

Matter 3 - The Development Strategy

Issue: Whether the development strategy is justified, effective and consistent with national policy

Relevant Policies: SP DS1PU; SP DS2PU; SP DS3PU; DS4PU

3.1 Is it necessary for Policy DS1PU to repeat the presumption in favour of sustainable development set out in the National Planning Policy Framework (the Framework)?

- 3.1.1 Policy DS1 provides a strategic impetus for the Copeland Local Plan which guides the Local Plan as a whole.
- 3.1.2 As outlined in paragraphs 5.2.3 and 5.2.4 of the Local Plan Publication Draft (CD1) the purpose of including this policy is to outline the Council's commitment to supporting sustainable development as outlined in Paragraph 11 of the NPPF, and also commit to proactively work with developers at an early stage to improve the quality of planning applications and development in the borough. As such, it provides an important referencing frame beyond its standardised usage within the NPPF¹.

3.2 Does Policy DS2PU provide an effective framework to reduce the impacts of development on climate change? Has the potential effect of the policy on the viability of development been assessed?

- 3.2.1 The Council considers that the policy provides an effective framework to reduce the impacts of development on climate change, particularly when considered alongside the rest of the Local Plan policies.
- 3.2.2 The NPPF outlines that a key element of securing the principle of sustainability is environmentally considerate planning. The Local Plan contains important references and actions regarding the mitigation of and adaptation to climate change. Policy DS2, is a strategic policy that outlines a key strategic vision for Copeland's mitigation of and adaptation to climate change. This policy is informed through the findings of the Copeland People's Panel for Climate Change and sets the high level scene for the detailed policy framework later in the Plan.
- 3.2.3 The policy does not contain a list of requirements, rather a list of measures that developers are encouraged to incorporate within their developments to reduce their environmental impact. Given this, the policy will not have a detrimental impact on Local Plan viability.
- 3.2.4 It should be noted that not all measures will be appropriate for all proposals. The Viability Study (EB20) considers the costs associated with a number of the listed measures on viability, such as water attenuation measures and electric vehicle charging points. It also highlights where there is "headroom" or surplus GDV to provide additional measures listed on allocated sites.

¹ NPPF (2021) Chapter Two: "Achieving Sustainable Development".

3.3 Is there evidence to support the proposed higher National Housing Standard for water conservation and BREEAM rating of excellent in new non-domestic buildings as proposed in suggested Main Modification MA-LP14?

- 3.3.1 Ensuring high-quality development, which utilise high water efficiency, is given preference within the NNPF². United Utilities provided evidence supporting the standards outlined for water conservation and BREEAM ratings as part of their response to the Local Plan Publication Draft (CD13).
- 3.3.2 United Utilities identify that Copeland falls within an area of “moderate water stress”, water scarcity/stress occurs when demand is high compared to the water available. They also identify the importance of water efficiency standards within new homes as a key means through which to safeguard against this water supply issue. Copeland Borough Council has reviewed this evidence and considers it sufficiently robust to inform criterion 5) of DS2PU; the Council agrees that BREEAM standards are an important means to secure sustainable development.

3.4 Is the methodology set out in the Settlement Hierarchy and Development Strategy Paper (updated) and Village Services Survey sound? Do they provide an appropriate basis to inform the settlement hierarchy in Strategic Policy DS3PU? How does it differ from the approach taken in the Copeland Local Plan 2013-2028 Core Strategy and Development Management Policies (the Core Strategy) 2013?

- 3.4.1 The methodology used to produce the settlement hierarchy is considered to be sound and follows good practice used by other authorities.
- 3.4.2 The Core Strategy contains a limited settlement hierarchy of the Principal Town (Whitehaven), Key Service Centres and Local Centre villages which were generally larger villages and determined purely by the number of services in that village or pair of villages. Feedback from developers³, and some communities, was that it was too restrictive and a small amount of development in more villages could help support sustainable rural communities.
- 3.4.3 In 2020, the Council reviewed the extant settlement hierarchy and underpinning strategy, to determine its resonance with the NNPF. It was determined that a new settlement hierarchy was necessary. This process is detailed in the Development Strategy and Settlement Hierarchy paper (EB1).
- 3.4.4 The Council has carried out Village Services Surveys (EB2) for a number of years to help understand the level and range of services in rural communities, and also to understand changes over time. This gave a basis for producing a new settlement hierarchy and development strategy.
- 3.4.5 Section 5 of the Settlement Hierarchy and Development Strategy Paper (EB1) outlines the stages undertaken and elements considered when defining the hierarchy, including the

² NNPF (2021). Paragraph 20, Criterion B).

