

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

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**Proposal:** Replacement of windows on front elevation and retrospective replacement of windows on rear elevation

**Address:** 32-33 Duke Street, Whitehaven

**Reference:** 4/24/2416/0F1

**Date:** 10/02/25

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**Description:** This building is a modern block of flats, constructed in the “Whitehaven” style in the early 1980s in an attempt to fit in with the local Georgian townscape.

**Conclusion:** No objection

**Assessment:**

- I have no objection to the principle of the proposal, although as there was no specific information included relating to the plastic windows previously installed, I requested some photos of these units to allow their visual appearance to be properly understood.
- These have now been submitted, and I can confirm that their appearance has a neutral impact on the conservation area, and no impact on the settings of any heritage assets.

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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 139 of the National Planning Policy Framework (NPPF) asserts that “Development that is not well designed should be refused”.

NPPF para. 203 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. 205 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. 208).

Referring to assets in a conservation area, NPPF para. 213 states that loss of an element that makes a positive contribution to a conservation area should be treated as either substantial (under para. 206-7) or less-than-substantial harm (under paragraph 208).

The Copeland area's Local Plan contains a number of relevant policies:

- BE1 provides for the preservation and enhancement of built heritage assets by:
  - Requiring a heritage impact assessment or heritage statement where the proposal would affect a heritage asset;
  - Giving great weight to the conservation of Copeland's designated heritage assets when decision making;
  - Ensuring that new development is sympathetic to local character and history;
  - Supporting proposals for the appropriate reuse of vacant historic buildings, recognising that putting buildings into viable uses consistent with their conservation can help sustain and enhance their significance;
  - Supporting proposals that increase the enhancement, promotion and interpretation of Copeland's architectural and archaeological resources;
  - Strengthening the distinctive character of Copeland's settlements, through the application of high-quality design and architecture that respects this character and enhances the setting of heritage assets.
- BE2 states that development should preserve or enhance designated heritage assets (or important archaeological sites) and their settings. The more important the asset, the greater weight that will be given to its conservation. Proposals that better reveal the significance of heritage assets will be supported in principle. Any harm to, or loss of, the significance of a designated heritage asset will require clear and convincing justification.
- DS4 outlines the Council's expectation that all new development will meet high-quality design standards that contribute positively to the health and well-being of residents.

The Conservation Area Design Guide is a supplementary planning document adopted in 2017 that is a material consideration in the determination of planning applications within conservation areas in the legacy Copeland area. It is therefore applicable to this application.

Sammy Woodford

Conservation and Design Officer