

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/24/2298/0F1
2.	Proposed Development:	REPLACEMENT OF EXTERNAL WINDOWS AT FIRST FLOOR LEVEL
3.	Location:	64-65 KING STREET, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations &Policy	Neighbour Notification Letter: YES Site Notice: YES Press Notice: YES Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: INTRODUCTION <p>This application relates to 64-65 King Street, a large end of terrace building situated on the main shopping street in the town centre of Whitehaven.</p> <p>The building is flanked by the pedestrianised King Street to the east and Lowther Street to the south.</p> <p>The property is situated within the Whitehaven Conservation Area.</p>	

PROPOSAL

This application seeks full planning permission for the replacement of the external windows on the first floor, the removal of the existing paint and the repair and cleaning of the existing granite fascia.

The windows will be replaced from the existing single glazed timber framed to double glazed metal frame "Critall" windows.

RELEVANT PLANNING APPLICATION HISTORY

Illuminated advertisement sign, approved August 1988 (application reference 4/88/0153/0 relates);

Projecting sign, approved in September 1990 (application reference 4/90/0858/0 relates);

2 illuminated fascia signs and 2 illuminated projecting signs to replace the existing signage, approved in January 1996 (application reference 4/95/0814/0 relates);

Replacement of the external windows at first floor level, approved in December 2018 (application reference 4/18/2446/0F1 relates).

CONSULTATION RESPONSES

Whitehaven Town Council

No objections.

Conservation Officer

1st Response

Description: This is a former Burton's Store, built for that purpose in the 1930s in an art deco style.

Conclusion: Request further information

Assessment:

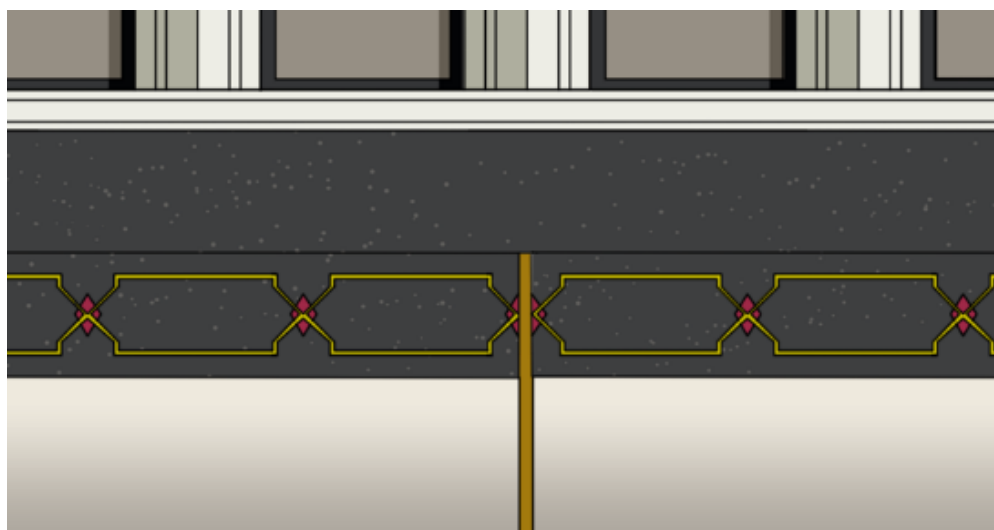
- The proposed windows should be a significant improvement on the existing, which make a negative impact on the building's appearance.
- The removal of paint may need a little more investigation. It is possible that the building façade is not masonry, but faience. Faience consists of glazed terracotta tiles mounted on a frame that is anchored into the wall (presumably brick masonry).
- o I would be grateful for confirmation as to whether this is the case. In either case, I would suggest use of steam cleaning such as Doff, as this will avoid causing damage to delicate surfaces.



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- Burton's stores sometimes featured a distinctive row of "quarterlights" or a decorative panel at the top of the main shopfront glazing. There is a small possibility that these were installed in Whitehaven and survive behind the grey fascia strip that sits immediately below the granite fascia.

This might look a little like the following, and it would be well worth finding out whether it's present.



2nd response

Regarding the wall facing material, if it is masonry that may be good news as it could more durable than a 90-year-old faience cladding system. I seem to recall that the previous owners, who made an application in 2018/9, did believe the walls were faience, however.

