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# Copeland Local Plan 2021- 2038

## Publication Draft Consultation Response Form

This consultation response form provides the opportunity to comment on the Focused Pre-Publication draft of the Copeland Local Plan. This consultation outlines the most significant proposed changes that the Council is considering to make to the Preferred Options Draft of the Local Plan, which was consulted on in September 2020.

The Focused Consultation includes proposed changes that are considered to be significant, including draft settlement boundary amendments, draft changes to site allocations and new or revised policies. All changes, including minor changes, will be included in the Publication Draft, which will be subject to a formal, 6 week public consultation under Town and County Planning (Local Planning) Regulations 2012 Regulation 19.

This form should be viewed alongside the draft Consultation Document and used to make any comments or recommendation.

Strategic Planning  
Copeland Borough Council  
Market Hall, Market Place,  
Whitehaven,  
CA28 7JG

Strategic Planning  
Copeland Borough Council  
Millom Library  
St George's Road  
Millom LA18 4DD

### For internal use:

Resp. No. ....

Rep. No. ....

Date Rec. ....

Or email: [localplanconsultation@copeland.gov.uk](mailto:localplanconsultation@copeland.gov.uk)

### 1. Your Details

Please provide your details below. This information will be added into our database so we can contact you about future Local Plan consultations. All information in the following table will be used solely for this purpose and no identifying information will be used in any future stages of the Local Plan process. Age and gender data will be used to monitor engagement in the Local Plan consultation process. If you are using an agent we will use those details as our primary contact.

If you **do not** wish for your details to be held in our consultation database, please tick here: ☐

	Your Details	Agent's Details (if applicable)
Name	[REDACTED]	[REDACTED]
Position		Chartered Town Planner
Organisation	Carlisle Diocese Board of Finance	PFK Planning & Development



Signature:



Date:

20/01/2022

Please use a separate form for each site you wish to comment on and return this form **no later than Sunday 17<sup>th</sup> October 2021**. We are unable to consider any responses received after this date.

*Thank you for completing this form*



20 January 2022

Strategic Planning  
Copeland Borough Council  
Market Hall  
Market Place  
Whitehaven  
CA28 7JG

Dear Sir, or Madam,

Land at Grove Road, Egremont – Copeland Local Plan 2021 – 2038 Publication Version Consultation

Further to the representations that we submitted on behalf of the Diocese of Carlisle in November 2020 and October 2021, the purpose of this letter is to reiterate the suitability and availability of the land to the south of Grove Road, Egremont (SHLAA Reference Eg003) for allocation in the forthcoming Copeland Local Plan 2021 – 2038.

The proposed site is under one ownership and the landowner is willing to make the land available for development. Advanced discussions have already taken place with Persimmon Homes who are interested in acquiring the site for development. Progress has been made with an Indicative Layout which shows how up to 105 dwellings could be accommodated across this site and the future development land to the south.

The submitted Planning Statement demonstrates that the land is in a suitable location within the settlement of Egremont. There are no constraints that would prevent its deliverability as an allocation. In conclusion, the site is in a sustainable location and will, therefore, make an important contribution to the aspirations of the Copeland Local Plan.

Yours sincerely,

[Redacted Signature]  
[Redacted Name]  
Chartered Town Planner  
PFK Planning & Development  
Email [Redacted Email]

13 January 2022

Strategic Planning  
Copeland Borough Council  
Market Hall  
Market Place  
Whitehaven  
CA28 7JG

Dear Sir, or Madam,

Land at North Road, Haverigg – Copeland Local Plan 2021 – 2038 Publication Version Consultation

The purpose of this letter is to confirm the suitability and availability of the land at North Lane, Haverigg for inclusion within the Haverigg settlement boundary. Similarly, to the current Local Plan, Haverigg is identified as a Local Service Centre within the Publication version of the forthcoming Local Plan. Local Service Centres are described as operating independently to meet day-to-day needs as well as operating as a connected cluster, linked to a neighbouring town or village of a similar scale by a frequent public transport service and/or safe pedestrian routes.

The land is located approximately 0.5 miles (15 minutes walking distance) from Main Street, Haverigg which has a wide range of local services. These include a primary school, post office, convenience store and several pubs and hot food takeaways. As such, the proposed location for development is sustainable.

The application site is well contained within landscape features and the development of a small-scale residential scheme would not result in an unacceptable intrusion into the open countryside. The layout, scale and form of the proposed development will be compatible with the established linear building pattern, the predominant character of the established housing in this location. Existing landscape features will be retained, particularly along property boundaries where they have high public amenity value or help maintain privacy. Landscaping will also be used to help integrate the new development.

