

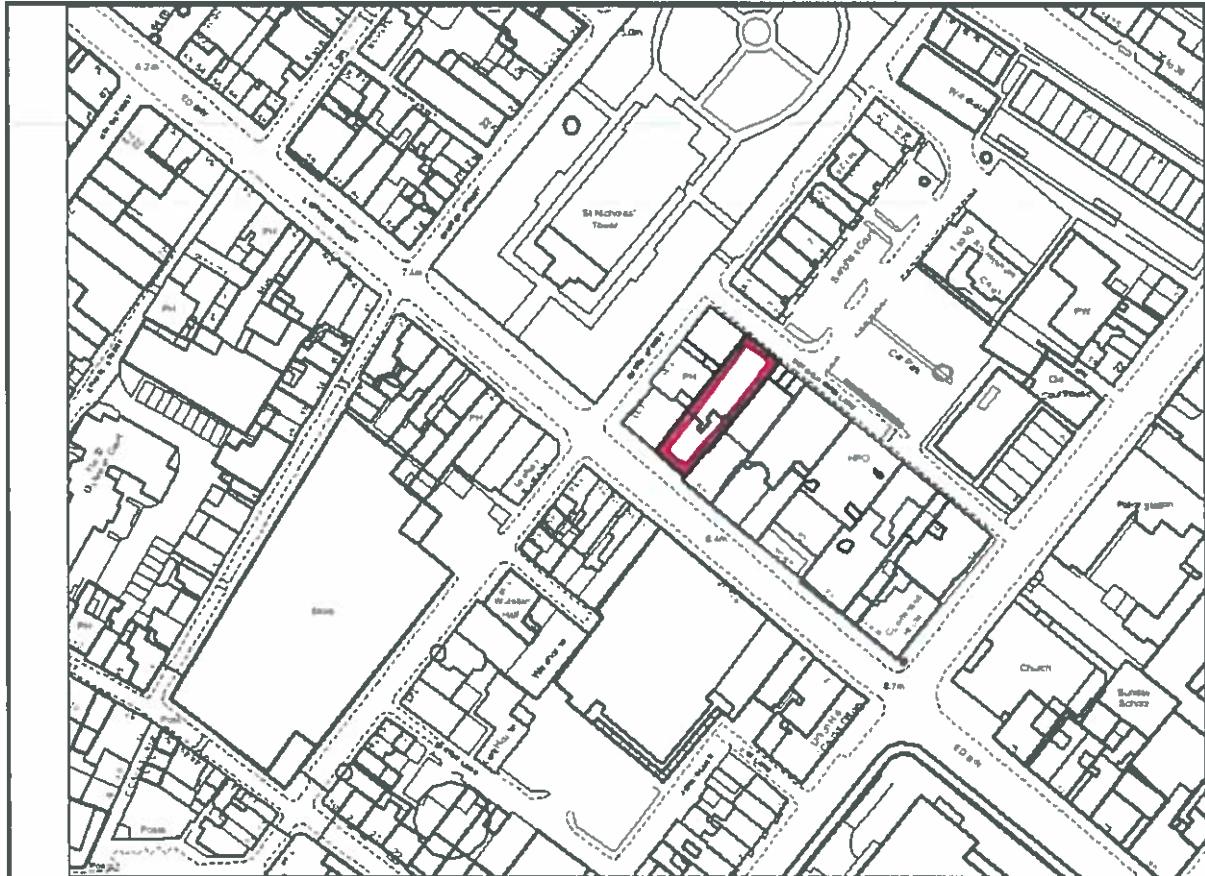


To: PLANNING PANEL

Development Control Section

Date of Meeting: 11/03/2020

Application Number:	4/18/2226/OL1
Application Type:	Listed Building Consent : CBC
Applicant:	Mr D Maudling
Application Address:	66 LOWTHER STREET, WHITEHAVEN
Proposal	LISTED BUILDING CONSENT FOR ALTERATIONS & ILLUMINATED SIGN TO CONVERT A GRADE 11 LISTED FORMER BANK INTO A BAR
Parish:	Whitehaven
Recommendation Summary:	Approve Listed Building Consent (start within 3yr)



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Site and Location

This application relates to 66 Lowther Street, a mid terraced two storey property located within the Whitehaven Conservation Area. The building was originally in use as a bank but has subsequently been converted to a public house and now trades under the name of "The Yellow Earl".

Proposal

Listed Building Consent is sought for the following works:

Front Elevation

- Erection of externally illuminated façade signage with the dimensions 5300mm x 426mm with 50mm return;
- Installation of LED colour change floodlights fixed into the mortar joints;

Rear Elevation

- Replacement of plastic sheeted roof with corrugated tin sheeting;

Ground Floor (all internal alterations)

- Addition of brick effect tiles fixed with adhesive over the existing plaster finish;
- Installation of timber cladding fixed over the existing plaster using 4 no. horizontal timber battens fixed to the wall using 75mm screws;
- Window surrounds have been stripped to bare wood;
- Addition of a bar constructed from railway sleepers;

First Floor

- Addition of timber cladding to the front room and male WC;
- Addition of a cabinet directly to the wall using 75mm screws.

