

## **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)?**

1. The HBF does not consider that it is necessary for Policy DS1PU to repeat the presumption in favour of sustainable development set out in the NPPF.

### **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?**

2. This policy states that the Council will support development proposals where they make a positive contribution towards achieving the Cumbria wide goal of net zero by 2037. It goes on to promote active and low carbon travel and increased use of electric vehicles, increasing resilience to the effects of climate change, making the most efficient use of land, and requiring biodiversity net gain as part of all appropriate developments.
3. The HBF generally supports sustainable development and considers that the homebuilding industry can help to address the climate change emergency challenges identified by the Council. However, the HBF considers that this policy is more of a statement of intent or vision rather than a policy and do not consider that it is necessary, and it repeats a lot of the elements of the policies that are detailed elsewhere in the Plan. The HBF does not consider this to be consistent with the NPPF which states that Plans should serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area and should contain policies that are clearly written and unambiguous so it is evident how a decision maker should react to development proposals<sup>1</sup>. The HBF recommends that this policy is deleted.
4. The HBF believes the move towards net zero should be set via a nationally consistent set of standards and timetable, which is universally understood and technically implementable. This prevents the potential risk to viability of development, which may see development being more forthcoming in other local authorities areas in the region, which could have implications for sustainability with increased commuting, vehicle congestion and associated emissions.

### **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?**

5. The HBF does not consider that there is evidence to support the proposed higher national housing standard for water conservation.

---

<sup>1</sup> NPPF 2021 paragraph 16.

6. The Building Regulations require all new dwellings to achieve a mandatory level of water efficiency of 125 litres per day per person, which is a higher standard than that achieved by much of the existing housing stock. This mandatory standard represents an effective demand management measure. The Optional Technical Housing Standard is 110 litres per day per person.
7. As set out in the NPPF<sup>2</sup>, all policies should be underpinned by relevant and up to date evidence, which should be adequate, proportionate and focussed tightly on supporting and justifying the policies concerned. Therefore, a policy requirement for the optional water efficiency standard must be justified by credible and robust evidence. If the Council wishes to adopt the optional standard for water efficiency of 110 litres per person per day, then the Council should justify doing so by applying the criteria set out in the PPG. PPG<sup>3</sup> states that where there is a *'clear local need, Local Planning Authorities (LPA) can set out Local Plan Policies requiring new dwellings to meet tighter Building Regulations optional requirement of 110 litres per person per day'*. PPG<sup>4</sup> also states the *'it will be for a LPA to establish a clear need based on existing sources of evidence, consultations with the local water and sewerage company, the Environment Agency and catchment partnerships and consideration of the impact on viability and housing supply of such a requirement'*. The Housing Standards Review was explicit that reduced water consumption was solely applicable to water stressed areas. The North West and Copeland are not considered to be an area of Water Stress as identified by the Environment Agency<sup>5</sup>. Therefore, the HBF considers that requirement for optional water efficiency standard is not justified nor consistent with national policy in relation to need or viability and should be deleted.

*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?*

*3.5 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?*

***3.6 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?***

8. Policy H4PU along with the accompanying table provides the distribution of housing, it sets out the proportion / amount of development expected in each hierarchy tier. The policy states that the amount of housing identified within the Sustainable Villages and Rural Villages is limited to the amounts shown in the table. However, the Council have

---

<sup>2</sup> Paragraph 31

<sup>3</sup> ID: 56-014-20150327

<sup>4</sup> ID: 56-015-20150327

<sup>5</sup> 2021 Assessment of Water Stress Areas Update: <https://www.gov.uk/government/publications/water-stressed-areas-2021-classification>

proposed modifications to this policy (MALP102) which would delete this sentence from the policy. The HBF considers that this proposed modification is appropriate as the previous policy would have created a moratoria, which is not in line with the NPPF<sup>6</sup> and the Government's aim to boost the supply of housing. The HBF considers that the Councils proposed modification is necessary for soundness and appropriate.

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

*3.8 What is the basis of the proposed settlement clusters?*

*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?*

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

*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?*

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

9. The HBF is concerned that Policy DS4PU does not provide an appropriate basis to manage development adjacent to or well-related to settlement boundaries. This policy generally supports development within the settlement boundaries, whilst generally looking to restrict development outside of settlement boundaries except in certain circumstances. For housing development to be accepted it has to directly adjoin the settlement boundary for a town or local service centre; and have safe pedestrian links to the settlement; and the Council need to be unable to demonstrate a five-year supply or to have had 3 years of under-delivery of housing or be for a specific type of housing supported by Policies H15,16 or 17 (Rural Exceptions, Dwellings for Rural Workers and Replacement Dwellings).

10. The HBF supports the Council in supporting development within settlement boundaries. The HBF also supports the Council in identifying that there may be circumstances in which it is acceptable to build homes outside of the settlement boundaries. However, the HBF is concerned that the current criteria provided are too limited and may not provide the flexibility the Council require to ensure that their housing needs are met and to ensure that sustainable developments come forward. The HBF considers that limitations proposed are contrary to the Government's objective to significantly boost the supply of homes, to ensure a sufficient amount and variety of land can come forward to meet the needs of groups with specific housing requirements, including those who require

---

<sup>6</sup> NPPF 2021 Paragraph 60

affordable housing, families with children and older people<sup>7</sup>. And would not promote sustainable development in rural areas where housing should be located to maintain the vitality of rural communities, allowing opportunities for villages to grow and thrive and support local services<sup>8</sup>.

11. The HBF recommends that the policy is amended to state:

*'Where the proposal is for housing and;*

- i. the site **is well related to a settlement** ~~directly adjoins the settlement boundary of a town or local service centre; and~~*
- ii. the site is or can be physically connected to the existing settlement by safe pedestrian links; ~~and~~*
- iii. ~~the Council is unable to demonstrate a 5 year supply of deliverable housing sites; or~~*  
*there has been previous under-delivery of housing against the requirement for 3 years or more*  
*the proposal is for a specific type of housing supported by Policies H14, H15 or H17.'*

*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?*

---

<sup>7</sup> NPPF 2021 paragraphs 60-62.

<sup>8</sup> NPPF 2021 paragraph 79