

Action Point No.	Matter	Action Details	Action/MM?	Target Date	Submitted Date	Examination Library Reference	Officer
Matter 1 - Procedural/Legal Requirements							
1	1	The Council is to keep the Examination up to date with progress on the additional air quality work and updated HRA, liaising with Natural England.	Action	AQ Report 17.2.23/HRA 1.3.23			LP/CH
	1	The Council is to keep the Examination up to date with progress on the Playing Pitch Strategy	Action				LP
Matter 2 - The Duty to Co-operate							
2	2	The Council is to chase United Utilities regarding the signing of the Statement of Common Ground by the close of the Hearing Sessions, at the request of the Inspector.	Action	08/03/2023			CH
Matter 3 - The Development Strategy							
3	3	Policy DS1PU -move to supporting text to avoid duplication with the Framework etc	MM	08/03/2023			LP
4	3	Policy DS2PU – review Policy with a view to moving to supporting text to avoid duplication with other policies/absence of a viability appraisal on some aspects.	MM	08/03/2023			LP
5	3	Policy DS2PU/MA-LP14 – review the evidence to support the higher National Housing Standard for water consumption, particularly in light of EA’s 2021 Assessment of Water Stress Areas Update.	Action	24/03/2023			CH/UU
6	3	If the Higher Housing Standard for water consumption is to be retained, where would it sit in the Plan given that DS2PU is likely to move to supporting text.	MM	08/03/2023			CH/UU
7	3	Policy DS3PU-Summergrove-prepare a note setting out the justification for the scale of development (80 dwellings) proposed in Summergrove given its position in the hierarchy as a Rural Village where development is advocated to be ‘small scale’, ‘limited’ and ‘primarily infill and rounding off’. In particular, the note should consider the sustainability of the proposed development in this location, bearing in mind the level of services/facilities and accessibility to public transport. It would also be useful if the note sets out the scale of development proposed (if any) in other villages within this tier of the hierarchy.	Action	07/02/2023	07/02/2023	CBC16	LP
8	3	3. Policy DS4PU -expand supporting text on the type of evidence that would be required to justify an open countryside location.	MM	08/03/2023			LP
9	3	Policy DS4PU-Frizington/Rheda: provide decision notice and red line boundary for housing commitment shown on Policies Map (to clarify quantum of housing).	Action	17/02/2023	14/02/2023	CBC18	NH
Matter 4 - The Housing Requirement							
10	4	Mr Gardner to provide job loss figures referred to in Figure 4.11 of SHMA 2021 as provided to him by DLP who prepared the EDNA.	Action	24/03/2023			CH
11	4	Council to provide note on the justification/reasoning for a higher housing requirement than the standard method, linking back to the circumstances/situation set out in the PPG where it may be appropriate to plan for a higher housing need figure. As this is not a closed list-reference may be made to other circumstances.	Action	21/03/2023			LP
12		Council to provide suggested modification to Policy H2PU Housing Delivery, to reflect discussions at the hearing session in relation to the issue of the range.	MM	08/03/2023			LP
13	4	Policy H3PU: It would be useful if the Council could provide an initial draft of the potential trigger point to invoke the higher housing figure of 200 dpa.	Action	14/02/2023			LP

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Matter 5 - Other Housing Requirements							
14	5	Policy H7PU: Reconsider the use of the term 'exceptional circumstances' ; Clarify the circumstances in which alternative evidence of need would be considered.	MM	08/03/2023			LP
15	5	Policy H7PU: Densities: evidence of densities on previous developments which informed the capacities of sites in the local plan.	Action	22/02/2023			GS/CH
16	5	Policy H8PU: Check whether the Whitehaven Sub-Area is a designated rural area	Action		14/02/2023	CBC17	LP/CH
17	5	Policy H8PU: Evidence of % of affordable housing completions on sites delivered via policy mechanism.	Action	24/02/2023			GS/LP
18	5	Policy H8PU: Check consistency of DLUC affordable housing completion figures (in HBF statement) with Council completion figures.	Action	24/02/2023			LP
19	5	Policy H8PU: Do the 10 sites identified in Appendix 15 of the viability appraisal as having greatest headroom for affordable housing coincide with areas of higher affordable housing need?	Action	24/02/2023			LC
20	5	Policy H8PU: lower site size threshold of 5 units: Is there evidence to demonstrate that sites coming forward historically and also being proposed in the Whitehaven Rural Sub-Area are generally smaller, i.e. below the 10 dwelling threshold in order to justify a lower site size threshold?	Action	24/02/2023			GS/LP
21	5	Policy H8PU-potential additional supporting text clarifying when more than 10% affordable housing may be sought-based for example around paragraphs 15.10.2-15.10.3 of the Council's hearing statement.	Action/MM	08/03/2023			ALL
21	5	Clarification to be provided on the following points: Circumstances in which an off-site contribution/different tenure split/lower proportion of affordable housing would be sought. Reconsider use of the term 'exceptional circumstances' with possible replacement wording reflecting p. 58 of the Framework in relation to the need for a viability appraisal.	Action/MM	08/03/2023			LP/ALL
22	5	Proposed main modification to H8PU (MA-LP121). The Council needs to give further thought to how a viability review mechanism would work (scale of devt-likelihood of being developed in phases etc)	Action/MM	08/03/2023			LC
23	5	Policy H9PU: 1988 Environmental Health document regarding contamination for the proposed allocation.	Action		03/02/2023	CBC15	LP

