

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/21/2351/OF1
2.	Proposed Development:	THE INSTALLATION OF 1 NO. UPSTAND FITTED WITH 2 NO. 7KW ELECTRICAL OUTLETS FOR THE CHARGING OF ELECTRIC VEHICLES, ASSOCIATED CABLING AND ANCILLARY WORKS, INCLUDING THE INSTALLATION OF A VEHICLE PROTECTION BARRIER AROUND THE UPSTAND
3.	Location:	CAR PARK AT THE OLD TOWN HALL, DUKE STREET, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Listed Building - Listed Building, Coal - Standing Advice - 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: SITE AND INTRODUCTION This application relates to the car park at The Old Town Hall, situated on Duke Street in Whitehaven. The application site lies within the Whitehaven Conservation Area and the associated building is Grade II Listed. PROPOSAL Planning Permission is sought for the installation of 1 no. upstand fitted with 2 no. 7KW electrical outlets for the charging of electric vehicles, the associated cabling and ancillary works including the	

installation of a vehicle protection barrier around the upstand.

The upstand will measure 1583mm in height with a base of 250mm x 150mm fixed to the ground. It will host 2 no. 7kW electrical outlets to allow for the charging of electric vehicles. The outlets will each measure 180mm x 170mm x 450mm and will be coloured black. A vehicle protection barrier will be erected to surround the upstand which will be 575mm x 500mm and coloured yellow.

RELEVANT PLANNING APPLICATION HISTORY

Listed Building Consent to fit bird proofing spikes to first floor window sill areas, approved in 2015 (application reference 4/15/2293/OL1 relates).

Placement of external air conditioning unit behind dwarf wall, approved in 2017 (application reference 4/17/2312/OF1 relates).

CONSULTATION RESPONSES

Whitehaven Town Council

No comments received

Conservation Officer

No objections. In assessing this planning application, I find the proposal to entail less-than-substantial harm to the setting of the listed building. There may be some negligible harm to the building itself in the form of clipping a new cable in the basement corridor, but as this part of the building is lacking in architectural significance, is largely hidden, is already equipped with cables, and the proposed cable will be surface mounted, I feel comfortable concluding this will be negligible, if not neutral impact. I do not believe the charge point will be visible from the public parts of the conservation area, so conclude neutral impact there.

The justification is in the form of providing the building with 2no. electric vehicle charge points. Although the harm is extremely minimal, the obligation to pay special regard to the significance of the building requires a strong justification. In this case, I believe the proposal is justified as it will clearly contribute to the building's viable use into the future, thereby securing public benefit, is small scale, and is positioned and detailed in a way that minimises its impact.

PLANNING POLICIES

Planning law requires applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Development Plan

Copeland Local Plan 2013 – 2028 (Adopted December 2013)

Core Strategy

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Policy ST4 – Providing Infrastructure

Policy T1 – Improving Accessibility and Transport

Policy ENV4 – Heritage Assets

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM22 – Accessible Developments

Policy DM27 – Built Heritage and Archaeology

Other Material Planning Considerations

National Planning Policy Framework 20219 (NPPF)

Emerging Copeland Local Plan

The emerging Copeland Local Plan 2017-2035 was recently the subject of a Preferred Options Consultation. The Preferred Options Consultation builds upon the completed Issues and Options Consultation which finished in January 2020. Given the stage of preparation, the emerging Copeland Local Plan 2017-2035 has only limited weight in decision making, but provides an indication of the direction of travel of the emerging planning policies, which themselves have been developed in accordance with the provisions of the National Planning Policy Framework.

ASSESSMENT

Principle of the development

The addition of the new equipment will provide an electric car charging facility within the car park of the offices. In principle, development is acceptable in this location as the site is located within the settlement boundary for Whitehaven as defined in Policy ST2 of the Copeland Local Plan.

Siting, Scale and Design

Policies within the Copeland Local Plan seek to ensure that new development is designed and situated to be appropriate in size, proportion and scale and is unobtrusive. The charging point is to be sited within the confines of the existing car park to the south of the Old Town Hall building and the scale of the proposal is very modest. The siting is not highly visible from the surrounding area and is well screened by the building to the north west and an existing mature tree to the south east.

	<p>The upstand and surrounding barrier will be viewed in context with the existing building and car parking with associated signage and is unlikely to create any visual intrusion on the site or its immediate locality.</p> <p><u>Heritage Impacts</u></p> <p>The Conservation Officer considered that The Old Town Hall is lacking Heritage value and that the addition of an electrical charging point is therefore likely to create a negligible impact. The development is fully removable without any effect to the fabric of the Listed Building. The proposal is unlikely to have a significant impact on the character and appearance of the wider Conservation Area due to its location. The Conservation Officer has confirmed that the proposal is justified as it will clearly contribute to the building's viable use into the future, thereby securing public benefit, is small scale, and is positioned and detailed in a way that minimises its impact.</p> <p>Overall, the proposal complies with Policies ENV4 and DM27 of the Copeland Local Plan which seek to protect the Borough's Heritage assets.</p> <p><u>Planning Balance and Conclusion</u></p> <p>No objections have been received to the application.</p> <p>On balance, it is considered that the less than substantial harm created by the development is justified as it will clearly contribute to the building's viable use into the future, thereby securing public benefit, is small scale, and is positioned and detailed in a way that minimises its impact on the Listed Building or the wider Conservation Area.</p> <p>Overall, this is considered to be an acceptable form of development which accords with the policies within the Copeland Local Plan and National Planning Policy.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <ol style="list-style-type: none"> 1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission. <p>Reason</p> <p>To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.</p> <ol style="list-style-type: none"> 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: -

Site Location Plans, scales 1:50000 and 1:1250, drawing number 100A, received 3rd August 2021;
Proposed Site Plan, scale 1:200, drawing number 200A, received 3rd August 2021;
Proposed Site Elevation, scale 1:100, drawing number 300A, received 3rd August 2021;
Typical Construction Details, scales 1:20, 1:10 and 1:5, drawing number 400A, received 3rd August 2021;
Construction Notes, drawing number 500A, received 3rd August 2021;
Scope of Works, received 3rd August 2021;
Planning, Heritage and Design and Access Statement, received 3rd August 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.

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 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: Sarah Papaleo

Date : 22/09/2021

Authorising Officer: N.J. Hayhurst

Date : 28/09/2021

Dedicated responses to:- N/A