

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2207/DOC
2.	Proposed Development:	DISCHARGE OF CONDITION 7 OF PLANNING APPLICATION 4/21/2365/0F1
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: <p>This application site comprises the property known as 6-8 Duke Street, Whitehaven.</p> <p>The property comprises a four-storey building within the town centre of Whitehaven.</p> <p>The building is currently vacant but was formerly operated as a furniture store by Whittles.</p> <p>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.</p> <p>The building comprises a Grade II Listed Building. The listing entry for the building states the following:</p>	

"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:

Planning Condition 7 attached to application ref. 4/21/2365/0F1 requires the following:

Prior to the installation of any plant or equipment capable of causing nuisance from noise and vibration, a noise assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment must be carried out by a suitably qualified acoustic consultant and in accordance with British Standard 4142 2014 should be made. Any mitigation measures identified within the noise assessment shall be implemented before the plant or equipment is operational.

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

- Application Form.
- Statement to accompany application to discharge Planning Approval Condition 7.
- Whittles, Whitehaven Plant Noise Impact Assessment Ref. 9724.4 8th May 2025 Revision A
- Roof Plan – Screens To Plant – Drawing No. DGHW-NOR-XX-ZZ-DR-A-27002 Rev. 01.
- Acoustic Screen To Condenser – Drawing No. DGHW-NOR-XX-ZZ-DR-A-27306 Rev. P02.

Consultee:	Nature of Response:
Cumberland Council Conservation Officer	<ul style="list-style-type: none">• It is proposed to screen the rooftop plant using a 2.5m high close boarded larch screen mounted on galvanised framework.• I would view this in heritage terms as having a small positive impact by offsetting the minor less-than-substantial visual and noise harm caused by the necessary installation of rooftop plant.• I do not anticipate any impact on the conservation area from the installation of this screen.
Environmental	Accepts the findings of the Noise Impact Assessment. As such, condition

Health

7 can be discharged.

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 5th 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:

The Environmental Health Officer has confirmed no objections to the proposed measures in respect of the impact upon amenity etc..

The Conservation Officer has confirmed that the measures will have a small positive impact

	<p>by offsetting the minor less-than-substantial visual and noise harm caused by the necessary installation of rooftop plant. It is confirmed that an impact on the conservation area is not anticipated from the installation.</p> <p>Conclusion:</p> <p>Subject to the installation of the mitigation measures proposed, it has been demonstrated that adverse impacts upon amenity will not result from the proposed plant equipment.</p> <p>Approve requirements of Planning Condition 7.</p>	
8.	<p>Recommendation:</p> <p>Approve</p>	
Case Officer: C. Harrison		Date : 22.07.2025
Authorising Officer: N.J. Hayhurst		Date : 22.07.2025
Dedicated responses to:- N/A		