

**CUMBERLAND COUNCIL
CONSULTATION RESPONSE**

Proposal: Prior approval application for proposed change of use from commercial to dwellings (7 apartments)

Address: 69 Lowther Street, Whitehaven

Reference: 4/23/2225/OF1

Date: 19/09/23

Description: This is a red sandstone three-storey building constructed as a bank, likely in the mid-19th century

Conclusion: No objection

Assessment:

Since my last consultation response, I have had an opportunity to visit the building and see the interior in the company of the agent.

There are a number of characterful and attractive features remaining, some of which I have documented below in an appendix. I was informed that the intention is to maintain these wherever possible, and I am reassured that the impact on the significance of this non-designated heritage asset will be harmed at an acceptably low level by conversion, and the benefits of doing so clearly outweigh this potential harm as the building is in fairly poor condition, particularly at the upper floor, and would benefit from conversion.

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 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.

Appendix: Photos and notes from interior

The following highlights some of the features of interest to be found in the interior. These are for reference, not a complete inventory.



Figure 1 Vestibule with panelling and architraves



Figure 2 Obverse side of vestibule, from within ground floor foyer



Figure 3 Strong door within basement corridor



Figure 4 Cargo lift, basement level



Figure 5 Cargo lift, ground floor level

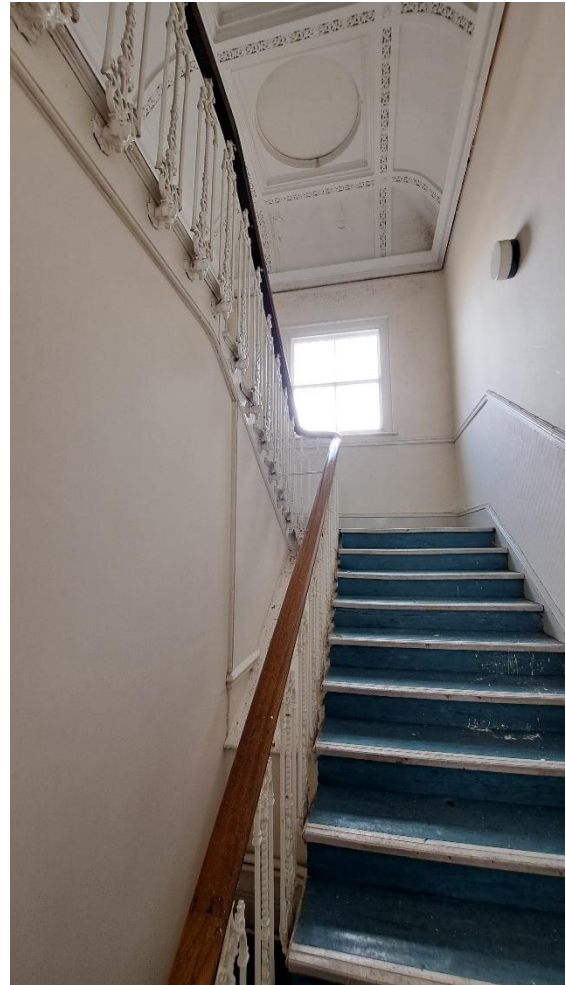


Figure 6 Main staircase with ornate balusters and decorated ceiling. Possible blocked oculus window?



Figure 7 Panelling to upper floor window. Has the panelling been cut or is the secondary glazing surround scribed to it?



Figure 8 Moulded cornicing (much overpainted)



Figure 9 More ornamental balusters. These survive well, although are vulnerable to vandalism.

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