

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/20/2309/0F1
2.	Proposed Development:	CONVERSION OF EXISTING BUILDING CONTAINING FLATS TO FORM FIVE DWELLINGS, MINOR EXTERNAL ALTERATIONS, DEMOLITION OF EXISTING SINGLE STOREY EXTENSION, THE CONSTRUCTION OF A NEW ACCESS AND ASSOCIATED CAR PARKING AREA
3.	Location:	HENSINGHAM HOUSE, EGREMONT ROAD, HENSINGHAM, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations & Policy	See report.
7.	Report: Site and Location: <p>The Application Site comprises a group of properties known as Hensingham House, Egremont Road, Hensingham, Whitehaven.</p> <p>The building is currently vacant with construction works associated with the proposed development are currently well underway.</p> <p>The building is located within the Hensingham Conservation Area.</p> <p>The Grade II Listed Hensingham War Memorial is located adjacent to the Application Site.</p> <p>The building is located in Flood Zone 1.</p> Proposal: <p>Full Planning Permission is sought for the conversion of Hensingham House from 1no. dwelling and 10. apartments to 2no. four bed dwellings and 3no. three bed dwellings.</p>	

The proposed conversion includes the following external works:

Curtilage

- Demolition of an existing garage building.
- Demolition of an existing curtilage wall.
- Removal of 4no. trees.
- Widening of existing access including creation of new carriageway with 2no. footways and gateway features.
- Creation of 10no. parking spaces.
- Creation of landscaped areas including lawns.

South Elevation

- Demolition of an existing single storey extension and creation of new windows and doors.
- Partial re-rendering.

West Elevation

- Replacement of an existing window with a door with stepped access.
- Creation of a door with stepped access.
- Replacement of existing window with single door.
- Replacement of existing window with double doors.
- Replacement of existing UPVC windows with new UPVC windows.

East Elevation

- Replacement of existing window with single door.
- Partial re-painting of elevations.

Courtyard Elevations

- Demolition of an existing single storey extension and creation of door.
- Removal of single door with stepped access and creation of window.
- Replacement of an existing window with a door.
- Reconfiguration of windows.
- Replacement of existing UPVC windows with new UPVC windows.
- Partial re-rendering.
- Partial re-painting.

It is proposed to discharge foul and surface water from the dwellings to the mains drainage system as per the existing situation.

It is proposed to dispose of surface water from the proposed access to an existing watercourse.

The proposals have been amended during the course of the application to respond to the comments of the Conservation Officer, Highways and LLFA. The amendments have included

alterations to the red line area. Full re-consultations have been completed in response to the revisions proposed.

Consultee:	Nature of Response:
Town Council	<p>1st July 2022</p> <p>No comments.</p> <p>21st November 2023</p> <p>No comments.</p>
Highways and LLFA	<p>10th Sep. 2020</p> <p>Highways.</p> <p>In regard to the highways aspect of this application the highway authority has concerns with regard to the proposed new access and its arrangement onto the B5295 Hensingham Road.</p> <p>Through discussions with the local highway team and F&DM team, it has been concluded that we cannot support the proposed access in this location given its proximity to the junction of U4398 Cartgate Road or alterations to the existing carriageway as presented to move the carriageway into the existing bus stop, the effects this will have on alignment of the B5295 and on the junction of Cartgate Road we considered unacceptable.</p> <p>Furthermore the visibility splay for the proposed access is not displayed correctly on the supplied plan, it is not centre to the proposed new junction and is not measured from the nearside edge of the junction and once displayed into the correct position we believe the view to the North will be obscured by the existing building making it unacceptable in terms of highway safety.</p> <p>Therefore the highway recommends refusal to the proposed development for the following reasons;</p> <p>The proposed development would result in a multiplicity of accesses onto the public highway, which would be likely to increase the risk and danger and inconvenience to all users of the road.</p> <p>To support Local Transport Plan Policy: LD7, LD8</p> <p>Inadequate information has been submitted to satisfy the Local Planning Authority that the proposal is acceptable in terms of:</p>

		<p>a) access b) visibility splays c) proposed road layout To support Local Transport Plan Policy: LD7, LD8 The Local Planning Authority considers that clear visibility of 60 metres cannot be achieved along the public highway in a Northerly direction(s) from a point 2.4 metres from the carriageway edge measured down the centre line of the minor/access road and consequently traffic generated by the proposed development would be likely to create conditions prejudicial to highway safety. To support Local Transport Plan Policy: LD7, LD8</p> <p>LLFA. This is an alteration to an existing dwelling with connections to the local drainage system already being in place, however. The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. We would ask the developer to consider the following drainage options in the following order of priority:</p> <ol style="list-style-type: none">1. into the ground (infiltration);2. to a surface water body;3. to a surface water sewer, highway drain, or another drainage system;4. to a combined sewer <p>Ground surveys in the form of boreholes test from 1985 have been supplied from the British Geological Survey (BGS) to determine ground suitability for infiltration tests, which is not to current standards, the applicant needs to carry out a infiltration test to BRE365 Standard to determine suitability for infiltration.</p> <p>Detailed within the Flood Risk Strategy and Drainage Statement at 6.2.3 Discharge To A Sewer it concludes that existing connections are assumed to be onsite but locations are not currently known and that further surveys are required to determine which sewers are used and which of the two possible connections points are to be utilised, this needs to be established so that the sewer owner in this case United Utilities can confirm that should a connection be required that they can assess the discharge points and confirm the proposals are acceptable.</p> <p>Exceedance routes need to be detailed on a plan for events that are beyond 1 in 100 year +40% climate change, these need to detail flow routes that are either contained on site in an area designed to hold them or are directed off site where they will not cause flooding to properties or infrastructure.</p>
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		<p>The LLFA objects to the proposed development for the following reason;</p> <p>Inadequate information has been submitted to satisfy the Local Planning Authority that the proposal is acceptable in terms of</p> <ul style="list-style-type: none"> a. Site investigation / percolation tests b. Existing drainage details c. Details of Exceedance routes <p>Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.</p> <p>12th July 2022</p> <p>The application form states there will be six proposed parking spaces for this development. The proposed site plan shows ten parking spaces will be available for the five dwellings. Providing each of the dwellings do not exceed four bedrooms, two parking spaces per dwelling will be acceptable.</p> <p>There has been a turning area provided on the proposed block plan however this is unlikely to be practical for the use of a refuse vehicle or emergency vehicle. It has previously be confirmed by the agent that the site will not be offered for adoption and therefore refuse vehicles are unlikely to travel an un-adopted road.</p> <p>Although it has previously been discussed between this authority and the agent that the site at the time would not be offered for adoption currently but possibly would with future phases coming forward, the amended Design and Access Statement mentions Phases 1, 2 & 3 of this development, before we can make comment of whether or not the access proposed is suitable for each of the phases we ask that further information is given in relation to the development as a whole.</p> <p>Upon receipt of this information, we will be better placed to make a more informed response.</p> <p>12th Aug. 2022</p> <p>Having reviewed the additional information and plans the LHA have two points to consider before forming a final response:</p> <p>1) On drawing number 138443/1038 Swept Path Analysis: Please could the diagrams showing vehicles on the opposite side of the carriageway be altered to incorporate the vehicle parking on that side of the road? These alterations will give a more accurate representation of the actual swept path.</p>
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2) Drawing number 138443/1031 General Arrangement shows the proposed layout of the access onto Egremont Road.

