

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/25/2047/DOC
2.	<b>Proposed Development:</b>	DISCHARGE OF CONDITIONS 3 AND 4 OF PLANNING APPLICATION 4/24/2247/OL1
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>  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.

Following further investigation of the condition of the building and further design development, Listed Building Consent was approved for the following additional works under application ref. 4/24/2247/0L1:

Internal works:

- remedial works to timber floor structures and lintels to address wet rot deterioration;
- internal insulated linings to external walls;
- replacement of existing lift with new fully compliant lift to serve all levels; and,
- continuation of central stair up to third floor level to provide compliant access and means of escape.

**External works:**

- 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.

Following further design development, a further application for Listed Building Consent has been sought under application ref. 4/25/2003/OL1 for the removal of all the plasterboard and lath and plaster ceilings and the installation of new linings of Fireline plasterboard.

This application seeks approval of the requirements of Planning Condition 3 and Planning Condition 4 attached to application ref. 4/24/2247/OL1:

*3. Prior to its installation, detailed specifications of the replacement lift shall be submitted to and approved in writing by the Local Planning Authority. The works shall be completed in accordance with the approved details.*

*4. Prior to its installation, detailed specifications of the stair from the second floor to the third floor in the central core shall be submitted to and approved in writing by the Local Planning Authority. The works shall be completed in accordance with the approved details.*

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

- Application Form
- Statement to accompany application to discharge LBC Conditions 3 and 4 - Project Number: ED3024-0055
- Chain Drive Platform Lift – Specification
- LIFT – PLANS & SECTIONS – Drawing No. DGHW-NOR-XX-ZZ-DR-A-24003 Rev. C01
- NEW STAIR (LEVELS 2-3) PLANS & SECTIONS – Drawing No. DGHW-NOR-XX-ZZ-DR-A-24001 Rev. C01
- Stair Steel Support G.A. & Details – Drawing No. DGHW-BGP-01-ZZ-D-S-01612 Rev. C02
- BALUSTRADES – Drawing No. DGHW-NOR-XX-ZZ-DR-A-34001 Rev. P01

Consultee:	Nature of Response:
Cumberland Council Conservation Officer	<p>Assessment:</p> <ul style="list-style-type: none"> <li>• This application provides details for the previously approved replacement lift and extension to the central staircase.</li> <li>• The lift is now proposed to be a platform lift. This will allow the earlier</li> </ul>

	<p>extension to the roof to be dispensed with as there's no need for the vertical height for winding gear. However, it also necessitates the loss of the mesh enclosure to the lift within the building for fire safety reasons.</p> <ul style="list-style-type: none"> <li>• The loss of the mesh seems like the loss of an architectural feature that would have been attractive and added some dynamism and distinctive character to the interior. However, justification is provided for this (there is insufficient space within the floor slab openings for the necessary structure and fire breaking, and a supplier able to provide a self-supporting winched lift could not be found). I do not think this change should affect the acceptability of the proposal.</li> <li>• Details of the alteration to the staircase have also been provided, and these include retention of the existing newels, stringers and steps, removal of the plywood sheeting from ground to 2nd floor level (there are no surviving significant balusters beneath this sheeting), and instatement of decorative steel panels. This strikes me as an attractive and pragmatic solution, to which I have no objection.</li> </ul>
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**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.

Cumberland Council continued the preparation of the Copeland Local Plan 2021 - 2039 (LP) as commenced by Copeland Borough Council.

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

The relevant policies comprise:

Policy DS4: Design and Development Standards  
 Strategic Policy N1: Conserving and Enhancing Biodiversity and Geodiversity  
 Strategic Policy BE1: Heritage Assets

Policy BE2: 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).

### **Assessment:**

#### Planning Condition 3

*3. Prior to its installation, detailed specifications of the replacement lift shall be submitted to and approved in writing by the Local Planning Authority. The works shall be completed in accordance with the approved details.*

A platform lift is proposed.

The proposed platform lift will allow the earlier extension to the roof to be dispensed with as there's no need for the vertical height for winding gear; however, it also necessitates the loss of the mesh enclosure to the lift initially indicated within the building for fire safety reasons.

The loss of the mesh comprises the loss of an architectural feature that would have been attractive and added some dynamism and distinctive character to the interior. Justification is provided for the removal. There is insufficient space within the floor slab openings for the necessary structure and fire breaking and a supplier able to provide a self-supporting winched lift that could be accommodated could not be found.

The proposed lift design/form is deemed appropriate/acceptable given the specific constraints applicable.

#### Planning Condition 4

*4. Prior to its installation, detailed specifications of the stair from the second floor to the third floor in the central core shall be submitted to and approved in writing by the Local Planning Authority. The works shall be completed in accordance with the approved details.*

The proposed extension to the existing central stair will be within the fire resisting enclosure and will be compliant with current Approved Documents.

It is proposed to use lightweight steel construction for the stair, supported by a steel frame suspended from the floor above, which has a limited impact on the historic fabric of the building.

	<p>The proposed balustrading and handrails will match/compliment the combination of existing timber newel posts and handrails to the lower floors providing visual continuity. The new decorative steel bar infills provide visual interest.</p> <p>The proposed stair design/form is appropriate given the specific constraints.</p> <p><b>Conclusion</b></p> <p>Approve requirements of Planning Condition 3.</p> <p>Approve requirements of Planning Condition 4.</p>	
8.	<p><b>Recommendation:</b></p> <p>Approve</p>	
<b>Case Officer:</b> Chris Harrison		<b>Date :</b> 09.04.2025
<b>Authorising Officer:</b> N.J. Hayhurst		<b>Date :</b> 10.04.2025
<b>Dedicated responses to:-</b> N/A		