

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/23/2155/0F1
2.	<b>Proposed Development:</b>	REMOVAL OF EXTERNAL FIRE ESCAPE STAIRCASE AND REPLACEMENT WITH NEW FIRE ESCAPE STAIRCASE TO MEET CURRENT REGULATIONS & STANDARDS
3.	<b>Location:</b>	THE CHASE HOTEL, CORKICKLE, WHITEHAVEN
4.	<b>Parish:</b>	Whitehaven
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Coal - Standing Advice - Data Subject To Change, Coal - Development Referral Area - 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>	<p><b>SITE AND LOCATION</b></p> <p>This application relates to the Chase Hotel, situated within the Corkickle area of Whitehaven. There are residential properties surrounding the extensive grounds and parking with Garlieston Court to the north west and Back Corkickle to the north east.</p> <p>The site lies within the Whitehaven Corkickle Conservation Area.</p>

## **PROPOSAL**

Planning permission is sought for the removal of the existing fire escape staircase and its replacement with a new fire escape staircase. This is to meet current regulations and standards for evacuation.

The staircase is located on the north west side of the building, fronting the grounds and car park.

The proposed staircase will have four flights of steps, each with its own landing. It will be constructed from steel and be fixed to the ground by large concrete pads.

## **RELEVANT PLANNING APPLICATION HISTORY**

Erection of bedroom block and car park, approved in August 1988 (application reference 4/88/0737/0 relates);

12 Bedroom extension and link, approved in March 2001 (application reference 4/01/0075/0 relates);

Alteration and extension of existing hotel, forming function room and additional bedrooms, approved in October 2004 (application reference 4/04/2474/0 relates);

Application to fell one beech tree and lop one copper beech tree protected by a tree protection order, approved in November 2004 (application reference 4/04/2721/0 relates);

Illuminated hotel sign, approved in May 2005 (application reference 4/05/2225/0 relates);

Proposed alterations and extension of existing car park including new retaining wall, approved in October 2007 (application reference 4/06/2757/0 relates);

Rear extension to form conference/dining room, staff and storage facilities, approved in July 2008 (application reference 4/08/2225/0 relates).

## **CONSULTATION RESPONSES**

### Whitehaven Town Council

No objections.

### Conservation and Design Officer

No objection.

The existing fire escape makes a strongly negative impact on the building, and a slightly negative impact on the character and appearance of the conservation area that is only ameliorated by virtue of it being set back some 40m from the road and therefore not highly visible.

The replacement is also not attractive, being a highly utilitarian structure, however, in



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replacing the two straight-run staircases with a pair of doglegged staircases, little enough is different that I would view the impact on the conservation area as being negligible. The proposed galvanised steel finish is also likely to be less visually intrusive than the current painted finish.

### Public Representation

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

No responses have been received as a result of this 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**

On 1st April 2023, Copeland Borough Council ceased to exist and was replaced by Cumberland Council as part of the Local Government Reorganisation of Cumbria.

Cumberland Council inherited the local development plan documents of each of the sovereign Councils including Copeland Borough Council, which combine to form a Consolidated Planning Policy Framework for Cumberland.

The inherited the local development plan documents continue to apply to the geographic area of their sovereign Councils only.

The Consolidated Planning Policy Framework for Cumberland comprises the Development Plan for Cumberland Council until replaced by a new Cumberland Local Plan.

### **Copeland Local Plan 2013 -2028 (Adopted December 2013)**

#### Core Strategy

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Policy ER10 – Renaissance through Tourism

Policy ENV4 – Heritage Assets

#### Development Management Policies (DMP)

Policy DM9 – Visitor Accommodation

Policy DM10 – Achieving Quality of Place

Policy DM22 – Accessible Developments

Policy DM27 – Built Heritage and Archaeology

## **Other Material Planning Considerations**

National Planning Policy Framework 2021 (NPPF)

Cumbria Development Design Guide

Copeland Local Plan 2013-2028: Site Allocations and Policies Plan (SAPP).

Copeland Local Plan 2001-2016 (LP) Saved Policies.

Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA)

### Emerging Copeland Local Plan (ELP):

Cumberland Council are continuing the preparation and progression to adoption of the emerging Copeland Local Plan 2017-2038.

The emerging Copeland Local Plan 2017-2038 comprising the Publication Draft (January 2022) and Addendum (July 2022) have recently been examined by the Planning Inspector and their report on the soundness of the plan currently remains awaited.

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.

