

REVISED DECISION NOTICE

Planning (Listed Buildings and Conservation Areas) Act 1990.

4/20/2470/0L1

NOTICE OF LISTED BUILDING CONSENT

Day Cummins Ltd
Lakeland Business Park
Lamplugh Road
COCKERMOUTH
Cumbria CA13 0QT
FAO Mrs L Coe

LISTED BUILDING CONSENT FOR WORKS ASSOCIATED WITH THE CHANGE OF USE FROM
COMMERCIAL PROPERTY TO FOUR BEDROOMED DWELLING
6 CHURCH STREET, WHITEHAVEN

Mr C Black

The above application dated 20/11/2020 has been considered by the Council in pursuance of its powers under the above Act and LISTED BUILDING CONSENT HAS BEEN GRANTED subject to the following conditions:

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: -

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.

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. 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.

Reason

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.

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.

Reason

To ensure that the fabric of the Listed Building is protected and in accordance with Policies ENV4 and DM27 of the Copeland Local Plan.

5. Prior to its installation, full details of 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.

Reason

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.

6. Prior to the commencement of the development hereby approved, full details of the works to the existing cornicing 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.
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Reason

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.

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.

Please read the accompanying notice



29/01/2021

PP Pat Graham
Chief Executive

LISTED BUILDING CONSENT / CONSERVATION AREA CONSENT

NOTICE

IMPORTANT: This permission refers only to that required under the Planning (Listed Buildings and Conservation Areas) Act 1990 and does not include any consent or approval under any other enactment or under the Building Regulations.

These Notes do not apply when consent is granted unconditionally.

Appeals to the Secretary of State

If you are aggrieved by the decision of the Authority to refuse your application or to impose conditions on the permission with which you are dissatisfied, you may appeal to the Secretary of State under Sections 20 and 21 of the Planning (Listed Buildings and Conservation Areas) Act 1990. All appeals are handled on behalf of the Secretary of State by the Planning Inspectorate.

If you want to appeal against this decision then you must do so within 6 months of the date of this notice, or such longer period as the Secretary of State may, at any time, allow. Although the Secretary of State can allow a longer period for giving notice of an appeal, he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

Appeals must be made electronically. You can find more information online at www.gov.uk/planning-inspectorate or using a form which you can get from the Planning Inspectorate Customer Support Team (0303 444 50 00).

Please note only the applicant possesses the right of appeal.

If Listed Building consent is refused, or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any works which have been or would be permitted, he may serve on the Authority a Listed Building purchase notice requiring the Authority to purchase his interest in the land in accordance with the provisions of Section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.