

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/21/2183/0L1
2.	Proposed Development:	LISTED BUILDING CONSENT TO REMOVE EXISTING DAMAGED FIRE DOORS AND REPLACE NEW SOLID SAPELE WOOD DOORS WITH PANELING TO MATCH DESIGN OF THE FRONT DOOR OF THE BUILDING
3.	Location:	139 QUEEN STREET, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Listed Building - Listed Building, Coal - Development Referral Area - Data Subject to Change
6.	Publicity Representations &Policy	Neighbour Notification Letter: NO Site Notice: YES Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report:	<p>SITE AND LOCATION</p> <p>This application relates to 139 Queen Street, an end of terraced property situated in central Whitehaven. The property is a Grade II listed building and situated within the Whitehaven Conservation Area.</p> <p>This proposal has been submitted in tandem with Planning Permission for the same works (application reference 4/21/2184/0F1 relates).</p> <p>The listing entry for the property states the following:</p>

QUEEN STREET 1. 1814 (South East Side) No 139 (Wulstan Hall) NX 9718 SW 6/107

It is 2. 3 storeys, scored stucco, with deep modillioned eaves on scroll consoles, and side pilasters. 2 doorways with Tuscan pilasters and cornice, 3 sash windows on ground floor, and five on each upper floor, all in moulded frames with wings, and mostly 12-paned.

PROPOSAL

Listed Building Consent is sought for the removal of the existing damaged fire doors and their replacement with solid sapele wood doors with paneling.

RELEVANT RECENT PLANNING APPLICATION HISTORY

Change of use to use class D2 (private parties, retail and refreshments primarily aimed at children), approved in August 2014 (application reference 4/14/2271/0F1 relates);

Listed Building Consent for commercial sign above and beside fire escape on front of property (one flush and one swinging sign on bracket), approved in April 2015 (application reference 4/15/2049/OL1 relates).

CONSULTATION RESPONSES

Whitehaven Town Council

No objections.

Conservation Officer

This proposal is well specified and justified and will improve the appearance of this Listed Building and enable it to contribute better to the Conservation Area.

Public Representation

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

No consultation responses have been received as a result of this advertisement.

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

Policy ENV4 – Heritage Assets

Development Management Policies (DMP)

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

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 replacement door will add a more traditional feature to the building and also improve the appearance of the Listed Building. There will be no effect on the fabric of the Listed Building and

	<p>therefore these modest works are considered to be acceptable.</p> <p>As the works will enhance the appearance of the property, it is considered to be acceptable when considered against the tests within the Local Plan, NPPF and the LBCA. The Conservation Officer has welcomed the proposals.</p> <p><u>Conclusion and Planning Balance</u></p> <p>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>Recommendation: Approve Listed Building Consent (start within 3yr)</p>
9.	<p>Conditions:</p> <p>1. The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.</p> <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 28th April 2021; Block Plan, scale 1:200, received 28th April 2021; Design and Access Statement, received 28th April 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 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 : 14/06/2021
Authorising Officer: N.J. Hayhurst	Date : 23/06/2021
Dedicated responses to:- N/A	