

CUMBERLAND COUNCIL
CONSULTATION RESPONSE

Proposal: Change of use of upper floors to house in multiple occupation (HMO)

Address: 71 Lowther Street, Whitehaven

Reference: 4/25/2243/0F1

Date: 19/08/25

Description: 71 Lowther Street is an early 20th-century building built originally for the Bank of Whitehaven. It was one of several banks on Lowther Street, although most have since changed use. It is unlisted, but makes a positive impression on this important part of the conservation area.

Conclusion: No objection

Assessment:

- Following my earlier consultation response, confirmation has been provided that the elliptical aperture from 1st to 2nd floor cannot be retained due to need for fire compartmentalisation. My preference would be for this to be accomplished in a reversible way, however I understand that may not be possible. As this is an unlisted building, I'd view as that desirable but could not insist on it.
- Main stair lightwell is to be retained.
- Side and rear light wells – Timber glazed screens flush with ceiling, with coloured glazing. This need to be removed and replaced with a timber floor and plasterboard infill for the same reasons. Roof lights above have previously been removed, so these are electrically lit.

- I'd view the loss of these features as entailing less than substantial harm to the building, which should be taken into consideration. For reasons of fire compartmentalisation, their removal appears justified.
- I raise the question of whether the stained glass could be salvaged and reused within the scheme. If it is of sufficient quality, the screens might make an attractive feature elsewhere and help the building stay "whole", as it were.

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...”

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.

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.
- 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.

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