

**Barton Willmore, now Stantec  
on behalf of Brookhouse Group  
Representor ID: 82**

**Examination of the Copeland Local Plan 2021-2038**

**HEARING STATEMENT – MATTER 15 HOUSING ALLOCATIONS**

*Issue: Whether the proposed housing allocations and broad locations are justified, effective and consistent with national policy*

*Relevant Policies SPH4PU; H5PU*

This Hearing Statement has been prepared by Barton Willmore, now Stantec on behalf of our Client Brookhouse Group. Our Client is an experienced national developer and investor, has several live projects in Cumbria, and has been working constructively with Copeland Council to promote housing allocation HM12 with a view to submitting a planning application on the site. Our responses to Matter 15 are made with reference to this allocation.

**Site Selection**

***15.1 Was the methodology used to assess and select the proposed site allocations and broad locations appropriate? Were reasonable alternatives considered and tested? Are the reasons for selecting the preferred sites and rejecting others clear and where is this set out?***

1. The methodology for selecting sites and broad locations is detailed in Section 8 of Document EB1<sup>1</sup>. The iterative process undertaken by the Council is appropriate and it demonstrates that all reasonable alternatives were tested and considered. The reasons for selecting the preferred sites and rejecting others are set out in Document EB39 and EB40<sup>2</sup>.
2. In the case of Millom the existing supply<sup>3</sup> would not be sufficient to support the growth strategy for Key Service Centres in Policies DS3PU and H4PU and with a lack of suitable sites within the settlement boundary<sup>4</sup> it is appropriate for edge of settlement sites to be considered. When assessing sites, the evidence base that informs the site selection process justifies that HMI2 is the most sustainable and suitable site to deliver sustainable growth in Millom and to meet the local need for market and affordable family housing<sup>5</sup>.

**Distribution of Housing (Policy SP HP4U)**

***15.2 Is the proposed distribution of housing set out in Policy SP H4PU consistent with***

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<sup>1</sup> Settlement Hierarchy and Development Strategy Paper

<sup>2</sup> SHLAA (September 2022) and Discounted Sites Document (May 2022)

<sup>3</sup> 31 dwellings based on the supply set out in Tables 5, 6 and 7, Appendix E Publication Draft Appendices Document (Document CD2)

<sup>4</sup> Based on evidence in the 2022 SHLAA (Document EB39)

<sup>5</sup> Document EB6 – Housing Needs Assessment 2020

***the settlement hierarchy set out in Policy DS3PU? How were the proportions/amounts of development for each tier of the hierarchy of settlements arrived at?***

3. The proposed distribution of housing set out in Policy H4PU is consistent with the settlement hierarchy set out in Policy DS3PU. It focuses the distribution of new development across the top two tiers of the hierarchy (i.e., the most sustainable locations) but also allows for sufficient growth in the lower order settlements to sustain the rural areas. This approach is effective, justified and consistent with the NPPF.
4. The proportion of growth directed towards Key Service Centres is based on the approach in the adopted Core Strategy. We consider this to be justified given these settlements continue to perform the same role within the settlement hierarchy. It is important that sites are allocated in each Key Service Centre to ensure the policy is effective and delivers the strategy for these settlements.

**Housing Allocations (Policy SP H5PU)**

***15.3 What is the background to the site allocation? How was it identified and which options were considered?***

5. The eastern field parcel within HMI2<sup>6</sup> was originally allocated for housing in the Copeland Local Plan 2013-2028<sup>7</sup>. This site alongside the remaining field parcels within HMI2 were identified as being deliverable in the 2012 SHLAA. The two sites were both subsequently proposed to be allocated for housing in the 2015 Site Allocations and Policies Plan Preferred Options document.
6. When the Council chose to embark on the preparation of a new Local Plan our Client submitted HMI2 as a proposed housing allocation as part of the Call for Sites process in January 2020. This submission was informed by several meetings with the Council where various technical studies and a draft masterplan were tabled and discussed, and a workable access strategy agreed.
7. Informed by this baseline evidence and engagement, HMI2 was considered as part of the 2020 SHLAA<sup>8</sup> and identified as being deliverable. Document CD4<sup>9</sup> demonstrates that HMI2 performs well against the sustainability objectives, and it is of a commensurate scale to contribute to the delivery of the growth strategy for Key Service Centres in Policies DS3PU and H5PU. Other uses on the site would not align with the development strategy which seeks to focus employment growth to the east of Millom and retail, leisure and tourism towards the town centre and coast. Set in this context, the allocation of HMI2 for housing is appropriate and justified.

***15.4 What is the current planning status of the site in terms of planning applications, planning permissions and completions/construction?***

8. Our Client is working with a consultant team to prepare the baseline information to support an application and has engaged in pre-application discussions with the Local Planning and Highways Authorities and statutory consultees (including the LLFA and UU) to discuss the design and technical matters. Our Client's intention is to commence an application shortly after the

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<sup>6</sup> Document EB39 Ref. Mi022

<sup>7</sup> Site HA31 - Adjacent to Lowther Road Estate

<sup>8</sup> Paragraph 8.2.2 Document EB1 - SHLAA Ref. Mi022 and Mi026

<sup>9</sup> Section 5.12 - Sustainability Appraisal Integrated Assessment Report – December 2021

Local Plan is adopted so development can commence either alongside or after the phase one works to improve local drainage capacity are complete.

