

# Design Access Heritage

**Statement**

The Commercial

## INTRODUCTION

This statement accompanies a planning application for what was formally The Commercial Public House and Hotel, Cleator Moor. Planning Approval has been granted for the existing building as Flexible Use, for mixed use of Class C1 Hotel and a Sui Generis HMO. That planning approval is now being enacted.

Following that initial application to secure the redevelopment of the building, this application is to extend the existing building and enhance its standing in the town centre, providing for an identified housing need,

### AIM

The proposed development is to enhance the range of accommodation options offered in the Town centre, to suit market demands and serve the local area, businesses and tourist users.

The proposed development has been designed with careful regard to the amenity of local residents, the functioning of the local highway network, and important technical considerations such as the drainage of surface water within the site.

We believe that this Statement, which accompanies this application, demonstrates that the proposed development would be entirely acceptable in planning terms. It would comply with local and national planning policy requirements. As such, it would benefit from the presumption in favour of sustainable development, which directs that planning permission should be granted.

The proposed designs are in keeping with the aims and objectives to preserve and enhance the local area.

We believe the proposals will enhance the area and provide a more sustainable development platform for the buildings long term viability.

This Statement is set out in sections, to explain the proposed development and the local context to which it relates.



**SPENCER REID** Ltd.

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## **The Development**

Planning permission has been granted for the re-use and redevelopment of the existing building. This application is for the extension of the existing building to both enhance the character of the building and further provide for sought after and needed housing provision in the area.

## **Context**

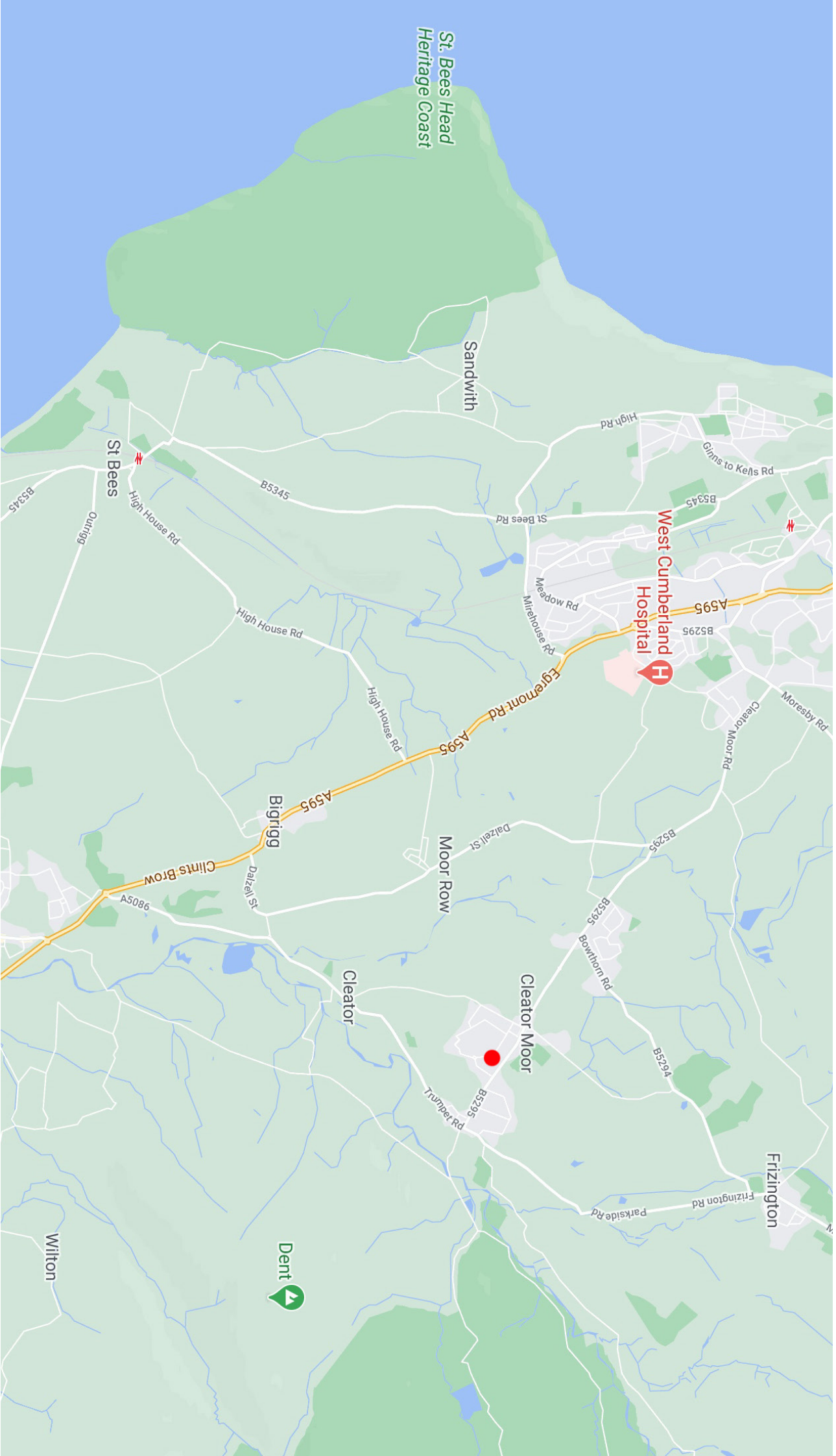
Cleator Moor town developed rapidly in the 19th Century, as the industrial revolution demanded more and more coal, limestone and high grade iron ore. Cleator Moor and all the villages around it – Frizington, Rowrah, Keekle, Bigrigg – were a maze of railways and mines which produced the materials for iron works in Cleator Moor and Workington.

