

COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

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| 1. | Reference No: | 4/21/2155/OL1 | |
| 2. | Proposed Development: | LISTED BUILDING CONSENT FOR REINSTATMENT OF COTTAGE AND EXTENSION INTO ATTACHED BARN TO FORM A NEW DWELLING | |
| 3. | Location: | MOORLEYS, EGREMONT | |
| 4. | Parish: | St. Bees | |
| 5. | Constraints: | ASC;Adverts - ASC;Adverts, Listed Building - Listed Building, Coal - Off Coalfield - Data Subject To Change, Preferred Route Corridor - Within Preferred Route Corridor | |
| 6. | Publicity Representations &Policy | Neighbour Notification Letter | Yes |
| | | Site Notice | Yes |
| | | Press Notice | Yes |
| | | Consultation Responses | See Report |
| | | Relevant Policies | See Report |
| 7. | Report: | | |
| | Site and Location | | |
| | | This application relates to a detached property, known as Moorleys. The former cottage and attached barn are Grade II Listed, and are located within the open countryside. The site is accessed from a single track road. | |
| | | Permission has previously been granted at this site for the reinstatement of the cottage and the extension into the attached barn to from a new dwelling. Planning permission was granted in 2009 and again in 2012, however these works have not been commenced in line with Section 56 of the Town and Country Planning Act, therefore this current application is a resubmission of the previous | |

approvals with some alterations.

Relevant Planning History

4/09/2434/0 – Listed building consent for reinstatement of cottage and extension into attached barn to form new dwelling (resubmission) - Approved

4/09/2435/0 – Reinstatement of cottage and extension into attached barn to form new dwelling (resubmission) – Approved

4/12/2388/0F1 – Amendment to approved barn conversion (4/09/2435) – Approved

4/12/2406/0L1 – Listed building consent for amendment to approved barn conversion (4/09/2435) – Approved

Proposal

This current application seeks listed building consent for the reinstatement of the cottage and extension into attached barn to form a new dwelling. The proposed conversion will be within the existing footprint of the cottage and barn, with no extensions proposed. Within the ground floor of the property the development will incorporate a study, a shower room, a living room, a kitchen/dining room, a large hall, a utility room, a double bedroom with an ensuite. The proposed first floor of the development will accommodate a double bedroom, a mezzanine above the living room, and two double bedrooms with an ensuite. As part of the development external alterations are proposed including the insertion of five roof lights, the insertion of a new window opening within the south west elevation of the property, and the siting of PV arrays on the south facing roof slope of the barn building.

This application is being considered alongside a planning application (ref: 4/21/2154/0F1) for the same works at this site.

Consultation Responses

St Bees Parish Council

The Parish Council has no objections to the applications. This property has been in a very poor state for some time and the works proposed seem to be in keeping with the traditional character of the building.

Copeland Borough Council – Conservation Officer

Initially the Council's Conservation Officer requested more information and a detail revision for this proposed scheme. Within this initial assessment the Officer stated that he is mindful of the fact that the property has previously had work carried out that was not ideal, although this is also true of many if not most historic buildings. The current application therefore seeks to find an efficient way of moving forward. The Officer had a number of concerns with the proposal as therefore requested

additional justification in relation to the cavity walling, pv arrays, damp proofing, and loss of the chimney. Additional detail was also requested with regard to the proposed windows and doors, roof timbers and the proposed timber treatment.

Following the submission of this additional information the Council's Conservation Officer again requested more information and a design revision for this development as he was concerned that previous advice has not been fully embraced. Although the Officer stated that he is highly supportive of the principle of the development and is glad to see the building brought back into use, he still had a number of concerns with the building. The Officer therefore requested the following; additional detail and justification of the proposed PV arrays, a rethink of the internal insulation, a clearer strategy for addressing damp, details of proposed windows and doors, new roof coverings, paved surfaces, driveway materials, new masonry, staircases, external renders, internal plasters, wood burner and chimney pots/cowls, and confirmation on the reuse of the roof timbers.

