

COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/21/2076/OL1
2.	Proposed Development:	LISTED BUILDING CONSENT FOR THE ERECTION OF A DETACHED 1.5 STOREY GARAGE
3.	Location:	NO 4 THE DOWER HOUSE, RHEDA PARK, FRIZINGTON,
4.	Parish:	Arlecdon and Frizington
5.	Constraints:	ASC;Adverts - ASC;Adverts, 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: SITE AND LOCATION This application relates to No 4 The Dower House, a dwelling located within a courtyard of other dwellings. The site is accessed by a private road which runs through Rheda Park. PROPOSAL Listed Building Consent is sought for the erection of a detached building on land to the south of Dower House. The building will measure 7m x 7.5m and have an overall height of 6.8m. The eaves height will be 3m. There will be two sets of garage doors on the front elevation facing north with a single pedestrian door on the west elevation. Two skylights are proposed in the north elevation roof and a	

small window in the west elevation.

The proposal includes a double garage on the ground floor and space for a gym on the first floor.

This application has been submitted in tandem with an application for Planning Permission (application reference 4/21/2075/0F1 relates).

Listed Building Consent was previously approved in 2020 for the same development (application reference 4/20/2077/0L1 relates). This application seeks to change the proposed materials to be used on the external surfaces.

RELEVANT PLANNING HISTORY

Renovation of Dower House to form 4 dwellings, approved in 2011 (application reference 4/11/2310/0F1 relates);

Listed Building Consent for works associated with renovation of Dower House to form 4 dwellings, approved in 2011 (application reference 4/11/2311/0L1 relates);

Amendment of conditions 6, 11, 12, 13 and 15 of planning approval 4/11/2310/0F1 (renovation of house to form 4 dwellings, approved in 2014 (application reference 4/14/2504/0F1 relates);

Listed Building Consent to install a painted metal railing system fixed to the top of the existing parapet, approved in 2019 (application reference 4/19/2565/0L1 relates);

Erection of a detached 1.5 storey garage, approved in April 2020 (application reference 4/20/2076/0F1 relates);

Listed Building Consent for the erection of a detached 1.5 storey garage, approved in April 2020 (application reference 4/20/2077/0L1 relates).

CONSULTATION RESPONSES

Conservation and Design Officer – Raised no objections as the garage is well proportioned, nicely detailed and specified in good quality materials.

Public Representation

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

One letter of objection has been received raising concerns with the garage and materials being out of keeping with the Grade II Listed Building.

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

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 (NPPF)

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

Principle of the development

Policies ENV4 and DM27 of the Copeland Local Plan relate to the protection and enhancement of Listed Buildings and seek to ensure that any alterations are in keeping and respect the existing character of the area. Policy DM10 of the local plan requires good design.

The applicant has indicated that the garage is required for the parking of private vehicles and for use as a home gym which is considered to be an appropriate use in the context of the residential estate.

The proposal is located within an existing residential estate and lies within close proximity to the existing building group known as Dower House. Subject to the consideration of the impact of the development on the Listed Building, it is considered that the principle of the development is acceptable.

	<p><u>Heritage significance</u></p> <p>The LBCA sets out a clear presumption that gives considerable importance and weight to the desirability of preserving a heritage asset and its setting.</p> <p>Section 66.1 requires that: <i>'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, 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'.</i></p> <p>Section 72 requires that: <i>'special attention shall be paid to the desirability of preserving or enhancing the character or appearance'</i> of a conservation area.</p> <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>The Conservation Officer considered that the garage will be well proportioned, nicely detailed and constructed from good quality materials. With regards to the change in materials, the Officer maintained that the copings and quoins will ensure the colour from all sides of the building, even if more subtle. The retention of the stone facing on the road side elevation was welcomed.</p> <p>One objection has been received which raised concerns relating to the appearance of the garage and that it would look out of place in its surroundings. When considered against the tests laid out within the LBCA, it is unlikely that the proposal will create harm to the Listed Building or its setting and the design and materials proposed are in keeping with the surroundings.</p> <p><u>Conclusion and Planning Balance</u></p> <p>On balance the proposal is considered to have a less than substantial harm to the character of the adjoining Listed Building. The application is considered to be in accordance with the requirements of the Copeland Local Plan and should therefore be approved.</p>
8.	<p>Recommendation: Approve Listed Building Consent (start within 3yr)</p>
9.	<p>Conditions:</p> <ol style="list-style-type: none"> 1. The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

	<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, drawing number 03, received 23rd February 2021; Site Plan, scale 1:200, drawing number 02, received 23rd February 2021; As Proposed Plans and Elevations, scale 1:100, drawing number 10B, received 23rd February 2021; Heritage and Design and Access Statement, prepared by Stuart Woodall, received 23rd 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>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 planning permission 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 : 26/03/2021	
Authorising Officer: N.J. Hayhurst	Date : 15/04/2021	
Dedicated responses to:-		