

## COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/22/2169/OL1
2.	<b>Proposed Development:</b>	APPLICATION FOR LISTED BUILDING CONSENT TO RE-OPEN AN EXISTING, BRICKED UP FIRE PLACE AND INSTALLING A LOG BURNER
3.	<b>Location:</b>	83 MAIN STREET, HENSINGHAM, WHITEHAVEN
4.	<b>Parish:</b>	Whitehaven
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, 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: YES  Consultation Responses: See report  Relevant Planning Policies: See report
7.	<b>Report:</b>  <b>SITE AND LOCATION</b>  <p>This application relates to 83 Main Street, a Grade II Listed terraced property situated in the Hensingham area of Whitehaven.</p> <p>The property is a residential dwelling and is situated within a terrace of other Listed properties. The boundary of the Hensingham Conservation Area is located 55m to the south-west.</p> <p>The listing entry for the property states the following:</p> <p><i>MAIN STREET, HENSINGHAM (South East Side) Nos 81 to 87 (consec)</i></p> <p>GV</p>	

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*Late Georgian-early Victorian terrace. Scored stucco, 2 storeys. No 81 has centre door and 2 3-light sash windows with labels on ground floor, and 4 modern windows above. Nos 82 to 85 have 2 sash windows on upper floors, No 82 has a bay window on ground floor, Nos 86 and 87 have Doric doorways up steps, panelled doors, 2 16-paned sash windows up, 1 down, and cellars.*

*Nos 35 to 48 (consec) and Nos 81 to 99 (consec) together with Nos 4 to 8 (consec) Garden Villas form a group.*

*Listing NGR: NX9877116904*

## **PROPOSAL**

Listed Building Consent is sought for the re-opening of an existing bricked up fireplace and the installation of a multi-fuel log burner. The existing chimney in the property will be utilised to house the flue.

## **RELEVANT PLANNING APPLICATION HISTORY**

Listed Building Consent for the demolition of existing 2.7m x 3m garden shed and erection of new 3.5m x 3m timber structure garden studio, approved in September 2017 (application reference 4/17/2276/OL1 relates);

Demolition of existing 2.7m x 3m garden shed and erection of new 3.5m x 3m timber structure garden studio, approved in September 2017 (application reference 4/17/2275/OL1 relates).

## **CONSULTATION RESPONSES**

### Whitehaven Town Council

No objections.

### Conservation Officer

No objections.

The proposal involves opening up a fireplace that was previously blocked and installing a log burner and a new flue pipe.

There does not appear to be any reason to assume this will affect the significance of the property negatively. One might expect a slight positive impact through the restoration of a fireplace.

There is a chance that historic features survive behind the plaster, such as an old lintel or even some manner of fireplace insert. Fireplaces were sometimes blocked up progressively, through insertion of a smaller fireplace into a bigger opening, followed by plastering over.

Although it seems unlikely given the smoothness of the internal finish, if historic features are discovered when the plaster is removed I would be interested to take a look to see if I can offer any further advice.

#### Public Representation

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

### 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.

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.

	<p>The heritage asset significance of the property is principally derived from its physical form/construction.</p> <p><u>Impact of Works</u></p> <p>The proposal is to re-open an existing fireplace in the living room of the property that has been previously blocked up and fit a multi fuel stove within the created inglenook and oak beam above. The works will require internal alterations only with the existing chimney being utilized to accommodate the flue.</p> <p>The walls are currently surfaced with smooth plaster and it is considered unlikely that any traditional features of the property would be affected by the proposal. The Conservation Officer raised no objections to the proposal, stating that there would be slightly positive impact created by the re-opening of the fireplace. The Officer has requested that if any traditional features found during the construction process be reported and fully assessed.</p> <p><u>Conclusion</u></p> <p>The Conservation Officer considers that the completed works will not result in any harm to features of significance and overall will benefit the property. 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></p> <p>Approve Listed Building Consent (start within 3yr)</p>
9.	<p><b>Conditions:</b></p> <ol style="list-style-type: none"> <li>1. The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.</li> </ol> <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"> <li>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: -</li> </ol>

	<p>Site Location Plan, scale 1:1250, received 12<sup>th</sup> April 2022;          Site Block Plan, scale 1:500, received 12<sup>th</sup> April 2022;          Proposed Fireplace, received 12<sup>th</sup> April 2022;          Elevation Drawing of Fire Place with Flue Pipe, scale 1:100, received 12<sup>th</sup> April 2022;          Design, Access and Heritage Statement, received 12<sup>th</sup> April 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 : 23/05/2022</b></p>
<p><b>Authorising Officer: N.J. Hayhurst</b></p>		<p><b>Date : 25/05/2022</b></p>
<p><b>Dedicated responses to:- N/A</b></p>		