

## Matter 15 Hearing Statement (ID:48)

For Persimmon Homes & Charles Church Lancashire | 22-163

In relation to Copeland Local Plan Examination



**Project:** 22-163  
**Hearing:** Copeland Local Plan Examination  
**Client:** Persimmon Homes & Charles Church Lancashire  
**Date:** December 2022  
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# 1. Response to Matter 15

## Matter 15 Housing Allocations Issue – Whether the proposed housing allocations and broad locations are justified, effective and consistent with national policy?

1.1 The sites relevant to Matter 10 to which Persimmon Homes have an interest are:

- HWH5 - Former Marchon Site North; and,
- HSE2 - Fairways Extension.

1.2 The representations at Submission stage also supported HWH4 but that is a site no longer being promoted by Persimmon. There were also three omission sites submitted but given that omission sites are not within the scope of the Examination at this stage, these are not considered further in this statement.



## 2. HWH5 Former Marchon Site North

- 2.1 Permission supports the allocation of HWH5 and we do not repeat the detailed submission in Section 7 of the representations which we will rely on at the Examination. In answer Questions 15.3 to 15.10 of the MIQs we set out any updates from those representations or answer specific points.

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

- 2.2 The Former Marchon Site North is a large longstanding vacant previously developed site. In the Copeland Local Plan 2001-2016, the site was part of an Employment Opportunity Sites under Policy EMP3. That policy stated that *“These areas are being investigated as to their future development potential and contribution they can make to the regeneration strategies in the Borough”*. At Preferred Options, the site was allocated (HWH5) in Policy H5PO (Housing Allocations) for 532 dwellings which was then carried forward into the Submission Plan.
- 2.3 Since the former use closed some 20 years ago, the site has remained undeveloped despite being identified as an opportunity area for employment and leisure in the 2001 Local Plan. A residential development is the only viable solution for this part of the site. The land to the south has recently been approved by the Secretary of State for a new underground metallurgical coal mine and associated development.

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

- 2.4 Persimmon Homes submitted a planning application (4/21/2432/0F1) in September 2021. The hybrid application seeks full planning permission for the erection of 139 residential dwellings (C3), new vehicular accesses off high road, public open space and ancillary infrastructure and outline planning permission for residential development units, retail (E(A,B,C,E,F), F2(A) and ancillary infrastructure with all matters reserved other than access. The application is yet to be determined as further site investigations are ongoing and once complete there will be a need for reports to be updated including a viability assessment.

