

CUMBERLAND COUNCIL
CONSULTATION RESPONSE

Proposal: Conversion and change of use of the first and second floors into two 2-bedroom holiday lets and conversion of loft into a 1-bedroom holiday let (use class c3) with internal and external alterations

Address: 49 King Stret, Whitehaven

Reference: 4/24/2090/0F1

Date: 19/04/24

Description: 49 King street is a three storey unlisted mid-terraced building, with rendered frontage and shopfront at ground floor level

Conclusion: Request further information and design adjustment

Assessment:

Following works are proposed:

- Subdivision of first floor space to create a 2-bed holiday let flat with bathroom, kitchen and central hall access of existing stairs;
- Subdivision of second floor space to create similar 2-bed holiday flat, with removal of some partition walls, relocated doorways, removal of fireplace and replacement of the attic staircase with a wider one;
- Addition of a new side door to the front elevation for separate access to upper floors;
- Addition of new door to rear for access to shop unit;
- Addition of dormer window to roof of rear elevation;
- Removal of a small lean-to at rear to create bin store;
- Replacement of timber windows with uPVC.

Considerations:

- The heritage statement says the upper two floors of the building will be converted to holiday lets, however, the plans show the upper three floors of a four-storey building converted to holiday lets, so it would be helpful if this is clarified.
- There should be more clarity on proposed windows, and replacement should follow the advice set out in our Conservation Area Design Guide SPD where possible (e.g. making use of timber sliding-sash windows unless otherwise justified). These details could be included within the application docs, or supplied via a condition to be discharged prior to the replacement of the windows at a future date.
- I'm unclear about the location of new extractor vents and soil vent pipes, so if the locations of these could be highlighted, that would be of assistance.
- What rain water goods are currently in situ? In accordance with the Conservation Area Design Guide, rain water goods should be retained in cast iron and replacements carried out to match.

- Modifications to the shop front should be carried out in accordance with our Shopfront Design Guide SPD
- The proportions and detailing of the new rear dormer still appear rather simplistic and unrefined. The design could benefit from further work in this area.
- Although not a listed building, impact on non-designated heritage assets still needs to be taken into consideration in the determination of planning applications. It would therefore be very helpful to have supplied a collection of photos showing the interiors.

Guidance and SPDs can be found at [Conservation and Design Documents and Guidance](#)

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 emphasizes 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.

The Shopfront Design Guide is a supplementary planning document adopted in 2021. This is a material consideration in the determination of planning applications affecting works to or replacement of shop fronts, and is therefore applicable to this application.

Sammy Woodford

Conservation and Design Officer