proposed Development:</b>	REPLACE BOTH EXTERNAL DOORS; REPLACE KITCHEN WINDOW; REPAIR CHIMNEY; REPAINT EXTERIOR OF PROPERTY
3.	<b>Location:</b>	BASEMENT FLAT, 9 OAKBANK, WHITEHAVEN
4.	<b>Parish:</b>	Whitehaven
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Listed Building - Listed Building, Coal - Standing Advice - Data Subject To Change
6.	<b>Publicity Representations &amp; Policy</b>	Neighbour Notification Letter: YES  Site Notice: NO  Press Notice: NO  Consultation Responses: See report  Relevant Planning Policies: See report
7.	<b>Report:</b>  <b>SITE AND LOCATION</b>  This application relates to 9 Oakbank, a mid-terraced property situated in Whitehaven. The property is a residential dwelling and is situated within a row of other Listed properties.  <b>PROPOSAL</b>  Planning Permission is sought for the following works in the basement of the property: <ul style="list-style-type: none"> <li>- Replacement of external doors;</li> <li>- Replacement of kitchen window;</li> <li>- Repainting of exterior of property.</li> </ul>	

This application has been submitted in tandem with an application for Listed Building Consent for the same works and some additional internal works (application reference 4/20/2227/0F1 relates).

#### RELEVANT PLANNING APPLICATION HISTORY

There have been no previous applications on the site.

#### CONSULTATION RESPONSES

Whitehaven Town Council – No objections

Conservation Officer – Initially requested more information:

- Confirmation of whether works to building roof are needed, and if so whether they will be included now or dealt with via a future application.
- Will external render be removed? If so, where and what will it be replaced with?
- Details of external doors are needed prior to determination (drawings or photographs along with specifications).
- Detail of external light should be supplied e.g. product sheet and indication on a drawing (plan or elevation).
- Detail of the proposed kitchen window is needed in the application.

The Applicant provided a damp survey and the following response:

1. Building roof - the roofer will replace the broken slates and while the scaffolding is up also inspect the chimney to determine how water is getting in. If there are holes in the render these will be patched. If the lead flashing is the cause this will be repaired or replaced. If the pots need capping or setting back in we will do this. Any work and materials used will be like for like.
2. There are no plans to remove any external render with the exception of the chimneys - see point 1.
3. Photographs provided of exterior door design, specification below:

Specifications:

Material: Engineered timber components

Core construction: Engineered core

Joint construction: Dowelled (D&G)

Door thickness: 44mm

Finish: Unfinished Hardwood

Glazing: Decorative 'Drydon' double glazing

Trimming: Lipped on all edges allowing for 12mm to be trim off all edges of the door.

4. Photographs, specification and position of new exterior lights provided.

5. We have been unable to source a timber tilt and turn window for the kitchen so the replacement will be a sash window made from Accoya the same size and design as the existing one - W1420mm x H1065mm.

6. External paint colour - white walls and black window reveals

The Conservation Officer considered this information and made the following comments:

I have some thoughts on the proposed colour scheme outlined above. Care should be taken not to mismatch areas of the terrace, but other than that I feel enough has been answered that I have no objections or major outstanding concerns about the proposal.

I feel this has the potential to greatly benefit the condition and appearance of the property.

#### Public Representation

The application has been advertised by way of neighbour notification letters issued to 2 no. properties.

No consultation responses have been received as a result of this advertisement.

#### PLANNING POLICY

Planning law requires applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

#### **Development Plan**

Copeland Local Plan 2013 – 2028 (Adopted December 2013)

#### Core Strategy

Policy ST1 – Strategic Development Principles

Policy ENV4 – Heritage Assets

#### Development Management Policies (DMP)

Policy DM18 – Domestic Extensions and Alterations

Policy DM27 – Built Heritage and Archaeology

## **Other Material Planning Considerations**

National Planning Policy Framework (NPPF)

Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA)

### **ASSESSMENT**

#### **Impact on the Heritage of the Building**

Policy ENV4 and Policy DM27 seeks to protect, conserve and where possible enhance listed buildings and their settings.

The LBCA sets out a clear presumption that gives considerable importance and weight to the desirability of preserving a heritage asset and its setting.

Section 16.2 requires that: *'In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.*

Paragraphs 184 – 202 of the NPPF in respect of heritage include a requirement that when considering the impact of development proposals on designated heritage assets such as listed buildings, great weight should be given to the conservation of the asset's significance; however, less than significant harm should be weighed against the public benefits of a development.

Initially, limited information was received as to the details of the works to be undertaken and the possible impacts these would create on the Listed Building. The Conservation Officer requested further details for various aspects of the scheme and the Applicant provided photographs, further descriptions of works and a damp survey. On consideration of the information, the Conservation Officer considered that the works are acceptable and will create a betterment of the property, overall. The Officer has requested that care be taken when painting the exterior of the property to ensure that the façade does not end up with a different colour scheme from the rest.

It is considered that the proposal will allow the property to remain in a good standard of repair and decoration and therefore protect the longevity of the building. The property will be improved, therefore ensuring no harmful effects on the surrounding Listed Buildings.

#### **Impact on Residential Amenity**

The proposed external works are minor and therefore any impact on the surrounding properties will be limited to the construction period only.

	<p><u>Conclusion</u></p> <p>In applying the tests of the Copeland Local Plan 2013-2028, the LBCA and the NPPF, the proposal would preserve the heritage significance of the listed building and will have no effect on the neighbouring properties and so is supported.</p>
8.	<p><b>Recommendation:</b> Approve (commence within 3 years)</p>
9.	<p><b>Condition(s):</b></p> <ol style="list-style-type: none"> <li>1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.</li> </ol> <p>Reason</p> <p>To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.</p> <ol style="list-style-type: none"> <li>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: -</li> </ol> <p>Site Location Plan, scale 1:1250, received 25<sup>th</sup> June 2020;  Existing ground and lower ground floor plans, received 25<sup>th</sup> June 2020;  Cellar Beam Structure, drawing number 05-06457-A, received 25<sup>th</sup> June 2020;  Basement layout, received 25<sup>th</sup> June 2020;  Design and Heritage Statement, dated June 2020, received 25<sup>th</sup> June 2020;  Structural Calculations, written by WDS Ltd, received 25<sup>th</sup> June 2020;  Damp Survey, written by Ian Gibson Associates Ltd, received 30<sup>th</sup> July 2020;  Additional details, specifications and photographs, folder name ENWL Construction Drawing – 5500176640 Version A, sent from Amelia Wilson, received 7<sup>th</sup> October 2020.</p> <p>Reason</p> <p>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.</p> <p><b>Informative</b></p> <p>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 0345 762 6848.</p>

Further information is also available on the Coal Authority website at:  
[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

**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.

**Case Officer: Sarah Papaleo**

**Date : 06/11/2020**

**Authorising Officer: N.J. Hayhurst**

**Date : 06/11/2020**

**Dedicated responses to:- N/A**