

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/26/2179/0F1
2.	Proposed Development:	CONVERSION OF LOFT TO PROVIDE ADDITIONAL BEDROOM TO EXISTING FLAT, INSTALLATION OF SOLAR PANELS AND ROOF LIGHTS ON FRONT AND REAR ELEVATIONS AND INSTALLATION OF NEW FRONT ACCESS DOOR
3.	Location:	21B CHURCH STREET, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC Adverts - ASC;Adverts, Conservation Area - Conservation Area, 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: SITE AND LOCATION This application relates to an existing three storey building located at 21B Church Street in Whitehaven. The building does not benefit from any off street parking. The building forms part of a terrace and is situated within the Whitehaven Conservation Area. PROPOSAL	

This application seeks full planning permission for the following works:

- Conversion of loft to provide additional bedroom to existing flat;
- Installation of solar panels and roof lights on the front and rear elevations;
- Installation of a new front access door.

RELEVANT PLANNING APPLICATION HISTORY

Non illuminated shop fascia sign, approved in April 2002 (application reference 4/02/0260/0 relates);

External black steel motorised shutter to shop, approved in April 2002 (application reference 4/02/0259/0 relates).

CONSULTATION RESPONSES

Whitehaven Town Council

No objections.

Conservation Officer

1st Response

There seem to be some missing bits of info here

- No location or block plan
- Proposed elevation document is blank
- No spec/drawing/visualisation for the proposed front door. I highlight that it is described as composite, and CA Design Guide urges use of timber over composite. Painted timber panel door should be option 1.
- No spec/drawing/visualisation for the proposed PV array or roof lights. A roof plan might be best, if these are on both elevations, but if they're only on one then the elevation drawing for that side would be fine.

2nd Response

Description: Building is a typical three-storey mid-terrace, with a shopfront with its own door, and a separate door for accessing the upper floors.

Conclusion: Request design revision

Assessment:

- Conservation Area Design Guide urges use of timber for windows and doors over uPVC or composite. Therefore, I request use of a painted timber panelled door in this



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location, which will better preserve the character of the conservation area, setting of the church tower opposite (grade II) and setting of this row of non-designated heritage assets.

- I'd urge the applicant to consider an alternative to the proposed front door design, with the inset semi-circular window. I appreciate this matches the existing, but a solid panelled door, or panelled door with upper panels glazed if interior light is needed, would look more suitable for this street scene.
- I would view the rooflights and solar panels as likely to have a negligible impact on the conservation area and nearby heritage assets.

3rd Response

Description: Building is a typical three-storey mid-terrace, with a shopfront with its own door, and a separate door for accessing the upper floors.

Conclusion: No objection

Assessment:

- Since my previous consultation response, the applicant has updated details to retain the existing front door.
- This can often be pragmatic as a new lock, change to toughened glass and coat of paint can sometimes give non-historic but otherwise sound timber doors a new lease of life without the need for full replacement.

Highways and Local Lead Flood Authority

No comments.

Environmental Health

There are no objections in principle to this proposed development from Environmental Health. In order to limit noise intrusion to neighbours during the construction phase, we would request that the imposition of agreed working hours are considered as a possible condition to any approval granted –

- 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.

Council Ecology Officer

1st Response

Further information required: Due to the age of this property, a Preliminary Bat Roost Appraisal and any further bat surveys are required to be undertaken prior to this application progressing.

2nd Response

The Ecologist has reviewed the bat survey report and suggests the following conditions.

Suggested Planning Conditions

Breeding Birds

Works should be completed outside of the breeding bird period (March – August inclusive). If this is not possible a breeding bird check should be carried out no more than 48 hours prior to the planned development to ensure no birds and their nests are present within habitat/buildings that may be directly or indirectly impacted. If active nests are discovered an appropriate buffer zone should be established and works within that area ceased until the young have naturally fledged.

Bats

A soft-strip demolition of the roof is to be undertaken under supervision by an ecologist who holds a Level 2 Bat Licence with Natural England.

A bats-specific lighting scheme will be designed during construction to minimise light impact. This should be in line with the guidance note for Bats and Artificial Lighting (Bat Conservation Trust, 2023).