□ As the access will serve approximately 35 dwellings, the applicant should ensure the carriageway width is 5.5m and is generally in line with the Cumbria Design Guide's guidance for access onto Secondary Roads

□ This plan also shows visibility splays and footways which are acceptable to the LHA. Our only query is that within the right hand (southern) splay it shows the wall of the war memorial crossing the footway and partially within the visibility splays. Please can it be confirmed that no part of the memorial boundary wall will be within the visibility splays and if so it will not exceed a height of 1.05m. It should also not obstruct the footway.

Upon receipt of this confirmation and plan alterations, we will be able to provide a final response.

1st December 2022

Local Highway Authority response:

Generally the Local Highway Authority raise no concerns with the proposed access onto Egremont Road. Given that it is noted throughout the application that this development will be extended further, we would require there to be a second footway on the access road meaning one on either side of the estate road. Please could this be amended and submitted before we can recommend conditions.

Lead Local Flood Authority response:

There has not been a thorough drainage strategy and plan submitted at this stage and before we can agree to the principle of the development and recommend conditions, we would need to see a drainage strategy and plan demonstrating the proposed measures that will be taken to manage surface water within the site. The drainage strategy should also follow the NPPG's drainage hierarchy.

24th August 2023

The LHA welcome the Access Arrangement Plan and the Access Features Material Specification submitted in July 2023 in support of this application. The LHA have reviewed the additional information/documents and are content with the design proposed on drawing number DS/TMP/2/ED/23.

Although we as the LHA are content with the new design we would need previous plans not showing the footway on the left hand side of the access from the highway to be updated to the new design, Section 38 and 278 for example. The LLFA welcome the Drainage strategy and Drainage Layout

		<p>plan submitted in support of the above application in July 2023. Following a review of the newly submitted information/documents</p> <p>The LLFA have concerns regarding the Drainage strategy and design. please see points below that need addressed:</p> <ul style="list-style-type: none"> • Infiltration tests have not been carried out within the red line boundary of this application the LLFA would like new infiltration tests BRE365 or similar to be carried out within the red line boundary to establish if infiltration is an option to drain the access road surface water in line with the Drainage Hierarchy. • The nearby water course although not within the red line boundary needs further investigation from the applicant as this may benefit the development site in future phases and would be a preferred option if infiltration is unsuccessful within the red line boundary. • Although it states within the letter from United Utilities that no flooding has occurred on the Development site the combined system within the Hensingham Square area is under extreme strain during heavy rainfall and to add further surface water to this system may cause flooding. The option to connect to the combined sewer would only be considered once every other option within the drainage hierarchy has been fully explored. • Within the Drainage Layout Plan the red line boundary is different compared to all other plans submitted for this application can this be rectified. <p>14th November 2023</p> <p>Cumberland Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) has reviewed the above planning reference and our findings are detailed below.</p> <p>I can confirm that we have no objections to the proposal, subject to the following recommended conditions being included in any Notice of Consent which may be issued:</p> <p>Condition 1: The development shall not commence until visibility splays providing clear visibility of 60 metres measured 2.4 metres down the centre of the access road and the nearside channel line of the carriageway edge have been provided at the junction of the access road with the county highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grown within the visibility splay which obstruct the visibility splays. The visibility splays shall be constructed before general development of the site</p>
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		<p>commences so that construction traffic is safeguarded. Reason: In the interests of highway safety.</p> <p>Condition 2: No dwellings shall be occupied until the estate road including footways and cycleways to serve such dwellings has been constructed in all respects to base course level and street lighting where it is to form part of the estate road has been provided and brought into full operational use. Reason: In the interests of highway safety</p> <p>Condition 3: Any existing highway fence/wall boundary shall be reduced to a height not exceeding 1.05m above the carriageway level of the adjacent highway in accordance with details submitted to the Local Planning Authority and which have subsequently been approved (before development commences) (before the development is brought into use) and shall not be raised to a height exceeding 1.05m thereafter. Reason: In the interests of highway safety.</p> <p>Condition 4: Development shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority. The CTMP shall include details of: • Retained areas for vehicle parking, manoeuvring, loading and unloading for their specific purpose during the development; • Cleaning of site entrances and the adjacent public highway; • Details of proposed wheel washing facilities; • The sheeting of all HGVs taking spoil to/from the site to prevent spillage or deposit of any materials on the highway; • Construction vehicle routing; • The management of junctions to and crossings of the public highway and other public rights of way/footway; • Details of any proposed temporary access points (vehicular / pedestrian) • Surface water management details during the construction phase • Specific measures to manage and limit the impact on the church, including working hours, any special measures to accommodate pedestrians deliveries and movement of equipment on the road network surrounding the site must not take place during church muster times. Reason: To ensure the undertaking of the development does not adversely impact upon the fabric or operation of the local highway network and in the interests of highway and pedestrian safety.</p> <p>3rd January 2024</p> <p>Thank you for your consultation on 12 December 2023 regarding the above Planning Application.</p> <p>Cumberland Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) has reviewed the above planning reference and our findings are detailed below.</p>
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		I can confirm that the response made to the previous application should still apply.
	Copeland Borough Council – Conservation Officer	<p>17th Sep. 2020</p> <ul style="list-style-type: none"> • It would be preferable to find a solution to the main frontage that retains its symmetry. <ul style="list-style-type: none"> ○ As the dwelling at the southern end (No. 1) has its own entry through the existing front door, and the door proposed in the frontage is essentially a back door from a utility room, would it be possible to dispense with it? (See also point below about location of utility room) ○ Equally, for the property immediately adjacent (No. 2), the new front door is proposed in the north of the three window openings within the centre, set-forward bay of the frontage. From the plans, all three of these openings will give onto a single space. The north and south of the three windows are also directly above a pair of doors that opening into the cellar. ○ Therefore, would it be better to make use of the central window opening to form the front door? This would place it above the solid part of the cellar below and, in combination with doing away with the new back door for the south dwelling, enable the façade to remain symmetrical, with a single, central opening. ○ I also raise a question mark over the drawing of the frontage on the elevations, as the heights of the new doors look slightly lower than they ought to be. I may well be mistaken, but from my inspection, it appears that the floor height of the internal room is several feet above the outside ground level but the doors on the elevation are shown with only two steps up to them. Looking at the cellar doorways in the central bay, even if the top of the door is hard up against the ceiling inside, with the depth of floor joists and boards, that would presumably put the inside ground floor height approximately level with the top of the half-round string course outside, what appears to be maybe three feet or four steps up. It may be useful to dash in the cellar external doorways on the elevation drawing. • House 1 bedroom (Currently lounge/kitchen of Flat 2). <ul style="list-style-type: none"> ○ This space use seems rather awkward. I appreciate the target of a certain number of bedrooms, but the ensuite bedroom in question seems squeezed in, with a window that will look out over a tiny yard that will probably contain only bins. ○ Would this space not function better as the utility room and downstairs WC? That would place the washing machine and

