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[cumberland.gov.uk](http://cumberland.gov.uk)**

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990.

**NOTICE OF LISTED BUILDING CONSENT**

HFT Gough & Co  
38-42 Lowther Street  
Whitehaven  
CA28 7JU  
FAO: Mr Michael Sandelands

**APPLICATION REFERENCE: 4/25/2255/0L1**

**LISTED BUILDING CONSENT FOR THE REPLACEMENT OF 10 NON-  
TRADITIONAL GROUND FLOOR WINDOWS IN THE REAR ELEVATION WITH  
GREY ALUMINIUM TOP HUNG CASEMENT WINDOWS**

**38-42 LOWTHER STREET, WHITEHAVEN**

**HFT Gough & Co**

The above application dated 16/07/2025 has been considered by the Council in pursuance of its powers under the above Act and LISTED BUILDING CONSENT HAS BEEN GRANTED subject to the following conditions:

1. The works hereby permitted shall begin not later than three years from the date of this decision.

Reason

To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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:

Application Form received 29<sup>th</sup> December 2025

Location Plan - Planning Portal Reference: PP-14026268v1 received 11<sup>th</sup> July 2025

Window Schedule 38/42 Lowther St. received 11<sup>th</sup> July 2025

Photographs of Rear Elevation received 16<sup>th</sup> July 2025

Email from Michael Sandelands dated 15<sup>th</sup> November 2025

Alitherm 400 Window Features and Specification Sheet received on the 15<sup>th</sup> November 2025

Reason

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.

3. The listed building consent hereby approved relates solely to the replacement of windows W1 to W10 as identified on the approved plans and documents only. No additional windows, alterations to window openings, or replacement of any other windows shall be carried out without the prior written approval of the local planning authority.

Reason

To ensure the development is carried out in accordance with the approved details and in the interests of safeguarding the character and appearance of the building and surrounding area in accordance with the provisions of Policy BE2 of the Copeland Local Plan 2021 – 2039.

### **Statement**

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 to grant listed building consent in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

Please read the accompanying notice



Nick Hayhurst  
Head of Planning and Place  
Thriving Places

20<sup>th</sup> February 2026

## **LISTED BUILDING CONSENT / CONSERVATION AREA CONSENT**

### **NOTICE**

**IMPORTANT:** This permission refers only to that required under the Planning (Listed Buildings and Conservation Areas) Act 1990 and does not include any consent or approval under any other enactment or under the Building Regulations.

**These Notes do not apply when consent is granted unconditionally.**

### **Appeals to the Secretary of State**

If you are aggrieved by the decision of the Authority to refuse your application or to impose conditions on the permission with which you are dissatisfied, you may appeal to the Secretary of State under Sections 20 and 21 of the Planning (Listed Buildings and Conservation Areas) Act 1990. All appeals are handled on behalf of the Secretary of State by the Planning Inspectorate.

If you want to appeal against this decision then you must do so within 6 months of the date of this notice, or such longer period as the Secretary of State may, at any time, allow. Although the Secretary of State can allow a longer period for giving notice of an appeal, he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

Appeals must be made electronically. You can find more information online at [www.gov.uk/planning-inspectorate](http://www.gov.uk/planning-inspectorate) or using a form which you can get from the Planning Inspectorate Customer Support Team (0303 444 50 00).

Please note only the applicant possesses the right of appeal.

If Listed Building consent is refused, or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any works which have been or would be permitted, he may serve on the Authority a Listed Building purchase notice requiring the Authority to purchase his interest in the land in accordance with the provisions of Section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. Further details are on GOV.UK.