Relevant Planning Application History

Listed Building Consent for extension and alterations to form new kitchen stores, accessible toilets and fire escape and reduction of rear car park wall and landscaping car park area, approved in June 2010 (application reference 4/10/2214/OL1 relates);

Extension and alterations to form new kitchen stores, accessible toilets and fire escape and reduction of rear car park wall and landscaping car park area, approved in June 2010 (application reference 4/10/2221/OF1 relates);

Listed Building Consent for extensions and alterations to form new kitchen, stores, accessible toilet, fire escape and ventilation system and landscaping car park area, approved in February 2011 (application reference 4/10/2601/OL1 relates);

Extensions and alterations to form new kitchen, stores, accessible toilet, fire escape and ventilation system and landscaping car park area, approved in February 2011 (application reference 4/11/2022/OF1 relates);

Change of use from use Class A3 (restaurant and café) to use Class A4 (drinking establishment), retrospective, approved in August 2018 (application reference 4/18/2027/OF1 relates).

Consultation Responses

Whitehaven Town Council

No objections;

Conservation and Design Officer

Initially raised various concerns with the alterations relating to the following:

- Interior timber cladding - Considered to be rough, inelegant and inappropriate. The batten fixings will have damaged the plasterwork and the cladding detracts from the historical design integrity of the interior and looks out of place.
- Brick effect tiles – Introduce an alien element into the building and damage the character. The use of tile adhesive will almost certainly damage the underlying plaster when the tiles are removed.
- The internal faces of the window frames and shutters on the ground floor have been stripped to bare wood which is inappropriate and considered to be highly unacceptable.

The Conservation Officer raised no concerns with the signage.

Further to these comments, a meeting was undertaken with the owners of the property in order to discuss how to proceed. They were asked to remove a section of the brick cladding in order to assess the damage to the plasterwork. After an inspection of this panel, a decision could be made on how to progress. It was considered that the windows should be painted in a flat paint in order to mitigate the existing impact. The Conservation Officer considered that as the timber cladding and bar area are reversible, these could be justified and therefore he would not insist on their removal.

Further to the inspection of the test strip where the brick slips were removed, the Conservation Officer considered that all of the brickwork should be removed and the wall re-plastered in order to rectify the damage. The Conservation Officer has requested a method statement from the applicant in order to ensure that the building was preserved correctly. This has now been submitted and he has now confirmed he has no further objections.

Public Representation

The application has been advertised by way of a site notice, press notice and neighbour notification letters issued to 8 no. properties.

2 letters of objection have been received from neighbouring properties raising the following concerns:

- The open air area to the rear of the building will be used as a music venue and this will create a noise;
- The statutory notice displayed outside the premises has been removed before the required time therefore local residents will not be aware of the proposal;
- There have already been several complaints regarding this property;
- There has been smoke pollution in properties due to 3 x outdoor heaters which smell like wood burning stoves;
- Cigarette pollution enters surrounding properties when doors are open.

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)

Conservation Area Design Guide SPD December 2017 (CADG)

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

Assessment

Planning Policy Context

Policies ENV4 and DM27 of the Copeland Local Plan relate to the protection and enhancement of the Conservation Area and Listed Buildings and seek to ensure that any alterations are in keeping and respect the existing character of the area. Policy DM10 of the local plan requires good design.

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 66.1 requires that: 'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, 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'.

Section 72 requires that: *'special attention shall be paid to the desirability of preserving or enhancing the character or appearance'* of a conservation area.

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.

Signage

Signage relating to the previous use was removed and brushed stainless steel build up lettering spelling "The Yellow Earl" has been added in its place. The lettering has been fixed above the ground floor windows and drilled and plugged into the façade. Generally, the anchor points are within the mortar joints in order to preserve the fabric of the building. The lettering is modest and separate lettering has been used in order to retain the character of the Listed Building. Overall, it is considered to be acceptable.

Interior timber cladding

The internal walls on the north east and north west elevation of the ground floor and the first floor of the property have been clad in timber which is fixed to the wall with horizontal timber battens using 75mm screws. The Conservation Officer initially raised concerns as he considered that the cladding is not in keeping with the Listed Building and was harmful to its character. After further discussion, the Conservation Officer considered that the addition of the timber cladding is reversible and that it could be viewed as part of the identity of the bar. On this basis, it is considered that the timber cladding is acceptable and is not likely to cause irreversible harm on the character of the Listed Building.

Addition of a bar

The internal bar has been constructed from railway sleepers and is a prominent feature within the building. The Conservation Officer considered that although the addition is a modern intervention, it is reversible and makes reference to the industrial heritage of the area. For these reasons, this alteration is considered to be acceptable and would have less than significant harm to the Listed Building.

