

Matter 14 Development Standards

Issue – Whether the approach towards development standards is justified, effective and consistent with national policy?

Relevant policies: SP DS5PU; DS6PU; DS7PU; SP DS8PU; DS9PU; DS10PU; DS11PU

Planning Obligations (DS5PU)

14.1 Is the approach to infrastructure provision/enhancements and planning obligations effective? Is it clear as to when contributions for the enhancement of existing or provision of new infrastructure would be sought?

14.1.1 Policy DS5 outlines the planning obligations that will seek developer contributions to infrastructure provision. The NPPF outlines that developments must be sustainable and a key element of sustainability is sufficient transportation infrastructure to facilitate the increased pressure that development produces. The specific infrastructure requirements for development sites are outlined in the Transport Infrastructure Study (EB23) that supports the Copeland Local Plan.

14.2 Does it provide an appropriate level of flexibility in terms of the impact on the viability of development proposals? Is it justified and consistent with national policy?

14.2.1 Policy DS5 outlines that viability considerations will mitigate the contributions sought from developments. This aligns with the NPPF in recognising that requirement for development may supersede the need for specific provisions. The Copeland Local Plan also instigates a viability review mechanism in such cases. This ensures that the viability of a development is accurately ascertained throughout delivery.

Design and Development Standards (Policy DS6PU)

14.3 What is the evidence in terms of the need for the higher water use efficiency standard as proposed in suggested Main Modification MA-LP36? How has the effect of this standard on viability been taken into account?

14.3.1 The Copeland Local Plan has been supported by a wide evidence base, including that submitted through representations. Main Modification MA-LP36 was produced through evidence submitted by United Utilities that highlighted the strategic importance of the higher water use efficiency standard proposed. This criterion of obligation is beholden to the same conditions regarding viability that has been discussed in reference to question 14.2.

14.4 Are the various suggested Main Modifications (MA-LP26-MA-LP37) to Policy DS6PU necessary in the interests of soundness?

14.4.1 The Council considered policy DS6PU to be sound at the point of submission. Modifications MA-LP91; MA-LP37 provide a greater degree of clarity to the policy and consequently are justified on the grounds of increasing the legibility of the policies intention

14.5 In overall terms, is Policy DS6PU justified, effective and consistent with national policy?

14.5.1 The NPPF recognises the importance of securing developer contribution to produce sustainable developments and spaces through travel plans . This is outlined in the ministerial statement . It recognises that planning obligations, in different forms specific to the space, are sometimes necessary to make a development sustainable. Policy DS6 reflects this advise and provides criterion to ensure that planning obligation to need impede developments when appropriate.

Hard and Soft Landscaping (Policy DS7PU)

14.6 Does Policy DS7PU provide an effective basis for the consideration of hard and soft landscaping within development proposals? Is it justified and consistent with national policy?

14.6.1 The NPPF recognises the importance of good landscaping design, regarding both soft and hard, in Paragraph 130. The appropriate landscaping for a development is essential to produce rational, beautiful, and sustainable places and developments. DS7PU provides a local context to ensure that the landscaping elements of developments in Copeland are resonant with the NPPF.

Reducing Flood Risk (Policy SP DS8PU)

14.7 What evidence is there in relation to flood risk and how has this informed the Local Plan?

14.7.1 The Copeland Local Plan is informed by an array of flood risk evidence. The most substantive of which is the Strategic Flood Risk Assessment (SFRA) (EB3), this evidence outlines the flood risk levels for all prospective allocations; a crucial factor underpinning the judgement process. The SFRA is supported through the Shoreline Management Plan¹ and the Cumbria Coastal Strategy².

14.8 Does Policy SP DS8PU provide an effective basis for the consideration of flood risk? Is it consistent with national policy?

14.8.1 The NPPF outlines that Local Plans must incorporate an understanding of the long-term implications for flood risks and that policies should provide appropriate measures to ensure future resilience . Policy DS8PU provides a strategic framework that secures consideration of flood risks for all developments allocated in the Copeland Local Plan, it also provides a framework to ensuring the continued development of flood defence.

14.9 Are the suggested Main Modifications (MA-LP41-LP44) necessary in the interests of soundness?

¹ <https://www.mycoastline.org.uk/shoreline-management-plans/>

² <https://www.cumbria.gov.uk/ccs/>

14.9.1 The Council considered policy DS8PU to be sound at the point of submission. Modifications MA-LP41; MA-LP44 provide a greater degree of clarity to the policy and consequently are justified on the grounds of increasing the legibility of the policies intention

Sustainable Drainage (Policy DS9PU)

14.10 Is Policy justified, effective and consistent with national policy?

14.10.1 The NPPF recognises that a key element of land-use planning responding to climate change is through sustainable urban drainage, this is outlined in criterion C) of paragraph 167. Policy DS9 in the Copeland Local Plan reflects this requirement through ensuring that all appropriate developments contain a sustainable urban drainage system. This reduces the pressure on existing drainage infrastructure and provides a more sustainable method of managing surface water. The policy provides for situations wherein a sustainable drainage system is inappropriate.

Soils, Contamination and Land Stability (Policy DS10PU)

14.11 Is Policy DS9PU justified, effective and consistent with national policy?

14.11.1 The NPPF outlines the preference for new development to provide Sustainable Urban Drainage Systems (SUDs). These systems are more effective at reducing the probability of severe floods and have additional value for biodiversity. Policy DS9PU outlines the criterion through which the requirement for SUDs will be approached for development in Copeland

Protecting Air Quality (Policy DS11PU)

14.12 Does Policy DS11PU provide an effective basis for protecting air quality? Is it justified and consistent with national policy?

14.12.1 The NPPF requires development proposals to specifically identify opportunities to improve air quality or mitigate the impacts of air pollution , through means such as traffic and travel management, green infrastructure, and the enhancement of existing measures. Policy DS11 provides an effective framework through which this national policy aim will be realised within Copeland.