

**CUMBERLAND COUNCIL**  
**CONSULTATION RESPONSE**

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**Proposal:** Erection of three storey building to form shop, warehouse and offices along with new vehicle access, car parking and yard areas and erection of 2no. Single storey buildings and associated parking areas

**Address:** Land adj. to St Thomas Cross roundabout, A595, Egremont

**Reference:** 4/23/2044/OF1

**Date:** 29/08/23

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**Description:** This site is currently a field. It is designated as part of a proposed employment site in the emerging Copeland Local Plan, and characterised by scrubby grazing land bordered with hedges and fences. There are some earthworks within the site associated with dismantled mineral railways.

**Conclusion:** No objection

**Assessment:**

- In my previous consultation response, I restated concerns about the small but negative visual impact of the building on the setting of Egremont Castle.
- An update has been received from the agent stating that the colour of the building needs to stay as proposed (grey) as this is part of the client's corporate colour scheme and changing it to green would make it appear more agricultural.
- I maintain that there is likely to be a negative impact on the setting of the Castle, but agree that this can be viewed as incremental and part of a general weakening of the Castle's setting that has taken place since the latter part of the 20<sup>th</sup> century.
- That doesn't render it an enhancement visually, and negligible harm is still harm. If the proposed mitigations and offsets are sufficient for the planning balance, then I have no objection.

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**Relevant Policies and Guidance:**

The Planning (Listed Buildings and Conservation Areas) Act 1990 establishes a need "in considering whether to grant listed building consent for any works [for the Local Planning Authority to] have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest" [Section 16(2)]. This requirement also applies to the granting of planning permission affecting a listing building or its setting [Section 66(1)].

Section 72 of the 1990 Act states that "special attention shall be paid to the desirability of preserving or enhancing the character or appearance of [a conservation] area."

Paragraph 134 of the National Planning Policy Framework (NPPF) asserts that "Development that is not well designed should be refused".

NPPF para. 197 states that “In determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation...”

NPPF para. 199 states, in the case of designated heritage assets, “great weight should be given to the asset’s conservation”, irrespective of whether potential harm is substantial, less-than-substantial, or total loss. Where harm to a designated heritage asset is less-than-substantial, it should be weighed against the public benefits of the proposal (para. 202).

Paragraph 203 of the National Planning Policy Framework (NPPF) states the effect on the significance of a non-designated heritage asset should be taken into account when making decisions.

Opportunities should be sought for new development within conservation areas and the settings of heritage assets that enhances or better reveals their significance. (para. 206)

Copeland Borough Council’s Local Plan contains a number of relevant policies:

- Local Plan Policy ST1C(ii) highlights the importance of protecting, enhancing and restoring the Borough’s cultural and heritage features and their settings.
- ST1D emphasises the council’s commitment to creating and retaining quality places.
- ENV4A stresses the importance of protecting listed buildings, conservation areas and other features considered to be of historic, archaeological or cultural value.
- ENV4C aims to strengthen the distinctive character of Copeland’s settlements through high quality urban design and architecture that respect character and setting.
- DM10 emphasises the need for high quality design and quality places. Part B requires design to respond to local character at multiple scales, paying attention to plot size and arrangement, massing and scale, interstitial spaces, and materials. Part C requires the incorporation of existing features such as landscape and vernacular style.
- DM27A outlines support in principle for developments that “protect, conserve and where possible enhance the historic, cultural and architectural character of the borough’s historic sites and their settings”.
- DM27B: “Development proposals which have a significant adverse effect on a Scheduled Ancient Monument or its wider site or setting will not be permitted”.
- DM27D highlights the necessity of avoiding disrespectful alterations, substantial demolition, adverse effects on setting or views, or changes of use that harm the conservation or economic viability of a listed building.

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