

COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/22/2297/OF1
2.	Proposed Development:	CONVERSION & ALTERATIONS TO THE FORMER MEDICAL SURGERY TO CREATE 3 NO. NEW RESIDENTIAL APARTMENTS; DEMOLITION OF EXISTING GARAGE TO THE REAR & THE ERECTION OF A NEW DWELLING ON SITE OF DEMOLISHED GARAGE ALONG WITH ASSOCIATED CAR PARKING AREA AND GARDENS
3.	Location:	TRINITY HOUSE SURGERY, 17 IRISH STREET, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Flood Area - Flood Zone 2, Listed Building - Listed Building, Coal - Standing Advice - Data Subject To Change, Coal - Development Referral Area - Data Subject to Change
6.	Publicity Representations & Policy	Neighbour Notification Letter: YES Site Notice: YES Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: Site and Location: The application site relates to the former medical surgery known as Trinity House Surgery, located at 17 Irish Street within the centre of Whitehaven. The property is three storeys and features a stepped entrance on the frontage facing Irish Street.	

The property is a Grade II Listed Building and is located within the Whitehaven Town Centre Conservation Area.

There is a detached garage and off street parking at the rear of the property.

Proposal:

Full Planning Permission is sought for the conversion and alterations to the former medical surgery to create 3 no. new residential apartments. Furthermore, the existing garage at the rear will be demolished and replaced with a new single dwelling.

This full planning application has been submitted in tandem with a Listed Building Consent for the same works (application reference 4/22/2298/OL1 relates).

The proposed works required to convert the main building are mainly internal although some external works to improve the exterior condition of the building and its grounds are proposed.

The redevelopment of the Coach House involves the demolition of the existing garage building and the erection of a two storey dwelling comprising a single garage, entrance lobby, stairwell, kitchen/dining area and WC at ground level with 1 no. bedroom, a family bathroom and a snug at first floor level.

The new Coach House will have an eaves height of 3.1m and an overall height of 6.6m. It will be 10.7m in length and 8.2m in width with an overall floor space of 83.14m², an increase on the previous footprint which covered an area of 64.06m².

Off street parking for 7 cars is proposed to the rear of 17 Irish Street, with the Coach House benefitting from an integral garage. Landscaping will be simple with the existing areas cleaned up including new grass turf and some minimal planting. The vehicle access and parking and turning areas will be resurfaced. All boundaries will be maintained as existing.

It is proposed to dispose of foul and surface water to the public main as is the existing situation.

Consultation Responses

Whitehaven Town Council

No objections.

Cumbria Highways

We as the LHA would welcome a detailed plan showing visibility splays can be achieved, the visibility splays needs to be 60 metres in length to the nearside kerb in both directions this distance is a set standard for 30mph roads, if these distances can not be achieved a speed survey will need to be

undertaken to determine the 85% tile speed which will then determine the length of visibility splay required.

The existing access although narrow at certain points is acceptable, but improvements need to be carried out where the footway meets the carriageway, the existing dropped kerbs does not make access and egress easy for drivers. The LHA request that the dropped access is extended in length to improve the existing. Any work on the Highway will need to require a permit from Streetworks West <streetworks.west@cumbria.gov.uk>.

I can confirm that we have no objections to the proposal, subject to the following recommended conditions being included in any Notice of Consent which may be issued:

Condition 1 :

The development shall not commence until visibility splays providing clear visibility of 60 metres measured 2.4 metres down the centre of the access road and the nearside channel line of the carriageway edge have been provided at the junction of the access road with the county highway.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grown within the visibility splay which obstruct the visibility splays. The visibility splays shall be constructed before general development of the site commences so that construction traffic is safeguarded.

Reason

In the interests of highway safety. To support Local Transport Plan Policies: LD7, LD8

Condition 2 :

The vehicular crossing over the footway, including the lowering of kerbs, shall be carried out to the specification of the Local Planning Authority in consultation with the Highway Authority.