³ For example, through consultation on the Local Plan Issues and Options and Preferred Options Drafts

settlement's form, service provision, public transport and the potential for clustering of settlements.

3.4.6 Also, rather than just list services, the new strategy adds a relative value to each type of service in order to give more scope for differentiation of those community services that help make places more sustainable and that help encourage social interaction. This is shown in Table 2 in the Settlement Hierarchy and Development Strategy Paper (EB1). Appendix B in the paper then highlights the overall 'score' which then allowed each village to be placed into a hierarchy.

3.4.7 The new settlement hierarchy, and the Settlement Hierarchy and Development Strategy Paper (EB1) that informed it, were subject to public consultation at the Preferred Options stage, where feedback was considered and adjustments made as appropriate. Any significant proposed changes were also subject to further public consultation as part of the Focused Pre-Publication consultation in September 2021. These included the reclassifications of Drigg and Holmrook as separate settlements (rather than forming a cluster), and other settlement alterations detailed in the supporting consultation statements.

3.5 Does Policy DS3PU provide an appropriate Framework to guide development in the Principal Town, Key Service Centres, Local Service Centres, Sustainable Rural Villages and Rural Villages?

3.5.1 In accordance with the National Planning Policy Framework (NPPF), Local Plans must support sustainable development and meet identified housing needs as a minimum⁴. Producing a development strategy, based upon a settlement hierarchy, is a useful way of identifying the most sustainable parts of the Borough for development and the scale of development that should be directed there.

3.5.2 The Council's preferred approach continues to direct the greatest proportion of development to the Borough's main town Whitehaven. This approach then allocates a progressively lower degree of development as the hierarchy descends. It provides a clear high-level strategy for the type and scale of development in each tier of the hierarchy, and forms the basis for the detailed, topic specific policies (E2PU, R2PU, H4PU) later in the plan.

3.6 Is it clear the scale of development which will be allowed within each tier of the hierarchy? Does the level of growth proposed in each area reflect the housing and employment needs in the different parts of the Borough?

3.6.1 In accordance with the National Planning Policy Framework (NPPF), Local Plans must support sustainable development and meet identified housing needs as a minimum. Producing a development strategy, based upon a settlement hierarchy, is a useful way of identifying the most sustainable parts of the Borough for development. The proportion of development is divided between these locations in a manner which reflects the needs, service provision and scale of development which can be facilitated within each.

⁴ NPPF (2021) Chapter Five: "Delivering a Sufficient Supply of Homes".

3.6.2 This allocation process was informed through the evidence base underpinning the availability and deliverability of housing and employment land (both extant and prospective) that was identified within the SHMA (EB4), SHLAA (EB7), Housing Needs Assessment (EB6), and ELAS (EB16). This provides a high level strategy for each tier within the hierarchy and forms the basis for topic specific policies (such as E2PU, R2PU, and so on).

3.7 Are the suggested Main Modifications to Policy DS3PU justified? Are they necessary in the interests of soundness?

3.7.1 The Council believes Policy DS3PU to have been sound at the point of submission. The modifications are justified as these corrections ensure the legibility of the policy in several key strategic areas.

3.7.2 Modifications MA-LP17 and MA-LP18 will ensure it is clear that appropriate windfall and infill developments will be supported in the lower two tiers. At present, the policy as worded in the Publication Draft suggests that such development will only be supported in the towns and Local Service Centres.

3.7.3 Modification MA-LP19 is suggested for clarity. It will ensure that the reader is clear about what types of development will be permitted within that tier of the hierarchy.

3.8 What is the basis of the proposed settlement clusters?

3.8.1 The Core Strategy identifies a number of settlement clusters; these are villages which are in close proximity to each other. The approach is discussed further and critiqued in paragraph 5.1.9 in the Settlement Hierarchy & Development Strategy Paper Update (EB1).

3.8.2 When developing the settlement hierarchy for the new Local Plan it became clear that a review of existing settlement clusters was required in order to bring the hierarchy in line with the NPPF which places a greater emphasis on sustainability and reducing the need to travel⁵.

3.8.3 The approach taken considers whether the settlement is connected to any other settlement in terms of public transport and safe walking routes. It is considered to be more robust than the approach in the Core Strategy as it considers the ease and quality of connection between settlements, rather than proximity alone.

3.8.4 A safe walking route is considered to be one which has a continuous pavement and street lighting in order to be suitable for a number of users.

