

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990

NOTICE OF LISTED BUILDING CONSENT

Expedite Design Services Ltd
The Design Studio
35 Southernhay East
Exeter
EX1 1NX
FAO: Andrew Aust

APPLICATION No: 4/21/2364/0L1

**INTERNAL AND EXTERNAL ALTERATIONS TO REFURBISH EXISTING LISTED BUILDING
6-8 DUKE STREET, WHITEHAVEN**

Energy Coast West Cumbria (Properties) Ltd

The above application dated 17/08/2021 has been considered by the Council in pursuance of its powers under the above Act and LISTED BUILDING CONSENT HAS BEEN GRANTED subject to the following conditions:

Standard Conditions:

1. The works hereby permitted shall begin not later than three years from the date of this decision.

Reason

To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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 Plan, scale 1:1250 @A3, reference AS21.35.L.01.00 Rev P1, received 17th August 2021;

- Existing GA Elevations, scale 1:100 @A1, reference AS21.35.L.09.04 Rev P2, received 21st September 2021;
- Proposed GA Elevations, scale 1:100 @A1, reference AS21.35.L.04.00 Rev P3, received 21st September 2021;
- Existing Basement Floor Plan, scale 1:100 @A1, reference AS21.35.L.09.04 Rev P1, received 17th August 2021;
- Existing Ground Floor Plan, scale 1:100 @A1, reference AS21.35.L.09.00 Rev P1, received 17th August 2021;
- Existing First Floor Plan, scale 1:100 @A1, reference AS21.35.L.09.01 Rev P1, received 17th August 2021;
- Existing Second Floor Plan, scale 1:100 @A1, reference AS21.35.L.09.02 Rev P1, received 17th August 2021;
- Existing Third Floor Plan, scale 1:100 @A1, reference AS21.35.L.09.03 Rev P1, received 17th August 2021;
- Proposed Basement Floor Plan, scale 1:100 @A1, reference AS21.35.L.02.04 Rev P2, received 17th August 2021;
- Proposed Ground Floor, scale 1:100 @A1, reference AS21.35.L.02.00 Rev P3, received 21st September 2021;
- Proposed First Floor, scale 1:100 @A1, reference AS21.35.L.02.01 Rev P3, received 21st September 2021;
- Proposed Second Floor Plan, scale 1:100 @A1, reference AS21.35.L.02.02 Rev P3, received 17th August 2021;
- Proposed Third Floor Plan, scale 1:100 @A1, reference AS21.35.L.02.03 Rev P1, received 17th August 2021;
- Design, Access and Planning Statement, received 17th August 2021;
- Visual Building Feature and Fabric Assessment, received 17th August 2021;
- Heritage Statement, Revision A, received 12th October 2021;
- Indicative External Image 1, received 17th August 2021;
- Indicative Internal Image 1, received 17th August 2021;
- Indicative Internal Image 2, received 17th August 2021;
- Indicative Details of PV Array, scale 1:100 @A1, reference AS21.35.L.21.01 Rev P1, received 21st September 2021;
- Indicative Details of Window Head, Door Threshold, Plinth and Terrace Balustrade and Door Threshold, scale 1:10 @A1, reference AS21.35.L.21.00 Rev P1, received 21st September 2021;
- Proposed Floor Plan – Third (Phased Plan), scale 1:100 @A1, reference AS21.35.L.02.04 Rev P1, received 4th November 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.

3. The external finishes of the development hereby permitted shall be carried out in accordance with the details set out in the Design, Access and Planning Statement.

Reason

To ensure a satisfactory appearance of the building in the interests of visual amenity and ensure that the character and appearance of the surrounding Conservation Area is preserved and maintained in accordance with Policy DM27 of the Copeland Local Plan.

4. Alterations to the shop front hereby approved shall be carried out in strict accordance with the details illustrated on the approved Proposed Elevation Plan reference AS21.35.L.04.00 Rev P3 received by the Local Planning Authority on 21st September 2021.

Reason

For the avoidance of doubt and to preserve and maintain the character of the Listed Building and Wider Conservation Area.

Prior to Occupation/First Use Conditions

5. Prior to the stripping out of the building's interior surfaces, detail on the extent of surviving lath and plaster, and the proposal for its repair shall be submitted to and approved in writing by the Local Planning Authority. The works of repair shall be completed in accordance with the approved details.

Reason

For the avoidance of doubt and to protect any surviving and reparable areas of the original plaster from harm and to ensure that a satisfactory standard of refurbishment and restoration is achieved in accordance with Policy DM10 of the Copeland Local Plan.

6. Prior to their installation, full details and specification of the PV panels that are to be installed on the roof shall be submitted to and approved in writing by the Local Planning Authority. These details shall include information on their energy generation to verify the viability of utilising this form of renewable energy system. Development shall be carried out in accordance with the approved details at all times thereafter. The PV panels shall be removed from the roof area once they cease to be operational and the roof surface shall be restored to its previous condition.

Reason

In order to demonstrate that the installation is viable and to minimise any harm to the setting of the adjoining listed Waverley Hotel.

7. Prior to the installation of any external lighting on site, details shall be submitted to and approved in writing by the Local Planning Authority. Details of the lighting shall be in accordance with the Guidance Notes for the Reduction of Obtrusive Light

produced by the Institute of Lighting Professionals and shall be maintained as per the approved details at all times thereafter.

Reason

For the avoidance of doubt and to preserve and maintain the character of the Listed Building and Wider Conservation Area.

8. Prior to their installation, full details of any CCTV equipment to be used on the exterior of the building shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and shall be maintained as such thereafter.

Reason

For the avoidance of doubt and to preserve and maintain the character of the Listed Building and Wider Conservation Area.

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.

Please read the accompanying notice

24th November 2021

PP Pat Graham
Chief Executive

LISTED BUILDING CONSENT / CONSERVATION AREA CONSENT

NOTICE

IMPORTANT: This permission refers only to that required under the Planning (Listed Buildings and Conservation Areas) Act 1990 and does not include any consent or approval under any other enactment or under the Building Regulations.

These Notes do not apply when consent is granted unconditionally.

Appeals to the Secretary of State

If you are aggrieved by the decision of the Authority to refuse your application or to impose conditions on the permission with which you are dissatisfied, you may appeal to the Secretary of State under Sections 20 and 21 of the Planning (Listed Buildings and Conservation Areas) Act 1990. All appeals are handled on behalf of the Secretary of State by the Planning Inspectorate.

If you want to appeal against this decision then you must do so within 6 months of the date of this notice, or such longer period as the Secretary of State may, at any time, allow. Although the Secretary of State can allow a longer period for giving notice of an appeal, he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

Appeals must be made electronically. You can find more information online at www.gov.uk/planning-inspectorate or using a form which you can get from the Planning Inspectorate Customer Support Team (0303 444 50 00).

Please note only the applicant possesses the right of appeal.

If Listed Building consent is refused, or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any works which have been or would be permitted, he may serve on the Authority a Listed Building purchase notice requiring the Authority to purchase his interest in the land in accordance with the provisions of Section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.