

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/26/2189/0F1
2.	Proposed Development:	PROPOSED NEW SHOP FRONT & INTERNAL ALTERATIONS
3.	Location:	2 HIGH STREET, CLEATOR MOOR
4.	Parish:	Cleator Moor
5.	Constraints:	ASC Adverts - ASC;Adverts, Conservation Area - Conservation Area, Coal - Development Referral Area - Data Subject to Change
6.	Publicity Representations & Policy	Neighbour Notification Letter: YES Site Notice: YES Press Notice: YES Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: INTRODUCTION This application relates to 2 High Street, situated on High Street, Cleator Moor. The building is mid-terraced and surrounded by retail properties. The property was previously in use as a Greggs store but is currently vacant following the recent relocation of Greggs to an alternative premises within the town centre. The building is located within the Cleator Moor Conservation Area.	

PROPOSAL

This application seeks full planning permission for the replacement of the shop front and various associated internal alterations.

The proposal will replace the existing timber and aluminium shop front, glazing and entrance door arrangement with a new black powder-coated aluminium shop front.

Internally, a partition will be added to the ground floor.

RELEVANT PLANNING APPLICATION HISTORY

Non illuminated shop front fascia and projecting signs, approved in December 2001 (application reference 4/01/0790/0 relates);

Installation of new entrance door and shop front section, approved in May 2012 (application reference 4/12/2194/0F1 relates).

CONSULTATION RESPONSES

Cleator Moor Town Council

No objections.

Conservation Officer

Description: 2 High Street is a historic although extremely modest building within Cleator Moor. It is located on the High Street in a prominent location, adjacent to a historic public house and within the wider settings of several listed buildings (principally 5-13 Jacktrees Road, the Former Local Government Offices, and the Memorial Fountain on the Square).

Conclusion: No objection

Assessment:

- The building is currently vacant and appears in a reasonable though not good condition.
- I would view it as currently making a neutral impact on the conservation area and wider settings of the abovementioned listed buildings.
- Externally, the programme involves replacing the shopfront and associated repair, redecorating and making-good.
- The proposed replacement shop front is in aluminium, which is not recommended in the Conservation Area Design Guide or Shopfront Design Guide. However, given that the lack of historic value of the existing shop front, the relative lack of heritage value of the building itself, and the general appearance of this row of buildings, the replacement shop front can be expected to be an enhancement over the existing, and therefore not to conflict with the preservation or enhancement of nearby heritage assets.



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- Overall, I would expect this to improve the building's appearance.

Highways and Local Lead Flood Authority

No comments.

Public Representation

The application has been advertised by way of a site notice, press notice and neighbour notification letters issued to 4 no. properties.

No response has been received as a result of these advertisements.

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 2001-2016.

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

Strategic Policy R4: The Key Service Centres

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)

The Conservation Area Design Guide 2017

The Shopfront Design Guide 2021

ASSESSMENT

Principle of Development

The site lies within the town centre of Cleator Moor which is designated as one of the Key Service Centres under Policy DS1 of the LP. Policy DS2 details a presumption in favour of sustainable development within the designated settlement boundary. These two policies seek to promote sustainable development to meet the needs and aspirations of the Borough.

On this basis the principle of development is considered to be acceptable.

Design and the Effect on the Conservation Area

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 LP 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 overall proposal doesn't change the appearance of the shop front significantly. The Conservation Officer commented that although aluminium is generally not recommended within either the Conservation Area Design Guide or Shopfront Design Guide, given the lack of historic value to the existing shop front and relative lack of heritage value of the building,



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	the replacement shop front will be an enhancement to the building. It is considered there will therefore not be a conflict with the preservation or enhancement of the nearby Heritage Assets. The alterations will ensure that the building is upgraded to facilitate its reuse and the setting of the building within the Conservation Area is maintained due to the similar style and design. The Conservation Officer considered that the alterations will improve the building's appearance within the Conservation Area. Overall, the proposed alterations will comply with policies BE1 and BE2 of the local plan, respecting the character of the Cleator Moor Conservation Area. <u>Biodiversity Net Gain</u> 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 shopfront and internal alterations will make no difference at all to the ability of the building to support wildlife. <u>Planning Balance</u> The alterations will create a positive benefit to the building, ensuring its use in the future, its improved energy efficiency and respecting the character of the Cleator Moor Conservation Area. These benefits are considered to outweigh any modest harm that would result from the proposal. On balance this is considered to be an acceptable form of development which will be consistent with the adopted planning policies and national guidance.
8.	Recommendation: Approve (commence within 3 years)
9.	Conditions: 1. 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.

2. 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 11th June 2026;
- Site Plan and Block Plan, scales 1:1250 and 1:500, drawing number 2HS-LV001, received 11th June 2026;
- Proposed Floor Plans, scale 1:50, drawing number 2HS-LLV-004, received 11th June 2026;
- Proposed Front Elevation and Section, scale 1:50, drawing number 2HS-LV-005, received 11th June 2026;
- Window and Door Brochure, received 11th June 2026;
- Design and Access Statement, drawing number DAS-001, received 11th June 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.

3. Following approval of the development, demolition and construction activities that are audible at the site boundary must be carried out only between the following hours
- Monday to Friday 08.00 – 18.00 and
 - Saturday 08.00 – 13.00 and at no time on Sunday or Bank Holiday.
- Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above unless otherwise agreed with the Local Planning Authority.

Reason

In the interests of the amenities of surrounding occupiers during the construction of the development and in accordance with Policy DS4 of the Copeland Local Plan 2021-2039.



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Informative Notes

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 : 04/08/2026

Authorising Officer: N.J. Hayhurst

Date : 06/08/2026

Dedicated responses to:- N/A