



COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/20/2406/OL1
2.	Proposed Development:	LISTED BUILDING CONSENT FOR INTERNAL ALTERATIONS AND COSMETIC REFURBISHMENT; NEW SLIDING DOORS TO REAR
3.	Location:	THE WATERFRONT, WEST STRAND, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	<p>ASC;Adverts - ASC;Adverts,</p> <p>Conservation Area - Conservation Area,</p> <p>Flood Area - Flood Zone 2, Flood Area - Flood Zone 3,</p> <p>Listed Building - Listed Building,</p> <p>Coal - Standing Advice - Data Subject To Change</p>
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.	<p>Report:</p> <p>SITE AND LOCATION</p> <p>This application relates to The Waterfront, a detached property currently used as a pub, situated at Whitehaven Harbour.</p> <p>The listing for the property states the following:</p> <p>Former music hall at rear is now demolished. The former hotel is three storeys, painted stone with rusticated ground floor, quoins, cornice, and hipped roof. Square plan, freestanding. Ground floor has three round-arched openings (windows and doors), three sash windows on each upper floor, the 1st-floor windows having cornices.</p>	

Nos 10 to 13 (consec) form a group with No 1 Hamilton Lane.

This proposal has been submitted in tandem with Planning Permission for the same works (application reference 4/20/2405/0F1 relates).

PROPOSAL

Listed Building Consent is sought for various works relating to the refurbishment of the property. These comprise the following:

- Insertion of doors to rear elevation (single-storey extension)
- Removal/making good external vent (single-storey extension)
- Addition of railings to rear wall
- Various internal redecorating and fit-out.

The works refer only to the ground floor and the property will remain in use as a public house.

RELEVANT PLANNING APPLICATION HISTORY

Listed Building Consent for alterations to provide new accessible WC in bar area and convert existing W.C to kitchen store, approved in June 2012 (application reference 4/12/2233/OL1 relates).

CONSULTATION RESPONSES

Town Council – No objections

Conservation Officer – From the information supplied, it does not sound as though the proposals will entail unjustifiable harm to the significance of the building or its setting, or the character and appearance of the conservation area, and have the potential to bring improvements while putting this building back into use.

However, for the sake of clarity, I do just have a few questions and requests:

- The proposed railings at the rear are situated on top of a small wall, however the photos appear to show this wall already topped with a timber fence, although this is not shown in the elevation drawing. Is the railing proposed as a replacement for the fence, or does it apply to a different wall?
- A railing with finials and a more traditional appearance would be preferable. Technical detail of the proposed railings, such as a product sheet, should be supplied. Copeland's Conservation

Area Design Guide recommends avoiding galvanised mild steel and instead specifying cast iron, wrought iron or spheroidal graphite iron.

- Regarding the rear doors, hardwood would be preferred to aluminium. Technical detail of the doors should be supplied.
- As I am unable to undertake a site visit, it would be helpful to have internal photographs supplied to aid understanding of the changes taking place.

Following my previous consultation response, the agent has provided updated information that addresses my questions. This consists of:

- Clarification of the rear/fence wall arrangement in drawings
- Slight revision of fence design (ball finials added – fleur finials held to be possible safety risk given use)
- Hardwood specified for rear doors, along with.
- Internal photos supplied.

From this, I believe the proposal will be to the benefit of the character and appearance of the conservation area, and to the building, which it will help bring back into use.

Public Representation

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

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

PLANNING POLICIES

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 ST2 – Spatial Development Strategy

Policy ENV4 – Heritage Assets

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place
Policy DM27 – Built Heritage and Archaeology

Other Material Planning Considerations

National Planning Policy Framework 2019 (NPPF)
Conservation Area Design Guide SPD December 2017 (CADG)
Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA)

Emerging Copeland Local Plan (ELP):

The emerging Copeland Local Plan 2017-2035 was recently been the subject of a Preferred Options Consultation. The Preferred Options Consultation builds upon the completed Issues and Options Consultation, which finished in January 2020. Given the stage of preparation, the emerging Copeland Local Plan 2017-2035 has only limited weight in decision making, but 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 National Planning Policy Framework.

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 initial application submitted did not include full details of some of the proposed alterations and therefore further information was requested. The Agent provided full details and specifications of the fence, door and photographs of the internals of the building and the Conservation Officer was satisfied that there would not be a material effect on the fabric of the building.

It is considered that the proposal will allow the property to remain in a good standard of repair and

	<p>decoration and therefore protect the longevity of the building and secure its future viable use.</p> <p><u>The effect on the Conservation Area</u></p> <p>The building is located within the Whitehaven Conservation Area, Grade II Listed and located in a prominent position on the harbor front. The modest alterations will all take place either internally or to the rear of the building which can only be viewed from the Quay Street car park. As a result, there is unlikely to be a negative effect on the Conservation Area or surrounding street scene.</p> <p>It is considered that the proposals comply with Policies ENV4 and DM27 of the Copeland Local Plan relating to the local heritage assets and Policy DM10 in relation to design.</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> <ol style="list-style-type: none"> <p>The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.</p> <p>Reason</p> <p>To comply with Sections 18 and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.</p> <p>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>Existing Ground Floor Plan, Existing Rear South Facing Elevation and Site Location Plan, scales 1:1000 and 1:50, drawing number PL01A, received 12th November 2020; Proposed Ground Floor Plan, Proposed Rear South Facing Elevation, Block Plan, scales 1:50 and 1:500, drawing number PL02A, received 12th November 2020; Heritage Impact Statement and Design and Access Statement including Flood Risk Assessment, received 12th October 2020.</p> <p>Reason</p> <p>To conform with the requirement of Section 91 of the Town and Country Planning Act 1990,</p>

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 : 31/03/2021

Authorising Officer: N.J. Hayhurst

Date : 16/04/2021

Dedicated responses to:- N/A