

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/21/2304/OF1
2.	Proposed Development:	CHANGE OF USE FROM OFFICES TO 5 NO. SERVICED APARTMENTS C1 USE
3.	Location:	AGE CONCERN, OLD CUSTOMS HOUSE, WEST STRAND, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Flood Area - Flood Zone 2, Flood Area - Flood Zone 3, Listed Building - Listed Building, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations & Policy	See Report
7.	Report:	<p>Site and Location:</p> <p>The Application Site comprises Old Customs House, West Strand, Whitehaven.</p> <p>The building was most recently occupied by Age Concern, who used the building as offices, meeting rooms and a café. The building was sold in 2020 and is currently vacant.</p> <p>The building is Grade II Listed. The listing entry of the building states the following: <i>C18. 3 storeyed, stuccoed, old slate roof, cornice and frieze, pilasters at centre and ends of facade. 8 windows across the front; the 3 bays to the left are symmetrical, with centre segmental headed carriage entrance. The 5 bays to the right are also symmetrical, a centre porch with slender reeder 3/4 columns with frieze and cornice. All windows are 12-paned, all in wellmoulded architraves but the square windows on the top floor have been renewed.</i></p> <p>The building benefits from a limited curtilage to the rear.</p> <p>A car park is located to the rear of the building; however, this is owned/occupied separate to Old</p>

Customs House.

The building is located in Flood Zone 3 and benefits from flood defences.

Proposal:

Full Planning Permission is sought for the change of use and alteration of the main element of the building to comprise 5no. serviced apartments (C1 Use Classification), with the existing café/concession area to the ground floor of the building retained.

The proposed alterations to facilitate the development include the following:

External

- Removal of existing ramp and reinstatement of steps to entrance.
- Replacement of existing metal grilles.
- Introduction of conservation roof lights.
- Re-laying of existing slate roof.
- Rebuilding of existing chimneys with lead trays.
- Replacement of two existing doors.
- Introduction of door to proposed bin store.
- Removal of existing external staircase and replacement with galvanised steel staircase with cedar clad storage area below.
- Introduction of timber sliding sash windows.
- Erection of first floor level extension above existing single storey outrigger.
- Replacement of existing two storey outrigger with enlarged outrigger including balcony with sandstone coping and glass screen.
- Repairs to cap mouldings.

Internal

- Alterations to internal layout including removal of modern stud walling, office screening and suspended ceiling with the retention of original wall fabric and introduction of new stud walling and wall finishes.
- Removal of stair lift.
- Removal of dumb waiter.

The proposals have been amended during the course of the application to respond to the comments of the Conservation Officer and Ancient Monuments Society (Georgian Group).

Consultee:	Nature of Response:
Town Council	<i>11th August 2021</i>

		<p>No comments.</p> <p>5th November 2021</p> <p>No comments.</p>
	Copeland Disability	<p><i>6th July 2021</i></p> <p>We have looked at the plans online, however there are no gradients marked for the ramp into the café and its not clear whether the entrance to the serviced flats are accessible. Please can you clarify before we submit a response</p>
	Cumbria County Council – Highways and LLFA	<p><i>14th July 2021</i></p> <p><i>Local Highway Authority response:</i> Taking into account the property’s town centre location and existing use, it is considered that the proposal will be unlikely to have a material affect on existing highway conditions. I can therefore confirm that the Highway Authority has no objection to the proposal.</p> <p><i>Lead Local Flood Authority response:</i> The Environment Agency (EA) surface water maps indicate that the site is in flood zones 2 and 3.</p> <p>The applicant should consult with the Environment Agency regarding a flood risk assessment.</p> <p><i>9th November 2021</i></p> <p>I can confirm that comments made by the LHA and LLFA on 14/07/2021 should still be applied to the amended application.</p> <p><i>16th February 2022</i></p> <p>I can confirm that comments made by the LHA and LLFA on 14/07/2021 should still be applied to the amended application.</p>
	Environment Agency	<p><i>15th July 2021</i></p> <p>The site is located in tidal flood zone 3, in an area benefitting from defenses.</p>

The application for a change of use from office to residential represents an increase in vulnerability from Less Vulnerable to More Vulnerable in accordance with Table 2 Flood Risk Vulnerability Classification paragraph 006 of the Flood Risk and Coastal Change section of the planning practice guidance.

Environment Agency Position

In the absence of an acceptable Flood Risk Assessment (FRA) we object to this application and recommend that planning permission is refused.

Reasons

The submitted FRA (produced by Tweddell & Slater, 23 June 2021) does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the planning practice guidance. The FRA does not therefore adequately assess the flood risks posed by the development. In particular, the FRA fails to:

- consider how people will be kept safe from the identified flood hazards; the plans show that the ground floor has sleeping accommodation but fails to identify flood levels and the FRA (section 1e) states that the change of use will not increase the amount of users at risk of flooding - this is incorrect.
- consider how a range of flooding events (including extreme events) will affect people and property
- take the impacts of climate change into account; even though the site is an Area Benefitting Defences the FRA must consider the future risk of flooding.
- consider the requirement for flood emergency planning including flood warning and evacuation of people for a range of flooding events up to and including the extreme event
- correctly identify the flood risk and flood mechanisms of the site; The FRA (section 2a) states that site is over 800m from a river and that 'there are no known existing culverts close to site'. Pow Beck is approximately 20m away and is a culverted watercourse.

Overcoming Our Objection

To overcome our objection, the applicant should submit a revised FRA which addresses the points highlighted above.

If this cannot be achieved, we are likely to maintain our objection. Please consult us on any revised FRA submitted and we will respond within 21 days of receiving it.

19th November 2021

Thank you for consulting us on the above amended plans.

The site is located in tidal flood zone 3, in an area benefitting from defences. The application for a change of use from office to residential represents an increase in vulnerability from Less Vulnerable to More Vulnerable in accordance with Table 2 Flood Risk Vulnerability Classification paragraph 006 of the Flood Risk and Coastal Change section of the planning practice guidance.

Environment Agency Position

In our letter referenced NO/2021/113688 dated 15 July 2021 we objected to the development as proposed due to an inadequate Flood Risk Assessment (FRA).