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Matter 6 - Employment Land Requirement, Supply and Distribution							
24	6	EDNA consultants/Council to prepare a note setting out how the projected additional jobs growth forecast arising from the potential increased jobs capture from the Sellafeld Supply Chain has been arrived at.	Action	24/02/2023			CH/Ext
25	6	Employment land supply: Appendix A and B of Council's Matter 6 Hearing Statement -provide updated tables referred to in hearing session.	Action	24/02/2023			CH
26	6	Check residual land requirement figure on existing industrial estates set out in Policy E5PU does not include sites with PP/under-construction. Provide updated figures in response to MIQ 6.11 to reflect any changes as a result of action points 24 and 25 above.	Action	24/02/2023			GS/CH
27	6	Policy E7PU/MA-LP57-further thought/revised text to circumstances in which alternative uses would be considered. Reflect discussions that any significant change should be through a Local Plan Review.	MM	08/03/2023			LC
Matter 7 - Retail and other main town centre uses							
28	7	Policy R6PU: Evidence re the % of non-town centre uses and non-retail uses within Whitehaven PSA at present. And if possible trends over time.	Action	24/02/2023			GS
29	7	Policy R5PU: Consider approach to development above 150sqm. Define 'small scale' below local Key service centre level (linked to action point 33 below).	Action/MM	08/03/2023			Nexus/LC
30	7	Policy R7PU: Reflect different approach to retail and non-retail uses on the edge of PSA/town centre boundaries to reflect definition of edge of centre in glossary of NPPF.	Action/MM	08/03/2023			Nexus/LC
31	7	Paragraph 11.9.3: Reflect opportunity sites in other centres such as Egremont.	MM	14/02/2023	14/02/2023	CBC19	LP
32	7	Policy R8PU: Reflect different approach to retail and non-retail uses on the edge of PSA/town centre boundaries to reflect definition of edge of centre in glossary of NPPF	MM	08/03/2023			LP
33	7	Policy R8PU: thresholds: review 'borough wide' threshold of 500 sq m. How would this apply in centres below Key Service Centres? Potential for approach to be clarified in Policy R5PU (see above)	MM	08/03/2023			Nexus/LC

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Matter 8 - Energy and Nuclear Development							
34	8	Policy CC1PU: Remove reference to 'per national policy' in 3rd paragraph	MM				LC
35	8	Policy CC1PU: Reconsider 4th paragraph relating to fully addressing the planning impacts of local communities. 'Taking account of'? Potential reference to heritage coast.	MM				LC
36	8	Policy CC2PU: Remove reference to 'per national policy' in 3rd paragraph. Reconsider 4th paragraph relating to fully addressing the planning impacts of local communities. 'Taking account of'? Potential reference to heritage coast.	MM				LC
37	8	NU1PU: Final paragraph-clarify what is meant by 'proportionate and meaningful contribution'. Differentiate between 'contributions' under planning regime and Energy Act.	Action/MM	08/03/2023			CH
38	8	NU3PU: Clarify approach in terms of what constitutes 'justifiable exceptional need case'. Review terminology, avoiding use of 'exceptional need'. Approach could reference for example a proven need for that location or the operational/functional need for the devt in that location. Work collaboratively with Sellafield and NDA to review the wording. Also clarify what is meant by a 'positive legacy'. Remove reference to pre-application advice -potentially relocate to supporting text.	MM	08/03/2023			LC/HM
39	8	Sellafield boundary: The Council is to work with Sellafield/NDA to identify potential agreed amendments to the boundary to address irregularities/tidying up. The agreed approach should be set out in a revised Statement of Common Ground. The rationale for the inclusion of the agreed areas should be set out in the SoCG. The SoCG should also clearly set out areas where there is disagreement as to whether to include land within the boundary. The parties' respective positions should be clearly set out.	Action	24/02/2023			LC/HM
40	8	Policy NU4PU: Criterion B: reconsider 'justifiable exceptional need case' as per action point 38 above.	MM	08/03/2023			LC
41	8	Action points 37-41 should be addressed by way of a SoCG between the Council/Sellafield/NDA. Ideally this should be available in advance of 9 March, particularly in respect of the boundary. 7 March would provide time for the inspector to review in advance of the site boundary. Plans should be made available to the inspector in hard copy. Please ensure the changes to the boundary and the existing boundary are clear.	Action	07/03/2023			CH/LC

