

COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/21/2475/OL1
2.	Proposed Development:	LISTED BUILDING CONSENT FOR SLATE VENT IN THE ROOF OF THE REAR OFFSHOOT FOR IMPROVED VENTILATION OF MAIN BATHROOM
3.	Location:	2 OAKBANK, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC;Adverts - ASC;Adverts, 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 LOCATION This application relates to 2 Oakbank, a Grade II mid-terraced property situated within Whitehaven. The property is a residential dwelling and forms part of a terrace of other listed properties. The listing entry for the property states the following: OAK BANK ROAD 1814 Nos 1 to 10 (consec) (Oak Bank Terrace) NX 91 NE 2/98 II GV 2. A complete terrace of larger town houses built circa 1840, 3 storeys, stuccoed. Each house has a moulded doorcase up a flight of steps, with cornice on mask consoles, a bay window, and 2 sash windows on upper floors (the window over the bay being in a moulded architrave with cornice on consoles). The centre and end houses are gabled, with a round-arched window on top floor.	

Forms a group with Nos 1 to 6 (consec) Marine Terrace, Oak Bank Road.

Nos 1 to 10 (consec) (Oak Bank Terrace), OAK BANK ROAD shall be amended to read Nos 1 to 10 (consec) OAK BANK.

OAK BANK ROAD 1. 1814 Nos 1 to 10 (consec) (Oak Bank Terrace) NX 91 NE 2/98

II GV 2. A complete terrace of larger town houses built circa 1840, 3 storeys, stuccoed. Each house has a moulded doorcase up a flight of steps, with cornice on mask consoles, a bay window, and 2 sash windows on upper floors (the window over the bay being in a moulded architrave with cornice on consoles). The centre and end houses are gabled, with a round-arched window on top floor.

Forms a group with Nos 1 to 6 (consec) Marine Terrace, Oak Bank Road.

Listing NGR: NX9795918930

PROPOSAL

Listed Building Consent is sought for the installation of a slate vent in the roof of the rear offshoot for improved ventilation of the main bathroom. The works involve the replacement of one roof slate with a roof slate vent of similar type to that already in place on the roof of the main building and will be of a colour to match the existing roof to reduce its visual impact.

RELEVANT PLANNING APPLICATION HISTORY

Listed Building Consent has previously been granted for internal alterations and the installation of a new en-suite bathroom, soil pipe and new waste pipe and the provision of a slate vent (ref: 4/19/2062/OL1).

CONSULTATION RESPONSES

Whitehaven Town Council – No objections.

Conservation Officer – No objections.

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 DM10 – Achieving Quality of Place

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 DM10 and seeks to ensure alterations are of an appropriate scale and design which is appropriate to their surroundings.

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

	<p>harm should be weighed against the public benefits of a development.</p> <p>Justification for the proposed works has been provided by the applicant, due to the condensation problem currently experienced in the bathroom. The Conservation Officer considers that the proposed sate vent is a small, discreet intervention intended to allow mitigation of the condensation problem. The works are therefore modest in scale and have been designed to preserve the character of the property.</p> <p>In addition, the condensation has the potential to cause damage to the fabric of the building, as well as being undesirable from a comfort point of view. On this basis, as the supporting documentation demonstrates, a minimal level of harm corresponding to less-than-substantial harm to the setting of the row, at the negligible end of the scale.</p> <p>The supporting Design and Access and Heritage Statement also included internal photos, which demonstrates that the fabric concerned internally is modern and the extractor will have negligible or neutral impact on the significant of the building.</p> <p>On this basis, the works are justified and the benefits will outweigh the any harm.</p> <p>The Conservation Officer raised no objections to the proposed roof slate vent and therefore the proposal is considered to meet Policies DM10 and DM27, thereby satisfying the duties and test set out in the LBCA and the NPPF.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The proposal is considered to have a negligible harm to the character of the Listed Building and therefore 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. The application is therefore considered to be an acceptable form of development.</p>
8.	<p>Recommendation:</p> <p>Approve Listed Building Consent (start within 3yr)</p>
9.	<p>Conditions:</p> <ol style="list-style-type: none"> 1. The works hereby permitted must commence before the expiration of three years from the date of this consent. <p>Reason</p> <p>To comply with Sections 18 and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.</p> <ol style="list-style-type: none"> 2. This permission relates to the following plans and documents as received on the respective dates and development must be carried out in accordance with them: -

Site Location Plan, scale 1:1250, received 1st November 2021;
Slate Vent Information Sheet, received 1st November 2021;
Heritage Statement and Design Access Statement, received 1st 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.

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 Listed Building Consent in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

Case Officer: C. Unsworth

Date : 06/01/2022

Authorising Officer: N.J. Hayhurst

Date : 06/01/2022

Dedicated responses to:- N/A