In conclusion, the site is in a sustainable location, suitable for the delivery of housing, and will, therefore, make an important contribution to the aspirations of the Copeland Local Plan.

Yours sincerely,

[Redacted Signature]

[Redacted Name]

Chartered Town Planner  
PFK PLANNING & DEVELOPMENT

Email: [Redacted Email Address]

## Land at North Lane, Haverigg, Millom, LA18 4LX







# Copeland Local Plan 2021- 2038

## Publication Draft Consultation Response Form

### For internal use:

Resp. No. ....

Rep. No. ....

Date Rec. ....

This Representation Form provides the opportunity to comment on the Publication Draft of the Copeland Local Plan which can be viewed at: <https://www.copeland.gov.uk/content/local-plan-2021-2038-publication-draft-consultation>. This consultation is a requirement under the Town and Country Planning (Local Planning) Regulations 2012 Regulation 19.

The Publication Draft represents the Council's final draft of the Local Plan that we wish to submit to the Secretary of State for Public Examination by a Planning Inspector. Completed forms will be sent to the Planning Inspectorate for their consideration through the Examination in Public process.

Comments **not** submitted on the standard response form will only be considered at the Inspector's discretion

It should be noted that representations will be made available to the Planning Inspectorate and to the Inspector appointed by the Secretary of State to conduct the Examination. Representations will be also be 'made available' in line with the Town and Country Planning (Local Planning) (England) Regulations 2012 (Regulations 20, 22 and 35). This includes publication on the Council's website.

### Privacy Notice

A copy of the Council's privacy statement can be viewed at [https://www.copeland.gov.uk/sites/default/files/attachments/privacy\\_notice1.pdf](https://www.copeland.gov.uk/sites/default/files/attachments/privacy_notice1.pdf). Further information is also available by contacting the council's Data Protection Officer at [info@copeland.gov.uk](mailto:info@copeland.gov.uk) or by calling 01946 598300 and asking to speak to the Data Protection Officer.

Please complete a separate sheet for each representation you wish to make and return this form **no later than 4.30pm on Monday 21<sup>st</sup> February 2022** to:

Strategic Planning  
Copeland Borough Council  
Market Hall  
Market Place  
Whitehaven  
CA28 7JG

Or email: [localplanconsultation@copeland.gov.uk](mailto:localplanconsultation@copeland.gov.uk)

## Part A: Your Details

Please provide your details below. This information will be added into our database so we can contact you about the Submission, Examination and Adoption of the Local Plan as well as future Local Plan consultations.

All information in the following table will be used solely for this purpose and no identifying information will be used in any future stages of the Local Plan process. Age and gender data will be used to monitor engagement in the Local Plan consultation process.

If you **do not** wish for your details to be held in our consultation database, please tick here: ☐

If an agent is appointed you must complete details for both parties, but we will use the agent details as our primary contact.

	Your Details	Agent's Details (if applicable)
Name	[REDACTED]	
Position	OWNER	
Organisation	N/A	
Address	[REDACTED] [REDACTED] CLEATOR MOOR, CA25 [REDACTED]	
Postcode	CA25 5BY	
Telephone	[REDACTED]	
Email	[REDACTED]	

Gender (Please circle)

<input checked="" type="radio"/> Male	<input type="radio"/> Female	<input type="radio"/> Prefer not to say
---------------------------------------	------------------------------	---

Age (Please circle)

18- 25	26- 35	36-45	46-55	56-65	<input checked="" type="radio"/> 66-75	76+	Prefer not to say
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## Part B: Your Representation

### 1. To which part of the Local Plan does this representation relate?

Paragraph

Policy

Policies Map

☒

CLAYTON MOOR

### 2. Is the nature of your representation to provide support for or to object to the Policy or Proposal?

Support

Object

☒

### 3. Do you consider the Local Plan is legally compliant? (Please tick as appropriate)

Yes

☒

No

### 4. Do you consider the Local Plan is sound? (Please tick as appropriate)

Yes

No

☒

### 5. Do you consider the Local Plan complies with the Duty to Co-operate? (Please tick as appropriate)

Yes

No

### 6. Please give details of why you consider the Local Plan is not legally compliant, is unsound, fails to comply with the Duty to Co-operate, or if you wish to support it.

TO ALTER SETTLEMENT BOUNDARY.