		<p>dryer at the rear of the property, meaning any venting etc. would be into the yard rather than the frontage.</p> <ul style="list-style-type: none"> ○ This would also further avoid the need for a door in the frontage for accessing the utility room. • I'm afraid I'm slightly confused by the plans, particularly in the way the staircases are drawn. <ul style="list-style-type: none"> ○ Some staircases that apparently connect to each other between ground and first floor are drawn with the arrows in opposite directions. ○ I also seem to recall there is a staircase down into a cellar in Hensingham House, close to the current back door into the yard. These stairs don't appear to be shown properly. (They're shown in two different positions on the existing and proposed plans and are also labelled as though they go upwards from the ground floor instead of downwards). If I'm mistaken and this is in fact a new staircase on the proposed plans, leading up, then the top half of the staircase is not shown on the first floor proposed plan, giving the impression that the staircase goes up approximately six steps and then straight into a wall where it stops. ○ On the second floor of house Number 3, there appears to be a bit of staircase that's inaccessible but I think it's actually the top of the stairs coming up from the ground floor to the first floor. The arrow on it is back to front, suggesting the first floor has two flights of stairs going up but none going down, and it's also not dashed to indicate it's on a lower floor. ○ Clarification in the drawings of the stairs would be advantageous as there are a lot of them and the building is quite spatially complex. ○ I believe there are two cellars at the property, and it may be helpful to show both on the plans instead of just one for the sake of completeness. ○ Additionally, the first floor existing plan appears to be misdrawn in the sense that the room labelled "lounge" in the western end of Hensingham House is actually divided into two, with a long narrow room that's suffered water ingress on the northern side, taking one window, and the other two located in a bedroom. These are accessed by two separate doors. ○ I'm also unable to find any bedrooms for Flat 7 on the existing plans. Does this flat have another floor that's been missed off the drawing? There appears to be a spiral staircase going up but no indication of what it's connected to. • Demolition of single-storey elements on south side <ul style="list-style-type: none"> ○ No objection to these (garage, GF bathroom and GF lounge)
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			<p>as the structures are substandard, or no heritage value, and harm the significance of the building and appearance of the conservation area.</p> <ul style="list-style-type: none"> ○ Clear advantage in allowing attractive late 19th/early 20th century stained glass window at base of stairs to receive light again. • Entrance to site <ul style="list-style-type: none"> ○ Removal of the attractive crescent-shaped sandstone walls that currently contain a pedestrian gate not desirable and fails to preserve the character and appearance of the conservation area. It should be considered less-than-substantial harm under para.196 of the NPPF. ○ If there is no viable alternative access (reasons for dismissing alternatives might be supplied in the heritage statement), I'd like to see a commitment to retain the material and rebuild it to the required profiles. ○ I note that the gateway has apparently been narrowed in the past by moving the piers inwards and infilling the gaps to turn what must have been a vehicle access into a pedestrian one. ○ I note the diagram showing access/exit sweeps for a large dustbin lorry, but how is the refuse collection currently handled for the house and ten flats? The central courtyard is an ideal place to store bins and has access to both the garden and the pavement. Why does the access road need to be large enough to admit a dustbin lorry if one is not needed currently? ○ Because of the prominence of this entrance within the conservation area, I invite the applicants/agent to submit details of how it can be designed to make as much use as possible of the existing walling and piers. I feel this matter ought to be finalised prior to determination because of its prominence, importance and potential for harm. • Garden <ul style="list-style-type: none"> ○ The dividing up of the garden and giving over of portions of the green area to access roads and parking does not preserve or enhance the character of the conservation area. It should be considered less-than-substantial harm under para.196 of the NPPF, I note that there are currently no parking spaces besides that at Hensingham House for the ten flats. Does reducing the number of dwellings from eleven to five really necessitate the introduction of multiple extra parking spaces? ○ I am not able to comment on aspects relating to Phase 2 of this proposal as that is not being assessed currently, but for the sake of providing parking spaces, I note that there is
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		<p>currently an access road looping around the west of the site to the former location of a former garage containing six car parking spaces. What is the reason why the revised access cannot link to this existing lane and make use of the site of the garage to meet the parking needs?</p> <ul style="list-style-type: none"> ○ As this application is for Phase 1 and should not incorporate elements of Phase 2 that are not being assessed properly in the context of the full Phase 2 scheme, I feel it's important to supply an existing and proposed site plan that does not incorporate any features of Phase 2. This should include the existing landscape features such as trees and the hedgerow on the west side of the site, with elements proposed for removal for Phase 1 marked in red so it is clear how the proposed access/parked layout relates to the opportunities offered by the existing access/parking features. ○ As the garden is within the conservation area, any trees that are proposed for removal may require notification to be served to the Council, so it should be identified at this stage which trees might be affected. <ul style="list-style-type: none"> • Other points <ul style="list-style-type: none"> ○ Making good after demolition of the single-storey elements will require re-rendering. It appears that quite large areas of the building will need re-rendering. Possibly all the render needs replacing. It would be very useful if the agent is able to supply details of how much is proposed to be replaced and with what. This could perhaps be handled by a condition requesting submission and approval of details prior to commencement of re-rendering work. ○ It is likely that most of the windows and external doors in the building will need to be replaced. I draw attention to Copeland's Conservation Area Design Guide and request the agent submit details of proposed replacements, potentially via a condition to be approved prior to replacement of any windows/external doors. In the case of the existing front door to Hensingham House on the south side, this appears to be an original Georgian door, and it would be helpful to confirm in writing that there is no intention to remove it. ○ I would be grateful to the applicants/agent if they are able to supply an update on the condition of the upstairs ceilings once the 1960s dropped ceilings have been stripped out, to assess extent/condition of surviving features e.g. cornicing and to enable a record of this information to form a part of the planning history. • In summary, I request the following: <ul style="list-style-type: none"> ○ Confirmation of whether an alternate arrangement of doors on
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		<p>the western façade could be found, preferably making use of a single central door in the projecting bay</p> <ul style="list-style-type: none"> ○ Confirmation of whether an alternate layout for House 1 can be used whereby the utility room and GF WC are relocated to the room adjacent to the central courtyard (assuming this would assist in removing servicing outlets and the door from the frontage) ○ Confirmation of whether the existing and proposed plans and elevations are drawn correctly, bearing in mind the abovementioned discrepancies, or revised drawings. ○ Detail added to the heritage statement showing that the proposed access location is the most justifiable of those considered, and justifying the need for the access to be big enough to admit a large dustbin lorry when this is not currently the case even with a higher number of properties. ○ A drawing for the entrance showing proposal to reuse existing walling/pier material, location of walls etc. ○ Detail added to the heritage statement demonstrating that the existing access lane (even within the site only, which might be picked up by an improved entrance) and the existing parking areas are unsuitable for reuse and adaptation to the needs of the reconfigured building. ○ Existing and proposed site plans showing existing access/parking features in relation to how they will be reconfigured. The applicants/agent should check which trees if any will require serving notification to the Council. ○ I request a condition be added to any approval decision requiring details of the extent and nature of render removal and replacement to be submitted and approved prior to re-rendering work taking place. ○ I request a condition be added to any approval decision requiring details of replacement windows and external doors to be submitted and approved prior to replacement of any windows and external doors. ○ I request a note be added to the heritage statement confirming the commitment to retain the existing Georgian front door of Hensingham House, in the south side porch. ○ I would be grateful to the applicant/agent for an update on the status of upper floor ceilings once the 1960s dropped ceilings are removed as it is likely more conservation advice may be needed then, and also to provide a record for the planning history. <p>1st July 2022</p> <ul style="list-style-type: none"> • Permission would appear to be needed for demolition of the wall at
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the north side of the rear of the site (where House 3's garden and turning area are located on the proposed block plan) as this is over 2m in height and within a conservation area.