The town's skyline is dominated by Dent Fell and the town is located on the 190 miles (310 km) Coast to Coast Walk that spans Northern England. On the outskirts of the town of Cleator Moor lies the village of Cleator with which the town is closely associated.

The surrounding area around the site is predominately Residential, with a mixture of Terraced housing, Semi-detached properties and Bungalows.

A good selection of local shops, café's, takeaways and other local amenities can be found a short walk away from the site along Ennderdale Road.

The proposals aim to minimise any effect that the new enabling development would have on the setting.



### **Location & Access**

The application site located in the Town Centre on the High Street, with a side elevation facing North Street where the main entrance to the building is located. There is open public access to the rear of the building, where secure bicycle storage, post/parcel delivery and refuse/recycling provision is located along with a secondary entrance point to the main building.

The nearest bus stops are on the High Street within easy walking distance. The number 30 route providing a service between Maryport and Whitehaven, along with the number 22, S34, S46 services. The nearest National Railway station is at Whitehaven, a short Taxi or Bus Ride some 5 miles away.

### **Layout**

The building's core internal layout would largely remain unchanged.

### **Scale**

The scale of the building is not being altered. The proposed extension provides for a more coherent and improved visual appearance to the town centre asset, in-keeping with traditional design styles.

### **Appearance**

The appearance of building will be enhanced and be more coherent. The extension uplifts the design standard of the building and brings it in-keeping with other surrounding town centre buildings.

### **Landscaping**

Landscaping is not being altered.

### **Pedestrian and Cycle Accessibility**

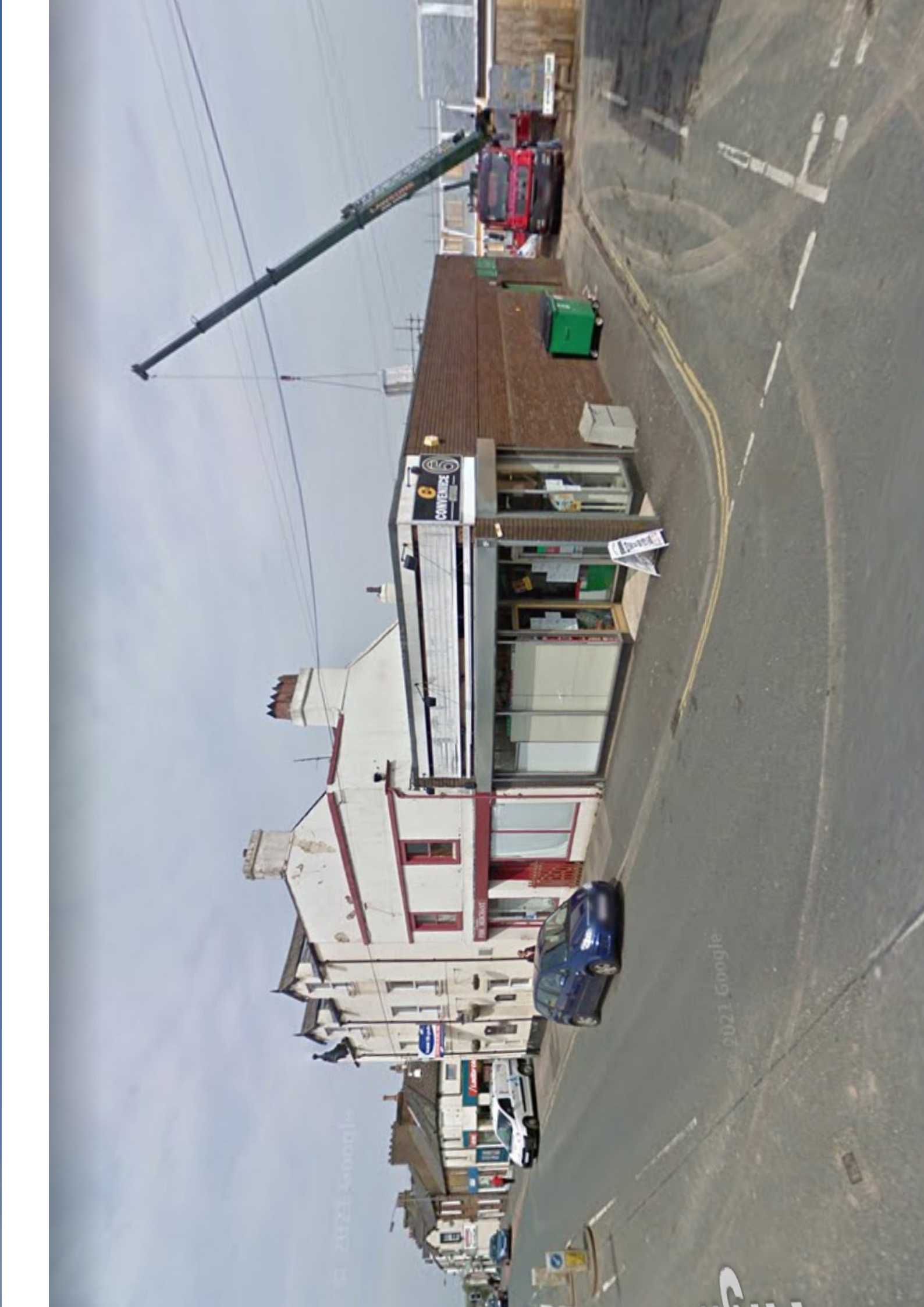
There is Pedestrian and Cycle access to the site, with secure enclosed bicycle storage provided at the rear.