(Continue on a separate sheet /expand box if necessary)



7. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 6 above.

MOVE THE SETTLEMENT BOUNDARY TO INCLUDE EXISTING BUILDINGS, WHAT HAVE BEEN HERE MANY YEARS, PROPOSED NEW BOUNDARY EDGED IN RED, TO INCLUDE EXISTING BUILDING PLOT, WHICH HAS COMMENCED. TO FLOOR LEVEL

(Continue on a separate sheet /expand box if necessary)

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions. **After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

8. If your representation is seeking a modification to the plan, do you consider it necessary to participate in the Examination hearing session(s)?

Yes, I wish to participate in the hearing session(s)

☐

No, I do not wish to participate in the hearing session(s)

☒

9. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Signature:



Date:

17-01-22

Please use a separate form for each site you wish to comment on and return this form **no later than 4.30pm on Monday 21<sup>st</sup> February 2022**. We are unable to consider any responses received after this date.

*Thank you for completing this form*

# ArcGIS Web Map



1/14/2022, 9:12:56 AM

 PD\_SettlementBoundary

1:1,250  
0 0.01 0.02 0.04 mi  
0 0.01 0.03 0.06 km

Ordnance Survey data © Crown copyright and database right 2021. OS 100030994.

[REDACTED]



Strategic Planning  
 Copeland Borough Council  
 Market Hall  
 Market Place  
 Whitehaven  
 Cumbria  
 CA28 7JG

SENT BY EMAIL

localplanconsultation@copeland.gov.uk

29/09/2022

Dear Strategic Planning Team,

### **COPELAND LOCAL PLAN: PUBLICATION DRAFT**

1. Thank you for consulting with the Home Builders Federation (HBF) on the Copeland Local Plan Publications Draft.
2. The HBF is the principal representative body of the house-building industry in England and Wales. Our representations reflect the views of our membership, which includes multi-national PLC's, regional developers and small, local builders. In any one year, our members account for over 80% of all new "for sale" market housing built in England and Wales as well as a large proportion of newly built affordable housing.
3. The Council will be aware that the HBF has provided comments throughout the progression of this document and we would like to submit the following comments upon selected policies within this Publication Draft consultation document.

### **Strategic Policy DS2PU: Reducing the impacts of development on Climate Change**

*Strategic Policy DS2PU is not considered to be sound as it is not consistent with national policy for the following reasons:*

4. 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.
5. 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.
6. 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.

### **Strategic Policy DS4PU: Settlement Boundaries**

*Strategic Policy DS4PU is not considered to be sound as it is not positively prepared or consistent with national policy for the following reasons:*

7. 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).
8. 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 affordable housing, families with children and older people<sup>2</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>3</sup>.
9. 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*

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

<sup>2</sup> NPPF 2021 paragraphs 60-62.

<sup>3</sup> NPPF 2021 paragraph 79

~~the proposal is for a specific type of housing supported by Policies H14, H15 or H17.~~

### **Strategic Policy H1PU: Improving the Housing Offer**

10. The HBF generally supports this policy which sets out how the Council will make Copeland a more attractive place to live, including allocation a range of housing sites to meet local needs and aspirations and approving housing development on appropriate windfall sites.

### **Strategic Policy H2PU: Housing Requirement**

*Strategic Policy H2PU is not considered to be sound as it is not positively prepared, justified or consistent with national policy for the following reasons:*

11. This policy sets out that the housing requirement is for a minimum of 2,482 net additional dwellings (an average of 146 dwellings per annum (dpa)) to be provided between 2021 and 2038.
12. The HBF is generally supportive of the Council utilising a figure over and above the local housing need (LHN) identified by the current standard method. The latest LHN calculated using the standard method, as identified by the Council in paragraph 13.4.5, is 8dpa. It should be noted that the local housing need figures calculated by the standard method are the minimum starting point in determining the number of homes needed in the area, it does not produce a housing requirement figure. It should also be noted that the Government is committed to ensuring that more homes are built and supports ambitious authorities who want to plan for growth. Circumstances where housing need may be higher, include where there are growth strategies; strategic infrastructure improvements; meeting an unmet need; where previous levels of housing delivery are higher; or previous assessments of need, which may mean that housing requirement should be a higher figure than the LHN indicated by the standard method.
13. The Strategic Housing Market Assessment (SHMA) 2019 states that it would be reasonable to conclude that an economic based Objectively Assessed Need (OAN) for Copeland would be for up to 198dpa. The SHMA has since been updated and the 2021 SHMA identifies a range of potential housing need<sup>4</sup> from 61dpa the Cambridge Econometrics baseline scenario, to 278dpa in the Growth Scenario, with the Experian baseline of 146dpa and the Growth Scenario-midpoint of 191dpa in the middle. The HBF is generally supportive of a plan seeking to align job growth and housing needs and would suggest that the housing requirement for Copeland is higher than the figure currently proposed.
14. The policy also suggests that in order to plan positively the plan will provide a supply of housing sites, which will provide a minimum of 3,400 dwellings over the plan period (average of 200dpa). The HBF would generally support a level of housing land supply which would identify a sufficient number of sites to meet the housing requirement plus an additional 20%, to create flexibility and choice within the range of sites, and would help to ensure that the housing requirement can be met. However, as the HBF considers that the housing requirement is likely to be higher than the figure currently