- The wall in question is shown in the following photos

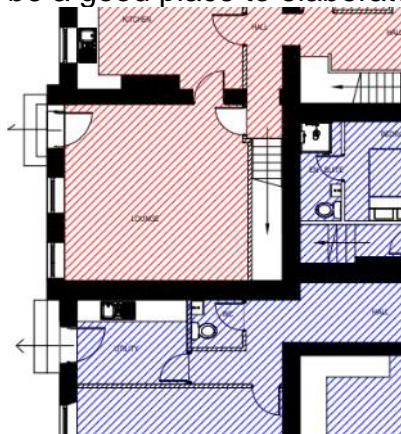


- As in my previous response, I suggest that the central of the three windows in the projecting central bay of the west elevation would be a preferable location for the door to House 2. As shown, it does not fully capitalise on the opportunity to enhance the character of the conservation area, or to maintain the appearance of an element that makes a positive contribution to it
 - The entrance here should be accompanied by a drawing showing how the doorway will be detailed. How will the surround be created below current cill level? What depth of

		<p>reveal will there be to the door? How are the steps designed?</p> <ul style="list-style-type: none"> ○ The application should be accompanied by specifications/details of external new doors and windows. ○ I am not sure if the existing/proposed plans are quite correct in this location. The external cellar stairs are shown coming up perpendicular to the frontage, but I seem to recall that the stairwell is parallel with the frontage. Additionally, wouldn't the proposed ground floor door be immediately above the door to the cellar? Clarification is appreciated. <ul style="list-style-type: none"> • More details is needed on the reconfiguration of the main entrance south of Georgian House. In principle, this would appear to be a lower impact option than the insertion of a new entry through the pedestrian gate immediately south of the property, however, the entry walls and gate piers make a positive contribution to the character and appearance of the conservation area, as well as the setting of the War Memorial, which is grade II listed. An elevation drawing or plan of the revised site entrance, at a greater scale than the proposed block plan, would be useful in understanding likely impact. • What is the proposed construction and appearance of the wall to enclose the yard on the south end of house 5, where an existing extension has been removed? • Identification of trees and other landscape elements proposed for removal within the site should be made via a site plan. • Detail of replacement render is required. <p>18th Aug. 2022</p> <p>In my previous consultation response, I requested information, clarification and details on the following:</p> <ul style="list-style-type: none"> • I suggest that the central of the three windows in the projecting central bay of the west elevation would be a preferable location for the door to House 2 and would be grateful for comment on whether this can be updated. • The entrance here should be accompanied by a drawing showing how the doorway will be detailed. • The application should be accompanied by specifications/details of external new doors and windows. • I am not sure if the existing/proposed plans are quite correct in this location. The external cellar stairs are shown coming up perpendicular to the frontage, but I seem to recall that the stairwell is parallel with the frontage. Additionally, wouldn't the proposed ground floor door be immediately above the door to the cellar? Clarification is appreciated.
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		<ul style="list-style-type: none"> • The entry walls and gate piers make a positive contribution to the character and appearance of the conservation area, as well as the setting of the War Memorial, which is grade II listed. An elevation drawing or plan of the revised site entrance, at a greater scale than the proposed block plan, would be useful in understanding likely impact. • What is the proposed construction and appearance of the wall to enclose the yard on the south end of house 5, where an existing extension has been removed? • Identification of trees and other landscape elements proposed for removal within the site should be made via a site plan. • Detail of replacement render is required. <p>The following details have been received in respect of the above:</p> <ul style="list-style-type: none"> • Plan of surfaces and associated design details at vehicle entranceway has been received, but isn't clear on boundary treatments, location of gates/gate piers etc. • Confirmation has been provided that a section of the high wall to the north side of the turning area will be retained. This is welcome, although the remainder of the wall extending westward will be removed. As I understand it, the purpose of this is to facilitate development that isn't included in this application and will need determining in future, which doesn't seem a very robust justification. <p>Summary:</p> <ul style="list-style-type: none"> • Heritage statement needs expanding. An assessment of significance for a large, complex job needs some specificity to it, and to be related to certain works. For example, if it is proposed to insert new doorways into the frontage, and introduce asymmetry, is symmetry a contributor to the significance of the frontage? • I would refer to the above list of requests from my last consultation response. <p>14th October 2022</p> <p>In previous consultation, I requested information, clarification and details on the following. Updated information has now been received.</p> <ul style="list-style-type: none"> • I suggest that the central of the three windows in the projecting central bay of the west elevation would be a preferable location for the door to House 2 and would be grateful for comment on whether this can be updated. <ul style="list-style-type: none"> ○ I am informed that I didn't mention this, that the location of the door is to facilitate a suitable layout of house 2, and that the location has been established.
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- I did raise this question in my first consultation response for the project over two years ago. Additionally, I am not aware of the door position having been established as there is no planning permission for the project.
- According to the proposed plans, the door will open into a single large room. I'm not clear how its location in the left window opening, as opposed to the central opening, has any bearing on the house layout.
- Additional justification for this should be provided. The heritage statement (which is not sufficiently detailed) would be a good place to elaborate on this.



- I am not sure if the existing/proposed plans are quite correct in this location. The external cellar stairs are shown coming up perpendicular to the frontage, but I seem to recall that the stairwell is parallel with the frontage. Additionally, wouldn't the proposed ground floor door be immediately above the door to the cellar? Clarification is appreciated.
 - Clarification has been provided that the drawings are not accurate – the stairs are doglegged.
 - This will probably be filled in and the door removed.
 - The existing and proposed drawings should be updated accordingly.
- The application should be accompanied by specifications/details of external new doors and windows.
 - Confirmation has been provided that the existing windows to the south and west elevations will be retained.
 - Details of doors and windows to be replaced are awaited.
- The entry walls and gate piers make a positive contribution to the character and appearance of the conservation area, as well as the setting of the War Memorial, which is grade II listed. An elevation drawing or plan of the revised site entrance, at a greater scale than the proposed block plan, would be useful in understanding likely impact.