### 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?

### 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

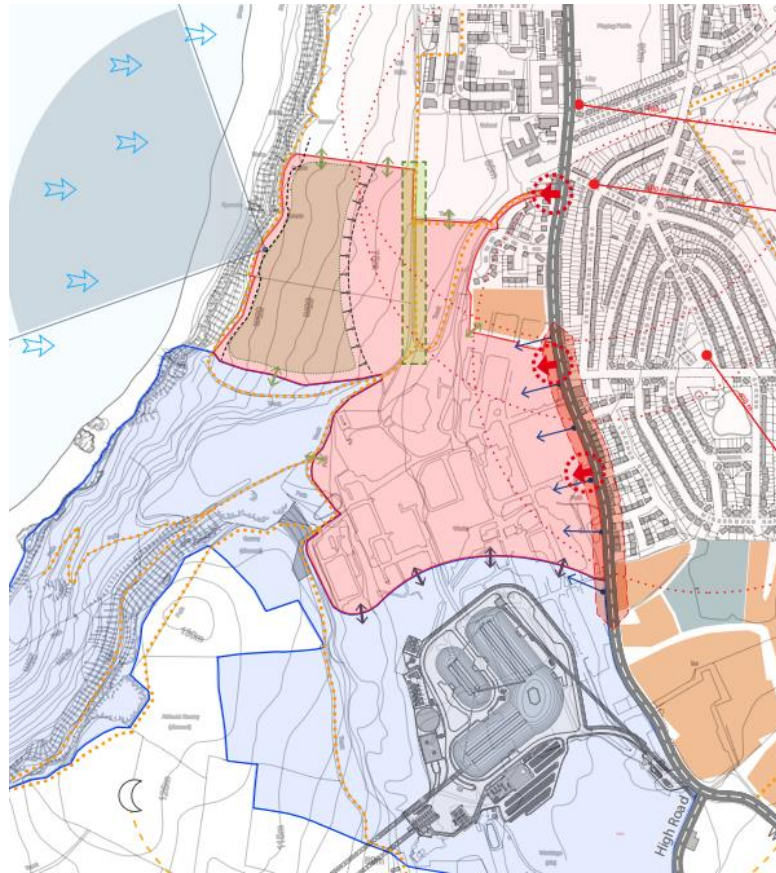


assets and the impact on flood risk? Would policy safeguards and proposed mitigation be sufficiently effective?

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

- 2.5 We consider these three questions together.
- 2.6 The current hybrid planning application is for 550 dwellings, with 139 dwellings proposed as part of a full application and the remainder in outline. An initial layout prepared by Persimmon shows some 370 dwellings on the outline site but that will be refined should the hybrid application be approved. The SHLAA assesses the site with a capacity of 532 dwellings but that is based on the allocated site and not the application site.
- 2.7 The Housing Allocation Profile does not raise any adverse impacts from developing the site and the suite of environmental and technical documents submitted with the application also demonstrate this. The profile does state that development should respect and enhance the site's coastal location and pedestrian links should be created between the site and coastal paths as well as a suitable landscape buffer is required between the site and the proposed metallurgical mine (now approved) to the south. The Design and Access Statement submitted with the application visually shows the opportunities and constraints which can be seen from the extract below.





2.8 Therefore, the redevelopment and remediation of the 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. The development of the greenfield element will also assist with the remediation of the previously developed element as it can import soil to replace the polluted ground that has to be removed.

2.9 Part of the application site would extend onto the fields to the west of the Wagon Way footpath which is part of the extended Heritage Coast (as proposed). 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*

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

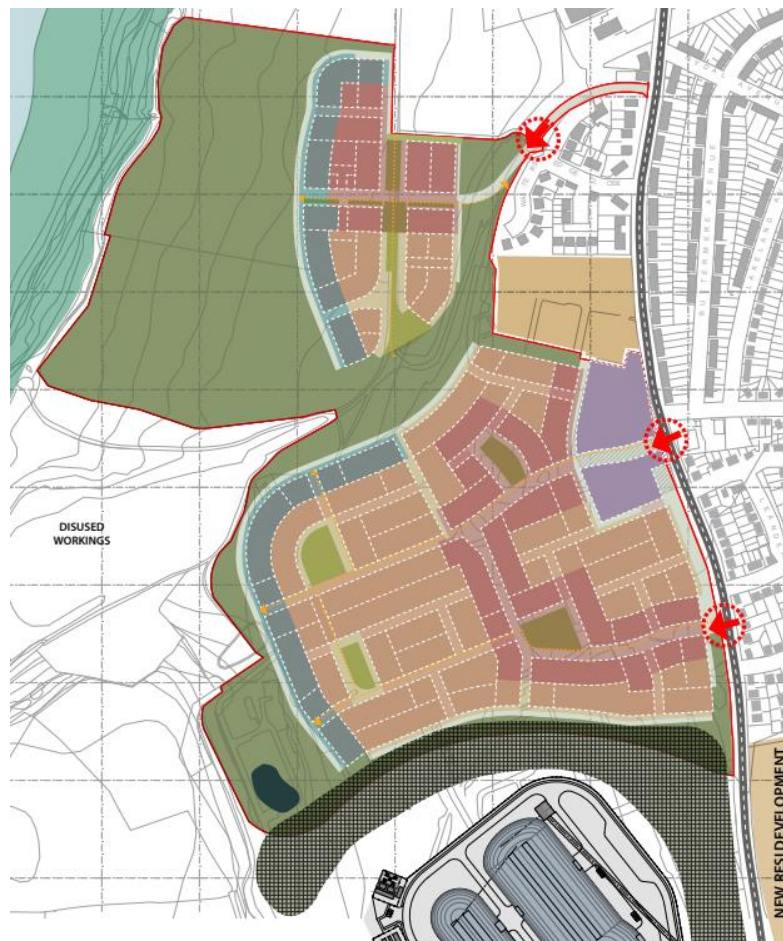


sea and appreciating the coast itself when travelling along that path, as opposed to focusing on views of the main mine site”.

