

CUMBERLAND COUNCIL
CONSULTATION RESPONSE

Proposal: Conversion to HMO

Address: 5 & 6 Church Lane, Hensingham

Reference: 4/25/2129/0F1

Date: 15/07/25

Description: These two properties are unlisted but prominent. They are prominent historic buildings, and part of Hensingham's historic development pattern, but have been poorly altered and neglected, leaving them making a negative impact on the conservation area.

Conclusion: Request design revision

Assessment:

- The Conservation Area Design Guide is a supplementary planning document and therefore a material consideration in planning decisions.
- Given the appearance of the existing windows, the proposed uPVC replacements would be considered a betterment, and therefore there is no harm being imposed on the conservation area or settings of nearby heritage assets. I can therefore support the proposed windows.
- The roof appears to already be half clad in natural slate. Therefore, could new slate be sourced to match in, and combined with the existing material to give a full slate finish?

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)]. This requirement also applies to the granting of planning permission affecting a listing building or its setting [Section 66(1)].

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 139 of the National Planning Policy Framework (NPPF) asserts that "Development that is not well designed should be refused".

NPPF para. 210 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. 212 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. 215).

Paragraph 216 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. 219)

Referring to assets in a conservation area, NPPF para. 220 states that loss of an element that makes a positive contribution to a conservation area should be treated as either substantial (under para. 213-14) or less-than-substantial harm (under paragraph 215).

The Copeland area's Local Plan contains a number of relevant policies:

- BE1 provides for the preservation and enhancement of built heritage assets by:
 - Requiring a heritage impact assessment or heritage statement where the proposal would affect a heritage asset;
 - Giving great weight to the conservation of Copeland's designated heritage assets when decision making;
 - Ensuring that new development is sympathetic to local character and history;
 - Supporting proposals for the appropriate reuse of vacant historic buildings, recognising that putting buildings into viable uses consistent with their conservation can help sustain and enhance their significance;
 - Supporting proposals that increase the enhancement, promotion and interpretation of Copeland's architectural and archaeological resources;
 - Strengthening the distinctive character of Copeland's settlements, through the application of high-quality design and architecture that respects this character and enhances the setting of heritage assets.
- BE2 states that development should preserve or enhance designated heritage assets (or important archaeological sites) and their settings. The more important the asset, the greater weight that will be given to its conservation. Proposals that better reveal the significance of heritage assets will be supported in principle. Any harm to, or loss of, the significance of a designated heritage asset will require clear and convincing justification.
- BE4 refers to non-designated heritage assets, saying that development should preserve or enhance such heritage assets and their settings. Proposals that better reveal the significance of heritage assets will be supported in principle. Proposals affecting non-designated heritage assets or their settings should demonstrate that consideration has been given to their significance.
- DS4 outlines the Council's expectation that all new development will meet high-quality design standards that contribute positively to the health and well-being of residents.
- DS5 refers to the importance of achieving good standards of design in both hard and soft landscaping.

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