Reason

To ensure a suitable standard of crossing for pedestrian

Local Lead Flood Authority

No comments received.

Flood and Coastal Drainage Engineer

No comments to make.

Environment Agency

No response received.

United Utilities

No objections but recommend that the Applicant considers drainage in accordance with the drainage hierarchy.

National Amenities Society

No response received.

Conservation Officer

1st Response

Thank you for this submission. It is good to see the building receiving attention, and the heritage statement is detailed and helpful.

I offer the following thoughts, and where I request clarification or additional info, I have highlighted it in yellow.

- The building is currently in poor condition, at risk of further decline, and makes a negative impression on its surroundings in what is a highly conspicuous location. This proposed use will give it a viable use and does not necessarily entail harming what makes the building significant. I therefore am supportive of the principle.
- Internally, various reordering is proposed, including blocking up some doorways, opening others, and some removal and addition of walls.
- The rooms internally have little in the way of significant features remaining. Some cornicing and plasterwork of value can still be found.
- The layout itself appears to have changed somewhat over the building's life, but still to readably relates to the layout of two or three hundred years ago. I do not believe that the changes to layout entailed in this proposal could be viewed as more than less-than-substantial harm, and outweighed by the benefit of bringing the building and site into full use.
- Blocking up of archway with moulded plasterwork in ground floor (depicted Heritage Statement fig. 21). Provenance of plasterwork is unclear. Unless it can be demonstrated that the plasterwork is not historically valuable, I suggest inseting the wall behind it on the bedroom side to form an alcove, with the plasterboard forming the back of the alcove scribed to the arch's inner face so it can remain undamaged, while maintaining its shape as a hallway feature.

- The same concern as above relates to the blocking of the opening shown in fig. 29. The RCHME reconstructed first floor plan of c.1736 shows the layout as being much the same as currently, with the exception of the removal of a transverse wall and fireplace in what was the south-west room . This arched opening appears in that plan. I would be grateful for comment on detailing that retains the arched opening and plasterwork as an alcove, with the option of opening it up subsequently.
- External changes are minimal. The addition of the door pediment to the rear of the building is interesting.
- Use of an early Georgian style is appropriate in the sense that this is an early Georgian building, although it has been much altered over its life, on all three exposed side.
- The existing example on the side elevation is, I believe, postwar in date as there was an adjoining building demolished in the late 1940s, meaning this was a party wall.
- Nonetheless, I wouldn't call it inappropriate, and the added statue it will give this entrance reflects the use of the building for three flats and is welcome.
- There is a possibility that the works will reveal structural issues that need fixing (I believe the building may have been fitted with metal tie rods at some point). Some of these may just be repairs, but some may be more invasive and require listed building consent, so this possibility should be factored into any project schedule.
- Use of the rear grounds for parking appears reasonable as it meets a demand without requiring a new entrance onto the highway through historic boundaries etc. and is well concealed. The existing surfacing is poor, and the proposed block paving provides the opportunity for enhancement.
- Details of the new paving should be provided.
- The new detached dwelling is, inevitably, larger than the existing garage. However, given that it is still pleasingly condensed in scale, attractive in design, incorporates parking internally, and is replacing an existing structure of no merit, I believe it has the potential to make a beneficial impact on the setting and curtilage of the main building, as well as a slightly positive impact on the conservation area.
- As it is a new dwelling within a conservation area, and in the setting of a listed building, details of the following should be submitted for the coach house:
 - Roofing slate sample
 - Simple specification for the render (Of note, I'd request the avoidance of visible edge bead and bellcast drip details)

- Detail drawings of windows, showing dimensions
- External door specs sheet or similar
- Specification for rainwater goods
- Specification for rooflights
- Cladding material for dormers (assumed lead?)
- It's not quite clear from the elevation drawings, so I'd be grateful for clarification on how the arched features are detailed. Are they set slightly back from the wall face, and additionally supplemented by a band, or are they simply a band within the wall that describes the outline of an arch?
- Additionally, I'd request confirmation of whether new gates are proposed into the rear of the site, and if so that details be included in the application.

