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COPELAND CORE STRATEGY & MANAGEMENT POLICIES EXAMINATION

Inspector: Paul Crysell BSc MSc MRTPI

Dear Sir or Madam

I am the programme officer for the above Examination and will be working to the directions of the Inspector Mr Paul Crysell.

The Hearings for this Examination will commence on Tuesday 9th April at 10am. All details regarding the Hearings are in the attached notes

If you wish to participate at the Hearings and you are not listed can you advise me as soon as possible please otherwise I will presume that you do NOT wish to participate at the Hearings.

The Inspector has requested that statements are to be submitted by Friday 15 March at 5pm. Please ensure that the four HARD copies are with me on that day and the email can follow. The statements will not be viewed as submitted until I receive the hard copies.

If you wish to keep up to date with what is happening please go to the Examination website at: <http://www.copeland.gov.uk/Default.aspx?page=2548>

Finally can I ask you to give me details of your email address if you have not already provided it?

If you have any questions about the Examination please do not hesitate to contact me.

Kind regards,

Yvonne Parker,
Programme Officer, 17 January 2013

**Independent Examination of the Copeland Core
Strategy and Development Management Policies
Document**

GUIDANCE NOTE

GUIDANCE NOTE

Introduction

- 1.1 The purpose of this Guidance Note is to explain procedural and administrative matters relating to the examination of the Copeland Core Strategy and Development Management Policies Document (CSDM)
- 1.2 Hearing sessions into the Plan will commence on **Tuesday 9th April 2013**. An initial programme is attached to these notes. This may be subject to change and, if necessary, a further programme will be issued. **A pre-hearing meeting is not being held.** Participants are advised to make use of the examination page on the Council's website where further information including relevant documents can be found.

Inspector and Programme Officer

- 2.1 Paul Crysell BSc MSc MRTPI has been appointed to consider the soundness of the Plan. His role is to consider whether or not the Plan is sound and if the requirements of the relevant legislation and regulations have been met. The Inspector will focus on the soundness criteria set out in paragraph 182 of the National Planning Policy Framework (NPPF), i.e. whether the Plan has been positively prepared, is justified, effective and consistent with national policy. The Council will rely on the evidence it has collected in preparing its Plan to demonstrate its soundness. Those seeking changes to the Plan have to demonstrate why it is not sound and how the suggested changes would make it sound. The Council has submitted some Pre-Examination Changes to the Plan and further changes in response to representations. The Inspector will take these into account as part of the examination.
- 2.2 The Programme Officer for the examinations is Yvonne Parker whose contact details can be found in Appendix A. She is independent of the Council and works under the direction of the Inspector. Her responsibilities include organising the programme for the examinations, maintaining the examination library and ensuring that all documents are recorded and distributed. Documents connected with the examination process should be forwarded to her. Any procedural questions, suggestions or difficulties should be raised with the Programme Officer and, if necessary, she will take them up with the Inspector. The normal method of communication will be by e-mail and all documentation will be available electronically, accessed via the Council's web site at:
<http://www.copeland.gov.uk/Default.aspx?page=2548>

The Examination Process

- 3.1 The starting point for the examination is that the local authority has submitted what it considers to be a sound plan. The examination will focus on the Matters and Issues identified by the Inspector who will have regard to individual representations insofar as they relate to matters of soundness.
- 3.2 Those who have made representations should have already decided whether their views can be dealt with in written form or if they need to present them orally at a hearing session. Both methods carry equal weight.
- 3.3 Respondents who have not indicated a preference will have their representations treated in written form unless the Programme Officer is

informed by **Friday 1st March** that they now wish to participate in hearing sessions. Anyone who has already indicated they want to take part in the hearings should also confirm their continued participation in the process with the Programme Officer by the same date so that a final schedule of hearings and participants can be drawn up.

