Cumberland Council

CUMBERLAND COUNCIL
DELEGATED PLANNING DECISION

1.	**Reference No:**	4/26/2308/0L1
2.	**Proposed Development:**	LISTED BUILDING CONSENT FOR REPAIR WORKS TO A WALL AND INSTALLATION OF A MURAL
3.	**Location:**	SOMERSET HOUSE, 52 DUKE STREET, WHITEHAVEN
4.	**Parish:**	Whitehaven
5.	**Constraints:**	ASC Adverts - ASC;Adverts, Conservation Area - Conservation Area, Listed Building - Listed Building, Coal - Standing Advice - Data Subject To Change, Main River Consultation Area - Main River Consultation Area, Coal - Development Referral Area - Data Subject to Change
6.	**Publicity Representations &Policy**	See Report
7.	**Report: Site and Location:** The application site comprises the property known as Somerset House, Whitehaven. The property comprises a three storey building located in the centre of Whitehaven. The building comprises a Grade II* Listed Building. The listing entry for the building states the following: *II** *C18. Coursed stone with slightly projecting bands between Storeys. Stone parapet. 3 storeys. Centre doorway with Georgian Gothic porch with clustered columns, raking pediment, winding steps with ornamental wrought iron balustrades. 3 3-light windows each floor with small panes and stone*	

mullions. Gothic arch in hall.

Nos 43 to 50 (consec), Nos 52 to 55 (consec) Nos 65 to 76 (consec) and the Town Hall form a group.

The building is also situated within the Whitehaven Conservation Area.

Proposal:

This application seeks Listed Building Consent for:

- the repair of the brick wall, known as Love Lane, which forms part of the curtilage of Somerset House and has weed growth, loose and missing mortar and broken render; and,
- The application of a painted mural of a horse-drawn vehicle, also featuring a painted directional sign indicating it is part of the old historic route to Egremont.

Consultee:	**Nature of Response:**
Town Council	No objections/comments.
Cumberland Council - Highways and LLFA	As this falls under our Service Level Agreement (SLA), this application does not need to be submitted to the Local Highway Authority or Lead Local Flood Authority; subject to the highway and drainage aspects of such applications being considered in accordance with the Agreement. The highway and drainage implications of this application can therefore be decided by the Local Planning Authority.
Cumberland Council Conservation Officer	Assessment: • The existing wall is of modest significance, and is in a dilapidated state. It would benefit from repairs, repointing and removal of the existing render and graffiti. • It is proposed to add a mural, once this is done, showing a pack horse and sign indicated the route of the old road to Egremont, which passed from the end of Duke Street, along Love Lane and to the rear of the Flatt, until the 18th century. • Clear and detailed information has been provided about the method. • In summary, I would view this as having a positive impact on both the wall, the setting of Somerset House itself, and the conservation area.
Historic England	Provide advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application. We suggest that you seek the views of your

	specialist conservation and archaeological advisers.
Historic Environment Officer	No objections/comments.
National Amenities Soc.	No response.
Cumberland Council – Open Spaces	No response.

Neighbour Responses:

The application has been advertised by way of a Site Notice, Press Notice and Neighbour Notification Letters.

One representation in objection has been received.

"Whilst I think the mural is wonderful, the fact that the gates are no longer locked at night will soon result in the mural being defaced by the drug-fueled kids who frequent the park every night.

Even if you place CCTV there, they will wear balaclavas, nothing will happen, more money will then be wasted repairing said mural.

A sad sign of the times, but I witness the idiots every night. Money best spent on policing the town. (LOL)

Apologies to the artist, it's wonderful."

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 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. Policy DS4: Design and Development Standards Strategic Policy BE1: Heritage Assets Policy BE2: Designated Heritage Assets **Other Material Planning Considerations** Planning (Listed Buildings and Conservation Areas) Act 1990 (PLBCA). National Planning Policy Framework (NPPF). **Assessment:** Strategic Policy BE1 and Policy BE2 of the LP pre-date the National Planning Policy Framework 2026. Whilst the phraseology used in the drafting of Strategic Policy BE1 and Policy BE2 and the NPPF differ, the thrust of the respective policies are in alignment. The existing wall is of modest significance and is in a dilapidated state. It would benefit from repairs, repointing and removal of the existing render and graffiti. It is proposed to add a mural, showing a pack horse and sign indicated the route of the old road to Egremont, which passed from the end of Duke Street, along Love Lane and to the rear of the Flatt, until the 18th century which will improve interpretation and understanding of this area of the conservation area. Clear and detailed information has been provided about the method of works to be used. The proposed works would have a positive effect on the significance of the Grade II* Somerset House. **Conclusion:** The proposed works would have a positive effect on the significance of the Grade II* Somerset House and so should be supported.
8.	**Recommendation:** Approve Listed Building Consent (start within 3yr)

Cumberland Council

9.	**Conditions:** 1. The works hereby permitted shall begin not later than three years from the date of this decision. Reason To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004. 2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents: Application Form Location Plan – Drawing Ref. TQRQM26196113838691 Heritage Statement – (Revised 26/9/26) Details Of Mural (Revised) Scope of Works – Love Lane Boundary Wall, Whitehaven - Date: 29 September 2026 Reason For the avoidance of doubt and in the interests of proper planning. **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: C. Harrison	**Date : 11/11/2026**
Authorising Officer: N.J. Hayhurst	**Date : 12/11/2026**
Dedicated responses to:-	