***15.5 How were the site areas and dwelling capacities determined? Are the assumptions justified and based on available evidence having regard to any constraints and the provision of necessary infrastructure?***

9. For HMI2 the site area is based on information from the SHLAA<sup>10</sup> and an assumed density of 25dph. The indicative capacity for HMI2 is stated as being 195 dwellings in Policy H5PU. Working with the Council, our Client has prepared a draft masterplan<sup>11</sup> for the site. This demonstrates the indicative yield can be achieved and potentially exceeded whilst delivering the necessary infrastructure. The proposed indicative yield is, therefore, sound for this allocation and the flexibility in the wording allows for an uplift to this figure should it be appropriate.

***15.6 What are the potential adverse impacts of developing the site and how could these be mitigated for example in terms of transport/traffic, nature conservation, landscape and countryside, heritage assets and the impact on flood risk? Would policy safeguards and proposed mitigation be sufficiently effective?***

10. Development on HMI2 will generate additional vehicle movements on the local highway network. However, Document EB22<sup>12</sup> confirms off-site highway improvements are not expected to be required to mitigate the traffic impacts from the development of HMI2. As such, the potential adverse impacts on the local highway network are not expected to be severe.

11. Based on the studies undertaken by our Client, the hedgerows and trees within and around the field boundaries have biodiversity value. The draft masterplan at Appendix 1, demonstrates that development can be laid out to retain these features and the site of a sufficient size to provide mitigation or enhancements to achieve a net gain on site. Document CD19<sup>13</sup> provides evidence that the development of HMI2 is unlikely to lead to significant adverse effects on designated ecological sites. Nonetheless, there are policy safeguards that would be effective at requiring mitigation should any impacts be identified when an application is submitted.

12. The plan on page 5 of Document EB37<sup>14</sup> confirms HMI2 provides the opportunity to define the edge of the settlement without having an adverse impact on the landscape character of Millom. There would, therefore, be no adverse impacts on the landscape from the development of HMI2. The draft masterplan at Appendix 1, also demonstrates that a strong landscape buffer can be incorporated to soften the development edge and to ensure the amenity of future occupiers are not adversely by noise from the railway line.

13. Document EB42<sup>15</sup> provides evidence that HMI2 will have little or no impact on heritage assets. Any potential impact on the non-designated heritage assets at Moor Cottages and Oxenbow Farm can be effectively mitigated through the layout and appropriate landscaping. Nonetheless, there are effective policy safeguards to ensure development would conserve the setting of heritage assets.

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<sup>10</sup> Document EB39 – SHLAA Mi022 1.02ha and SHLAA Mi026 6.79ha. Total: 7.81ha.

<sup>11</sup> Appendix 1

<sup>12</sup> The Stage 2 Infrastructure Delivery Plan

<sup>13</sup> Habitat Regulation Assessment

<sup>14</sup> Part 3 Landscape Character Assessment Settlement Study

<sup>15</sup> Heritage Impact Assessment

14. From a flood risk perspective, the Site lies within Flood Zone 1 on the Environment Agency flood risk map and is at the lowest risk of flooding. However, Cumbria County Council (CCC) have advised that a drainage solution needs to be secured to address pressure on the dual foul and surface water system in Millom prior to allocations HMI1 and HMI2 (or any new development) being developed. Our Client has worked alongside CCC and UU to develop and agree a scheme of works. Based on the timescales outlined in Document DTC5<sup>16</sup> there is a high degree of certainty that this will be secured prior to the adoption of the Local Plan and certainly within the Plan period. The implementation of these works will improve drainage capacity to meet the urgent need for new homes in Millom within the Plan period.

***15.7 What are the infrastructure requirements/costs and are there physical or other constraints to development? How would these be addressed?***

15. The potential infrastructure required to support the development of site HMI2 is summarised in Document EB23B<sup>17</sup>. This identifies a need for improvements to the neighbouring bridleways, a contribution to a new local bus service between Millom and Haverigg including the provision of bus stops and a toucan crossing on St Georges Road in proximity to Church Walk.

16. Our Client supports the need to encourage active travel in Millom. However, we understand that funding has already been secured as part of the Millom Town Deal to improve pedestrian and cycle routes between Millom and Haverigg and to improve provision for pedestrians in the town centre including along St Georges Road. Work is understood to be progressing to deliver these projects. We would, therefore, question whether our Client would still need to contribute to improving this infrastructure. Nonetheless, this can be determined under Strategic Policy DS5PU at the planning application stage.

17. Our Client acknowledges the ambitions for a new local bus service between Millom and Haverigg. However, we note from Table 6 of Document EB22<sup>18</sup> that the number of trips by bus generated by HMI2 is estimated to be 7/day. This level of demand is not of a scale that would justify our Client funding a new bus service and providing new bus stops. An assessment of demand for a bus service will need to be undertaken at the planning application stage to understand the potential for improvements to bus infrastructure. Any proportionate contribution would be negotiated under the remit of Strategic Policy DS5PU.

