

## COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

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|----|-----------------------------------|--|------------|
| 1. | Reference No:                     | 4/22/2450/OL1  |            |
| 2. | Proposed Development:             | 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   |            |
| 3. | Location:                         | 1-11 LONSDALE TERRACE, ST BEES   |            |
| 4. | Parish:                           | St. Bees   |            |
| 5. | Constraints:                      | ASC;Adverts - ASC;Adverts,<br>Conservation Area - Conservation Area,<br>Listed Building - Listed Building,<br>Coal - Standing Advice - Data Subject To Change,<br>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

4/22/2415/DOC – Variation of condition 2 (plans) of planning approval 4/21/2241/OF1 – Internal and external alterations as part of renovation and refurbishment of existing building – Approved

### **Proposal**

In November 2021, Listed Building Consent 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. Works have commenced on this site in relation to the previous approved however various issues have now been unearthed which means amendments are now sought to the proposed renovation works.

Based on this the current application seeks Listed Building Consent for various renovation and associated works, including revision to outrigger roofs to prevent water ingress, upgrade of concrete floors and miscellaneous ancillary works.

This application is being considered alongside an application for the variation of a condition on the original planning permission for the same works (ref: 4/22/2415/0B1).

### **Consultation Responses**

St Bees Parish Council

*29<sup>th</sup> November 2022*

No objections.

*20<sup>th</sup> 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

*17<sup>th</sup> November 2022*

Conclusion: No objection (condition suggested)

Assessment: This application covers the following proposals:

- Replacement of roofs to rear outrigger stores with slate effect tile.
  - This is due to the low pitch angle and corresponding water ingress, which has caused damaged.
  - These roofs are a mixture of slate and concrete tile.
  - The proposed replacement, as an alternative to slate that resembles it but will also work at the low pitch angle, should be suitable. In the case of the replacement for the genuine slate, this could be view as a less-than-substantial level at harm, justified by the corrections of the design flaw.
- Replacement outrigger floors in Houses 6-10
  - Existing floors are a thin screed laid on soil, which is not suitable
  - The floors do not appear to have any heritage value, and the detail for the replacement can be considered an improvement
- Alterations to fireplace lintels in Houses 4-9

- Raising lintels is proposed to accommodate kitchen cookers.
- Several of the chimney breasts affected appear to be concrete, and several are of red sandstone construction.
- I would view this impact has being less-than-substantial harm towards the negligible end of the scale.
- I request that in the case of modifications to red sandstone chimney breasts, the gaps below the raised lintels are filled with red sandstone to match the surroundings.

- Replacement letter boxes to a design as shown
- In Houses 4, 5 and 10, it is proposed to remove modern partition walls
- 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 with matching design to the approved windows set within the existing window opening. I am supportive of this change.

#### Summary

I am able to support these changes, and suggest adding a condition to any consent requiring red sandstone to be used when altering chimney breasts that are of red sandstone construction.

*3<sup>rd</sup> 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 press notice. 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**

The main issues raised by this application are the principle of development and impact on the heritage asset.

### Principle of Development and Impact Heritage Asset and Conservation Area

Policy ST1, ENV4, DM27 of the Copeland Local Plan seek to protect, conserve and where possible enhance the historic, cultural and architectural character of the Borough's historic sites.

The Planning (Listed Buildings and Conservation Areas) Act 1990 establishes a need "in considering whether to grant listed building consent for any works [for the Local Planning Authority to] have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest" [Section 16(2)]. This requirement also applies to the granting of planning permission affecting a listing building or its setting [Section 66(1)].

Section 72 of the 1990 Act states that "special attention shall be paid to the desirability of preserving or enhancing the character or appearance of [a conservation] area."

Paragraph 194 of the National Planning Policy Framework (NPPF) states that "In determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation..."

NPPF para. 199 states, in the case of designated heritage assets, "great weight should be given to the asset's conservation", irrespective of whether potential harm is substantial, less-than-substantial, or total loss. Where harm to a designated heritage asset is less-than-substantial, it should be weighed against the public benefits of the proposal (para. 202).

Referring to assets in a Conservation Area, NPPF para. 207 states that loss of an element that makes a positive contribution to a conservation area should be treated as either substantial (under para. 201) or less-than-substantial harm (under paragraph 202). In new development, opportunities should be sought to enhance or better reveal the significance of conservation areas (NPPF para. 206).

