

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

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**Proposal:** Internal and external alterations

**Address:** 49 King Street, Whitehaven

**Reference:** 4/23/2258/OF1

**Date:** 23/10/23

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**Description:** This is a three storey unlisted mid-terraced building, with rendered frontage and shopfront at ground floor level.

**Conclusion:** Request further information

**Assessment:**

- The existing shop front dates from around 2000 and is of poor construction, which has caused it to decay quickly. It is currently in poor condition.
- It does not inherently make a strong contribution to the character and appearance of the conservation area as it is somewhat clumsy in detailing.
- The addition of an access door to one side of the frontage is not necessarily harmful to the character and appearance of the conservation area and the settings of nearby heritage assets, given that context, as there is precedent for this layout and the shopfront has low sensitivity.
- This is an opportunity to bring the building back into use while making improvements to the appearance of the frontage.

Summary:

- Details should be provided of the new doorway and door. The Shop Front Design Guide and Conservation Area Design Guides should be used to inform this. These are available from our website: [Conservation and Design Documents and Guidance](#).
- The new door should be of timber construction. It could be advantageous to also replace the double doors into the shop, if these are in poor condition and could be improved in appearance to better match the new door (these do not have to look the same, but complementary; mismatched doors can look untidy).
- This may also be a good opportunity to repaint the building's frontage, giving it a more interesting colour scheme than the current, perhaps making use of some pastel colours.

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**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. 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)

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.
- ENV4B outlines support for heritage-led regeneration, ensuring assets are put to appropriate, viable and sustainable uses.
- 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.
- DM13D outlines the need, in converting non-residential buildings within settlement limits, or in subdividing large residential buildings within settlement limits, for conversion works to conserve the character of the building.
- 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 and Shopfront Design Guide are supplementary planning documents adopted in 2017 and 2021 that are material considerations in the determination of

planning applications within conservation areas and for alterations to shop fronts in the legacy Copeland area. They are therefore applicable to this application.

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