

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

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**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:** 4/24/2144/OL1

**Date:** 21/05/24

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**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 18<sup>th</sup>, 19<sup>th</sup> and 20<sup>th</sup> centuries.

**Conclusion:** Request further information and design revision

**Assessment:**

- I'm surprised to see in excess of 700 words of information I wrote in an email about the building's history dropped wholesale into the heritage statement, pictures and all.
- Looking at the proposals, the arrangement of en suites seems logical, with the ventilation outlets being confined to hidden side or rear elevations.
- Internal door replacements appear justifiable on the basis of the existing doors.
- The replacement of the uPVC cladding on the rear GF lean-to structure would not appear to entail any impact on the significance of the building.
- There doesn't appear to be any information on the window in the rear to be removed and replaced with a new door. If this has heritage significance, including containing historic glass, that would be of relevance to the application.
- Notwithstanding the principle of inserting a new door in the location of a window, the new door should be of timber construction and painted in a suitable colour. Although I wouldn't insist, I would suggest avoiding brilliant white for its rather harsh and anachronistic appearance. Our Conservation Area Design Guide contains guidance on colours, though we recommend muted pastel or earthy colours for such features.

**Summary:**

- Please provide information about the window to be removed and replaced with a door in the rear elevation
- Please revised the proposed door to be a painted timber unit rather than a white uPVC one.

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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)]. 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