



COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/22/2058/OL1
2.	Proposed Development:	LISTED BUILDING CONSENT FOR PROPOSED NEW GLAZED DOORS AND INFILL GLAZED PANELS REPLACING DEFECTIVE ORIEL WINDOWS TO FLATS 1, 3, 5 AND 7 (FRONT ELEVATION)
3.	Location:	NOS. 1, 3, 5 & 7 HARBOURSIDE FLATS, WEST STRAND, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	<p>ASC;Adverts - ASC;Adverts,</p> <p>Conservation Area - Conservation Area,</p> <p>Flood Area - Flood Zone 2, Flood Area - Flood Zone 3,</p> <p>Listed Building - Listed Building,</p> <p>Coal - Standing Advice - Data Subject To Change,</p> <p>Key Species - POTENTIAL AREA for the Small Blue</p>
6.	Publicity Representations &Policy	<p>Neighbour Notification Letter: NO</p> <p>Site Notice: YES</p> <p>Press Notice: YES</p> <p>Consultation Responses: See report</p> <p>Relevant Planning Policies: See report</p>
7.	Report:	<p>SITE AND LOCATION</p> <p>This application relates to Harbourside, a block of flats located on West Strand, next to the Harbour in Whitehaven. Flats 1, 3, 5 and 7 on the front (north facing) elevation are subject to the development proposed. There is a public house to the west of the building, further flats to the east, a band stand and open public space to the north and a car park to the south.</p> <p>The building is Grade II Listed and situated within Whitehaven's Conservation Area.</p> <p>This application has been submitted in tandem with an application for Planning Permission</p>

(application reference 4/22/2059/0F1 relates).

The listing entry for the property states the following:

WEST STRAND Nos 11 and 12 (Dobson and Musgrave warehouse)

GV

//

A single property containing office and warehouse. Stuccoed. 4 storeys. New roof. Office door has cornice. Small modern office window. 4 small-paned windows on each floor of warehouse and a warehouse door on each floor with a gabled hoist at eaves level. Nos 10 to 13 (consec) form a group with No 1 Hamilton Lane.

Listing NGR: NX9712118138

PROPOSAL

Listed Building Consent is sought for the replacement of the full height oriel windows with external doors on the front elevation of Flats 1 ,3, 5 and 7 and the addition of fully glazed balustrades at the height of 1.1m above finished floor level to each flat which are to be inset into the existing opening. The replacement doors are to be of a timber construction.

CONSULTATION RESPONSES

Whitehaven Town Council

No objections.

Conservation Officer

1st Response

The proposal to remove the full-height oriel window and replace it with individual balconies is likely supportable. Though not ideal to have projecting elements here as they interfere with the appearance of the warehouse door openings, which were a key element of the building's character, individual small balconies with an IQ glass balustrade system will likely be an improvement.

The justification, that the currently solution is unsuitable, seems reasonable to prompt a change, and the proposal, though reflections off the balustrades are likely, would appear to be a step forward.

I have a few questions and would be grateful for comment.

- How are the projecting balconies attached to the building so as to be structurally supported?
- The little gable at the top was formerly the canopy that projected out over the jib used for hauling up goods (see picture below from before conversion). This was infilled when the oriel was inserted. Removing appears to provide the opportunity for the canopy to be reinstated. The proposed drawings show it with a flat ceiling at eaves height, infilled at the front. This may look rather top heavy, particularly as the projecting volumes will be considerably less solid looking.
- I would be grateful for more detail on the external doors that are proposed. If a spec sheet or annotated diagram could be provided, that would be helpful.
- Is any other work proposed at the same time, such as render replacement, repainting, or replacement windows?

2nd response

I'm supportive of the general thrust of this proposal, which will help reveal the character of the building as a warehouse while improving the light access and thermal performance for the residents.

In my first consultation response, I requested some more information on the following points, and have received updates:

Balcony detailing for structural support

- These will be supported on steel sections inserted into the walls, with possible addition of gallows brackets.
- Gallows brackets will likely provide an intrusive visual clutter to the frontage, so if the system can be made to cantilever without them, that would certainly be preferable.
- If the balconies are to be cantilevered from the existing wall, I would be grateful for a section drawing showing how this will be detailed.

Gable detailing at top

- Confirmation has been provided that this can be updated to reflect the earlier arrangement

Detail on external doors

- The application form and proposed elevation drawing are labelled with timber doors, and timber ought to be used here. Given that the doors will be accessible and likely to be glazed, repainting should be a fairly easy undertaking as long as a good quality timber and paints are used.
- I'd suggest Douglas Fir with a linseed oil-based primer and paint such as Allbäck, although care

should be taken to ensure there's no migration of tannin. Accoya, or a sustainably sourced hardwood might also be a good choice.

Other work proposed at same time

- Confirmation has been provided that various other repairs, repainting etc. will be taking place at the same time.

