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**CUMBERLAND COUNCIL  
DELEGATED PLANNING DECISION**

1.	<b>Reference No:</b>	4/25/2293/0L1
2.	<b>Proposed Development:</b>	LISTED BUILDING CONSENT TO INSTALL OF WOOD BURNING STOVES, RAISE HEIGHT OF GARAGE DOOR, INSTALL WINDOW GRILLES TO FRONT WINDOWS, CHIMNEY POTS TO BE FITTED TO CHIMNEY STACKS WITH LOW PROFILE WEATHER COWLS
3.	<b>Location:</b>	4A CROSS 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
6.	<b>Publicity Representations &amp;Policy</b>	See Report
7.	<b>Report:</b>	<p><b>SITE AND LOCATION</b></p> <p>The application property is 4A Cross Street, Whitehaven, forming part of a mid-18th century terrace of Georgian buildings listed at Grade II. The terrace, including Nos. 1–4A Cross Street, is recognised on the National Heritage List for England as designated heritage assets of special architectural and historic interest. It is a Grade II Listed Building.</p> <p>Cross Street lies within the historic grid layout of Whitehaven town centre, a nationally important example of Georgian planning and architecture. It falls within the Conservation Area.</p> <p><b>PROPOSAL</b></p> <p>Listed Building Consent is sought for various alterations to the property.</p> <p>The following works are proposed –</p>

- \* installation of wood burning stoves within the ground floor and first floor spaces;
- \* raising the height of the garage door opening;
- \* installation of metal window grilles to the front elevation windows;
- \* fitting of chimney pots to the existing chimney stacks with low profile weather cowls.

A Design and Access and Heritage Statement has been submitted in support of the application, together with annotated photographs and details of the proposed features.

## **CONSULTATION RESPONSES**

### Town Council

No objections

### Conservation Officer

No objections to the works following clarification regarding a number of elements.

### 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 advertisement

## **PLANNING POLICIES**

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**

The following policies are relevant to this proposal:

Strategic Policy DS1 – Settlement Hierarchy

Strategic Policy DS2 – Settlement Boundaries



## Cumberland Council

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)

Conservation Area Design Guide 2017

### **ASSESSMENT**

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.

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

The grilles, chimney pots and alterations to the garage door are considered to be acceptable. Initially, the level of detail in the Design and Access statement was considered to be light on detail when assessing some elements of the works, particularly the stoves details.

The Conservation Officer has confirmed that there would be no significant impact on the fabric of the building and that they were supportive of the principle of the development. A less than substantial level of harm was identified but benefits have been provided in the form of improved use of the dwelling, the continued upkeep of the dwelling, the removal of some modern features, and continued long term preservation of the dwelling.

A condition will be placed on any permission to require details of the internal chimney works to allow additional controls once the chimney has been opened up.

	<p><b>Planning Balance and Conclusion</b></p> <p>Given the minor alterations some internal elements it is considered the works would have a less than substantial impact on the Listed Building. These impacts are outweighed by the positive benefits of ensuring the re-use and future proofing of a listed building, with a policy compliant use. The works will allow for the long term preservation of the building. The works are minor and would amount to the natural evolution of this historic building, in an acceptable manner.</p> <p>The works are therefore considered to be in accordance with Policies BE1 and BE2 of the Local Plan. In applying the tests of the Copeland Local Plan 2013-2028, the LBCA and the NPPF, the proposal as amended would preserve the heritage significance of the Listed Building and Conservation Area, so is therefore supported.</p>
8.	<p><b>Recommendation:</b> 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. This permission relates to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them:-</p> <ul style="list-style-type: none"> <li>- Application Form, received on 21<sup>st</sup> August 2025</li> <li>- Site Location Plan, received on 14<sup>th</sup> August 2025</li> <li>- Existing and Proposed floor plans, received on 14<sup>th</sup> August 2025</li> <li>- Chimney details, received on 14<sup>th</sup> August 2025</li> <li>- Garage door details, received on 14<sup>th</sup> August 2025</li> <li>- Window Grille details. Received on 14<sup>th</sup> August 2025</li> <li>- Design and Access Statement, received on 21<sup>st</sup> August 2025</li> </ul> <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 proposed stoves shall not be installed until the scope of the works has been agreed in</p>



## Cumberland Council

writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details at all times thereafter.

### Reason

To allow the Local Planning Authority to control the works once the chimney has been opened up in accordance with Policies BE1 and 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 planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

**Case Officer: D. Gibson**

**Date : 20/01/2026**

**Authorising Officer: N.J. Hayhurst**

**Date : 02/02/2026**

**Dedicated responses to:-**