- 3.4 It is open to the Council and any representor to submit further statements in advance of the hearings. However this is not a requirement and you may rely on your original representations if you wish. If further statements are submitted these should focus on the Matters and Issues the Inspector identifies. Any such statements should be sent in hard copy to the Programme Officer for receipt by **5pm on Friday 15nd March 2013**. Please note it is the hard copies that are required not the email which can follow. The requirements for each statement are as follows:
- Statements should be limited to not more than 3,000 words and should relate to the matters identified by the Inspector. Generally there should be no need for appendices and no need to duplicate the content of documents already included as part of the Examination Library.
 - Four copies of each statement at A4 size are required with paragraph and page numbers included. Any plans should be folded so as not to exceed that size. An electronic version of the statement is also required in Word format with all documents being submitted to the Programme Officer. Statements should include, at the top of the front page, the appropriate Matter and Issue number, representor reference number and name of representor.
- 3.5 The need for succinct submissions is emphasised. Unnecessary detail and repetition should be avoided. It is the quality of the reasoning that carries weight, not the bulk of the documents. Nonetheless, it is vital that the fundamental elements of cases are set out clearly and succinctly – the hearings are not the place for surprises!
- 3.6 Further discussion between the Council and representors is strongly encouraged – ideally leading to statements of common ground. Please keep the Programme Officer informed about progress with preparation of such statements.
- 3.7 Representors who wish to proceed by written means do not need to take any further action; they can rely on what they have already submitted in writing. However, if any party wishes to submit further written evidence in support of their position, this should be focussed on the Matters and Issues and submitted within the same timescale.
- 3.8 Before the start of the hearing sessions the Inspector may raise questions directly with the Council on any points that are relevant to the examination. Any such exchanges of correspondence are placed on the website as examination documents.

Hearing Arrangements and Procedure

- 4.1 The hearing sessions will commence at **10.00am on Tuesday 9th April 2013**. The sessions will be held at **The Copeland Centre, Catherine Street, Whitehaven CA28 7SJ**. A short break will normally be taken mid-

morning and mid-afternoon, with a lunch break at about 1.00 pm.
Afternoon sessions will normally begin at 2.00pm.

- 4.2 The hearings are open to the public and interested persons to attend, even if they are not taking part in the discussions. Any changes to the arrangements will be advised to participants who should also keep in touch with the Programme Officer and check the examination website.
- 4.3 The hearings will generally take the form of round table sessions, providing an informal setting for dealing with issues by way of a discussion led by the Inspector. There will be no formal presentation of evidence or cross-examination. Please keep the Programme Officer informed about who will be speaking at the sessions.
- 4.4 The Inspector is required to run the examination hearings as efficiently as possible, minimising repetitious debate but allowing adequate time for discussions on key issues. The aim is for a series of focused hearings leading to the production of a short, focused report.

Site Visit Arrangements

- 5.1 The Inspector will make site inspections before and may do either during or after the hearings. Normally these site visits will be unaccompanied and unannounced unless the Inspector intends to enter private land or buildings. Requests for accompanied site inspections should be submitted to the Programme Officer. Both a Council representative and the representor will be present on all accompanied visits but these will not provide an opportunity to discuss the merits of individual sites or issues.

Close of the Examination and the Inspector's Report

- 6.1 After completion of the hearings the Inspector will submit his report to the Council with his conclusions and recommendations on any actions or changes needed. He will aim to produce his report as quickly as possible after the close of the hearing sessions.
- 6.2 The examination remains open until the report is submitted to the Council. However, once the hearing sessions are completed the Inspector can receive no further information from any party, unless it is a matter on which further comments have been requested. Any unsolicited items will be returned to the sender. The Inspector will announce the likely date of the report's submission at the end of the final hearing session.
- 6.3 If changes to the plans are recommended it is hoped that many, if not all, will be based on proposals put forward by the Council in response to points raised and suggestions discussed during the examination. The Inspector will consider suggested changes from the Council in the same way as he will consider changes put forward by other parties.

Examination Library

- 7.1 Throughout the examination process, the Programme Officer will maintain an examination library of Core Documents. The List of Core Documents will be updated as required during the process and will be posted on the examination website. Paper copies of the latest list may be requested from the Programme Officer.

7.2 Library documents will be made available for downloading on the examination website at:

<http://www.copeland.gov.uk/Default.aspx?page=2548>

7.3 The library will include:

- Development plan documents
- Background and topic papers
- Supporting core documents
- Council's evidence base documents
- Representations made at submission stage
- Position statements submitted by the Council
- Statements submitted by respondents

7.4 The library will be available for inspection at the Copeland Centre. Prior to this date appointments to view the library should be made with the Programme Officer. (See Appendix A).

