

COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/20/2470/OL1
2.	Proposed Development:	LISTED BUILDING CONSENT FOR WORKS ASSOCIATED WITH THE CHANGE OF USE FROM COMMERCIAL PROPERTY TO FOUR BEDROOMED DWELLING
3.	Location:	6 CHURCH STREET, 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	Neighbour Notification Letter: NO Site Notice: YES Press Notice: YES Consultation Responses: See report Relevant Planning Policies: See report
7.	Report:	<p>SITE AND LOCATION</p> <p>This application relates to 6 Church Street, a mid-terraced property situated within the town centre of Whitehaven. It comprises 3 floors with accesses to the front and rear.</p> <p>The building has been empty for around 15 years, but was in previous use as a commercial property. It is Grade II Listed and situated within the Whitehaven Conservation Area.</p> <p>The listing for the property states the following:</p> <p>II Terrace of varied houses of mainly 1730/50, all 3 storeys but differing in height, mostly scored stucco. No 1 has 2 small shop windows, panelled door and fanlight, 3 12-paned sashes each upper floor. Nos 2 and 3 are 1 design, with pilasters with plain leaf capitals, 7 sashes on 1st floor, and doorways with plain frieze and cornice. Nos 4, 5 and 6 have small C19 shop windows, segmental arched coach entrance, and 8 12-paned sash window on 1st floor. No 7 has centre pilastered</p>

doorcase with cornice up 4 steps, 4 12-paned sash windows on 1st floor, and pilastered ends. No 8 is narrower, with only 2 sash windows on 1st floor. Nos 9-13 have moulded doorways and panelled doors up 3 steps. No 9 has a rusticated basement. No 14 is of 4 bays, with glazing bar sashes within painted surrounds. Off-centre doorway approached by flight of 5 steps. No 14 was formerly subdivided, but the smaller part, No 14a, was re-incorporated in 1998.

This proposal has been submitted in tandem with Planning Permission for the same works (application reference 4/20/2469/0F1 relates).

PROPOSAL

Listed Building Consent is sought for the conversion of the property to a single four bedroomed dwelling. Externally, the proposal includes the following works:

- Re-rendering of the property;
- The replacement of the external doors;
- 1 new sash window;
- Repointing of the chimney;
- Alterations to the stairs and decking;
- Cleaning and maintenance of rainwater goods;
- New light to the rear yard.

Internally, the following works will be undertaken:

- Repair and replacement of ceilings;
- New internal wall plastering;
- Fireboarding of flying freehold for fire safety;
- Reposition of some internal doors;
- Removal of some internal walls to alter the layout;
- Opening of fire place and insertion of log burner.

The proposal will create a large dwelling with 2 reception rooms, a kitchen and a WC/utility on the ground floor, 2 bedrooms and 2 bathrooms on the first floor and 2 bedrooms both with en-suite on the second floor.

RELEVANT PLANNING APPLICATION HISTORY

Alterations and conversion to provide 3 flats, approved in September 2003 (application reference 4/03/1037/0 relates);

Listed Building Consent for alterations and conversion to provide 3 flats, approved in September 2003 (application reference 4/03/1038/0 relates).

CONSULTATION RESPONSES

Conservation Officer – Initially requested further information and justification for the alterations. On receipt of this information, the Conservation Officer was able to support the proposal, subject to a number of conditions relating to the details of some of the repairs and alterations.

The Georgian Group – Initially objected to the application due to the harm to the fabric of the Grade II Listed building, however, further to the discussions between the Agent and the Council's Conservation Officer, the objection was lifted and the proposal considered to be acceptable.

Public Representation

The application has been advertised by way of a site notice, a press notice and neighbour notification letters issued to 2 no. properties.

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 SS3 – Housing Needs, Mix and Affordability

Policy ENV4 – Heritage Assets

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM12 – Standards for New Residential Developments

Policy DM13 – Conversions of Buildings to Residential Use within Settlement Limits
Policy DM22 – Accessible Developments
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 has 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 many of the proposed alterations and therefore further information was requested. Furthermore, the Georgian Group objected to the application due to the removal of original partition walls to create larger rooms. The Conservation Officer requested that the Applicant consider retaining as much of these walls as possible, with the use of archways to open the rooms up. Due to the low ceiling heights, this was not possible, but the scheme was revised to include the use of a downstand where openings are formed in order to

provide a greater indication of the traditional room form. This approach was considered to be acceptable to both the Conservation Officer and the Georgian Group as a compromise position, allowing the original details of the building to be retained whilst opening up the rooms to allow a functional use.

