



COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/22/2065/OF1
2.	Proposed Development:	DEMOLITION OF PUBLIC HOUSE
3.	Location:	THE RICHMOND, MAIN STREET, HENSINGHAM
4.	Parish:	Whitehaven
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations &Policy	Site Notice: YES Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: INTRODUCTION <p>This application relates to The Richmond public house, situated on Main Street within Hensingham, Whitehaven. The site is bound by Main Street to the north, Richmond Hill Road to the east and residential properties to the south and west.</p> <p>The public house has been empty for a considerable period of time, with no interest received to its reopening.</p> PROPOSAL <p>This application seeks full planning permission for the demolition of the building.</p> <p>A demolition statement has been submitted detailing the method and management of demolition and the restoration of the site thereafter.</p> <p>The site surface is to be left in a flattened state with no mounds or piles of demolition materials. A</p>	

layer of clean imported topsoil will be introduced and grass seed sewn. The site will be bound with a 400mm high timber barrier to deter trespassers and vehicular parking. Periodic inspections will be undertaken to ensure that the site is safe following the demolition.

RELEVANT PLANNING APPLICATION HISTORY

Proposed alterations to entrances to improve disabled access, approved in January 1996 (application reference 4/95/0842/0 relates);

Extension to a public house, approved in October 1996 (application reference 4/96/0718/0 relates).

CONSULTATION RESPONSES

Whitehaven Town Council

No objections.

Highways Authority

No objections as it is considered there will not be a material effect on the existing highway conditions.

Local Lead Flood Authority

No objections as it is considered there will not be an increase of flood risk on the site or elsewhere.

Environmental Health

1st Response

I have several issues around the Demolition Method Statement that has been submitted –

1. Has the demolition contractor been finalised yet: a pre-start site meeting may be helpful?
2. The main structure should come down relatively quickly and easily. There is likely to be strip or raft reinforced concrete foundations that are more difficult to break up; has this scenario been built in to the scheme?
3. I am not happy with using herras-type fencing as the sole site boundary. Previous recent works have seen waste materials from the demolition (such as lightweight polystyrene cavity wall insulation material) been blown off site in stronger winds and cause littering to the surrounding area. The site is also on a route used by children going to / from school. I would therefore be in favour of timber hoarding around the site boundary.
4. It is unclear on the method statement if on-site crushing of building materials is proposed. Given that the site in question is bounded closely by residential dwellings, there is the

likelihood of (albeit short-term) dust and noise pollution. Can waste construction materials be transferred off site for crushing at an alternative licensed waste facility?

2nd Response

I am still unhappy to read that there will be no timber hoarding on the site boundary.

I do realise that the provision of timber hoarding may have financial implications to the developer but I am very conscious of the pedestrian footfall along Main Street, Hensingham and Richmond Hill Road, particularly with regards to school children and parents.

The risk of wind-blown dust from the site and demolition to these passing pedestrians should be minimised as much as possible, in addition to water suppression, and I believe that timber hoarding provides this.

As a part-compromise, I am willing to accept that timber hoarding is installed on the site boundary facing the Main Street and Richmond Hill Road boundaries, with Herras fencing & debris netting on the remaining facades.

I am assuming that the current tarmac finish to the car park of the pub site will be broken up by kango drill also.

3rd Response

Is there any particular reason why they are unable to provide timber site hoarding on the Main Street & Richmond Hill Road frontages, with Herras fencing & debris netting on the other boundaries?

I will ask again – provide a perimeter of 2.4 metres high 18mm plywood timber fence (and gate if appropriate) to the site boundary on Main Street and Richmond Hill Road.

4th Response

I am insistent on hoarding on this one, I don't think it's unreasonable and on any similar size projects that I've seen elsewhere hoarding is a given.

Please ask them to amend the demolition plan to include this.

5th Response

We can obviously go round and round in circles, which won't help anyone.

I have put my advice in writing and they can choose not to heed it if they wish.

The demolition works need to be undertaken, so please ask them to arrange this and let me know when they will start.

