

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2256/0F1
2.	Proposed Development:	CHANGE OF USE FROM CLASS E (FINANCIAL SERVICES) TO PROVISION OF MEDICAL OR HEALTH SERVICES INCLUDING MINOR EXTERNAL ELEVATIONS TO REMOVE EXISTING ATM
3.	Location:	40-41 KING STREET, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	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.	Publicity Representations &Policy	See report.
7.	Report: Site and Location: <p>The Application Site comprises the property known as 40-41 King Street, Whitehaven. Designated and non-designated heritage assets are located within the wider locality. The Application Site is located within the Whitehaven Town Centre Conservation Area. The Application Site is located in Flood Zone 3.</p> Proposal: <p>The property comprises part of a national NHS England pilot project to provide early intervention and support in the heart of local communities to transform access to mental health and wellbeing support.</p> <p>Local residents have chosen the name 'Hope Haven' and the hub will bring together a range</p>	

of services and staff under one roof. People will be able to access support for mental health experiences and help to identify what areas may trigger or drive their mental health distress. The service will be individually tailored around the person's needs and priorities.

Support will be provided by local organisations working closely together, including Cumbria Health; Cumbria, Northumberland, Tyne and Wear NHS Foundation Trust (CNTW); Everyturn Mental Health; Home Group; iCan Wellbeing Group CIO; The Well Communities CIC; and Whitehaven Community Trust.

This application seeks Full Planning Permission for the following:

- Use of the property for the provision of medical or health services;
- Alterations to existing elevations to remove existing ATMs. It is proposed to clad the element of the elevation containing the ATMs with mid grey Rockpanel Colour stone-based matt finish cladding boards fixed with colour matched screws into new timber sub frame over existing external wall; and,
- Installation of vinyl to the windows in the ground floor of the building to provide privacy to users. Black and opaque vinyl is proposed to the rear windows. Individual designs are proposed to the remaining windows; however, no details have been submitted.

A range of internal alterations are proposed; however, these do not comprise development requiring planning permission.

The painting of the exterior of the building does not comprise development requiring planning permission.

Consultation Responses:

Consultee:	Nature of Response:
Town Council	No comments received.
Cumberland Council - Highways and LLFA	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.
Conservation Officer	<i>Response One</i> • This building is not a heritage asset although the proposed works would

		<p>have an impact on the settings of a number of nearby heritage assets and on the character and appearance of the conservation area.</p> <ul style="list-style-type: none"> • The existing external appearance of the ground floor makes a slightly negative impact on the surroundings, exacerbated by its prominent location. • It is likely, therefore, that there will not be harm to the surrounding heritage assets' settings or to the conservation area, however, I am not able to get a clear enough understanding of how it will look from the information included. • I would be grateful for information on the appearance of the grey panelling material that is proposed to cover the aperture where the ATMs are located. Are there photographs of such a material in use, or a brochure that could be supplied? Have any alternative options been considered? <p><i>Response Two</i></p> <ul style="list-style-type: none"> • Following my earlier consultation, updated information has been provided on the appearance of the cladding panels to be installed in place of the ATMs. • I believe the grey board will have a reasonably attractive appearance and be in keeping with the rest of the façade. • I would view the impact on settings of surrounding heritage assets and on the conservation area as neutral or slightly positive.
	Environment Agency	<p>We have no objections to the development as proposed, however we do wish to make the following comments:-</p> <p>The planning application is accompanied by a Flood Risk Assessment (FRA) prepared by Billingham George & Partners, Civil & Structural Consultants (referenced: 256075- BGP-XX-T-C-01001, Date: 18/07/2025). We have reviewed the FRA in so far as it relates to our remit, and we consider that it is appropriate to the nature and scale of the development.</p> <p>We are satisfied that the development would be safe without exacerbating flood risk elsewhere if the proposed flood risk mitigation measures are implemented. The proposed development must proceed in strict accordance with this FRA and the mitigation measures identified as it will form part of any subsequent planning approval. Any proposed changes to the approved FRA and/or the mitigation measures identified</p>

will require the submission of a revised FRA.

Advice to LPA - Flood warning and emergency response

Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/users covered by our flood warning network. We therefore do not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals, as we do not carry out this type of role /responsibility during a flood. Planning practice guidance (PPG) states that, in determining whether a development is safe, the ability of residents and users to safely access and exit a building during a design flood and to evacuate before an extreme flood needs to be considered. One of the key considerations to ensure that any new development is safe is whether adequate flood warnings would be available to people using the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise LPAs to formally consider the emergency planning and rescue implications of new development in making their decisions. As such, we recommend you refer to 'Flood risk emergency plans for new development' and undertake appropriate consultation with your emergency planners and the emergency services to determine whether the proposals are safe in accordance with paragraph 181 (inc. footnote 63) of the NPPF and the guiding principles of the PPG.

Neighbour Responses:

The application has been advertised by way of a press notice, site notice and neighbour notification letters.

No representations have been received.

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.

Copeland Local Plan 2021 - 2039 (LP)

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.

Strategic Policy DS1: Settlement Hierarchy

Strategic Policy DS2: Settlement Boundaries

Policy DS4: Design and Development Standards

Strategic Policy DS6: Reducing Flood Risk

Strategic Policy R1: Vitality and Viability of Town Centres and Villages within the Hierarchy

Strategic Policy R2: Hierarchy of Town Centres

Strategic Policy R3: Whitehaven Town Centre

Policy R6: Whitehaven Town Centre Primary Shopping Area

Policy R9: Non-Retail Development in Town Centres

Strategic Policy N1: Conserving and Enhancing Biodiversity and Geodiversity

Strategic Policy N3: Biodiversity Net Gain

Strategic Policy BE1: Heritage Assets

Policy BE2: Designated Heritage Assets

Policy BE5: Shopfronts

Strategic Policy CO2: Priority for improving transport networks within Copeland

Strategic Policy CO4: Sustainable Travel

Policy CO7: Parking Standards

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:

Principle

The Application Site comprises a former bank, which falls within Use Classification E(c)(i).

