

# Allerdale Borough Council

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The Planning (Listed Buildings and Conservation Areas) Act 1990

## Grant of Listed Building Consent

**To:** Mr Stephen Harwood  
ADK Architects  
The Mill Race  
4 Greta Side  
Keswick  
Cumbria  
CA12 5LG

**Reference:** 2/2013/0342

**Proposal:** Listed building consent for amendments to 2/2010/1025 for proposed conversion of United Reformed Church building to computer, museum and science/engineering educational centre.

**Location:** United Reformed Church Water Street Wigton Cumbria

**Applicant:** Time-Line Computer Archive Ltd

**Date Valid:** 14 May 2013

In pursuance of their powers under Section 16 of the above Act, Allerdale Borough Council **grant listed building consent** subject to compliance with the following conditions and reasons:

- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

Reason: In order to comply with Section 51 of the Planning & Compulsory Purchase Act 2004.

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All correspondence to: Head of Development Services  
Allerdale House  
Workington  
Cumbria CA14 3YJ

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Conditions and reasons contd

2. **The development hereby permitted shall be carried out solely in accordance with the following plans:**  
**3011/100 - Site Location Plan**  
**3011/3c - Floor Plans & Section**  
**3011/4b - Elevations**  
**120513/mech/03 - Basement and Ground Floor Layout approved under CON1/2010/1025**  
**HBSAI 03/11 - Historic Building Survey approved under CON1/2010/1025**  
**Mechanical Extract Details and Heat Recovery System dated 19 April 2013 - Received 29 April 2013 approved under CON1/2010/1025**  
Reason: In order to comply with Section 51 and Section 91 of the Planning & Compulsory Purchase Act 2004.



**Head of Development Services**

Dated: 8 July 2013

**NB** Your attention is drawn to the notes overleaf regarding appeals.

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### **Proactive Statement**

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 stakeholder 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 within the National Planning Policy Framework.

## Note to Applicant

1. All bats and their roosts are fully protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and under the Conservation of Habitats and Species Regulations 2010. Should any bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England contacted for further advice. This is a legal requirement under the Wildlife and Countryside Act (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement.

Bats are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and under the Conservation of Habitats and Species Regulations 2010. These statutory instruments protect both the species themselves and their associated habitats. Please note that places which bats utilise for shelter are protected regardless of whether they are present or not. For further information please refer to Natural England's Bat Mitigation Guidelines, which can be downloaded from the website via the link below:

<http://naturalengland.etraderstores.com/NaturalEnglandShop/product.aspx?ProductID=77002188-79f9-45a5-86a6-326a7ea3cd69>

All wild birds, their nests, eggs and young are protected under the Wildlife and Countryside Act 1981 (as amended) during the nesting season. Work must not begin if nesting birds are present on site and should occur outside of the bird nesting season (March through to August, although weather dependant). If building works are undertaken during the bird breeding season, a check for any active nest sites should be undertaken by a suitably qualified ecologist. If breeding birds are found during this survey, the nest should not be disturbed and works should be delayed until nesting is complete and any young birds have fledged.

Provision of artificial nest sites at selected points within the development should be made to provide alternative nesting sites and to compensate for the loss of nesting sites. Further guidance as to the type and location of the artificial nests should be sought from any suitably qualified ecologist.

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## **Appeals to the Secretary of State**

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for the Environment under Section 78 of the Town and Country Planning Act 1990.
- If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from The Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0117 372 6372)
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

## **Purchase Notices**

- If either the local planning authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

## **Reason for Approval**

- The local planning authority is satisfied that the proposal complies with relevant development plan policy and that there are no material considerations that would warrant resisting the proposal.

### ***Notes to Applicant***

- This planning permission is in response to your application submitted under the Town and Country Planning Act 1990.
- You are advised however that a separate consent under the Building Regulations might also be required. If that is the case the development should not be commenced unless such approval has first been obtained.
- If as a result of meeting Building Regulations requirements or for any other reason it is necessary to revise the plans that have been approved, you will need to seek to either amend your planning permission, or to submit a new application if the changes are significant. You should seek advice from the Planning Office as to what may be required.

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