

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

---

**Proposal:** Reconstruction of first floor walkway parapet wall

**Address:** 62-76 Duke Street, Whitehaven

**Reference:** 4/23/2236/OF1

**Date:** 13/12/23

---

**Description:** 62-76 Duke Street is a large, attractive linear building consisting of flats in two stories, the lower flat being accessed from Duke Street's pavement, the upper flats having a walkway to the rear accessed from the garden. It is part of the development of the town during the 1970s, and of good quality pale buff brickwork with green slate used for the walkway copings. Other examples include 15-20 Scotch Street and 77-80 Duke Street. It makes a positive contribution to the character and appearance of the conservation area.

**Conclusion: No objection (condition suggested)**

**Assessment:**

- Due to movement of the parapet wall, it needs rebuilding.
  - The proposal has the inner leaf of the parapet wall constructed from concrete facing blockwork
  - The outer leaf will be brickwork, to match existing or approved via agreement, with soldier bonds reinstated
- This proposal will help preserve the contribution this building makes to the character and appearance of Whitehaven Conservation Area through being a good piece of architecture, designed with attention to detail and use of high quality materials that complement one another.
- As there are no details of the proposed brick with the documents, I suggest the use of a condition to be discharged prior to the installation of said bricks, requiring their appearance to be approved.

---

**Relevant Policies and Guidance:**

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. 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).

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)

Referring to assets in a conservation area, NPPF para. 207 states that loss of an element that makes a positive contribution to a conservation area should be treated as either substantial (under para. 201) or less-than-substantial harm (under paragraph 202).

The former 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 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".
- DM27C outlines the restriction in principle of development within conservation areas to that which preserves or enhances the character or appearance of the area.

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