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<sup>4</sup> SHMA 2021 Figure 1

proposed, this may also mean that the level of supply also has to increase proportionately.

#### **Policy H3PU: Housing Delivery**

*Strategic Policy H3PU is not considered to be sound as it is not positively prepared, justified or consistent with national policy for the following reasons:*

15. This policy sets out what the Council will do if housing development is not being delivered as anticipated. The HBF is not convinced that most of the content of this policy, is necessary to be policy, it reads much more as a statement of intent than a policy.
16. The policy also states that where housing delivery has exceeded expectations within a particular tier of the settlement hierarchy the Council will consider carrying a review of the Plan. The HBF does not consider that this is appropriate and considers that additional housing development should continue to be supported once the housing requirement figures have been met for the lower tiers of the settlement hierarchy, this would be in line with the NPPF<sup>5</sup> which seeks to boost housing supply.

#### **Policy H4PU: Distribution of Housing**

*Strategic Policy H4PU is not considered to be sound as it is not positively prepared, justified or consistent with national policy for the following reasons:*

17. This policy 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. The HBF does not consider that this form of moratoria is in line with the NPPF<sup>6</sup> and the Government's aim to boost the supply of housing. The HBF considers that the Council should remove reference to development being 'limited' within the policy.

#### **Policy H5PU: Housing Allocations**

*Strategic Policy H5PU is not considered to be sound as it is not positively prepared or consistent with national policy for the following reasons:*

18. This policy identifies the sites to be allocated over the period 2021-2038. The HBF does not wish to comment upon the acceptability or otherwise of individual sites. It is, however, important that all the sites contained within the plan are deliverable over the plan period and planned to an appropriate strategy. The HBF would expect the spatial distribution of sites to follow a logical hierarchy, provide an appropriate development pattern and support sustainable development within all market areas.
19. The Council's assumptions on sites in relation to delivery and capacity should be realistic based on evidence supported by the parties responsible for housing delivery and sense checked by the Council based on local knowledge and historical empirical data.

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<sup>5</sup> NPPF 2021 Paragraph 60

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



20. The HBF is keen that the Council produces a plan which can deliver against its housing requirement. To do this it is important that a strategy is put in place which provides a sufficient range of sites to provide enough sales outlets to enable delivery to be maintained at the required levels throughout the plan period. The widest possible range of sites by both size and market location are required so that small, medium and large housebuilding companies have access to suitable land to offer the widest possible range of products. A mix of sites provides choice for consumers, allows places to grow in sustainable ways and creates opportunities to diversify the construction sector. Under the NPPF<sup>7</sup>, the Councils should identify at least 10% of the housing requirement on sites no larger than one hectare or else demonstrate strong reasons for not achieving this target. The HBF and our members can provide valuable advice on issues of housing delivery and would be keen to work proactively with the Council on this issue.
21. The Plan should ensure the availability of a sufficient supply of deliverable and developable land to deliver the Council's housing requirement. This sufficiency of housing land supply (HLS) should meet the housing requirement, ensure the maintenance of a 5 Year Housing Land Supply (YHLS), and achieve Housing Delivery Test (HDT) performance measurements. The HBF also strongly recommends that the plan allocates more sites than required to meet the housing requirement as a buffer. This buffer should be sufficient to deal with any under-delivery which is likely to occur from some sites. Such an approach would be consistent with the NPPF requirements for the plan to be positively prepared and flexible.

