



COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/20/2340/OL1
2.	Proposed Development:	LISTED BUILDING CONSENT FOR WORKS ASSOCIATED WITH OPENING UP OF ORIGINAL FIREPLACE AND INSTALLATION OF MULTI FUEL STOVE
3.	Location:	5 FOXHOUSES ROAD, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Listed Building - Listed Building, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations & Policy	<p>Neighbour Notification Letter: NO</p> <p>Site Notice: YES</p> <p>Press Notice: YES</p> <p>Consultation Responses: See report</p> <p>Relevant Planning Policies: See report</p>
7.	Report:	<p>SITE AND LOCATION</p> <p>This application relates to 5 Foxhouses Road, a Grade II semi-detached property situated within the Corkickle Conservation Area 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>FOXHOUSES ROAD 1. I 1814 (East Side) Nos 4 & 5 NX 9817 SW 8/40 II GV</i></p> <p><i>2. Circa 1790, semi-detached villas. No 5 is now pebbledashed. 3 storeys and basement, with cornices between storeys. Panelled doors and traceried fanlights, with a joint portico of 3 Doric columns, with curved steps up. Windows with moulded architraves.</i></p>

Nos 1 to 20A (consec), Nos 22 and 23 form a group.

PROPOSAL

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

- Re-opening of an original fireplace that has been previously blocked up and backfilled with rubble; and,
- The installation of a multi fuel stove including flue liner.

The works the subject of this application have been completed and this application for Listed Building Consent seeks to regularise these works.

RELEVANT PLANNING APPLICATION HISTORY

There have been no previous applications on the site.

CONSULTATION RESPONSES

Consultees

Conservation Officer – Raised no objections to the proposal.

Public Representation

The application has been advertised by way of a site notice and press notice.

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’.*

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.

Limited information has been provided by the Applicant in respect of the heritage asset significance of the property and the impacts of the proposed development; however, the proposals have been fully reviewed and assessed by the Conservation Officer of the Council.

The heritage asset significance of the property is principally derived from its physical form/construction.

The fireplace was previously blocked up and backfilled with rubble. The completed works have opened up and lined the fireplace with red brick to match the existing surrounding brickwork. A new flue and stove has been fitted in order to enhance the living space in the cellar and increase the temperature of the space in the winter months.

The Conservation Officer considers that the completed works have not resulted in any harm to features of significance and that the addition of the stove is likely to have brought an improvement to the fabric of the dwelling by keeping it warm and dry.

The reopening of the fireplace also enhances understanding of the construction and previous use of

	<p>the building.</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>Recommendation: Approve Listed Building Consent (start within 3yr)</p>	
9.	<p>Condition(s):</p> <p>1. 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>Site Location Plan, scale 1:1250, received 2nd September 2020; Photograph of fireplace and surround, received 2nd September 2020; Design, Access and Heritage Statement, received 2nd September 2020.</p> <p>Reason</p> <p>To conform with the requirement of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.</p> <p>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 Listed Building Consent in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.</p>	
Case Officer: Sarah Papaleo		Date : 12/10/2020
Authorising Officer: P. Graham		Date : 19/10/2020
Dedicated responses to:-		