2nd Response

In my previous consultation response, I requested clarification on the following areas:

Building interior

- Archway with moulded plasterwork in ground floor (depicted Heritage Statement fig. 21). Provenance of plasterwork is unclear. Unless it can be demonstrated that the plasterwork is not historically valuable, I suggest inseting the wall behind it on the bedroom side to form an alcove, with the plasterboard forming the back of the alcove scribed to the arch's inner face so it can remain undamaged, while maintaining its shape as a hallway feature.
- Opening shown in fig. 29. The RCHME reconstructed first floor plan of c.1736 shows the layout as being much the same as currently, with the exception of the removal of a transverse wall and fireplace in what was the south-west room. This arched opening appears in that plan. I would be grateful for comment on detailing that retains the arched opening and plasterwork as an alcove, with the option of opening it up subsequently.

Building exterior

- Details of the new external paving should be provided.
- Additionally, I'd request confirmation of whether new gates are proposed into the rear of the site, and if so that details be included in the application.

New dwelling

- Roofing slate sample
- Simple specification for the render (Of note, I'd request the avoidance of visible edge bead and bellcast drip details)

- Detail drawings of windows, showing dimensions
- External door specs sheet or similar
- Specification for rainwater goods
- Specification for rooflights
- Cladding material for dormers (assumed lead?)
- It's not quite clear from the elevation drawings, so I'd be grateful for clarification on how the arched features are detailed. Are they set slightly back from the wall face, and additionally supplemented by a band, or are they simply a band within the wall that describes the outline of an arch?

The following updated details have now been received:

Building interior:

- Annotations have been added to the floor plans showing that the two arched features to be blocked will be an infill panel scribed to the interior, maintaining the feature.

Building exterior:

- Details of new paving have been supplied. This is a cast concrete imitation Yorkstone slab. Yorkstone is not really familiar to Whitehaven, however is more common in the south of the borough such as in Millom, particularly when used for dressings and quoins in combination with slate. As a paving surface, it is slightly out of place. However, the existing poor quality concrete paving slabs make a negative contribution both the setting of the nearby heritage assets and the conservation area, though this is fairly minor as the area is tucked to the side and rear.
- Given this fact, I would view the proposed as an acceptable replacement for what's there.
- I note that the existing gate into the rear area is to be retained.

New dwelling:

- A roofing slate sample is needed. This might be conditioned if the applicants and agent prefer.
- Specification for render. Considering this is a new blockwork building, I do not believe it necessary to request lime based render. There is a risk of highly visible render bead spoiling the appearance somewhat with sharp plastic edges, particularly at the corners of the building and around openings. Could the render be detailed either without these beads, or with them concealed?
- Detail drawings of windows, showing dimensions, have been provided. These are described as a hardwood sliding sash with solid glazing bars and horns to match those at 17 Irish Street. The glazed unit is 20mm and the suspension cord and weight. This strikes me as a good specification.
- The sectional drawings show a glazing bar in three parts, with inner and outer stuck-on bars

and a spacer bar. This is not what's described in the note, so I would be grateful for clarification on which is proposed.

- External door specification has been confirmed as an oak ledge and brace door, depicted on the elevation drawing.
- Specification for rainwater goods has been provided. These consist of an ogee cast aluminium gutter, powder coated black, with similar round downpipes.
- Specification for rooflights has been provided. This will be a conservation style unit with flush mounted flashing kit and vertical glazing bar, finished in black.
- Cladding material for dormers has been provided. This will be code 4 lead.
- Clarification has been provided that the arched features are detailed as a brick band raised 20mm above the face of the render.

Summary:

I'd be grateful for clarification on whether the new dwelling's render can be detailed without the use of visible plastic edge bead at the corners and edges of the reveals.

Similarly, if clarification could be provided on the detailing of the new dwelling's glazing bars, that would be helpful.