		<ul style="list-style-type: none"> ○ The potential impact of the site entrance is major and affects the conservation area and setting of nearby heritage assets, including the grade II listed war memorial. I do not see any good reason that this should be deferred, so request it be submitted for consideration prior to determination. • What is the proposed construction and appearance of the wall to enclose the yard on the south end of house 5, where an existing extension has been removed? <ul style="list-style-type: none"> ○ Confirmation has been provided that this will match the existing wall and have a rendered finish. • Detail of replacement render is required. <ul style="list-style-type: none"> ○ K Rend (pewter) is proposed. The pewter colour is likely to look quite cold. I'd suggest using some warmer shades, but have no objection to this colour. ○ Use of waterproof silica based render raises the risk of contributing to damp problems within the buildings, which have already suffered from damp in places. I would therefore request the use of a lime-based render. ○ I also request that this be detailed without the use of visible edge bead or bellcast drip, being run down to ground level. A short method statement with the application documents would be a useful way of establishing this clearly. <p>In addition to the above, the following questions remain to be addressed:</p> <ul style="list-style-type: none"> • The new doorways (stone architraves, steps, frames etc.) to the west elevation should be accompanied by a drawing showing how they will be detailed. • Identification of trees and other landscape elements proposed for removal within the site should be made via a site plan. • Details of boundary treatments, location of gates/gate piers etc. to vehicle entranceway should be provided in drawings. • The remainder of the wall to the extending westward from the tall curved section is a substantial and characterful masonry example, although has been damaged by plants. Additional justification is needed on removing this as opposed to repairing it. <p>1st March 2023</p> <ul style="list-style-type: none"> • A structural inspection letter has been received relating to the section of boundary wall to the rear of the tall, curved section of wall that bounds the site on its northern side. • The wall appears to have been constructed partly as a retaining wall and partly as the rear of a building, or it was a retaining wall with a building built against a section of it. • It makes a small positive contribution to the character and
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		<p>appearance of the conservation area, and to the settings of nearby heritage assets.</p> <ul style="list-style-type: none"> • Given the modest significance of the wall and the small contribution it makes to the conservation area, and given its poor condition and extensive repair needs, which would probably include substantial rebuilding, removal of this section would appear justified. • This does not apply to the wall curved brick faced section of wall nearer the house, which has already been discussed. <p>Please refer to my previous consultation response for other awaited forms of information.</p> <p>30th March 2023</p> <ul style="list-style-type: none"> • A plan has been received showing detail of the revised drive entranceway. • The revised entrance is considerably wider than the existing entrance, however the removal of a garage that makes a negative contribution to the conservation area as well as settings of nearby heritage assets, principally the grade II listed war memorial, is beneficial. • Currently, the impression is of stone walls with gate piers giving way to clipped hedging beyond, lining the drive. • The profile of the wall and gate pier on the north side appears to be staying the same, but I would request the wall on the south side be rebuilt on the new profile, with the gate pier reinstated to match. • 2m high fencing is proposed on the north side beyond the wall, where there is currently a tall clipped hedge. This is likely to be less attractive and could be considered loss of an element that makes a positive contribution to a conservation area, which would be treated as less-than-substantial harm to a designated heritage asset, as well as to the setting of the war memorial. • As the north side of the access drive is staying on the same profile, it should be possible to retain the existing hedge, or to instate a new hedge if needed, and this would be preferable. <p>Please refer to my previous consultation response for other awaited forms of information.</p> <p>12th April 2023</p> <ul style="list-style-type: none"> • A revised site entrance plan has been received showing detail of the revised drive entranceway. <ul style="list-style-type: none"> ○ The annotations have been revised to clarify that the wall on the south side will be re-built along the new profile, and that the boundary on the north side will be a stone wall to match
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		<p>existing with hedgerow, which will be similar to the current arrangement and preserve the character and appearance of the conservation area as well as the setting of the listed war memorial.</p> <ul style="list-style-type: none"> Proposed elevation detailing has been revised to retain the cellar door within the central bay of the west façade. This is due to building regulations. The main entrance to the house above has been revised with a quarter-landing and handrail. <ul style="list-style-type: none"> It's not clear from the drawing how this is constructed (e.g. whether the landing is supported by a timber or metal frame, or by masonry). Annotation should be added to clarify this, so the impact on the conservation area and on the frontage of this non-designated heritage asset can be understood. Showing this at a larger scale would be helpful, as this would permit clearer . <p>Please refer to my previous consultation response for other awaited forms of information. In summary:</p> <ul style="list-style-type: none"> Details of new external doors and windows; Specification and detailing for new external render (Pewter colour has been proposed, but a method statement containing spec and detailing e.g. avoiding use of visible edge bead, is still awaited); Identification of trees and other landscape elements proposed for removal within the site <p>22nd May 2023</p> <p>I'd recommend avoiding Sandtex or any similar waterproof paint such as Weathershield on a solid walled building, particularly where the material is our particularly porous and spongy red sandstone.</p> <p>That rubbery style of paint is designed to work with particularly impervious materials and where there is a cavity and an effective damp proof course (e.g. a modern blockwork cavity wall – where it's somewhat redundant because a blockwork cavity wall shouldn't be letting water in anyway), but on old solid walls there is a risk of them leading to a damp issue – If you've ever been hiking in a non-breathable coat you'll have experienced the same thing.</p> <p>I'd suggest finding a paint that is suited to traditionally constructed buildings.</p>
	United Utilities	<p>8th Sep. 2020</p> <p>In accordance with the National Planning Policy Framework (NPPF) and</p>

		<p>the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.</p> <p>Request the imposition of a suspensive planning condition securing a detailed drainage design.</p>
	Environmental Health Officer	<p>15th Aug. 2022</p> <p>From an EH perspective, I noted the thorough information supplied by the applicant and, in particular, the summary and recommendations laid out in the 'Phase 1 Desk Study'.</p> <p>I also carried out a site visit and noted the proximity of other residential dwellings to this site and the potential for noise and vibration disturbance. As such, I have no objections to this application, subject to the consideration that the following conditions be imposed:</p> <ul style="list-style-type: none"> • Construction Environmental Management Plan – No development shall take place until a site specific Construction Environmental Management Plan has been submitted to and approved by in writing by the Council. The Plan must demonstrate the adoption and use of the Best Practicable Means (BPM) to reduce the effects of noise, vibration, dust and site lighting. The plan should include but not be limited to <ul style="list-style-type: none"> (a) Procedures for maintaining good public relations (b) Control measures for dust and other airborne pollutants (c) Mitigation measures as defined in BS 5288 – 1:2009 + A1 2014 Code of Practice For Noise and Vibration Control on Construction Sites and Open Sites shall be used to minimise noise and vibration disturbance from works. <p>Reason: In the interests of the amenities of surrounding occupiers during the construction of the development.</p> <ul style="list-style-type: none"> • Land Affected by Contamination – possible topsoil contamination – as recommended in the supporting Phase 1 Desk Study, the accumulations of topsoil / land that may have been contaminated by the previous unregulated demolition on site should be sampled and tested for a suitable range of contaminants, an assessment made of its potential risk to health and an appraisal of any remediation measures required. <p>Reason: To ensure that risks from land contamination are understood prior to works on site, both during the construction phase and to the future users of the land and neighbouring land, and any such risks are minimised, and</p>

	<p>to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors.</p> <ul style="list-style-type: none"> • Land Affected by Contamination – Reporting of Unexpected Contamination – In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. A suitable investigation and risk assessment will then be agreed upon by the Council and the developer and where remediation is necessary a remediation scheme must be prepared and submitted to and approved in writing by the Local Planning Authority. <p>Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors</p>
	<p>Neighbour Responses:</p> <p>The application has been advertised by way of a planning application site notice, press notice and notification letter sent to neighbouring properties.</p> <p>Objections have been received from three parties.</p> <p>The proposed access will result in adverse impacts upon highway safety with specific regard to increased vehicle movements poor, visibility at the proposed junction; reduced visibility for and of pedestrians; and, increased waiting on the highway.</p> <p>The existing Hensingham House is a disgrace and requires repainting.</p>
	<p>Planning Policy</p> <p>Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.</p> <p>Development Plan</p> <p>On 1st April 2023, Copeland Borough Council ceased to exist and was replaced by Cumberland Council as part of the Local Government Reorganisation of Cumbria.</p> <p>Cumberland Council inherited the local development plan documents of each of the sovereign Councils including Copeland Borough Council, which combine to form a Consolidated Planning Policy Framework for Cumberland.</p>



Cumberland Council

The inherited local development plan documents continue to apply to the geographic area of their sovereign Councils only.