We have reviewed the updated FRA (produced by Tweddell & Slater, dated 01 October 2021) and whilst the FRA now acknowledges that the culverted line of Pow Beck (Main River) runs close to the site, it still fails to adequately address the flood risk concerns and we therefore maintain our objection.

In particular the FRA fails to:

- consider how a range of flooding events (including extreme events) will affect people and property; We would advise you obtain Product 4 information from the Environment Agency to better inform the FRA. Please see the following website for further details including how to obtain Product 4 data: <https://www.gov.uk/guidance/flood-risk-assessment-for-planning-applications#get-information-to-complete-an-assessment>
- take the impacts of climate change into account; even though the site is an Area Benefitting Defences the FRA must consider the future risk of flooding and consider the flood risk without the defences in place.
- consider the requirement for flood emergency planning including flood warning and evacuation of people for a range of flooding events up to and including the extreme event; the plans show bedrooms on the ground floor however the FRA does not demonstrate that the site has safe access and egress.

Overcoming Our Objection

To overcome our objection, the applicant should submit a revised FRA which addresses the points highlighted above.

If this cannot be achieved, we are likely to maintain our objection. Please consult us on any revised FRA submitted and we will respond within 21 days of receiving it.

		<p><i>16th February 2022</i></p> <p>Thank you for consulting us on the above amended plans, which we received 3 February 2022.</p> <p>The site is located in tidal flood zone 3, in an area benefitting from defences.</p> <p>The application for a change of use from office to residential represents an increase in vulnerability from Less Vulnerable to More Vulnerable in accordance with Table 2 Flood Risk Vulnerability Classification paragraph 006 of the Flood Risk and Coastal Change section of the planning practice guidance.</p> <p>Environment Agency position</p> <p>The planning application is accompanied by a revised Flood Risk Assessment (FRA) prepared by Tweddell & Slater, dated February 2022.</p> <p>We have reviewed the FRA in so far as it relates to our remit and we are satisfied that it addresses our previous concerns and that the development would be safe without exacerbating flood risk elsewhere if the proposed flood risk mitigation measures are implemented.</p> <p>Therefore we withdraw our previous objection (ref. NO/2021/113688/02 dated 19 November 2021).</p> <p>The proposed development must proceed in strict accordance with this FRA and the mitigation measures identified as it will form part of any subsequent planning approval. Any proposed changes to the approved FRA and / or the mitigation measures identified will require the submission of a revised FRA.</p>
	<p>Flood and Coastal Defence Engineer</p>	<p><i>9th July 2021</i></p> <p>I've received the above planning application for consultation, which I understand you are dealing with.</p> <p>Although it is unlikely that I will raise an objection to the proposed development, the submitted information is inadequate and additional information is required and submitted information amended / improved.</p> <p>Specific areas of concern:</p> <ul style="list-style-type: none"> • There is no evidence that the drainage hierarchy has even been considered. Whilst the proposal to discharge to the combined sewer may

be the best solution, it needs to be demonstrated that the drainage hierarchy has been considered.

- The FRA misses the risk of culvert blockage stating that there are no known culverts near the proposed development, when Pow Beck is only metres away.
- The FRA dismisses groundwater flooding, when groundwater flooding has occurred close by in Market Place. (Only flooded cellars – so shouldn't be a problem – but still needs to be noted correctly.)
- The FRA states that the development will not increase the overall number of occupants, when it will become a permanent residence.
- The FRA states that the site is within proximity to adopted sewers, so the risk of sewer flooding is low, but doesn't state why.

12th November 2021

I've received the amended and additional information for the above planning application for consultation, which I understand you are dealing with.

Base on my original response the submitted information is in adequate and additional information is required and submitted information amended / improved, based on the latest information I have additional comments in blue.

Specific areas of concern:

- There is no evidence that the drainage hierarchy has even been considered. Whilst the proposal to discharge to the combined sewer may be the best solution, it needs to be demonstrated that the drainage hierarchy has been considered. I still see no evidence that this has been considered.
- The FRA misses the risk of culvert blockage stating that there are no known culverts near the proposed development, when Pow Beck is only metres away. This has now been adequately addressed.
- The FRA dismisses groundwater flooding, when groundwater flooding has occurred close by in Market Place. (Only flooded cellars – so shouldn't be a problem – but still needs to be noted correctly.) This has now been adequately addressed.
- The FRA states that the development will not increase the overall number of occupants, when it will become a permanent residence. This has now been adequately addressed.
- The FRA states that the site is within proximity to adopted sewers, so the risk of sewer flooding is low, but doesn't state why. This has now been adequately addressed.

In summary, the use of drainage hierarchy has not been demonstrated.

The use of the existing drainage to the combined sewer may be the most appropriate means of surface water disposal, but other methods need to be considered.

For example, surface water separation and direct discharge into the harbour.

7th February 2022

A. With regards to the amended and additional information for the above application, as far as I'm concerned I'm still waiting for the response to my outstanding query from 12.11.2021, originally raised on 09.07.2021:

- There is no evidence that the drainage hierarchy has even been considered. Whilst the proposal to discharge to the combined sewer may be the best solution, it needs to be demonstrated that the drainage hierarchy has been considered.

B. With regards to your comments, I would agree.

However, is it not a material consideration that the drainage hierarchy is considered under NPPF?

If I have that wrong then apologies.

If I'm right, then in this case why hasn't even been discussed?

I'm sure infiltration would be discounted, as where would a soakaway be located?

I'm sure that separating the surface water for discharge into the harbour, rather than the combined sewer is possible, although the difficulty in doing so would be expensive and likely to make the proposed development unviable.

It appears that in far too many planning applications the drainage hierarchy is not discussed, in many cases it wouldn't be difficult to add a paragraph stating why the preferred options for surface water disposal have been discounted.

C. Then that's fine in this case, as I wouldn't realistically expect any changes in respect to how the surface water is drained.

