



**CUMBERLAND COUNCIL  
DELEGATED PLANNING DECISION**

1.	<b>Reference No:</b>	4/26/2076/0F1
2.	<b>Proposed Development:</b>	REFURBISHMENT OF THE CUMBERLAND BUILDING SOCIETY BRANCH SHOP FRONT INCLUDING RELOCATION OF ATM
3.	<b>Location:</b>	30 LOWTHER STREET, WHITEHAVEN
4.	<b>Parish:</b>	Whitehaven
5.	<b>Constraints:</b>	ASC Adverts - ASC;Adverts, Conservation Area - Conservation Area, Coal - Standing Advice - Data Subject To Change
6.	<b>Publicity Representations &amp;Policy</b>	Neighbour Notification Letter: YES  Site Notice: YES  Press Notice: NO  Consultation Responses: See report  Relevant Planning Policies: See report
7.	<b>Report:</b>	<p><b>INTRODUCTION</b></p> <p>This application relates to 30 Lowther Street in Whitehaven. The building is an end of terraced property and is currently utilized as The Cumberland Building Society. There are other commercial buildings to the north, west and east with Lowther Street running south east to north west. There is an open space behind the building.</p> <p>The building is located within the Whitehaven Conservation Area.</p> <p><b>PROPOSAL</b></p>

This application seeks full planning permission for the replacement of the shop front which fronts onto Lowther Street.

The works to be completed include the following:

- LED strip lighting to be installed within the new pelmet above signage;
- White 3D letter for fascia signage;
- Existing ATM repositioned;
- New level access door opening with concrete infill section at threshold as required;
- Existing aluminium pan fascia to be removed;
- New fascia frame with external tile backer board faced with green tiles;
- New non-illuminated projecting sign;
- New shop windows with anthracite grey frames;
- Privacy graphic applied to glazing;
- AV screen to be installed internally in shop front.

### **RELEVANT PLANNING APPLICATION HISTORY**

Fascia sign and projecting sign, approved in March 1994 (application reference 4/94/0075/0 relates);

Internally illuminated fascia sign, approved in May 1996 (application reference 4/96/0249/0 relates);

Installation of cash dispensing machine, approved in May 1998 (application reference 4/97/0783/0 relates);

Illuminated projecting sign, approved in June 1998 (application reference 4/98/0247/0 relates).

### **CONSULTATION RESPONSES**

#### Whitehaven Town Council

No objections.

#### Conservation Officer

Description: 30 Lowther Street is a three storey late-19th century building with an ornate facade in a mixture of red granite, red sandstone and brick facing.

Conclusion: No objection



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### Assessment:

- The shop front is a modern creation consisting of large plain glass openings set into red granite facing, with a green “The Cumberland” fascia sign above.
- The proposal will entail reorganising the openings and relocating the door and ATM. I view this as having a neutral impact on the character and appearance of the conservation area, the significance of the building, and the settings of nearby listed buildings.
- The green tiled fascia sign is an interesting and attractive piece of design, and should enhance the appearance of the shop front, while also providing a material that rather suits the late-19th century period of the building.
- It is proposed to add a projecting green and white sign in the shape of the house logo. Although this will be a new addition, I would view its impact on character and appearance as negligible.

### Environmental Health

There are no objections to this proposal from Environmental Health, other than to request that the construction working hours are limited to avoid undue noise disturbance to neighbours:

- Noise from construction works Following approval of the development, construction activities that are audible at the site boundary shall be carried out only between the following hours Monday to Friday 08.00 – 18.00 and Saturday 08.00 – 13.00 and at no time on Sunday or Bank Holiday. Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above unless otherwise agreed with the Local Planning Authority.

### Reason:

In the interests of the amenities of surrounding occupiers during the construction of the development.

### Public Representation

The application has been advertised by way of a press notice, site notice and neighbour notification letters issued to 2 no. properties.

No response has been received as a result of these advertisements.

## **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 (LP):**

Cumberland Council continued the preparation of the LP as commenced by Copeland Borough Council.

The LP was adopted by Cumberland Council on the 5<sup>th</sup> of November 2024 replacing the Copeland Local Plan 2013-2028 and the saved policies of the Copeland Local Plan 2001-2016.

The policies relevant to this application are as follows:

Strategic Policy DS1: Settlement Hierarchy

Strategic Policy DS2: Settlement Boundaries

Policy DS4: Design and Development Standards

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

Strategic Policy R3: Whitehaven Town Centre

Policy N3: Biodiversity Net Gain

Strategic Policy BE1: Heritage Assets

Policy BE2: Designated Heritage Assets

**Other Material Planning Considerations**

National Planning Policy (NPPF)

Conservation Area Design Guide SPD

Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA)

**ASSESSMENT**

Principle of Development

The building is located within the development boundary for Whitehaven. The town is classed under Policy DS1 as the Borough's Principal Town, where the majority of



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development should take place.