3rd Response

In my previous consultation response, I requested clarification on the following areas:

- Clarification on whether the new dwelling's render can be detailed without the use of visible plastic edge bead at the corners and edges of the reveals.
- Clarification on the detailing of the new dwelling's glazing bars.

A window detail drawing sheet has been provided, and shows the windows in a way that matches the note.

I would be grateful for a specification or similar relating to the render, which shows how it will be detailed. If the applicants and agent would prefer to submit this through the discharge of a condition, I would not have any objection.

Strategic Housing Team

This is an application to restore 17 Irish Street back to its original use as residential accommodation, following its use as a GP surgery until its relocation in 2016.

The building is Grade II listed and appropriate advice has been sought from the Council's Conservation Officer as part of the application.

We are pleased to see plans to bring a long-term empty building back into use; particularly one of

such historical importance, which is highly visible as you travel through the town. The plans are for 3 apartments to be provided in the main building and 1 in the new Coach House to be built following the demolition of an unused garage.

The property is in the centre of the town and well placed in terms of access to amenities; the provision of on-site parking will make the properties attractive, as will the history of the property. There is a need for high quality 1 and 2 bedroomed accommodation in the town centre, to attract/retain young professionals and such a development is likely to be highly sought after as long as the conversion is of high quality and sympathetic to the history of the building.

We are happy to support this application.

Arborist

We recommend asking the applicant to submit an Arboricultural Impact Assessment complying with the British Standard – BS5837 (2012) Trees in relation to design, demolition and construction - Recommendations – assessing the above ground and below ground impacts of the proposed development on the adjacent trees. This should also include a plan showing how the trees will be protected during the demolition and construction phases. It must also include any tree work necessary to facilitate the development.

Public Representation

The application has been advertised by way of a site notice and neighbour notification letters issued to 7 no. properties.

One neutral letter has been received as a result of these advertisements raising the following:

- Requesting dimensions for the new Coach House;
- Requesting a full tree survey due to the height of the trees on the border of the site

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 policies:

Copeland Local Plan 2013-2028 (Adopted December 2013):

Core Strategy (CS):

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Policy ER7 – Principal Town Centres, Local Centres and other service areas: Roles and Functions

Policy SS1 – Improving the Housing Offer

Policy SS2 – Sustainable Housing Growth

Policy SS3 – Housing Needs, Mix and Affordability
Policy SS5 – Provision and Access to Open Space and Green Infrastructure
Policy T1 – Improving Accessibility and Transport
Policy ENV1 – Flood Risk and Risk Management
Policy ENV3 – Biodiversity and Geodiversity
Policy ENV4 – Heritage Assets

Development Management Policies (DMP):

Policy DM10 – Achieving Quality of Place
Policy DM11 – Sustainable Development Standards
Policy DM12 – Standards for New Residential Development
Policy DM22 – Accessible Developments
Policy DM24 – Development Proposals and Flood
Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species
Policy DM27 – Built Heritage and Archaeology
Policy DM28 – Protection of Trees

Copeland Local Plan 2001-2016 (LP):

Policy TSP8 – Parking Requirements
Proposals Map including settlement boundaries.

Other Material Planning Considerations

Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)
National Planning Policy Framework (NPPF).
Planning Practice Guidance (PPG).
National Design Guide (NDG).
The Conservation of Habitats and Species Regulations 2017 (CHSR).
Cumbria Development Design Guide (CDDG).

Emerging Copeland Local Plan (ECLP)

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.

