



COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/22/2415/OB1	
2.	Proposed Development:	VARIATION OF CONDITION 2 (PLANS) OF PLANNING APPROVAL 4/21/2241/OF1 - INTERNAL & EXTERNAL ALTERATIONS AS PART OF RENOVATION & REFURBISHMENT OF EXISTING BUILDINGS	
3.	Location:	1-11 LONSDALE TERRACE, ST BEES	
4.	Parish:	St. Bees	
5.	Constraints:	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Listed Building - Listed Building, Coal - Standing Advice - Data Subject To Change, Outer Consultation Zone - Sellafield 10KM	
6.	Publicity Representations &Policy	Neighbour Notification Letter	Yes
		Site Notice	Yes
		Press Notice	Yes
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	Report:		
	Site and Location		
		This application relates to 1 – 11 Lonsdale Terrace, located within the centre of St Bees. The properties are Grade II Listed and are located within the St Bees Conservation Area. This group of terrace properties was previously in the ownership of St Bees School and was utilised as boarding accommodation.	
	Relevant Planning History		
		4/09/2245/0 – Listed Building Consent for replacement windows, replacement rainwater goods (nos.	

1 – 11); rendering of chimney stack (no. 8); rear canopy over rear – Approved Listed Building Consent.

4/16/2017/OL1 – Listed Building Consent for works associated with the subdivision of terrace; reinstatement of individual properties together with associated external – Approved Listed Building Consent.

4/16/2016/OF1 – Subdivision of existing terrace; reinstatement of individual properties together with associated external works – Approved

4/21/2241/OF1 – Internal and external alterations as part of renovation and refurbishment of existing building, including repairs to external, render, alterations to dormer windows, demolition of part of existing stores and former shower blocks, reduction of rear walls, reconstruction of porch at no.11, and replacement/repair of windows – Approved

4/21/2242/OL1 – Listed building consent for internal and external alterations as part of renovation and refurbishment of existing building, including repairs to external, render, alterations to dormer windows, demolition of part of existing stores and former shower blocks, reduction of rear walls, reconstruction of porch at no.11, and replacement/repair of windows – Approved listed building consent

4/22/2265/DOC – Discharge of condition 3 of planning approval – 4/21/2241/OF1 – Approved

4/22/2307/DOC – Discharge of condition 3 of planning approval – 4/21/2242/OL1 – Approved

4/22/2450/OL1 – Listed building consent for various renovation and associated works, including revisions to outrigger roofs to prevent water ingress, upgrade of concrete floors and miscellaneous ancillary works – Approved

Proposal

In November 2021, planning permission was granted for internal and external alterations as part of renovation and refurbishment of existing building, including repairs to external, render, alterations to dormer windows, demolition of part of existing stores and former shower blocks, reduction of rear walls, reconstruction of porch at no.11, and replacement/repair of windows. This current application seeks to vary condition 2 relating to the submitted plans for this application as works have now commenced on site and have unearthed various issues that these amendments seek to address. This application is supported by a statement which sets out the proposed amendments and the justification for the proposed amendments.

This application is being considered alongside a Listed Building Consent application for the same works (ref: 4/22/2450/OF1).

Consultation Responses

St Bees Parish Council

29th November 2022

No objections.

20th December 2022

I know that we are now outside the deadline for comments on this application but I wonder whether we are able to make a comment on one aspect of the plans which we missed earlier.

The plans involve a number of works most of which seem acceptable but the proposal for security gates does raise serious concerns. The Parish Council is opposed to the idea of creating a gated community on Lonsdale Terrace. This is not something which we have in any other development and it is out of character with the rest of the village, It will be socially divisive and cannot be justified on security grounds. St Bees has very low crime figures and there is no reason to think that these properties will be any more at risk than any other properties in the village.

Copeland Borough Council – Conservation Officer

28th October 2022

Conclusion: Request further information

Assessment:

This application is to vary condition 2 on planning application 4/21/2241/0F1, which lists the approved documents to which the permission relates.

This substitutes the following documents:

- Proposed basement plan
 - In Houses 4, 5 and 10, it is proposed to remove modern partition walls
- Proposed ground and first floor plan
 - In Houses 2-5, there are some minor changes of layout within the utility room.
 - In House 7, there are some very minor changes to internal layout of the outrigger.
 - In House 9, a new rear door is to be inserted in the location of an existing window in the side of the rear outrigger
 - In House 10, changes in internal layout of outrigger are proposed to allow the WC to be brought into the house from the rear lean-to structure.
 - In House 11, it is proposed to replace the proposed bifold doors with a pair of French windows set within the existing window opening. I am supportive of this change.

