

**READOPTION OF POW BECK DEVELOPMENT BRIEF SUPPLEMENTARY
PLANNING DOCUMENT**

EXECUTIVE MEMBER: Councillor Cath Giel
LEAD OFFICER: Mike Tichford
REPORT AUTHOR: John Hughes

Summary and Recommendation: The Council produced a Supplementary Planning Document as a guide to the development of the Pow Beck regeneration site in Whitehaven last year. This document is to support implementation of the Council's spatial development policies in the Adopted Local Plan. After the requisite consultation processes this was adopted by Council on 6th November 2007. Unfortunately the required Adoption Statement was not advertised straight away because staff were involved on other tasks. The Regulations allow for only a 3 months period following formal Adoption for any claim by an aggrieved person for Judicial Review. This period has nearly elapsed and to meet the Regulations the decision to adopt the SPD has to be reconfirmed. Accordingly Members are requested to reaffirm Adoption of the Pow Beck SPD.

1. BACKGROUND

- 1.1 The purpose of this SPD is to assist the regeneration of the Pow Beck Valley in Whitehaven. It brings together all the previous background work undertaken here including Westlakes Renaissance's "masterplan" so as to inform developers and other interested parties of the constraints and opportunities presented by this regeneration area and to indicate the type and quality of development required by the Council. Key objectives of the Council and its partners are achieve improved sports facilities and provision for future employment development in line with the policies in the Adopted Local Plan.
- 1.2 The SPD is part of the Council's Local Development Framework and has greater weight than previous "supplementary planning guidance" because it has complied with the new requirements for community involvement and sustainability appraisal set out in the 2004 Act and Regulations and is in conformity with development plan policy. Under the old development plan system supplementary guidance was non-statutory whereas SPDs now have that status. This is very important as regards any Compulsory Purchase requirements as well as for dealing with planning applications.
- 1.3 The SPD differs from the previous "masterplan" proposals in that it does not allocate areas of the site for particular uses. Instead it rehearses th various

options for development in relation to the relevant Local plan policies and sets out the design requirements for the different forms of development. This will allow developers and landowners some latitude in how they put together their proposals but with the essential requirements of the planning system as regards tests of sustainability and public consultation having been met.

- 1.4 Summaries of the SPD itself and the Sustainability Appraisal are appended to this report. Copies of the documents in full plus the reports from the Local Development Framework Working Party on consultation, responses and changes to text are available for inspection in the Members' Room. These are the same as previously supplied to Council for the 6th November decision to adopt.

2. FINANCIAL AND HUMAN RESOURCES IMPLICATIONS (INCLUDING SOURCES OF FINANCE)

- 2.1 The Council's production costs are £28,000 for the SPD and the Sustainability Appraisal. A grant of 50% is being made from Westlakes Renaissance leaving £14,000 to come from this year's approved budget for the Local Development Framework which is £150, 000 overall. Additional advertising, printing and postage costs will amount to £1000.

3. PROJECT AND RISK MANAGEMENT

- 3.1 This is part of the Council's Local Development Framework - a statutory requirement encompassing all the Planning Policy documents to be produced by the Council. Full coverage of these aspects appear in the Council's Local Development Scheme on the web-site.

4. IMPACT ON CORPORATE PLAN

- 4.1 One of key aims in the Draft 5-year Corporate Plan is '*Creating opportunities for community involvement*'. The Statement of Community Involvement is a key document of the Local Development Framework and helps to deliver on all aspects of the core objectives and 3.3.5 in particular. Others are:
 - 1.3.10 Implementing the SCI
 - 2.2.1 Implementing the Whitehaven Regeneration Programme
 - 2.2.12 Enhancing the architectural and historic environment
 - 3.1.1 Ensuring availability of sufficient employment land

3.6.2 Assist with plans for new public leisure facilities in the Pow Beck Valley

3.8.3 Coordination of regeneration programme with infrastructure improvements via Local Transport Plan.

List of Appendices: Cumbria Wind Energy SPD Executive Summary

List of Background Documents:

- Summaries of SPD and Sustainability Appraisal as Appendices 1 and 2
- LDF Working Party recommendations and Responses Report following consultation on the draft documents

List of Consultees

(consulted in the SCI production process):

Fergus McMorrow

Martin Jepson

Hilary Mitchell

John Hughes

Tony Pomfret

Accountancy Team

Corporate Communications

Corporate Policy Team

CHECKLIST FOR KEY ISSUES

Impact on Crime and Disorder	Will be covered by appropriate planning policy documents.
Impact on Sustainability	All policy documents are required to have Sustainability Appraisals and Strategic Environmental Assessment (Section 7 of SCI).
Impact on Rural Proofing	Consultation methods tailored to different communities including rural areas as per the Council's SCI.
Health and Safety Implications	No direct issues.
Project and Risk Management	See 5.1 above.
Impact on Equality and Diversity Issues	Delivered via SCI which is based on inclusion and letting the individual have a voice.
Children and Young Persons Implications	Covered in paragraphs 8.7, 8.8 and 8.9 in SCI.
Human Rights Act Implications	Whole essence of SCI is about inclusion and letting the individual have a voice.

Please say if this report will require the making of a Key Decision YES