7.5 Additional information can be found on the Planning Portal at:

<http://www.planningportal.gov.uk/planning/planningsystem/localplans>]

APPENDIX A

Contact details for the Programme Officer

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**Examination of Copeland Core Strategy and Development
Management Policies
Programme of Hearing sessions
April 2013**

WEEK 1	9 – 12 APRIL 2013	
Date	Matters	Participants
Day 1 Tuesday 9 April 2013 The Bainbridge Room, The Copeland Centre, Catherine Street, Whitehaven	Opening Remarks 1. Procedural Matters and Legal Compliance: 2 - Justification - The Evidence Base 3 - Spatial Portrait, Issues, Vision & Objectives 4 - Strategic Policies (ST1 – ST4)	Millom Without Parish Council NUGeneration Ltd NUGeneration Ltd National Trust REG Windpower Millom Without Parish Council Renewable UK REG Windpower Harwood Real Estate Ltd Millom Without Parish Council
Day 2 Wed 10 April The Bainbridge Room	5 – Economic Development (ER1 – ER 11) 6 – Transport and Accessibility (T1 – T2) 7 – Environmental Policies (ENV1 – ENV3)	REG Windpower National Trust Millom Without Parish Council Millom Without Parish Council National Trust REG Windpower Millom Without Parish Council
Day 3 Thurs 11 April The Bainbridge Room	8 – Sustainable Settlements (SS1 – SS5) 9 - Localities in Copeland 10 - Other Strategic Matters	Millom Without Parish Council Haile & Wilton Parish Council Seascale Parish Council REG Windpower National Trust
Day 4 Friday 12 April The Bainbridge Room	11 – Development Management Policies (DM1 – DM30) 12 – Saved Policies and Miscellaneous Items	REG Windpower Banks Group REG Windpower

Matters for Examination at Hearings

DAY 1 Tuesday 9 April 2013

MATTER 1 - PROCEDURAL MATTERS AND LEGAL COMPLIANCE

1. Has the Plan been prepared in accordance with all statutory procedures and the Regulations including appropriate consultation, in line with the Council's Local Development Scheme and Statement of Community Involvement?
2. Does the Core Strategy take appropriate account of other relevant plans and strategies?
3. Have relevant cross-border issues been adequately dealt with and is the Council satisfied it has complied with the 'duty to cooperate' and carried out the necessary engagement with other bodies?
4. Is the Plan generally in accord with the National Planning Policy Framework (NPPF) or is it likely that any potential deficiencies can be addressed?
5. What is the position and status of the North West Regional Strategy and the Cumbria Sub-Regional Strategy?
6. How has the Plan evolved in terms of the alternatives considered? How were these evaluated and have all reasonable options been examined? Are the choices made properly justified and is it clear from the SA why the preferred option has been chosen?
7. Are there any other outstanding elements or queries in relation to the SA?

MATTER 2 – JUSTIFICATION – THE EVIDENCE BASE:

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

MATTER 3 – SPATIAL PORTRAIT, ISSUES, VISION & OBJECTIVES

1. Does the Spatial Portrait provide a reasonable snapshot of the Borough and the issues facing it?
2. Is the Council's Vision and its Strategic Objectives for the Borough broadly consistent with the aspirations of local organisations and the population and do they reasonably reflect appropriate goals for the Council to pursue?

MATTER 4 – STRATEGIC POLICIES (ST1 – ST4)

1. Is the overall strategy consistent with sustainable development principles as contained in the Planning Framework (NPPF), including reference to the 'Model Policy'?
2. Are there other spatial options which would be more likely to deliver better outcomes for Copeland during the plan period?
3. Is the overall balance of growth between identified settlements clearly founded on the evidence base and is it likely to be effective in promoting sustainable development across the Borough, including the rural areas?
4. Is the spatial strategy deliverable in the plan period and have the risks to delivery been properly assessed.
5. Do the strategic policies provide sufficient clarity and detail for users of the Plan to understand the intention behind the Council's approach?
6. Is there sufficient flexibility in the CS to allow for change or unforeseen events?

DAY 2 Wednesday 10 April 2013

MATTER 5 – ECONOMIC DEVELOPMENT (ER1 – ER11)

1. Is the Council's approach to planning for the nuclear industry appropriate, flexible and deliverable?
2. Has appropriate regard been had for the role of renewable energy in contributing to economic activity in Copeland?
3. Are there sound reasons for the Council maintaining a surplus of employment land or does this inhibit the introduction of alternative uses which could make more effective and efficient use of such sites?
4. Should there be more recognition of heritage and tourism considerations in the Council's approach to economic development?
5. Is sufficient direction provided in policies ER8, ER9 and ER10?
6. Will the proposed distribution of employment land help to encourage more sustainable lifestyles?