Window surrounds

The large feature sash windows at the front of the property are in full working order and include traditional internal shutters. They have been stripped back to bare wood which is considered to be harmful to the character of the building. The Conservation Officer suggested that these windows should be finished in flat paint in order to be inkeeping with the early to mid 19th Century which is when this building originates.

The repainting of these windows has been negotiated with the applicant and works will be undertaken by the end of August 2020. The Conservation Officer requested that a method statement be submitted in order to ensure that the works are completed in the correct way and finished to a satisfactory standard. The details of the proposed works are contained within this document which can be secured by an appropriately worded condition attached to any consent.

Brick slip cladding

The addition of brick slip cladding to the ground floor south elevation is considered to be harmful to the character of the Listed Building and also to the historic fabric of the property. The bricks have been added with a strong adhesive which the Conservation Officer considered was likely to remove the haired lime plaster underneath. In order to assess the potential damage of removing these brick slips, the Conservation Officer requested that a test panel be removed of approximately 1 metre squared to allow the fabric underneath to be inspected for damage. The test panel showed damage to the underlying plaster and some areas where it had been removed back to the wooden laths. The Conservation Officer considered that the brick slips should be removed and the wall re-plastered in order to return it to its traditional form which would repair the fabric of the building.

Similarly to the repair of the window surrounds, the Conservation Officer requested that a method statement be submitted in order to ensure that the works are carried out in an agreed and respectful manner so that the building is returned to its historical character.

The applicants agent has submitted a method statement proposing that the brick slips be removed and the wall made good in the following way:

Stage 1 – Carefully remove all affected timber joinery in areas where brick slips are to be removed and set aside joinery for re-use upon completion.

Stage 2 - Carefully remove brick slips manually by hand, without the use of power tools.

Stage 3 – Inspect and ascertain the condition of underlying wall plaster finishes.

Stage 4 – Manually hack off all identified and agreed areas of remaining wall plaster.

Stage 5 – Prepare exposed masonry walling and leave ready to receive new finishes.

Stage 6 – Reinstate the backing coat of lime render to original levels using a natural lime render consisting of a combination of matured lime putty with sharp sand, the render is to be reinforced with traditional a synthetic fibre or hemp. The render is to be suitable for internal rendering and as a scratch coat or backing coat for our limed plasters.

Stage 7 – Knock up and bring forward finishes with a final coat of premixed Internal lime top coat plaster, to a smooth and level finish. Leave ready for decoration. Final selection of the sand or aggregate to be used with the lime-based products is to be decided in conjunction with the specialist supplier of the lime product.

Stage 8 – Decorate using a high performance breathable lime mineral paint for internal use, Keim Ecosil ME or similar approved in a colour to suit the bars décor.

Stage 9 – Reinstate previously set aside joinery sections.

The Conservation Officer has confirmed that these works are acceptable and will rectify the harm created by the addition of the brick slips. These works are to be completed by the end of August 2020.

Objectors comments

Two letters of objection have been received from neighbouring properties, which mainly raised issues with regard to noise and smells from the use of the property as a bar. As these matters were dealt with under the change of use application and do not constitute material considerations which can be dealt with under this Listed Building Consent application.

Conclusion

Although aspects of the application were considered to be unacceptable, the remediation measures agreed and highlighted above are satisfactory and will result in less than significant harm to this historic building.

Overall the alterations are considered to be satisfactory and would preserve the character and appearance of both the Listed Building and this part of the Conservation Area. The application is considered to be in accordance with the requirements of the policies set out in the Copeland Local Plan.

Recommendation:- Approve Listed Building Consent

Conditions

1. The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

Reason

1. 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. 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: -
 - Listed Building Consent, scale 1:1250, drawing number 5122 02, received 22nd May 2018;
 - Existing Floor Plans, scale 1:100, drawing number 5122 01 A, received 22nd May 2018;
 - External Lighting Specifications, received 22nd May 2018;
 - Signage Specifications, received 22nd May 2018;
 - Design, Access and Heritage Statement, written by T Gleed, received 22nd May 2018;
 - Method Statement, Revision A – February 2020, prepared by Day Cummins, received 28th February 2020.

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. All works approved shall be carried out in accordance with the Method Statement, prepared by Andrew West of Day Cummins, submitted 28th February 2020 and shall be maintained as such at all times thereafter.

Reason

In order to ensure that the works are carried out in acceptable manner and preserve the character and appearance of the Listed Building.

4. All remediation works hereby approved must be carried out by 31st August 2020 and retained as such at all times thereafter. Works must be carried out in accordance with the approved details and in accordance with the Method Statement received on 28th February 2020.

Reason

In order to ensure that the fabric of the building and heritage value of the Listed Building is preserved and maintained.
