

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/21/2476/OF1
2.	Proposed Development:	INSTALLATION OF NEW DOOR TO FRONT ELEVATION TO PROVIDE ACCESS TO FIRST & SECOND FLOORS & ALTERATION OF EXISTING SHOP WINDOW
3.	Location:	25 KING STREET, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Flood Area - Flood Zone 2, Flood Area - Flood Zone 3, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations & Policy	Neighbour Notification Letter: YES Site Notice: YES Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: SITE AND LOCATION <p>This application relates to 25 King Street, a mid-terraced property situated in central Whitehaven. The property is located within the Whitehaven Conservation Area and is currently empty, having been utilized previously as The Money Shop.</p> PROPOSAL <p>Planning Permission is sought for the installation of a new door to the front elevation to provide access to the first and second floors, along with the alteration of the existing shop front.</p> <p>The entrance door to the flats above would be sited on the left hand side of the shop front, with the</p>	

addition of traditional framing to surround it. The shop window will be reduced in size to accommodate the door.

RECENT RELEVANT PLANNING APPLICATION HISTORY

New shop front and shop fitting works, approved in February 1995 (application reference 4/95/0026/01 relates);

Shop sign, approved in February 1995 (application reference 4/95/0025/0 relates);

Change of use from Class A1 (retail) to Class A2 (financial and professional services), approved in November 2012 (application reference 4/12/2462/0F1 relates);

Erection of 1 no. folded aluminium fascia sign and 1 no. folded aluminium panel projecting sign (retrospective).

CONSULTATION RESPONSES

Whitehaven Town Council

No objections.

Conservation Officer

1st Response

The principle of adapting a vacant shop on King Street is welcomed and supported, although there are some aspects of this application that require addressing.

Normally we would request a vertical section drawing through the shopfront in order to understand the shapes in relief, however I note that this is not an entirely new shopfront, but rather has elements added to match the existing.

However, the "Additional info" document is helpful in clarifying which elements are to be glazed and which timber, and that the additional pilaster will be a copy of the existing one to the left.

The drawings in the two documents named "New side door" and "New frontal plan" are of low quality, although it is noted that "New side door" is useful in illustrating the elements that are to be glazed and the elements to be timber (as reproduced also in the "Additional info" document).

It was suggested during pre-application advice that a more solid style of door may be appropriate. The "Additional info" document is agnostic on this and suggests further discussion, however a position is now needed and I do not believe there is any strong reason to request a style of door different to those already installed. I have therefore made the assumption that the intention is as it

appears in these documents, to instate a new door that is glazed down to window sill level and matches the existing double doors.

It does not seem likely that there are any surviving significant features that could be affected by the proposed reordering of the ground floor, however, it would be useful to have some internal photos to confirm this or otherwise.

The proposed GF plan appears to show the new hall wall terminating across the glass of the shopfront, which would appear unsatisfactory in a number of ways. Confirmation is requested if this has been drawn in error or not, as if not it will need to be altered and a revised drawing submitted.

The “As existing” and “As proposed” elevation drawings submitted in “PLANNING DRAWINGS...” (pp. 4-5) are not 100% accurate. For example, in the front elevation drawings the doors are shown without metal kick plates and the panelling extending down to near the ground, whereas in fact it stops higher and the kick plate is below. Similarly, the pilasters are shown with their panelling extending down near to ground level too, when in fact it stops above the window sill. The band and frieze above the fascia and pilasters is also not shown. The drawings ought to be updated as currently there are aspects of the “As proposed” drawing that match the “As existing” drawing (suggesting they won’t be altered) but don’t match the actual building (which is ambiguous).

Summary:

- It would be useful to have a vertical section drawing through the shopfront but not, I think, essential given that it’s mostly as existing with new elements to match.
- It may be helpful for clarity to remove the “New side door” and “New frontal plan” docs from the app, and leave the drawings from the former embedded within the “Additional info” document.
- Clarification/revision is needed on the proposed GF plan that appears to show the new hall wall terminating at the shopfront glass.
- The “As existing” and “As proposed” elevation should be revised to match the building.