- Clarification should be provided as to what the walls are made of if possible. Some Burton's "House Style" shops of the time did use faience, although not all. It may be that it won't be possible to be sure what the facing material is until the paint has been removed.
- Cleaning should be done using steam, such as Doff cleaning. Even flaking paint won't be removed properly by a stiff brush, and mechanical cleaning is likely to cause damage to the surface.
- Regarding the quarterlights, I'm not asking the applicant to remove the cladding and reinstate something that may or may not be there, but bringing their attention the possibility that they may be there, and if so, there would be an opportunity to remove the unattractive band of cladding and put them back on show. If present, they would look something like this:



National Amenities Society

No response received.

Public Representation

The application has been advertised by way of a site notice, a press notice and neighbour notification letters issued to 1 no. properties.

No response has been received as a result of these advertisements.

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.



Cumberland Council

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 2021 – 2039 (LP)

Cumberland Council continued the preparation of the LP as commenced by Copeland Borough Council.

The LP was adopted by Cumberland Council on the 5th of November 2024 replacing the Copeland Local Plan 2013-2028 and the saved policies of the Copeland Local Plan 2021-2016.

The policies relevant to this proposal are:

Strategic Policy DS1: Presumption in favour of Sustainable Development

Strategic Policy DS3: Settlement Hierarchy

Policy DS6PU: Design and Development Standards

Strategic Policy BE1 – Heritage Assts

Policy BE2 – Designated Heritage Assets

Other Material Planning Considerations

National Planning Policy 2023 (NPPF)

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

ASSESSMENT

Principle of Development

The principle of allowing development to retain businesses is supported in the Copeland Local Plan through policy DS1. Policy DS3 details the settlement hierarchy where development is acceptable. These policies seek to promote sustainable development to meet the needs and aspirations of the Borough.

The building is located within the development boundary for Whitehaven. The town is classed under Policy DS3 of the CS as the Borough's Principal Town, where the majority of development should take place.

As a result, the proposed alterations are considered to be acceptable in principle. .

Design and the Impact on the Conservation Area

Policies BE1 and BE2 of the LP relate to the protection and enhancement of the Conservation Area and seek to ensure that any alterations are in keeping and respect the

	<p>existing character of the area. Policy DS6 of the ELP requires good design.</p> <p>The LBCA sets out a clear presumption that gives considerable importance and weight to the desirability of preserving a heritage asset and its setting.</p> <p>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’.</p> <p>Section 72 requires that: ‘special attention shall be paid to the desirability of preserving or enhancing the character or appearance’ of a conservation area.</p> <p>The proposed alterations are modest and required due to the roof leaking and also to improve the overall energy efficiency of the building which will encourage the continued use of the building.</p> <p>Comprehensive discussions were undertaken between the Applicant and the Conservation Officer during the course of the application process. A request was made to the Applicant to identify the method of paint removal from the building, with a concern that the construction may not be masonry. The Applicant requested that this detail be determined by way of a planning condition as further investigation was required. The Conservation Officer requested that the clean should be undertaken using steam in order to protect the building. This was agreeable to the Applicant and a suitably worded planning condition should be included in any approval to ensure this method is undertaken.</p> <p>The replacement windows will be more in keeping with the art deco appearance and appropriate for the 1930s style of property.</p> <p>The alterations will ensure that the building has a longevity of use and the setting of the building within the Conservation Area is preserved.</p> <p>Overall, the proposed alterations will comply with policies BE1 and BE2 of the local plan, respecting the character of the Whitehaven Conservation Area.</p> <p><u>Planning Balance</u></p> <p>The alterations will create a positive benefit to the building, ensuring its use in the future, its improved energy efficiency and respecting the character of the Whitehaven Conservation Area. These benefits are considered to outweigh any negligible harm created from the removal of some of the buildings fabric.</p> <p>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.</p>
8.	Recommendation:

	Approve (commence within 3 years)
9.	<p>Conditions:</p> <ol style="list-style-type: none"> <p>The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.</p> <p>Reason</p> <p>To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.</p> <p>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> <p>Application form, received 22nd August 2024; Site Location Plan, scale 1:1250, drawing number 24018-001, received 22nd August 2024; Block Plan, scale 1:500, drawing number 24018-002, received 22nd August 2024; Proposed Elevations, scale 1:50, drawing number 24018-005A, received 22nd August 2024; Design, Access and Heritage Statement, written by Architects Plus, received 22nd August 2024.</p> <p>Reason</p> <p>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> <p>The façade cleaning must be undertaken using steam methods only.</p> <p>Reason</p> <p>In order to ensure that the fabric of the building is maintained in accordance with Policies BE1 and BE2 of the Copeland Local Plan.</p> <p>Statement</p> <p>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</p>

	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 : 14/11/2024
Authorising Officer: N.J. Hayhurst		Date : 20/11/2024
Dedicated responses to:- N/A		