#### **Policy H8PU: Affordable housing**

*Strategic Policy H8PU is not considered to be sound as it is not positively prepared, justified or consistent with national policy for the following reasons:*

22. This policy looks for sites of 10 or more dwellings, or 5 or more within the Whitehaven Rural sub-area, to provide at least 10% of the homes as affordable. It goes on to set the tenure split with 40% identified as being discounted market sales, starter homes or other affordable home ownership routes the Council have also added a requirement for at least 25% of these to meet the definition of First Homes. The other 60% should be for affordable or social rent.
23. The NPPF<sup>8</sup> states that where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership. The Council will need to consider how this will work with where the affordable housing target is 10% and the proposed tenure split is 40% affordable home ownership and 60% affordable / social rent. If the Council does not intend to meet the 10% affordable home ownership requirement, then this will need to be evidenced.
24. The PPG states that First Homes are the Government's preferred discounted market tenure and should account for at least 25% of all affordable housing units delivered by developers through planning obligations. The HBF considers that the 40% affordable

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<sup>7</sup> Paragraph 69 NPPF 2021

<sup>8</sup> Paragraph 65 NPPF 2021

home ownership split should allow for this provision and the reference to First Homes should highlight this requirement.

**Policy CO7PU: Parking Standards and Electric Vehicle Charging Infrastructure**

*Strategic Policy CO7PU is not considered to be sound as it is not positively prepared, justified or consistent with national policy for the following reasons:*

25. This policy requires new residential developments to provide one charging point per dwellings with off street parking, it also states that where off-street parking is not provided, a commuted sum will be required to provide charging facilities in the immediate vicinity.
26. The HBF is supportive of encouragement for the use of electric and hybrid vehicles via a national standardised approach implemented through the Building Regulations to ensure a consistent approach to future proofing the housing stock. Part S of the Building Regulations 'Infrastructure for the charging of electric vehicles' has now been published and takes effect from 15<sup>th</sup> June 2022. This document provides guidance on the installation and location of electric vehicle charge points (EVCPs). It states that a new residential building with associated parking must have access to EVCPs. It states that the total number of EVCPs must be equal to the number of parking spaces if there are fewer parking spaces than dwellings, or the equal to the number of dwellings where there are more parking spaces. The Regulations also set technical requirements for the charging points these include having a nominal output of 7kW and being fitted with a universal socket. The Government has estimated installation of such charging points add on an additional cost of approximately £976.
27. The Regulations do, however, include a cost cap of £3,600 for the average cost of installation and allow for other exceptions. The costs of installing the cables and the charge point hardware will vary considerably based on site-specific conditions in relation to the local grid. The introduction of EVCPs in new buildings will impact on the electricity demand from these buildings especially for multi-dwelling buildings. A requirement for large numbers of EVCPs will require a larger connection to the development and will introduce a power supply requirement, which may otherwise not be needed. The level of upgrade needed is dependent on the capacity available in the local network resulting in additional costs in relation to charge point instalment. The Government recognises that the cost of installing charge points will be higher in areas where significant electrical capacity reinforcements are needed. In certain cases, the need to install charge points could necessitate significant grid upgrades, which will be costly for the developer. Some costs would also fall on the distribution network operator.
28. In conclusion, it is not necessary for the Council to specify provision of EVCPs because of the Government's changes to Building Regulations.

**Future Engagement**

29. I trust that the Council will find these comments useful as it continues to progress its Local Plan. I would be happy to discuss these issues in greater detail or assist in facilitating discussions with the wider house building industry.

30. The HBF would like to be kept informed of all forthcoming consultations upon the Local Plan and associated documents. Please use the contact details provided below for future correspondence.

Yours sincerely,

[Redacted signature]

[Redacted line]

**Planning Manager – Local Plan (North)**

Email: [Redacted]

Phone: [Redacted]

To: [localplanconsultation@copeland.gov.uk](mailto:localplanconsultation@copeland.gov.uk)

[REDACTED]  
Executive Director

c/o Suffolk County Council  
Endeavour House  
8 Russell Road  
Ipswich, IP1 2BX  
[REDACTED]

21 February 2022

Dear Sir or Madam,

### **Copeland Local Plan 2021-2038: Consultation response**

Nuleaf (the Nuclear Legacy Advisory Forum) is the Local Government Association (LGA) representative body on nuclear legacy wastes and decommissioning. We are directly supported by over 100 local authorities and national park authorities across England and Wales and speak for the wider LGA.

