

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/24/2141/0L1	
2.	Proposed Development:	LISTED BUILDING CONSENT FOR INSTALLATION OF A SECOND SINK ON GROUND FLOOR WHICH WILL REQUIRE THE RELOCATION OF THE EXISTING EXTERNAL DRAIN OUTLET; EXISTING PIPES TO BE REMOVED & EXTERNAL HOLE PLUGGED - NEW EXTERNAL HOLE & NEW DRAINAGE PIPE TO BE INSERTED	
3.	Location:	NEW COLLEGE HALL, ST BEES PRIORY GROUNDS, ST BEES	
4.	Parish:	St. Bees	
5.	Constraints:	Listed Building - Listed Building, Conservation Area - Conservation Area, ASC;Adverts - ASC;Adverts, 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 Policies	See Report
7.	Report:		
	Site and Location		
	This application relates to New College Hall, located within St Bees Priory Grounds off the main road through St Bees. The property is a Grade II Listed Building and lies within the St Bees Conservation Area.		
	The Listing entry for the property states the following:		
	This List entry was subject to a Minor Amendment on 07/11/2017 NX 91 SE (INSET), 8/73 ST BEES, B5345 (West side), St Bees, New College Hall (Formerly listed as: Library to		

south-east of Priory Church chancel; previously listed as: Part of Priory St Mary and Church of St Bega) 09. 03. 67. G. V. II Library when surveyed. 1863 by Butterfield in Gothic style. Rough-dressed sandstone blocks with dressed quoins and bands on plinth; concave eaves course. Scalloped ridge to graduated slate roof; stone coping, kneelers, and apex cross to south ridge. Projecting stone chimney to centre on east side. Two storeys; single-storey bay window to north return. Entrance to left on west side has pointed head. Mullioned ground-floor windows to west side and south return each have two lights with trefoiled ogee heads; single first-floor window to each return has similar lights with quatrefoils to spandrels under pointed containing arch. First-floor west has four windows, three with inner trefoil heads.

Listing NGR: NX9691912114

Relevant Planning History

No relevant planning history.

Proposal

This application seeks Listed Building Consent for the installation of a second sink on the ground floor of the property, which will require the relocation of the existing drain outlet. The alteration is required to allow the site to be utilised as a community warm hub.

The proposed works will involve removing the existing pipe and plug the existing external hole within the west elevation of the building. A new external hole will be created at a lower level within the external wall to ensure the new brown drainage pipe can be installed.

Consultation Responses

St Bees Parish Council

No objections.

Cumberland Council – Conservation & Design Officer

Conclusion: No objection

Assessment:

- Although requiring the insertion of a new hole, this proposal will also reduce the visual impression of the drainage pipe externally, through mounting it lower to the ground, and in a less obvious colour.
- I would request that the vacated hole be filled with a new small piece of St Bees red sandstone, and pointed with a colour matched mortar, or, if the hole is too small for a piece of stone to be mortared in place, then for it to be filled with a suitably coloured



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mortar.

- As the second sink is necessary for the building to be used as a warm hub, I would view the alteration as consisting of both positive and negative impacts in heritage terms, both minor in scale, with the less-than-substantial negative impact of drilling a second hole being justified by the increase in the building's usability.

Historic England

On the basis of the information available to date, in our view you do not need to notify or consult us on this application under the relevant statutory provisions.

Cumberland Council and Westmorland & Furness Council – Historic Environment Officer

No objections and no comments to make.

National Amenities Society

No comments received.

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

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 ENV4 – Heritage Assets

Policy SS4 - Community and Cultural Facilities and Services

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

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. The Planning Inspectors Report is 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 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. As the consultation on the main modifications to the ELP is now complete significant weight can also be afforded to the policies of the ELP where modifications are proposed.