MATTER 6 – TRANSPORT AND ACCESSIBILITY (T1 – T2)

1. Does the Plan provide a sound basis for improving accessibility in Copeland?
2. Is it feasible for the Plan to seek better connections outside the Borough (Policy T1, Section C) and how will these be realised?
3. What mechanism will be used to develop a parking strategy and how will this be implemented?

MATTER 7 – ENVIRONMENTAL POLICIES (ENV1 – ENV3)

1. Is the Council's overall approach on environmental matters consistent with the National Planning Policy Framework?
2. Is the Council's stance on Flood Risk Management adequate?
3. Is promotion of coastal areas for tourism and recreation compatible with the protection of heritage, biodiversity and landscape assets?

DAY 3 Thursday 11 April 2013

MATTER 8 – SUSTAINABLE SETTLEMENTS (SS1 – SS5)

1. Does the Plan accord with the requirements of paragraph 47 of the planning framework (NPPF) in identifying and showing how housing needs will be met, particularly in relation to the provision of a 5 year housing land supply and the inclusion of a trajectory to illustrate anticipated delivery during the plan period?
2. Are the broad objectives for housing provision likely to meet the needs of existing and future residents of the Borough?
3. Is there justification for the Council's proposal to make provision for further growth of 30% above baseline household projections?
4. Are targets for housing density and the use of previously developed land reasonable and achievable?
5. Is the intended approach to affordable housing provision sufficiently developed and one where the detail can be left for a future plan to progress?
6. Is the intended approach to Rural Exception Sites valid and supported by local communities?
7. Should more emphasis be given to allocating housing in the rural areas?

MATTER 9 – LOCALITIES IN COPELAND

1. Do the Core Strategy policies provide sufficient direction for each locality the Council identifies in the Borough?
2. Are indicative targets for housing provision and proposals for employment the most appropriate for each area?
3. Is it clear how the Council's approach to dealing with changes in the nuclear sector will impact on each locality?
4. Is there sufficient clarity regarding retail provision in the key centres?
5. Are there any outstanding policy areas in the individual localities which the Plan does not address?

MATTER 10 – OTHER STRATEGIC MATTERS

1. Will policy SS4 safeguard and improve services and facilities and ensure provision is forthcoming in the most appropriate locations?
2. Does the Plan provide sufficient clarity on developer contributions and how viability issues will be taken into account?
3. Are there any outstanding issues in relation to infrastructure provision that undermine the credibility of the Plan?
4. Are the monitoring criteria comprehensive and measurable and is there sufficient information on the level and source of finance to demonstrate that policy objectives are deliverable?

DAY 4 Friday 12 April 2013

MATTER 11 – DEVELOPMENT MANAGEMENT POLICIES (DM1 – DM30)

1. Is policy DM2 on renewable energy unduly restrictive and inconsistent with the NPPF?
2. Does policy DM3 to safeguard employment sites conflict with the position advocated in the NPPF (paragraph 22)?
3. How would alternative uses be assessed (Policy DM3)?
4. Is policy DM5 compatible with the national approach to Major Infrastructure proposals?
5. Could elements of the supporting text to policy DM6 be more usefully incorporated into the policy on retail uses?
6. Are policies for visitor accommodation (DM9) and residential caravan, mobile homes, chalets and beach bungalows (DM19) comprehensive?
7. Is there sufficient detail in policy DM13 to understand how the Council will decide what constitutes 'adequate and appropriate' external amenity space?
8. Is policy DM24 too imprecise to be effective i.e. how is 'unacceptable risk of flooding' to be interpreted?
9. Are the changes suggested by Millom Parish Council covering policies DM10/15/25/27/28 necessary to make the Plan sound?
10. Would the changes proposed to policy DM27 ensure the policy on the Built Heritage is compatible with the NPPF?

MATTER 12 – SAVED POLICIES AND MISCELLANEOUS ITEMS

1. Are there any issues associated with saved and/or superseded policies (App.1)?
2. Are there any presentational changes to be addressed (eg front cover, consequential text changes arising from adoption of DPD, etc)?
3. Does the Council have a master list of all changes incorporating those originally sought by the Council and those arising during the course of the examination hearings?