### **Sustainable Transport**

The application site is located in the Town Centre, close to the main bus route. It is possible to access local towns, shops, café's and restaurants via public transport. It is also, possible to use the local bus service, or cycle, to connect to mainline railway services.

The Applicant intends to provide a residents pack of information detailing public transport facilities, to ensure they are aware of the opportunities available. This is intended to help maximise the use of sustainable modes of transport.





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### **Highways Access**

Given the site is highly accessible by existing road networks and public transport options, the proposed use should not have any detrimental or significant impact on the local highway network.

As a Town Centre building on the High street there is no opportunity for on-site parking, however there is on street parking and nearby car park provision such as Market Street and Montreal street.

### **Inclusive Access**

Wherever possible the remodelled building will comply with Part M of building regulations. Level access will be provided into the building.

### **Biodiversity Net Gain Exemption Statement**

This Planning Application is exempt from Biodiversity Net Gain assessment, as it is a Change of Use Application that does not impact any on site habitat. The existing site also does not feature an on-site habitat. The exemption statement is included on the supporting application form, submitted with this application.

### **Structural Assessment statement**

A structural assessment of the building was undertaken and submitted with the previous Planning Application, approval 4/24/2009/OF1. This site inspection was undertaken within the last 18 months and the findings are summarised as follows.

The property is generally in a poor structural condition, however with remedial works the existing building structure will generally be suitable to be retained as part of the proposed conversion works. The conversion of the property will remedy all current faults and strengthen the buildings, thus securing its long-term retention as a heritage asset.

A full copy of that report is available for download from the Copeland Planning website.

Prior to commencing any site works, a further detailed survey by a Structural engineer will be undertaken and all of the proposed works will be in full compliance with structural requirement laid out within the Building Regulations.

### **Assessment / Justification**

It is considered that this report provides the information which will enable the planning authority to assess the likely impact of the proposed development.

It is believed that the characteristics of the development respect the building, site and the immediate local area. We believe the impact of the development to be low and that bringing the building back into use enhance and improve the area bringing wider public benefit beyond the accommodation offered.

It is considered the proposed development will preserve and enhance the site, with a suitable use that this will bring about further opportunities and advantages to the local economy in terms of employment and visitors to the area.

## **Planning History and Development Viability**

The building has the established use as a Public Guest House, online desktop searches support the 'Existing Building Layout' to feature a bar, lounge, 15 Guest bedrooms and a self contained flat.

Copeland Borough Council granted planning permission for the conversion of the building to provide two semi-detached houses and six flats. (On 5/3/2014, App ref: 4/13/2470/OF1)

Planning permission was obtained to convert the building into 9No. Residential Apartments (Use CClass C3), (05.03.2024, App ref; 4/24/2009/OF1)

This latest Approved set of proposals are the most viable route for securing the Re-use of the vacant building. One of the first construction tasks is to Replace the roof structure, this is the first step to securing the long-term upkeep of the building. As a new roof is required this presents the possibility to extend and enhance the building with the proposed 2nd floor extension.

