

**CUMBERLAND COUNCIL
CONSULTATION RESPONSE**

Proposal: New roof garden to existing pub

Address: Bransty Arch Public House, 5 Bransty Row, Whitehaven

Reference: 4/23/2006/OF1

Date: 14/08/23

Description: This site is a vacant plot on top of and to the rear of the Bransty Arch pub. It was formerly occupied by mid-twentieth century light industrial buildings, but has been vacant following clearance for over a decade.

Conclusion: Requestion further information (alternatively, no objection; two conditions suggested)

Assessment:

In my previous consultation response, I requested expansion on the following points:

- Is the intention to re-render the external walls or to leave them flush pointed?
- Is the intention to wholly relocate the bin storage from the front roadside to the new bin store, or are some bins to be left on the pavement on Bransty Row?
- Is it proposed to install a door, gate or similar at the opening to the beer garden on the corner of George Street and Wellington Row?
- The Proposed Roof Plan is annotated “Wall at high level TBC”, and I would be grateful for clarification on this.
- Pointing should balance the need to resist weather with being softer than the masonry. NHL5 is the hardest NHL and risks leading to masonry damage unless it is particularly tough e.g. engineering brick, granite etc. If the masonry is at all soft or crumbly, such as sandstone or old or damaged brick, NHL3.5 may be a better choice.
- Clarification on where the respective elements of the palette of materials for roofs, paving etc. are to be used

The following information has now been provided:

- The external walls will be left with a pointed masonry finish.
- Most or all of the bins will be relocated to the garden. If there are any left on the pavement, this will be a great reduction.
- The garden will be fitted with a gate or door onto Bransty Row.
 - **I have not been able to find detail of this in the application, so request either that it be included to allow a full understanding of how this corner will appear to the conservation area, or that a condition is used requiring detail to be submitted and approved prior to its installation.**
- I think it would be reasonable to reduce the height of the almost freestanding section of gable wall.

- **Details should either be included with the application (e.g. an annotated elevation drawing), or a condition used requiring the proposal to be submitted and approved prior to the alteration taking place.**
- NHL3.5 is proposed for the rendering, and is supportable here.

Relevant Policies and Guidance:

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).

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 emphasises 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.
- ENV4C aims to strengthen the distinctive character of Copeland’s settlements through high quality urban design and architecture that respect character and setting.
- 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”.
- DM27B: “Development proposals which have a significant adverse effect on a Scheduled Ancient Monument or its wider site or setting will not be permitted”.
- DM27C outlines the restriction in principle of development within conservation areas to that which preserves or enhances the character or appearance of the area.
- 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.

The Conservation Area Design Guide is a supplementary planning document adopted in 2017 that is a material consideration in the determination of planning applications within conservation areas. It is therefore applicable to this application.

Sammy Woodford

Conservation and Design Officer