

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/21/2317/0L1
2.	Proposed Development:	LISTED BUILDING CONSENT TO MODERNISE AND WEATHERPROOF AN EXISTING KITCHEN EXTENSION - REPLACEMENT ROOF LIGHT, ROOF DECK AND WATERPROOF LAYER; REPLACEMENT WINDOWS; LOWER INTERNAL FLOOR.
3.	Location:	6 FOXHOUSES ROAD, 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:	<p>SITE AND LOCATION</p> <p>This application relates to 6 Foxhouses Road, a Grade II semi-detached property situated within the Corkickle Conservation Area in Whitehaven.</p> <p>The property is a residential dwelling and is situated within a row of other Listed properties.</p> <p>The listing entry for the property states the following:</p> <p><i>FOXHOUSES ROAD 1. 1814 (East Side) Nos 6 & 7 NX 9817 SW 8/41 II GV</i></p> <p><i>2. Circa 1790, semi-detached villas. No 7 is pebbledashed. 2 storeys and basement. Round-arched doorways and fanlights, with broken pediments, panelled pilasters and scroll brackets. 1 sash window</i></p>

on ground floor and 2 above with plain architraves, to each house. Good cornice.

Nos 1 to 20A (consec), Nos 22 and 23 form a group.

PROPOSAL

Listed Building Consent is sought for the modernization of an existing single storey extension to the rear, including the replacement of the roof light, roof deck and waterproof layer, replacement windows and the lowering of the internal floor.

The windows have been replaced with solid oak casement windows with double glazed panes and are painted in a white gloss finish.

The works the subject of this application have been completed and this application for Listed Building Consent seeks to regularise these works.

This application has been submitted in tandem with a full planning application for the same works (application reference 4/21/2316/OF1 relates).

RELEVANT PLANNING APPLICATION HISTORY

Listed building consent to add a feature fireplace in a bedroom (original fireplace had been removed and bricked up), adding glazed double doors between living room and dining room, replace front steps at entrance to property (in keeping with the original steps), approved in August 2021 (application reference 4/21/2272/OL1 relates).

CONSULTATION RESPONSES

Whitehaven Town Council

No objections.

Conservation Officer

No objections. The work was carried out in 2013 and consisted of the following elements:

- Replacement kitchen roof
 - Given the previous bitumen covered roof would likely have been considered to have had a negative impact on the listed building (precise details can't be determined, but at the very best I would assume this to have been of neutral value), its replacement with the current version could be viewed as having had a slight beneficial effect. The level of uncertainty here is low
- Kitchen windows

- From the description in the design, access & heritage statement, and from what one would assume given the extension appears to be of post-war origin, the previous windows made a negative impact on the building's significance and were in poor condition. I'd view their replacement as justified in principle, and from the supplied photos, also justified in execution.
- Kitchen floor level
 - The level has been reduced to avoid the need for five steps. I do not believe the steps had any importance to the significance of the house. The change appears to have been beneficial to the layout and circulation of the house without any harm to its significance.

In summary, the works described above have had a positive impact on the appearance and usability of the house without any harm to its significance. I do not believe there has been any impact on the conservation area, positive or negative, as the rear extension is not visible.

Public Representation

The application has been advertised by way of a site notice and press notice.

No consultation responses have been received as a result of this advertisement.

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 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)

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

Emerging Copeland Local Plan

The emerging Copeland Local Plan 2017-2035 was recently the subject of a Preferred Options Consultation. The Preferred Options Consultation builds upon the completed Issues and Options Consultation which finished in January 2020. Given the stage of preparation, the emerging Copeland Local Plan 2017-2035 has only limited weight in decision making, but 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 National Planning Policy Framework.

ASSESSMENT

Policy context

Policy ENV4 and Policy DM27 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'*.

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.

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

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

Works Undertaken and their Impact

The dwelling is Grade II Listed and within the Corkickle Conservation Area and therefore the proposals are required to protect, conserve and if possible, enhance the Borough's Historic sites. The rear extension was already in situ prior to the works to lower the floor, replace the roof and replace the windows. The extension was a modern addition to the Listed property and as such, the works undertaken have not affected the fabric of the heritage asset. Timber windows have been utilized therefore maintaining the character of the external appearance of the extension. The Conservation Officer considers that there is a less than substantial harm created by the works and that they have created a neutral value.

The extension is on the rear of the property and cannot be viewed from any public viewpoints. It is

	<p>therefore unlikely that the proposal will have a detrimental impact on either the Conservation Area, the setting of the Listed Building or the Listed Building itself, in accordance with Policies ENV4 and DM27 of the Copeland Local Plan.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The Conservation Officer considers that the completed works have not resulted in any harm to features of significance and overall the maintenance of the extension will benefit the property. The works are therefore considered to be in accordance with Policy DM27 of the Copeland Local Plan.</p> <p>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 so is supported.</p>
8.	<p>Recommendation:</p> <p>Approve Listed Building Consent</p>
9.	<p>Condition(s):</p> <p>1. 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: -</p> <p>Site Location Plan, scale 1:1250, received 7th July 2021; Site Plan, scale 1:200, received 7th July 2021; Site Location Plan, scale 1:200, drawing number 21-016-E001 A, received 9th August 2021; Block Plan, scale 1:100, drawing number 21-016-E002 A, received 9th August 2021; Ground Flood Plan, scale 1:20, drawing number 21-016-E003 A, received 9th August 2021; Roof Plan, scale 1:20, drawing number 21-016-E004 A, received 9th August 2021; Rear Elevation, scale 1:20, drawing number 21-016-E005 A, received 9th August 2021; Side Elevation, scale 1:20, drawing number 21-016-E006 A, received 9th August 2021; Section Through Extension, scale 1:20, drawing number 21-016-E007 A, received 9th August 2021; Full Elevation to Rear, scale 1:50, drawing number 21-016-E008 A, received 9th August 2021; Building Notes, drawing number 21-016-E009 A, received 9th August 2021.</p> <p>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.</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 listed building</p>

	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 : 28/09/2021
Authorising Officer: N.J. Hayhurst		Date : 01/10/2021
Dedicated responses to:- N/A		