## **Heritage**

The site comprises the former Public Guest-house known as 'The Commercial', which closed in 2006 and the building has stood vacant ever since. The building is situated within Cleator Moor town centre and is within the Cleator Moor Conservation Area. Having stood vacant for many years, the appearance of the building is slowly deteriorating.

The application site comprises of 5-6 High Street (the original 'Commercial Inn') which fronts onto High Street but also wraps around into North Street, and is three storeys in height. Behind this and to the immediate north, is the conjoined 10 North Street that is two storeys in height. It comprises a former terraced house, which became another public house known as 'The Albert' before becoming subsumed into The Commercial.

## **Historical context**

The local history book "Cleator and Cleator Moor Past and Present" by C. Caine (1998) details the history of 'The Commercial' public house, which is believed to date from the 1870's although the building appears as part of a terrace of properties on the OS map of 1863, which suggests it may be of an earlier date.

Initially known as 'The Beehive Inn', the name changed to 'The Commercial' c.1885. At this time there were two public houses on the applications site, 'The Commercial' fronting onto High Street and 'The Albert', fronting onto North Street. The two were combined into a single property at some unknown date. The name change from 'The Beehive Inn' to 'The Commercial' corresponded with a series of building works comprising the installation of a new bottle & jug bar and a snug. In 1941 the building was the subject to further minor internal refurbishment works, by the Cleator Moor Brewing Company, comprising the installation of a new fireplace, the removal of an internal partition and the redecoration of the lounge.

The Commercial was later taken over by the Matthew Brown Brewery based in Blackburn, in 1943 and in 1965 the brewery company undertook another phase of refurbishment and building works, comprising of the construction of a new lounge bar and public bar within the existing building. It is understood that the final refurbishment was carried out in 2005, but the pub closed shortly afterwards.

### **Cleator Moor Conservation Area**

Situated within the Cleator Moor Conservation Area and given the age and history of the building, the application site is considered to represent a non-designated heritage asset. The application site is a prominent building centrally located within Cleator Moor and is also centrally located within Cleator Moor town centre and the Conservation Area. The present run down and dilapidated appearance of the building detracts from the character and appearance of the Conservation Area and the setting of the listed buildings and structure within Market Square opposite and the listed building in Jacktrees Road as well as that at 13-20 High Street.

There are residential properties nearby and the government is encouraging the conversion of disused commercial buildings to residential use.

The proposals retain the buildings existing external features which contribute to the character of the conservation area. The external alterations proposed, in the form of new and altered openings, are minimal and designed to be sympathetic to existing window and door openings and are considered to be appropriate to the appearance and historic uses of the building.

It is considered that the proposed roof extension enhances the heritage asset. The proposed renovation and refurbishment will bring it back into beneficial use and will have a positive impact on the character and appearance of the Cleator Moor Conservation.

In light of the above, it is considered that the proposed extension to the building is acceptable with regard to heritage considerations. The proposals will have a positive impact upon the character and appearance of Cleator Moor Conservation Area and will not adversely impact the setting of any nearby listed buildings and structures.

### **Copeland Local Plan 2021-2039; Relevant Policies**

The proposals have been designed to be in accordance with all relevant Local Planning Policies. The Copeland Local Plan 2021-2039, sets out the vision and overall development strategy for the Borough and how it will be achieved for the period up until 2039. The Local Plan contains the following policies that are considered relevant to the consideration and determination of this planning application.

*Strategic Policy DS1: Settlement Hierarchy* The Council will support development within the settlements specifically listed below. Development must be proportionate in terms of nature and scale to the role and function of the settlement, unless it has been identified within the Plan to meet the strategic growth needs of Plan area . The amount of development (housing, retail and leisure, employment) apportioned to each tier of the hierarchy is identified within the relevant chapter. Delivery will be closely monitored against these figures

#### **Cleator Moor**

The focus will be for town centre developments, employment development and medium scale housing extensions, windfall and infill development.

*Strategic Policy DS2: Settlement Boundaries* Settlement boundaries are identified for all settlements in the hierarchy and are shown on the Local Plan Proposals Map.

Development within these boundaries will be supported in principle where it accords with the Development Plan unless material considerations indicate otherwise.

