

**CUMBERLAND COUNCIL**  
**CONSULTATION RESPONSE**

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**Proposal:** Erection of roadside fence with screen hedge planting, installation of a domestic oil tank, construction of garden/bike store and screened domestic waste bin enclosure

**Address:** Moorleys, Egremont

**Reference:** 4/23/2366/OF1 and 4/23/2367/OL1

**Date:** 8/1/24

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**Description:** Moorleys is a grade II listed cottage and adjoining barn in a longhouse arrangement, located between St Bees and Egremont

**Conclusion:** Request design revision

**Assessment:**

The following are proposed:

- Erection of roadside fence with screen hedge planting
- Installation of a domestic oil tank
- Construction of garden/bike store
- Construction of screened domestic waste bin enclosure

The need for a fence for screening seems slightly unusual given that the lane is very minor and quiet, however I have no objection to the principle. The 1.8m height combined with the near solid design will make for a very visually intrusive boundary treatment however. I suggest the use of a post-and-rail fence 1.2m high on the basis of visual impact and effect on setting of the house. The planting outside will provide greater screening if this is desired, and if a sounder enclosure is needed, e.g. to contain a dog, stock proof fencing stapled to the inside could be used.

I would consider the proposed oil tank, garden/bike store and waste bin enclosures to have minor impact on the significance of the building, justified on the basis of their necessity to the functioning of the house

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**Relevant Policies and Guidance:**

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)].

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).

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)

The former Copeland Borough Council’s Local Plan contains a number of relevant policies:

- Local Plan Policy ST1C(ii) highlights the importance of protecting, enhancing and restoring the Borough’s cultural and heritage features and their settings.
- ST1D emphasizes the council’s commitment to creating and retaining quality places.
- ENV4A stresses the importance of protecting listed buildings, conservation areas and other features considered to be of historic, archaeological or cultural value.
- ENV4B outlines support for heritage-led regeneration, ensuring assets are put to appropriate, viable and sustainable uses.
- DM10 emphasises the need for high quality design and quality places. Part B requires design to respond to local character at multiple scales, paying attention to plot size and arrangement, massing and scale, interstitial spaces, and materials. Part C requires the incorporation of existing features such as landscape and vernacular style.
- DM27A outlines support in principle for developments that “protect, conserve and where possible enhance the historic, cultural and architectural character of the borough’s historic sites and their settings”.
- DM27D highlights the necessity of avoiding disrespectful alterations, substantial demolition, adverse effects on setting or views, or changes of use that harm the conservation or economic viability of a listed building.

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