If there are any problems, I will serve an enforcement notice and stop the works.

I'm disappointed by their reaction, any construction / demolition site that I have witnessed in other

areas is hoarded as a matter of routine.

CAMRA West Cumbria

No response received.

Public Representation

The application has been advertised by way of a site notice and neighbour notification letters issued to 5 no. properties.

Three neutral letters have been received requesting details of the site when the demolition is complete and whether it would be possible to enlarge the car park for Shelby Terrace.

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 SS4 – Community and Cultural Facilities and Services

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM21 – Protecting Community Facilities

Other Material Planning Considerations

National Planning Policy 2021 (NPPF)

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.

Strategic Policy DS1PU: Presumption in favour of Sustainable Development

Strategic Policy DS3PU: Settlement Hierarchy

Policy DS6PU: Design and Development Standards

Policy SC5PU: Community and Cultural Facilities

ASSESSMENT

Loss of the Community Facility

Policies SS4 and DM24 of the Copeland Local Plan 2013- 2028 seek to resist the change of use of a community facility where there is evidence that there is a demand for that facility that is unlikely to be met elsewhere.

The demolition statement submitted with the application details that the pub has been offered for lease or sale for many years, without any interest and in this time has fallen into further disrepair. The building is now dilapidated and needs to be removed due to safety concerns and issues around anti-social behaviour.

Hensingham has the provision of further drinking establishments at both The Globe Inn and the Kings Arms, both of which are situated to the west of the site. Furthermore, Hensingham is located close to the centre of Whitehaven where there is a wide range of pubs and bars. This alternative provision is likely to fulfill the needs of local residents, therefore the demolition of the Richmond is considered to be acceptable.

The outbreak of Covid in the UK in 2020 has had a significant impact on the hospitality sector and has made the retention of public houses very difficult and it is understood that many are no longer sustainable.

On this basis, the loss of the community facility is acceptable and the proposal complies with policies SS4 and DM24 of the Copeland Local Plan.

Restoration of the Site

Comments were received from Environmental Health requesting further information with regards to the method of demolition and the removal of materials from the site. The Agent was able to satisfy all of the concerns raised, however, would not agree to the installation of timber hoarding on the site as this has not been enforced on other demolition sites. The Environmental Health Officer voiced disappointment that the Agent was not prepared to meet this request and commented that enforcement action would be taken should there be any problems as a result of using the alternative

	<p>herras-type fencing. Any action would be dealt with by separate legislation.</p> <p>Comments were received from a neighbouring property requesting that the site is used to increase car parking provision for Shelby Terrace. This is not currently the intention for the landowner and the site will be fenced in order to ensure that unauthorized parking is not possible.</p> <p><u>Planning Balance and Conclusion</u></p> <p>No objections have been received to the application from either statutory or neighbouring consultees. Although timber hoarding will not be utilized during the demolition process, the fencing is likely to be suitable and enforcement action can be undertaken under separate legislation should there be any issues.</p> <p>Although the loss of the community facility is unfortunate the building has been cvacant for a considerable period of time and has been marketed as a public house. It is currently boarded up and in a poor state of repair. There is sufficient alternative provision of public houses within the settlement of Hensingham to meet the community requirements, in accordance with the tests set out in Local Plan Policy.</p> <p>On balance this is considered to be an acceptable form of development which will be consistent with the details set out in the adopted Local Plan and also the NPPF.</p>
8.	<p>Recommendation: 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. Reason To comply with Section 91 of the Town and Country Planning Act 1990 as amended by 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, drawing number LOC-01, received 10th February 2022; Demolition Method Statement, prepared by James Hall and Company Limited, received 5th June 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.

3. Following the demolition of the building the site shall be restored in accordance with the details set out in the Demolition Statement prepared by James Hall and Company Limited, received 5th June 2022.

Reason

To ensure that the land is restored in a satisfactory manner in the interests of the visual amenity of the area.

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 : 13/06/2022

Authorising Officer: N.J. Hayhurst

Date : 15/06/2022

Dedicated responses to:- N/A