

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/24/2078/OL1
2.	Proposed Development:	LISTED BUILDING CONSENT FOR INSTALLING KITCHEN IN GROUND FLOOR, INSTALLING FOUR SOLID FUEL STOVES AND INSTALLING DECORATIVE WINDOW GRILLES TO BASEMENT AND GROUND FLOOR WINDOWS
3.	Location:	153 QUEEN 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
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 153 Queen Street, which is a Grade II listed mid-terrace property situated within Whitehaven town centre. The property which is a late Georgian town house it is situated within Whitehaven Conservation Area.</p> <p>The listing entry for the property states the following:</p> <p>QUEEN STREET 1. 1814 (South East Side) Nos 152 to 155 (consec) NX 9717 NW 4/112 II GV 2.</p>	

A row of 3 storeyed houses in scored stucco with brick chimneys. No 152 has a gable end, with quoins. Georgian. No 152 has 1 window on each floor, all with cornices (that on top floor with a curved pediment); moulded blank fascia above ground floor. Nos 153, 154 and 155 have moulded doorways with pediments, and sash windows (No 153 has 3 each floor, the others 2 each floor).

Nos 150 to 155 (consec) form a group.

Listing NGR: NX9728017976

Proposal

Listed Building Consent is sought for the installation of a kitchen on the ground floor, four solid fuel stoves throughout and the installation of decorative window grilles to the basement and ground floor windows.

The kitchen is to be removed from the basement and newly installed in the existing dining room on the ground floor of the property at the rear. The four solid fuel stoves will be installed into existing fire surrounds. The decorative window grilles will be installed to the basement and ground floor windows on the front elevation.

Relevant Planning Application History

There has been no previous applications at this property.

Consultation Responses

Whitehaven Town Council

No objection.

Conservation and Design Officer

No objection.

Public Representation

The application has been advertised by way of a site notice and a press notice. No consultation responses have been received as a result of this advertisement.



Cumberland Council

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

Copeland Local Plan 2013 – 2028 (Adopted December 2013)

Core Strategy

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Policy ENV4 – Heritage Assets

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM18 – Domestic Extensions and Alterations

Policy DM27 – Built Heritage and Archaeology

Emerging Copeland Local Plan 2021-2038 (ELP):

Cumberland Council are continuing the preparation and progression to adoption of the ELP.

The Local Plan Examination Hearing Sessions were completed in March 2023.

The appointed Planning Inspector issued their post hearing letter in June 2023, which identified the next steps for the examination.

The appointed Planning Inspector has now considered all representations and the discussions that took place during the Local Plan Examination Hearing Sessions in 2023 and has identified a number of amendments or 'modifications' that are required in order to ensure the ELP is sound i.e. positively prepared, justified, effective and consistent with national planning policy.

A six week public consultation seeking views on the proposed modifications to the ELP commenced on Wednesday 14th February 2024 and closed on the 28th March 2024.

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 advanced stage of preparation of the ELP full weight can be attached to policies

where no objections have been received or objections have been resolved. Once the consultation on the main modifications to the ELP is complete significant weight can be afforded to the policies of the ELP where modifications are proposed.

The following policies are relevant to this proposal:

Policy DS1PU – Presumption in favour of Sustainable Development

Policy DS6PU – Design and Development Standards

Policy H14PU – Domestic Extensions and Alterations

Policy BE1PU – Heritage Assets Policy BE2PU – Designated Heritage Assets

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

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

Conservation Area Design Guide 2017

Assessment

Policy ENV4 and Policy DM27 of the Adopted Local Plan and Policy BE1PU of the Emerging Local Plan seeks 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'.

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

Paragraphs 189 – 208 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 is supported by a Design and Access/Heritage Statement. This provides justification for the new location of the kitchen as the old one was dilapidated and a new one can be installed to make use of the current waste pipe and water supply so as to not create

	<p>any new external penetrations.</p> <p>The four solid fuel stoves are to be fitted within existing fire surrounds and are therefore considered to be suitable for its use and justified by the existing chimneys.</p> <p>The Design and Access/Heritage Statement also provides adequate justification for the external window grilles to the basement and ground floor windows to provide additional protection to the windows in this town centre property as they have been subject to vandalism several times in the past.</p> <p>The Conservation and Design Officer has also visited the site and indicated that the removal of the old kitchen from the basement appears to entail neutral impact on the significance of the building and installation of the new kitchen on the ground floor will make use of existing service penetrations and should be accomplished without disturbing historic features within the room so it could in theory later be reversed. This would appear to entail neutral impact on the significance of the building.</p> <p>The installation of the proposed solid fuel stoves into existing fire surrounds appears to entail neutral impact on the building.</p> <p>The installation of the window grilles to entail negligible harm to the exterior of the building, justified on the basis of providing better protection to the windows.</p> <p>On this basis, it is anticipated that the proposed works will not impact the character or appearance of the Conservation Area and the proposed works are justified and the benefits will outweigh the any harm.</p> <p>The Conservation Officer has raised no objections to the proposal therefore the proposal is considered to meet Policy DM27, thereby satisfying the duties and test set out in the LBCA and the NPPF.</p> <p>Planning Balance and Conclusion</p> <p>The proposal is considered to have a negligible harm to the character of the Listed Building and Conservation Area and therefore in applying the tests of the Adopted Copeland Local Plan 2013-2028, the Emerging Copeland Local Plan 2021-2038, the LBCA and the NPPF, the proposal would preserve the heritage significance of the listed building.</p> <p>The application is therefore considered to be an acceptable form of development in accordance with Policies ENV4 and DM27 of the Copeland Local Plan and Policies BE1PU and BE2PU of the Emerging Local Plan.</p>
8.	<p>Recommendation:</p> <p>Approve Listed Building Consent (start within 3yr)</p>

9.

Conditions:

1. The works hereby permitted shall 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.

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;
- Amended Ownership Details;
- Site Location Plan, scale 1:1250;
- Block Plan, scale 1:500;
- Ground Floor Plan;
- Basement Floor Plan;
- Proposed First Floor Plan;
- Image of existing front elevation;
- Window Grilles Design Document;
- Similar Window Grilles Details;
- Stove Details;
- Supporting Photographs;
- Design and Access/Heritage Statement.

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.

Informative Note

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



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: Demi Crawford

Date : 21/05/2024

Authorising Officer: N.J. Hayhurst

Date : 28/05/2024

Dedicated responses to:- N/A