

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/21/2365/0F1
2.	<b>Proposed Development:</b>	ALTERATIONS/REFURBISHMENT AND CHANGE OF USE OF VACANT FORMER WHITTLES FURNITURE STORE TO FORM A COMMUNITY DIGITAL HUB AND CAFE INCLUDING THE CREATION OF A ROOF TERRACE – NON-MATERIAL AMENDMENT.
3.	<b>Location:</b>	6-8 DUKE STREET, WHITEHAVEN
4.	<b>Parish:</b>	Whitehaven
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Listed Building - Listed Building, Coal - Standing Advice - Data Subject To Change
6.	<b>Publicity Representations &amp;Policy</b>	See report.
7.	<b>Report:</b>  <b>Site and Location:</b>  <p>The application site comprises the property known as 6-8 Duke Street, Whitehaven.</p> <p>The property comprises a four-storey building within the town centre of Whitehaven.</p> <p>The building is currently vacant but was formerly operated as a furniture store by Whittles.</p> <p>The building lies within a prominent location at the junction between Duke Street and Tangier Street and is visible from King Street, the main pedestrianised thoroughfare within the town centre.</p> <p>The building comprises a Grade II Listed Building. The listing entry for the building states the following:</p>	

*"It Dated 1889. Stuccoed, 3 storeys. Paired pilasters at ends, set in 3 tiers - Tuscan, Corinthian, and Tuscan. Ground floor has shop fronts. 1st floor has 5 windows (some 6-light cross type, others 2-light sashes, 3 with broken pediments). Top floor has 5 sashes with plain pediments. The 2nd bay is emphasised by a top dormer with scrolled pediment, pilasters and wings, and 1st floor by a swag on the pediment.*

*Nos 4, 5, the Co-operative Store, Whittle's Furniture Store, The Globe Hotel Nos 105 and 105A form a group."*

The building is also situated within a Conservation Area.

### **Proposal:**

Application ref. 4/21/2365/0F1 approved Full Planning Permission for alterations/refurbishment and change of use of vacant former whittles furniture store to form a community digital hub and cafe including the creation of a roof terrace.

This application seeks a non-material amendment of approved application ref. 4/21/2365/0F1

The amendments proposed comprise the following:

- reinstate dormer window following recent weather damage;
- alterations to existing mansard slate roof to accommodate internal stair and lift;
- replacement of existing timber sash, casement and fixed light windows;
- installation of vents to serve mechanical heating and ventilation system to window openings and elevations; and,
- installation of mechanical heating and ventilation system including condensers and heat exchange units to roof.

### **Development Plan**

On 1st April 2023, Copeland Borough Council ceased to exist and was replaced by Cumberland Council as part of the Local Government Reorganisation of Cumbria.

Cumberland Council inherited the local development plan documents of each of the sovereign Councils including Copeland Borough Council, which combine to form a Consolidated Planning Policy Framework for Cumberland.

The inherited local development plan documents continue to apply to the geographic area of their sovereign Councils only.

The Consolidated Planning Policy Framework for Cumberland comprises the Development Plan for Cumberland Council until replaced by a new Cumberland Local Plan.

Copeland Local Plan 2013-2028 (Adopted December 2013):



## Cumberland Council

### Core Strategy (CS):

Policy ST1 – Strategic Development Principles

Policy ENV3 – Biodiversity and Geodiversity

Policy ENV4 – Heritage Assets

### Development Management Policies (DMP):

Policy DM10 – Achieving Quality of Place

Policy DM11 – Sustainable Development Standards

Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species

Policy DM27 – Built Heritage and Archaeology

### Emerging Copeland Local Plan (ELP):

Cumberland Council are continuing the preparation and progression to adoption of the ELP.

The Local Plan Examination Hearing Sessions were completed in March 2023.

The appointed Planning Inspector issued their post hearing letter in June 2023, which identified the next steps for the examination.

The appointed Planning Inspector has now considered all representations and the discussions that took place during the Local Plan Examination Hearing Sessions in 2023 and has identified a number of amendments or 'modifications' that are required in order to ensure the ELP is sound i.e. positively prepared, justified, effective and consistent with national planning policy.

A six week public consultation seeking views on the proposed modifications to the ELP commenced on Wednesday 14th February 2024 and closed on the 28<sup>th</sup> March 2024. The Planning Inspectors Report is awaited.

As set out at Paragraph 48 of the National Planning Policy Framework (NPPF), Local Planning Authorities may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan; the extent to which objections to relevant policies have been resolved; and the degree to which emerging policies are consistent with the NPPF.

Given the advanced stage of preparation of the ELP full weight can be attached to policies where no objections have been received or objections have been resolved. Now that the consultation on the main modifications to the ELP is complete significant weight can be afforded to the policies of the ELP where modifications are proposed.

Policy DS1PU - Presumption in favour of Sustainable Development

Policy DS2PU - Reducing the impacts of development on Climate Change

Policy DS6PU - Design and Development Standards

Strategic Policy N1PU: Conserving and Enhancing Biodiversity and Geodiversity  
Strategic Policy BE1PU: Heritage Assets  
Policy BE2PU: Designated Heritage Assets

### **Other Material Planning Considerations**

National Planning Policy Framework (NPPF).  
National Design Guide (NDG).  
Planning Practice Guidance (PPG).  
Planning (Listed Building and Conservation Areas) Act 1990 (LBCA).  
Conservation Area Design Guide SPD 2017 (CADG).  
Whitehaven Town Centre and High Street Conservation Areas | Management Plan (CAMP)

### **Assessment:**

The reinstatement of the dormer, matching its appearance would have a neutral impact on the appearance and significance of the building.

Reprofiling of the roof to accommodate the top floor stair headroom. The section of the roof affected is hidden from the street and does not in itself architecturally contribute to the building, being instead a rather unattractive part of the building that has been largely ignored. The reprofiling would deliver a small positive impact on the building's significance by making this part of it more attractive.

Inspection suggests that the existing windows are free of historic glazing, with the exception of the stained glass and are in extremely poor condition. The stained glass has been set aside following removal of the windows and will be re-used. Replacement windows will match existing in details, with the exception of using 10mm slimline glazing units with solid glazing bars and putty beading. This comprises a small positive impact as it will improve the appearance of the building.

The addition of an 850mm projection to the roof would be visible from limited vantage points and would result in minor harm to the external aesthetic value of the building.

The proposed louvres and heating/ventilation condensers on the roof are not located in prominent locations on the building. The works would result in limited loss of original fabric. The louvres within the replacement windows are reversible. Planning Condition 7 controls the impacts of the proposed plant in respect of noise and vibration.

### **Conclusion**

The proposed amendments are acceptable in relation to the development.

In the context of the wider approved development, the proposed comprise non-material amendments.



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	Approve non-material amendments.	
8.	<b>Recommendation:</b>  Approve non-material amendment.	
9.	<b>Condition(s):</b> N/A.	
<b>Case Officer:</b> Chris Harrison		<b>Date :</b> 05.09.2024
<b>Authorising Officer:</b> N.J. Hayhurst		<b>Date :</b> 06.09.2024
<b>Dedicated responses to:-</b> N/A		