		<p>I was previously happy with the FRA, so don't have any further comments to make on the amended and additional information.</p>
	<p>Copeland Borough Council – Conservation Officer</p>	<p><i>23rd June 2022</i></p> <p>Many thanks, these details look fine to me.</p> <p><i>16th July 2021</i></p> <p>Assessment:</p> <ul style="list-style-type: none"> • It is desirable to give this building a new use, however it is not at immanent risk of dilapidation. • As per national legislation and policy, special regard and great weight should be given to the asset's preservation and conservation. Internally, this applies to the building only; externally the impact on the settings of neighbouring listed buildings should be considered too. • Special attention should also be paid to preserving or enhancing the character or appearance of the conservation area. • The attachment named Heritage, Design and Access Statement does not contain any substantive heritage significance or impact analysis (the latter of which is advised rather than required in the application, though clearly still necessary for effective decision-making), and if reflective of the design process suggests that key decisions on the conversion and modification of this key listed building have happened without complete analysis. This is problematic, particularly when certain decisions, such as the addition of a flat roof section to the rear, the changes to the upper floor windows and the insertion of rooflights, do not appear to have any benefit beyond providing a more modern accommodation experience. • There is also a question mark over the decision to bisect the old carriage arch space that once led to the rear yard, in order to create a meter cupboard. The significance of this axis is not mentioned in the heritage statement.

- I have previously requested a demolition plan showing the elements that will need removing internally to create the revised layout, so this should be added to the application.
- I also request more detail on the new external staircase to the rear. This is proposed to be galvanised steel, from the elevation drawing annotation, but a product sheet or some other visualisation would be useful in understanding the visual impact. Having the staircase cross the rear carriage arch needs more consideration.
- In the case of the upper floor window alterations, it's unlikely an expanded heritage appraisal would conclude there is a case to be made for this as the argument in favour (that it would make for a better view out) would be outweighed by the loss of historic fabric and alteration of the proportions of the highly regimented façade. I flag this as a likelihood, of course (as with the pre-application advice), and will reserve conclusion until a more in-depth heritage statement is received.
- Details should be submitted of new doors and windows, internal and external.
- Detail of the new metal louvres to the frontage should be supplied.
- Taking down and rebuilding the chimneys with modification may require listed building consent. If this is proposed, details will need to be submitted.
- To the rear, where it is proposed to remove a mono-pitch slate roof and build up the wall in cavity blockwork, is this section already cavity blockwork? There have been some extensions to the rear in the late 20th century, so presumably these construction methods match, but confirmation would be beneficial as the majority of the building will be solid masonry.
- It would be useful to have more detail on what works will be required within the attic to fit the mezzanines, in terms of reinforcement, removal of structure etc.

Summary:

These plans have the potential to bring notable improvements for this building both in terms of appearance and use. There is not currently sufficient information with the application to be certain that decisions taken have fully considered the building's conservation. Without fully understanding the potential harm of certain courses of action, justifying and demonstrating alternatives or mitigating factors is also not fully possible, so this needs a bit more attention.

From the current information, the plan to lower the 2nd floor window sills is not supportable. Although I await more information, my suspicion is that enough is

already known about this aspect that the fundamental relationship between benefit and disbenefits won't change, so it may be advantageous to revise the designs with this in mind.

23rd November 2021

Assessment:

My previous response, from July 2021, concluded that level of supporting information was not sufficient and that one or two aspects of the design were likely to be problematic. More information has since been provided.

My earlier comments are below on the first level of the list, with updates on the second level.

- Justification is needed for addition of a flat roof section to the rear.
 - Added justification has been supplied, pointing out that this aspect of the building makes a reduced contribution to the overall impression, and that the proposal will be kept subtle.
 - The current volumes to the rear are unattractive and their replacement with the proposed taller, flat roofed volume is difficult to view as other than a neutral impact in such a context.
- Justification is needed for the changes to the upper floor windows (although it is likely this will not be supported).
 - The drawings show these remaining as existing, but the D, A&H statement still refers to altering them (p6) so this should be clarified.
 - I would not request LBC for the proposed flower boxes (although there is a possibility this location may be too exposed for the flowers to stay inside them).
- Justification is needed for the insertion of rooflights.
 - Justification has been provided as these being a small level of harm necessary to allow a more pleasant interior space. There is certainly some validity to this, and if these rooflights are to be used to allow a pleasant interior with views out as an alternative to making changes to the top floor façade windows I can see this being justifiable.
 - I would view the proposed recessed heritage style rooflights as being modest in size and number, and justifiable in the context of providing illumination to the mezzanines.
- A demolition plan showing the elements that will need removing internally to create the revised layout is needed.
 - Demolition plan has been received (please refer to follow up

questions below).

- Detail on the new external staircase to the rear is needed, e.g. product sheet or some other visualisation.
 - An indicative visualisation has been provided. It is not the most attractive staircase, but is a considerable improvement.
- Justification is needed for having the staircase cross the rear carriage arch.
 - Justification has been provided in the form of the staircase being a significant improvement on the existing one, and of a slimmer design that will still allow the shape of the arch to be read.
- Details of new doors and windows, internal and external are needed.
- Detail of the new metal louvres to the frontage are needed.
- Details on taking down and rebuilding the chimneys with modification is needed.
- Clarification is needed on the wall construction type where it is proposed to remove a mono-pitch slate roof and build up the wall in cavity blockwork to the rear to ensure compatibility.
 - This has been clarified as part of the modern blockwork to the rear and will be extended in similar fashion.
- Clarification is requested on works required within the attic area to fit the mezzanines, in terms of reinforcement, removal of structure etc.
 - Confirmation has been supplied that the new mezzanines will be supported from the masonry, being free spans and allowing the original roof structure to be visible.

Further thoughts and requests:

Please also refer to above highlighted sections.

- Recommend using a dark frame (e.g. dark grey) for the glazing to the carriage arch to simplify the appearance and accentuate the shape of the opening.
- Request details of existing windows to be removed from rear elevation (photos and summary).
- Confirmation of composition of internal walls enclosing first floor office to NW corner of plan requested.
- Request detail for creating 2 no. window seats to top floor. What material is being removed and how will the area be finished? Is it proposed to add insulation?
- The heritage statement has been updated to say that the building was constructed between 1993-5. Obviously this is a simple typo, but would be helpful to rectify.

16th February 2022

Since my last consultation response, some updated info has been received.

