

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/24/2172/0F1	
2.	Proposed Development:	REPAIR AND IMPROVEMENT WORKS TO THE CHIMNEYS, WINDOWS, ROOF, REAR ELEVATION AND BRICKWORK	
3.	Location:	MILLOM LIBRARY, ST GEORGES ROAD, MILLOM	
4.	Parish:	Millom	
5.	Constraints:	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Coal - Off Coalfield - Data Subject To Change, Key Species - Potential areas for Natterjack Toads	
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 the former Millom Library, located within the centre of Millom. The site fronts onto St Georges Road and is sited within the town centre and the Millom Conservation Area.		
	The building was most recently used as the town’s library and the Office for Copeland Borough Council but is now redundant.		
	The site benefits from a car park to the rear which is accessed via an alley to the north west of the building.		

Relevant Planning History

4/22/2249/0F1 – Change of use of premises from library to office hub with ancillary meeting rooms and car parking – Approved.

Proposal

In June 2022, planning permission (ref: 4/22/2249/0F1) was granted to change the use of the application site from a library and offices to an office hub with ancillary meeting rooms and car parking to rear. The current application is required to carry out additional works to Millom Library to ensure the building is suitable for the previous approved planning permission.

The application seeks permission for a series of external alterations to the library building including the removal and rebuild of the two main end chimney stacks; removal of the central ancillary chimney; replacement of all windows with like for like timber sliding sash within areas of building within Conservation Area and UPVC in other areas; replacement of stone and brickwork; and roof repairs.

Consultation Responses

Millom Town Council

No objections in principle to this application.

Cumberland Council – Conservation and Design Officer

Conclusion: No objection (Condition suggested)

Assessment:

- Rebuilding chimney stack tops (above Dutch gable height). This is necessary to correct a lean, and will retain the original appearance of the building while safeguarding the prominent end stacks from movement.
- Removal of the central chimney. This is small and largely concealed from the surroundings. I would view its loss as entailing a negligible level of harm to the character and appearance of the conservation area, justified on the basis of providing a more sound roof surface, which will protect the building from water ingress.
- The building is unusual in that the boundary of the Conservation Area passes through it. The former grammar school section to the rear sits outside, while the main library is within, and is also more visual prominent, with the former grammar school being mostly hidden from St George's Road.
- This explains the different approaches to glazing, with replacement windows on the



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front and side elevations being copies of the existing windows, while the dilapidated former school to the rear will be glazed in new uPVC alternatives.

- Additionally, the link structure that sits between the former school and the library will be removed. I would view this as being of neutral impact on the character and appearance of the conservation area.
- The works to the library and former school room I would view on balance as beneficial, as they pave the way to both being given a new use. This will particularly benefit the former school, which has long been in a state of dilapidation, and the repairs to the former library's chimneys, brickwork and roof will improve its long term viability.

Suggested condition:

- I was not able to find details of the proposed windows other than the indicative visualisation in the elevation drawings. Many of the windows will be copies of the existing, however, I suggest the use of a condition to allow the uPVC units intended for the rear sections to be submitted and approved prior to their installation.

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 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 ER5 – Improving the Quality of Employment Space

Policy ER6 – Location of Employment

Policy ENV4 – Heritage Assets

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 will close 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.

Strategic Policy DS1PU: Presumption in favour of Sustainable Development

Strategic Policy E1PU: Economic Growth



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Policy DS6PU: Design and Development Standards

Strategic Policy BE1PU: Heritage Assets

Policy BE2PU: Designated Heritage Assets

Other Material Planning Considerations

National Planning Policy Framework (2023)

National Design Guide (NDG)

Cumbria Development Design Guide (CDG)

Planning (Listed Building and Conservation Areas) Act 1990

Assessment

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

Principle of Development

Policy ST1, ST2, and ER6 of the Copeland Local Plan seek to facilitate growth of the Borough's local economy.

Policy ER5 of the Copeland Local Plan seeks to create better quality premises and a more attractive environment for business to promote economic diversification by attracting higher value occupiers.

Policy E1PU of the Emerging Local Plan states that the economy of the Copeland Borough will be strengthened and broadened to provide a diverse range of employment and economic opportunities that will attract new key industries and provide the flexibility to accommodate existing businesses and new initiatives by maintaining, enhancing, regenerating and where appropriate extending the employment base in our towns and settlements.

The application seeks permission for a number of external alterations to the former Millom Library. The works are required to ensure the building is wind and watertight, and to allow the previous planning permission (ref: 4/22/2249/0F1) to be implemented to change the use of the site to an office hub with ancillary meeting rooms within one of the Borough's Key Service Centres.

On this basis, the proposal is considered to satisfy Policies ST1, ST2, ER5, and ER6 of the Copeland Local Plan, Policy E1PU of the Emerging Local Plan and the NPPF guidance.

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)]. This requirement also applies to the granting of planning permission affecting a listing building or its setting [Section 66(1)].

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.”