*Policy DS4: Design and Development Standards* The Council will expect all new development to meet high-quality design standards which contribute positively to the health and well-being of residents. This means that developments must: a) Make use of existing buildings on site wherever practicable and deliverable, unless they have a negative impact upon the street scene; b) Create and enhance locally distinctive places which are sympathetic to the surrounding context of the built, historic and natural environment and local landscape character; c) Use good quality building materials that reflects local character and vernacular and are sourced locally where possible; d) Incorporate high quality, inclusive and useful open spaces; e) Create layouts that provide safe, accessible and convenient pedestrian and cycling routes that encourage walking and cycling based on Active Design principles and provide connections to existing walking and cycling routes where possible; f) Not give rise to severe impacts on highway safety and/or a severe impact on the capacity of the highway network and allow for the safe access and manoeuvring of refuse and recycling vehicles. Should a development create such an impact then mitigation measures will be sought; g) Take the needs of people with mental and physical disabilities into consideration, including through adopting dementia friendly principles; h) Create opportunities that encourage social interaction; i) Be built to an appropriate density that enables effective use of land, whilst maintaining high levels of amenity; j) Be of flexible and adaptable design where appropriate; k) Incorporate measures to design out crime and reduce the fear of crime, taking into consideration secured by design principles; l) Be laid out in a way that maximises solar gain to internal spaces to promote energy efficiency and sustainable solutions; m) Use appropriate levels and types of external lighting that does not create light pollution and helps maintain dark skies in line with up to date good lighting guidance; n) Mitigate noise pollution through good layout, design and appropriate screening; o) Address land contamination and land stability issues with appropriate remediation measures; p) Include water efficiency measures such as rainwater recycling measures, green roofs and water butts where possible and appropriate; and q) Ensure there is appropriate provision to allow residents to recycle household waste. Developers must take a comprehensive and co-ordinated approach to development by respecting existing site constraints including utilities infrastructure on site. Applications for major development proposals should also produce and include a Construction Environmental Management Plan as part of their applications.

*Strategic Policy R1: Vitality and Viability of Town Centres and Villages within the Hierarchy* The Council will seek to enhance the vitality and viability of town centres and villages identified in the settlement hierarchy by working with partners and applicants to:

- Support a network of healthy, vibrant and resilient town centres, comprised of a diverse range of retail, residential, leisure and other main town centre uses, that can effectively respond to change
- Support regeneration projects, refurbishment of buildings and public realm improvements within the retail hierarchy

*Strategic Policy H1: Improving the Housing Offer* The Council will work with stakeholders, partners and communities to make Copeland a more attractive place to build homes and live by: a) Allocating a range of deliverable and attractive housing sites to meet local needs and aspirations and ensuring they are built at a high standard, whilst protecting the amenity of existing residents; b) Supporting the renewal and improvement of Copeland's existing housing stock and finding innovative ways to bring empty properties back into beneficial use; c) Supporting proposals which aid the regeneration of the wider residential environment; d) Approving housing development on appropriate windfall sites within the settlement boundaries where it accords with the Development

Plan; and e) Ensuring a consistent supply of deliverable housing sites is identified through an annual Five-Year Housing Land Supply Position Statement

*Strategic Policy H2: Housing Requirement*

The housing requirement is for a minimum of 2,628 net additional dwellings (an average of 146 dwellings per annum) to be provided between 2021 and 2039. This figure will be used when calculating the five-year supply of deliverable housing sites in the Plan area. In order to plan positively and support employment growth over the Plan period, the Plan identifies a range of attractive allocated housing sites, which when combined with future windfall development, previous completions and extant permissions, would allow for a minimum of 3,600 dwellings (an average of 200 dwellings per annum) over the Plan period. Housing delivery will be monitored closely and where development is not coming forward as anticipated, interventions will be sought as set out in Policy H3.

*Policy H6: New Housing Development Proposals* for housing development on allocated and windfall sites will be supported in principle providing that the following criteria are met: a) The design, layout, scale and appearance of the development is appropriate to the locality. b) Development proposals clearly demonstrate that consideration has been given to surrounding natural, cultural and historical assets and local landscape character (including the impact upon the setting of the Lake District National Park and the Heritage Coast and its setting where appropriate); c) An acceptable level of amenity is provided for future residents and maintained for existing neighbouring residents in terms of sunlighting and daylighting; d) Privacy is protected through distance or good design; e) The development will have no unacceptable overbearing impact upon neighbouring residents due to its scale, height and/or proximity; f) The layout promotes active travel, linking new development with existing footpaths and cycleways, where possible; g) Adequate external amenity space is provided, including for the storage of waste and recycling bins in a location which does not harm the street scene, where possible; h) Adequate space for parking is provided, with preference given to parking spaces behind the building line to reduce street clutter, where possible; and i) The proposal does not constitute inappropriate development of a residential garden which would harm the character of the area.