The proposed use comprises the provision of medical or health services, which falls within Use Classification E(e).

As the respective uses falls within Use Classification E, a material change of use requiring planning permission will not occur.

Design and Heritage

The proposed cladding and vinyl to the windows will be visible from the surrounding properties, public spaces and highways.

The proposed cladding is in keeping with the existing design/character of the building.

Given the use of the building, there is reasonable justification for the introduction of vinyl to the fenestration to provide privacy etc. for the users of the facility.

Given the location of the windows to the rear of side elevation, the installation of black and opaque vinyl will not result in harm to the character of the building or streetscape.

The introduction of full cover and vibrant signage to the primary/front windows has the potential to cause harm to the character of the building and streetscape. A planning condition is proposed to secure details of the designs to ensure that harmful impacts will not occur.

Any incorporation of advertisements into the vinyl will require a separate application for advertisement consent.

Subject to the planning condition proposed, direct adverse impacts and adverse impacts upon the setting of both the designated and non-designated heritage assets within the locality will not occur.

Ecology and Biodiversity Net Gain

The Application Site is not of ecological interest and is not within a designated site.

The Application Site includes no area, linear or watercourse habitats.

The development will not impact a priority habitat and impacts less than 25 square metres (5m by 5m) of on-site habitat and 5 metres of on-site linear habitats; therefore, the development falls below the biodiversity net gain threshold and a ten percent biodiversity net gain is not required to be delivered.

Flood Risk and Drainage

The proposal does not comprise a material change of use requiring planning permission; therefore, the Sequential Test and Exception Test are not reasonably applicable in relation to the use.

The proposed works to the elevations do not give rise to issues/impacts in respect of flood risk.

Notwithstanding the above, a Flood Risk Assessment has been submitted in support of the Full Planning Application. The Assessment details mitigation measures that will deliver improvement of flood resilience at the property.

No alterations to proposed to the existing means of foul and surface water drainage.

Highways

The Application Site is located within Whitehaven, which is accessible via a range of public transport. Public parking provision exists within walking distances.

The proposed development will not impact upon the safe operation of the public highway.

Amenity

The Application Site is located within the primary retail area of the Whitehaven town centre, where activity is prevalent throughout the day.

The proposed development will not result in a material increase in noise and activity.

Conclusion

The use of the Application Site does not comprise a material change requiring planning permission.

Subject to the planning condition proposed, direct adverse impacts and adverse impacts upon the setting of both the designated and non-designated heritage assets within the locality will not occur.

No issues are arising in relation to highways, flood risk, drainage and ecology.

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| 8. | <p>Recommendation:</p> <p>Approve (commence within 3 years)</p> |
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| 9. | <p>Conditions:</p> <p>1. The development hereby permitted shall begin not later than three years from the date of this decision.</p> |
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	<p>Reason</p> <p>To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of 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</p> <p>Location Plan – Ref. PP-14063937v1</p> <p>Planning - Existing Gas - Drawing No. 9840-PHP-01-ZZ-DR-A-8001_A</p> <p>Planning - Existing Elevations – Drawing No. 9840-PHP-01-ZZ-DR-A-8003_A</p> <p>Planning - Proposed Gas – Drawing No. 9840-PHP-01-ZZ-DR-A-8002_A</p> <p>Planning - Proposed Elevations – Drawing No. 9840-PHP-01-ZZ-DR-A-8004_B</p> <p>Proposed – Drainage – Drawing No. 9840-PHP-01-ZZ-DR-A-5401_B</p> <p>Flood Risk Assessment Whitehaven Community Hub – Ref. 256075-BGP-XX-T-C-0100</p> <p>40/41 Kings Street, Biodiversity Net Gain Exemption – Letter Ref. 9840</p> <p>DESIGN AND ACCESS STATEMENT Proposal: Change of Use from Former Halifax Bank to Mental Health Community Building - Date of Issue: 04/06/25</p> <p>Rockpanel – Specification Information</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>3. The artwork/manifestation to existing glazing detailed on Planning - Proposed Elevations – Drawing No. 9840-PHP-01-ZZ-DR-A-8004_B shall not be installed unless or until detailed specifications/designs of the artwork/manifestation have first been submitted to and approved in writing by the local planning authority.</p> <p>The artwork/manifestation shall be implemented as approved.</p> <p>Reason</p>
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To ensure high quality design and prevent harm to the character of the Whitehaven Town Centre Conservation Area in accordance with the provisions of Policy DS4, Policy BE1 and Policy BE2 of the Copeland Local Plan 2021 – 2039.

Informative Note

Biodiversity Net Gain – Exemption

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition)” that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the local planning authority, and
- (b) the local planning authority has approved the plan.

The planning authority, for the purposes of the Biodiversity Gain Plan is Cumberland Council.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements is/are considered to apply.

Applicable exemption: ***De minimis***.

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 planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

Case Officer: Chris Harrison

Date : 28.08.2025

Authorising Officer: N.J. Hayhurst

Date : 28.08.2025

Dedicated responses to:- N/A