The Consolidated Planning Policy Framework for Cumberland comprises the Development Plan for Cumberland Council until replaced by a new Cumberland Local Plan.

Copeland Local Plan 2013-2028 (Adopted December 2013):

Core Strategy (CS):

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Policy ST4 – Providing Infrastructure

Policy ER7 – Principal Town Centres, Local Centres and other service areas: Roles and Functions

Policy ER8 – Whitehaven Town Centre

Policy SS1 – Improving the Housing Offer

Policy SS2 – Sustainable Housing Growth

Policy SS3 – Housing Needs, Mix and Affordability

Policy SS4 – Community and Cultural Facilities and Services

Policy SS5 – Provision and Access to Open Space and Green Infrastructure

Policy T1 – Improving Accessibility and Transport

Policy ENV1 – Flood Risk and Risk Management

Policy ENV3 – Biodiversity and Geodiversity

Policy ENV4 – Heritage Assets

Development Management Policies (DMP):

Policy DM6A – Managing Non-Retail Development in Town Centres

Policy DM10 – Achieving Quality of Place

Policy DM11 – Sustainable Development Standards

Policy DM12 – Standards for New Residential Development

Policy DM13 – Conversion of Buildings to Residential Use within Settlement Limits

Policy DM21 – Protecting Community Facilities

Policy DM22 – Accessible Developments

Policy DM24 – Development Proposals and Flood

Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species

Policy DM27 – Built Heritage and Archaeology

Copeland Local Plan 2001-2016 (LP) Saved Policies:

Policy TSP8 – Parking Requirements

Emerging Copeland Local Plan (ELP):

Cumberland Council are continuing the preparation and progression to adoption of the emerging Copeland Local Plan 2017-2038.

The emerging Copeland Local Plan 2017-2038 comprising the Publication Draft (January 2022) and Addendum (July 2022) have recently been examined by the Planning Inspector and their report on the soundness of the plan currently remains awaited.

The Planning Inspector has now issued their post hearing letter, which identifies the next steps for the Examination. This includes proposed modifications to the plan to ensure a sound plan on adoption.

As set out at Paragraph 48 of the National Planning Policy Framework (NPPF), Local Planning Authorities may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan; the extent to which objections to relevant policies have been resolved; and the degree to which emerging policies are consistent with the NPPF.

Given the stage of preparation of the emerging Copeland Local Plan 2017-2038 some weight can be attached to policies where no objections have been received or objections have been resolved. The Publication Draft (January 2022) and Addendum (July 2022) provides an indication of the direction of travel of the emerging planning policies, which themselves have been developed in accordance with the provisions of the NPPF.

Policy DS1PU - Presumption in favour of Sustainable Development

Policy DS2PU - Reducing the impacts of development on Climate Change

Policy DS3PU - Settlement Hierarchy

Policy DS4PU - Settlement Boundaries

Policy DS5PU - Planning Obligations

Policy DS6PU - Design and Development Standards

Policy DS8PU - Reducing Flood Risk

Policy DS9PU - Sustainable Drainage

Policy DS10PU - Soils, Contamination and Land Stability

Policy DS11PU - Protecting Air Quality

Policy R3PU: Whitehaven Town Centre

Policy R9PU: Non-Retail Development in Town Centres

Policy H1PU - Improving the Housing Offer

Policy H2PU - Housing Requirement

Policy H3PU - Housing delivery

Policy H4PU - Distribution of Housing

Policy H5PU - Housing Allocations

Policy H6PU - New Housing Development

Policy H7PU - Housing Density and Mix

Policy H8PU - Affordable Housing

Policy SC1PU - Health and Wellbeing

Policy N1PU - Conserving and Enhancing Biodiversity and Geodiversity Strategic

Policy N3PU - Biodiversity Net Gain

Policy N5PU - Protection of Water Resources



Cumberland Council

Policy BE1PU - Heritage Assets
Policy BE2PU - Designated Heritage Assets
Policy CO4PU - Sustainable Travel
Policy CO5PU - Transport Hierarchy
Policy CO7PU - Parking Standards and Electric Vehicle Charging Infrastructure

Other Material Planning Considerations

National Planning Policy Framework (NPPF).
Planning Practice Guidance (PPG).
National Design Guide (NDG).
The Conservation of Habitats and Species Regulations 2017 (CHSR).
Cumbria Development Design Guide (CDDG).
Copeland Borough Council Housing Strategy 2018-2023 (CBCHS)
Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (LBCA).

Assessment:

Principle

The Principal Town of Whitehaven is a sustainable location for new residential development.

Housing Need and Housing Mix

The development will contribute in a small way towards meeting the general need for additional family housing development within Whitehaven and the wider Borough.

The proposed housing mix aligns with the provisions of the SHMA.

The development falls below the threshold for the provision of affordable housing.

Design and Heritage

The building is located within the Hensingham Conservation Area.

The Grade II Listed Hensingham War Memorial is located adjacent to the Application Site.

A very limited Heritage Statement has been prepared in support of this planning application.

The significance of the building principally relates to its developed form and its resulting contribution to the conservation area.

Hensingham House is one of the more interesting and unexpected gems of the Hensingham Conservation Area. A late-18th century country house on a grand scale, facing away from public view with its frontage giving onto mature gardens and rolling open land, with views

toward Whitehaven and the sea.

To the rear, it presents a somewhat rambling elevation onto the Egremont Road that is not in a good state of repair but could be greatly improved and allow the building to function properly in its role as a gateway.

The various single-storey accretions on its south side have not been beneficial, although the doorway is at least well executed, and appears to have had the original Georgian door repositioned to maintain a fitting entrance.

The gardens and open ground in front of it contribute to its status – it is a frontage meant to be viewed in this context – and the rear elevation could be improved with conservation work. It is contiguous with Hensingham Hall next door.

The buildings on the west side of the Egremont Road – the Church of St John, war memorial, Hensingham House, Hensingham Hall, Hensingham Court, and 104-112 Main Street – have the potential to be not merely positive but fairly spectacular if they could all pull together. As a group, they are of high value, and should be appreciated as such. They are virtually unspoilt in terms of layout, arrangement and westward setting, but have widely suffered from poor alterations and maintenance, and are not helped by the public realm quality.

The Conservation Officer initially raised objections and sought revisions to the development on grounds of the lack of detailed justification for certain aspects of the development and lack of details; however, now raises no objection following the receipt of additional information and justification and the imposition of planning conditions.

The proposed development retains the main of external form and materials of the country house element of building. The removal of the single storey additions delivers enhancement; however, the replacement of a window with a door with stepped access comprises a less than substantial harm.