Public Representation

The application has been advertised by way of a press and site notice and neighbour notification letters issued to 4 no. properties.

No responses have been received as a result of these advertisements.

PLANNING POLICY

Planning law requires applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Development Plan



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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 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
- Policy DS8 – Soils, Contamination and Land Stability
- Strategic Policy H1 - Improving the Housing Offer
- Strategic Policy H2 - Housing Requirement
- Strategic Policy H3 - Housing delivery
- Strategic Policy H4 - Distribution of Housing
- Strategic Policy H5 - Housing Allocations
- Policy H6 - New Housing Development
- Policy H7 - Housing Density and Mix Strategic
- Policy H13 - Conversion and sub-division of buildings to residential uses including large HMO's
- Strategic Policy N1 - Conserving and Enhancing Biodiversity and Geodiversity
- Strategic Policy N3 - Biodiversity Net Gain

- Strategic Policy BE1 – Heritage Assts
- Policy BE2 – Designated Heritage Assets
- Policy CO7 – Parking Standards and Electric Vehicle Charging Infrastructure

Other Material Planning Considerations

National Planning Policy (NPPF)

Planning Practice Guidance (PPG)

Conservation Design Guide SPD

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

ASSESSMENT

Principle of Development

The existing building is located within the development boundary for Whitehaven as defined in Policy DS2 of the Local Plan. Whitehaven is classed under Policy DS1 as Copeland's Principal Town where the conversion and alterations of existing buildings is acceptable in principle within the confines of the settlement boundary.

The building is surrounded by a mix of uses including other residential units and lies within walking distance of services required for day to day living and therefore is considered to be an appropriate use in this location.

Design

Policy DS4 of the LP promotes good design and the aspiration that new dwellings will respond positively to their surroundings.

The proposed alterations will allow for the ongoing use of the building and will have minimal impact on the external views. Due to the overall height of the roof, the solar panels and roof lights will not be highly visible from public vantage points. The addition of a door to the front elevation will not materially change the character of the building and the choice of door is considered to be acceptable for this building.

The loft conversion which is limited to internal works will not have any adverse impact on the appearance of the building.

The design is considered to be acceptable and will retain the overall character of the building.

Residential Amenity

The property is located within the central area of Whitehaven and a number of other residential properties exist within the immediate locality. The addition of one more bedroom is unlikely to create a significant increase in amenity issues for neighbouring properties.



Cumberland Council

Environmental Health responded to a consultation request to confirm that there were no objections to the proposal, subject to condition relating to preventing noise during construction works.

It is unlikely that this proposal will result in any adverse impacts on the amenity of the surrounding properties.

Impact on the Conservation Area and Heritage Assets

Strategic Policy BE1 and Policy BE2 seek to protect, conserve and where possible enhance designated and non-designated heritage assets and their settings

Policy DS4 of the LP requires good design.

The Planning (Listed Buildings and Conservation Areas) Act 1990 (PLBCA) requires that in respect of listed buildings local planning authorities have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest and that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

Paragraphs 212 to 220 of the NPPF relates to heritage impacts.

It is required that in assessing the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

It is stated that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

It is stated that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

It is confirmed that not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 214 or less than substantial harm under paragraph 215, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole

The building forms part of a traditional terraced properties which are common within this part of the Conservation Area. The Conservation Officer has confirmed that he is supportive of the principle of the proposal which aims to secure a long term viable use for the building.

The initial response from the Conservation Officer requested that the front door be

constructed from timber as the Conservation Area Design Guide does not favour the use of UPVC or composite. In light of this, the Applicant decided to retain the existing door as part of the proposal and this was deemed to be acceptable. It is considered that the proposed rooflights and solar panels will have a negligible impact on the character and appearance of the Conservation Area and nearby heritage assets.

Overall, It is considered, that the proposal would secure a viable use for the building which help to secure its future and provide some benefits to the appearance of the building and this part of the Conservation Area.

Highways Impacts

Policy CO4 promotes sustainable forms of transport.

Policy CO7 sets out the parking standards for new development.

No off-highway parking spaces are proposed to serve the development; however, given the location of the property within close proximity to the facilities and amenities within Whitehaven Town Centre, the availability of the sustainable transport modes within walking distance and the availability of public parking spaces within walking distance, on balance, the development is considered acceptable.