Policies R1 and R3 seek to enhance the vitality and viability of town centres, with specific emphasis on Whitehaven's role as the Principal town.

As a result, the proposed alterations are considered to be acceptable in principle and should be encouraged in order to secure the ongoing use and remodelling of the building.

### Design and the Impact on the Conservation Area

Policies BE1 and BE2 of the LP relate to the protection and enhancement of the Conservation Area and seek to ensure that any alterations are in keeping and respect the existing character of the area. Policy DS4 of the ELP requires good design.

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 66.1 requires that: *'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, 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'*.

Section 72 requires that: *'special attention shall be paid to the desirability of preserving or enhancing the character or appearance'* of a conservation area.

The overall appearance of the front elevation will be similar to the existing, with the overall function of the building maintained. The proposal will allow for a step free access to the building which is considered to be advantageous and more accessible. The Conservation Officer considers the design to be attractive and will enhance the appearance of the shop front and will have a neutral impact on the character and appearance of the conservation area, the significance of the building, and the settings of nearby listed buildings.

Overall, the proposed alterations are considered to satisfy the requirements of policies BE1 and BE2 of the local plan and the tests set out in the LBCA.

### Impact on Amenity

Environmental Health requested that a condition be implemented to ensure that audible construction is undertaken at specific times only in order to protect the amenity of any surrounding properties.

### Biodiversity Net Gain

Policy N3 requires that all development, with the exception of that listed in the Environment Act must provide a minimum of 10% biodiversity net gain over and above existing site levels, following the application of the mitigation hierarchy set out in Policy N1. This is in addition to any compensatory habitat provided under Policy N1. It is stated net gain should be delivered on site where possible and where on-site provision is not appropriate, provision must be

	<p>made elsewhere in accordance with a defined order of preference.</p> <p>Biodiversity Net Gain became mandatory for small sites in the UK on 01<sup>st</sup> April 2024.</p> <p>The application falls below the threshold for BNG and the proposals will not impact more than 25m<sup>2</sup> of on-site habitat, i.e. the De Minimis Exemption. In practical terms, the current development has little or no existing habitat for wildlife and the replacement of the shop front will make no alteration at all to the ability of the building to support wildlife.</p> <p><u>Planning Balance and Conclusions</u></p> <p>The alterations will create a positive benefit to the building, ensuring its future commercial in the main town centre of Whitehaven, which is designated as the Principal settlement within the district. This will contribute towards the maintenance of the vitality and variability of the town centre.</p> <p>The proposed alterations will improve the energy efficiency and accessibility of the building and will enhance the appearance of the shop front. This will have a neutral impact on the character and appearance of the conservation area, the significance of the building, and the settings of nearby listed buildings</p> <p>On balance this is considered to be an acceptable form of development which will be consistent with the details set out in national and local policy.</p>
8.	<p><b>Recommendation:</b></p> <p>Approve (commence within 3 years)</p>
9.	<p><b>Conditions:</b></p> <p>1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.</p> <p>Reason</p> <p>To comply with Section 91 of the Town and Country Planning Act 1990 as amended by 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, received 9th March 2026;  Site Location Plan, scale 1:1250, drawing number 25027-PL01, received 9th March 2026;  Existing and Proposed Block Plans, scale 1:1250, drawing number 25027-PL02, received 9th March 2026;</p>



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Proposed Ground Floor Plan, scale 1:50, drawing number 25027-PL06, received 9th March 2026;  
Proposed Elevations, scales 1:20, 1:50 and 1:200, drawing number 25027-PL04, received 9th March 2026;  
Heritage Asset Statement, written by Architects Plus, dated February 2026, received 9th March 2026.

### 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. Any construction activities that are audible at the site boundary must be carried out only between the following hours

Monday to Friday 08.00 – 18.00 and Saturday 08.00 – 13.00 and at no time on Sunday or Bank Holiday.

Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above unless otherwise agreed with the Local Planning Authority.

### Reason

In the interests of the amenities of surrounding occupiers during the construction of the development and in accordance with Policy DS4 of the Copeland Local Plan.

## Informative

### **Biodiversity Net Gain – Exemption Applies**

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 exemptions: De Minimis development.

**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: Sarah Papaleo**

**Date : 29/04/2026**

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

**Date : 01/05/2026**

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