3.8.5 When determining what constitutes a reasonable distance, national guidance documents were taken into account; these are listed in document EB1, Appendix E. Planning for Walking is the most up-to-date of the three documents listed and suggests a mile is a reasonable distance that people would walk to access services. In order to form a cluster the closest edges of the settlements therefore need to be a mile apart or less.

⁵ NPPF Paragraphs 79, 105

- 3.8.6 The following extracts, taken from the Settlement Hierarchy & Development Strategy Paper Update (EB1) demonstrate which factors were taken into account in terms of public transport when determining whether a settlement formed part of a cluster:

“As well as considering pedestrian links, public transport provision was also assessed when identifying settlement clusters.

Whilst there are a number of bus services connecting towns and villages, service provision is subject to change therefore a bus link between two settlements was not considered to be enough to define a cluster.

The railway line through Copeland is an important link between settlements. Consideration was given to whether the settlement contained a train station, whether the station was within the settlement or on the edge of it and how frequently the service stopped there.

For example, when considering whether The Green formed part of a cluster with Millom, the rail links were assessed. Whilst there are rail services to and from the village, Green Road Station is poorly connected to it being over a mile away from the main village with poor pedestrian links.

Nethertown is also located on the railway line and consideration was given to whether it formed a cluster with Whitehaven. The station however is more than a mile away from the main settlement and access is via an unlit track. A limited number of services stop here (even as a request stop). 5.1.20 Given the above both Nethertown and The Green are considered to be standalone settlements and no points have been awarded for either station.”

- 3.8.7 Stakeholder and public views have been taken into account when determining whether a settlement forms part of a cluster. For example, in light of comments received from local residents and Drigg Parish Council at Preferred Options stage, Drigg and Holmrook, which were identified as a Local Service Centre cluster in that draft, were de-coupled. They were subsequently identified within the Publication Draft as two separate Sustainable Rural Villages.

3.9 Is the methodology for the review and definition of detailed settlement boundaries robust? Have the criteria and judgements used to inform the choice of settlement boundaries been applied consistently?

- 3.9.1 The Council determined that the settlement boundaries identified in the Core Strategy were no longer appropriate to inform the emerging Local Plan. The Core Strategy contains fewer settlements and fails to provide sufficient provision to support the needs of rural communities. If only the limited number of settlements in the Core Strategy were taken forward (and their boundaries remained) this would prevent identified housing needs from being met and would not be in the spirit of the NPPF.

- 3.9.2 Section 8.9 of the Settlement Hierarchy & Development Strategy Paper Update (EB1) identifies how the settlement boundaries were reviewed. The methodology used is considered to be robust and has been applied consistently to all settlements within the new hierarchy.

3.9.3 Two main modifications are proposed to the Local Plan Appendix B (CD2) to alter the proposed settlement boundaries slightly in Cleator Moor (MA-APP4) and Egremont (MA-APP5) to ensure consistency. The additional pieces of land which would be brought into the boundary comprise of existing buildings (MA-APP4) and residential gardens (MA-APP5)

3.10 Are the proposed settlement boundaries justified on the basis of proportionate evidence?

3.10.1 The Council has taken a positive approach to identifying settlement boundaries and has considered the suitability and availability of all land adjoining the settlements listed in the hierarchy through the SHLAA (EB7) and SHMA (2019) processes.

3.10.2 This has been supplemented with an empirical investigation by officers into practical considerations of specific boundaries; e.g. the existing built-form, whether a boundary change maintains distinct characteristics of the settlement etc. Where it is proposed to amend a boundary to include an allocated site, site visits have been carried out to ensure this is appropriate.

3.10.3 This process was also informed by the Settlement Landscape Character Study (EB35-EB37) which outlines opportunities to better define settlement edges. For example, where development may result in the softening of a hard, linear settlement edge which would reduce the impacts of development on the landscape.

3.11 Will the settlement boundaries defined on the draft Proposals Map be effective in enabling further windfall sites to come forward to meet any residual housing need?

3.11.1 The Copeland Local Plan⁶ has identified that future windfall development is required alongside the identified housing allocations and sites with extant planning permission in order to meet the identified needs and longer term growth aspirations. The Local Plan contains policies that support windfall development within the settlement boundaries where appropriate (e.g. Policies DS3 and H6)

3.11.2 The Council has taken a positive approach to identifying settlement boundaries and has considered the suitability and availability of all land adjoining the settlements listed in the hierarchy through the SHLAA (EB7) process. Where the SHLAA has identified a site that is suitable for development, but where there is currently insufficient evidence regarding its availability or deliverability, such sites have been included within the new settlement boundaries to allow for their future development to come forward⁷.