- The drawings show these remaining as existing, but the D, A&H statement still refers to altering them (p6) so this should be clarified.
 - It would be helpful to have this reference removed/clarified when the design and access document is updated
- Details of new doors and windows, internal and external are needed.
 - Details of windows have been supplied. There are a couple of aspect that need alteration or clarification
 - The proposed glazed unit is 20mm DG, and generally anything thicker than 12mm is likely to look too thick.
 - There is no indication of the glazing bar arrangement/dimensions
 - It would be useful to have indication of the type of timber that's proposed
 - The drawing also shows what appears to be a precast concrete sill, however the window have a moulded surround already in place, including sill, so presumably this will need omitting?
 - Additionally, the section shows the wall below with a DPM and external insulation down the face, which is presumably not going to be the case.
 - External and internal door details, showing hardwood fielded panel door provided. These appear fine, however this doesn't include the glazed door to the carriage arch, so this should be added.
- Detail of the new metal louvres to the frontage are needed.
 - Detail has been provided showing a new stainless steel grille with a timber fixed light window behind. The stainless steel may possibly look rather bright and shiny, however, given the exposure of the location and pale colour of the background, these are likely to appear quite neat and subtle.
- Information has also been received on various internal modifications, with photos, and
- I have not been able to find detail on taking down and rebuilding the chimneys with modification.
- Information has been provided on surviving historic fabric within the building left by removing studwork, partitions, dry-lining etc.

Other requested details:

- Colour of glazing framing to carriage arch (inc. detail of door, if it's a new one).
- Detail for creating 2 no. window seats to top floor. What material is being removed and how will the area be finished? Is it proposed to add insulation?

- The heritage statement has been updated to say that the building was constructed between 1993-5. Obviously this is a simple typo, but would be helpful to rectify.

Apologies if I've missed any of the above in the revised details. If not, I look forward to seeing the updates.

12th April 2022

Since my last consultation response, some updated info has been received.

- The drawings show upper floor windows remaining as existing, but the D, A&H statement still refers to altering them (p6) so this should be clarified.
 - This reference has been removed
- Details of windows have been supplied. There are a couple of aspects that need alteration or clarification:
 - A 12mm heritage DG unit has been specified with solid glazing bars, which should minimise visual impact.
 - Iroko hardwood has been specified
 - The pre-cast cill previously shown has been updated to reflect the sandstone surrounds for the existing window openings.
 - Section detail has been updated to reflect the masonry wall construction.
 - This also includes detail for the new window seat and insulation. This will entail a removal of some historic fabric, which would imply less-than-substantial harm, and offset that harm by providing an architecturally and functionally enriching detail to these rooms.
 - However, the detail as drawn contains a cold bridge at the internal cill, just inside the base of the window, where the masonry is likely to be cold and any small defects in the external finishes may additionally lead to moisture penetration when the building receives wind-blown rain, which is likely to occur regularly given the location. This makes it likely that condensation will form under (or possibly even on) the internal cill.
 - Additionally, the solid insulation runs the risk of exacerbating the problem by proving hermetically sealed cold pockets between itself and the masonry where condensation may again be a problem.
 - I'd suggest detailing this with insulation extending to the base of the window, beneath the cill, making use of something like lambswool that will be highly breathable and resilient to moisture changes, and adding a small hidden air

gap between the top of the wainscot and the underside of the cill (e.g. 5mm) to allow any moisture that comes from the masonry to evaporate to the room.

- It may also be prudent to continue the insulation under the seat itself as at the point where the rear of the seat meets the wainscot, the temperature gradient across the full thickness of the wall will be at approximately its halfway point i.e. in the absence of factors such as insulation or heat absorbed from the room, the temperature at that point will be about halfway between the internal and external wall face temperatures.
- Detail drawing for the glazed door to the carriage arch has been submitted. This appears of suitable detail and to essentially be very similar to the current door and in the same location. I do not believe, therefore, that there is any more than a slight impact on the significance of the building, and this will be a positive change.
 - White painted finish has been specified. I know it is a popular choice these days, but is distinctly modern in appearance. A darker colour may bring out the shape of the arch better. The current white painted option seems to be a good opportunity to make an improvement. I'd be grateful for comment on whether an alternative colour could be used (maybe grey?)
- I have not been able to find detail on taking down and rebuilding the chimneys with modification.
 - Precise works to chimneys not yet known. I'd suggest picking this up in future when more information is available. Possible LBC will be required, or possibly it won't. A method statement may be sufficient to control works if there is ambiguity to the scope or approach.

Summary:

- Window seat needs altered detailing to reduce cold bridging and risk of condensation.
- An alternative colour to white may look better for the carriage arch frame, so I'd be grateful for comment on possible alternatives.
- As work for the chimneys is not yet known, I suggest further discussion happens in future when it is known.

17th June 2022

Conclusion: No objection (See summary)

Assessment:

Updated information has been received to address the following points raised previously:

Summary:

- Window seat needs altered detailing to reduce cold bridging and risk of condensation.
 - The relevant revised doc appears to be Fenestration 2, however it was Fenestration 1 that showed the window seat detailing, and the revised sheet seems to be identical to the one submitted in March anyway (they're both Fenestration 2 revision A).
 - I wonder if this is the right document, and would be grateful for clarification. I would be happy to see this detail submitted via a condition, if that would be preferable.
- An alternative colour to white may look better for the carriage arch frame, so I'd be grateful for comment on possible alternatives.
 - The proposed colour for this has been updated to grey
- As work for the chimneys is not yet known, I suggest further discussion happens in future when it is known.
 - The information provided is that they will be inspected and a decision taken on whether they need rebuilding. This may require listed building consent, so I'd request the agent get back in touch as soon as they know.
 - If there is a risk of missing the window of time in which scaffolding will be up, I'd urge as much certainty in advance as possible. If a drone inspection or use of a cherry-picker could clarify the work to the chimneys, that may be worthwhile.
- I'd additionally suggest the following should be submitted, and would be happy to see these covered by conditions:
 - A render specification for areas of new render for the building
 - Specification for rooflights
 - Sample of replacement slate
 - Specification for new materials and surfaces to entryway.

