

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/25/2217/0L1
2.	<b>Proposed Development:</b>	LISTED BUILDING CONSENT FOR AN INSTALLATION OF A PARTITION WITHIN THE LARGE WAITING ROOM ON THE FIRST FLOOR TO CREATE A SMALLER WAITING ROOM AND AN ADDITIONAL CLINICAL ROOM
3.	<b>Location:</b>	19-20 IRISH 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, Coal - Development Referral Area - Data Subject to Change
6.	<b>Publicity Representations &amp;Policy</b>	Neighbour Notification Letter: NO  Site Notice: YES  Press Notice: YES  Consultation Responses: See report  Relevant Planning Policies: See report
7.	<b>Report:</b> <b>SITE AND LOCATION</b> <p>This application relates to the large building at 19-20 Irish Street known as Mansion House, which is currently used as a GP surgery. The building has a large car park to the rear and is surrounded by residential properties. Irish Street runs to the north of the building.</p> <p>Mansion House is Grade II Listed and situated within the Whitehaven Town Centre</p>	

Conservation Area.

The listing entry for Mansion House states the following:

*IRISH STREET 1. 1814 (South Side) Nos 19 & 20 (with coach house entrance and area railings) NX 9717 NW 4/68 20.7.49. II GV 2. Circa 1840/50, Italianate design, possibly by S Smirke, stuccoed, 3 storeys. Heavy stucco cornice at eaves, with enriched moulded frieze and modillions. Centre double doors; 5 windows on ground floor with in and out bands. 1st floor has 6 windows with projecting stucco balconies on brackets, moulded architraves, and raking pediments on consoles. 2nd floor has casement windows. All windows have moulded architraves and cornices. Stucco balustrading to small front area. Entrance to coach-house on left, with 4 small round-headed windows above, and pierced balustrade above modillion eaves.*

*Nos 17 to 20 (consec) form a group.*

*Listing NGR: NX9737317915*

## **PROPOSAL**

Listed Building Consent is sought for the installation of a partition within the large waiting room on the first floor to create a smaller waiting room and an additional clinical room.

The partition is proposed to be erected from two layers of Gyproc SoundBloc with an acoustic partition roll for the cavity. The partition will be placed in a position where there was a previous wall.

## **CONSULTATION RESPONSES**

Whitehaven Town Council

No objections.

Conservation Officer

Description: 19-20 Irish Street is a grade II listed building substantial in proportions and highly ornate.

Conclusion: No objection

Assessment:

- This proposal seeks to create additional clinical space by subdividing a large waiting room on the 2nd floor.
- This waiting room was previously subdivided, and the partition wall removed in 2008.



## Cumberland Council

- This new partition wall will therefore be a reinstatement of the previously removed one, and as such I do not anticipate harm to the internal surfaces of the space.
- The alterations to the proportions of the room will have some minor impact, but it does not appear from the floor plans that this space fulfils an important role within the building as a large, high-status open area.
- Therefore, I believe that there will be no worse than negligible harm to the significance of the building, and clear public benefit in terms of providing greater clinical area.

### National Amenities Society

No response received.

### Public Representation

The application has been advertised by way of a site notice and press notice.

No responses have been received as a result of these advertisements.

## **PLANNING POLICY**

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.

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 relevant policies 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

**Other Material Planning Considerations**

National Planning Policy Framework (NPPF)

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

**ASSESSMENT**

Information has been provided by the Applicant in respect of the heritage asset significance of the property and the impacts of the proposed development; however, the proposals have been fully reviewed and assessed by the Conservation Officer of the Council.

The heritage asset significance of the property is principally derived from its physical form/construction. The building is a Listed Building and situated within the Whitehaven Conservation Area.

Policies BE1 and BE2 of the LP seek to protect, conserve and where possible enhance listed buildings and their settings.

The LBCA sets out a clear presumption that gives considerable importance and weight to the desirability of preserving a heritage asset and its setting.

Section 16.2 requires that: *'In considering whether to grant listed building consent for any works the local planning authority or 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'*.

Paragraphs 184 – 202 of the NPPF in respect of heritage include a requirement that when considering the impact of development proposals on designated heritage assets such as listed buildings, great weight should be given to the conservation of the asset's significance; however, less than significant harm should be weighed against the public benefits of a development.

The principle of ensuring that the building has a practical use going forward is supported throughout local and national planning policy. It is therefore considered that the addition of a partition wall is acceptable to ensure the functionality of the building and should therefore be supported.

The work is minimal and comprise the erection of a stud wall where there was previously a wall.

The Conservation Officer has indicated that there would be some minor impact on the building should the wall be erected, however he does not consider that this room fulfills an important role within the building and therefore only negligible harm will be created.



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	<p><u>Planning Balance and Conclusion</u></p> <p>The Conservation Officer considers that the proposed works are justified and provide clear public benefit in terms of providing a greater clinical area. The works are therefore considered to be in accordance with Policies BE1 and BE2 of the Local Plan.</p> <p>In applying the tests of the Copeland Local Plan 2021-2039, the LBCA and the NPPF, the proposal would preserve the heritage significance of the Listed Building and Conservation Area, so is therefore supported.</p>
8.	<p><b>Recommendation:</b></p> <p>Approve Listed Building Consent (start within 3yr)</p>
9.	<p><b>Conditions:</b></p> <p>1. The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.</p> <p>Reason</p> <p>To comply with Sections 18 and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.</p> <p>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: -</p> <p>Application Form, received 23rd June 2025; Site Location Plan, scale 1:1250, received 23rd June 2025; Proposed Floor Plan, scale 1:100, received 23rd June 2025; Materials for Partition Wall, British Gypsum, received 23rd June 2025; Design, Access and Heritage Statement, received 23rd June 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> <p><b>Statement</b></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 Listed Building Consent in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.	
<b>Case Officer: Sarah Papaleo</b>		<b>Date : 22/08/2025</b>
<b>Authorising Officer: N.J. Hayhurst</b>		<b>Date : 26/08/2025</b>
<b>Dedicated responses to:- N/A</b>		