Biodiversity Net Gain

Biodiversity Net Gain is mandatory from 12 February 2024 under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). The statutory framework for biodiversity net gain involves discharge of the biodiversity net gain condition following the grant of planning permission to ensure the objective of at least 10% net gain will be met for a development.

The development will not impact a priority habitat and impacts less than 25 square metres (5m by 5m) of on-site habitat and 5 metres of on-site linear habitats; therefore, the development falls below the biodiversity net gain threshold and a ten percent biodiversity net gain is not required to be delivered.

Ecology

Policy N1 of the Copeland Local Plan seeks to mitigate any harmful impacts of development on the Borough's biodiversity.

As the loft of the building is to be converted, a Bat Survey was submitted in support of the application. This concluded that no signs of bats were discovered at the property, however some bat droppings were found in the back yard and therefore may be present in the area.

This document was fully assessed by the Council's Ecologist who requested that the soft strip demolition of the roof must be undertaken under the supervision of a qualified ecologist. Furthermore, a bat specific lighting scheme should be used to minimise light impact.

With regards to breeding birds, the works should be completed outside the breeding bird



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	period (March to August inclusive). A suitably worded planning condition is proposed to ensure that the roof is stripped back with supervision in order to protect any potential bats. <u>Planning Balance</u> The building is located within the centre of Whitehaven, which is designated as the Principal Town within the Borough where residential development is encouraged. The refurbishment and upgrade of this building within a sustainable location would provide a positive benefit in terms of housing provision and would secure a viable use for the building. Although no dedicated car parking provision is available to serve the building there are alternative car parking options nearby and the town centre location offers other sustainable transport options. This is considered to be neutral within the planning balance. The works will have a minimal effect on the external surfaces of the building and it is considered that there is unlikely to be any significant detriment to the amenity of the occupiers of neighbouring properties. This is considered to carry great weight in the planning balance. The proposal will have a negligible effect on the character and appearance of the Conservation Area and is deemed to be acceptable. This carries significant weight within the planning balance. In applying the statutory duties of the LBCA and the relevant provisions of the NPPF and the Development Plan, it is considered that the development proposed will result in a minor positive impact upon the special interest of the Whitehaven Conservation Area. Due to the overall development being below the threshold, BNG is not required for this development. Bats and birds should be protected 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 with the benefits of the proposal outweighing any adverse impacts.
8.	Recommendation: Approve (commence within 3 years)
9.	Conditions: <u>Standard Conditions</u> 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: -

Application form, received 5th August 2026;
Floors/Section, scales 1:40 and 1:50, drawing number 031-32/PR EX FK SEC A, received 2nd July 2026;
Site Location Plan, Block Plan and Elevations, scales 1:2500, 1:500 and 1:100, drawing number 030/SL BP PR EX EL Rev B, received 5th August 2026
Design, Access, Planning and Heritage Statement Rev B, written by Lofthouse Architectural, received 5th August 2026;
Survey for Bats, written by Cumbria Ecology, received 18th 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.

Other Conditions

3. A soft strip demolition of the roof must be undertaken under the supervision of an ecologist who holds a Level 2 Bat License with Natural England.

Reason

In order to ensure that no harm comes to any bats that may be in the roof or the vicinity of the building and in accordance with Policy N1 of the Copeland Local Plan 2021-2039.

4. Following approval of the development, 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 2021-2039.

Informative Notes

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.

Ecology

1) A bats-specific lighting scheme should be designed during construction to minimise light impact. This should be in line with the guidance note for Bats and Artificial Lighting (Bat Conservation Trust, 2023).

2) Works must be completed outside of the breeding bird period (March – August inclusive). If this is not possible a breeding bird check must be carried out no more than 48 hours prior to the planned development to ensure no birds and their nests are present within habitat/buildings that may be directly or indirectly impacted. If active nests are discovered an appropriate buffer zone must be established and works within that area ceased until the young have naturally fledged.

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 : 11/08/2026
Authorising Officer: N.J. Hayhurst		Date : 13/08/2026
Dedicated responses to:- N/A		