42	8	Sellafield to provide a summary/short business case to support the potential need for additional land taking account of the existing processes and buildings on site; the proposed decommissioning process; potential for rationalisation of land within the existing boundary; the land requirements arising from the decommissioning process; whether any additional land would need to be included within the boundary; or whether it could be utilised but outwith the boundary and considered through the planning process.	Action	07/03/2023			CH/LC
43	8	Policy NU4PU: Criterion B: cross reference to Policies DS3PO/DS4PO-consider wording to reflect that some of the requirements in those policies may not necessarily apply given the unique nature of Sellafield (and remove PO suffix within criterion b)	MM				LC

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Matter 15 Housing Allocations							
44	15	HWH1: Check whether the viability assessment reflects that the site has been cleared.	Action	24/02/2023			CH
45	15	HWH1: Alter commencement date to 29/30 in trajectory	MM	17/02/2023			LP
46	15	HEG1: Alter start date to yr 6	MM	17/02/2023			LP
47	15	HEG2: Check whether TIA survey work incorporates/reflects school pick up/drop off times	Action	24/02/2023			CH
48	15	HEG2: Check accident record for Queens Lane	Action	24/02/2023			CH
49	15	General/HWH3: Utilising the base date of 1 April 2022 check consistency of approach -sites granted PP before the base date to be shown as an existing commitment on the proposals map. Sites granted PP after the base date to be shown as an allocation in order to avoid double counting (Amend HWH3 capacity to PP number)	Action	24/02/2023			LP/GS
50	15	Consider wording for supporting text to reflect that the principle of development would be supported on sites shown on the proposals map as extant PPs in the event that those PP should lapse (subject to the usual planning considerations).	MM	17/02/2023			LP
51	15	HCM1 alter start date to 25/26.	MM	17/02/2023			LP
52	15	HMI2: additional modification to policies map to reflect discussion re the corner of the site/green wedge	MM	24/02/2023			LP/GS
53	15	HBI2 alter start date to 26/27	MM	17/02/2023			LP
54	15	HWH5: Provide comments of Natural England and RSPB in relation to planning application and in particular the HRA issues	Action		08/02/2023	CBC21/CBC22	NH
55	15	HWH5: alter trajectory to commence 27/28	MM	17/02/2023			LP
56	15	HSE2 alter trajectory to commence 26/27	MM	17/02/2023			LP
57	15	Outstanding sites: Review trajectories to check assumptions re start dates, reflecting discussions so far - are they realistic?	Action	17/02/2023			LP
58	15	Update the trajectory as far as possible in sufficient time for the inspector to have an updated position of housing land supply to inform discussions at Matter 17.	Action	17/02/2023			LP
59	15	Review supporting tables in the housing trajectory -sites with PP/completions etc to inform matter 17 and provide an updated response to question 17.2 of the MIQs (and subsequent updates to Site Profiles document)	Action	22/02/2023			LP
60	15	HWH4: amend trajectory to reflect 25/26 start date.	MM	17/02/2023			LP

61	15	HWH6: completions-yr 4; 20 dpa (This is now a committed site with permission (linked to Action 49 above)	MM	17/02/2023			LP
62	15	HCM2: clarify what the Biodiversity Network Enhancement Zone Category 1 is and any potential implications for the development of the site.	Action	17/02/2023			LP
63	15	HCM2: Review site area and capacity (and update site profile doc and trajectory to reflect updated capacity)	Action/MM	17/02/2023			LP
64	15	HCM3 revise trajectory to reflect completions 29/30	MM	17/02/2023			LP
65	15	HCM4: Revise capacity to 65 dwgs to reflect PP (amend site profile, Policy H5 and trajectory)	MM	17/02/2023			LP
66	15	HEG3: revise to 20 dpa	MM	17/02/2023			LP
67	15	HMI 1: revise trajectory to reflect 28/29 completions	MM	17/02/2023			LP