2.10 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. 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”.

2.11 The Design and Access Statement shows how the site would be developed should the application be approved. We consider that the allocation should be amended accordingly.





2.12 It should be noted that the Secretary of State allowed the application for the coal mine which is to create 532 jobs<sup>2</sup>. In paragraph 56 of his decision, the Secretary of State states:

“56.For the reasons set out in IR21.246-21.250, the Secretary of State agrees with the Inspector that on the basis of the evidence provided there are no justifiable reasons to suggest that the job numbers identified in the Applicant’s ‘Operational Organagram’ may be incorrect (IR21.246). He further agrees with the Inspector that many of these jobs would be skilled and well-paid jobs, and that the jobs provided by the proposed development would make a significant contribution to the local economy, both directly and due to a multiplier effect (IR21.247).”

2.13 Given the location of HWH5, this will be a key site to help meet the housing needs of those to be employed at the Colliery.

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

2.14 Persimmon considers that the application site can be delivered but given that it is for the redevelopment of a longstanding vacant site, there is likely to be an impact the ability of the site to deliver additional affordable units into the market. A full viability assessment will be provided to support the planning application but for the purposes of this Examination the proposed 532 dwellings are deliverable. If viability is an issue then that will be considered against the relevant policy, for example Policy DS5PU (Planning Obligations) through the application.

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

2.15 The site is controlled by NPL Group who specialise in regeneration and remediation of sites. Persimmon has an option on the site to progress with a planning application on the site and deliver the proposed homes.

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

2.16 Table 4 of the Plan sets out that 35 dwellings would be built on the site from 2023/24 with development continuing to the end of the plan period at that same rate of 35 dwellings per hectare. Give the current planning application we would not expect a planning consent on the site until mid-2023 at the earliest. Given the remediation then required, we would not expect first completions until 2024/25 at the earliest. This would push the site back in the housing trajectory by at least 35 dwellings, although the current build rate for Permission for the site would be between 35 and 40 dwellings so we would still expect the allocation to deliver in full in the plan period.

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<sup>2</sup> Paragraph 21.246 of Decision 3271069



### 3. HSE2 - Fairways Extension

- 3.1 Permission supports the allocation of HSE2 and we do not repeat the detailed submission in Section 8 of the representations which we will rely on at the Examination. In answer Questions 15.3 to 15.10 of the MIQs we set out any updates from those representations or answer specific points.

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

- 3.2 The Fairways Extension site forms part of a larger site that has previously had planning permission for the construction of 33 dwellings (ref: 4/11/2568/0F1), which have been constructed on land adjacent to Links Crescent. The extension site provides the opportunity for a second phase of residential development in a sustainable location on the edge of Seascale. The area currently proposed for allocation was included within the red line of the planning application and survey work undertaken for that work concluded that there were no constraints to development on the area currently proposed for allocation.

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

- 3.3 There is no planning application at present but the SHLAA confirms the site is deliverable.

#### 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?

- 3.4 Given the limited size of the site (0.88 hectares) and the need for ecological enhancements and potential mitigation for the playing field, the proposed 22 dwellings would be appropriate. We suggest that for this site and other allocation that the figures are set out as around figures to provide flexibility at the detailed design stage.

#### 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?

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



3.5 There are no constraints that would make land unsuitable for housing development. It is also located in a sustainable location for housing development.

3.6 As a result, it is considered clear that the site is suitable for a housing allocation in the emerging Local Plan.

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

3.7 Given that this is an extension to the development to the south, Persimmon considers that the site is viable and can be delivered for the 22 dwellings proposed.

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

3.8 The site is owned and controlled by Persimmon. There are no legal or ownership restrictions affecting the land that would preclude or delay delivery.

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

3.9 Table 4 of the Plan sets out that 12 dwellings would be built on the site in 2023/24 and 10 dwellings in 2024/25. Given that the site does not have a current planning application we would not expect a planning consent on the site until late 2023 at the earliest. We would expect first completions in 2024/25 at the earliest. This would push the site back in the housing trajectory by at least 12 months but the site would still deliver in the 5 year period.



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