

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/23/2188/0F1
2.	Proposed Development:	FULL-PLANNING FOR THE USE OF THE PROPERTY AS A C3 (SINGLE FAMILY DWELLING) WITH FLEXIBLE C3 HOLIDAY LET USE INCLUDING INTERNAL AND EXTERNAL ALTERATIONS TO THE PROPERTY
3.	Location:	18 IRISH STREET, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	Listed Building - Listed Building, Conservation Area - Conservation Area, Coal - Development Referral Area - Data Subject to Change, Coal - Standing Advice - Data Subject To Change, ASC;Adverts - ASC;Adverts
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:	<p>SITE AND LOCATION</p> <p>This application relates to a terraced dwelling at 18 Irish Street in Whitehaven. The property is a large single dwelling spread over four storeys including space in the roof. It is Grade II Listed and adjoins two other Grade II Listed properties. It is situated within the Whitehaven</p>

Conservation Area.

The dwelling benefits from a large rear garden and Irish Street runs adjacent to the front of the property.

PROPOSAL

Planning Permission is sought for the change of use of the property to allow a flexible use as both a holiday let and a dwelling.

The proposed alterations to accommodate this as are follows:

External

- Cycle rack space in rear garden for a total of 16 bikes;
- Extension of patio area and installation of freestanding hot tub;
- Repairs to subsidiary chimney stack;
- Roof cleaned and repaired by hand brush and water at low psi;
- Localised repair of windows;
- Repair of render to string courses, window surrounds and console brackets;
- Restoration or replacement of stair bannisters in Georgian Style;
- Outside to be painted to its original colour;
- Replacement of modern uPVC gutters and downpipes with black painted cast iron versions;
- Repair of external doors and replacement ironmongery in-keeping with Georgian period.

A number of internal alterations are also proposed but these do not require planning permission. These are considered under a Listed Building Consent application which has been submitted simultaneously (application reference 4/23/2189/0L1 relates).

RELEVANT PLANNING APPLICATION HISTORY

Business sign, approved in February 1990 (application reference 4/90/0034/0 relates).

CONSULTATION RESPONSES

Whitehaven Town Council



Cumberland Council

No objections.

Highways Authority

No objections as it is considered that the proposal will not have a material effect on the existing highway conditions.

Conservation Officer

Description: A fine double-fronted house dating from the 1730-6, with original features and layout still present. The site was originally purchased by Thomas Ritson, glazier, on 10th June 1730, and the house built shortly thereafter.

Conclusion: No objection (condition requested)

Assessment:

- I request use of a condition that would enable details of the refurbishment and reinstatement of the ground floor front living room to be submitted and approved prior to the works taking place.

Local Lead Flood Authority

No objections as it is considered that the proposal will not increase the flood risk either on site or elsewhere.

Public Representation

The application has been advertised by way of a site notice and neighbour notification letters issued to 2 no. properties.

No responses have been received to 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

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.

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 DM13 – Conversion of Buildings to Residential Use within Settlement Limits

Policy DM22 – Accessible Developments

Policy DM27 – Built Heritage and Archaeology

Other Material Planning Considerations

National Planning Policy Framework 2021 (NPPF)

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

Conservation Area Design Guide

Emerging Copeland Local Plan

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.

The Planning Inspector has now issued their post hearing letter, which identifies the next steps for the Examination. This includes proposed modifications to the plan to ensure a sound plan on adoption

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.



Cumberland Council

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 proposal are:

Strategic Policy DS1PU: Presumption in favour of Sustainable Development

Strategic Policy DS3PU: Settlement Hierarchy

Strategic Policy DS4PU: Settlement Boundaries

Policy DS6PU: Design and Development Standards

Strategic Policy T1PU: Tourism Development

Strategic Policy BE1PU – Heritage Assets

Policy BE2PU – Designated Heritage Assets

Policy CO7PU: Parking Standards and Electric Vehicle Charging Infrastructure

ASSESSMENT

Principle of Development

Whitehaven is designated as Copeland's Principal Town within Policy ST2 of the CS and remains as such within Policy DS3PU of the ELP. Whitehaven is the focus for development within the Borough including both residential and tourism uses.

Policy ER10 of the CS and T1PU of the ELP seek to locate tourism accommodation where there is proven capacity for additional visitors without adverse environmental or amenity impacts. Policy DM9 of the CS supports proposals for visitor accommodation provided the scale and character is appropriate to the location and setting.

As the building is located within the settlement boundary for Whitehaven and is already in use as a single residential property, the conversion to holiday accommodation is considered to be appropriate and will not materially change its use.

On this basis, the principle of development is considered to be acceptable and accords with policies ST2, ER10 and DM9 of the CS and DS3PU and T1PU of the ELP.

Scale, design and effect on neighbouring dwellings

Policies ST1 and DM10 of the CS and DS6PU of the ELP seek to ensure that dwellings and holiday lets are of a scale and layout suitable for its purpose and also that there are no adverse impacts on the neighbouring amenity of the surrounding area.

The layout of the building is appropriate, with sufficient facilities available for uses as both a

holiday let purposes and as a private dwelling.

The proposed external alterations are modest and comprise general repairs of the existing property. These will have a positive effect on the overall appearance of the building and the repairs will ensure the longevity of the building.