Summary:

I am supportive of this work, subject to the following being resolved by condition:

- Window seat needs altered detailing to reduce cold bridging and risk of condensation;
- A render specification for areas of new render for the building;
- Specification for rooflights;

		<ul style="list-style-type: none"> • Sample of replacement slate; • Specification for new materials and surfaces to entryway.
	<p>Cumbria County Council – Historic Environment Officer</p>	<p><i>2nd July 2021</i></p> <p>I defer to any forthcoming comments that your conservation officer may make regarding the acceptability of the proposals on the listed building. I do not consider that the proposal will impact upon any archaeological assets, however.</p> <p><i>2nd November 2021</i></p> <p>I defer to any forthcoming comments that your conservation officer may make regarding the acceptability of the proposals on the listed building.</p>
	<p>The Georgian Group</p>	<p><i>3rd July 2021</i></p> <p>We have reviewed the documents available on your website, and the Ancient Monuments Society has no objection to the principle of the conversion of this grade II listed building into apartments. We do, however, have concerns about the information and justification provided.</p> <p>The NPPF (2019) at paragraph 193 states that ‘When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.’</p> <p>Paragraph 189 states that: “In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.”</p> <p>There is conjecture about the age and significance of the building, with the DAH Statement suggesting it dates from 1686, and the listing description suggesting 1811. The accompanying plans and statements provide very little detail to establish the correct history and significance of the building and how the proposed alterations would affect the historic building fabric. This needs clarification in order to understand the full impact of the proposal, particularly given the proposed alterations to the upper level windows and where new walls, services, soundproofing, insulation and other M&E may impact on much older</p>

building fabric.

We would recommend a detailed historic building report is prepared by a suitably qualified conservation professional to identify and features of significance and the extent of alterations that would be appropriate in this situation. We would also refer you to Historic England's guidance on Statements of Heritage Significance: <https://historicengland.org.uk/images-books/publications/statements-heritage-significance-advice-note-12/>

17th November 2021

Thank you for informing the Georgian Group of an application to convert the former Custom House in Whitehaven into apartments. Whilst the Group has no objection in principle to the proposed change of use, we nevertheless have concerns regarding certain aspects of this scheme which may impact considerably on the significance of the listed building.

The present building as we understand constructed as two distinct structures, The George Inn (righthand section) of 1686-87 built for Samuel Brownrigg by Sir John Lowther, and the left-hand section, the former Custom House of c1694-5. Much of the present external detailing however appears to be of mid or later c18th date. The two buildings were combined in the nineteenth century when they were also internally altered. A mid eighteenth-century plan and section reproduced by the former Royal Commission on the Historical Monuments of England in their *Whitehaven 1660-1800* volume (p89) shows a projecting staircase hall to the rear of the former George Inn in the same position as the present staircase, and an entrance hall in approximately the same position as that existing. This would suggest that at least at ground floor level the historic planform of the former George Inn survives relatively intact. The former Custom House's historic internal arrangements also appear to survive to a reasonable extent.

It is proposed to convert the building into a café and serviced apartments. We welcome the proposed removal of the access ramp from the principal façade, and the removal of the upper part of the external fire escape on the rear elevation. We have also no objection to the proposed roof lights within the rear roof slope or to the proposed extension. In relation to the proposed alterations to the principal façade however, we would strongly advocate the setting back of the glazed screen within the former cart opening to the line of its internal face. The Group also has reservations regarding the proposed introduction of roof lights into the roof slope above the principal elevation as these will detract from the restrained classical composition of this distinguished façade. Given the building's

prominent dockside location these interventions will also be highly visible.

Whilst the nature of the proposed internal works is clearly explained, their impact on the significance of the building's surviving historic interiors is less clear. In its present form the supporting documentation provided does not therefore fully meet the requirements of NPPF 194. For example, in apartments 1 & 2 kitchen units would be placed against chimneybreasts but it is not clear whether there are presently chimneypieces in these locations (the chimneybreast in apartment 2 appears to be shown on the mid c18th plan). It is also not clear whether the door opening between the entrance hall and apartment 2 which would be blocked, is an historic one, and whether it retains its original door and or doorcase. Similarly, a partition is proposed for the chimneybreast within the café area but again there is no indication as to whether there is presently a chimneypiece on this wall or whether the partition would interfere with a surviving cornice.

Within proposed apartment 3, we would welcome photographs of the existing large first floor internal space which would be subdivided, as this space is also shown as a single room on the mid c18th section and plan. More information about the impact of the proposed new partitions at first floor level to the staircase hall would also be welcome, both their impact on the staircase itself, and upon the existing internal spaces which will form apartment 4.

On the second floor an additional window opening as shown in the rear wall of the as proposed drawing, and two new staircases shown inserted through the ceilings, their impact on historic fabric and on the historic planform of the building however requires further explanation.

When making a decision on all listed building consent applications or any decision on a planning application for development that affects a listed building or its setting, a local planning authority must 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. Preservation in this context means not harming the interest in the building, as opposed to keeping it utterly unchanged. This obligation, found in sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (1), applies to all decisions concerning listed buildings. NPPF 200. Reminds applicants that 'any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.'

The Group advises that insufficient information has been provided to date to allow for an adequate assessment of the impact of the proposed works on the

significance of the listed building. We therefore would suggest that your authority will have difficulties in meeting the requirements of NPPF 196 when seeking to determine this application. We would therefore urge your authority to delay determination of this proposal until the above issues have been satisfactorily addressed by the applicant. Should further information be provided we would be happy to supply additional comments.

4th April 2022

Thank you for notifying the Georgian Group of the revisions to proposal 4/21/2305/OL1 to convert the Grade II listed 'Old Customs House', Whitehaven from offices into 5no. serviced apartments. Whilst The Group thanks the applicant for providing additional information and photographs about the interior fixtures and fittings of the property, it still finds that most of the concerns raised in the Group's previous letter of 21st November 2021 remain unaddressed. The Group must therefore register its objection to the proposal in its current form for the following reasons.

The Old Customs House is a fine example of a 2no. double fronted houses of late seventeenth-century date with mid eighteenth-century remodelling. The present building as we understand constructed as two distinct structures, The George Inn (righthand section) of 1686-87 built for Samuel Brownrigg by Sir John Lowther, and the left-hand section, the former Custom House of c1694-5. Much of the present external detailing however appears to be of mid or later c18th date. The two buildings were combined in the nineteenth century when they were also internally altered. A mid eighteenth-century plan and section reproduced by the former Royal Commission on the Historical Monuments of England in their *Whitehaven 1660-1800* volume (p89) shows a projecting staircase hall to the rear of the former George Inn in the same position as the present staircase, and an entrance hall in approximately the same position as that existing. This would suggest that at least at ground floor level the historic planform of the former George Inn survives relatively intact. The former Custom House's historic internal ground floor arrangements also appear to survive to a reasonable extent.

