

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/26/2172/0F1
2.	Proposed Development:	REPLACEMENT OF EXISTING WOODEN WINDOWS AND DOORS WITH UPVC WINDOWS AND DOORS
3.	Location:	LOWTHER MEDICAL CENTRE, 1 CASTLE MEADOWS, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC Adverts - ASC;Adverts, Conservation Area - Conservation Area, Flood Area - Flood Zone 2, Coal - Standing Advice - Data Subject To Change, Coal - Development Referral Area - Data Subject to Change
6.	Publicity Representations &Policy	Neighbour Notification Letter: YES Site Notice: YES Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: INTRODUCTION This application relates to the Lowther Medical Centre located at Castle Meadows in Whitehaven. There is a medical practice to the south, a sports centre to the east and a car park beyond Castle Meadows road to the west.	

The property is situated adjacent to the Whitehaven Conservation Area and lies opposite the Grade II Listed Building – Catherine Mills.

PROPOSAL

This application seeks full planning permission for the replacement of all existing white timber framed windows with white UPVC windows. Furthermore, the door will change to an aluminium sliding inward opening door which will replace the current outward opening door to allow for DDA compliancy.

The windows will be replaced with new frames that are of a similar appearance with outward opening top-hinged upper lights for the most part with smaller windows being side-hinged casements.

RELEVANT PLANNING APPLICATION HISTORY

There have been no previous relevant planning applications on the site.

CONSULTATION RESPONSES

Whitehaven Town Council

No objections.

Conservation and Design Officer

1st response

Description: Lowther Medical Centre is a relatively modern building located outside the conservation area but within the setting of the grade II* listed Catherine Mill

Conclusion: Request further information

Assessment:

- Lowther Medical Centre is within the setting of Whitehaven Conservation Area and the grade II* listed Catherine Mill.
- Catherine Mill is situated approx. 83m away at the closest point, and this part of its setting is dominated by the car parking adjacent to Castle Meadows.
- Similarly, this part of the conservation area is dominated by car parking. The information included with the application is slightly unclear.
- The design and access statement refers to the existing windows opening outward, and the new windows matching these, however the windows shown on the "Plan and Elevations Drawing" (DCS2026-024-003) show sliding sash windows.



Cumberland Council

- It is not clear whether this document represents the existing windows, the proposed windows or both.
- The brochure included in the application documents shows a wide range of different styles, opening arrangements and colours, so it is not possible to tell from this which windows are being selected.
- The additional document called “Elevations” seems to be duplicating the information in the “Plan and Elevations Drawing”, except without showing the actual windows themselves.

Summary:

- I request clarification on whether “Plan and Elevation Drawings” shows existing, proposed or both, and specifically what the appearance is of the replacement windows (for example, are they sliding sashes or are they casements?)
- I also request clarification on the doors – the appearance of the current doors and an clarification of the proposed replacement.

2nd response

Description: Lowther Medical Centre is a relatively modern building located outside the conservation area but within the setting of the grade II* listed Catherine Mill

Conclusion: No objection

Assessment: Previously I requested clarification on whether “Plan and Elevation Drawings” shows existing, proposed or both, and specifically what the appearance is of the replacement windows (for example, are they sliding sashes or are they casements?)

- The existing windows are mostly timber mock-sashes with outward-opening top-hinged upper lights. The smaller windows are side-hinged casements. Replacements will match opening arrangement but be in uPVC.

I also requested clarification on the doors – the appearance of the current doors and a clarification of the proposed replacement.

- Information has been provided on the front doors. Currently, the door is outward opening and manually operating. This will be replaced with sliding electrical aluminium doors to allow DDA compliance. Colour can be white or grey.

I would view the impact on the conservation area’s setting and those of affected heritage assets to be negligible and justified by the improved access and convenience.

Public Representation

The application has been advertised by way of a site notice and neighbour notification letters issued to 2 no. properties.

No responses have been received as a result of this advertisement.

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 (LP):

Cumberland Council continued the preparation of the LP as commenced by Copeland Borough Council.

