



# PLANNING BY DESIGN

FROM CONCEPT TO COMPLETION

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**Conversion and change of use of the Royal  
Oak Public House and Hotel to 2no.  
Dwellinghouses.**

**The Royal Oak, Nursery Road, Beckermat,  
CA21 2XB**

**Planning & Heritage Statement**

## Introduction

Planning by Design has been instructed to act on behalf of the applicant to submit a planning application to Cumberland Council for the conversion and change of use of the Royal Oak Public House and Hotel to 2no. Dwellinghouses at The Royal Oak, Nursery Road, Beckermet, CA21 2XB.

In support of this application, this Statement demonstrates the suitability of this site for this proposal in accordance with National and Local planning policies and other material considerations.

## Location and Proposal

The Royal Oak is a public house / restaurant and hotel, which comprises of two building sited on the northern side of Nursery Road, Becketmet. The site enclosed by residential premises to the east and west and a beck to the north. The site includes customer and staff car parking to the rear of the buildings.

As demonstrated on the supporting plans and drawings, the proposal seeks for the conversion of the subject buildings to 2no. dwellinghouses.

Each dwelling will include off-road parking for motor vehicles and bicycles, outdoor amenity space, waste storage areas.

## Planning Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that *'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'* Said material considerations includes any other supplementary / supporting planning documents and government guidance as set out in the National Planning Policy Framework (NPPF) (2023).

### The National Planning Policy Framework (NPPF)

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Sustainable development is broadly defined in Paragraph 8 of the Framework as having three overarching objectives:

*a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

*b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*

*c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

Paragraph 15 states that plans should address housing and economic needs within distinctive areas.

Paragraph 20 states that strategic policies set out an overall strategy for the pattern, scale, and quality of development, providing for the needs of all

Section 5, 'Delivering a Sufficient Supply of Homes', demonstrates that one of the Government's central objectives is to increase the delivery of high-quality housing, which support the needs of local areas and relate to their surrounding context, with the Council providing sufficient provision of land for housing developments.

Paragraph 124, in relation to design, states that good design is a key aspect of sustainable development. This statement has considered the design principles in detail, ensuring that the proposed development is compliant with the requirements of the Framework in contributing positively to making places better for people.

Paragraph 127 states that decisions should ensure that developments are b) visually attractive, c) are sympathetic to local character and landscape setting, optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and f) create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

#### Local Planning Policies:

The Development Plan for the application site comprises the Copeland Local Plan 2013-2018 (Adopted December 2013), which includes the Core Strategy and Development Management Policies. Together, these documents form the vision, objectives, and an overall strategy for development, including policies relevant to the determination of planning applications and a series of land allocations. Relevant Policies are considered in the analysis of this planning application.

## **Planning Analysis**

### Principle

The subject building is located within the settlement boundaries of Beckermest, as defined on the Copeland Local Plan Planning Policies Map. Policy ST2 of the Copeland Local Plan 2013 – 2028 states that development located in the Borough’s settlements at an appropriate scale, within defined settlement boundaries, in accordance with the Borough’s settlement hierarchy.

Beckermest is defined as a Local Centre within the settlement hierarchy, where applications for proposed housing will be supported within the settlement boundaries. Moreover, the policies focus regarding retail and leisure development in Local Centres is aimed at providing and retaining convenience shopping to meet the day-to-day needs of residents. The proposal would not conflict with this objective.

Policy SS3 of the CS require that housing developments demonstrate a range of good quality and affordable homes for everyone. The Strategic Housing Market Assessment identifies a need for executive and family homes within the Borough. The provision of the proposed dwellings would enhance the housing choice within Beckermest and therefore contribute towards the vitality of the town.

Accordingly, the proposed conversion should be supported in principle.

### Community Facility

Copeland Core Strategy Policy DM21 seeks to retain existing social, community, cultural or sports facilities, unless it can be demonstrated that the demand for the subject facility is met elsewhere. This policy is in general accordance with the thrust of NPPF paragraph 93c.

The subject building is currently in use as a pub/restaurant & hotel. Both operations are owned and ran by the applicant, who no longer considers the uses to be economically viable.