Our remit encompasses all aspects of the management of the UK's nuclear waste legacy. Our primary objectives are:

- to provide a mechanism to identify, where possible, a common local government viewpoint on nuclear legacy management issues;
- to represent that viewpoint, or the range of views of its member authorities, in discussion with national bodies, including the UK and Welsh Government, the Nuclear Decommissioning Authority (NDA) and regulators;
- to seek to influence policy and strategy for nuclear legacy management in the interests of affected communities; and
- to develop the capacity of our member authorities to engage with nuclear legacy management at a local level.

Our **Radioactive Waste Planning Group (RWPG)** is an expert forum for senior land-use and waste planning officers, supporting the development of

effective Local Plans and Minerals and Waste Plans. The RWPG has guided the development of Nuleaf's position on the planning aspects of nuclear decommissioning and waste management. More information on our approach is set out in **Briefing Paper 11: Approaches to Radioactive Waste Management in Local Plans**, published in 2020<sup>1</sup>.

Copeland Borough Council is an active member of Nuleaf. Cllr. David Moore serves as our Vice-Chair and we have officer participation in our Steering Group and RWPG.

Our members also include Cumbria County Council and the Lake District National Park Authority, both of whom have some planning responsibilities for Copeland. However, this response has been prepared independently by Nuleaf, without consultation with our members in Copeland or elsewhere in Cumbria.

## 1. Response to consultation

Nuleaf advocates that all Local Plans and Minerals and Waste Plans, particularly those covering areas which include parts of the UK's nuclear infrastructure, should have policies on decommissioning and radioactive waste management. Their absence leaves local authorities and communities less able to influence proposals for the management of nuclear legacy sites or the disposal, storage, management or transportation of radioactive materials.

Copeland is central to the Nuclear Decommissioning Authority's (NDA) mission. We therefore welcome the inclusion of a full section on Nuclear Development (Chapter 10) and the references to nuclear elsewhere in the Plan.

Together these policies address the current situation and potential new developments in the nuclear field that may impact Copeland. They are clear, comprehensive, integrated and effective, placing all nuclear operations within a framework designed to deliver positive economic, social and environmental outcomes.

<sup>1</sup> <https://www.nuleaf.org.uk/wp-content/uploads/2020/06/BP11-2020-Radwaste-and-local-plans.pdf>

We do not therefore propose any substantive amendments but offer the following comments. Given our remit, these only address aspects of nuclear policy that have direct or indirect implications for nuclear decommissioning and waste management.

### **i. Wider policy context**

Section 2.2. of the Draft Plan ('Producing the Plan') notes changes to the policy context and circumstances since the adoption of the Core Strategy in 2013. We would suggest that here, or in Chapter 10 on Nuclear Development, significant developments in the context for Nuclear Decommissioning Authority (NDA) operations are referenced. These include:

- The development by the UK Government (BEIS) of a new Decommissioning and Legacy Waste Management Policy, due for consultation in 2022.
- The publication of the NDA's guiding Strategy 2021-26 (Strategy 4). This provides a clearer commitment to the socio-economic and environmental aspirations for the Sellafield site that the Council has set out.

### **ii. Geological Disposal Facility (GDF)**

Copeland is now host to two Community Partnerships that are taking forward the GDF siting process in the area. We would propose referencing this process within the Plan context and in Chapter 10. It could be helpful to set out criteria to ensure the GDF process progresses in ways that enable the Local Planning Authority to meet its wider objectives.

### **iii. Community Benefits**

The Plan is clear on the need for socio-economic opportunities around decommissioning to be maximised, and for support and investment in skills to help the economy diversify. However, there is no reference to the provision of community benefits to be provided as part of the decommissioning mission. We recognise that such agreements already existing in Copeland, but it may be appropriate to note the need for such agreements to continue and be enhanced in future.





**iv. Low Level Waste Repository**

There is no reference to the LLWR, another nationally significant element of nuclear infrastructure hosted by Copeland.

I hope these comments are helpful.

Your faithfully,



Executive Director





# Copeland Local Plan 2021- 2038

## Publication Draft Consultation Response Form

### For internal use:

Resp. No. ....

Rep. No. ....

Date Rec. ....

This Representation Form provides the opportunity to comment on the Publication Draft of the Copeland Local Plan which can be viewed at: <https://www.copeland.gov.uk/content/local-plan-2021-2038-publication-draft-consultation>. This consultation is a requirement under the Town and Country Planning (Local Planning) Regulations 2012 Regulation 19.