It is proposed to convert the building into a café and serviced apartments. The Group welcomes the proposed removal of the access ramp from the principal façade, and the removal of the upper part of the external fire escape on the rear elevation. The Group likewise has no objection to the proposed roof lights within the rear roof slope or to the proposed extension.

In relation to the proposed alterations to the principal façade, the group continues to advocate the setting back of the glazed screen within the former cart

opening to the line of its internal face, as per the previous letter of advice. The Group also maintains its reservations regarding the proposed introduction of roof lights into the roof slope above the principal elevation as these will detract from the restrained classical composition of this distinguished façade. Given the building's prominent dockside location these interventions will also be highly visible.

The additional heritage information provided with the revised application clarifies the impact of the proposed works on the fireplaces in apartments 1, 3 and 4 over which concerns were raised in the previous letter of advice. The Group therefore notes that it has no objections therein. No information however has yet been provided about the fireplace in apartment 2. This omission continues to contravene NPPF (2021) paragraph 194 viz. 'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.'

It is also still not clear whether the door opening between the entrance hall and apartment 2 which would be blocked, is an historic one, and whether it retains its original door and or doorcase. The Georgian Group raises concern that the doorcase of the 'front entrance door to Apartment 1' which is noted as original, is proposed to be removed with no indication made whether it is proposed to be returned. The Group advises that information is needed about these doors/doorcases and the proposed interventions to them. This lack of information again contravenes paragraphs 194 and 199 of NPPF.

The Group notes with severe concern that much of the plastering, ceilings and other architectural details has already been removed from the first and second floors without any appropriate appraisal of the historic or architectural significance of these having been provided. This is in direct contravention of Paragraph 194 of NPPF (see above). Additional images 12 and 13 in the 'Additional Heritage Information' document show the Fireplace in apartment 3 has significant historic plasterwork surviving including cornicing and picture rail which may indicate that original plastering had survived more extensively throughout the first and second floors. The Heritage Statement provided suggests that 'in areas existing features including coving, skirtings and architraves have all been damaged by these works', however no photographic or drawn assessment of these features has been provided to support this claim. The removal of plasterwork and ceiling has rendered the historic planform of the first and second floors illegible.

The Group wishes to register additional concern regarding the raising of the height of the rear extension to provide living accommodation for Apartment 4.

The group notes that this proposal would involve the loss of 1no. historic window, to be converted into a door. The Georgian Group does not find the justification for this proposed loss of a historic window to be sufficiently convincing and is of the opinion that an alternative ordering of Apartment 4 would allow for the retention of the historic window. This lack of justification fails to fulfil NPPF paragraph 200 'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.'

Historic England's 'Traditional Windows Their Care, Repair and Upgrading' (2017) advises that 'the loss of traditional windows from our older buildings poses one of the major threats to our heritage. Traditional windows and their glazing also make an important contribution to the significance of historic areas. They are an integral part of the design of older buildings and can be important artefacts in their own right, often made with great skill and ingenuity with materials of a higher quality than are generally available today.' The loss of historic fabric such as sash windows will inevitably result in a degree of harm to the significance of the listed building. Historic England's 2017 advice (see above for reference) advises that 'surviving historic fenestration is an irreplaceable resource which should be conserved and repaired whenever possible.'

On the second floor an additional window opening is shown in the rear wall of the 'as proposed drawing', and two new staircases shown inserted through the ceilings. The impact on historic fabric and on the historic planform of the building however requires further explanation for the applicant to fulfil the duties put upon them by paragraphs 199 and 200 of NPPF.

The Georgian Group advises that the revised application has failed to adequately address the concerns raised by The Group in the letter of advice sent on the 21st November 2021. We would therefore recommend that listed building consent is refused. Should further information be provided we would be happy to supply additional comments.

14th June 2022

Thank you for notifying The Georgian Group of revised proposal 4/21/2305/0L1 to undertake a programme of works at Grade II listed Old Customs House, West Strand, Whitehaven. The Group has reviewed the revised proposal and we advise that our concerns have been satisfactorily addressed by the applicant. We therefore withdraw our objection.

Neighbour Responses:

The application has been advertised by way of a planning application site notice, press notice and notification letter sent to 15no. neighbouring properties.

No representations have been received.

Development plan policies:Copeland Local Plan 2013-2028 (Adopted December 2013):Core Strategy (CS):

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Policy ER7 – Principal Town Centres, Local Centres and other service areas: Roles and Functions

Policy ER8 – Whitehaven Town Centre

Policy ER10 – Renaissance Through Tourism

Policy T1 – Improving Accessibility and Transport

Policy ENV1 – Flood Risk and Risk Management

Policy ENV3 – Biodiversity and Geodiversity

Policy ENV4 – Heritage Assets

Development Management Policies (DMP):

Policy DM9 – Visitor Accommodation

Policy DM10 – Achieving Quality of Place

Policy DM11 – Sustainable Development Standards

Policy DM24 – Development Proposals and Flood

Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species

Policy DM27 – Built Heritage and Archaeology

Other Material Planning Considerations

National Planning Policy Framework (NPPF).

Planning Practice Guidance (PPG).

The Conservation of Habitats and Species Regulations 2017 (CHSR).

Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (PLBCA).

Cumbria Development Design Guide (CDDG).

Emerging Copeland Local Plan 2017-2035 (ELP).

The emerging Copeland Local Plan 2017-2035 has recently been the subject of a Publication Draft Consultation. The Publication Draft Consultation builds upon the previously completed Issues and

Options and Preferred Options consultations. Given the stage of preparation of the Copeland Local Plan 2017-2035 some weight can be attached to policies within the Publication Draft where no objections have been received. The Publication Draft 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

The Application Site is located within the settlement boundary for Whitehaven as defined in Policy ST2 of the CS and Policy DS4PU of the ELP.

Policy ST2 of the CS and Policy DS3PU of the ELP identifies Whitehaven as the Principal Town and primary focus for new development in the borough.

Policy ER7 of the CS outlines development objectives for the Principal Town Centre including supporting Whitehaven's role as a tourist and visitor destination linked to its unique heritage and independent and specialist retailers.