Paragraph 134 of the National Planning Policy Framework (NPPF) asserts that “Development that is not well designed should be refused”.

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).

Paragraph 203 of the National Planning Policy Framework (NPPF) states the effect on the significance of a non-designated heritage asset should be taken into account when making decisions.

Opportunities should be sought for new development within conservation areas and the settings of heritage assets that enhances or better reveals their significance. (para. 206)

Referring to assets in a conservation area, NPPF para. 207 states that loss of an element that makes a positive contribution to a conservation area should be treated as either substantial (under para. 201) or less-than-substantial harm (under paragraph 202).

The Council’s Conservation Officer has offered no objections to the application and has confirmed that on balance they are beneficial and are required to ensure the site is given a future use. A condition is however requested to secure details of the proposed windows to be utilised within the development.

Based on the inclusion of this condition, the application is considered to preserve the existing heritage asset and therefore the proposal 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 and Conclusion



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	<p>The proposed external works to the property are considered to preserve the appearance of the heritage asset whilst ensuring the future use of the site as an office hub can be secured in line with the previous planning approval (ref: 4/22/2249/0F1).</p> <p>No objections have been received by the Council's Conservation Officer subject to the inclusion of a condition to secure details of the proposed replacement windows.</p> <p>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, Emerging Local Plan, and the guidance within the NPPF.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <p><u>Standard Conditions:</u></p> <ol style="list-style-type: none">1. The development hereby permitted must be commenced before the expiration of three years from the date of this permission. <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">2. This permission relates to the following plans and documents as received on the respective dates and development shall 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 17th May 2024.- Cover Letter, received by the Local Planning Authority on the 17th May 2024.- Site Plan – Existing, Scale 1:500, Drawing Number: SP01, Rev: A, received by the Local Planning Authority on the 17th May 2024.- Site Plan – Proposed, Scale 1:500, Drawing Number: SP02, Rev: A, received by the Local Planning Authority on the 17th May 2024.- Existing Basement Layout Plan, Scale 1:75, Drawing Number: M01, Rev: A, received by the Local Planning Authority on the 17th May 2024.

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| | <ul style="list-style-type: none"> - Existing Ground Floor Layout Plan, Scale 1:75, Drawing Number: M02, Rev: C, received by the Local Planning Authority on the 17th May 2024. - Existing Upper Floors Layout Plan, Scale 1:75, Drawing Number: M03, Rev: A, received by the Local Planning Authority on the 17th May 2024. - Existing 3D Plan, Drawing Number: M04, Rev: -, received by the Local Planning Authority on the 17th May 2024. - Existing Elevations 1-8, Scale 1:100, Drawing Number: M05, Rev: -, received by the Local Planning Authority on the 17th May 2024. - Existing Elevations 9-13, Scale 1:100, Drawing Number: M06, Rev: -, received by the Local Planning Authority on the 17th May 2024. - Proposed Basement Layout Plan, Scale 1:75, Drawing Number: P01, Rev: -, received by the Local Planning Authority on the 17th May 2024. - Proposed Ground Floor Layout Plan, Scale 1:75, Drawing Number: P02, Rev: -, received by the Local Planning Authority on the 17th May 2024. - Proposed Upper Floors, Scale 1:75, Drawing Number: P03, Rev: -, received by the Local Planning Authority on the 17th May 2024. - Proposed Elevations 1-8, Scale 1:100, Drawing Number: P04, Rev: -, received by the Local Planning Authority on the 17th May 2024. - Proposed Elevations 9-13, Scale 1:100 & 1:1250, Drawing Number: P05, Rev: -, received by the Local Planning Authority on the 17th May 2024. - Ground Floor Proposed Demolition, Scale 1:75, Drawing Number: PD01, Rev: -, received by the Local Planning Authority on the 17th May 2024. - Demolition Plan, Scale 1:100, Drawing Number: D01, Rev: A, received by the Local Planning Authority on the 17th May 2024. - Ground Floor Demolition Plan, Scale 1:75, Drawing Number: D02, Rev: A, received by the Local Planning Authority on the 17th May 2024. - Upper Floor Demolition Plan, Scale 1:75, Drawing Number: D03, Rev: A, received by the Local Planning Authority on the 17th May 2024. - Planning Statement, Prepared by Avison Young May 2024, received by the Local |
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Planning Authority on the 17th May 2024.

- Heritage Statement, Prepared by Avison Young May 2024, received by the Local Planning Authority on the 17th May 2024.
- Design and Access Statement, Prepared by Avison Young May 2024, received by the Local Planning Authority on the 17th May 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.

Prior to Installation Condition:

3. Prior to their first installation within the development hereby approved full details of the replacement windows must be submitted to and approved in writing by the Local Planning Authority. The development must be carried out in accordance with the approved details and must be maintained at all times thereafter.

Reason

In the interest of protecting the heritage asset.

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: C. Burns

Date : 04.07.2024

Authorising Officer: N.J. Hayhurst

Date : 04.07.2024

Dedicated responses to:- N/A