Summary:

- The application ought to be supplemented by a section drawing showing how the new balconies will be structurally attached to the building e.g. will new holes need to be made to pass steel beams through? Will these need attaching onto timbers within the floor plate?
- Timber ought to be specified for the new doors, and a spec sheet or annotated detail drawing provided.
- The proposed elevation drawings ought to be annotated or otherwise updated to clarify the material of the balcony platform itself, as this is not apparent from the documents currently.

3rd response

- Updated designs have been provided, now showing a simple IQ glass balustrade across the openings, rather than the projecting balconies previously proposed.
- I think this is an improvement and can be supported in principle.

Summary:

- As before, timber ought to be specified for the new doors (this is indicated on the drawings), and a spec sheet or annotated detail drawing provided.
- It seems implied by the product, but for the avoidance of doubt it would be helpful to have a manufacturer's detail sheet or equivalent for the glass and fixing system included in the application. I would request use of glass that is not tinted, etched or frosted, and has a non-reflective coating, and the use of a condition to require it to be maintained as such when it comes time to issue a permission and consent.
- If the applicants and agent wish to provide the specification of the new doors and the glass/fixing system via discharge of conditions, I think that could be supported; alternatively these details could be included prior to determination.

4th response

All information is acceptable. Conditions should be added for the specification of the glazing and doors.

Public Representation

The application has been advertised by way of a site notice and press notice.

No responses have been received as a result of this consultation process.

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 (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.

Relevant policies are as follows:

Strategic Policy DS1PI – Presumption in favour of Sustainable Development
Policy DS6PU – Design and Development Standards
Strategic Policy BE1PU – Heritage Assts
Policy BE2PU – Designated Heritage Assets

ASSESSMENT

Principle of Development

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 harm should be weighed against the public benefits of a development.

Limited information has been provided by the Applicant in respect of the heritage asset significance of the property and the impacts of the proposed development; however, the proposals have been fully reviewed and assessed by the Conservation Officer of the Council.

The heritage asset significance of the property is principally derived from its physical form/construction.

Works to be undertaken and their impact

The building was previously utilized as an industrial warehouse with the front elevation retaining features from this use, including large window openings and a projecting section on the front elevation.

Detailed discussions were undertaken between the Agent for the application and the Council’s Conservation Officer in order to ensure that the proposed alterations would be sympathetic to the Listed Building and surrounding Conservation Area, in accordance with Policies DM10, ENV4 and

	<p>DM27 of the Copeland Local Plan.</p> <p>Initially, the balconies were to be protruding, however there were concerns raised with regards to the structural feasibility of this and the effect on the character of the building as an old industrial warehouse</p> <p>Comprehensive discussions were undertaken between the Council's Conservation Officer and the Agent for the application, concluding that the proposal for a glass balustrade inset into the existing opening and the installation of painted wooden doors would be the best way to retain the character of the building whilst improving the appearance of the front elevation.</p> <p>Due to the sympathetic nature of the works, there is unlikely to be a negative impact on either the Listed Building or the overall surrounding Conservation Area. Full details of the doors and glass balustrades to be fitted have not been provided, therefore it is considered prudent to include a planning condition to require these details prior to their addition to the building.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The Conservation Officer considers that the proposed works, as amended, will not result in any harm to the heritage assets and it is considered that the doors and balustrades will provide betterment for the building. The works are therefore considered to be in accordance with Policy DM27 of the Copeland Local Plan.</p> <p>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 and surrounding Conservation Area and so is therefore supported.</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 shall be commenced 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. 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 01002 01, received 9th February 2022;
Block Plan, scale 1:200, drawing number 01003 01, received 9th February 2022;
Proposed Plan and Elevations, scale 1:20, drawing number 04001 04, received 23rd August 2022;
Proposed Elevations, scale 1:100, drawing number 05001 04, received 23rd August 2022;
Flood Risk Assessment, received 9th February 2022;
Heritage Statement, received 9th February 2022;
Design and Access Statement, received 9th February 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.

Pre-commencement Condition

3. No development must commence until samples and specifications of the materials to be used in the construction of the doors and glass balustrades hereby approved have been submitted to and approved in writing by the Local Planning Authority. Development must be completed in accordance with the approved details of materials and must be retained for the lifetime of the development.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity in accordance with Policy DM10 of the Copeland Local Plan.

Other Conditions

4. The replacement doors, hereby approved, must be constructed from timber with a painted finish and retained as such at all times.

Reason

In order to ensure that the heritage of the building and character of the area is maintained in accordance with Policies ENV4 and DM27 of the Copeland Local Plan.

5. Any glass used as part of the development must be non-reflective and so maintained for the lifetime of the development.

	<p>Reason</p> <p>In order to ensure that the heritage of the building and character of the area is maintained in accordance with Policies ENV4 and DM27 of the Copeland Local Plan.</p> <p>Statement</p> <p>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 listed building consent in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.</p>	
<p>Case Officer: Sarah Papaleo</p>	<p>Date : 07/10/2022</p>	
<p>Authorising Officer: N.J. Hayhurst</p>	<p>Date : 07/10/2022</p>	
<p>Dedicated responses to:- N/A</p>		