The policies relevant to this application are as follows:

- Strategic Policy DS1PU - Presumption in favour of Sustainable Development

- Strategic Policy DS2PU - Reducing the impacts of development on Climate Change
- Strategic Policy DS3PU - Settlement Hierarchy
- Strategic Policy DS4PU - Settlement Boundaries
- Strategic Policy DS5PU - Planning Obligations
- Policy DS6PU - Design and Development Standards
- Policy DS7PU - Hard and Soft Landscaping
- Strategic Policy DS8PU - Reducing Flood Risk Policy
- Policy DS9PU: Sustainable Drainage
- Strategic Policy H1PU - Improving the Housing Offer
- Strategic Policy H2PU - Housing Requirement
- Strategic Policy H3PU - Housing delivery
- Strategic Policy H4PU - Distribution of Housing
- Strategic Policy H5PU - Housing Allocations
- Policy H6PU - New Housing Development
- Policy H7PU - Housing Density and Mix Strategic
- Policy H8PU - Affordable Housing
- Policy H13PU – Conversion and sub-division of buildings to residential uses including large HMO's
- Strategic Policy N1PU - Conserving and Enhancing Biodiversity and Geodiversity
- Strategic Policy N2PU - Local Nature Recovery Networks
- Strategic Policy N3PU - Biodiversity Net Gain
- Strategic Policy N6PU - Landscape Protection
- Strategic Policy BE1PU – Heritage Assets
- Policy BE2PU – Designated Heritage Assets
- Policy CO7PU: Parking Standards and Electric Vehicle Charging Infrastructure

Assessment:

Principle of the development

Policy ST2 of the CS and DS3PU of the ELP define Whitehaven as Copeland's Principal Town, where the majority of development should take place. Policy DM13 of the CS and H13PU of the ELP seek to ensure that any conversions can provide adequate standards of living without the need for significant alterations and additions to the property. Furthermore, any works to be undertaken should maintain the character of the building and adequate amenity space should be provided.

The conversion of this building to residential use and erection of a single dwelling to the rear is acceptable in principle as it is located within the defined settlement limits for Whitehaven and will result in the re-use of an existing building. Bringing vacant buildings back into use is supported throughout national and local planning policy and the provision of a residential flats will help to increase the housing supply for Copeland, in a sustainable location close to the town centre of

Whitehaven.

The building will be converted with minimal external alterations. The overall character of the terraced property will be maintained, and the finish will reflect the surrounding dwellings and the overall traditional character of the area. Amenity space has been provided to the rear of the property and this considered to be satisfactory for these dwellings given their town centre location.

Each flat provides independent and acceptable living standards for each resident.

The demolition of the existing Coach House was considered to be acceptable due to both its structural condition and its limited size prohibited a suitable conversion.

On this basis, it is considered that the development satisfies policies ST1, ST2 and DM13 of the Copeland Local Plan and Policies DS3PU and H13PU of the emerging Local Plan.

Housing Need and Housing Mix

Policy SS3 of the CS and H7PU of the ELP seeks to ensure that quality homes can be provided for everybody. The Application Site is located within the Whitehaven Housing Market Area (HMA) in the Copeland Strategic Housing Market Assessment 2014 Update (SHMA).

The proposed is a small-scale development comprising 3 no. apartments.

The development will contribute towards meeting the small, annualised need for such development in the Whitehaven HMA.

The development falls below the threshold for the provision of affordable housing.

The Strategic Housing Team support the application due to the fact that high quality small flats are required for professional people within Whitehaven.

It is considered that the proposal complies with Policy SS3 of the CS, Policy H7PU of the ELP and the SHMA.

Design and impact on Heritage Assets

Policy DM10 of the CS and DS6PU of the ELP seek to ensure that any development is designed to a high standard. Policies ENV4 and DM27 of the CS and BE1PU and BE2PU of the ELP protect the Borough's Heritage Assets.

A comprehensive Heritage Statement has been prepared in support of this planning application.

The property is a Grade II Listed Building with the listing detailing the stepped entrance and sash windows with Venetian-shaped cornice/pediments.

The building is located within the Whitehaven Town Centre Conservation Area.

The significance of the building is primarily derived from the developed form and relationship to the Listed buildings to the north west and west. The garage to the rear of 17 Irish Street is a modern addition, having being built around 1993. It does not form part of the listing, nor can it be seen from The Conservation Area. The external alterations to be made including the re-render, replacement of windows and paving of the access will improve the overall appearance of the building. The re-use will ensure that the building does not fall into further disrepair and therefore the conversion should be supported.