The village is well served by places to eat and drink, as well as hotels / B&Bs. Therefore, the impact of the proposed development would be limited given that these uses are already sufficiently met in the village.

The site used to include a small village store, however this closed April 2022 due to a lack of custom.

The application has been made to future proof the life of the buildings, rather than them becoming vacant and running the risk of them falling into disrepair. The conversion of the proposed development would assist in making an effective use of land, as promoted in section 11 of NPPF. Moreover, the proposed conversion would also assist in meeting the challenge of climate change, as set out in NPPF para 152, which states that *the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.*

Emerging Copeland Local Plan Policy R5PU, states that the loss of existing retail and services in rural settlements will be supported where sufficient alternative or existing provision, which is equally accessible and of the same quality or better is provided. There are a number of examples of visitor accommodation in Breckermeth, including Nannycroft Cottage, Coney Garth Cottages, The Old Forge, The Tree House, and the White Mare, which is also a restaurant and public house. Accordingly, the proposal accords with emerging policy R5PU

It is also worth noting that the building is not included on Copeland Council's Community Value List.

In summary, the benefits associated with the proposed development should be considered to outweigh any perceived conflict with policy DM21.

### Flood Risk

As shown in the image below, the vast majority of the site is located within flood zone 1, including the building proposed for conversion. No development is proposed on land sited within floodzone 2 or 3.

### Design

Policies ST1, DM10, DM11, and DM12 of the Local Plan and section 12 of the NPPF seek to secure high standards of design for new residential properties. These policies seek to create

and maintain a reasonable standard of amenity and set out detailed requirements with regard to standard of residential amenity, including the provision of parking spaces, separation distances and open space.

The application site is an existing building which lies within the existing settlement boundary for Beckermet.

The proposed development has been carefully designed to minimise the impact of the development upon the existing neighbouring residential properties. It is considered that the proposed conversion of the building to 2no.dwellings would not have a detrimental visual impact on the locality or threaten or detract from the distinctive characteristics of the area.

On the basis, it is considered that the site is capable of accommodating the number of units proposed in accordance with the aims and objectives of the adopted Copeland Local Plan and the NPPF. The proposal is therefore considered to comply with the policies set out in the adopted Copeland Local Plan and provisions of the NPPF.

### **Heritage**

The legal requirement for listed buildings and for conservation areas is established by the Planning (Listed Buildings and Conservation Areas) Act 1990. It requires that the planning authority has special regard for preserving the listed building and preserving or enhancing the appearance of a conservation area. The House of Lords in the South Lakeland case decided that the 'statutorily desirable object of preserving the character of appearance of an area is achieved either by a positive contribution to preservation or by development which leaves character or appearance unharmed, that is to say preserved.' There is no requirement in law to positively enhance a conservation area. Decision-making policies in the National Planning Policy Framework and in the local development plan are also to be applied, but they cannot directly conflict with or avoid the obligatory consideration in these statutory provisions. At the heart of the National Planning Policy Framework (NPPF) is a strong presumption in favour of sustainable development (paragraphs 11-14). The purpose of this Statement is to assess whether possible future development of the application site is capable of meeting the test of sustainable development as regards its impact on the historic environment.

Paragraph 197 of the National Planning Policy Framework (NPPF) requires local planning authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation, and the desirability of new development making a positive contribution to local character and distinctiveness. This states that: '197. In determining applications, local planning authorities should take account of: (a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; (b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and (c) the desirability of new development making a positive contribution to local character and distinctiveness.'

Paragraph 199 of the National Planning Policy Framework states, 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be)...' Paragraph 200 states that 'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification...'

Paragraphs 201 and 202 of the National Planning Policy Framework make a distinction between proposals that will lead to '...substantial harm to (or total loss of significance of)...' a designated heritage asset (paragraph 201) and proposals which will cause '...less than substantial harm...' (paragraph 202). Significance is the concept that underpins current conservation philosophy. The significance of heritage assets is defined in the National Planning Policy Framework as, 'The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting'.

The proposal demonstrates minor physical alterations and the level of harm is judged to be less than substantial. On balance, the proposal would preserve the character and appearance of the Conservation Area and is considered unobjectionable in this instance.

## **Conclusion**