- Proposed elevations
 - Updated to reflect above
- Detailing of outrigger lean-to roofs
 - It is proposed to replace these with a slate effect tile suitable for a low pitch angle, and to do away with various dry verge details.
 - I have inspected the buildings and am supportive of this proposal as it is in the interests of the buildings.
 - I request that a spec sheet or similar showing the new tile be included in the application.
- It is also proposed to replace front door letter boxes to a design shown in a picture.
- It is proposed to replace the WC block to the rear of House 11, however permission was already granted for this proposal last year.
- It is proposed to replace the floors in the outriggers of Houses 6-10 as these are thin screed slabs on sand and are unsuitable. A specification and section drawing has been provided and appear acceptable.
- It is proposed to raise the heights of the lintels of fireplaces in Houses 4-9 to 1800mm to facilitate insertion of hobs and cooker extraction. These are a mixture of various materials – apparently brick, concrete and sandstone. I have no objection to the principle, and request that when raising the red sandstone lintels, the gaps underneath are made good with matching sandstone.
- House 11 will have the basement window below the French windows made into a blind window, and repainted to match the wall background.
- Fire separation in the form of between-joint insulation will be inserted at Apartments 1A and 1B in House 1.
- The substandard rooflights at Houses 7-10 will be removed and replaced with flat ceilings.

Summary

I would view these proposals and changes of detail as likely entailing a mixture of less-than-substantial harm and negligible harm to these buildings, justified by the need to correct past defects and substandard work, and to make them suitable as modern houses.

- I request that a spec sheet or similar for the replacement tiles to the rear outrigger lean-tos can be included with the application documents.

- I request that when raising the lintels in red sandstone, the gaps underneath are made good with matching sandstone.

3rd January 2023

Conclusion: No objection

Assessment:

This consultation follows update to the D&A statement addendum to clarify that the proposed colour for the Britmet tiles will be “slate”. This should provide the least noticeable departure from the appearance of the existing slates, and be justifiable in terms of making the roofs watertight.

Public Representation

This application has been advertised by way of a site notice, and neighbour notification letters issued to thirteen properties. No comments have been received in relation to the statutory notification procedure.

Planning Policy

Planning law requires that 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 – Strategic Development Principles

Policy ENV4 – Heritage Assets

Development Management Policies (DMP)

Policy DM27 – Built Heritage and Archaeology

Other Material Planning Considerations

National Planning Policy Framework (2021)

Planning (Listed Building and Conservation Areas) Act 1990

Conservation Area Design Guide SPD (Adopted December 2017)

Emerging Copeland Local Plan (ELP):

The emerging Copeland Local Plan 2017-2038 comprising the Publication Draft (January 2022) and Addendum (July 2022) have recently been submitted for examination by the Planning Inspector.

As set out at Paragraph 48 of the National Planning Policy Framework (NPPF), Local Planning Authorities may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan; the extent to which objections to relevant policies have been resolved; and the degree to which emerging policies are consistent with the NPPF.

Given the stage of preparation of the emerging Copeland Local Plan 2017-2038 some weight can be attached to policies where no objections have been received or objections have been resolved. The Publication Draft (January 2022) and Addendum (July 2022) 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 NPPF.

Assessment

Under Section 73 of the Town and Country Planning Act 1990, an application can be made to vary or remove a condition associated with a permission. The effect of an application under Section 73 is the issue of a new permission sitting alongside the original permission, which remains intact and unamended. The NPPG outlines that to assist with clarity it states that decision notices should also repeat the relevant conditions from the original permission unless they have already been discharged. As a Section 73 application cannot be used to vary the time limit for implementation this condition must remain unchanged from the original permission.

In terms of the conditions attached to the previous decision notice (4/21/2121/0F1), development has commenced on site therefore, it is not necessary to repeat the condition relating to timescales. Condition 3 will be amended to reflect the details approved when the condition was discharged in December 2022.

The current application seeks to vary condition 2 of the original reserved matters planning approval. Works have commenced on site and have unearthed various issues that this application seeks to address by amending the approved plans. These alterations included and related to amendments to internal layouts, removal of bifold doors, alterations to openings, changes to roof materials, replacement letter boxes.

