

CUMBERLAND COUNCIL
CONSULTATION RESPONSE

Proposal: Change of use of ground floor of former HSBC bank to 'speakeasy' café bar with outdoor seating areas to rear and front including the installation of railings along the road frontage, the formation of new door opening with external steps in side (southeast) elevation and alteration of window to door in rear (northeast) elevation

Address: 69 Lowther Street, Whitehaven

Reference: 4/25/2265/0F1

Date: 19/08/25

Description: This is a red sandstone three-storey building constructed as a bank, likely in the mid-19th century

Conclusion: Request further information and design revision

Assessment:

- Internally, the space appears well suited for the use proposed, and the design has been laid out in such a way as to be low impact on fabric and to benefit from the space available.
- To the front, I would expect minimal impact. No change is shown to the façade specifically in this application, although I anticipate at some point there will need to be signage and perhaps lighting, and the new seating area will be visible from the front.
- To the south-east side, there will be the addition of a new door with quarter landing, steps and railings, and railings and dwarf wall enclosing the seating area. Railing can be a little visually intrusive, and these will be positioned in front of the attractive frontage of the former Post Officer. However, these designs are well detailed and the seating will add activity to what is currently a slightly redundant area to the rear of the pavement. In this sense, I would view the change as justified in public benefit and well executed.
- To the rear, I would anticipate the proposals will bring improvement, given that the rear of the building is currently marred by air conditioning units, gratings and other clutter, and is underused.

Summary:

- I am supportive of the proposal and believe it will give the building a viable new use at ground floor level, as well as adding life to the street scene of Whitehaven's central street.
- I request a couple of small changes:
 - Could the application be updated with a heritage statement? This would conform with local plan policy BE1, requiring a heritage statement with applications affecting heritage assets. This is a heritage asset, and the external seating area proposed to the south-east will impact the settings of surrounding heritage assets including listed buildings opposite. This heritage statement should comment on the elements of significance being affected by the proposals, and not be any longer or more detailed than necessary to understand the impact. (NPPF 207)

- I also request that the proposed side and rear doors be of timber construction as they are within a conservation area (and within the setting of other heritage assets including listed buildings, in the case of the side door into the front seating area). This would provide conformity with the guidance in the Conservation Area Design Guide.

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 207: “In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.”

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.

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Conservation and Design Officer