



**COPELAND BOROUGH COUNCIL  
DELEGATED PLANNING DECISION**

1.	<b>Reference No:</b>	4/21/2035/0L1
2.	<b>Proposed Development:</b>	REPLACE THE EXISTING ROTTEN WHITE PAINTED TIMBER WINDOWS AND REPLACE WITH THE SAME STYLE WHITE PAINTED TIMBER WINDOWS; REPLACE DRY STONE RETAINING WALL TO REAR WITH CONCRETE BLOCK COVERED IN RENDER WALL WITH FRENCH DRAIN
3.	<b>Location:</b>	ROWRAH HALL, ROWRAH TO KELTON HEAD ROAD, ROWRAH
4.	<b>Parish:</b>	Arlecdon and Frizington
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Listed Building - Listed Building, Coal - Off Coalfield - 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 Rowrah Hall, a detached dwelling situated in Rowrah.</p> <p>There is a converted barn/holiday let to the south of the property and further outbuildings beyond. The dwelling has extensive grounds surrounding it. A narrow access road leads from Rowrah Road to the north to serve the property.</p> <p>The listing for the property states the following:</p> <p>Large house. Probably c1705 (date on barn, now fallen down) with extension dated 1729 on panel over door. Rendered rubble with cornice and pulvinated frieze. Graduated slate roof with outshuts to rear; stone copings and kneelers, brick chimneys. 2 storeys. Original house 5 bays: Mid/late C19 door surround inserted beneath original open segmental pediment; 2 sashes to left, 2 casements to right</p>

and 3 casements, in original mullioned and transomed openings, above. 3-bay extension to left has sash with glazing bars to either side of door and 3 above. Doors are temporary insertions. Interior: Inglenook fireplace with moulded firebeam to ground floor front of original house, 2nd inglenook fireplace (originally with stairs to right?) in rear wing. Fireplace to each end of front room in extension; ornate re-used doorcase to centre rear.

### **PROPOSAL**

Listed Building Consent is sought for the replacement of the timber painted windows with like for like replacements, the replacement of the dry stone retaining wall to the rear with rendered concrete blocks and the addition of a French drain.

### **RELEVANT PLANNING APPLICATION HISTORY**

Listed Building Consent to allow extension to side to provide additional staff and dormitory accommodation, approved in January 1991 (application reference 4/90/1185/0 relates);

Extension to provide additional staff and dormitory accommodation, approved in January 1991 (application reference 4/90/1188/1 relates);

Renewal of permission for temporary classroom, approved in August 1993 (application reference 4/93/0480/0 relates);

Listed Building Consent for the installation of a bathroom and associated drainage and installation of kitchen, approved in April 2003 (application reference 4/03/0244/0 relates);

Listed Building Consent for minor internal re-ordering, approved in September 2003 (application reference 4/03/1099/0 relates);

Change of use from residential field study centre to provide private dwelling, approved June 1996 (application reference 4/96/0345/0 relates);

Listed Building Consent for a Sky dish, approved in October 2004 (application reference 4/04/2686/0 relates).

### **CONSULTATION RESPONSES**

Arlecdon and Frizington Parish Council – No objections.

Conservation Officer – No objections.

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

The emerging Copeland Local Plan 2017-2035 was recently 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'.*

	<p>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.</p> <p>This application seeks approval of the replacement of the majority of the windows and the replacement of the retaining wall to the rear with associated drainage. These works were carried out around 2-4 years ago.</p> <p>The previous windows were in poor condition and in desperate need of replacement. The new windows are white painted timber, of a similar fenestration and constructed in a heritage 14mm glazed unit. These units are considered to be acceptable and are in keeping with the age and character of the dwelling.</p> <p>The retaining wall and associated drainage was undertaken in order to try and reduce the surface water at the rear of the property. The dry stone wall that was in situ previously has been removed and a rendered blockwork wall erected in its place. It is not possible to comment on the significance of the previous wall, however given that the new wall and drainage has improved the surface water situation to the property, this is considered to be justified.</p> <p>The Conservation Officer raised no objections to the alterations.</p> <p>It is considered that the works will allow the property to remain in a good standard of repair and decoration and therefore protect the longevity of the building and its historical interest.</p> <p><u>Conclusion and Planning Balance</u></p> <p>On balance, 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><b>Recommendation:</b> Approve Listed Building Consent (start within 3yr)</p>
9.	<p><b>Condition(s):</b></p> <ol style="list-style-type: none"> <li>1. The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.</li> </ol> <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, scale 1:1250, received 3<sup>rd</sup> February 2021;  Block Plan, scale 1:500, received 3<sup>rd</sup> February 2021;  Window Legend, received 3<sup>rd</sup> February 2021;  Photographs, pages 1-18, received 3<sup>rd</sup> February 2021;  Site Plan, received 3<sup>rd</sup> February 2021;  Design, Access and Heritage Statement, received 3<sup>rd</sup> February 2021.</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><b>Statement</b></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>	
<b>Case Officer: Sarah Papaleo</b>	<b>Date : 17/03/2021</b>	
<b>Authorising Officer: N.J. Hayhurst</b>	<b>Date : 17/03/2021</b>	
<b>Dedicated responses to:- N/A</b>		