The new building to be erected for use as a single dwelling has been designed to pick up on the character of 17 Irish Street, with window banding, multi paned glass and a rendered finish. It has been designed to sit similarly in the location as the existing Coach House. Despite being slightly bigger in scale, it is unlikely to have an effect on the amenity of any of the surrounding properties, due to the orientation of the building and there being no directly facing elevations.

Comprehensive discussions were undertaken between the Agent and the Council's Conservation Officer with regards to materials and finish for the building. The outstanding point is for the details of the render for the external surfaces. It is considered that a suitably worded planning condition should be added to any approval to require this information, prior to its use on the building, in order to ensure that it is acceptable in the context of the listed building and surrounding Conservation Area.

In applying the statutory duties of the LBCA and the relevant provisions of the NPPF and the Development Plan, it is considered that as proposed the development will result in slight harm to the significance of the conservation area and Grade II Listed Building.

Ecology and Arboriculture

Policies ENV3 and DM25 of the CS and N1PU of the ELP protect and enhance any trees and ecology within the site.

The building to which this application relates falls within the planning and development trigger list for bat surveys contained within the Bat Conservation Trust Bat Surveys Good Practice Guidelines; however, given the location of the building, the potential for the presence of bats is negligible and a Bat Survey not therefore requested.

There are some well-established trees to the north east and south west of the site and some smaller trees within the site, 10 of which are proposed to be removed as part of the demolition. The Arborist has requested that an Arboricultural Impact Assessment be submitted in order to show which trees

will be removed and what impact this may have, whilst also showing how the retained trees will be protected whilst the works are ongoing. It is considered that a suitably worded planning condition should be utilised for any approval in order to ensure that this information is provided, prior to the commencement of works.

With the provision of this information, the application is likely to comply with policies within the Local Plan and emerging Local Plan in relation to ecology and trees.

Highways Impacts

Policies DM22 of the CS and CO7PU of the ELP require the provision of a safe access and egress points with the preference for off street parking to be provided.

There will be no loss of off-street parking spaces with the provision remaining at 7 spaces situated to the rear of 17 Irish Street. An integral garage has been included as part of the proposal for the new detached dwelling, which will provide a further parking space. Given the location of the property within close proximity to the facilities and amenities within Whitehaven Town Centre, there is ample availability of sustainable transport modes within walking distance and there is an availability of public parking spaces within walking distance.

Cumbria County Council – Highways have been consulted and raised no objection to the development subject to the planning condition regarding the demonstration of suitable visibility splays. Given the previous use of the site as a doctor's surgery which would have generated a reasonable amount of traffic movements. On this basis it is considered that the access will be acceptable and suitable for the development proposed which is for a less intensive use. Furthermore, Cumbria Highways requested that the kerbs be dropped to accommodate the entrance point.

It is considered that due to the central location and the availability of off-street parking, the proposal is acceptable and complies with policies DM22 of the CS and CO7PU of the ELP.

Drainage

Policies ENV1 and DM24 of the CS and DS8PU of the ELP relate to drainage.

It is proposed to dispose of foul and surface water to the public main as per the existing situation. It is likely that there will be a reduction in surface water runoff due to the addition of block pavements in place of the current tarmac surfacing within the site. The drainage is therefore considered to be acceptable.

Ground Conditions

Despite the application site falling within the Development Referral Area for coal mining works, the

	<p>works involve a conversion and a replacement building on a similar footprint, therefore it was not considered to be necessary to request a Coal Mining Risk Assessment. Standing Advice will be included on the decision notice to alert that should any workings be discovered during the construction phase the Coal Authority are alerted and advice taken.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The principle of the proposed development is acceptable due to the location of the site within a central part of the Principal Town of Whitehaven.</p> <p>In applying the statutory duties of the LBCA and the relevant provisions of the NPPF and the Development Plan, it is considered that as proposed the development will result in a positive impact on the conservation area and Grade II Listed Building due to the works to improve the aesthetics of the building and the resulting benefits of returning the building to an active and viable use. Furthermore, the provision of additional housing and the associated economic benefits to the local economy are supported.</p> <p>The development is acceptable in respect of highways, ecology, ground conditions and amenity.</p> <p>In overall terms, it is considered that the benefits of the development outweigh the harms, when assessed against the policies of the Development Plan and NPPF when taken as a whole.</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 1954-LP-001, received 12th July 2022; Proposed Site Plan, scale 1:100, drawing number 1954-SK-005E, received 26th September 2022;