The buildings to the east and additions to the north are of limited interest and in poor condition. The proposed alterations to the fenestration of these buildings deliver limited harm in the context of their existing form and character. The works of repair and maintenance including the painting of the elevations will deliver enhancement of the buildings and will deliver a marked visual improvement and will improve their role as gateway buildings.

The proposed access will result in some less than substantial harm to the character of the conservation area and the setting of the Grade II Listed Hensingham War Memorial through its widening etc. The retention/improvement of the gateway features softens the access and its impacts slightly.

The development will also deliver the benefit of returning the building to an active use and the associated economic benefits to the local economy resulting from the construction works.

Whilst formal parking areas are proposed, the existing mature gardens and views toward Whitehaven and the sea are retained.

The works are considered a modest intervention, involving the minimum of interference to the building's character which still retains original features and maintains its architectural and historic significance.

In applying the statutory duties of the LBCA and the relevant provisions of the NPPF and the Development Plan, it is considered that as proposed the development will result in impacts at the lower end of enhancement of the significance of the conservation area and lower end of less than substantial harm to the setting of the Grade II Listed Hensingham War Memorial.

Ecology and Arboriculture

It is proposed to remove a small number of trees to create the proposed access and curtilage areas. These trees are not of significance to the Conservation Area; therefore, their removal is acceptable. The trees do not include cracks and features that could accommodate bat roosts etc. A planning condition is proposed to secure replacement tree planting.

The building by virtue of its age and construction is identified as a building with the potential for the presence of bats in the Bat Conservation Trust Bat Surveys Good Practice Guidelines.

A Bat Survey has been prepared in support of the Full Planning Application. The Survey concludes that overall, the main roof sections offer negligible potential for bats, due to the lack of access / gaps beneath cladding and the valleys and parapet wall; making access to any potential small gaps very difficult / unlikely. The roof sections to the north and east (annexe) are generally tightly clad, the lack of gaps and street lights to the east offer negligible potential for crevice dwelling bats and the smaller voids here are not suited to void dwelling species. There may be small gaps along the northern ridge line which may offer very low opportunity for individual bats only. There is very low / negligible potential for roosting bats to utilise the building and no further surveys are required.

A scheme of mitigation in relation to working methods is outlined and implementation is secured via planning condition.

Policy N3PU seeks that development achieve a biodiversity net gain of 10%.

The Application Site comprising an existing building and associated curtilage/access only is of limited ecological value.

The proposed development comprises a minor development; therefore, a fully defined means of assessment remains to be adopted which would permit full and formal assessment.

Highways Impacts

Access is proposed via an improved access from Egremont Road.

The improved access is of increased width and incorporates two footways.

Gateway features are proposed to the junction.

The access is overengineered for the proposed development and is designed to provide capacity for any future development on land to the west of the Application Site, which falls for consideration as part of any future planning application.

Two off highway parking spaces per dwelling are proposed, with additional on and off highway space available for visitor parking. This represents a net improvement of the existing situation.

Highways have been consulted and raised no objection to the development subject to the imposition of planning conditions. As the development has been commenced, the relevant triggers within the planning conditions proposed have been amended to align with progress in the completion of the development.

Drainage

It is proposed to discharge foul and surface water from the dwellings to the mains drainage system as per the existing situation.

It is proposed to dispose of surface water from the proposed access to an existing watercourse.

In relation to the flows from the proposed dwellings, this arrangement is acceptable given the existing situation and that no net additional flows will result.

In relation to the proposed access, it has been demonstrated that discharge via infiltration is not achievable; therefore, discharge to watercourse is proposed in accordance with the national drainage hierarchy. Attenuation is proposed.

The LLFA have been consulted and raised no objection to the development.

Residential Amenity

The interface separation distances between habitable room windows within the courtyard fall below the distances contained within Policy DM12; however, given the existing interrelationships and the design mitigation proposed, limiting the interfacing to being principally between bedrooms, bathrooms and w/c etc., the generally more intimate relationship between dwellings in the conservation areas and the existing use rights of the building, the relationships are considered acceptable.

	<p>A planning condition is proposed to limit hours of construction to prevent unacceptable impact upon the occupants of neighbouring and adjoining residential dwellings.</p> <p>Planning Balance</p> <p>The Application Site is located within the settlement boundary for Whitehaven which is a sustainable location for new housing development.</p> <p>In applying the statutory duties of the LBCA and the relevant provisions of the NPPF and the Development Plan, it is considered that as proposed the development will result in impacts at the lower end of enhancement of the significance of the conservation area and lower end of less than substantial harm to the setting of the Grade II Listed Hensingham War Memorial. On balance, it is considered that the less than substantial harm identified is acceptable when weighed against the public benefits of the proposal including the enhancement of the conservation areas, securing a building in its optimum viable use and the associated economic developments arising from the construction.</p> <p>Subject to the planning conditions proposed, the development is acceptable in respect of highways, ecology, ground conditions and amenity.</p> <p>In overall terms, it is considered that the proposals accord with the provisions of the adopted and emerging development plans when taken as a whole.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <p>1. The development hereby permitted shall begin not later than three years from the date of this decision.</p> <p>Reason</p> <p>To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</p> <p>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:</p> <p>Planning Application Form Location Plan – Drawing No. DS/TMS/2/21 Rev. A2 Block Plan Identifying Courtyard Elevations – Drawing No. DS/TMS/9A/23 Rev. B3 Site Plan Detail (Phase 1) With New Access – Drawing No. DS/TMP/P1/NA/23 Rev. A</p>

Planning (Existing Floor Plans) - Drawing No. DS/TMP/2/21 Rev. A
 Existing And Proposed Elevations – Drawing No. DS/TMS/7A/23 Rev. B3
 Proposed Ground Floors – Drawing No. DS/TMS/4A/23 Rev. B3
 Proposed First Floors – Drawing No. DS/TMS/5A/23 Rev. B3
 Proposed Second Floor House 3 – Drawing No. DS/TMS/6A/23 Rev. B3
 New Access Road Entrance Detail Overlay – Drawing No. DS/TMP/2ED/23 Rev. C
 New Access Details – Ref. 15 DS/H/SW/1/P/23
 Door Reveal Details - Contained in email dated 28th April 2023
 Render Specification - Contained in email dated 12th October 2022
 Step Specification – Contained in email dated 11th December 2023
 Section 38 Works Agreement Plan – Drawing No. 138443/1041 Rev. B
 S278 Works Agreement Plan – Drawing No. 138443/1039 Rev. B
 S278 Works External Works Construction Details – Drawing No. 138443/1034 Rev. A
 Highway Construction Details – Drawing No. 138443/1043 Rev. A
 Road General Arrangement And Long Sections – Drawing No. 138443/1042 Rev. B
 Section 278 Works General Arrangement – Drawing No. 138443/1031 Rev. B
 S278 Works Setting Out And Spot Levels – Drawing No. 138443/1035 Rev. B
 S278 Works Site Clearance – Drawing No. 138443/1032 Rev. B
 S278 Works Surface Finishes and Kerbs – Drawing No. 138443/1033 Rev. B
 S278 Works Swept Path Analysis – Drawing No. 138443/1038 Rev. C
 Section 278 Works Drainage Construction Details and Notes – Drawing No. 138443/1037 Rev. A
 Section 278 Works Drainage – Drawing No. 138443/1036 Rev. B
 Hensingham House Proposed Site Levels Drawing No. 138443/1002
 Hensingham House Proposed Drainage Layout – Drawing No. 138443/2002 Rev. E
 Hensingham House Manole Schedules – Drawing No. 138443/2005 Rev. B
 Hensingham House Drainage Notes – Drawing No. 138443/2006 Rev. A
 Hensingham House Drainage Construction Details Sheet 1 – Drawing No. 138443/2003 Rev. B
 Preliminary Site Inspection for Bats - Hensingham House, Hensingham, Whitehaven, CA28 8QB - Ref. No.: DS21BAT041
 Hensingham House, Whitehaven Phase 1 Desk Study Thomas Milburn (Property) Limited - Rev: O January 2022
 Flood Risk Statement and Drainage Strategy - Document Number: D/I/D/138443/03 Issue 4
 Drainage Management and Maintenance Plan - Document Number: D.I.D.138443.05 Issue 3

