

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2322/OL1.
2.	Proposed Development:	LISTED BUILDING CONSENT FOR INTERNAL AND EXTERNAL ALTERATIONS TO FACILITATE THE CONVERSION OF THE BUILDING TO A HOUSE IN MULTIPLE OCCUPATION (HMO) AND THE FORMATION OF EXTERNAL CAR PARKING AREA
3.	Location:	17 IRISH STREET, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Flood Area - Flood Zone 2, Listed Building - Listed Building, Coal - Standing Advice - Data Subject To Change, Coal - Development Referral Area - Data Subject to Change
6.	Publicity Representations &Policy	See Report
7.	Report: SITE AND LOCATION The application site relates to the former medical surgery known as Trinity House Surgery, located at 17 Irish Street within the centre of Whitehaven. The property is three storeys and features a stepped entrance on the frontage facing Irish Street. The property is a Grade II Listed Building and is located within the Whitehaven Conservation Area. There is a detached garage and off street parking at the rear of the property.	

PROPOSAL

Listed Building Consent is sought for the alterations to the building to facilitate the change of use to a HMO.

Previous applications for planning permission and listed building consent, approved in 2022, were for conversion to three apartments and replacement of the detached garage to the rear with a single dwelling.

Compared with the previously approved proposal, changes are as follows:

- Ground floor
 - Reorientation of bathroom in modern rear extension
 - Use of rear room in modern rear extension for a kitchen instead of a study
 - Installation of a wall and door in the location of the former doctors' surgery's front desk to create a laundry room
 - Widening, rather than blocking up, of a doorway at the base of the central staircase, allowing access from the living/dining room to the entrance hall and the first floor
 - Use of north-west room as a bedroom instead of a kitchen
- First floor
 - Installation of new window to rear elevation in place of a door above the roof of the rear extension
 - Reconfiguration of previously approved bathroom to west of stair well to create separate WC and bathroom
 - Replacement of bathroom to east of stairwell with a kitchen.
 - Subdivision of large NE room to create two bedrooms.
- Second Floor
 - Reconfiguration of bathroom to west of stairwell to create separate WC and bathroom (No impact)
 - Use of small room to east of stairwell for kitchen instead of bathroom; blocking of one doorway. (Likely negligible impact; routing of services e.g. cooker extractor, boiler flue).
 - Subdivision of large NE room to create two bedrooms. (This necessitates inserting a new doorway off the landing and loses the plan form of the room. Could this be retained as one large living space?)



**Cumberland
Council**

CONSULTATION RESPONSES

Conservation Officer

No objections to the change of use. Clarification was sought on a number of issues relating to internal works. A site visit was carried out by the Conservation Officer. No further objections were received.

PLANNING POLICIES

Planning law requires applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Development Plan

On 1st April 2023, Copeland Borough Council ceased to exist and was replaced by Cumberland Council as part of the Local Government Reorganisation of Cumbria. Cumberland Council inherited the local development plan documents of each of the sovereign Councils including Copeland Borough Council, which combine to form a Consolidated Planning Policy Framework for Cumberland. The inherited the local development plan documents continue to apply to the geographic area of their sovereign Councils only. The Consolidated Planning Policy Framework for Cumberland comprises the Development Plan for Cumberland Council until replaced by a new Cumberland Local Plan.

Copeland Local Plan 2021 - 2039

The following policies are relevant to this proposal:

Strategic Policy DS1 – Settlement Hierarchy

Strategic Policy DS2 – Settlement Boundaries

Policy DS4 – Design and Development Standards

Strategic Policy BE1 – Heritage Assets

Policy BE2 – Designated Heritage Assets

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA)

ASSESSMENT

Policies BE1 and BE2 of the LP seek to protect, conserve and where possible enhance listed buildings and their settings. The LBCA sets out a clear presumption that gives considerable importance and weight to the desirability of preserving a heritage asset and its setting.

Section 16.2 requires that: 'In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.