Policy ER8 of the CS states that in Whitehaven town centre, development will be encouraged which: diversifies the offer within the town centre, and improves the evening and night-time economy; and, improves Whitehaven's tourism offer, particularly in relation to serviced accommodation, improved visitor facilities and access to the coast.

Policy R1PU of the ELP seeks to support a network of healthy, vibrant and resilient town centres, comprised of a diverse range of retail, residential, leisure and other main town centre uses, that can effectively respond to change; support regeneration projects including refurbishment of buildings; and, broaden the offer of Copeland's town centres to increase footfall, and encourage extended lengths of stay, for both the daytime and evening economy.

Policy R1PU of the ELP identifies Whitehaven as the principal focus of new and enhanced retail, neighbourhood facilities and other main town centre uses.

Policy R2PU of the ELP supports development that provides retail, leisure and main town centre frontage along the harbour.

Policy R9PU of the ELP supports proposals for non-retail development in defined Town Centres (outside of Whitehaven Primary Shopping Area) where they widen its community, social, leisure, entertainment, food and drink, arts, tourism, business/office offer subject to criteria relating to retail function, cumulative effects and amenity harm.

Policy ER10 of the CS seeks to maximise the potential of tourism in the Borough and will seek to expand tourism outside of the Lake District National Park boundaries, with a complementary offer that takes pressure off the National Park's busiest locations, and delivers economic benefits in the Borough. It is proposed to locate new tourism accommodation, facilities and attractions where there is proven capacity for additional visitors to be accommodated without adverse environmental or amenity impacts, with a focus for major tourist accommodation and attractions in Whitehaven and the development of the town as a base of exploring the wider area.

Policy DM9 of the DMP outlines support for new or improved visitor accommodation in the Borough subject to compliance with the principles of sustainable design outlined in Policy ST1 and Policy ER10 and so long as their scale and character are appropriate to the location and setting.

Policy T1PU of the ELP supports the creation, enhancement and expansion of tourist attractions, new build visitor accommodation and infrastructure in line with the settlement hierarchy subject to criteria relating to scale, location, infrastructure capacity and environmental effects.

The Principal Town of Whitehaven is a sustainable location for the proposed use. The proposed comprises an appropriate town centre use that will diversify the offer within Whitehaven Town Centre and will deliver improved/enhanced tourism and business user accommodation. The development is of a scale such that in combination with existing development, the impacts could be accommodated within the existing infrastructure capacity and unacceptable impacts to the character of the locality would not result.

Planning permission is sought for the principle use as 5no. serviced apartments in C1 use. Given the location of the property, use of the accommodation for both short term or long term letting is acceptable in planning terms; therefore, the imposition of planning conditions limiting the use/occupation of the apartments to a length of tenure etc. would not serve a useful planning purpose.

Heritage

Policy DM10 of the DMP and Policy DS6PU of the ELP expects high standards of design and the fostering of quality places. It is required that development responds positively to the character of the site and the immediate and wider setting and enhance local distinctiveness. It is required that development incorporate existing features and address vulnerability to and fear of crime and antisocial behaviour.

Policies ENV4 and DM27 of the CS and DMP and Policy BE1PU of the ELP seeks to protect, conserve and where possible enhance listed buildings, conservation areas 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 66.1 of the LBCA requires that: *'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'*.

Section 72 of the LBCA requires that: *'special attention shall be paid to the desirability of preserving or enhancing the character or appearance" of a conservation area'*.

Paragraphs 199 – 208 of the NPPF in respect of heritage include a requirement that when considering the impact of development proposals on designated heritage assets such as a conservation area, 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.

A limited Heritage, Design and Access Statement has been prepared in support of this planning application.

The Application Site is a Grade II Listed building located within the Whitehaven Town Centre Conservation Area.

The Ancient Monuments Society - Georgian Group and Copeland Borough Council – Conservation Officer initially raised objections and sought revisions to the development on grounds of the lack of detailed justification for certain aspects of the development; however, both now raise no objection following the receipt of additional information and justification.

The significance of the building principally relates to the social history that the building represents, its developed form and its relationship to the harbour.

The proposed development retains the external form and materials of the building, with minor interventions to the later additions to the rear of the property, the introduction of a window and the introduction of roof lights. In the context of the existing additions to the building, the proposed additions to these elements are appropriate in form and do not cause unacceptable harm. The proposed windows are sought to facilitate the creation of additional accommodation within the roof structure, which is required to make the development viable and to remove the requirement for alterations to the primary features of interest within the primary elevation. The reinstatement of the existing stepped entrance comprises a significant positive enhancement of the building.

Owed to the extensive internal alterations to facilitate the previous use, limited original fabric of significance remains to the interior of the building. The proposed internal alterations to the building are extensive; however, these principally relate to the removal/alteration of the interventions completed in the conversion to the previous use and so the resulting impact upon the significance of the building is limited. The existing historic fabric is to be retained with some small alterations.

In applying the statutory duties of the LBCA and the relevant provisions of the NPPF and the Development Plan, it is considered that as proposed the development will result in impacts at the lower end of less than substantial harm to the significance of the conservation area and Grade II Listed Building. It is however considered that this less than substantial harm would be outweighed by the resulting benefits of returning the building to an active use and the economic benefits to the local economy.

Insufficient detail has been provided in relation to the repair of the chimney and replacement of the existing ramped access; therefore, planning conditions are proposed to secure these details.

Ecology

Policy ENV3 of the CS and Policy N1PU of the ELP seeks to ensure that new development will protect and enhance biodiversity and geodiversity.

The building by virtue of its age and construction is identified as a building with the potential for the presence of bats in the Bat Conservation Trust Bat Surveys Good Practice Guidelines; however, given the location of the building in an extremely exposed coastal position and the presence of extensive artificial sources of light, there is considered to be 'negligible' potential for roosting bats to utilise the building; therefore, a Bat Survey has not been requested.

Policy N3PU seeks that development achieve a biodiversity net gain of 10%.

The Application Site comprising an existing building only is of limited to no ecological value and so no impact or gain is reasonably applicable.

Flood Risk and Drainage

Policy DM11 of the CS and Policy DS9PU of the ELP requires that surface water is managed appropriately, with the inclusion of Sustainable Drainage Systems where possible.

