

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

|    |                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                      |
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| 1. | <b>Reference No:</b>                                                                                                                                                                                                                                                                                                   | 4/26/2145/DOC                                                                                                                                                                                                                                                                        |
| 2. | <b>Proposed Development:</b>                                                                                                                                                                                                                                                                                           | DISCHARGE OF CONDITION 3 OF PLANNING APPLICATION 4/25/2322/0L1                                                                                                                                                                                                                       |
| 3. | <b>Location:</b>                                                                                                                                                                                                                                                                                                       | 17 IRISH STREET, WHITEHAVEN                                                                                                                                                                                                                                                          |
| 4. | <b>Parish:</b>                                                                                                                                                                                                                                                                                                         | Whitehaven                                                                                                                                                                                                                                                                           |
| 5. | <b>Constraints:</b>                                                                                                                                                                                                                                                                                                    | <p>ASC Adverts - ASC;Adverts,</p> <p>Conservation Area - Conservation Area,</p> <p>Flood Area - Flood Zone 2,</p> <p>Listed Building - Listed Building,</p> <p>Coal - Standing Advice - Data Subject To Change,</p> <p>Coal - Development Referral Area - Data Subject to Change</p> |
| 6. | <b>Publicity Representations &amp; Policy</b>                                                                                                                                                                                                                                                                          | <p>Neighbour Notification Letter: NO</p> <p>Site Notice: NO</p> <p>Press Notice: NO</p> <p>Consultation Responses: See report</p> <p>Relevant Planning Policies: See report</p>                                                                                                      |
| 7. | <p><b>Report:</b></p> <p><b>Site and Location</b></p> <p>The application site relates to the former medical surgery known as Trinity House Surgery, located at 17 Irish Street within the centre of Whitehaven. The property is three storeys and features a stepped entrance on the frontage facing Irish Street.</p> |                                                                                                                                                                                                                                                                                      |

The property is a Grade II Listed Building and is located within the Whitehaven Conservation Area.

There is a detached garage and off street parking at the rear of the property.

The official listing for the building states:

1. IRISH STREET 1814 (South Side) No 17 NX 9717 NW 4/66

II GV 2. C18, refaced in CI9. 3 storeys, with band over ground floor. Panelled door up 3 steps, with broken pediment. 3 sash windows on ground floor with flush pediments and foliated tympana. 4 windows on 1st floor with Venetian-shaped cornice/pediments.

Nos 17 to 20 (consec) form a group.

Listing NGR: NX9740417921

A change of use of the building to form a house in multiple occupation (HMO) and formation of an external car parking area was approved in November 2025 (4/25/2321/0F1 relates). The associated internal and external alterations were granted Listed Building Consent in September 2025 (application reference 4/25/2322/0L1 relates).

### **Directly Relevant Planning History**

Listed Building Consent for alterations, repair and refurbishment, approved in January 1990 (application reference 4/89/1122/0 relates);

Fire escape, approved in April 1992 (application reference 4/92/0152/0 relates);

Listed Building Consent for the fixing of plaques to five listed buildings, approved in November 2000 (application reference 4/00/0665/0 relates);

Listed Building Consent for works associated with the conversion and alterations to the former medical surgery to create 3 no. residential apartments, approved in October 2022 (application reference 4/22/2298/0L1 relates);

Listed Building Consent for internal and external alterations to facilitate the conversion of the building to a house in multiple occupation (HMO), approved in November 2025 (application reference 4/25/2322/0L1 relates).

### **Proposal**

This current application seeks to discharge condition 3 of planning permission 4/25/2322/0L1.

The condition states the following:



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3. Before the fenestration hereby approved is installed, details of their material, design, specification, method of opening, method of fixing and finish, in the form of drawings and sections of no less than 1:20 scale, shall be submitted to and agreed in writing by the Local Planning Authority. The works shall be carried out only in accordance with the agreed window and door details.

### Reason:

Inadequate details of these matters have been submitted with the application and in order to ensure that the works preserve the special architectural and historic interest of the listed building in accordance with Policies BE1 and BE2 of the adopted Copeland Local Plan.

### Consultation Responses

#### Conservation and Design Officer

##### 1<sup>st</sup> response

Description: 17 Irish Street is an early 18th century house built originally for Carlisle Spedding, agent and engineer of the Lowther Mining business. It was altered in the 19th century, and in the 20th century, and was latterly used as a doctors' surgery, but has been empty for a number of years and is in poor condition.