Paragraphs 184 – 202 of the NPPF in respect of heritage include a requirement that when considering the impact of development proposals on designated heritage assets such as listed buildings, great weight should be given to the conservation of the asset's significance; however, less than significant harm should be weighed against the public benefits of a development.

Information has been provided by the Applicant in respect of the heritage asset significance of the property and the impacts of the proposed development; and, the proposals have been fully reviewed and assessed by the Conservation Officer of the Council and by the Planning Officer.

The heritage asset significance of the property is principally derived from its physical form/construction. The building is a Listed Building and situated within the Whitehaven Conservation Area. The principle of ensuring that the building has a practical use going forward is supported throughout local and national planning policy. As it stands the property is empty and the longer it remains so, the more likely it will fall into disrepair. This application will allow for the re-use of the building, and a use that will provide additional, much needed residential accommodation.

The reconfiguration of the interior of a small section of the building is acceptable to ensure the functionality of the building going forward and should therefore be supported.

The works are minimal and include the removal of mostly modern features in order to slightly reconfigure the building for future use. The property was originally a town house and was converted into a doctors surgery, meaning internal alterations were carried out at this time. The majority of the internal alterations involve the removal of these more modern features. With regards to the new partition walls, the impact of constructing new timber framed partitions is minimal as the quantity of new partitions will be very low, and all fixings between the existing structure and the new partitions will also be kept to a minimum. The potential for harm for these new interventions is considered to be low. The method for connecting the new timber framed partitions will be carried out in such a way as to include minimal fixings to the original historical materials, which will enable them to be easily removed in the future if required.

The Conservation Officer has confirmed that there would be no significant impact on the fabric of the building and that he is supportive of the principle of the development. Some clarification was sought with regards to some elements of the works.

Planning Balance and Conclusion

	Given the minor nature of the internal works proposed it is considered the proposed works would have a less than substantial impact on the Listed Building. These impacts are outweighed by the positive benefits of ensuring the re-use and future proofing of a listed building, with a policy compliant use. The works will allow for the long term preservation of the building. The works are minor and would amount to the natural evolution of this historic building, in an acceptable manor. The works are therefore considered to be in accordance with Policies BE1 and BE2 of the Local Plan. In applying the tests of the Copeland Local Plan 2013-2028, the LBCA and the NPPF, the proposal as amended would preserve the heritage significance of the Listed Building and Conservation Area, so is therefore supported.
8.	Recommendation: Grant subject to conditions
9.	Conditions: 1. The works hereby permitted shall be commenced before the expiration of three years from the date of this consent. Reason To comply with Sections 18 and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by the Planning and Compulsory Purchase Act 2004. 2. This permission relates to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them:- - Application Form - Site Location Plan reference 2101-LP-101 - Existing Survey Plan reference 2101-SI-102 - Proposed Site Plan reference 2101-SK-105 - Proposed Floor Plan reference 2101-SK-108 - Existing Floor Plans reference 2101-SI-103 - Proposed Floor Plan reference 2101-SK-106 - Existing Elevations Plan reference 2101-SK-SI-104

- Proposed Elevations Plan reference 2101SK107

- Heritage and Planning Statement compiled by Vagdia and Holmes Dated Aug 2025

Reason

To conform with the requirement of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

3. Before the fenestration hereby approved is installed, details of their material, design, specification, method of opening, method of fixing and finish, in the form of drawings and sections of no less than 1:20 scale, shall be submitted to and agreed in writing by the Local Planning Authority. The works shall be carried out only in accordance with the agreed window and door details.

Reason:

Inadequate details of these matters have been submitted with the application and in order to ensure that the works preserve the special architectural and historic interest of the listed building in accordance with Policies BE1 and BE2 of the adopted Copeland Local Plan.

Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

Case Officer: David Gibson

Date : 26/11/2025

Authorising Officer: N.J. Hayhurst

Date : 28/11/2025

Dedicated responses to:- N/A