

CUMBERLAND COUNCIL
CONSULTATION RESPONSE

Proposal: Discharge of condition 4 of planning application 4/25/2321/0F1 and condition 3 of listed building consent 4/25/2322/0L1

Address: 17 Irish Street, Whitehaven

Reference: 4/26/2144/DOC and 4/26/2145/DOC

Date: 29/06/26

Description: 17 Irish Street is an early 18th century house built originally for Carlisle Spedding, agent and engineer of the Lowther Mining business. It was altered in the 19th century, and in the 20th century, and was latterly used as a doctors' surgery, but has been empty for a number of years and is in poor condition.

Conclusion: No objection

Assessment:

In my previous consultation response, I made three observations:

- Elevation drawing should be updated to confirm that the window is a sash not a pair of top-hinged casements.
- Elevation drawing should be updated to confirm that the horns are contiguous with the side stiles, not stuck on.
- Applicants should consider specifying a different type of timber as the durability of redwood is questionable.

An update has been received, which addresses these as follows:

- The drawing has been updated, although not in the right way. Before, the dashed lines indicated the window consisted of two top-hinged lights. One of these has now been reversed, suggesting a top-hinged lower light and a bottom-hinged top light. Convention for a sash window would be a pair of arrows pointing towards the meeting rail. However, given that the section drawing clearly shows a sash window, and the annotations very clearly show a sash window, I feel confident that it is in fact a sash window.
- Drawing has been updated to show contiguous horns.
- Detail has been updated to sapele.

This addresses the details I initially queried.

Relevant Policies and Guidance:

The Planning (Listed Buildings and Conservation Areas) Act 1990 establishes a need "in considering whether to grant listed building consent for any works [for the Local Planning Authority to] have special regard to the desirability of preserving the building or its setting or any features of special

architectural or historic interest” [Section 16(2)]. This requirement also applies to the granting of planning permission affecting a listing building or its setting [Section 66(1)].

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 139 of the National Planning Policy Framework (NPPF) asserts that “Development that is not well designed should be refused”.

NPPF para. 210 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. 212 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. 215).

Paragraph 216 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.

Opportunities should be sought for new development within conservation areas and the settings of heritage assets that enhances or better reveals their significance. (para. 219)

Referring to assets in a conservation area, NPPF para. 220 states that loss of an element that makes a positive contribution to a conservation area should be treated as either substantial (under para. 213-14) or less-than-substantial harm (under paragraph 215).

The Copeland area’s Local Plan contains a number of relevant policies:

- BE1 provides for the preservation and enhancement of built heritage assets by:
 - Requiring a heritage impact assessment or heritage statement where the proposal would affect a heritage asset;
 - Giving great weight to the conservation of Copeland’s designated heritage assets when decision making;
 - Ensuring that new development is sympathetic to local character and history;
 - Supporting proposals for the appropriate reuse of vacant historic buildings, recognising that putting buildings into viable uses consistent with their conservation can help sustain and enhance their significance;
 - Supporting proposals that increase the enhancement, promotion and interpretation of Copeland’s architectural and archaeological resources;
 - Strengthening the distinctive character of Copeland’s settlements, through the application of high-quality design and architecture that respects this character and enhances the setting of heritage assets.
- BE2 states that development should preserve or enhance designated heritage assets (or important archaeological sites) and their settings. The more important the asset, the greater weight that will be given to its conservation. Proposals that better reveal the significance of heritage assets will be supported in principle. Any harm to, or loss of, the significance of a designated heritage asset will require clear and convincing justification.
- DS4 outlines the Council’s expectation that all new development will meet high-quality design standards that contribute positively to the health and well-being of residents.

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.

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Conservation and Design Officer