The repairs to the ceilings and cornicing will require investigative works to be undertaken before it will be known what the extent of the required repairs are. As a result, this detail will need to be provided, prior to works beginning on the property and can be secured by appropriately worded conditions.

The specifications of the lighting in the rear yard have not been provided and the Applicant is yet to make a decision on this. As a result and, in agreement with the Conservation Officer, the information will be provided at a later stage and controlled by a suitably worded planning condition.

Full details of the opening up of the fireplace and installation of a log burner have not been submitted. Although acceptable in principle, the full details and specifications have not been submitted and therefore are required for future approval. A planning condition can be added to any approval to ensure that the information is satisfactory and will not have a negative impact on the Listed Building.

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 with it being made livable.

The effect on the Conservation Area

The building is located within the Whitehaven Conservation Area, Grade II Listed, and within a terrace of Listed Buildings. The change of use proposals include modest alterations to the external features of the building, These are limited to the re-rendering of the property, the replacement of a single window, two external doors and the refurbishment of the rear stairs. The proposed alterations are considered to be modest and will be undertaken on a like for like basis, therefore protecting the traditional features of the property and therefore retaining the overall street scene and character and appearance of this part of the Conservation Area.

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.

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.	<p>Recommendation: Approve Listed Building Consent (start within 3yr)</p>
9.	<p>Condition(s):</p> <ol style="list-style-type: none"> <li data-bbox="183 352 1503 422">1. The works hereby permitted shall be commenced before the expiration of three years from the date of this consent. <li data-bbox="183 470 1503 1003"> <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>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>Site Location Plan, Block Plan, Existing and Proposed Elevations and Floor Plans, scales 1:1250, 1:500 and 1:100, drawing number 5499/01/A, received 17th December 2020; Proposed Window and Door Detail, scales 1:2 and 1:10, drawing number 5499/02/A, received 17th December 2020; Design, Access and Heritage Statement, Revision A, dated 17th December 2020, received 17th December 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> <li data-bbox="183 1241 1503 1430">3. Prior to commencement of works on the development hereby approved, investigative works must be undertaken and full details and specification of repairs and new lath and plaster must be submitted to and approved in writing by the Local Planning Authority. The development must be carried out in accordance with the approved details and retained as such at all times thereafter. <li data-bbox="183 1478 1503 1822"> <p>Reason</p> <p>In order to ensure the retention of as much of the fabric of the Listed Building as possible and in accordance with policies ENV4 and DM27 of the Copeland Local Plan.</p> <p>4. Prior to the commencement of works on the development hereby approved, full details of the hearth and chimney to be opened up and the log burner to be installed must be submitted to and approved in writing by the Local Planning Authority. The development must be carried out in accordance with the approved details and retained as such at all times thereafter.</p>

	<p>Reason</p> <p>To ensure that the fabric of the Listed Building is protected and in accordance with Policies ENV4 and DM27 of the Copeland Local Plan.</p> <p>5. Prior to its installation, full details of the location and specification of all external lighting must be submitted to and approved in writing by the Local Planning Authority. The development must be carried out in accordance with the approved details and retained as such at all times thereafter.</p> <p>Reason</p> <p>To ensure there is no harm to the fabric of the Listed Building and in accordance with Policies ENV4 and DM27 of the Copeland Local Plan.</p> <p>6. Prior to the commencement of the development hereby approved, full details of the proposed corncicing must be submitted to and approved in writing by the Local Planning Authority. The development must be carried out in accordance with the approved details and retained as such at all times thereafter.</p> <p>Reason</p> <p>To ensure that there is no harm to the fabric of the Listed Building in accordance with Policies ENV4 and DM27 of the Copeland Local Plan.</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 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 : 27/01/2021
Authorising Officer: N.J. Hayhurst	Date : 29/01/2021
Dedicated responses to:- N/A	