

CUMBERLAND COUNCIL
CONSULTATION RESPONSE

Proposal: replacement of existing Georgian style timber windows with uPVC on ground and second floors of side elevation

Address: 22-23 Church Street Whitehaven

Reference: 4/24/2223/0F1

Date: 02/07/24

Description: This building was originally constructed in the 1950s as a replacement for a building that presumably dated from the 19th or 28th centuries. Its appearance was substantially changed in 2005, when permission was granted to remodel it in a mock-Georgian style.

Conclusion: Suggest design revision

Assessment:

- The proposal is to replace the ground and second floor side windows with plastic tilt and turn units.
- This is contrary to the Conservation Area Design Guide, which argues that timber should be used when specifying windows, doors and shopfronts of traditional appearance within the conservation area.
- It is not proposed to replace the first floor windows and these have previously been replaced with plastic tilt and turn units. These do not confirm with design guidance, being both plastic and tilting rather than sashes.
- I am not able to find planning history for the first floor windows, so it appears these may have been installed without the benefit of planning permission. I am not aware of when this change happened.
- The existing timber windows are clearly of poor quality (evidence of missing stuck-on glazing bars) and unconvincing appearance. This has had a slight negative impact on the character and appearance of the conservation area. However, I note that Addison Street is very narrow, preventing any wide views of the side of the building, and is also lightly used.
- Noting the fairly inconspicuous location of the elevation, I suggest the use of uPVC sliding sash windows, at least at the ground floor level, as this would provide a benefit over the existing windows in terms of opening mechanism, providing justification for departing from our design guidance in terms of material.
- I would view the impact on the setting of the grade II listed St Nicholas' Tower as negligible.

Relevant Policies and Guidance:

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).

Paragraph 203 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.

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.
- ENV4C aims to strengthen the distinctive character of settlements through high quality urban design and architecture that respect character and setting.
- DM10 emphasises the need for high quality design and quality places. Part B requires design to respond to local character at multiple scales, paying attention to plot size and arrangement, massing and scale, interstitial spaces, and materials. Part C requires the incorporation of existing features such as landscape and vernacular style.
- DM13D outlines the need, in converting non-residential buildings within settlement limits, or in subdividing large residential buildings within settlement limits, for conversion works to conserve the character of the building.
- DM15A – Part D outlines the need, in converting a rural building to residential use, for the proposal to preserve the essential character of the building and its surroundings. In this regard, existing features of interest and external facing materials should be retained.
- 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”.
- DM27B: “Development proposals which have a significant adverse effect on a Scheduled Ancient Monument or its wider site or setting will not be permitted”.
- 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