Based on these comments the agent for this application raised concerns that the details requested by the Conservation Officer could not be addressed until contractors were on site. The agent therefore requested that permission was granted and conditions were used to secure the relevant information. In response to this the Conservation Officer stated that were there to be more time a fuller exploration of the likely outcomes of taking the current insulation approach would be possible, but the question at this point should be whether the risk of harm to the fabric in pursuing the current approach, offset by the clear benefit in converting it and giving it a new use, outweighs the quite likely harm the property will experience if it remains as it is currently, given its consistent downward trajectory over the past decades. The Officer has stated that there is obviously considerable benefit to converting the building and giving it a viable use. Both the cottage and the barn are in a poor condition and the harm he has been able to identify in the form of potential interstitial moisture and cold bridging is a potential harm only, the probability of which will be reduced by the improved drainage to the rear of the property. The Officer summarised by stating that is his view the proposed insulation system has the potential to entail less-than-substantial harm to the property, and has the potential to not function as intended, but that the proposals viewed overall entail substantial benefit to the property. On this basis the Officer requested conditions relating to the following:

- Extent to which the barn roof timbers can be retained and reused to be discharged when the opportunity to investigate them fully is possible.
- Details of the PV system fixing method and location of inverters etc.
- Details of the proposed new roof slates (images; physical samples not necessary).
- Details of windows and doors, any new chimney pots/cowls and material for the driveway.

Cumbria County Council – Historic Environments Officer

The buildings were adequately recorded as part of earlier applications, the building recording report was submitted and the condition was discharged. The buildings do not need any additional recording.

The Officer therefore confirms that he have no objections to the applications and has no recommendations to make.

Public Representation

This application has been advertised by way of a site notice. One letter of objection was received in relation to this application which raised concerns with regard to the loss of two trees to create the new access as there is a need for all trees within the St Bees Parish.

Planning Policy

Planning law requires that 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 DM27 – Built Heritage and Archaeology

Other Material Planning Considerations

National Planning Policy Framework (2019)

National Design Guide (NDG).

Planning (Listed Buildings and Conservation Areas) Act 1990

Conservation Area Design Guide SPD (Adopted December 2017)

Emerging Copeland Local Plan (ECLP):

The emerging Copeland Local Plan 2017-2035 has recently been subject to a Preferred Options Consultation which ended on 30th November 2020. 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

Impact on Conservation Area & Listed Building

Policy ST1, ENV4, DM27 of the Copeland Local Plan seek to protect, conserve and where possible enhance the historic, cultural and architectural character of the Borough's historic sites.

The Planning (Listed Buildings and Conservation Areas) Act 1990 establishes a need "in considering whether to grant listed building consent for any works [for the Local Planning Authority to] have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest" [Section 16(2)]. This requirement also applies to the granting of planning permission affecting a listing building or its setting [Section 66(1)].

Paragraph 192 of the National Planning Policy Framework (NPPF) states that "In determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation..."

NPPF para. 193 states, in the case of designated heritage assets, "great weight should be given to the asset's conservation", irrespective of whether potential harm is substantial, less-than-substantial, or total loss. Where harm to a designated heritage asset is less-than-substantial, it should be weighed against the public benefits of the proposal (para. 196).

From a review of the initial information and the amended/additional information submitted to support this application, the Council's Conservation Officer has raised some concerns with the development and has therefore requested more details for this proposal. The agent for this application has however stated that these concerns can only be addressed once contractors were on site, and has therefore requested that the outstanding details are dealt with by planning conditions. In response to this the Conservation Officer stated that were there to be more time a fuller exploration of the likely outcomes of taking the current insulation approach would be possible, but the question at this point should be whether the risk of harm to the fabric in pursuing the current approach, offset by the clear benefit in converting it and giving it a new use, outweighs the quite likely harm the property will experience if it remains as it is currently, given its consistent downward trajectory over the past decades. The Officer has stated that there is obviously considerable benefit to converting the building and giving it a viable use. Both the cottage and the barn are in a poor condition and the harm he has been able to identify in the form of potential interstitial moisture and cold bridging is a potential harm only, the probability of which will be reduced by the improved drainage to the rear of the property. The Officer summarised by stating that is his view the proposed insulation system has the potential to entail less-than-substantial harm to the property, and has the potential to not function as intended, but that the proposals viewed overall entail substantial benefit to the property. The Council's Conservation Officer has therefore requested conditions relating to the

