

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2345/0L1
2.	Proposed Development:	LISTED BUILDING CONSENT FOR ADDITION OF VERTICAL LIGHTNING CONDUCTOR STRIPS TO BUILDING FAÇADE AND REPLACEMENT OF STEP TO MAIN ENTRANCE WITH ACCESSIBLE RAMP
3.	Location:	6 DUKE STREET, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Listed Building - Listed Building, 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 6-8 Duke Street, Whitehaven.</p> <p>The property comprises a four-storey building within the town centre of Whitehaven.</p> <p>The building was formerly operated as a furniture store by Whittles and is currently being refurbished to form a community digital hub and cafe.</p> <p>The building lies within a prominent location at the junction between Duke Street and Tangier Street and is visible from King Street, the main pedestrianised thoroughfare within the town centre.</p> <p>The building comprises a Grade II Listed Building. The listing entry for the building states the</p>	

following:

“It Dated 1889. Stuccoed, 3 storeys. Paired pilasters at ends, set in 3 tiers - Tuscan, Corinthian, and Tuscan. Ground floor has shop fronts. 1st floor has 5 windows (some 6-light cross type, others 2-light sashes, 3 with broken pediments). Top floor has 5 sashes with plain pediments. The 2nd bay is emphasised by a top dormer with scrolled pediment, pilasters and wings, and 1st floor by a swag on the pediment.

Nos 4, 5, the Co-operative Store, Whittle's Furniture Store, The Globe Hotel Nos 105 and 105A form a group.”

The building is also situated within the Whitehaven Conservation Area.

Proposal:

The change of use of the building to form a community digital hub and café with roof terrace was approved under Full Planning Application ref. 4/21/2365/0F1 and the associated alterations to the interior and exterior of the building were approved under Listed Building Consent ref. 4/21/2364/0L1.

This application for Listed Building Consent seeks the following additional development:

- The removal of the existing step and landing within the entrance recess and its replacement with anti-slip paving to form a short ramp, configured to take account of the fall in pavement across the opening; and,
- The installation of 4no. lightening conductors to the north elevation of the building.

Consultation Responses:

Whitehaven Town Council

None received.

National Amenities Societies

No consultation response received.

Whitehaven Heritage Action Group

No consultation response received.

Cumberland Council Conservation Officer

- The replacement of the existing front step with a graded granite ramp will likely cause a negligible level of less-than-substantial harm to the appearance of the building and to the

conservation area.

- This is very minor in magnitude and is justified by the need for a ramped access and mitigated by the high quality of the proposed replacement detailing.
- The addition of four lightning conductors to the rear elevation will similarly have a negligible level of harm.
- I would view this too as justified by the need for lightning conduction and the subtlety of the install.

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.

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.

Copeland Local Plan 2021 – 2039

Policy DS4: Design and Development Standards

Strategic Policy N1: Conserving and Enhancing Biodiversity and Geodiversity

Strategic Policy BE1: Heritage Assets

Policy BE2: Designated Heritage Assets

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:

Given its form and external finishes, the existing stepped entrance has some heritage significance.

The replacement of the existing front step with a graded granite anti slip ramp will cause a negligible level of less-than-substantial harm to the heritage significance of the building and to the conservation area due to the loss of the historic form and finishes.

The addition of four lightning conductors to the elevation whilst visible will not result in the removal of existing fabric and will have a negligible level of less-than-substantial harm to the heritage significance of the building and to the conservation area.

Conclusion:

The National Planning Policy Framework requires that proposed changes to the historic environment are based on a clear understanding of the significance of any heritage asset and their setting and providing information so that the likely impact of proposals can be assessed.

The National Planning Policy Framework requires consideration of whether the harm to heritage asset is outweighed by the benefits of the proposal.

The building has been the subject of considerable unfavourable and unsympathetic intervention over the recent decades.

There are strong positive social and economic reasons to support the proposed development as a whole.

The assessment of the impact upon the significance of the heritage asset has found that the proposed works will result in a negligible level of less-than-substantial harm to the heritage significance of the building and to the conservation area.

There will be some loss of the original form and small areas of historic fabric and the introduction of modern materials; however, these interventions have been designed to minimise impacts and are justified by the need and benefits of providing an inclusive access to the building and the provision of lightening protection to prevent future damage.

The development will assist in delivering a long-term sustainable and optimum viable use for a property which has been vacant for a considerable period of time and has consequently suffered from water ingress and general degradation.

On balance, it is considered that the public benefits of the development outweigh the harm which in overall terms is considered to fall at the lower end of less than substantial.

8.	<p>Recommendation:</p> <p>Approve Listed Building Consent (start within 3yr)</p>
9.	<p>Conditions:</p> <p>1. The works hereby permitted shall begin not later than three years from the date of this decision.</p> <p>Reason</p> <p>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.</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>Planning Application Form Location Plan – 6 Duke Street, Whitehaven - Planning Portal Reference: PP-14405375v1 Drawing No. DGHW-NOR-XX-00-DR-A-90101 Rev. C01 – Entrance Ramp Details Statement to Listed Building Consent Application for Entrance Ramp - Project Number: ED3024-0055 Statement to Listed Building Consent Application for Lightning Conductors - Project Number: ED3024-0055</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>Statement</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 to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.</p>

Case Officer: C. Harrison	Date : 03.12.2025
Authorising Officer: N.J. Hayhurst	Date : 03/12/2025
Dedicated responses to:- N/A	