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Comments **not** submitted on the standard response form will only be considered at the Inspector's discretion

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Strategic Planning  
Copeland Borough Council  
Market Hall  
Market Place  
Whitehaven  
CA28 7JG

Or email: [localplanconsultation@copeland.gov.uk](mailto:localplanconsultation@copeland.gov.uk)

## Part A: Your Details

Please provide your details below. This information will be added into our database so we can contact you about the Submission, Examination and Adoption of the Local Plan as well as future Local Plan consultations.

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If you **do not** wish for your details to be held in our consultation database, please tick here: ☐

If an agent is appointed you must complete details for both parties, but we will use the agent details as our primary contact.

	Your Details	Agent's Details (if applicable)
Name		
Position		Associate
Organisation	KCS Agriculture Ltd	Iceni Projects
Address		This is The Space 68 Quays Street Manchester
Postcode		M3 3EJ
Telephone		
Email		

Gender (Please circle)

Male	Female	Prefer not to say
------	--------	-------------------

Age (Please circle)

18- 25	26- 35	36-45	46-55	56-65	66-75	76+	Prefer not to say
--------	--------	-------	-------	-------	-------	-----	-------------------

## Part B: Your Representation

1. To which part of the Local Plan does this representation relate?

Paragraph

Policy

Policies Map

☒

2. Is the nature of your representation to provide support for or to object to the Policy or Proposal?

Support

☒

Object

☐

3. Do you consider the Local Plan is legally compliant? (Please tick as appropriate)

Yes

☐

No

☐

4. Do you consider the Local Plan is sound? (Please tick as appropriate)

Yes

☐

No

☐

5. Do you consider the Local Plan complies with the Duty to Co-operate? (Please tick as appropriate)

Yes

☐

No

☐

6. Please give details of why you consider the Local Plan is not legally compliant, is unsound, fails to comply with the Duty to Co-operate, or if you wish to support it.

Please refer to separate response letter prepared by Iceni Projects on behalf of KCS Agriculture.

(Continue on a separate sheet /expand box if necessary)

7. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 6 above.

(Continue on a separate sheet /expand box if necessary)

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions. **After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

8. If your representation is seeking a modification to the plan, do you consider it necessary to participate in the Examination hearing session(s)?

Yes, I wish to participate  
in the hearing session(s)

☒

No, I do not wish to participate  
in the hearing session(s)

☐

9. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

If the settlement boundary of Rheda Park is to be discussed at the hearing we would like to be notified and invited to attend, given that my client is a landowner in this area.

Signature:



Date:

1<sup>st</sup> March 2022

Please use a separate sheet if you wish to comment on and return this form **no later than 4.30pm on Monday 21<sup>st</sup> February 2022**. We are unable to consider any responses received after this date.

**Thank you for completing this form**





This is The Space  
68 Quay Street  
Manchester  
M3 3EJ

tel: [REDACTED]  
fax: +44 (0)20 3435 4228  
email: [REDACTED]  
web: www.iceniprojects.com

Strategic Planning  
Copeland Borough Council  
Market Hall, Market Place,  
Whitehaven,  
CA28 7JG

1<sup>st</sup> March 2022

JE – 20/444  
BY EMAIL

To whom it may concern,

## **COPELAND LOCAL PLAN 2021- 2038. RESPONSE TO THE PUBLICATION DRAFT CONSULTATION.**

We write on behalf of our client, KCS Agriculture Ltd, to submit a representation to the Copeland Local Plan Pre-publication Draft Consultation. Our response focusses on the proposed settlement boundary of Frizington and Rheda, providing justification for an amendment to the proposed boundary.

### **a. The Site**

Our client has an interest in the parcel of land to the north of the site known as 'Beckstones, Rheda North Park', a 55 dwelling housing development currently being built out by Genesis Homes. The land to the north formed part of the same outline planning application boundary as the Genesis Homes site, which was approved in January 2019 (LPA ref. 4/18/2426/001) with the following description of development; '*Outline application for residential development with full details of access and all other matters reserved*'. A plan of the entire site with planning permission has been provided for reference.

Recently, a reserved matters planning application has been submitted for the land to the north of Beckstones (described in the application as Land at North Park, Phase 2), seeking approval of the layout, appearance, scale and landscaping of the proposed scheme. The reference number for this application is 4/21/2519/0R1.

### **b. Previous Representations to the Local Plan**

On behalf of our client, KCS Agriculture Ltd, GenR8 Ltd previously responded to the Local Plan Preferred Options consultation in November 2020, specifically referring to Appendix A of the Local Plan (maps of preferred settlement boundaries). GenR8 Ltd identified that page 12 of the appendix, showing a plan of the proposed settlement boundary of Frizington and Rheda incorrectly identified the extent of the land with outline planning permission, coloured orange. GenR8 noted that the settlement boundary should have included further land to the north, all of which formed the land granted outline planning permission under application ref. 4/18/2426/001.