Policy DS1PU – Presumption in favour of Sustainable Development

Policy DS6PU – Design and Development Standards

Strategic Policy BE1PU: Heritage Assets

Policy BE2PU: Designated Heritage Assets

Policy SC1PU - Health and Wellbeing

Policy SC2PU – Sporting, Leisure and Cultural Facilities

Policy SC5PU – Community and Cultural Facilities

Other Material Planning Considerations

National Planning Policy Framework (2023)

National Planning Practice Guidance (NPPG)

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

Conservation Area Design Guide

Assessment

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

Principle of Development

Policy ST1 of the Copeland Local Plan seeks to provide and enhance recreational opportunities for the Borough's residents and its visitors, protecting existing provision and ensuring that future development meets appropriate standards in terms of quantity and quality. Policy SS4 of the Copeland Local Plan protects range of services and facilities serving the Borough's communities by encouraging the provision and retention of good quality services and facilities which meet the needs of local communities and are accessible by public transport, cycling or on foot. This policy also allows for the expansion and enhancement of existing community and cultural facilities to assist continuing viability.

Policy SC1PU of the Emerging Local Plan states that the Council will promote health and well-being in the Borough. Emerging Policy SC2PU states that the Council will seek to protect and enhance existing sport and leisure facilities. Policy SC5PU of the Emerging Local Plan also states that proposed for new community facilities will be supported in principle and developments must be located within a settlement boundary identified within the hierarchy unless the proposal is for a specific activity that required a location that cannot be accommodated within a settlement, be accessible by sustainable transport modes where possible, be of a scale appropriate to its surroundings, ensure adequate parking is provided, ensure the development does not cause unacceptable harm on residential amenity, and ensure that biodiversity conservation interests would not be harmed as a result.

The proposed alterations to this Listed Building will allow the site to be utilised as a Community Warm Hub, which will have significant benefits for the local community. The principle of the proposed alterations is therefore considered acceptable.

On this basis, it is considered that the proposal complies with Policies ST1 and SS4 of the Copeland Local Plan, Policies SC1PU, SC2PU, and SC5PU of the Emerging Local Plan, and the provisions of the NPPF.

Impact on Heritage Assets

Policy ST1, ENV4, DM27 of the Copeland Local Plan and Policy BE1PU and BE2PU of the Emerging Local Plan seek to protect, conserve and where possible enhance heritage assets including archaeological assets.

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)].

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.”

NPPF para. 197 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).

The proposed works are minimal and are justified in terms of providing additional facilities so that the site can be utilised as a Community Warm Hub and for other community events. The works are therefore considered to protect the Heritage asset.

The Council’s Conservation Officer has confirmed that he has no objections to the application and has confirmed that the proposed works are minor with the less-than-substantial negative impact of drilling a second hole being justified by the increase in the building’s usability. The Officer has requested that the vacated hole is fill with a new piece of St Bees red sandstone or a suitability coloured mortar. This can be secured by an appropriately worded planning condition.

On this basis, the application is considered to comply with Policies ST1, ENV4, DM27 of the Copeland Local Plan, Policy BE1PU and BE2PU of the Emerging Local Plan, and provisions of the NPPF.

Planning Balance & Conclusions

The proposed alterations are considered to be minimal and conserve the character of the existing building. The works are justified in terms of increasing the usage of the building and providing additional community facilities by allowing the site to be used as a Community Warm Hub.

No objections have been received by the Council’s Conservation Officer.

On balance the positive benefits that would result from this proposal outweigh any potential harm and the proposal represents a sustainable form of development which complies with the Policies set out in the Copeland Local Plan and the guidance within the NPPF.



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8.	Recommendation: Approve Listed Building Consent (start within 3yr)
9.	Conditions: <u>Standard Conditions:</u> <ol style="list-style-type: none">1. 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 2004.2. This permission relates to the following plans and documents as received on the respective dates and development must be carried out in accordance with them:- <ul style="list-style-type: none">- Location Plan, Scale 1:1250, received by the Local Planning Authority on the 24th April 2024.- New College Hall 2nd Sink Installation, received by the Local Planning Authority on the 24th April 2024.- Design and Access & Heritage Statement, received by the Local Planning Authority on the 24th April 2024. 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. <u>Other Conditions:</u> <ol style="list-style-type: none">3. The vacated external hole must be filled with a new piece of St Bees red sandstone, and pointed with a colour matched mortar, or if the hole is too small then it should be

	<p>filled with a suitably coloured mortar in accordance with a scheme which has been submitted to and approved in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details thereafter.</p> <p>Reason</p> <p>In the interest of protecting the heritage asset.</p> <p>Statement</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>	
Case Officer: C. Burns		Date : 12.06.2024
Authorising Officer: N. Hayhurst		Date : 14/06/2024
Dedicated responses to:- N/A		