18. As demonstrated by the draft masterplan<sup>19</sup> there are no physical constraints to the development of the site.

***15.8 Is the development proposed viable and deliverable within the plan period?***

19. Document EB20<sup>20</sup> suggests that the viability of HMI2 is marginal. However, this assessment only provides a relatively high-level overview of viability and in the case of Millom it is acknowledged that in the absence of new development there will be some pent-up demand particularly for larger family housing with gardens and as a result HMI2 higher values could be achieved. Our Client is an experienced national housebuilder with several live projects in Cumbria. They are

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<sup>16</sup> Ref 57 Appendix A of the Cumbria County Council Statement of Common Ground

<sup>17</sup> Transport Improvement Study Scheme Proformas

<sup>18</sup> Infrastructure Delivery Plan Stage 2 – January 2022

<sup>19</sup> Appendix 1

<sup>20</sup> The Stage 2 Viability Assessment

confident that when applying reasonable assumptions to planning obligations, costs of onsite infrastructures and a policy compliant level of affordable housing this site would be viable and for the reasons set out in our response to questions 15.6 and 15.9 the site is deliverable within the plan period.

**15.9 What is the situation in relation to land ownership and developer interest?**

20. Our Client is the promoter and developer for HMI2 and they have entered into a formal and legally binding contractual agreement with the landowner to deliver housing on the site. Their commitment to delivering the site has been demonstrated through its continuous promotion through the Local Plan process and ongoing discussions with the Local Planning Authority and statutory consultees.

**15.10 What is the expected timescale and rate of development and is this realistic?**

21. The expected timescales and rates of delivery for HMI2 are set out Table 4 of Appendix E of Document CD2. For ease of reference these are replicated in Table 1 below.

*Table 1: Extract of Annual Delivery of HMI2 from Table 4, Appendix E, Publication Draft*

<b>Year</b>	<b>Number of Units</b>
2020/21	0
2021/22	0
2022/23	0
2023/24	0
2024/25	0
2025/26	24
2026/27	24
2027/28	24
2028/29	24
2029/30	24
2030/31	24
2031/32	24
2032/33	24
2033/34	3
2034/35	0
2035/36	0
2036/37	0

22. Our Client considers HMI2 to be available and suitable for development now with technical work either complete or significantly advanced. The principles of the design have been discussed and agreed with the Council and as set out above the drainage solution is agreed and expected to be secured prior to the adoption of the Local Plan. Our Client proposes to submit a planning application shortly after the adoption of the Local Plan and anticipates that this could be determined by early 2024 based on the estimated timescales for adoption<sup>21</sup>. Following the discharge of relevant pre-commencement conditions, our Client anticipates that homes could start to be delivered late in 2024 at which point the works required to improve the local drainage

<sup>21</sup> July 2023 – Document CD21 Local Development Scheme

capacity are expected to have commenced or be completed.

23. Whilst the proposed annual delivery rate of 24dpa is a realistic baseline assumption, based on their experience elsewhere in Cumbria our Client expects to be able to deliver homes on HMI2 at a rate of 36dpa, particularly given there is a pent up demand for housing in Millom. Set in this context, we consider the annual delivery rates set out in Table 2 below to be more realistic and the housing trajectory<sup>22</sup> for HMI2 should be amended accordingly.

*Table 2: Proposed Housing Trajectory for Allocation HMI2*

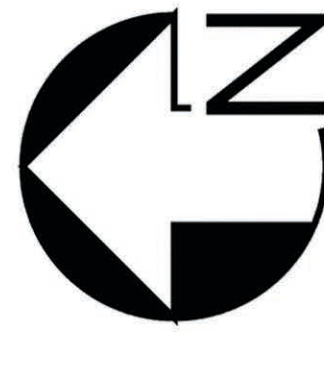
<b>Year</b>	<b>Number of Units</b>
2020/21	0
2021/22	0
2022/23	0
2023/24	0
2024/25	10
2025/26	36
2026/27	36
2027/28	36
2028/29	36
2029/30	36
2030/31	5
2031/32	0
2032/33	0
2033/34	0
2034/35	0
2035/36	0
2036/37	0

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<sup>22</sup> Table 4 of Appendix E of Document CD2

**APPENDIX A: DRAFT MASTERPLAN**





MOOR FARM, MILLOM - ACCOMMODATION SCHEDULE

NAME	BED NO.	HOUSE TYPE	NO.	SQFT (GROSS)	TOTAL SQFT
Type E18	2	Semi Det.	30	757	22710
Type D18	3	Semi Det.	52	935	48620
Type D18	3	Detached	18	935	16830
Type E18	3	Semi / Detached	15	908	13620
Type G18	3	Detached	21	1045	22385
Type H18	4	Detached	21	1284	26934
Type L18	4	Detached	19	1291	24529
Type U18	2	Bungalow	18	773	13914
<b>TOTAL</b>			<b>204</b>	<b>198952</b>	<b>397952</b>