

CUMBERLAND COUNCIL
CONSULTATION RESPONSE

Proposal: Internal layout alterations to create ensuite bathrooms including thermally upgrading the internal face of external walls. A new rear external door along with replacing the existing rear external door with a window

Address: 46, New Lowther Street, Whitehaven

Reference: 4/24/2268/OL1

Date: 20/08/24

Description: 46 New Lowther Street is a grade II listed, three storey mid-terraced town house with cellar. It dates from c.1720, with reconfiguration from the 18th, 19th and 20th centuries.

Conclusion: Recommend refusal

Assessment:

This new proposal makes alterations to the main internal staircase, front cellar window and rear cellar access in order to bring the cellar into use as part of the main habitable space, accessed internally and featuring a pair of ensuite bedrooms.

- The changes to the front cellar window and rear cellar door appear supportable in themselves as they are of fairly low impact.
- The reconfiguration of the main staircase is more major, and although the staircase is a 19th century alteration, and appears to have replaced the newel stair this house would originally have had, it appears to be justified only by the provision of a new internal stair into the cellar.
- This alteration requires removal of the curved feature in the cellar, which is the remains of the original newel stair from c.1720. I would view this as less-than-substantial harm as it removes a rare and interesting feature that is characteristic of Whitehaven's early-18th century housing and provides legibility to the evolution of the house.
- The insertion of the cellar staircase would presumably also require some removal of floor joists.
- Neither of these impacts are mentioned in the heritage statement.
- I question whether conversion of the cellar is the right approach, given that it is a solid-walled building below ground level. Although possible to insulate it and keep it dry, it certainly would be a challenge and one that would need meeting with a high level of technical awareness. The cellar was originally designed to be a cool space, kept at perhaps 12°C, and while it is certainly possible to convert cellars, having visited this one I believe the invasiveness of the work required to insert a new staircase has not been justified, and this is coupled with a lack of detail about how the cellar could be converted in a way that ensures a good environment for both the occupants and the building. The justification (creating a five-bedroom house) seems questionable as the house is not enormous, lacks off-street parking, has only a small yard to the rear, and was never designed to have a habitable basement.

- If a way can be demonstrated of bringing the cellar into the habitable envelope that doesn't necessitate loss of the newel stair base, and exhibits good detailing practice, I would be happy to look at it again, but as it stands, the proposal appears harmful and weakly justified.

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 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).

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 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.
- ENV4B outlines support for heritage-led regeneration, ensuring assets are put to appropriate, viable and sustainable uses.
- 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.

- 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