The use as a single holiday let is likely to be of a similar nature to its use as a private dwelling with one related group occupying the property at any one time. Any issues relating to noise can be dealt with by Environmental Health through separate legislation with relation to Statutory Nuisance should they arise in the future.

There have been no objections to the proposal.

Effect on the Listed Building and surrounding Conservation Area

Policy ENV4 and Policy DM27 of the CS and BE1PU and BE2PU of the ELP seek to protect, conserve and where possible enhance listed buildings and their settings.

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 16.2 requires that: *'In considering whether to grant listed building consent for any works the local planning authority or 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'*.

Paragraphs 184 – 202 of the NPPF in respect of heritage include a requirement that when considering the impact of development proposals on designated heritage assets such as listed buildings, great weight should be given to the conservation of the asset's significance; however, less than significant harm should be weighed against the public benefits of a development.

The application was accompanied by a comprehensive Heritage Assessment which concludes that there is unlikely to be any harm created to the significance of the Listed Building or the character and appearance of the Conservation Area.

The principle of improving the appearance and restoring historical features of a building are supported by current policy. No objections were received from the Council's Conservation Officer.

Although full details of the fireplaces have not been received this issue is considered under the Listed Building Consent application that has been submitted in tandem with this planning application.

Access and Parking

Policy DM22 of the CS and CO7PU of the ELP detail the minimum provision of parking and turning space that should be available for new developments.

The existing property does not benefit for any dedicated off street parking, however that is



Cumberland Council

	<p>typical of terraced properties within the town centre of Whitehaven. The Highways Officer has raised no objections and he does not consider that there will be a material effect on the surrounding highway network.</p> <p>Bicycle racks for 16 bikes are proposed to the rear of the property and the situation allows for easy access to services for day to day living via bicycle, foot or public transport.</p> <p>Overall, due to the location of the development within the town centre which has numerous public car parks available and also a wide range of sustainable public transport options the proposal is considered to be acceptable in accordance with Policy DM22 of the CS and CO7PU of the ELP.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The proposal seeks to change the use of an existing single dwelling to a flexible use as both a holiday let and a dwelling. The building is located within the settlement boundary for Whitehaven which is the Principal town within the Borough. Current and emerging Local Plan policies and Government guidance encourage the re-use of existing buildings including tourism uses. The principle of the use is therefore acceptable and this carries significant weight within the planning balance.</p> <p>The proposed use is considered to be compatible for this part of Whitehaven and will not have any significant impacts on residential amenity. The proposed external alterations and refurbishment will have a positive effect on the Conservation Area and Listed Building.</p> <p>Although no dedicated car parking is provided sufficient public parking is available within Whitehaven town centre and there is a wide range of sustainable transport options. Overall there is unlikely to be any changes to the existing situation.</p> <p>Overall this proposal is considered to be an acceptable form of development which accords with the policies in the adopted and emerging local plans and the guidance set out within the NPPF.</p>
8.	<p>Recommendation: Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <ol style="list-style-type: none"><li data-bbox="159 1724 1500 1803">1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission. <p data-bbox="255 1836 367 1870">Reason</p> <p data-bbox="255 1904 1500 1982">To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.</p>

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: -

Application form, received 4th July 2023;

Site Location Plan and Block Plan, scales 1:1250 and 1:500, drawing number 08IR-A-01-001, received 4th July 2023;

Proposed Block Plan, scale 1:200, drawing number 018IR-A-01-002, received 4th July 2023;

Proposed Front Visualisation, drawing number 018IR-A-02-101, received 4th July 2023;

Proposed Rear Visualisation, drawing number 018IR-A-02-102, received 4th July 2023;

Proposed Basement Floor Plan, scale 1:100, drawing number 018IR-A-03-101, received 4th July 2023;

Proposed Ground Floor Plan, scale 1:100, drawing number 018IR-A-03-102, received 4th July 2023;

Proposed First Floor Plan, scale 1:100, drawing number 018IR-A-03-103, received 4th July 2023;

Proposed Second Floor Plan, scale 1:100, drawing number 018R-A-03-104, received 4th July 2023;

Proposed Roof Plan, scale 1:100, drawing number 018IR-A-03-106, received 4th July 2023;

Proposed Section, scale 1:100, drawing number 018IR-A-05-101, received 4th July 2023;

Proposed Section, scale 1:100, drawing number 018IR-A-05-102, received 4th July 2023;

Proposed Elevation, scale 1:100, drawing number 018IR-A-06-101, received 4th July 2023;

Proposed Elevation, scale 1:100, drawing number 018IR-A-06-102, received 4th July 2023;

Proposed Elevation, scale 1:100, drawing number 018IR-A-06-103, received 4th July 2023;

Proposed Elevation, scale 1:100, drawing number 018IR-A-06-104, received 4th July 2023;

Heritage Assessment, written by Cambridge Heritage Ltd, document number 0285A, received 4th July 2023;

Planning, Design and Access Statement, written by UPP, received 4th July 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.



**Cumberland
Council**

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 : 11/08/2023
Authorising Officer: N.J. Hayhurst	Date : 29/08/2023
Dedicated responses to:- N/A	