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. Notwithstanding its identification on the approved plans and details, this planning permission does not approve or imply approval of any new building housing development and its associated infrastructure.

Reason

For the avoidance of doubt and in the interest of proper planning.

Pre-Commencement Planning Conditions

4. No development shall commence in the construction of the access and parking areas hereby approved until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the local planning authority.

The CTMP shall include details of:

- i. Retained areas for vehicle parking, manoeuvring, loading and unloading for their specific purpose during the development;
- ii. Cleaning of site entrances and the adjacent public highway;
- iii. Details of proposed wheel washing facilities;
- iv. The sheeting of all HGVs taking spoil to/from the site to prevent spillage or deposit of any materials on the highway;
- v. Construction vehicle routing;
- vi. The management of junctions to and crossings of the public highway and other public rights of way/footway;
- vii. Details of any proposed temporary access points (vehicular / pedestrian)
- viii. Surface water management details during the construction phase
- ix. Specific measures to manage and limit the impact on the church, including working hours, any special measures to accommodate pedestrians deliveries and movement of equipment on the road network surrounding the site must not take place during church muster times.

Reason

To ensure the undertaking of the development does not adversely impact upon the fabric or operation of the local highway network and in the interests of highway and pedestrian safety in accordance with the provisions of Policy T1 and Policy DM22 of the Copeland Local Plan 2013-2028.

5. No development shall commence in the construction of the access and parking areas hereby approved until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority.

The CEMP shall provide for:

- i. The parking of vehicles of site operatives and visitors;
- ii. Loading and unloading of plant and materials;
- iii. Storage of plant and materials used in constructing the development;
- iv. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;

- v. Measures to control the emission of dust and dirt during construction;
- vi. A scheme for recycling / disposing of waste resulting from demolition and construction works;
- vii. Measures to control noise and vibration; and,
- viii. Measures or diversions to permit access during the construction.

The approved Construction Method Statement shall be adhered to throughout the construction period.

Reason

To ensure the undertaking of the development does not adversely impact upon residential amenity and the environment in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013-2028.

6. No development shall commence in the construction of the access, parking areas and garden areas hereby approved until a scheme that includes the following components to deal with the contaminative risks have been submitted to and approved, in writing by the local planning authority:

- I. Site investigation scheme to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
- II. The results of the site investigation and detailed risk assessment referred to in 1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation or mitigation measures required and how they are to be undertaken.
- III. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in 2) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangement for contingency action.

The scheme shall be implemented as approved.

Reason

To prevent harm to human health and the environment in accordance in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013-2028.

Pre-Occupation Planning Conditions

7. No dwelling hereby approved shall be occupied until the estate road including footways and cycleways to serve such dwellings has been constructed in all respects to base course level and street lighting where it is to form part of the estate road has been provided and brought into full operational use.

Reason

To ensure a minimum standard of access provision when the development is brought into use in accordance with the provisions of Policy T1 and Policy DM22 of the Copeland Local Plan 2013-2028.

8. No dwelling hereby approved shall be occupied until visibility splays providing clear visibility of 60 metres measured 2.4 metres down the centre of the access road and the nearside channel line of the carriageway edge have been provided at the junction of the access road with the county highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grow within the visibility splay which obstruct the visibility splays.

Reason

To ensure a minimum standard of access provision when the development is brought into use in accordance with the provisions of Policy T1 and Policy DM22 of the Copeland Local Plan 2013-2028.

9. No dwelling hereby approved shall be occupied until details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include:-

- proposed finished levels or contours;
- means of enclosure;
- car parking layouts;
- other vehicle and pedestrian access and circulation areas;
- hard surfacing materials;
- minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, etc.);
- communications cables, pipelines etc. indicating lines, manholes, supports); and
- retained landscape features such as trees together with details of how they will be protected during construction – an Arboricultural Method Statement.

Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers / densities; and an implementation programme.

The agreed scheme shall be carried out as approved to the agreed timetable. Any trees /

shrubs which are removed, die, become severely damaged or diseased within five years of their planting shall be replaced in the next planting season with trees / shrubs of similar size and species to those originally required to be planted unless the Local Planning Authority gives written consent to any variation.

Reason

These details are required to be approved before the commencement of development to safeguard and enhance the character of the area and secure high-quality landscaping in accordance with Policy DM10 and Policy DM26 of the Copeland Local Plan 2013 - 2028.

Other Stage Planning Conditions

10. The development shall not proceed except in accordance with the mitigation strategy described in Preliminary Site Inspection for Bats - Hensingham House, Hensingham, Whitehaven, CA28 8QB - Ref. No.: DS21BAT041.

Reason

For the avoidance of doubt and to prevent harm to protected species in accordance with the provisions of Policy ENV3 and Policy DM25 of the Copeland Local Plan 2013 - 2028.

Other Planning Conditions

11. Construction works, including site preparation, earthworks, start-up of machinery, deliveries and unloading of equipment and materials shall not take place outside the hours of 08.00 - 18.00 Mondays to Fridays and 08.00 - 13.00 on Saturdays and at no time on Sundays, Public or Bank Holidays.

Reason

To safeguard the amenity of neighbouring occupiers in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013-2028.

12. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 14 days to the local planning authority and once the local planning authority has identified the part of the site affected by the unexpected contamination, development must be halted on that part of the site.

An assessment must be undertaken and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved

<p>in writing by the local planning authority.</p> <p>The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the local planning authority.</p> <p>Reason</p> <p>To prevent harm to human health and the environment in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013-2028.</p> <p>Informative</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. Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority</p> <p>Statement</p> <p>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.</p>	<table> <tr> <td data-bbox="70 1478 1077 1556">Case Officer: Chris Harrison</td><td data-bbox="1077 1478 1514 1556">Date : 04.01.2024</td></tr> <tr> <td data-bbox="70 1556 1077 1630">Authorising Officer: N.J. Hayhurst</td><td data-bbox="1077 1556 1514 1630">Date : 15.01.2024</td></tr> <tr> <td colspan="2" data-bbox="70 1630 1514 1771">Dedicated responses to:- N/A</td></tr> </table>	Case Officer: Chris Harrison	Date : 04.01.2024	Authorising Officer: N.J. Hayhurst	Date : 15.01.2024	Dedicated responses to:- N/A	
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