



# Matter 10 Hearing Statement (ID:48)

For Persimmon Homes & Charles Church Lancashire | 22-163

In relation to Copeland Local Plan Examination



Project: 22-163  
Hearing: Matter 10  
Client: Persimmon Homes & Charles Church Lancashire  
Date: December 2022  
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# 1. Response to Matter 10

**Matter 10 Natural Environment Issue – Whether the approach towards the natural environment is justified, effective and consistent with national policy?**

St Bees and Whitehaven Heritage Coast (SP Policy N7PU)

**10.14 Does Policy SP N7PU provide an effective basis for the consideration of the effect of development on the St Bees and Whitehaven Heritage Coast? Is the policy justified, effective and consistent with national policy?**

- 1.1 Section 13 of the representations submitted by Turley on behalf of Persimmon sought a change to Policy N7PU as follows:

New development within the vicinity of the Heritage Coast must conserve, protect and enhance the Heritage coast and its setting and take opportunities to encourage the public to enjoy and understand the area by improving public access and interpretation where possible. Developers should demonstrate that they have taken into consideration the features that contribute to the special character of the area and the importance of its conservation.

**Developers should also demonstrate the benefits of development proposals and the positive impacts they would bring to the Heritage Coast, which will be weighed in the balance of any identified harm, where relevant.**

Inappropriate development includes that which affects views within or towards/from the Heritage Coast.

~~Major development within the Heritage Coast is unlikely to be appropriate unless it is compatible with its special character and will only be permitted in exceptional circumstances"~~

- 1.2 In 2016 the National Trust instigated a review of the defined area of St Bees Heritage Coast and a study to make the case for extending it northwards. The focus of the study was to provide an analysis of the area northwards from St Bees Head. The review identifies local landscape and seascape character areas with shared characteristics within the area under consideration for inclusion in the St Bees Heritage Coast. The site traverses two of the landscape character areas: 7 Rhodia Site (the Phase 2 area) and 8 Kells Farmland (the Phase 1 area). The review recommended that LCA 7 is not included in the Heritage Coast. The review then recommended that part of area 8 be included in the Heritage Coast and, specifically, the fields west of the Wagon way footpath as they have a valuable coastal character linked to the cliffs.



- 1.3 At present the policy as drafted does not enable development unless it is compatible with its special character and will only be permitted in exceptional circumstances. Reference to allowing development in exceptional circumstances on landscape grounds is set out in paragraphs 176 and 177 of the Framework. However, these are specifically for National Parks, the Broads and Areas of Outstanding Natural Beauty, none of which apply to the St Bees and Whitehaven Heritage Coast which are ‘defined’ rather than designated, so there is no statutory designation process such as that associated with national parks and AONBs. Therefore, the policy is going beyond and could as drafted prevent development that could accord with paragraph 174 of the Framework. The proposed policy change would enable a balanced judgement to be taken. At present the policy is not consistent with national policy.
- 1.4 Persimmon recognise the importance of protecting and enhancing the St Bees Heritage Coast and its setting but page 14 of the Part 2: Landscape Character and Sensitivity Assessments states the character area (Area of Local Character 4i Coastal Urban Fringe Cliffs) is *“Dramatic clifftop landscape west of Whitehaven, heavily influenced by historic, now disused mining, quarrying and industry”*. It also shows the following photographs.

A) Poor definition of urban edge



B) Post industrial influence on landscape



- 1.5 Therefore, the redevelopment and remediation of the Marchon site is a major opportunity. Indeed, paragraph 49 of the Secretary of State’s decision on the coal mine stated that there would be *“some landscape benefits associated with the reclamation and reuse of the derelict Marchon site and the restoration of the Main Band Colliery site, and further agrees at IR22.15 that these benefits should be afforded moderate weight”*. The key constraint with this site is the former use and the previously developed nature of it and like the coal mine there will be a benefit to the local landscape and heritage coast from its development. This would accord with the LCA (EB35) which states that there is *“Capacity to Accommodate Change and Mitigation Potential Small scale development possible to help define urban edge, but otherwise little capacity for development without causing change to landscape qualities of openness”*. That is a judgment to be made on a case by case basis which the policy should enable that to take place.

- 1.6 The boundary for the Heritage Coast follows the existing Wagon Way footpath as it is a definite boundary in the absence of any other equivalent feature on the ground to follow to the west closer to the cliffs. We see this as an arbitrary boundary rather than a limit of development based on landscape impact. Appreciation of the extension area landscape would primarily be by users of the England Coast Path and the Secretary of State states<sup>1</sup> in the recent decision *“The main purpose of the coastal path is to enjoy views of the coast. Walkers will likely be looking out to sea and appreciating the coast itself when travelling along that path, as opposed to focusing on views of the main mine site”*.
- 1.7 There is a ridgeline which runs north-south through two arable fields to the east of this path, including the field containing the site. The proposed development would be located to the east of this break on a relatively flat plateau and views of the proposed development would be limited to roof tops of homes on its western edge. Effects on the Heritage Coast extension area are judged to be slight and negative. Again, the Secretary of State refers to the impact on the Heritage Coast on the coal mine decision. He states
- “7.150 The magnitude of visual change from the St Bees Heritage Coast specifically will not, therefore, be significant. Furthermore, as explained by Mr Flannery, there is a ridgeline along the heritage coast. The development will effectively be screened from the heritage coast itself by that ridgeline, and only visible from viewpoints on top of the ridge”*.
- 1.8 The policy as drafted would not be effective in enabling development to take place that would have a beneficial impact on the heritage coast. We therefore recommended the change to the policy as drafted in the representations.

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<sup>1</sup> Paragraph 7.151 of Decision 3271069



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