The LP was adopted by Cumberland Council on the 5th of November 2024 replacing the Copeland Local Plan 2013-2028 and the saved policies of the Copeland Local Plan 2021-2016.

The policies relevant to this application are as follows:

Strategic Policy DS1: Settlement Hierarchy

Strategic Policy DS2: Settlement Boundaries

Policy DS4: Design and Development Standards

Policy N3: Biodiversity Net Gain

Strategic Policy BE1 – Heritage Assts

Policy BE2 – Designated Heritage Assets

Other Material Planning Considerations

National Planning Policy (NPPF)

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

ASSESSMENT

Principle of Development



Cumberland Council

The existing building is located within the development boundary for Whitehaven as defined under Policy DS2. The town is classed under Policy DS1 of the CS as the Borough's Principal Town, where the majority of development should take place.

These policies seek to promote sustainable development to meet the needs and aspirations of the Borough.

The development is considered to be essential due to the poor existing condition of the timber windows and their need for replacement to conserve energy and ensure that the building can be utilized more efficiently in the future.

As a result, the proposed alterations are considered to be acceptable in principle and should be encouraged in order for the ongoing use and remodelling of the building.

Impact on the Conservation Area and Grade II Listed Building

Policies BE1 and BE2 of the LP relate to the protection and enhancement of the Conservation Area and seek to ensure that any alterations are in keeping and respect the existing character of the area. Policy DS4 of the ELP requires good design.

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 66.1 requires that: *'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, 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'*.

Section 72 requires that: *'special attention shall be paid to the desirability of preserving or enhancing the character or appearance'* of a conservation area.

The proposed alterations are modest and will match the existing style of windows. Whilst the frames will be changed from timber to UPVC, the Conservation Officer considers that there will be a negligible impact on the setting of the Conservation Area. The Grade II Listed Catherine Mills is located approximately 70 metres from the Health Centre and separated by a public car park. On this basis, there is unlikely to be any significant impact on the setting of the Listed Building.

Overall, the proposed alterations will comply with policies BE1 and BE2 of the local plan, respecting the character of the Whitehaven Conservation Area and the adjacent Listed Building.

Biodiversity Net Gain

Policy N3 requires that all development, with the exception of that listed in the Environment Act must provide a minimum of 10% biodiversity net gain over and above existing site levels, following the application of the mitigation hierarchy set out in Policy N1. This is in addition to any compensatory habitat provided under Policy N1. It is stated net gain should be delivered

	on site where possible and where on-site provision is not appropriate, provision must be made elsewhere in accordance with a defined order of preference. Biodiversity Net Gain became mandatory for small sites in the UK on 01st April 2024. The application falls below the threshold for BNG and the proposals will not impact more than 25m2 of on-site habitat, i.e. the De Minimis Exemption. In practical terms, the current development has little or no existing habitat for wildlife and the replacement of the windows will make no alteration at all to the ability of the building to support wildlife. <u>The Planning Balance</u> The alterations are modest and their impact on the conservation area's setting and those of affected heritage assets are negligible and justified by the improved access and convenience. On balance this is considered to be an acceptable form of development which will be consistent with the details set out in national and local policy.
8.	Recommendation: Approve (commence within 3 years)
9.	Conditions: The development hereby permitted shall be commenced before the expiration of three years from the date of this permission. Reason To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them: - Application form, received 4th June 2026; Location Plan, scale 1:1250, received 4th June 2026; Plan and Elevations, scale 1:100, drawing number SCS2026-024-003, received 4th June 2026; Window Brochure - Camden, received 4th June 2026; Design and Access Statement, received 4th June 2026; Additional Information, email from Kirsten Thompson, received 15th July 2026. 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.

Biodiversity Net Gain – Exemption Applies

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition)” that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the local planning authority, and
- (b) the local planning authority has approved the plan.

The planning authority, for the purposes of the Biodiversity Gain Plan is Cumberland Council.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements is/are considered to apply.

Applicable exemptions: De Minimis development.

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: Sarah Papaleo

Date : 11/08/2026

Authorising Officer: N.J. Hayhurst

Date : 13/08/2026

Dedicated responses to:- N/A