

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/25/2310/OL1
2.	<b>Proposed Development:</b>	VARIOUS ALTERATIONS TO REFURBISH A LISTED BUILDING AND THE DEMOLITION OF AN EXISTING GARAGE BUILDING WITHIN THE CURTILAGE
3.	<b>Location:</b>	8 SCOTCH 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>  <b>SITE AND LOCATION</b>  <p>The application relates to 8 Scotch Street, Whitehaven, a building situated within the Conservation Area and recognised as a designated heritage asset on the National Heritage List for England. The site is located within the historic core of Whitehaven, a town known for its planned Georgian layout and significant stock of listed buildings. Scotch Street forms part of a pattern of tightly knit historic streets that contribute to the area's distinct character.</p>  <b>PROPOSAL</b>  <p>The proposal seeks Listed Building Consent for a series of works that form part of a larger refurbishment of the property. These works include a number of alterations to the building's fabric and associated structures, as well as the demolition of an existing garage building within the curtilage of the listed building.</p>	

Supportive documentation has been submitted with the application, including floor plans, proposed alterations, a structural inspection and design report.

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**

### Parish Council

No objection to the scheme

### Conservation Officer

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

### Historic Buildings and Places

Object to the works – particularly the level of detail provided regarding the panelling in the property

### Georgian Group

Object to the works – particularly the level of detail provided regarding the panelling in the property

### Public Representations

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

No representations have been received in response to this consultation.

## **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 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
- 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**

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.

8 Scotch Street is located within the historic built environment of central Whitehaven, an area characterised by Georgian and early post-Georgian buildings with traditional architectural detailing. The significance of the asset derives from its historic form, materials, decorative details, and contribution to the rhythm and appearance of the street scene.

Works affecting a listed building, or its curtilage structures, need to be assessed in terms of their impact on the historic fabric and the building's setting. The loss of original material or historic features, and any alteration to the building's external or internal character, must be

justified in planning terms.

The refurbishment works encompass a range of interventions to improve the building's condition and usability. The applicant has submitted structural inspection information and design justification, which need to be weighed against the statutory requirement to preserve the building's significance.

The refurbishment works are largely restorative and pragmatic, aimed at improving the condition, functionality and safety of the building. These works include upgrades necessary to ensure the building can continue to function as a viable dwelling in the long term. Such works are often essential to prevent heritage assets from falling into disrepair or becoming obsolete.

The demolition of the existing garage structure within the curtilage has been assessed in heritage terms. The structure is of limited historic or architectural interest and does not make a positive contribution to the significance of the listed building or its setting. Its removal would not detract from the appreciation of the principal heritage asset and would allow for a more coherent use of the site that better reflects the historic hierarchy of buildings on the plot.

Importantly, none of the proposed works would result in the loss of irreplaceable historic fabric that is fundamental to the building's significance. The works have been designed to be largely reversible where possible, and conditions can secure appropriate methods and materials to ensure historic fabric is protected during implementation.

In applying the tests set out within the Planning (Listed Buildings and Conservation Areas) Act 1990 and the National Planning Policy Framework, it is considered that the proposals would result in no more than a very low level of less than substantial harm to the significance of the listed building.

This conclusion reflects:

- \* the limited extent of physical intervention;
- \* the focus on secondary or later elements of the building;
- \* the retention of key historic features and spatial qualities; and
- \* the absence of any adverse impact on the building's external architectural expression within the Conservation Area.

The degree of harm identified sits at the lowest end of the "less than substantial" spectrum as described in national policy.

Paragraphs 199–208 of the National Planning Policy Framework require that where a proposal would result in less than substantial harm to the significance of a designated heritage asset, that harm should be weighed against the public benefits of the proposal.

In this case, the public benefits are clear and compelling.

The proposed works will bring the building up to modern standards of safety, functionality and comfort, allowing it to remain in active residential use. This is a significant benefit, as the



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long-term conservation of heritage assets is closely linked to their continued, viable use. Buildings that cannot adapt to modern living requirements are at greater risk of neglect, underinvestment and eventual deterioration.

The refurbishment will:

- \* secure the long-term occupation and upkeep of the listed building;
- \* prevent incremental decay through disuse or underuse;
- \* reduce the need for more invasive intervention in the future; and
- \* ensure the building continues to contribute positively to the vitality and historic character of Whitehaven.

These benefits align directly with national and local policy objectives, which emphasise that heritage assets should be conserved in a manner appropriate to their significance while allowing for sensible adaptation to ensure their longevity.

When considerable importance and weight is given to the desirability of preserving the listed building, as required by statute, it is concluded that the proposals would preserve the building's special architectural and historic interest.

Any minor harm identified is clearly outweighed by the substantial benefits arising from the repair, refurbishment and future-proofing of the dwelling. The works represent a sensitive and proportionate response to the building's needs and will ensure its continued use, appreciation and conservation for future generations.

Objections were raised by the Georgian Group and Historic Buildings and Places. These objections related to the potential loss of historic fabric and the lack of detail relating to the wood panelling. In response to this the Council's Conservation Officer entered into further discussions with the applicant, conducting a further internal site visit, and agreed a series of conditions to ensure further details relating to the panelling, cornicing, and skirting boards. This condition would ensure that the Council will have all of the information required to ensure that the works protect the special character of the building.

Accordingly, the proposals are considered to comply with Policies BE1 and BE2 of the Local Plan, the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990, and the heritage policies of the National Planning Policy Framework.

### Planning Balance and Conclusion

Given the minor alterations some internal elements it is considered that 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 manor.

	<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></p> <p>Approve Listed Building Consent (start within 3yr)</p>
9.	<p><b>Conditions:</b></p> <ol style="list-style-type: none"> <li>1. The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.</li> </ol> <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> <ol style="list-style-type: none"> <li>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:- <ul style="list-style-type: none"> <li>- Application Form</li> <li>- Site Location Plan</li> <li>- Existing and Proposed floor plans</li> <li>- Proposed alterations</li> <li>- Design and Access Statement</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> </li> <li>3. Prior to the various works being carried out, the following information should be submitted to and approved in writing by the local planning authority – <ul style="list-style-type: none"> <li>- Internal elevation drawing of the panelling to be added into the front vestibule</li> <li>- Internal elevation drawing of the new panelling and shutters to be installed to the front wall of the house</li> <li>- Detail drawing, photo, illustration or description of the design of new cornicing to be</li> </ul> </li> </ol>



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installed, and its locations indicated on a plan

- Detail drawing, photo, illustration or description of design of new skirting boards to be installed, and its locations indicated e.g. on a plan, should be submitted to approved prior to the installation of new skirting boards.

### 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.

### 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 : 22/01/2026**

**Dedicated responses to:- N/A**