

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/24/2294/DOC
2.	Proposed Development:	DISCHARGE OF CONDITION 5 OF PLANNING APPROVAL 4/21/2364/OL1
3.	Location:	6-8 DUKE STREET, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Listed Building - Listed Building, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations & Policy	See report.
7.	Report: Site and Location: This application site comprises the property known as 6-8 Duke Street, Whitehaven. The property comprises a four-storey building within the town centre of Whitehaven. The building is currently vacant but was formerly operated as a furniture store by Whittles. 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. The building comprises a Grade II Listed Building. The listing entry for the building states the following:	

"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 the Whitehaven Conservation Area.

Proposal:

As part of proposals for the change of use of the building to form a community digital hub and café with roof terrace, Listed Building Consent was approved for the following under application ref. 4/21/2364/0L1:

Internal works:

- The refurbishment of the interior, making good walls, ceilings and structural fabric; and,
- A new interior at the ground floor, subdividing the upper two floors, and making some changes to the partition walls creating rooms to the rear of the building.

External works:

- The renovation of the buildings external façade with render and stucco features made good and repainted;
- The existing first and second floor windows to be made good and repainted;
- A new contemporary fascia for signage encapsulating the former awning timber boxing and support;
- The replacement of the front glazing with slim line double glazed units with solar controlled glass and aluminum frames;
- The plinth tiles and window vents to be made good;
- A small roof terrace will also be created which will be defined by a glass balustrade; and,
- The installation of PV panels on part of the roof of the building.

Planning Condition 5 attached to application ref. 4/21/2364/0L1 requires the following:

5. Prior to the stripping out of the building's interior surfaces, detail on the extent of surviving lath and plaster, and the proposal for its repair shall be submitted to and approved in writing by the Local Planning Authority. The works of repair shall be completed in accordance with the approved details.

Reason

For the avoidance of doubt and to protect any surviving and reparable areas of the original plaster from harm and to ensure that a satisfactory standard of refurbishment and restoration



Cumberland Council

is achieved in accordance with Policy DM10 of the Copeland Local Plan.

The information submitted in support of the application comprises the following:

- Application Form
- Demolition Plans LEVEL 00 – Drawing No. DGHW-NOR-XX-00-DR-A-00029 Rev. P01
- Demolition Plans LEVEL 01 – Drawing No. DGHW-NOR-XX-00-DR-A-00030 Rev. P01
- Demolition Plans LEVEL 02 – Drawing No. DGHW-NOR-XX-00-DR-A-00031 Rev. P01
- Level 00 – Works to existing ceilings and walls – DGHW-NOR-XX-00-DR-A-35011 Rev. P01
- Level 01 – Works to existing ceilings and walls – DGHW-NOR-XX-00-DR-A-35012 Rev. P01
- Level 02 – Works to existing ceilings – DGHW-NOR-XX-00-DR-A-35013 Rev. P01
- Level 03 – Works to existing ceilings – DGHW-NOR-XX-00-DR-A-35014 Rev. P01
- Statement to accompany application to discharge LBC Condition 5 - Project Number: ED3024-0055
- SURVEY REPORT - Ref: ENQ768104

Consultee:	Nature of Response:
Cumberland Council Conservation Officer	<ul style="list-style-type: none">• Information has been provided showing that lath and plaster ceilings survive in parts of the building.• These are generally in reasonable condition, however some cutting back is required to accommodate consented changes to the building and access for repair work.• It is intended to make good the edges of these areas, retain the lath and plaster ceilings, and install new compliant suspended ceilings throughout the building.• I would view this as a flexible approach that will retain earlier fabric while allowing the building to be properly adapted for its new use. <p>This constitutes negligible harm, compensated for by the need to adapt the building.</p>

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):

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 28th March 2024.

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



Cumberland Council

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:

It has been identified that lath and plaster ceilings survive in parts of the building. These are generally in reasonable condition.

The extent of lath and plaster finishes is limited to ceilings in the south-west corner of the building on levels 0-2 and the sloping soffits to the mansard roof on level 3. All other ceilings (including the basement ceilings and the flat ceiling above the sloping soffits) are plasterboard. The internal partition walls formed from timber stud and plasterboard.

Some cutting back and removal of the lath and plaster ceilings is required to accommodate consented changes to the building and access for repair work. Most of the lath and plaster ceilings will be retained intact.

The details submitted confirmed that the edges of the lath and plaster ceilings are to be made good where removal is required.

All ceilings will be underdrawn with a metal framed suspended plasterboard ceiling which is required to provide fire resistance and enhanced acoustic performance. This will stabilise and protect the retained lath and plaster ceilings and provide a framework for suspended services without compromising the ceilings above.

This represents a flexible approach that will retain earlier fabric while allowing the building to be principally repaired and effectively adapted for its new use.

The works constitute negligible harm, the impacts of which are outweighed by the benefits

	<p>arising from the wider adaptive reuse of the building.</p> <p>Conclusion</p> <p>Approve requirements of Planning Condition 3.</p>	
8.	<p>Recommendation:</p> <p>Approve</p>	
9.	<p>Condition(s):</p> <p>N/A</p>	
Case Officer: Chris Harrison		Date : 17.09.2024
Authorising Officer: N.J. Hayhurst		Date : 18.09.2024
<p>Dedicated responses to:- N.A.</p>		