

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/26/2168/0F1
2.	Proposed Development:	PROPOSED ALTERATIONS TO EXISTING UNIT TO CREATE NEW BANKING HUB INCLUDING INSTALLATION OF NEW ATM TO SHOPFRONT
3.	Location:	22-23 KING STREET, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC Adverts - ASC;Adverts, Conservation Area - Conservation Area, Flood Area - Flood Zone 2, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations &Policy	Neighbour Notification Letter: YES Site Notice: YES Press Notice: YES Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: Introduction This application relates to 22-23 King Street in Whitehaven. The building occupies a corner location and has a double frontage on both King Street and Lowther Street. It lies within the main town centre and is adjoined by other commercial premises. The building is sited within the Whitehaven Conservation Area.	

Proposal

This application seeks full planning permission for alterations to the existing unit to create a new banking hub including the installation of a new ATM to the shopfront.

The majority of the works will be internal and do not require planning permission, however, externally the window frames will be refinished, an ATM will be added and the current signage will be replaced.

This application has been submitted in tandem with an application for advertisement consent (application reference 4/26/2164/0A1 relates).

Relevant Planning Application History

Refurbishment of existing branch, approved in October 1991 (application reference 4/91/0759/1 relates);

Illuminated advertisement sign, approved in January 1999 (application reference 4/98/0917/0 relates);

Replacement external signage, approved in September 2009 (application reference 4/09/2357/0 relates);

Replacement ATM header panel with integral light unit, approved in May 2012 (application reference 4/12/2219/0A1 relates).

Consultation Responses

Whitehaven Town Council

No objections.

Conservation Officer

Description: 22-23 King Street is a modern building that replaced an earlier and more ornate building dating from the 19th century.

Conclusion: No objection

Assessment:

- I would not view this building as a heritage asset.
- It is a reasonably successful building externally, nonetheless, and integrates into the conservation area. I would view it as making a slightly positive contribution to the conservation area on account of the articulation and strong materiality of its façade, and the way it successfully articulates the corner between King Street and Lowther Street.



Cumberland Council

- The ground floor is arguably the least successful part of the façade, with the existing signage being chunky and brightly coloured, and the main corner entrance door in being rather utilitarian and poorly proportioned for such a central location. It does, however, appear to survive in good condition.
- New signage appears restrained and doesn't upset the balance of the façade.
- Illumination is external, in accordance with the Conservation Area Design Guidance.
- Additionally, I anticipate that the refinishing of the existing pale grey door and window frames will bring improvement.
- Overall, I anticipate that these proposals will improve the external appearance of the building, and its impact on the conservation area and settings of surrounding heritage assets.

Environmental Health

Environmental Health are supportive of this proposed development. In terms of our remit, we note the following matters:

Radon

The indicative Radon Map UK shows the site to be within a 1 km grid square of elevated radon potential, with a maximum potential of 10 – 30%. This would indicate that full radon protection measures should be included within the conversion. Alternatively the applicant can conduct a definitive property search or carry out a 3 month radon test inside the property to determine the presence of radon inside the property, see UKradon - Introduction

Artificial Illumination

The proposed level of artificial illumination is appropriate to the town centre location. As the site is within the Whitehaven Conservation Area, we would request that the artificial illumination is turned off at closure of business hours where appropriate.

Construction noise

Standard construction hours are imposed to limit disturbance to neighbours from the demolition / construction activity. The following condition is therefore requested: • Noise from demolition and construction works Following approval of the development, demolition and 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

Highways and Local Lead Flood Authority

Thank you for your consultation on the above Planning Application. The Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) can confirm that we have no objection to the proposed development as it is considered that it will not have a material effect on existing highway conditions nor will it increase the flood risk on the site or elsewhere.

Public Representation

The application has been advertised by way of a press notice, a site notice and neighbour notification letters issued to 3 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 5th of November 2024 replacing the Copeland Local Plan 2013-2028 and the saved policies of the Copeland Local Plan 2021-2016.

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



Cumberland Council

Policy N3: Biodiversity Net Gain

Strategic Policy BE1 – Heritage Assts

Policy BE2 – Designated Heritage Assets

Other Material Planning Considerations

National Planning Policy (NPPF)

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

Conservation Area Design Guide SPD 2017

Assessment

Principle of Development

Whitehaven is classed under Policy DS1 as the Principal Town within the Borough.

The existing building occupies a town centre location and is located within the designated development boundary for Whitehaven as defined under Policy DS2.

As a result, the proposed alterations are considered to be acceptable in principle and should be encouraged as part of the reuse of the building.

Design and the Effect 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 proposed external changes to the ground floor of the premises are minimal. The Conservation Officer has indicated that overall, these proposals will improve the external appearance of the building, and its impact on the conservation area and settings of surrounding heritage assets

On this basis the proposed alterations will comply with policies BE1 and BE2 of the local

	plan, respecting the character of the Whitehaven Conservation Area. <u>Biodiversity Net Gain</u> 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 made elsewhere in accordance with a defined order of preference. Biodiversity Net Gain became mandatory for small sites in the UK on 01st April 2024. The application falls below the threshold for BNG and the proposals will not impact more than 25m² 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 windows and replacement ATM will make no difference at all to the ability of the building to support wildlife. Planning Balance The alterations are minor in scale and will create a positive benefit to the building, ensuring its viable use and an improved energy efficiency and accessibility. It will have a positive impact on the character and appearance of the Conservation Area. These benefits are considered to attributed significant weight within the planning balance. 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.
8.	Recommendation: Approve (commence within 3 years)
9.	Conditions: 1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission. Reason To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004. 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: -



Cumberland Council

Application form, received 1st June 2026;
Location Plan, scale 1:1250, received 1st June 2026;
Ground Floor Plan as proposed, scale 1:50, drawing number PO4, received 1st June 2026;
Elevations Proposed, scale 1:50, drawing number PO3, received 1st June 2026;
Ground Floor Plan Demolitions, scale 1:50, drawing number PO1, received 1st June 2026;
External Elevations Demolitions, scale 1:50, drawing number PO2, received 1st June 2026;
Heritage Statement, received 1st June 2026;
Design and Access Statement, received 1st June 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. Following approval of the development, demolition and 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 Notes

Radon

The indicative Radon Map UK shows the site to be within a 1 km grid square of elevated radon potential, with a maximum potential of 10 – 30%. This would indicate that full radon protection measures should be included within the conversion. Alternatively the applicant can conduct a definitive property search or carry out a 3 month radon test inside the property to determine the presence of radon inside the property, see UKradon – Introduction

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 : 16/07/2026
Authorising Officer: N.J. Hayhurst	Date : 23/07/2026
Dedicated responses to:- N/A	