*Policy H13: Conversion and sub-division of buildings to residential uses including large HMOs* The subdivision of existing properties within Copeland's settlement boundaries, including those which create Houses in Multiple Occupancy, will be supported providing the following criteria are met: a) The development does not result in unacceptable levels of harm to residential amenity (noise and disturbance) for occupiers of the converted property and/or those occupying neighbouring properties; b) Future residents have adequate levels of natural lighting and privacy; c) The development does not have an adverse impact upon the privacy of neighbouring residents through direct overlooking; d) Off street parking is provided or sufficient parking is available within close proximity of the site; e) Adequate external amenity space is provided, including for waste and recycling bin storage without harming the visual amenity of the area where possible; f) Cycle space is provided, where possible; g) Safe access is available from both the front and rear of the property, where possible; and h) The development does not result in an over-concentration of HMOs, taking into account the cumulative impacts of HMOs and subdivided properties within the vicinity of the site. Consideration will also be given to the loss of the original property and whether this supports the Housing Strategy informed by the Council's SHMA and Housing Needs Study.

*Policy BE4: Non-Designated Heritage Assets Development* should preserve or enhance heritage assets and their setting. Proposals that better reveal the significance of heritage assets will be supported in principle. Proposals affecting non-designated heritage assets or their setting should demonstrate that consideration has been given to the significance

of any heritage assets affected, including any contribution made by their setting. Where the scale of any harm or loss and the significance of the heritage asset outweighs the benefits of the proposal the development will be resisted. Where loss of the whole or part of a non-designated asset is accepted, the developer will be required to take all reasonable steps to ensure that the new development will proceed after the loss has occurred. The following may also be required: 1) An appropriate level of survey is undertaken and public record made which may also include an archaeological excavation; 2) Provision or replacement of comparable quality and design; 3) The salvage and reuse of special features within the replacement development

*Strategic Policy CO4: Sustainable Travel* Proposals must include safe and direct connections to routes that promote active travel, such as cycling and walking routes where appropriate. The Council will also support, in principle, developments which encourages the use of sustainable modes of transport, in particular: a) Proposals that have safe and direct connections to cycling and walking routes where appropriate and those that provide access to regular public transport services; b) Proposals that enable the sustainable movement of freight; c) Proposals that make provision for electric vehicles d) Proposals for the integration of electric vehicle charging infrastructure into new developments. This will have different requirements dependent on the scale of development. e) Proposals that take opportunities available to use disused rail track beds to widen sustainable transport choices, encourage active travel within Copeland and provide spaces for biodiversity. New development that would prejudice the future use of disused railway lines that are well connected either to settlements, other sustainable travel routes or key tourist facilities within the open countryside for this purpose will only be considered in exceptional circumstances. Developments that are likely to generate a large amount of movement will be required to secure an appropriate Travel Plan and be supported by a Transport Assessment in line with the Cumbria Design Guide (or any document that replaces it).

*Policy CO5: Transport Hierarchy* Where appropriate, new developments should promote the following hierarchy of users (highest priority first): a) Pedestrians b) Cyclists c) Public and community transport users d) All other vehicles Developments should be designed to maximise the use of transport modes towards the top of the hierarchy whilst always ensuring appropriate access for emergency vehicles. The needs of disabled people ought to be considered at all stages of the transport hierarchy, with appropriate provisions made to improve accessibility.

## **The National Planning Policy Framework**

The National Planning Policy Framework sets out the Government's planning policies for England. It sets out the national requirements for the planning system, but only to the extent that it is relevant, proportionate and necessary to do so.

### **Paragraph 38**

"Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible."

### **Paragraph 47**

The planning system is plan-led and that planning law requires that planning applications be determined in accordance with the development plan, unless material considerations indicate otherwise, and advises that decisions on applications should be made as quickly

as possible and within statutory timescales, unless a longer period has been agreed by the applicant in writing.

## Part 2 of the Framework

Sustainable development; as defined in paragraph 8- the three interlinked strands of social, economic and environmental objectives. Paragraph 9- the three sustainable objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework and stresses that they are not criteria against which every decision can or should be judged. Indeed, local circumstances should be taken into account, to reflect the character, needs and opportunities of each area.

## The Presumption in Favour of Sustainable Development

Paragraphs 10-14 of The Framework refer the presumption in favour of sustainable development. Paragraph 10 confirms that the presumption in favour of sustainable development is at the heart of The Framework while paragraph 11 provides the following guidance for decision makers:

“approving development proposals that accord with an up-to-date development plan without delay; or

where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: - the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

## Paragraph 12

Highlights the relationship between sustainable development principles and up to date local plans, whereby the later would normally take precedence and stating: “Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.”

## Part 5 of the Framework, Delivering a Sufficient Supply of Homes

There is an identified need to increase housing in England & Wales, and the issue is regularly discussed in the media. In this regard, paragraph 60 of the Framework clearly states that: “it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay”.

## Paragraph 62

“the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).”

## Paragraph 69

“small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly”.

## Paragraph 79

“to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. .... Where there are groups of smaller settlements, development in one village may support services in a village nearby.”

## Part 9, Promoting Sustainable Transport

### Paragraph 111

Consideration of traffic impact arising from new development, advising that “development should only be prevented or refused on transport grounds if there would be an unacceptable impact on highway safety, or the residual impacts on the road network would be severe”.