3.11.3 In some settlements, there remains limited opportunity to extend the boundaries further to allow additional windfall development due to constraints. For example, St Bees is constrained by its coastal location, its topography and the quality of the surrounding landscape. Where this is the case, apart from where allocations are proposed, the boundary remains tightly drawn around the existing built form.

⁶ Please see the Housing trajectory (CD2), post submission trajectory and Five Year Housing Land Supply document (EB41) for further information.

⁷ For example, sites EG003 in Egremont, MP007 and MP015 in Moresby Parks and FR006 in Frizington

3.11.4 Regardless of this, the Council is confident that the settlement boundaries will be effective in enabling future windfall development, whilst preventing sprawl and protecting identified landscapes.

3.11.5 It should also be noted that Policies DS3, DS4 and H3, also allow development on windfall sites outside the settlement boundaries in certain circumstances.

3.12 Does Strategic Policy DS4PU provide an appropriate basis to manage development within and adjacent to settlement boundaries and beyond in the open countryside?

3.12.1 Policy DS4PU provides a framework to manage development within, adjacent to, and beyond settlement boundaries. The management of development within the “Open Countryside” (which the Local Plan identifies as areas outside the settlement boundaries) is identified as a key issue within the NPPF⁸.

3.12.2 The policy is appropriate as it clearly directs development to sites within the settlement boundary, in order to avoid isolated development in accordance with the NPPF. It states that development will be permitted outside the boundary in particular circumstances.

3.12.3 Criterion 1 identifies how applications for housing will be determined in the absence of a 5 year housing land supply. It requires that, in such cases, development must be on a site which is well related to and adjoining the settlement boundary which is, or can be, connected to the settlement by safe pedestrian routes. This will ensure that, even if there is an absence of a 5 year supply, development is still well connected to services and facilities reducing reliance on the private vehicle.

3.12.4 The Council has suggested a Main Modification to the policy (MA-LP20) to acknowledge that there may be sites which meet the criteria in paragraph 3.12.3 above adjacent to settlements lower down in the hierarchy.

3.12.5 Criterion 2 identifies other forms of development which may require an open countryside location. In all cases a need case will need to be demonstrated in order to ensure a more settlement based location, which could provide additional benefits, could not be utilised where appropriate. For example, a nuclear related office development which was located within a town centre would increase footfall which could have beneficial impacts upon the retail and leisure sectors etc.

3.12.6 Given the above, the Policy is considered to be appropriate for managing development outside of settlement boundaries.

3.13 Overall, is the development strategy justified? Does it represent an appropriate strategy when considered against the reasonable alternatives available? What alternative options were considered as part of the Plans preparation and why were they discounted?

⁸ Paragraph 80

- 3.13.1 The development strategy is justified as it continues to direct the largest amount of development to the Borough's four towns (70%) which benefit from the greatest number of services and facilities. This reduces the need to travel. The approach also allows more development (of an appropriate scale) within the borough's villages where they benefit from some services and facilities. This helps support the rural economy by maintaining such services and the provision of new housing enables residents to stay within their communities as their needs change.
- 3.13.2 The Settlement Hierarchy and Development Strategy document (EB1) identifies a number of alternative strategies that were considered and outlines the justification for the chosen strategy.
- 3.13.3 Document EB1, Appendix A, compares the Local Plan approach to the alternative strategies from the Local Plan Preferred Options Draft and the Core Strategy. It shows the differences in terms of the number of tiers each includes, the number of settlements within each tier and the amount of development directed to each tier. Appendix D explores the differences between the approach in the Preferred Options draft and the chosen approach further.
- 3.13.4 A number of alternative approaches were considered prior to the production of the Preferred Options Draft. These are outlined, along with the reasons they were discounted, in the Settlement Hierarchy and Development Strategy Paper, September 2020, Appendices C and D⁹.
- 3.13.5 Alternative approaches included utilising a settlement hierarchy spread over 4 tiers, scoring settlements exclusively upon services without the consideration of connections between settlements, continuing with the Core Strategy approach, or not including a settlement hierarchy in the Local Plan. These alternative approaches all fail to secure sustainable development and were therefore considered to be unreasonable. Alternative methods of apportioning development to each tier were also considered, however the chosen approach is the only one which we consider delivers appropriate proportions of development that reflect the role and function of each tier.

⁹ <https://www.copeland.gov.uk/attachments/settlement-hierarchy-and-development-strategy-paper>