

## **Further Statement Submitted by R Mulholland Esq, Flosch Farm, Cleator, CA23 3DT**

### **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’?**

- Considered that generally the overall strategy is consistent with the policies of the NPPF.
- ST2 provides for “appropriately scaled development in defined Local Centres which helps to sustain services and facilities for local communities”. Paragraph 55 of the NPPF requires that housing in rural areas is placed where it can enhance or maintain the vitality of rural communities. We would like to see a reference to vitality and to enhancing as well as sustaining service and facilities.
- ST1 seeks to focus development on sites that are at “least risk from flooding”. We support this approach. We have some concerns however that this intent may not be followed through in practice. Does it imply that where there is a choice of more than one site for appropriate development that a sequential test should be applied? This would seem to be a logical approach to take.

#### **2. Are there other spatial options which would be more likely to deliver better outcomes for Copeland during the plan period?**

- I support the ‘concentration’ model as set out in Policy ST2, which permits appropriately scaled development in defined local centres which helps sustain services and facilities for local communities.
- Specifically, I support the designation of Cleator as a ‘Local Centre’ and the provision for the extension of Cleator by reviewing its northern settlement limits as set out in 3.4.15.
- Figure of 3.3: Housing Numbers Based on the Preferred Spread of Development in the Borough indicates development at a rate of not more than 45-60 dwellings per annum in the 16 local centres. It is considered that restrictive growth in sensitive settlements with strong housing markets is desirable. However, residential development should be enabled rather than restricted in settlements requiring regeneration, improved housing stock and a balancing of housing supply. In terms of Cleator a generous level of housing should be considered to achieve sustainable regeneration. In paragraph 3.5.10 it is noted that there is an anticipated short fall in the supply of quality housing land within Cleator Moor. Development within Cleator would help the needs in the wider sub-housing market of Cleator Moor and Cleator.

- The delivery of this northern extension to Cleator can be achieved via sites SR12 and potentially SR12a, as included in the Copeland SHLAA. I consider this the best spatial option for the development of Cleator for the following reasons:
  - Site SR12 offers a logical western extension to the defined development boundary. It will continue the northern boundary of development whilst retaining a “green gap” from the northern boundary of development up to Cleator Gate and Jacktrees Rd.
  - The site is suitable, available and deliverable within the first five years of the plan period.
  - The site benefits from an excellent existing access to the adopted highway network, utilities are available.
  - It is well located in relation to village amenities and services, with pedestrian access available to the village shop, local primary schools, churches, community halls and pubs. Access is available to the Towns by public transport, with bus stops for north and south bound travel within 500m of the site and regular services available to Egremont, Cleator Moor, West Cumberland Hospital and Whitehaven.
  - The site is low in ecological value (especially compared to other sites in the local area). It is not subject to flood risk and has no physical or financial constraints to development. Its development will not cause undue visual or landscape impact. The site’s characteristics will enable it to provide new housing in a mix and type that will enhance the character of the local area and help to deliver the Council’s housing targets in accordance with the policies and objectives for the Core Strategy.
- Spatial options should support Policy ST1 by making it clear that where there is a choice of sites available to host development the site with the lowest risk of flooding should carry a presumption in favour of development (subject to meeting requirements of the remaining local development plan policies).

**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?**

- I generally support the proposed growth distribution strategy and support the inclusion of the ‘Local Centres’ within that strategy. The inclusion of Local Centres as suitable locations for housing is critical in meeting the housing needs of rural communities and in aligning the Plan with the NPPF.
- I support the inclusion of Cleator as a ‘Local Centre’ and as a suitable location for housing growth, including both market and local needs housing.

- 3.5.10 states that the housing % figures for the Towns are not 'ceilings'. In our view the same approach should be applied to defined Local Centres, particularly where suitable and sustainable sites are available and where this housing delivery would help to deliver economic growth.

**4. Is the spatial strategy deliverable in the plan period and have the risks to delivery been properly assessed?**

- The proposal to review the settlement limits to the north of Cleator will allow for the delivery of necessary new housing to support the sustainability of the village. This review of the settlement limits is necessary to ensure the delivery of housing in Cleator as the alternate site (CS34) is constrained by flood risk, environmental and heritage issues.
- The delivery of this northern extension to Cleator can be achieved via sites SR12 and potentially SR12a.
- The alternative site CS34 cannot be relied upon to deliver housing particular in the early periods of the plan for the following reasons:

**Flood Risk**

- The site is situated in an area of high flood risk (3a) as defined by the Environment Agency.
- The Core Strategy states that new build development will not be allowed in areas at risk of flooding except for some key sites in Whitehaven (Policy ENV1). The development of new housing on this site would therefore be contrary to policy ENV1.

**Access**

- Access for development is reliant upon the creation of a new access to the A5086 on land identified for employment use (SO31). Part of this site is currently allocated for employment in the current local plan and sub-regional economic land studies (West Cumbria Employment Land Update Jan 2012) have identified this site as potentially suitable as a 'nuclear-linked' employment site, an important part of the economic development strategy in supporting the nuclear industry, a key local economic driver. As such the development of site SO31 should not be compromised by proposals for site CS34 to be developed as a housing site when other housing sites area available.

**Ecology**

- The site is located next to the River Ehen. This is a Site of Special Scientific Interest (1006660) and provides habitat for the freshwater mussel, a species listed in the EU

Habitats and Species Directive. The freshwater mussel is reliant upon the shade offered by bankside trees.

- There is extensive shade offered by the mature bankside trees on the CS34 site.

### **Viability**

- The site includes a large historic building, the Cleator Flax Mill, which was developed as a major employer from 1830. The loss of this building which has a strong historic connection to the local community and area would be a major issue.
- The renovation and inclusion of the building in a residential development scheme would significantly impact upon the viability of a scheme.
- The need to provide a new access, to address substantial flood risk and to mitigate the impact on the adjacent SSSI would all add to the development cost and undermine the viability of the site.

### **Employment Land Supply**

- Whilst Copeland shows an excess of identified employment land, with regards to B1/Office land a large percentage of this is located in one location, at the Westlakes Science and Technology Park (south of Whitehaven), suggesting possible vulnerabilities in supply elsewhere in the borough. Existing employment sites capable of providing B1 accommodation should therefore be retained for employment purposes.(ELR para.7.19).
- We consider the Council's approach is sound and that by identifying the need review the physical development limit to the north of Cleator they have acknowledged the risks of relying on CS34 to deliver housing within a Local Centre (Cleator). The Council is aware that suitable alternative sites have been advanced through the SHLAA and has responded with a policy which allows for these sites to provide for a revision of the northern boundary of Cleator and therefore the delivery of housing to support the sustainability of the village.

## **5. Do the strategic policies provide sufficient clarity and detail for users of the Plan to understand the intention behind the Council's approach?**

- It is considered that the strategic policies set out the general thrust of the Councils approach in sufficient detail.
- It is suggested that clearer links to the more detailed policies could be made within the policy or its supporting text for example a link from ST1 B ii) to ENV 1 as regards flood risk.

**6. Is there sufficient flexibility in the CS to allow for change or unforeseen events?**

- It is considered that the level of housing in the Local Centres should not be limited to 20% if suitable sites are available and deliverable, and where sites in the towns are not deliverable or viable, as this may result in under delivery in the borough as a whole.
- Where sites in the Local Centres are proposed and where they are considered suitable in terms of their location and scale of development proposed, and are in all other respects available and deliverable, they should be considered favourably.

Ends