2nd Response

- Information has been received on the appearance of the new door.
- Clarification has been provided that the lateral wall terminates at a pilaster, with the new door to one side and a window on the other.
- The “As existing” and “As proposed” elevations have been updated to match the building.
- Photos have been provided showing that the internal works are not likely to disturb or harm the significance of the building.

Flood and Coastal Defence Engineer

Suggestion that flood resistance/resilience is considered as part of the works, in terms of the material use for the changes.

Public Representation

The application has been advertised by way of consultation letters issued to 3 no. neighbouring properties.

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 ST2 – Spatial Development Strategy
Policy ENV1 – Flood Risk and Risk Management
Policy ENV4 – Heritage Assets

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place
Policy DM24 – Development Proposals and Flood Risk
Policy DM27 – Built Heritage and Archaeology

Other Material Planning Considerations

National Planning Policy Framework (NPPF)
Conservation Area Design Guide SPD December 2017 (CADG)
Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA)

Emerging Copeland Local Plan

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

Policy ST1 of the Copeland Local Plan seeks to encourage the retention and improvement of existing buildings. The building is situated close to the main shopping streets of Whitehaven and in a prominent position within the Conservation Area. The proposal is minor, but will allow for the longevity of use of the building and for the external fascia to be improved. On this basis, the principle of the proposal is supported.

Impact on the Heritage asset and Conservation Area

Policies ENV4 and DM27 of the Copeland Local Plan relate to the protection and enhancement of the Conservation Area and seek to ensure that any alterations are in keeping and respect the existing character of the area. Policy DM10 of the local plan requires good design.

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

The additional door will allow for the provision of an external access to the flats above, meaning that they can be sold or let independently to the ground floor retail unit and can be brought back into a viable use. The Conservation Officer requested a number of updates to the plans to show the appearance of the new door and a fuller detail of the changes to the shop front. These have been received and reviewed and overall, it is unlikely that the proposal will affect the character of the building or the surrounding Conservation Area.

	<p>On the basis that the alterations will provide betterment for the building and its use in the long term and will not create harm to the Conservation Area, it is considered that the proposal complies with policies ENV4, DM10 and DM27 of the Copeland Local Plan.</p> <p><u>Flood risk</u></p> <p>The site is partly located within Flood Zone 2 and therefore the Applicant submitted a Flood Risk Assessment. This detailed the flood resilience measures to be undertaken and concluded that the property is likely to be on the edge of any area flooded and the works are unlikely to put the property at increased risk.</p> <p>The Flood and Coastal Defence Engineer suggested that the Applicant should include flood resistant materials to the works and this has therefore been included as an informative.</p> <p>The proposal is considered to comply with Policies ENV1 and DM24 in relation to flood risk.</p> <p><u>Planning Balance and Conclusion</u></p> <p>No objections have been received to the proposal. The proposed works will allow the appearance of the existing building to be improved and provide a long term viable use that will help to preserve the appearance of the building in the future.</p> <p>The alterations are considered to be acceptable and will not result in any significant harm to the character and appearance of the surrounding Conservation Area.</p> <p>On this basis the proposed development is considered to be acceptable and accords with the requirements of the Copeland Local Plan and the other material planning considerations and there is unlikely to be any significant harm created.</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>

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, drawing number D08, received 21st March 2021;
Block Plan, scale 1:500, drawing number D07, received 21st March 2021;
Proposed Ground Floor Plan, scale 1:50, drawing number D02, received 21st March 2022;
As Existing as Proposed Roof Plan, scale 1:50, drawing number D02, received 21st March 2022;
Proposed Elevations, scale 1:100, drawing number D05, received 21st March 2022;
Flood Risk Assessment, received 3rd November 2021;
Design and Access Statement, received 3rd 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.

Informatives

1) 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

2) Flood resilience and resistance measures should be considered when selecting materials for the works.

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: S. Papaleo

Date : 01/04/2022

Authorising Officer: N.J. Hayhurst

Date : 01/04/2022

Dedicated responses to:-