In 2021 listed building consent was granted for internal and external alterations as part of renovation and refurbishment of the existing buildings at this site. Works have commenced on site and have unearthed various issues that this application seeks to address, including revision to outrigger roofs to prevent water ingress, upgrade of concrete floors and miscellaneous ancillary works.

The Council's Conservation Officer initially stated that he was able to support the proposed changes however suggested a condition to any consent requiring red sandstone to be used when altering chimney breasts that are of red sandstone construction. The agent has agreed to the inclusion of this condition. Additional detail has also been submitted in relation to the specification of the replacement roof tiles. Based on the submission of these details the Officer has confirmed that he 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.

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

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|    | <p>the original planning and listed building consent approvals for this site (ref: 4/21/2241/0F1 &amp; 4/21/2242/0L1).</p> <p><u>Planning Balance and Conclusion</u></p> <p>The proposed works to the Heritage Asset are considered to be justified and would have a low impact on the Grade II Listed Building. The Council's Conservation Officer has offered no objections to the proposed works subject to the inclusion of a condition.</p> <p>In all aspects, the proposed development is compliant with the objectives of Policies ST1, ENV4 and DM27 of the Copeland Local Plan 2013-2018 and the relevant provisions of the National Planning Policy Framework and LBCA Act.</p>  |
| 8. | <p><b>Recommendation:</b></p> <p>Approve Listed Building Consent</p>   |
| 9. | <p><b>Conditions:</b></p> <p><u>Standard Conditions</u></p> <ol style="list-style-type: none"> <li>1. The works hereby permitted must 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. This permission relates to the following plans and documents as received on the retrospective dates and development shall be carried out in accordance with them:- <ul style="list-style-type: none"> <li>- Location Plan, Scale 1:1250, Drawing Number PO12, Rev A, received by the Local Planning Authority on the 14<sup>th</sup> November 2022.</li> <li>- Gate Details as Proposed, Scale 1:500, Drawing Number P300.00.03, received by the Local Planning Authority on the 14<sup>th</sup> November 2022.</li> <li>- Basement Plans as Proposed, Scale 1:100, Drawing Number P101.00, Rev A, received by the Local Planning Authority on the 14<sup>th</sup> November 2022.</li> <li>- Ground and First Floor Plans as Proposed, Scale 1:100, Drawing Number P101.01, Rev B, received by the Local Planning Authority on the 14<sup>th</sup> November 2022.</li> </ul> </li> </ol> |

- Elevations as Proposed, Scale 1:100, Drawing Number P201.02, Rev J, received by the Local Planning Authority on the 14<sup>th</sup> November 2022.
- Compartment Floor 1A and 1B, Job ID 2019.303, Scale 1:100, received by the Local Planning Authority on the 14<sup>th</sup> November 2022.
- Roof Detail Low Pitch, Scale 1:5, Job ID 2019:307, received by the Local Planning Authority on the 14<sup>th</sup> November 2022.
- Roof Detail Low Pitch, Scale 1:5, Job ID 2019:307, received by the Local Planning Authority on the 14<sup>th</sup> November 2022.
- Addendum to Design and Access Statement, Rev B, received by the Local Planning Authority on the 22<sup>nd</sup> December 2022.
- Bat Letter, received by the Local Planning Authority on the 14<sup>th</sup> November 2022.
- Britmet Insert – Lite Slate, received by the Local Planning Authority on the 17<sup>th</sup> 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.

Other Conditions:

3. Red sandstone should be used when making good or carrying out alterations to any fireplaces made of red sandstone.

Reason

In the interest of protecting the heritage asset.

4. The development hereby approved must be completed in accordance with the approved documents:

- Addendum to Design and Access Statement, Rev B, received by the Local Planning Authority on the 22<sup>nd</sup> December 2022.
- Britmet Insert – Lite Slate, received by the Local Planning Authority on the 17<sup>th</sup> November 2022.

The development must be retained in accordance with these approved details for the lifetime of the development.



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|   | <p>Reason</p> <p>To ensure a satisfactory appearance of the development in the interests of visual amenity.</p> <p><b>Informative:</b></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:<br/> <a href="http://www.gov.uk/government/organisations/the-coal-authority">www.gov.uk/government/organisations/the-coal-authority</a></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 planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.</p> |
| <b>Case Officer:</b> C. Burns             | <b>Date :</b> 05.01.2023   |
| <b>Authorising Officer:</b> N.J. Hayhurst | <b>Date :</b> 06.01.2023   |
| <b>Dedicated responses to:-</b>           |  |