Policy DM24 of the CS and Policy DS8PU of the ELP states that development will not be permitted where: there is an unacceptable risk of flooding; or, the development would increase the risk of flooding elsewhere; or, the development would cause interference with or loss of access to a watercourse.

A Flood Risk Assessment has been submitted in support of the planning application.

The Site is located within Flood Zone 3. The proposed comprises a more vulnerable use.

The proposed development comprises a change of use of an existing building; therefore, the sequential test is not applicable.

The exception test is applicable and it is required that it be demonstrated that the [sustainability benefits](#) of the development to the community outweigh the flood risk and that the development will be safe for its lifetime taking into account the vulnerability of its users and that it won't increase flood risk elsewhere.

The Environment Agency have been consulted and initially objected to the proposed development; however, following an update of the Flood Risk Assessment have confirmed that, in so far as it relates to their remit, they are satisfied that the Assessment addresses their previous concerns and that the development would be safe without exacerbating flood risk elsewhere if the proposed flood risk mitigation measures are implemented.

In respect of the wider sustainability benefits, it is for the local planning authority to consider what criteria will be used having regard to the objectives of their Local Plan's Sustainability Appraisal framework, which includes wide ranging high-level objectives. The proposed development will return a currently vacant heritage asset to an optimal viable use and secure its long-term future to the benefit of the Grade II Listed Building itself and the Whitehaven Town Centre Conservation Area. It will also deliver economic benefits to the borough including the improvement of the tourism offer within Whitehaven and the creation of additional employment opportunities.

No alterations are proposed to the existing means of foul and surface water disposal.

Highway/Access

Policy DM22 of the CS requires that development proposals be accessible to all users; respond positively to existing movement patterns in the area; and, incorporate parking provision to meet defined car parking standards.

In addition to the above, Policies CO4PU, CO5PU and CO7PU of the ELP promotes active travel.

No off highway parking spaces are proposed to serve the development; however, given the location of the property within close proximity to the facilities and amenities within Whitehaven Town Centre, the availability of the sustainable and active transport modes within walking distance and the availability of public parking spaces within walking distance, the development is considered acceptable.

Cumbria County Council – Highways have been consulted and raised no objection to the development.

The removal of the ramped access to the front of the building does limit disabled access to the property; however, a level access is proposed to the rear of the property to an accessible apartment within the building. A ramped access remains to the concession.

	<p><i>Amenity</i></p> <p>The interface separation distances between habitable room windows in the proposed dwellings and existing dwellings fall below the distances contained within Policy DM12; however, given the existing interrelationship between the properties and the generally more intimate relationship between existing dwellings within the central areas of Whitehaven, the relationships are considered acceptable.</p> <p>The property is located within the central area of Whitehaven where higher levels of general noise and activity exist. The property is located in proximity to an existing public house. Vehicle parking areas are located to the rear. A number of other residential properties exist within the locality. Given the relationship between the respective properties and subject to appropriate management, adverse impacts upon the residential amenity of occupants will not occur.</p> <p>A planning condition is proposed to limit hours of construction to prevent unacceptable impact upon the occupants of neighbouring and adjoining residential dwellings.</p> <p><i>Planning Balance</i></p> <p>In overall terms, it is considered that the proposals accord with the provisions of the adopted and emerging development plans when taken as a whole.</p>
8.	<p>Recommendation: Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <p>1. The development hereby permitted shall begin not later than three years from the date of this decision.</p> <p>Reason</p> <p>To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of 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>Planning Application Form received 8th June 2021</p>

Site Location Plan at scale 1:1250 received 8th June 2021
Site Block Plan at scale 1:500 received 8th June 2021
Existing and Proposed Floor Plans – Drawing No. 1234 04 Rev. F received 22nd May 2022
Existing and Proposed Elevation Plans – Drawing No. 1234 05 Rev. F received 22nd May 2022
Demolition Plans – Drawing No. 1234 06 Rev. – received 28th October 2022
Window/Door Detail – Drawing No. 1234 10 Rev. A received 22nd May 2022
Door Detail – Drawing No. 1234 11 Rev. – received 25th January 2022
Louvre Detail – Drawing No. 1234 12 Rev. - received 25th January 2022
Archway Door Detail – Drawing No. 1234 13 Rev. – received 13th March 2022
Heritage, Design and Access Statement Rev. B March 2022 received 13th March 2022
Heritage, Design and Access Statement Supplementary Information received 22nd May 2022
Schedule of Internal Views of the Property – 10th February 2022 received 11th February 2022
Job No 1234 – 22 June 2022 - Addendum document to support Planning and LBC Application for The Old Customs House, Whitehaven received 22nd June 2022

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. No works to the chimney hereby approved shall commence unless and until a detailed schedule of repair works or have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details.

Reason

To protect and preserve the heritage asset in accordance with the provisions of Policy ENV4 and Policy DM27 of the Copeland Local Plan 2013-2028.

4. No works relating to the replacement of the existing access ramp and the reinstatement of the steps to the main access shall commence until a detailed specification of the proposed paving and reinstated steps have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details.

Reason

To protect and preserve the heritage asset in accordance with the provisions of Policy ENV4 and Policy DM27 of the Copeland Local Plan 2013-2028.

5. The development shall not proceed except in accordance with the mitigation measures detailed in Old Customs House, Whitehaven Flood Risk Assessment – February 2022 received 2nd February 2022.

Reason

For the avoidance of doubt and to prevent harm to mitigate the present flood risk in accordance with the provisions of Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013-2028.

6. Construction works, including site preparation, earthworks, start-up of machinery, deliveries and unloading of equipment and materials shall not take place outside the hours of 08.00 - 18.00 Mondays to Fridays and 08.00 - 13.00 on Saturdays and at no time on Sundays, Public or Bank Holidays.

Reason

To safeguard the amenity of neighbouring occupiers in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013-2028.

Informative

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and negotiating with the applicants acceptable amendments to address them. As a result the Local Planning Authority has been able to grant planning permission for an acceptable proposal in accordance with Copeland Local Plan policies and the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

Case Officer: Chris Harrison	Date : 24.06.2022
Authorising Officer: N.J. Hayhurst	Date : 27/06/2022
Dedicated responses to:-	