

## COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/22/2119/OL1
2.	<b>Proposed Development:</b>	APPLICATION FOR LISTED BUILDING CONSENT TO ERECT A STUD WALL IN THE BASEMENT TO SEPARATE THE ROOM INTO TWO, WITH A DOORWAY IN THE WALL
3.	<b>Location:</b>	150 QUEEN STREET, WHITEHAVEN
4.	<b>Parish:</b>	Whitehaven
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Listed Building - Listed Building, Coal - Standing Advice - Data Subject To Change
6.	<b>Publicity Representations &amp;Policy</b>	Neighbour Notification Letter: NO  Site Notice: YES  Press Notice: NO  Consultation Responses: See report  Relevant Planning Policies: See report
7.	<b>Report:</b>	<p><b>SITE AND LOCATION</b></p> <p>This application relates to 150 Queen Street, a Grade II terraced property situated within the Whitehaven Conservation Area.</p> <p>The property is a residential dwelling and is situated within a row of other Listed properties.</p> <p>The listing entry for the property states the following:</p> <p><i>QUEEN STREET 1. 1814 (South East Side) No 150 NX 9717 NW 4/110 II GV 2. Georgian. Scored stucco, 3 storeys centre panelled door in a doorcase with Tuscan columns with plain frieze and cornice. 4 12-</i></p>

*paned sash windows on ground floor, 5 on 1st floor, and 3 6-paned sashes on top floor.*

*Nos 150 to 155 (consec) form a group.*

*Listing NGR: NX9730617974*

## **PROPOSAL**

Listed Building Consent is sought for the erection of a stud wall in the basement to separate the room into two, with a doorway in the wall.

## **RELEVANT PLANNING APPLICATION HISTORY**

Change of use from 8 bed sits to a 5 bedroomed house, approved in November 2003 (application reference 4/03/1300/0 relates).

## **CONSULTATION RESPONSES**

### Whitehaven Town Council

No objections.

### Conservation Officer

This application is for inserting a stud wall to divide the cellar of the property into two smaller rooms. It therefore affects the plan form of the cellar.

The cellar has in previous years been lined out with tanking and plasterboard, though this is not the subject of this application. I do not therefore have any information on the historic plan form, or whether it was different from the prior arrangement.

The new wall is attached to the plasterboard, and of a similar appearance. I would view it as having had a neutral impact on the significance of the building.

### 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 2021 (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.

### **ASSESSMENT**

#### Policy context

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.

	<p>Section 16.2 requires that: <i>'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'.</i></p> <p>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.</p> <p>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.</p> <p>The heritage asset significance of the property is principally derived from its physical form/construction.</p> <p><u>Impact of Proposed Works</u></p> <p>The dwelling is Grade II Listed and within the Whitehaven Conservation Area, therefore proposals are required to protect, conserve and if possible, enhance the Borough's Historic sites. The works are very modest with the addition of an internal wall at basement level. All development is inside the building and therefore will have no effect on the Conservation Area. The proposal will not cause any damage to the fabric of the Listed Building as the wall will be attached to the existing plasterboard. The Conservation Officer has confirmed that the works will have a neutral impact on the significance of the building.</p> <p><u>Conclusion</u></p> <p>The internal works proposed are modest in scale and relate wholly to the cellar of this Listed Building.</p> <p>The Conservation Officer considers that the completed works will not have any effect on the significance of the Listed Building and 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 so is supported.</p>
8.	<p><b>Recommendation:</b> Approve Listed Building Consent (start within 3yr)</p>

<p>9.</p>	<p><b>Conditions:</b></p> <p>1. The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.</p> <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> <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: -</p> <p>Site Location Plan, scale 1:1250, received 10<sup>th</sup> March 2022;  Proposed Floor Plan, received 10<sup>th</sup> March 2022;  Supporting photographs, received 10<sup>th</sup> March 2022;  Heritage Statement, received 10<sup>th</sup> March 2022;  Design and Access Statement, received 10<sup>th</sup> March 2022.</p> <p>Reason</p> <p>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.</p> <p><b>Statement</b></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 grant Listed Building Consent in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.</p>	
<p><b>Case Officer: Sarah Papaleo</b></p>	<p><b>Date : 29/04/2022</b></p>	
<p><b>Authorising Officer: N.J. Hayhurst</b></p>	<p><b>Date : 03/05/2022</b></p>	
<p><b>Dedicated responses to:- N/A</b></p>		