

CUMBERLAND COUNCIL
CONSULTATION RESPONSE

Proposal: Change of use and alterations from class a2 (financial and professional) to a3 (licenced restaurant and cafe) and extension of the flat roof and balustrade to the rear

Address: 6 and 7 Tangier Street, Whitehaven

Reference: 4/23/2368/OF1

Date: 29/01/24

Description: This pair of buildings dates from the latter half of the 19th century and is a replacement of an earlier building, developed as part of the row of building on the east side of Tangier Street (which was originally called Tangier Row) in the late 17th century.

Conclusion: No objection

Assessment: Externally, little change is proposed. Signage is to be handled separately, and to the rear, the addition of the balustrade appears unlikely to entail more than negligible harm to the appearance of the conservation area, given the seclusion of the location. I would suggest staining the balustrade in a dark colour, such as brown, so that it blends in with the buildings, rather than leaving it as bright, unfinished timber.

Internally, the changes also appear minimal, with the opening up of a new doorway in the central passage wall, and addition of some internal cells for storage and WC.

The proposed use appears to be consistent with the conservation of the building.

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.

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.
- 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.

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Conservation and Design Officer