

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/25/2103/0A1
2.	<b>Proposed Development:</b>	ADVERT CONSENT FOR NEW EXTERNALLY ILLUMINATED FASCIA SIGN ON FRONT ELEVATION; NON-ILLUMINATED SIGN ON REAR ELEVATION TOGETHER WITH A NEW EXTERNALLY ILLUMINATED PROJECTING SIGN
3.	<b>Location:</b>	52 MARKET PLACE, WHITEHAVEN
4.	<b>Parish:</b>	Whitehaven
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Flood Area - Flood Zone 2, Flood Area - Flood Zone 3, Coal - Standing Advice - Data Subject To Change
6.	<b>Publicity Representations &amp; Policy</b>	Neighbour Notification Letter: YES  Site Notice: YES  Press Notice: NO  Consultation Responses: See report  Relevant Planning Policies: See report
7.	<b>Report:</b>  <b>SITE AND INTRODUCTION</b>  This application relates to 52 Market Place in Whitehaven. The building is a two storey mid terrace and is currently occupied at ground floor level by Greggs bakery. The premises lie within a commercial part of the town centre with Market Place running to the east.  The building is located within the Whitehaven Conservation Area.  <b>PROPOSAL</b>	

Advertisement Consent is sought for the display of a new externally illuminated fascia sign and an externally illuminated projecting sign on the front elevation and a non illuminated sign on the rear elevation. The details of the proposed signage is as follows:-

Advert type	Height , width and depth	Height from ground to base	Projection	Max height of individual letters	Materials and colour	Illumination
Fascia sign	0.6m x 2.58m x 0.1m	2.8m	0.1m	34cm	Aluminium and perspex	Yes, externally, static, 350cd/m2.
Fascia sign	0.6m x 2.58m x 0.1m	2.5m	0.1m	34cm	Aluminium and Perspex	No
Hanging sign	0.7m x 0.7m x 0.1m	2.5m	0.8m	7cm	Aluminium	Yes, externally, static, 350cd/m2.

### RELEVANT RECENT PLANNING APPLICATION HISTORY

Illuminated shop front fascia sign, approved in May 2002 (application reference 4/02/0402/0 relates);

New Shop Front windows and doors, approved in November 2002 (application reference 4/02/1002/0 relates).

### CONSULTATION RESPONSES

Whitehaven Town Council

No objections.

Conservation Officer

1<sup>st</sup> Response



## Cumberland Council

Description: 52 Market Place is a two storey mid terrace, likely originally developed in the late 17<sup>th</sup> century, but currently of a 19<sup>th</sup> century appearance that suggests a certain amount of historic rebuilding.

Conclusion: Request further information

Assessment:

- The building is currently of dilapidated appearance, and the proposal to improve this is welcomed.
- It is proposed to repaint the frontage, however I question, given its condition, whether this will be durable and whether the opportunity should be taken to re-render it at this stage.
- The impact of the replacement shopfront is likely to be positive, given that the existing shopfront is reasonably attractive, dilapidated and lacking historic value. The proposed hardwood specification is likely to be durable.
- The design and access statement refers to a new projecting box sign, although the elevation drawing appears to show a flat projecting sign. The annotation states “refer to separate detail”, although I am not able to find a separate detail showing the sign in either application.

### 2<sup>nd</sup> Response

Description: 52 Market Place is a two storey mid terrace, likely originally developed in the late 17<sup>th</sup> century, but currently of a 19<sup>th</sup> century appearance that suggests a certain amount of historic rebuilding.

Conclusion: No objection

Assessment:

- Clarification has been received regarding the possible scope of frontage redecoration (that render replacement is not within scope).
- Detail on the projecting sign has been provided, clarifying that it is not a box sign.

### Highways and Local Lead Flood Authority

The Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) can confirm that we have no objection to the proposed development as it is considered that it will not have a material effect on existing highway conditions nor will it increase the flood risk on the site or elsewhere.

### Environmental Health

Environmental Health have had no complaints reported about this premises to date and, as such, there are no objections to this proposed development. Given that the site is within the Whitehaven Town Centre Conservation Area, it would be preferable if the externally illuminated signs could be turned off at business hours closure to avoid possible impact on

residential amenity and reduce light pollution generally, even in a small way. Planners could consider if a condition to limit obtrusive light may be required, and that any construction-related works are carried out within agreed hours through the following suggested conditions:

- Artificial Lighting (external) Artificial lighting to the development must conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting Installations for environmental zone E3 contained within The Institute of Light Engineers Guidance Note GN01/21 (dated 2021) for The Reduction of Obtrusive Light. Reason: In order to safeguard the amenities of nearby residential occupiers.

## **PLANNING POLICIES**

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 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 5<sup>th</sup> 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 application are as follows:

- Strategic Policy DS1: Settlement Hierarchy
- Strategic Policy DS2: Settlement Boundaries
- Policy DS4: Design and Development Standards
- Strategic Policy BE1 – Heritage Assets
- Policy BE2 – Designated Heritage Assets
- Policy BE6: Advertisements

### **Other Material Planning Considerations**

National Planning Policy Framework (NPPF)

Town and Country Planning (Control of Advertisements) (England) Regulations 2007

## **ASSESSMENT**

The key issues raised by this proposal are the potential impacts on visual amenity; impact on heritage assets; and impact on public safety.

### Impact on Visual Amenity

Policy BE6 of the Copeland Local Plan states that applications for consent to display advertisements will be permitted where the proposal will not have an adverse effect on either amenity or public safety. Proposals for advertisements and signs in the Area of Special of Control of Advertisements and those affecting Heritage Assets and their setting will only be granted consent where the following additional criteria are met: they preserve and enhance the special qualities and character appearance of the rural landscape, including designated landscapes; Conservation Areas; Listed Buildings; other heritage assets and their settings; proposals avoid the use of projecting box signs and instead reflect, re-interpret or complement traditional hanging sign styles; proposals at development entrances where possible advertise multiple businesses to avoid the proliferation of individual signs and clutter; and, where illumination is proposed it is demonstrably necessary and is sensitively designed for its context, generally avoiding internal illumination methods.