## Part 11, Making Effective Use of Land

### Paragraph 119

LPAs should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Continuing on this theme, paragraph 120 advises that LPAs should encourage multiple benefits from both urban and rural land, including through mixed use schemes; give substantial weight to the value of using suitable brownfield land within settlements for new homes; promote and support the development of under-utilised land and buildings for new homes.

## Part 12, Achieving Well Designed Places

### Paragraphs 126-136

Good design and producing high quality development are key factors of sustainable development. In this regard, paragraph 130 that decision makers should ensure that developments:

Function well and add to the long-term quality of the area;

Are visually attractive through effective architecture, layouts and landscaping;

Are sympathetic to local character and history whilst not discouraging innovation or change;

Establish or maintain a strong sense of place through street layout, spaces and building materials;

Optimise site potential to encourage mixes of development including green and public space; and

Create safe inclusive accessible developments that promote health and wellbeing.

## Part 14, Meeting the Challenge of Climate Change, Flooding and Coastal Change

### Paragraph 152

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.

## Part 16, Conserving and Enhancing the Historic Environment

### Paragraph 189

Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

### Paragraph 194

When determining applications affecting heritage assets, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

### Paragraph 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

In relation to the consideration of potential impacts; "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). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."

### Paragraph 202

Impacts amounting to less than substantial harm: "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."

## **Copeland Conservation Area Design Guide SPD (2017)**

The Copeland Conservation Area Design Guide was adopted by Copeland Borough Council as a Supplementary Planning Document (SPD) to guide future development and assist the Council in managing change within and in the setting of the eight conservation areas within the former Borough. It is a material planning consideration when determining planning applications within, or in close proximity to, a conservation area boundary.

The Design Guide aims to help property owners, designers and developers to achieve good, respectful design and thus protect the heritage interests of the conservation areas. It provides examples of authentic architectural components that contribute to the streetscape of the conservation areas and demonstrate what should be retained, and how new building elements should be designed and constructed to sensitively make their contribution whilst not harming the historic environment.

## **Material Planning Considerations**

The proposed development has been assessed against national and local planning policy and guidance and other material planning considerations. It is considered that the key planning issues relevant to the consideration and determination of the subject planning application are:-

- The principle of development;
- Sustainability;
- Design and appearance;
- Impact on the surrounding area;
- Heritage considerations;
- Accordance with planning policy;
- The planning balance.

## **The Principle of Development**

The prominently situated former public house has stood vacant for many years since the pub closed in 2006. Its external appearance is slowly deteriorating into a state of dilapidation. Given the precarious state of the hospitality sector of the economy, particularly public houses which are closing on an all too frequent basis, the bringing of the property back into use as a public house cannot be anticipated. An alternative use of the property is required. The use of the ground floor as a retail shop is considered unlikely given the economic travails facing the retail sector of the economy and it is not considered that Cleator Moor needs another hot food takeaway. Residential re-use of the building is considered to be the optimum viable alternative.

## **Sustainability**

The National Planning Policy Framework has at its heart the clear presumption in favour of sustainable development with the instruction that planning applications which propose sustainable development should be approved without delay. Paragraph 7 of The Framework advises that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 identifies three over-arching objectives to the achievement of sustainable development, namely: the economic objective; the social objective; and the environmental objective. These objectives are interdependent and need to be pursued in mutually supportive ways.

### **Economic Objective**

Paragraph 8 of The Framework defines the economic objective as follows: “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”.

The development will provide work for employees of a local construction firm and local sub-contractors. It will also provide employment for the providers of materials, fittings and fitments. In due course, occupiers will likely make use of local facilities (shops, restaurants, public houses and other services) in Cleator Moor and the wider locality, thereby improving their viability. The proposed development would thereby have a positive impact upon the local economy.

### **Social Objective**

Paragraph 8 of the Framework defines the social objective as follows: “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 well-designed, beautiful 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".

The proposed development will add vitality to the site and surrounding area and improve the character and appearance of the Town and help support a strong, vibrant and healthy local community.

The proposed development meets the social objective by providing much needed low residential accommodation.

#### **Environmental Objective**

Paragraph 7 of NPPF defines the environmental objective as: "to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy".

The site is not situated within the Lake District National Park, statutory Green Belt or within a Site of Special Scientific Interest nor is it subject to any site specific environmental or landscape designation.

The site and surrounding area lies within Flood Zone 1 and is therefore at the lowest risk of fluvial or tidal flooding. Furthermore, neither the site nor the surrounding area is at risk of surface water flooding by of flooding from reservoirs.

In light of the above, it is considered that the proposed development represents sustainable development. It accords with guidance set out at paragraphs 7 and 8 of The NPPF in this respect.

#### **Design and Appearance**

The proposals retain existing external features which contribute to the character of the building and reflect the simple functional form and traditional character of the building without significant harm to the fabric of the building or it's setting within the Cleator Moor Conservation Area.

The overall scale, form and design of the building will not alter to any great degree. The external alterations proposed, in the form of new and altered openings have also been kept to a minimum and are considered to be appropriate to the appearance and historic use of the building, having been sympathetically designed with traditional forms of window and door openings being proposed.

#### **Impact on the Surrounding Area**

The application site lies within Cleator Moor town centre, which comprises a mix of retail, commercial, business-related, cultural, leisure and residential uses. The building has stood vacant since 2006 when the public house closed, it is clear that there is no interest in re-opening the pub from another pub operator. An alternative use for the building is

required. In this regard, converting the building to residential use has been established as being entirely compatible with the surrounding area (approval 4/24/2009/0F1). Given that those proposals have been found to be economically unviable in the current climate, this latest approved flexible use will deliver the most viable and sustainable new use of the building and provide much needed residential accommodation in the area.

New alterations to existing openings have been kept to a minimum and the building is not extended. The privacy of the occupiers of nearby building will not be adversely affected. The proposals will return to beneficial use a prominent building on the High Street and will represent an enhancement to the appearance of the building.

Historically the property has been without off-street parking or servicing. Secured cycle storage is to be provided at the rear. These arrangements are considered acceptable for the proposed development. Indeed, the site lies at a sustainable location within the centre of Cleator Moor and with access to public transport via the bus stops nearby on either side of High Street. Moreover, on-street parking is available on North Street and there is a public car park off Jacktrees Road on the opposite side of High Street to the application site.

Paragraph 111 of The National Planning Policy Framework advises, “development should only be prevented or refused on transport grounds if there would be an unacceptable impact on highway safety, or the residual impacts on the road network would be severe”.

In light of the above, it is contended that the proposed development will not adversely affect the character or appearance of the surrounding area nor the amenities of the occupiers of nearby residential properties. Indeed, returning the building to beneficial and appropriate use will be to the benefit of the occupiers of nearby properties and the character and appearance of the surrounding area.

### **Heritage Considerations**

As discussed above, the proposals will rejuvenate the vacant building, a prominently situated non-designated heritage asset within the Cleator Moor Conservation Area, and will return it to a beneficial and entirely appropriate use. The external alterations proposed are considered to be appropriate to the appearance and historic use of the building, having been sympathetically designed with traditional forms of window and door openings being proposed.

In conclusion, it is contended that the proposed extension and physical alterations to the building will have a positive impact upon the significance of the non-designated heritage asset, a slight positive impact on the setting of nearby listed buildings and a positive impact on the character and appearance of the Cleator Moor Conservation Area.

### **The Planning Balance**

Section 38 (6) of the Planning and the Compulsory Purchase Act, 2004 provides that all decisions must be determined in accordance with the Development Plan, when taken as a whole, unless other material considerations indicate otherwise. Section 39 of the Act requires decision makers to exercise their functions with the objective of contributing to the achievement of sustainable development.

The proposed development has been designed to accord with all relevant policies of the Copeland Local Plan 2021-2039 and is in full accordance with the National Planning Policy Framework.

It has been demonstrated that the proposal is acceptable in principle; that it represents sustainable development; and, that it will not have any significant adverse impacts upon the building itself or the surrounding area in terms of visual, landscape, traffic and parking, surface water flooding, and other amenity, environmental, ecological or built heritage considerations.

The proposed development will not adversely impact any designated assets and there are no adverse impacts which significantly or demonstrably outweigh the benefits of the proposed development (additional residential accommodation within the town; employment creation during the conversion of the building; increased patronage of local facilities within the area and the wider locality once the property is occupied). Accordingly, paragraph 11 of The Framework directs the decision maker to approve this planning application.

## Conclusion

The building is a prominent feature on Cleator Moor High street that has fallen into disrepair and is potentially problematic for antisocial behaviour. These proposals, coupled with the Approved flexible use of the building, offer a financially viable and sustainable redevelopment and renovation of the building, which will enhance the character of the Town centre.

The site is a highly accessible town centre building, so any impact to the surrounding highways infrastructure will be minimal.

It is considered that the impact of the extension would be low and beneficial and would assist in the long-term retention and more effective utilisation of the existing building. It is therefore concluded that the proposed works satisfy relevant clauses of the NPPF and Copeland local plan.

SpencerReid always intend to have a positive and collaborative approach with the Planning Process in order to secure a successful outcome. We always seek to engage constructively to enhance proposals through dialogue, where possible.

Should at any point during the determination of this application, any concerns, issues, or questions arise, or should further information be required; please do communicate and co-operate with us to achieve the best outcome.



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