Proposed Site Plan (amenity space), scale 1:100, drawing number 1954-SK-007A, received 12th July 2022;
Proposed Floor Plans, scale 1:100, drawing number 1954-SK-004F, received 26th September 2022;
Coal Mining Report, received 12th July 2022;
Heritage and Planning Statement, Revision A, written by Vagdia and Holmes, received 12th July 2022,
Sash Window Details, scale 1:5, drawing number 1574-DD-008A, received 28th September 2022;
Wetherby Render System, received 26th September 2022;
Conservation Rooflight Specification, The Rooflight Company, received 26th September 2022;
Paving specifications – Heritage Paving, received 26th September 2022;
Pipes and gutters specifications, received 26th September 2022;
Design and Access Statement, written by Vagdia and Holmes, received 12th July 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.

Prior to Demolition Condition

3. Prior to the demolition of the Coach House at the rear of 17 Irish Street, an Arboricultural Impact Assessment complying with the British Standard – BS5837 (2012) Trees in relation to design, demolition and construction - Recommendations – assessing the above ground and below ground impacts of the proposed development on the adjacent trees must be submitted to and approved in writing by the Local Planning Authority. This must also include a plan showing how the trees will be protected during the demolition and construction phases. It must also include any tree work necessary to facilitate the development. Development shall be carried out in accordance with the approved details at all times thereafter.

Reason

In order to ensure that the trees are protected where possible in accordance with Policies ENV3 and DM28 of the Copeland Local Plan.

Prior to Occupation Conditions

4. Prior to its first use on the development hereby approved, samples and details of the render materials to be used in the construction of the external surfaces of the development must be 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 and in accordance with Policies DM10, ENV4 and DM27 of the Copeland Local Plan.

5. Prior to the first occupation of the development hereby approved, visibility splays providing clear visibility of 60 metres measured 2.4 metres down the centre of the access road and the nearside channel line of the carriageway edge must be provided to show the junction of the access road with the county highway.

Reason

In the interests of highway safety and in accordance with Policy DM22 of the Copeland Local Plan.

6. Prior to the first occupation of the dwellings hereby approved, the vehicular crossing over the footway, including the lowering of kerbs must be carried out to the specification of the Local Planning Authority in consultation with the Highway Authority.

Reason

To ensure a minimum standard of construction in the interests of highway safety and in accordance with Policy DM22 of the Copeland Local Plan.

Other Conditions

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that order with or without modification) no external alterations (including replacement windows and doors) or extensions, conservatories, dormer, or enlargement must be carried out to the dwellings, nor must any detached building, enclosure, domestic fuel containers, pool or hardstandings be constructed within the curtilage other than those expressly authorised by this permission.

Reason

To safeguard the character and appearance of the development in the interests of visual amenity and in accordance with Policies ENV4, DM10 and DM27 of the Copeland Local Plan.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind must be erected, parked or placed and no trees, bushes or other plants must be planted or be permitted to grown within the visibility splay which obstruct the visibility splays.

Reason

To ensure that the access and egress is safe for all users in accordance with Policy DM22 of the Copeland Local Plan.

Informative

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

<https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

	<p>Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com <http://www.groundstability.com> or a similar service provider.</p> <p>If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority</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 grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.</p>
Case Officer: Sarah Papaleo	Date : 17/10/2022
Authorising Officer: N.J. Hayhurst	Date : 19/10/2022
Dedicated responses to:- N/A	