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| | <p>following:</p> <ul style="list-style-type: none"> - Extent to which the barn roof timbers can be retained and reused to be discharged when the opportunity to investigate them fully is possible. - Details of the PV system fixing method and location of inverters etc. - Details of the proposed new roof slates (images; physical samples not necessary). - Details of windows and doors, any new chimney pots/cowls and material for the driveway. <p>On the basis of the above it is considered that the proposal complies with policies of the Copeland Local Plan and the NPPF.</p> <p><u>Planning Balance & Conclusion</u></p> <p>The principle of re-establishing the use of the cottage and the extension into the attached barn to form a new dwelling has previously been established by a number of previous planning permissions at this site. Given that there are no major external alterations to the property to accommodate the change of use, the development is considered to conserve the historic, cultural and architectural character of the Boroughs historic site. The Council's Conservation Officer has stated that there is considerable benefit to converting the building and giving it a viable use. Whilst the Officer has some concerns with the proposal he is happy that these issues can be dealt with through the inclusion of suitably worded planning condition. The proposed development is therefore considered to be compliant with the objectives of Policies ST1, ENV4, DM15a and DM27 of the Copeland Local Plan 2013-2018 and the relevant provisions of the National Planning Policy Framework and LBCA Act.</p> |
| 8. | <p>Recommendation:</p> <p>Approve Listed Building Consent (start within 3yr)</p> |
| 9. | <p>Conditions:</p> <p><u>Standard Conditions</u></p> <ol style="list-style-type: none"> 1. The works hereby permitted must 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> <ol style="list-style-type: none"> 2. This permission relates to the following plans and documents as received on the respective dates and development must be carried out in accordance with them:- |

- Site Location Plan, Scale 1:2500, Drawing Number 2102-PL-100, received by the Local Planning Authority on the 7th April 2021.
- Existing Site Layout with Ground Level Survey from 2021-02-03, Scale 1:200, Drawing Number 2102-EX-200, received by the Local Planning Authority on the 7th April 2021.
- Proposed Site Layout, Scale 1:200, Drawing Number 2102-PL-200, Rev A, 4/21/2252/0F1, received by the Local Planning Authority on the 7th April 2021.
- Existing Floor Plans and Elevations, Scale 1:100, Drawing Number 2102-EX-300, received by the Local Planning Authority on the 7th April 2021.
- Proposed Elevations, Scale 1:50 & 1:100, Drawing Number 2102-PL-500, received by the Local Planning Authority on the 7th April 2021.
- Proposed Sections (Amended), Scale 1:50, Drawing Number 2102-PI-400, Rev B, received by the Local Planning Authority on the 28th May 2021.
- Proposed First Floor Plans (Amended), Scale 1:50 & 1:100, Drawing Number 2102-PL-301, Rev B, received by the Local Planning Authority on the 28th May 2021.
- Proposed Ground Floor Plans (Amended), Scale 1:50 & 1:100, Drawing Number 2102-PL-300, Rev B, received by the Local Planning Authority on the 28th May 2021.
- Garden Retaining Walls, Scale 1:20, Drawing Number D1588/Sk.08, Rev A, received by the Local Planning Authority on the 28th May 2021.
- Planning Statement, received by the Local Planning Authority on the 7th April 2021.
- Design and Access, Heritage and Other Statement, received by the Local Planning Authority on the 7th April 2021.
- Additional Planning Statement, received by the Local Planning Authority on the 28th May 2021.
- Heliscope: Residential Roof Summary, received by the Local Planning Authority on the 28th May 2021.

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.

Prior to Works/First Use/Installation

3. Prior to the commencement of any works to the internal timber roof structure of the barn following the removal of the existing slates and felt covering an Engineers Report must be submitted to and approved in writing by the Local Planning Authority detailing the extent to which the existing timbers can be retained and reused following inspection. The development must be carried out in accordance with the approved details and must be maintained at all times thereafter.

Reason

In the interest of protecting the heritage asset.

4. Prior to their first installation within the development hereby approved, full details of the PV system, including fixing method and location of inverters, 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 must be maintained at all times thereafter.

Reason

In the interest of protecting the heritage asset.

5. Prior to their first use within the development hereby approved details of the proposed new roof slates 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 must be maintained at all times thereafter.

Reason

In the interest of protecting the heritage asset.

6. Prior to their first installation within the development hereby approved, full details of the proposed doors and windows, including specifications, must be submitted to and approved in writing by the Local Planning Authority. The development must be carried out and maintained in accordance with this approved detail at all times thereafter.

Reason

In the interest of protecting the heritage asset.

7. Prior to their first use within the development hereby approved details of the any new chimney pots/cowls 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 must be maintained at all times thereafter.

Reason

In the interest of protecting the heritage asset.

8. Prior to their first use within the development hereby approved details of the proposed driveway materials 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 must be maintained at all times thereafter.

Reason

In the interest of protecting the heritage asset.

Other Conditions

9. All rooflights to be installed in the building hereby approved must be of a conservation design and, fitted flush with the slated roof surface and must remain as such at all times thereafter.

Reason

To safeguard the traditional appearance of the converted building in the interests of visual amenity

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 planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

Case Officer: C. Burns

Date : 23.06.2021

Authorising Officer: N.J. Hayhurst

Date : 24/06/2021

Dedicated responses to:-