

## COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/22/2222/OF1
2.	<b>Proposed Development:</b>	REMOVAL OF EXISTING EXTERNAL ATM AND SIGNAGE FOLLOWING BRANCH CLOSURE, WITH ASSOCIATED MAKING GOOD WORKS
3.	<b>Location:</b>	HSBC BANK, 69 LOWTHER STREET, WHITEHAVEN
4.	<b>Parish:</b>	Whitehaven
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Coal - Development Referral Area - Data Subject to Change, 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>  <b>INTRODUCTION</b>  <p>This application relates to the HSBC Bank situated at 69 Lowther Street in Whitehaven. The building is mid terraced and sited on one of the main shopping streets within the town centre. There are commercial buildings surrounding the property with Lowther Street running to the south-west.</p> <p>It is situated within the Whitehaven Conservation Area.</p> <b>PROPOSAL</b>  <p>This application seeks full planning permission for the removal of the existing ATM and signage following the closure of the branch. The following works will be undertaken to make the building</p>	

good:

- The removal of the external ATM and exposed aperture to be in-filled to match the existing wall and cill detail;
- The existing window above the ATM will be replaced;
- Removal of all external signage including window vinyls;
- Removal of vegetation above the entrance pediment and any areas of ingress made good;
- The existing night safe will be retained in-situ.

#### **RELEVANT PLANNING APPLICATION HISTORY**

Replacement cash machine, approved in May 1993 (application reference 4/93/0220/0 relates);

Illuminated letters and projecting sign, approved in June 1993 (application reference 4/93/0309/0 relates);

Two internally illuminated signs (one projecting), one fascia sign and a brass wall plaque, approved in November 1997 (application reference 4/97/0661/0 relates);

Alterations to front entrance and steps to create inclusive access for the disabled, approved in June 2007 (application reference 4/07/2317/0 relates);

Disabled access, approved in September 2008 (application reference 4/08/2390/0 relates);

Replacement signage, approved in August 2011 (application reference 4/11/2350/0A1 relates);

Remove and replace existing external ATMS and associated glazing, approved in January 2015 (application reference 4/14/2495/0F1 relates);

Like for like replacement of the existing external HSBC signage, approved in March 2017 (application reference 4/17/2041/0A1 relates).

#### **CONSULTATION RESPONSES**

##### Whitehaven Town Council

No response received.

##### Conservation Officer

##### 1<sup>st</sup> response

Removal of signage and external lighting presents no problems from a conservation and design perspective.

Removal of the ATM should probably be considered a positive change in isolation as it's not a positive contributor to the character and appearance of the conservation area. However, the proposed replacement with a black painted steel panel would maintain the physically unattractive aspects of

the current install without providing the public benefit of an ATM. In being a functionless plate, it would further draw attention to itself as an incongruous and poor quality resolution to this period of the building's life, which makes a worse impact than the current ATM, and without the public benefit.

For this reason, I would view it as less than substantial harm to the conservation area, to the setting of the grade II listed 7-17 Lowther Street opposite, and to the non-designated heritage asset itself.

Summary:

- I request that, as with other ATM removals from banks in Copeland's conservation areas, this be accomplished using masonry and lime pointing colour matched to the pointing on the rest of the façade. There will additionally be a need for a replacement window in this case as the ATM projects above sill height. This will address the negative aesthetic impact, while protecting the building and offsetting the loss of public benefit by allowing it to more effectively serve an alternative use.
- I could not find any mention of removing the night safe from the front of the building in the application docs, so would be grateful for comment on whether it is intended to leave this in place.
- I note from the 12-month old Streetview image, and the image included in the heritage statement, that the projecting masonry above the triangular pediment above the main door appears to have open mortar joints, in which plants have rooted. This will be contributing to damp problems above the porch and accelerating the decay of the stone (as well as looking bad). I suggest that as part of making good the building (if not already scheduled), this vegetation is removed and the masonry joints pointed up with a lime mortar colour matched to the pointing in the rest of the façade. This would be most usefully accomplished at the same time as making good the ATM hole.

2<sup>nd</sup> response

- Following my previous consultation response, the details have been amended. The impact of removing the ATM will be remediated and the façade left in a good state for reuse.
- The commitment to replacing the window and making use of lime mortar is help, but a detail drawing is needed for the replacement window and mortar spec.
- I would be supportive of these being provided either before determination, or via discharge of condition prior to installation/use, depending on which is preferable.

Public Representation

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

No response has been received as a result of these advertisements.

## **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 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 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.

Strategic Policy DS1PU: Presumption in favour of Sustainable Development

Strategic Policy DS3PU: Settlement Hierarchy

Policy DS6PU: Design and Development Standards

Strategic Policy BE1PU – Heritage Assts

Policy BE2PU – Designated Heritage Assets

## **ASSESSMENT**

### Principle of the alterations

Policies ENV4 and DM27 of the Copeland Local Plan relate to the protection and enhancement of the

	<p>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.</p> <p>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> <p>Section 66.1 requires that: <i>'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'.</i></p> <p>Section 72 requires that: <i>'special attention shall be paid to the desirability of preserving or enhancing the character or appearance'</i> of a conservation area.</p> <p>The proposed alterations are modest and are required due to the closure of the branch of HSBC. The Conservation Officer raised a number of queries to ensure that the development would respect the character and appearance of the Conservation Area. The Agent confirmed that the night safe would not be removed, the materials utilized would respect the age of the building, the window near the ATM would be replaced and that the stone pediment above the doorway would be cleaned and infilled.</p> <p>Suitably worded planning conditions are proposed to secure the details of the replacement window and the specification of the mortar, to ensure that these are acceptable to the character and appearance of the building.</p> <p>All of the alterations will ensure that the building is returned to a similar state as it was prior to the occupation by the bank and the setting of the building within the Conservation Area is maintained.</p> <p>Overall, the proposed alterations will comply with policies ENV4 and DM27 of the Copeland Local Plan, respecting the character of the Whitehaven Conservation Area.</p> <p><u>Planning Balance</u></p> <p>No objections have been received to the application from either statutory or neighbouring consultees. The alterations will create a positive benefit to the building and will respect the character and appearance of the Whitehaven Conservation Area.</p> <p>On balance this is considered to be an acceptable form of development which will be consistent with the details set out in national and local policy.</p>
8.	<p><b>Recommendation:</b> Approve (commence within 3 years)</p>

9.	<p><b>Conditions:</b></p> <ol style="list-style-type: none"> <li>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.</li> <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: -  Site Location Plan, scale 1:1250, received 19th May 2022; Proposed Plans, scale 1:50, drawing number 26700-3880-001-GF-GA-PL1 A, received 21st June 2022; Proposed Elevations, scale 1:50, drawing number 26700-3880-001-E1-PL1 A, received 21st 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.</li> <li>3. Prior to its replacement, full details of the window specification must be submitted to and approved in writing by the Local Planning Authority. Development must be carried out in accordance with the approved details and retained as such at all times thereafter.  Reason  To safeguard the traditional appearance of the traditional building in the interests of visual amenity and in accordance with Policies ENV4 and DM27 of the Copeland Local Plan.</li> <li>4. Prior to its first use on the development hereby approved, full details of the lime mortar must be submitted to and approved in writing by the Local Planning Authority. Development must be carried out in accordance with the approved details and retained as such at all times thereafter.  Reason  To safeguard the traditional appearance of the traditional building in the interests of visual amenity and in accordance with Policies ENV4 and DM27 of the Copeland Local Plan.</li> </ol>
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**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 : 11/07/2022****Authorising Officer: N.J. Hayhurst****Date : 11/07/2022****Dedicated responses to:- N/A**