The Council's Conservation Officer has reviewed the proposal and alterations and has confirmed that the proposals are likely to entail a mixture of less-than-substantial harm and negligible harm to these buildings, justified by the need to correct past defects and substandard work, and to make them suitable as modern houses. The Officer did however request additional detail in terms of the specification of the replacement tiles and replacement sandstone. The agent has agreed to a condition to secure the use of sandstone on existing fireplace and has submitted a specification for the proposed roof tiles, this will be included upon the Listed Building Consent being considered alongside this application. Based on the submission of these details the Officer has confirmed that he

	<p>has no objections to the proposed works as they are most similar to the existing slates and are justifiable in terms of making the roofs watertight.</p> <p>The Parish Council have raised concerns with regard to the installation of security gates to create a gated community at Lonsdale Terrace. The gates however have previously been approved as part of the original planning and listed building consent approvals for this site (ref: 4/21/2241/0F1 & 4/21/2242/0L1).</p> <p>On the basis of the above, the proposed alterations are considered acceptable and will not have an impact on the heritage asset, or the character of the area.</p>
8.	<p>Recommendation: Approve</p>
9.	<p>Conditions:</p> <p><u>Standard Conditions:</u></p> <ol style="list-style-type: none"> 1. – 2. This permission relates to the following plans and documents as received on the respective dates and development must be carried out in accordance with them:- <ul style="list-style-type: none"> - Location Plan, Scale 1:1250, Drawing No P300.00.01, received by the Local Planning Authority on the 26th May 2021. - Block Plan as Existing and Proposed, Scale 1:500, Drawing No P300.00.02, received by the Local Planning Authority on the 26th May 2021. - Gate Details as Proposed, Scale 1:500, Drawing No P300.00.03, received by the Local Planning Authority on the 26th May 2021. - AE Elevation from Lonsdale Terrace and Rear Elevation, Scale 1:100, Drawing No P200.00.01, received by the Local Planning Authority on the 26th May 2021. - Elevations as Proposed, Scale 1:100, Drawing No P201-02, Rev G, received by the Local Planning Authority on the 5th September 2022. - Ground and First Floor Plans as Existing, Scale 1:1250, Drawing No P100.00.01, received by the Local Planning Authority on the 26th May 2021. - Ground and First Floor Plans as Proposed, Scale 1:100, Drawing No P101-01, Rev B, received by the Local Planning Authority on the 5th September 2022. - Basement Floor Plan AE, Scale 1:100, Drawing No P100.00, received by the Local Planning Authority on the 26th May 2021. - Basement Plans as Proposed, Scale 1:100, Drawing No P101.00, Rev A, received by the Local Planning Authority on the 5th September 2022. - Attic Floor Plans as Proposed (Amended), Scale 1:100, Drawing No P101-02, received

by the Local Planning Authority on the 13th August 2021.

- Existing Attic and Floor Plan (Amended), Scale 1:100, Drawing No P100-00-01, Rev A, received by the Local Planning Authority on the 11th October 2021.
- Door Blade, Scale 1:10 & F:5, Drawing No 2019.303 received by the Local Planning Authority on the 26th May 2021.
- Handrail, Scale 1:10, received by the Local Planning Authority on the 26th May 2021.
- Design and Access Statement (Amended), Revision D, received by the Local Planning Authority on the 15th November 2021.
- Demolition Plan, Scale 1:100, Drawing No P101-01, received by the Local Planning Authority on the 13th August 2021.
- Heritage Statement, Revision D, received by the Local Planning Authority on the 17th November 2021.
- Lighting Information, received by the Local Planning Authority on the 13th August 2021.
- Store Plans and Elevations as Existing and Proposed (Amended), Scale 1:100, Drawing No P202-02, Rev B, received by the Local Planning Authority on the 17th November 2021.
- Addendum to Design and Access Statement, Rev B, received by the Local Planning Authority on the 22nd December 2022.
- Bat Letter, Prepared by MAC Architects, received by the Local Planning Authority on the 5th September 2022.
- Britmet Insert – Lite Slate, received by the Local Planning Authority on the 17th November 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 Commencement of Works Conditions:

3. The development hereby approved must be carried out in accordance with the window survey and replacement window details approved as part of condition 3 of permission 4/21/2241/OF1, as detailed within correspondence dated 20th December 2022 (ref: 4/22/2265/DOC). Development must be carried out in accordance with the approved details and so maintained thereafter.

Reason

In the interest of protecting the heritage asset.

	<p>Informative:</p> <p>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.</p> <p>Further information is also 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>
<p>Case Officer: C. Burns</p>	<p>Date : 05.01.2023</p>
<p>Authorising Officer: N.J. Hayhurst</p>	<p>Date : 06.01.2023</p>
<p>Dedicated responses to:- N/A</p>	