

## COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/20/2228/OL1
2.	<b>Proposed Development:</b>	LISTED BUILDING CONSENT FOR REMOVAL OF INTERNAL WALLS & CHIMNEY BREAST; WALLS TO BE DRY LINED & PLASTERED; DIG UP EXISTING FLOOR TO INSTALL UNDERFLOOR HEATING & NEW CONCRETE SUB FLOOR; REPLACE CEILING JOISTS; REPLACE BOTH EXTERNAL DOORS; REPLACE KITCHEN WINDOW; 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: YES  Press Notice: YES  Consultation Responses: See report  Relevant Planning Policies: See report
7.	<b>Report:</b>	<p>SITE AND LOCATION</p> <p>This application relates to 9 Oakbank, a mid-terraced property situated in Whitehaven.</p> <p>The property is a residential dwelling and is situated within a row of other Listed properties.</p> <p>The listing entry for the property states the following:</p> <p><i>1. OAK BANK ROAD 1814 Nos 1 to 10 (consec) (Oak Bank Terrace) NX 91 NE 2/98</i></p> <p><i>II GV 2. A complete terrace of larger town houses built circa 1840, 3 storeys, stuccoed. Each house has a moulded doorcase up a flight of steps, with cornice on mask consoles, a bay window, and 2 sash windows on upper floors (the window over the bay being in a moulded architrave with cornice on consoles). The centre and end houses are gabled, with a round-arched window on top floor.</i></p>

*Forms a group with Nos 1 to 6 (consec) Marine Terrace, Oak Bank Road.*

*Nos 1 to 10 (consec) (Oak Bank Terrace), OAK BANK ROAD shall be amended to read Nos 1 to 10 (consec) OAK BANK.*

## PROPOSAL

Listed Building Consent is sought for the following works in the basement of the property:

- Removal of internal walls;
- Removal of chimney breast;
- Dry lining and plastering of internal walls;
- Removal of existing floor and addition of underfloor heating and new concrete sub floor;
- Replacement of ceiling joists;
- Replacement of external doors;
- Replacement of kitchen window;
- Repainting of exterior of property.

This application has been submitted in tandem with an application of planning permission for the relevant works covered by this proposal (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.
- A detail drawing of the new staircase is needed, rather than an indicative drawing of its location.
- It will need to be decided whether the heating will be underfloor or via radiators before determination. In either case, details of the proposed method should be submitted.
- I feel I could support removal of the internal single-skin brick walls in principle based upon the justifications provided by the applicants, but the location and appearance of any brick slips

will need submitting before determination.

- I would like an “as existing” photo of the ceiling joists that are to be replaced.
- Could the applicants confirm whether the larger joist size will affect the level of the ceiling underneath?
- Will joist-end replacements be undertaken, and if so how?
- Will external render be removed? If so, where and what will it be replaced with?
- Details of the wood-burning stove will need to be submitted prior to determination.
- Details of the plan to relocate the electricity meter to rear yard of property will need to be submitted, including proposed location indicated on a photo or drawing. Electricity Northwest would require some excavation to do this work – details of the proposed excavation would need submitting.
- If the applicants have photos of the existing door cases and skirtings prior to their removal that would be helpful. If not, a simple sketch of the general design will be needed, along with an indication of their location on a drawing.
- A method for strengthening floor for the ground floor bath tub needs submitting. Is this going to be through the insertion of the RSJs needed to facilitate removal of walls, or is other strengthening necessary?
- Details of the specific fire surround that will be inserted would be useful for determining the application and for records, although I can support the general principle of use a reclaimed surround here.
- 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 location of the drains should be indicated on a map. There should be a specification sheet or similar with the product identified.

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. Staircase - the new staircase will be the same size and shape as the existing one in the same location but with square spindles and newel posts. Painted softwood not natural oak.

3, The basement will be heated by underfloor heating. The builder has carried out minor excavation to determine floor depth and has confirmed that the floor will be dug out to 200mm depth. A layer of sand will be applied first to stop any sharp stones penetrating the Visqueen membrane that will be added next. There will then be 100mm of Celotex insulation with pre-cut grooves for the underfloor heating pipes. Once the underfloor heating pipes have been fitted 100mm of concrete with fibres will be laid on top. The tanking that will be applied to the walls will also come 200mm onto the floor.

4. Brick slips - we will not be using brick slips to clad any walls in the kitchen. We will just use wall tiles where splash backs are required

5. Bathroom ceiling joist replacement - All joists are being replaced and the new joists will be 120x47mm as per spec from Tom Short. Ceiling height is currently 2.3m and will reduce by 1 inch.

6. There are no plans to undergo joint end replacement.

7. There are no plans to remove any external render with the exception of the chimneys - see point 1.

8. The flue has been inspected and there is currently a gas liner in the flue which we would replace with a larger liner suitable for a wood burning stove. The stove would be 5kw and details have been provided.

9. Electricity meter – details provided of service alteration quote and construction drawings from ENWL and photograph showing the position of the electricity meter outside.

10. Photographs provided of existing skirting boards and door casings. Door casings will be replaced like for like. See link for photograph for new skirting board profile which is very similar to the existing ones.

11. Email provided from Structural Engineer Tom Short for the spec for the floor strengthening for the bath.

12. Photographs provided of reclaimed fireplace and surround to be installed in the bedroom.

13. 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.

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

15. 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.

16. Specifications provided of the Aco Hex Drains with galvanised steel grating that will be installed and the positions.

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

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

I have some slight concern still that the moisture level in the external front wall may remain high, particularly if the interior is to be tanked. I seem to recall this property had been tanked in the past and the system failed.

The Aco drains should hopefully make enough of a difference to the runoff levels outside this wall to alleviate the problem. I recall seeing a couple of drains already in this location, running beneath the concrete yard slab, so it would be a good idea to keep a close eye on these to make sure they're not leaking below the slab.

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 a site notice, press notice and 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 DM27 – Built Heritage and Archaeology

#### **Other Material Planning Considerations**

National Planning Policy Framework (NPPF)

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

#### ASSESSMENT

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'.*

	<p>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.</p> <p>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 review of the additional information, the Conservation Officer considered that the works are acceptable and will create a betterment for 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.</p> <p>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.</p> <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 so is supported.</p>
8.	<p><b>Recommendation:</b></p> <p>Approve Listed Building Consent (start within 3yr)</p>
9.	<p><b>Condition(s):</b></p> <ol style="list-style-type: none"> <li>1. The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.</li> </ol> <p>Reason</p> <p>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.</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;</p>

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, submitted by Amelia Wilson, received 7<sup>th</sup> October 2020.

**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.

**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 0345 762 6848.

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 Listed Building Consent in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

**Case Officer: Sarah Papaleo**

**Date : 05/11/2020**

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

**Date : 06/11/2020**

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