CUMBERLAND COUNCIL

CONSULTATION RESPONSE

Proposal: Window manifestations

Address: 40-41 King Street, Whitehaven

Reference: 4/25/2385/0A1

Date: 19/01/26

Description: This is a relatively modern building constructed on the plots of earlier buildings in the 1960s. It's appearance approximates that of the surroundings, although it is not a heritage asset.

Conclusion: No objection

Assessment:

- Following discussion, the previous designs for window manifestations have been revised, which has slightly reduced their complexity.
- The reasoning behind the various decision choices has also been explained to me more fully, and I'm satisfied with it.
- I therefore have no objection to this version, which provides benefit by supporting the new centre's ability to serve its local customers.

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. 210 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. 212 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. 215).

Paragraph 216 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. 219)

Referring to assets in a conservation area, NPPF para. 220 states that loss of an element that makes a positive contribution to a conservation area should be treated as either substantial (under para. 213-14) or less-than-substantial harm (under paragraph 215).

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.
- BE4 refers to non-designated heritage assets, saying that development should preserve or enhance such heritage assets and their settings. Proposals that better reveal the significance of heritage assets will be supported in principle. Proposals affecting non-designated heritage assets or their settings should demonstrate that consideration has been given to their significance.
- BE5 refers to the design of shopfronts, urging that appropriate shopfronts, whether historic or recent, should be retained and restored as opportunity allows. Proposals relating to them should consider relevant guidance, including the Shopfront Design Guide supplementary planning document.
- BE6 controls advertisements, whereby applications for consent to display advertisements will be permitted where the proposal will not have an adverse effect on either amenity or public safety.
- 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.

The Shopfront Design Guide is a supplementary planning document adopted in 2021 that is a material consideration in the determination of planning applications affecting shopfronts within the legacy Copeland area.

Sammy Woodford

Conservation and Design Officer