

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/24/2140/0F1
2.	Proposed Development:	REPLACE ALL EXISTING WHITE PAINTED TIMBER FRAMED WINDOWS WITH WHITE UPVC WINDOWS; REPLACE CURRENTLY WHITE PAINTED HIGH LEVEL PLANT ROOM DOORS WITH WHITE POWDER COATED STEEL
3.	Location:	FLATT WALKS HEALTH CENTRE, CASTLE MEADOWS, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC;Adverts - ASC;Adverts, Flood Area - Flood Zone 2, Coal - Development Referral Area - Data Subject to Change
6.	Publicity Representations &Policy	Neighbour Notification Letter: NO Site Notice: YES Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: INTRODUCTION This application relates to the Flatt Walks Health Centre, located at Castle Meadows in Whitehaven. There is a medical practice to the north, a sports centre to the east, a cricket ground to the south and a car park beyond Castle Meadows road to the west. The property is situated adjacent to the boundary of the Whitehaven Conservation Area and lies opposite to Catherine Mill - a Grade II Listed Building.	

PROPOSAL

This application seeks full planning permission for the replacement of all existing white timber framed windows with white UPVC windows. Furthermore, the high level plant room doors which are currently white painted timber will be replaced with white powder coated steel doors.

A schedule has been provided to detail each window but all will be double glazed, top hung casements.

The windows will be replaced over all floors, with 32 on the ground floor, 28 on the first floor and 22 on the second floor.

The double door to be replaced will be 2.26m in height, 1.52m in width and will be steel with fixed steel louvres and an internal fly mesh. The colour will match the existing (pure white - RAL 9010)

RELEVANT PLANNING APPLICATION HISTORY

Redevelopment to include retail food store, petrol service station, 2 no. doctors group practices, health clinic and public car park, approved in April 1996 (application reference 4/96/0116/0 relates).

CONSULTATION RESPONSE

Whitehaven Town Council

No objections.

Conservation Officer

Description

Flatt Walks Health centre is a modern building located on the edge of Whitehaven conservation area. It is not a heritage asset.

Conclusion: No objection.

Assessment:

- The health centre forms a part of the setting of Whitehaven Conservation Area and the grade II* listed Catherine Mill.
- Catherine Mill is situated approx. 70m away, and this part of its setting is dominated by the car parking adjacent to Castle Meadows.
- Similarly, this part of the conservation area is dominated by the tarmac car parking.
- In terms of colour and opening style, the new windows will match the existing. The switch from timber to uPVC, I would consider to have a negligible impact on the setting of the



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conservation area and of Catherine Mill.

Public Representation

The application has been advertised by way of a site notice.

No responses have been received as a result of this advertisement.

PLANNING POLICIES

Planning law requires applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

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 the 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)

Core Strategy

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Policy ENV4 – Heritage Assets

Policy SS4 – Community and Cultural Facilities and Services

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

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 28th 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. Once 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.

The following policies are relevant to this proposal:

Strategic Policy DS1PU: Presumption in favour of Sustainable Development

Strategic Policy DS3PU: Settlement Hierarchy

Policy DS6PU: Design and Development Standards

Strategic Policy BE1PU – Heritage Assts

Policy BE2PU – Designated Heritage Assets

Policy SC5PU – Community and Cultural Facilities

Other Material Planning Considerations

National Planning Policy 2023 (NPPF)

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

ASSESSMENT

Principle of the Development

The Borough's Strategic Development Principles are set out in Policy ST1 of the CS and DS1PU of the ELP which seek to support the expansion and continued use of local services.

Policy ST2 of the CS and DS3PU identify Whitehaven as Copeland's Principal Town where the majority of development should be directed. Policy SS4 of the CS and SC5PU of the ELP



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seek to enhance existing services in order to meet the demand created by new development.

Flatt Walks Health Centre is an established public surgery and the proposal seeks to improve and enhance it for continued use. The proposals will allow the building to be modernized and have provide energy efficiency measures.

On this basis the principle of development is considered to be acceptable.

Effect on the adjacent Conservation Area and Grade II Listed Building

Policies ENV4 and DM27 of the CS and BE1PU and BE2PU of the ELP relate to the protection and enhancement of the Conservation Area and seek to ensure that any alterations are in keeping and respect the existing character of the area. Policy DM10 of the CS and DS6PU of the ELP 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.

The proposed alterations are modest and will match the existing style of windows. Whilst they will be changed from timber to UPVC, the Conservation Officer considers that there will be a negligible impact on the setting of the Conservation Area. The Grade II Listed Catherine Mills is located approximately 70 metres from the Health Centre and separated by a public car park. On this basis, there is unlikely to be any effect to the setting of the Listed Building.

Overall, the proposed alterations will comply with policies ENV4 and DM27 of the Copeland Local Plan and BE1PU and BE2PU of the emerging local plan, respecting the character of the Whitehaven Conservation Area and the adjacent Listed Building.

Planning Balance and Conclusion

No objections have been received to the application from either statutory or neighbouring consultees. The alterations will create a positive benefit to the building, ensuring its use in the future and respecting the character and appearance of the adjacent Heritage Assets.

On balance this is considered to be an acceptable form of development which will be consistent with the details set out in national and local policy.

8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <ol style="list-style-type: none"> <li data-bbox="161 658 1500 734">1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission. <p data-bbox="256 808 368 842">Reason</p> <p data-bbox="256 864 1493 940">To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.</p> <ol style="list-style-type: none"> <li data-bbox="161 1014 1500 1090">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: - <p data-bbox="256 1164 871 1198">Application form, received 22nd April 2024;</p> <p data-bbox="256 1220 1098 1254">Site Location Plan, scale 1:1250, received 22nd April 2024;</p> <p data-bbox="256 1276 1437 1352">Proposed Ground Floor Plan, drawing number NEBS0221_025_GF, received 22nd April 2024;</p> <p data-bbox="256 1375 1469 1451">Proposed First Floor Plan, drawing number NEBS0221_025_FF, received 22nd April 2024;</p> <p data-bbox="256 1473 1445 1550">Proposed Second Floor Plan, drawing number NEBS0221_025_SF, received 22nd April 2024;</p> <p data-bbox="256 1572 1198 1606">Appendix B - PVC Specification Details, received 22nd April 2024;</p> <p data-bbox="256 1628 898 1662">Window Schedule, received 22nd April 2024;</p> <p data-bbox="256 1684 979 1718">External Door Schedule, received 22nd April 2024;</p> <p data-bbox="256 1740 903 1774">Door Specification, received 22nd April 2024;</p> <p data-bbox="256 1796 1477 1830">Design, Access and Heritage Statement, written by Gleeds, received 22nd April 2024.</p> <p data-bbox="256 1904 368 1937">Reason</p> <p data-bbox="256 1960 1469 2036">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.</p>



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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 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 in the National Planning Policy Framework.

Case Officer: Sarah Papaleo

Date : 13/06/2024

Authorising Officer: N.J. Hayhurst

Date : 14/06/2024

Dedicated responses to:- N/A