Paragraph 141 of the NPPF states that the quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

The proposed signage will replace existing signage on the front elevation of this commercial property. On this basis, the principle of signage at this site is acceptable given it will be located on an existing shop.

The application site is within an area of Special Advertisement Control and within the Whitehaven Conservation Area. Given the proposal will replace existing signage at this shop, will be sited along the shop frontage, and reflects the scale of the existing signage, the scale, siting and design of the proposal is considered acceptable. The external illumination of the signage is considered to be appropriate within the Conservation Area.

On this basis, the signs are unlikely to have any adverse impacts on the amenity of the locality and therefore, the proposals are considered to comply with Policy BE6 of the Copeland Local Plan, and the provisions of the NPPF.

### Impact on Heritage Assets

Strategic Policy BE1 and BE2 of the Copeland Local Plan seek to protect or enhance heritage assets and their setting. Proposals that better reveal the significance of heritage assets will be supported in principle.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, states that “special attention shall be paid to the desirability of preserving or enhancing the character or appearance of [a conservation] area.”

Paragraph 139 of the National Planning Policy Framework (NPPF) asserts that “Development that is not well designed should be refused”.

NPPF para. 203 states that “In determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation...”

NPPF para. 212 states, in the case of designated heritage assets, “great weight should be given to the asset’s conservation”, irrespective of whether potential harm is substantial, less-than-substantial, or total loss. Where harm to a designated heritage asset is less-than substantial, it should be weighed against the public benefits of the proposal (para. 208).

Paragraph 216 of the National Planning Policy Framework (NPPF) states the effect on the significance of a non-designated heritage asset should be taken into account when making decisions.

Opportunities should be sought for new development within conservation areas and the settings of heritage assets that enhances or better reveals their significance. (para. 219).

The premises are located within the Whitehaven Conservation Area. The signage will be located on the front and rear elevations and will replace comparable existing signage. It is considered to be of an acceptable scale and design and the external illumination is considered to be appropriate for the Conservation Area location.

The Conservation Officer has raised no objections and welcomes the redecoration of the front elevation of the premises.

Overall, it is considered that the proposed signage complies with Policies BE1, BE2 and BE6 of the LP.

#### Impact on Public Safety

Policies BE6 of the Copeland Local Plan, section 12 of the NPPF, and the 2007 Advertisement Regulations seek to ensure proposals do not affect the street scene or public safety.

The proposed signs are to be located on the shop frontage, replacing existing signs, and are therefore unlikely to pose an issue to passing motorists or pedestrians. The signs are in keeping with the character of the building and therefore they will not appear obtrusive or

	<p>dominant features in the street scene. In this location, the signs are unlikely to have any harm on public safety.</p> <p>No objections have been received from the Highway Authority.</p> <p>On this basis, the signs are considered to comply with Policy BE6 of the Copeland Local Plan, section 12 of the NPPF, and the 2007 Advertisement Regulations.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The proposed signage will replace existing signage on the building as part of the refurbishment of the premises.</p> <p>The principle of replacement signage is acceptable given it will be located on an existing shop within a commercial part of town centre. The proposed signs are of an acceptable scale, siting, and design to maintain visual amenity and it is unlikely to harm public safety.</p> <p>The proposed signage is considered to comply with Policies of the Copeland Local Plan, the adopted Conservation Area Design Guide, the provision of the NPPF, and the Advertisement Regulations and, as such, is recommended for approval.</p>
8.	<p><b>Recommendation:</b></p> <p>Approve Advertisement Consent</p>
9.	<p><b>Conditions:</b></p> <ol style="list-style-type: none"> <li>1. This consent shall expire in 5 years from the date of this notice whereupon the signage shall be removed and any damage repaired unless further consent to display has been granted by the Local Planning Authority.</li> </ol> <p>Reason</p> <p>To accord with Regulation 14 (7) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and in the interests of amenity and public safety.</p> <ol style="list-style-type: none"> <li>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: -</li> </ol> <p>Application form, received 20th March 2025;</p>

	<p>Site Location Plan, scale 1:1250, received 20th March 2025;</p> <p>Existing and Proposed Floor Plans, scale 1:50, drawing number RNTH/S1256/10, received 20th March 2025;</p> <p>Existing and Proposed Elevations, scale 1:50, drawing number RNTH/S1256/11, received 13th May 2025;</p> <p>Existing and Proposed Sections, scale 1:50, drawing number RNTH/S1256/12, received 20th March 2025;</p> <p>Flood Risk Assessment, received 20th March 2025;</p> <p>Design, Access and Heritage Statement, received 22nd April 2025.</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>
3.	<p>Artificial lighting to the development must conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting Installations for environmental zone E3 contained within The Institute of Light Engineers Guidance Note GN01/21 (dated 2021) for The Reduction of Obtrusive Light.</p> <p>Reason</p> <p>In order to safeguard the amenities of nearby residential occupiers.</p>
4.	<p>External lighting must only be used during the operating hours of the premises and at no other times.</p> <p>Reason</p> <p>To protect the visual amenity of the area and reduce the impact on the surrounding residential properties.</p>
5.	<p>Standard Advertisement Policies</p>





**Cumberland  
Council**

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<b>Case Officer: Sarah Papaleo</b>	<b>Date : 29/05/2025</b>
<b>Authorising Officer: N.J. Hayhurst</b>	<b>Date : 02/06/2025</b>
<b>Dedicated responses to:- N/A</b>	