Conclusion: Request documentation revision. Design revision suggested.

### Assessment:

- This DOC application covers detailing of a single window to the rear of the property. • It is described as a sash window, and shown in section drawing to be a sash window, but the elevation drawing indicates that both lights are top-hinged, which appears to be a mistake. The diagonal lines forming a triangle indicate top-hinged casements whereas sliding sashes are indicated on elevations as a pair of arrows pointing towards the meeting rail. I request that this detail be updated to clarify.
- The elevation drawing also shows the use of stuck-on horns. I request clarification on this point as it would be unusual for a timber window not to simply have the horns as part of the stiles (the side elements of the window). Stuck-on horns tend to be used with certain uPVC windows, so this may also simply be a detail of the drawing that needs updating for clarity.
- The final point I'd make is that redwood is pine and for external joinery it needs to be carefully selected so as to be the best quality, and meticulously maintained because it is not very dimensionally stable or rot resistant. Poor quality redwood that is not meticulously prepped and maintained can start visible degrading in as little as 5-10 years, particularly where water sits such as at the bottom rail or sill. Though I would not recommend refusing the application with it, I do feel the need to highlight this as specifying a different timber may

be desirable on a longevity basis.

Summary:

- Please update the elevation drawing to confirm that the window is a sash not a pair of top hinged casements.
- Please update the elevation drawing to confirm that the horns are contiguous with the side stiles, not stuck on.
- As a suggestion, consider specifying a different type of timber as the durability of redwood is questionable.

## 2<sup>nd</sup> response

Description: 17 Irish Street is an early 18th century house built originally for Carlisle Spedding, agent and engineer of the Lowther Mining business. It was altered in the 19th century, and in the 20th century, and was latterly used as a doctors' surgery, but has been empty for a number of years and is in poor condition.

Conclusion: No objection

Assessment:

In my previous consultation response, I made three observations:

- Elevation drawing should be updated to confirm that the window is a sash not a pair of top hinged casements.
- Elevation drawing should be updated to confirm that the horns are contiguous with the side stiles, not stuck on.
- Applicants should consider specifying a different type of timber as the durability of redwood is questionable.

An update has been received, which addresses these as follows:

- The drawing has been updated, although not in the right way. Before, the dashed lines indicated the window consisted of two top-hinged lights. One of these has now been reversed, suggesting a top-hinged lower light and a bottom-hinged top light. Convention for a sash window would be a pair of arrows pointing towards the meeting rail. However, given that the section drawing clearly shows a sash window, and the annotations very clearly show a sash window, I feel confident that it is in fact a sash window.
- Drawing has been updated to show contiguous horns.
- Detail has been updated to sapele.

This addresses the details I initially queried.



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### **Planning Policy**

Planning law requires that 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 Local Plan 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 2001- 2016.

The policies that are relevant to this application are:

Strategic Policy DS1: Settlement Hierarchy

Strategic Policy DS2: Settlement Boundaries

Policy DS4: Design and Development Standards

Strategic Policy BE1: Heritage Assts

Policy BE2: Designated Heritage Assets

### **Other Material Planning Considerations**

National Planning Policy Framework (NPPF)

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

### **Assessment**

#### Condition 3:

The original plans submitted included a window described as a sash which featured stuck on horns and constructed from redwood. The Conservation Officer requested that confirmation

|                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                          |
|-------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
|                                           | <p>be provided that the window is to be sash as it appeared to be a top hinged casement according to the elevation. Furthermore, the horns should be contiguous with the side stiles and not stuck on and that a different type of timber should be considered due to durability issues with redwood.</p> <p>Further plans were provided to show true sliding sash windows with horns as part of the side stiles to match the existing windows. The material proposed is sepele hardwood.</p> <p>The Conservation Officer was satisfied with the amended details.</p> <p>On this basis this condition can be discharged.</p> <p><u>Conclusion:</u></p> <p>Discharge condition 3 of planning approval 4/25/2322/0L1.</p> |                          |
| 8.                                        | <p><b>Recommendation:</b></p> <p>Approve discharge of condition</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                          |
| <b>Case Officer: Sarah Papaleo</b>        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>Date : 02/07/2026</b> |
| <b>Authorising Officer: N.J. Hayhurst</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>Date : 03/07/2026</b> |
| <b>Dedicated responses to:- N/A</b>       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                          |