

COPELAND LOCAL PLAN 2016 FORMAL ADOPTION

EXECUTIVE MEMBER: Cllr G Blackwell

LEAD OFFICER: M Tichford

REPORT AUTHOR: J Hughes

Summary: To consider recommendations from the Local Plan Working Party on the need for any further modifications to the Local Plan and to formally Adopt the Plan as Council policy

Recommendation:	That no further modifications are made and that the Plan be Adopted in its current form
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Impact on delivering the Corporate Plan: The Plan and subsequent Development Plan Documents are statutory requirements which will directly assist delivery of the Corporate Plan's objectives – these include a number of performance indicators

Impact on other statutory objectives (e.g. crime & disorder, LA21): The development of up to date planning policy assists a variety of social and economic strategies, particularly in the realm of regeneration and for the work which builds into the Community Strategy

Financial and human resource implications: About £7,000 of the current year's planning policy budget of £40,000 will be required to fund paper and web-versions of the Adopted Plan

Project & Risk Management: A PID document has been approved

Key Decision Status

- **Financial:** No
- **Ward:** Yes – although excludes wards within the National Park

Other Ward Implications: None

1. BACKGROUND

- 1.1 The job of replacing the Copeland Local Plan is now nearing an end. Members will recall that a schedule of Proposed Modifications was approved for consultation at the Full Council Meeting on 31st March. These were duly placed on deposit from 6th April until 19th May during which time interested parties were able to submit comments either in support or as objections. A total of 131 submissions have been received and the Council is required to examine these and to decide whether it feels it is necessary to hold a further inquiry and/or make further modifications to the plan at this stage. If the decision is that no further modifications need to be made an official notice of Intention to Adopt the plan after 28 days has to be published.
- 1.2 The decision on whether it is necessary to make further modifications and/or hold another inquiry is at the discretion of the Council as the planning authority. To be assessed, any objection has to relate to a proposed modification (or to the fact that the Council did not accept 5 of the Inquiry Inspector's recommendations) and it cannot

relate merely to the contents of the earlier Deposit Versions of the plan i.e. it cannot rake over old ground. The Council must assess whether objectors have raised material issues which were not considered by the Inquiry Inspector e.g. where entirely new proposals have been proposed as substitution for earlier plan content and new evidence is put forward. However, any new modifications proposed as a result of this exercise have to be advertised and placed on deposit for a further 6 weeks. In more complex cases if it is felt that an additional Inquiry is needed to allow a full examination of major new issues a much longer period will be required to deal with the process – a minimum of 6 months.

- 1.3 From the Council's standpoint it is essential that we achieve formal adoption of the plan before 22nd July 2006. This is when new EU directive requirements for Strategic Environmental Assessment have effect on such public plans and strategies as the Local Plan. Much more stringent tests of sustainability are involved which have to be built into the plan making process from inception. If we fail to reach the July deadline it would effectively mean that we would have to ditch the entire work programme to date and proceed directly to production of the new LDF documents. This would create a land-use policy vacuum for the best part of 3 years until the new Core Strategy and other DPDs are adopted.
- 1.4 It is in no-one's interest for this situation to arise. It would therefore take something extremely pressing and of far-reaching proportions for the Council to consider doing anything other than proceeding to the formal Adoption of the plan. The Council has comfort from the facts that:
 - The Government Office for the North West has issued a letter of support for the Proposed Modifications (and proposals not to make modifications in accordance with 5 of the Inspector's recommendations) and the Secretary of State has not issued any Direction
 - Any deficiency or omission from the plan can be reassessed fairly rapidly as part of the scheduled work on the Council's LDF during the next 3-4 years
 - In Officers' opinion there are no objections which raise significant new issues other than perhaps the requirements for higher residential densities and the phasing of new housing sites. However, these are changes made by the Inspector in accordance with national and regional policies and the Council could not make decisions contrary to these now.
- 1.5 A schedule of all the submissions received in respect of the Proposed Modifications is set out in Appendix 1. More detailed reports on the **objections** which require an assessment of case and decisions on further action are set out in Appendix 2. Each of these reports deals with a particular site or policy issue and covers the points raised by all objectors to that particular matter. They are numbered Mod1 – Mod9 and the relevant report relating to each objection in the schedule of submissions is indicated. All the reports have been assessed by the Local Plan Working Party at its meeting on 30th May and the Working Party's recommendations are recorded at the end of each report. All are for "no further modifications". Expressions of support are generally taken as read though in relation to Mod6 (Lowther Road, Millom) it has to be said that expressions of support out-number objections by 56:33.

List of Appendices

Appendix 1 – Schedule of Responses to Proposed Modifications

Appendix 2 – Reports on Responses to Objections

List of Background Documents: Copies of all the submissions received together with originally deposited documents are available for reference in the Members' Room

List of Consultees: