



## COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/20/2367/OL1
2.	<b>Proposed Development:</b>	LISTED BUILDING CONSENT FOR INTERNAL AMENDMENTS TO UPPER FLOORS & INSTALLATION OF NEW WINDOW TO NORTHERN ELEVATION
3.	<b>Location:</b>	34-35 TANGIER STREET, WHITEHAVEN
4.	<b>Parish:</b>	Whitehaven
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Listed Building - Listed Building, Coal - Standing Advice - Data Subject To Change
6.	<b>Publicity Representations &amp; Policy</b>	Neighbour Notification Letter: NO  Site Notice: YES  Press Notice: YES  Consultation Responses: See report  Relevant Planning Policies: See report
7.	<b>Report:</b>	<p><b>SITE AND LOCATION</b></p> <p>This application relates to the first and second floors of 34-35 Tangier Street, Whitehaven which lie within the town centre Conservation Area and close to the main shopping streets in Whitehaven. The first and second floors have historically been used as storage and managers accommodation for the retail premises on the ground floor but have been vacant for some time.</p> <p>The listing entry for the property states the following:</p> <p><i>WHITEHAVEN TANGIER STREET NX 9718 SW 6/184 No 35</i></p> <p><i>II Shop, built as a motor car salesroom and workshop. Circa 1905. Rendered (probably sandstone, material not visible); diminishing slate roof with red crested ridge tiles. 2 storeys. Plan: shop (with</i></p>

offices over) with vehicular access and workshop to rear partly included in lower rear wing. Front, 4 window range the right-hand window bay curved towards street corner. Intact shop front with dentilled fascia, pedimented pilasters each with decorative plaster motif (fruit suspended from a shell); plate glass windows each with 3 upper lights, and deeply recessed half-glazed door. 1st floor windows under pediments on console brackets, horned sashes in reveals with glazing bars to upper sash only. Plaster festoons between the pediments; right-hand sash curved to accommodate corner. Moulded gutter box with egg and dart. Rear wing with one 3-light window under cornice on console brackets. Interior: evidence of rear vehicular access and workshop. A good early-C20 shop front in an important position on the east approach to the town. An important survival of the early motor-car trade, purpose built but using traditional motifs. In 1910 (Kelly's Directory) it was occupied by H S Jacques, motor-car retailer, one of the few operating in Cumberland at this date.

## PROPOSAL

Listed Building Consent is sought to regularise the use of first and second floors to three residential flats and for the following works:

### Flat 1

- The creation of a partition wall adjacent to the kitchen area to create a fire protected entrance hall and allow for a suitable means of escape;
- A new partition and door to the second floor bedroom in order that a suitable landing can be provided to comply with building regulations.

### Flat 2

- New window to the west elevation to be an exact replica of the existing window on the north elevation.

### Flat 3

- Internal layout alterations to swap the kitchen/dining room with the lounge.

Each flat will have either one or two bedrooms, a kitchen, living/dining room and a bathroom.

This application has been submitted in tandem with an application for planning permission for the same works (application reference 4/20/2366/0F1 relates).

## RELEVANT PLANNING APPLICATION HISTORY

Sub-division and change of use from an Indian restaurant and takeaway (Use class A3/A5) to create 1 no. class A1 unit (shops) and 1 no. Class A5 unit, approved in October 2016 (application reference 4/16/2170/0F1 relates);

Listed Building Consent for the same works, approved in October 2016 (application reference

4/16/2171/OL1 relates);

1 no. fascia sign, 2 no. tile logo signs and 1 no. projecting sign, approved in January 2017 (application reference 4/16/2394/OA1 relates);

Listed Building Consent for the same works, approved in January 2017 (application reference 4/16/2395/OL1 relates).

## CONSULTATION RESPONSES

### Town Council – No objections

Conservation Officer – Initially requested more information including photographs of the current interior of the flats and a detailed drawing and specification for the new window to be inserted. The provision of the requested information raised further questions and a request for the Agent to provide details of the works that were undertaken prior to the current owner taking ownership. The Agent was not able to provide this detail, however the Conservation Officer considered that on a whole, it is unlikely that these changes would have any impact on the building's significance as a whole, therefore no objections were raised.

### 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.

The application did not include details of the works previously undertaken to the Listed Building and therefore these were requested by the Conservation Officer. The Officer also suggested that it would be beneficial for the windows on the front of the property to be replaced, however this did not form part of the application.

The internal photographs did not show any details of historic significance. The change of use will not have a material effect on the building, nor effect any special features of historical interest which have long been stripped from the building. The Conservation Officer deemed it unlikely that these changes would have had any impact on the building’s significance.

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 and brought up to date to comply with current Building Regulations to enable the flats to be occupied.

### Conclusion

	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.
8.	<b>Recommendation:</b> Approve Listed Building Consent (start within 3yr)
9.	<b>Condition(s):</b> 1. The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.  Reason  To comply with Sections 18 and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.  2. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them: -  Location and block plans, scales 1:1250 and 1:500, drawing number 94.17/01.1, received 16 <sup>th</sup> September 2020; Existing ground floor plan, scale 1:100, drawing number 94.17/02.1 received 16 <sup>th</sup> September 2020; Existing first floor plan, scale 1:100, drawing number 94.17/02.2, received 16 <sup>th</sup> September 2020; Existing second floor plan, scale 1:100, drawing number 94.17/02.3 received 16 <sup>th</sup> September 2020; Existing front and rear elevations, scale 1:100, drawing number 94.17/02.4, received 16 <sup>th</sup> September 2020; Existing side elevations, scale 1:100, drawing number 94.17/02.5, received 16 <sup>th</sup> September 2020; Proposed second floor plan, scale 1:100, drawing number 94.17/03.3, received 16 <sup>th</sup> September 2020; Proposed first floor plan, scale 1:100, drawing number 94.17/03.2, received 16 <sup>th</sup> September 2020; Proposed front and rear elevations, scale 1:100, drawing number 94.17/03.4, received 16 <sup>th</sup> September 2020; Design, access and heritage statement, written by Architecture Design Limited, received 16 <sup>th</sup> September 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.

**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 : 07/12/2020**

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

**Date : 08/12/2020**

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