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Matter 15 Housing Allocations - Continued...							
68	15	HDI 1: Provide map of combined sewer	Action				
69	15	HDI 1: 28/29 date for first completions	MM	22/02/2023			LP
70	15	Paragraph 13.7.9 clarify status of site profiles with a view to giving greater weight to the considerations contained within.	MM	08/03/2023			LP
71	15	Reconsider approach to housing site allocations which are also allocated open/green space. Clarification in supporting text/site profiles?	Action/MM?	08/03/2023			LP
71	15	HSB1: Clarify significance of heritage assets Pow Bridge and War Memorial (listing)	Action	27/02/2023			SW
72	15	HSB1: Review indicative yield of 58 dwellings. Can this be density be achieved whilst ensuring mitigation for heritage assets. Conservation officer to undertake a master plan approach to inform capacity.	Action/MM?	27/02/2023			SW
73	15	HSB1: Reference in the additional consideration section of the site profile document, the need for a master planning approach to the development of the site, in light of heritage issues.	MM	08/03/2023			LP
74	15	HSB1: Revise trajectory for first completions 25/26	MM	22/02/2023			LP
75	15	HSB3: Amend site profile document to say no heritage impact, reflecting HIA.	MM	08/03/2023			LP
76	15	HIA: clarify scoring system where overall Heritage Impact Score is 0 but mitigated impact is low (as with HSB3). Should the mitigated impact score be 0/none as with HWH1?	Action	27/02/2023			SW
77	15	HSE3: Site assesment profile: check requirement for pedestrian footpath; Recast requirement for pedestrian footbridge over the railway line.	Action/MM	08/03/2023			LP
78	15	HSE3: Revise trajectory to reflect first completions 28/29	MM	22/02/2023			LP
79	15	HTH1: Site assessment profile: Amend to flag up site capacity reflects smaller developable area due to potential prejudicial impact on adjacent playing field and the need for a buffer.	MM	08/03/2023			LP
79a	15	HTH1: Revise trajectory to reflect first completions 28/29	Action/MM	22/02/2023			LP
80	15	HMR2: United Utilities: Site Assessment profile-agree wording where possible re utilities/flooding with UU through SoCG or set our respective positions.	Action	08/03/2023			LP

81	15	HMR2: Revise trajectory to reflect 26/27 first completions	Action/MM	22/02/2023			LP
	15	HBE1: Revise trajectory to reflect 28/29 first completions	Action/MM	22/02/2023			LP
	15	HBE2: Revise trajectory to reflect 27/28 first completions	Action/MM	22/02/2023			LP
82	15	HBI 1: Revise trajectory to reflect 25/26 first completions	Action/MM	22/02/2023			LP
83	15	HDH 2: revised trajectory to reflect 27/28 first completions	Action/MM	22/02/2023			LP
84	15	HDH3 Revise trajectory to reflect 32/33 first completions.	Action/MM	22/02/2023			LP
85	15	HMR1: Check outline-does it define the no of plots? Potentially review capacities. Any survey work undertaken to inform potential constraints?	Action/MM?	22/02/2023			LP
86	15	HAR 1: revise trajectory to reflect 26/27 completions	Action/MM	22/02/2023			LP
87	15	HIA: Check the copy of the HIA on the Examination Website-does it show all sites, including HL01 ?	Action	22/02/2023			CH
88	15	HLO 1: Revise trajectory to reflect first completions 30/31	Action/MM	22/02/2023			LP
89	15	HSU1: Provide red line boundary of planning application; decision notice and committee report.	Action	22/02/2023			LP
89	15	HEG2: revise trajectory to 27-28 start date; review achievability of 2 sites running in tandem in Egremont.	Action	22/02/2023			LP
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Matter 16 Employment Land Allocations							
90	16	Policy E3PU Clarify 'ancillary uses' in supporting text (support active functioning?)	Action/MM	08/03/2023			CH
91	16	Provide additional explanation in relation to the sensitivity matrix. Potential inclusion of explanation as an appendix to the HIA.	Action				
92	16	Policy E4PU-supporting text-signpost to Appendix H (see minor mods MI-LP110 and MI-LP224)	MM	08/03/2023			LP
93	16	Add Policy E4PU to Appendix H	MM	08/03/2023			LP
94	16	Policy E4PU: Review potential trigger based around: completion of existing industrial estate; business need for location on Growth area; scale; fulfil the original concept of ISH; CMIQ. CBC to lead in discussion with Property team/Avison Young. Agreed approach to be set out in a SoCG.	Action/MM	24/03/2023			LC/CH/HM
95	16	Policy E5PU: Sneckyeat Road: Reduce available site area from 1.1ha to 0.35ha to reflect hospital car park.	MM	24/02/2023			CH