

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

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**Proposal:** Replace the existing lead box gutters above top floor flats along front (north) elevation

**Address:** Whitehaven Castle, Flatt Walks, Whitehaven

**Reference:** 4/24/2128/OL1

**Date:** 13/05/24

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**Description:** Whitehaven Castle is a grade II listed mansion, heavily remodelled in the 18<sup>th</sup> century but likely constructed originally in the 17<sup>th</sup>.

**Conclusion:** No objection

**Assessment:**

- Due to water ingress, replacement of the lead in the building's box gutters is proposed, with addition of neoprene jointing.
- I have previously had extensive consultation regarding the gutters and water ingress at the Castle, and was under the impression the issue was due to leaves blocking the outfalls and causing the gutters to overtop, rather than a failure of the joints.
- However, as the application states that defects have been found with the detailing of the lead on the north elevation, where the water ingress was reported, replacing the lead would appear to be a lower impact solution, which may solve the problem without the need for insertion of new overflows through the masonry.
- I do not believe the existing lead is in itself significant, so the replacement should address the identified issues with neutral impact on the significance of the building.

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**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)].

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."

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).

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.
- 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".
- DM27D highlights the necessity of avoiding disrespectful alterations, substantial demolition, adverse effects on setting or views, or changes of use that harm the conservation or economic viability of a listed building.

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.

Sammy Woodford

Conservation and Design Officer