

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

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| 1. | <b>Reference No:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 4/25/2287/0L1                                                                                                                                                                                                                                                          |
| 2. | <b>Proposed Development:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | LISTED BUILDING CONSENT FOR INTERNAL ALTERATIONS/REPAIRS                                                                                                                                                                                                               |
| 3. | <b>Location:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 1 VALE VIEW, ST BEES                                                                                                                                                                                                                                                   |
| 4. | <b>Parish:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | St. Bees                                                                                                                                                                                                                                                               |
| 5. | <b>Constraints:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <p>ASC;Adverts - ASC;Adverts,</p> <p>Conservation Area - Conservation Area,</p> <p>Listed Building - Listed Building,</p> <p>Coal - Standing Advice - Data Subject To Change,</p> <p>Outer Consultation Zone - Sellafield 10KM,</p> <p>PROWs - Public Right of Way</p> |
| 6. | <b>Publicity Representations &amp;Policy</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | See Report                                                                                                                                                                                                                                                             |
| 7. | <p><b>Report:</b></p> <p><b>SITE AND LOCATION</b></p> <p>This property is a Grade II-listed building meaning that it is recognised for its national significance and special interest. It forms part of a row of buildings and numbers 1-5, are all listed together, meaning that their significance is heightened by their group value. The buildings form a cohesive whole, with a shared Classical character with each end of the row being stepped out in order to create a unified design.</p> <p><b>PROPOSAL</b></p> <p>Listed Building Consent is sought for the following works:-</p> |                                                                                                                                                                                                                                                                        |

- Basement ceiling lath and plaster removal and replacement with insulation.
- Removal of wall between dining room and kitchen.
- Removal of infill panel to understairs area and installation of new softwood door and frame
- Removal of suspended kitchen ceiling.
- Removal and replacement of kitchen including opening up chimney breast and installation of lintel and new range cooker
- First floor bathroom removal of uPVC ceiling cladding and replumb and renew sanitary ware and tiling
- Second floor loft hatch enlargement.
- Ground floor living room 1 fireplace modification and stove install
- Ground floor dining room fireplace modification and stove install
- First floor living room 2 fireplace modification and stove install

## **CONSULTATION RESPONSES**

### Parish Council

The Parish Council is happy to rely on the specialist advice of conservation experts on the acceptability of the internal changes proposed. The Parish Council's main concern is that the external appearance of the building should not be changed. We note that three wood burning stoves are to be fitted but it is not specified how the attachment to the existing chimney stack is to be made.

### Conservation Officer

No objections to the proposed works following clarification regarding a number of elements. Condition relating to the opening up of the fireplace to be placed on any permission.

### Council of British Archaeology

The CBA cannot currently support this application, as it would cause an unjustified level of harm to the building through the loss of historic fabric and plan form. We recommend that revised plans are submitted which retain the structural wall adjacent to the kitchen.

### Victorian Society

The Society is concerned that the full significance of the historic fabric and features of this building have yet to be fully assessed, and without this adequate analysis, the NPPF remains unfulfilled. These proposals have the potential to harm the significance and character of a listed building and need to be considered carefully and comprehensively.

## **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 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 2021 - 2039**

The following policies are relevant to this proposal:

Strategic Policy DS1 – Settlement Hierarchy

Strategic Policy DS2 – Settlement Boundaries

Policy DS4 – Design and Development Standards

Strategic Policy BE1 – Heritage Assets

Policy BE2 – Designated Heritage Assets

### **Other Material Planning Considerations**

National Planning Policy Framework (NPPF)

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

## **ASSESSMENT**

Policies BE1 and BE2 of the LP 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 of the Act 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

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|    | <p>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.</p> <p>Information has been provided by the Applicant in respect of the impacts of the proposed development; and the proposals have been fully reviewed and assessed by the Conservation Officer of the Council and by the Planning Officer.</p> <p>Initially, the level of detail in the Design and Access statement was considered to be light on detail when assessing some elements of the works. This led to objections from the CBA and the Victorian Society. The Conservation Officer entered into detailed discussions with the agent and applicant, and information was submitted and further justification for the works was provided.</p> <p>The Conservation Officer has confirmed that there would be no significant impact on the fabric of the building and that he is supportive of the principle of the development. A less than substantial level of harm was identified but benefits have been provided in the form of improved use of the dwelling, the continued upkeep of the dwelling, the removal of some modern features, and continued long term preservation of the dwelling.</p> <p>A condition will be placed on any permission to require details of the internal chimney works to allow additional controls once the chimney has been opened up.</p> <p><u>Planning Balance and Conclusion</u></p> <p>Given the minor alterations to some internal elements, it is considered the works would have a less than substantial impact on the Listed Building. These impacts are outweighed by the positive benefits of ensuring the re-use and future proofing of a listed building, with a policy compliant use. The works will allow for the long-term preservation of the building. The works are minor and would amount to the natural evolution of this historic building, in an acceptable manor.</p> <p>The works are therefore considered to be in accordance with Policies BE1 and BE2 of the Local Plan. In applying the tests of the Copeland Local Plan 2013-2028, the LBCA and the NPPF, the proposal as amended would preserve the heritage significance of the Listed Building and Conservation Area, so is therefore supported.</p> |
| 8. | <p><b>Recommendation:</b></p> <p>Approve Listed Building Consent (start within 3yr)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 9. | <p><b>Conditions:</b></p> <ol style="list-style-type: none"> <li>1. The works hereby permitted shall be commenced before the expiration of three years</li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |



## Cumberland Council

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 shall be carried out in accordance with them:-
  - Application Form
  - Site Location Plan
  - Existing and Proposed Basement Plan
  - Existing and Proposed Ground floor plan
  - Design and Access 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.

3. Following the opening up of the kitchen chimney, no internal chimney works shall be carried out until the scope of the works has been agreed in writing by the Local Planning Authority.

Development shall be carried out in accordance with the approved works at all times thereafter.

### Reason

To allow the Local Planning Authority to control the works once the chimney has been opened up in accordance with Policies BE1 and BE2 of the Local Plan.

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|                                                  | <p><b>Statement</b></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> |
| <p><b>Case Officer: D. Gibson</b></p>            | <p><b>Date : 12/12/2025</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <p><b>Authorising Officer: N.J. Hayhurst</b></p> | <p><b>Date : 18/12/2025</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <p><b>Dedicated responses to:- N/A</b></p>       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |