

**COPELAND LOCAL DEVELOPMENT FRAMEWORK**

**EXAMINATION OF CORE STRATEGY AND DEVELOPMENT  
MANAGEMENT POLICIES**

**BOROUGH COUNCIL  
STATEMENTS:  
MATTER 2**

**JUSTIFICATION – THE EVIDENCE BASE**

**March 2013**





## **2.1. What are the key elements of the evidence base and are there any omissions which undermine the Council's strategy?**

2.1.1 The plan comes with a suite of evidence base documents which fall broadly into three categories:

- the 'core' evidence base, comprising studies which are required or expected;
- a group of reports which inform and justify the spatial strategy; and
- a range of background documents which inform, underlie, or support understanding of policy development.

This note concerns the first two categories, the second of which is particularly significant by virtue of being a Copeland-specific set of reports, which underlie and justify the spatial strategy.

### **2.1.2 The 'core' evidence base**

This comprises the following:

**2.1.2.1 Sustainability Appraisal.** (Doc. 1.2) Carried out in line with the guidance extant at the time, and incorporating a Strategic Environmental Assessment. The Sustainability Appraisal process has been seen as part of the process of evaluating strategic options in keeping with the Sustainability Appraisal Framework objectives, which are in turn aligned with the LDF objectives in Section 3. The SA is discussed elsewhere.

**2.1.2.2 Habitats Regulations Assessment** (Doc 1.12) – a 'stage 1' or 'screening' assessment. Copeland has an extraordinary wealth of natural treasures in its mountains, lakes, rivers and the Duddon Estuary. However, there are two significant factors which combine to minimise the impact of development on the natural environment, and especially the environmental resources protected by the Habitats regulations and European and international directives governing them. Firstly, this is a small district generating a relatively small level of activity, and not likely to attract high levels of growth; and secondly, the strategy, responding to the constraints around the district, proposes development within or close to the existing 'footprint' of human activity.

The HRA screening was done 'in-house' and in close collaboration with Natural England. This enabled suggested changes in policy wording to be built in as the plan as drafted, enabling the development of confidence on the part of Natural England that a full 'stage 2' assessment would not be needed. Representation (on published draft) S056 refers.

The only known source of tension, the extraction of water from Ennerdale Water which places under stress the freshwater mussel population of the River Ehen, is currently being dealt with by the construction of water supply boreholes, under the supervision of the Environment Agency. (This is referred to in the Strategy for Infrastructure, Doc. 1.7.)

Thus it can be demonstrated, to the satisfaction of the Borough Council and the higher, specialised authority of Natural England, that implementation of the strategy will not impact on sites or species protected by the Habitats Regulations to an extent that would require a 'stage 2' Appropriate Assessment.

**2.1.2.3 Infrastructure Deficit Report** (Doc 4.2) and **Strategy for Infrastructure** (Doc 1.7). These have identified the baseline and future needs of the Borough in terms of physical, social and environmental infrastructure. The Strategy is not a 'delivery plan' as such; the Borough Council as a second tier authority does not have the resources to put together a substantial capital programme, and the probable scale and yield of development is not likely to be enough to make a major difference through developer funding for infrastructure. The Strategy for Infrastructure thus describes what is needed and how those needs might be met. It will guide future attempts by the Council to secure that investment, be it in county and public funded capital programmes, developer contributions or 'community benefit' from appropriate projects. The important point is that this work has not identified any deficiency amounting to an obstacle preventing implementation of the strategy.

2.1.2.4 Housing-related research; the **Strategic Housing Market Assessment** (Doc 7.2) and the **Strategic Housing Land Availability Assessment** (Doc 7.3). These have been carried out reasonably recently and are up-to-date. Policy in the Sustainable Settlements section is based on needs assessed in the SHMA (and the Copeland Housing Strategy), though that will be elaborated on a site-specific basis in the Site Allocation DPD. The SHLAA demonstrates that there is more than enough land to provide capacity to build the homes required by the spatial strategy.

2.1.2.5 **Strategic Flood Risk Assessment** (Doc. 10.1); this demonstrates that the areas where flood risk is a serious constraint on development are limited and do not impinge on the land supply to an extent which would undermine it. Along with quarterly meetings with the Environment Agency, the SFRA has been part of the input to 'screening out' proposed SHLAA sites.

2.1.2.6 **'PPG17' study** (Docs 7.7.1 – 7.7.3). In this instance the use of consultants enables us to be informed by an independent view of the adequacy of Copeland's recreational resources. The reports have informed the infrastructure work and, whilst they have not contributed in detail to the relevant policies (primarily SS4 and SS5, but also as an input to the formulation of the settlement hierarchy), they form an important input to infrastructure work and the emerging Developer Contributions (s.106) Supplementary Planning Document, as they will to a Community Infrastructure Levy if adopted, and the Council's response to Nationally Significant Infrastructure Project proposals (primarily, Moorside).

2.1.2.7 The **West Cumbria Retail Study** (Doc 6.5) was published in 2009. It was important that this be done as a joint exercise given the interrelationship of Whitehaven and Workington – although the latter is no bigger as a town, by virtue of its larger hinterland it has for many years operated as a higher order shopping destination. The study recommends that Whitehaven develop its 'offer' as a destination complementary to Workington based on its strength in specialised rather than multiple retailers, and that there should be an action plan for the town centre (this has been taken forward as the Supplementary Planning Document

Doc 3.3). It did not identify scope for major development in any of the centres, but rather recommended that we need to focus on encouraging “new facilities in existing centres of a scale consistent with their current role and function and which assist in maintaining their vitality and viability”.

2.1.2.8 The ***Employment Land and Premises Study*** (Doc 6.3) is discussed elsewhere, primarily under Matter 5. For the purposes of this discussion it can be noted that it provides an independent and comprehensive assessment of the supply, looking at West Cumbria (Copeland and Allerdale) as a sub-region. It concludes that, whilst there is some scope for re-allocating sites, the supply needs to be maintained at a level which will provide for an increase in economic activity.

### **2.1.3 Reports informing and justifying the Core Strategy**

2.1.3.1 Local Development Framework evidence base work has been augmented and updated by, and aligned with, research studies contributing to the production of the West Cumbria Economic Blueprint, as follows. (Note that the ‘blueprint’ research has been the result of a process which was steered jointly by Allerdale, Copeland and Cumbria Councils, and included as an early stage an appraisal of the then existing evidence base, which was found by the consultants to be broadly satisfactory, if partly in need of updating.)

2.1.3.2 ***Nuclear Topic Paper*** (Doc 6.1). This is provided primarily for information. It sets out a range of possibilities for future projects at Sellafield, encompassing developments in decommissioning, reprocessing and possibly other spheres of nuclear-related activity. It thus demonstrates prospects for continuing activity at Sellafield. If all of them happened, they would generate enough activity to produce significant growth additional to that coming from nuclear new build. But the level of uncertainty, as to how many of them will happen and when, does not provide an adequate base for positive planning beyond the policy response in policies ER1, DM1 and DM5. Even if all of them did take place, they would take place in a way envisaged by the current strategy, and they would be spread over a period which would enable us to assess their impacts in a routine review of the plan.

2.1.3.3 ***The Projections Paper*** (Doc 6.6). This is an input to work on the supply of land for housing, as well as providing a general picture on population scenarios based on various projection assumptions. There are three scenarios, all driven by projected employment in the dominant nuclear sector; a ‘baseline’ projecting a decline in employment; ‘nuclear new build’ derived from the prospect of the nuclear power station; and ‘nuclear investment’ adding assumptions based on the kind of projects identified in the Nuclear Topic Paper. The ‘baseline’ is varied according to different migration assumptions. The impact on household formation projections – on which house building assumptions are based – is demonstrated on pages 91 and 97.

2.1.3.4 Copeland Borough Council accepts the conclusions of this report with one important proviso. This is that, because the household projections are employment-driven, they assume that the assumption of growth in Allerdale and a more nuanced picture in Copeland will lead to

migration into Allerdale and out of Copeland, and in effect, that people losing jobs in Copeland and finding work in Allerdale will migrate to Allerdale. This is obviously not the case, given that most jobs in Allerdale are close to its boundary with Copeland. This is recognised in 8.20 of the report, which advocates planning jointly for West Cumbria. That is happening, and is why the proposed house building allocation for Copeland is higher than the projections in this report would suggest. (Allerdale is planning for a correspondingly smaller number than indicated.) This topic is discussed in more detail in Topic Paper 2 (Doc 1.6.2).

- 2.1.3.5 **Housing viability assessment** (Doc 7.3.1). Although this is titled as an 'update' it is a free-standing piece of work which analyses the whole supply, unlike its predecessor (not published) which only assessed a sample of sites. Its conclusions (Section 5, page 51) highlight the challenges posed to viability in the current economic climate. It estimates that only 2% of sites are viable, and a further 23% 'marginal', though on that basis it concludes that there is a 6 year supply. Looking forward the study predicts a greater level of viability based on 'market uplift'. This is in recognition of the work informing the study being undertaken at a time when the housing market was severely depressed nationally. The study also advises caution in seeking s.106 contributions.
- 2.1.3.6 The Borough Council regards the study as being unduly pessimistic, as the model is based on 'outsider' perspectives and is unable to incorporate detailed understanding of local market factors. By illustration we can point to an emerging development of 700 dwellings at a site known as 'South Whitehaven', where a local developer is willing to make s.106 contributions at a level which according to the study would make the site 'unviable'.
- 2.1.3.7 This points to an underlying factor in the Copeland housing market, which is that there is little interest from national volume house builders. We anticipate that this will change with the interest that would be generated by the influx of people into the area resulting from nuclear new build.
- 2.1.3.8 Whatever reservation there might be about the overall conclusion, the study certainly suggests a cautious approach to seeking planning gain, which is why the current approach of the Council is to produce a Supplementary Planning Document relating to s.106 contributions, but to refrain from introducing a Community Infrastructure Levy at present.
- 2.1.3.9 **Employment Land Update** (Doc 6.4). This report updates Doc 6.3 and endorses its conclusions, with some amendment.
- 2.1.3.10 **Retail Update** (Doc 6.7). The conclusions of this report are that, having looked at the 2009 retail study (Doc 6.5) in the light of the circumstances (including revised employment and household projections) in 2011, its conclusions remain broadly valid.
- 2.1.4 The Borough Council submits that the above represents an evidence base which covers all the ground it should, to an extent which is appropriate and proportionate to the requirements of preparing a planning strategy fit for the purpose of planning Copeland's future.

**2.2. Has the evidence been fully exploited in developing the policy base i.e. are there areas where detail is lacking which could otherwise help to explain or justify the Council's approach?**

- 2.2.1 The Borough Council considers that the group of documents described above represents as comprehensive and cohesive picture as the borough needs to plan effectively for the future, recognising the potential impact of proposed developments, justifying the flexibility allowed for in the land supply, and confirming that there are no serious obstacles to deliverability.
- 2.2.2 Its content has been driven by the concerns underlying the strategy, in particular the need for regeneration, the requirement to provide for a land supply appropriate to the borough's needs and with potential for upgrading the quality of our housing supply, and the necessity to ensure that we are favourably placed to respond to expected developments led by the nuclear sector.
- 2.2.3 We consider the level of detail to be appropriate, and comments on the plan have not indicated to us any evidential shortcomings.