

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/23/2189/OL1
2.	Proposed Development:	LISTED BUILDING CONSENT FOR INTERNAL AND EXTERNAL ALTERATIONS TO THE PROPERTY IN ASSOCIATION WITH THE USE OF THE PROPERTY AS A C3 (SINGLE FAMILY DWELLING) WITH FLEXIBLE C3 HOLIDAY LET USE
3.	Location:	18 IRISH STREET, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, 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: NO Site Notice: YES Press Notice: YES Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: SITE AND LOCATION	<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.

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

The listing entry for the property states the following:

IRISH STREET 1. 1814 (South Side) No 18 NX 9717 NW 4/67 20.7.49.

II GV 2. C18. Stuccoed. 3 storeys, the ground floor having channel joints to ashlar courses, with cornice at 1st floor sill level. Original door with architraves, cornice on consoles. 3 windows on ground floor, 4 each upper floor, the ground floor ones having cornices and console brackets.

Nos 17 to 20 (consec) form a group.

Listing NGR: NX9739117918

PROPOSAL

Listed Building Consent is sought for various internal and external works associated with the conversion and alterations to the dwelling to allow a flexible use of the building as both a holiday let and a dwelling.

This listed building consent has been submitted in tandem with an application for full planning permission for the same works (application reference 4/23/2188/0F1 relates).

The physical development proposed principally comprises:

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.

Internal

- Tanking and insulation of the cellar to create a games room;
- Restoration of cellar flagstone floor;
- New fireplace in dining room;
- Replacement of vinyl with laminate in the kitchen;
- Replacement of carpet above cement in dining room, bedroom and lounge with laminate;
- Restoration of floor boards in hallway;
- Addition of a log burner in living room;
- Removal of carpet and restoration of floor boards in living room and first floor;
- Restoration of original door in living room;
- New bathroom on first floor.

RELEVANT PLANNING APPLICATION HISTORY

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

CONSULTATION RESPONSES

Whitehaven Town 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.

No responses have been received to these advertisements.

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

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 ENV4 – Heritage Assets

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM27 – Built Heritage and Archaeology

Other Material Planning Considerations

National Planning Policy Framework (NPPF)



Cumberland Council

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

Conservation Area Design Guide

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 proposal are:

Strategic Policy DS1PI – Presumption in favour of Sustainable Development

Policy DS6PU – Design and Development Standards

Strategic Policy BE1PU – Heritage Assets

Policy BE2PU – Designated Heritage Assets

ASSESSMENT

Principle of the Development

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.

Comprehensive information has been provided by the Applicant in respect of the heritage asset significance of the property and the impacts of the proposed development and the proposals have been fully reviewed and assessed by the Conservation Officer of the Council.

The heritage asset significance of the property is principally derived from its physical form/construction.

The principle of improving the appearance of the building and ensuring it is future proofed are

supported throughout local and national planning policy. The building is large in scale and fronts onto Irish Street, within a terrace containing other Listed Buildings. The works will retain the character of the building whilst bringing it back into a viable use. It is therefore considered that the works to restore it should be encouraged in principle.

On balance, there is likely to be a positive contribution to the Conservation Area and for the Listed Building, improving the visual amenity of the area and bringing the building back into occupation.

Impacts on Heritage Assets

Policies ENV4, DM10 and DM27 of the CS and BE1PU and BE2PU of the ELP seek to ensure that the design of any new development responds positively to the Borough's Heritage assets.

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.

Full details of the proposed works both internally and externally have been provided and are considered to be in-keeping with the historic fabric and character of the property.

Details of the proposed fireplace refurbishments and log burner installation have not been provided. It is therefore considered to be reasonable to include a suitably worded planning condition to provide these details prior to these works being undertaken to ensure that they are completed in a way that is sympathetic to the buildings historic fabric.

Given that the design and proposed materials will reflect the character of the heritage asset and surrounding Conservation Area, the impact is considered to be positive and is therefore supported.

Planning Balance and Conclusion

The Conservation Officer considers that the completed works will provide betterment for the heritage asset and surrounding Conservation Area. The works are therefore considered to be in accordance with Policies ENV4 and DM27 of the Copeland Local Plan and Policies BE1PU and BE2PU of the Emerging Local Plan.

In applying the tests of the Copeland Local Plan 2013-2028, the LBCA and the NPPF, the

	proposal would preserve the heritage significance of the listed building and surrounding Conservation Area and so is therefore supported.
8.	Recommendation: Approve Listed Building Consent (start within 3yr)
9.	Conditions: <ol style="list-style-type: none"> The works hereby permitted must be commenced before the expiration of three years from the date of this consent. Reason 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. 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.

3. Prior to any works being undertaken to the fireplaces, full details of the proposed refurbishment and installation of them must be submitted to and approved in writing by the Local Planning Authority. The works must be undertaken in accordance with the approved details and retained as such at all times thereafter.

Reason

In order to ensure that the fabric of the Listed Building is not adversely affected and in accordance with Policies ENV4 and DM27 of the Copeland Local Plan.



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 listed building consent in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

Case Officer: Sarah Papaleo

Date : 16/08/2023

Authorising Officer: N.J. Hayhurst

Date : 29/08/2023

Dedicated responses to:- N/A