The policies relevant to this application are as follows:

Strategic Policy DS1PU: Presumption in favour of Sustainable Development

Strategic Policy DS3PU: Settlement Hierarchy

Policy DS6PU: Design and Development Standards

Strategic Policy T1PU: Tourism Development

Strategic Policy BE1PU: Heritage Assets

Policy BE2PU: Designated Heritage Assets

## **ASSESSMENT**

Principle of the Development



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Policies ER10 of the CS and T1PU of the ELP seek to encourage tourism within the area and support development within Whitehaven that improve the quality of the tourism product.

The proposed replacement staircase is a requirement of the Building Regulations in order that there is a safe and suitable fire escape from the building. Without the approval of this staircase, the building would be unable to function as a hotel and therefore the replacement is considered to be necessary.

On this basis, the principle of the development is considered to be acceptable.

### Impact on the Corkickle Conservation Area

Policies ENV4 and DM27 of the CS and BE1PU and BE2PU of the ELP relate to the protection and enhancement of the Conservation Area and seek to ensure that any alterations are in keeping and respect the existing character of the area. Policy DM10 of the CS and DS6PU of the ELP requires good design.

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 66.1 requires that: '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'.

Section 72 requires that: 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance' of a conservation area.

The proposed replacement staircase was considered to be acceptable by the Conservation Officer. The Officer considers that the existing staircase has a negative effect on the Conservation Area, however it is not highly visible from public viewpoints. The proposed staircase poses a slight improvement and the design will be less impactful than the existing. The Officer considers that the galvanised steel finish will also be betterment.

Overall, the proposed alterations will comply with policies ENV4 and DM27 of the Copeland Local Plan and BE1PU and BE2PU of the emerging local plan, respecting the character of the Whitehaven Corkickle Conservation Area.

### Scale, Design and Impacts on Visual Amenity

Policy ST1 and section 12 of the NPPF seek to promote high quality designs. Policy DM10 seeks to ensure high standards of design are maintained, with appropriate scale and materials, responding to the character of the site.

The proposal cannot be easily seen from the surrounding area, fronting onto the private car park used by the hotel and 40m from the nearest dwelling to the north west. The proposed staircase will replace a similar feature, therefore it is considered that there will not be a

	<p>material change from the existing situation.</p> <p>On this basis, the proposal is unlikely to create any harm to the visual amenity or local landscape in compliance with policies ST1, DM10 and ENV5 of the Local Plan.</p> <p><u>Parking and Access</u></p> <p>Policy DM22 of the CS and CO7PU of the ELP seek to ensure that all new development includes sufficient access and parking.</p> <p>The proposal will have no effect on the existing situation, utilising the same space as the previous structure and therefore maintaining both the access and the parking for the site.</p> <p>As a result of the above, the proposal is considered to accord with these policies within the CS and ELP.</p> <p><u>Planning Balance and Conclusion</u></p> <p>This application relates to an existing hotel, situated within Whitehaven. The staircase is required in order that a safe fire escape is available for guests and the building cannot operate as a hotel without this provision. The principle of development is therefore acceptable and this carries significant weight in the planning balance.</p> <p>The proposal will have a small positive impact on the Conservation Area, providing a better design and material palette when compared to the existing staircase. This is a benefit that can be afforded minor weight in the planning balance.</p> <p>There will be no effect on the existing parking and access arrangements for the site.</p> <p>Overall, the proposed development accords with the policies within the Copeland Local Plan and should be approved.</p>
8.	<p><b>Recommendation:</b></p> <p>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.</li> </ol> <p>Reason</p> <p>To comply with Section 91 of the Town and Country Planning 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</li> </ol>



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respective dates and development shall be carried out in accordance with them: -

Application form, received 6<sup>th</sup> June 2023;

Site Location Plan, scale 1:1250, received 6<sup>th</sup> June 2023;

Proposed Plan and Elevation, drawing number QDOC022 REV1, received 6<sup>th</sup> June 2023;

External Stairs Structural Calculations, written by GHD, reference G0738-1, received 6<sup>th</sup> June 2023.

### 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.

3. Development must be undertaken in accordance with the proposed materials stated within the application form, submitted as part of the planning application and received on 6<sup>th</sup> June 2023. It must be maintained as such at all times thereafter.

### Reason

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

### Informative

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.

Further information is also available on the Coal Authority website at:

[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

### 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.	
<b>Case Officer: Sarah Papaleo</b>		<b>Date : 25/07/2023</b>
<b>Authorising Officer: N.J. Hayhurst</b>		<b>Date : 31/07/2023</b>
<b>Dedicated responses to:- N/A</b>		