Following this, Icen Projects responded to the Local Plan Focussed Pre-Publication Version in October 2021. This consultation response reiterated concern that the site was not identified within the designated settlement boundary of Frizington and Rheda within Section 2.3 (Settlement Boundaries) of the Local Plan.

### **c. Response to the Publication Draft**

---

Upon reviewing the Publication Draft documents for the new Copeland Local Plan 2021-2038, we note that the site has now been included within the settlement boundary of Rheda Park, and this can be seen within the Local Plan Proposals Map; 'North Copeland'. We also note that on page 83 of the Pre-Publication Focused Consultation Feedback Report, our representation at the Pre-Publication stage has been acknowledged, and we have been identified as representor number 38. We are grateful that the Local Plan Policy Team have identified that the site should be included within the settlement boundary by virtue of its extant planning permission, and support this aspect of the Local Plan.

#### **Strategic Policy DS3PU – Settlement Hierarchy**

We take this opportunity to also express support for Draft Strategic Policy DS3PU (Settlement Hierarchy), which identifies that Frizington and Rheda is a Local Service Centre and notes that the Council will support development within the settlements identified, which is proportionate in terms of nature and scale to the role and function of the settlement.

#### **Strategic Policy H6PU – New Housing Development**



Draft Policy H6PU sets out reasonable requirements for developments to adhere to. We agree with and support the aim of Policy H6PU, which is to minimise any detrimental impacts of new housing development upon existing communities and to ensure development is built to a high standard, creating places where people will want to live and stay that have positive impacts upon health and well-being.

#### **Strategic Policy H4PU – Distribution of Housing**

We support the provisions of Draft Policy H4PU which notes that the distribution of housing in the Borough will be broadly in line with the settlement hierarchy. Additional housing will be supported within settlement boundaries of the towns, Key Service Centres and Local Service Centres where it accords with the Development Plan.

### **d. Conclusion**

---

We trust that our representation to the Publication Draft will be duly considered. Should you require any further information regarding our response, please don't hesitate to get in touch via email  or mobile phone . We also request to be kept updated as the Local Plan progresses towards adoption, and afforded the opportunity to provide further comments should this be appropriate.

Yours sincerely,



  
ASSOCIATE

KL/P20/053

3 March 2022

Strategic Planning  
Copeland Borough Council  
Market Hall  
Market Place  
Whitehaven  
CA28 7JG

By email to: [localplanconsultation@copeland.gov.uk](mailto:localplanconsultation@copeland.gov.uk)

Dear Sir/Madam,

## Publication Draft Local Plan Consultation - Land off Jubilee Gardens, Bigrigg

Further to the representations that we submitted on behalf of the landowner, [REDACTED] in November 2020 and October 2021, the purpose of this letter is to reiterate the suitability and availability of the Land off Jubilee Gardens, Bigrigg (Site Reference HB12/BI002a) for allocation in the forthcoming Copeland Local Plan 2021 – 2038.

I can confirm that the landowner is willing to make the land available for development.

The previously submitted representations (appended to this letter) demonstrates that the land is in a suitable location within the settlement of Bigrigg. There are no constraints that would prevent its deliverability as an allocation. In conclusion, the site is in a sustainable location and will, therefore, make an important contribution to the aspirations of the Copeland Local Plan.

We note that the proposed allocation now includes land to the South/South-East, which we welcome. It is not clear as to whether the proposed land is available, and or achievable for development. However, this is not considered to impact upon the potential delivery of the land within my client's ownership.

We have also made representations on further land, which is also owned by my client and immediately available for development. We would like to take this opportunity to reaffirm our desire to also bring this land forward.



In conclusion, we support the proposed allocation of HBI2 (BI002a) for allocation in the forthcoming Local Plan; however, we also urge the Council to consider the allocation of additional land at Jubilee Gardens, which is available, suitable and deliverable.

Yours sincerely,

[Redacted Signature]

[Redacted Name] MRTPI  
Chartered Town Planner  
PFK PLANNING & DEVELOPMENT

Email: [Redacted Email Address]

KL/20/053

ID18.1

27 November 2020


Copeland Borough Council

Local Plan Consultation

By Email to: [LocalPlanConsultation@copeland.gov.uk](mailto:LocalPlanConsultation@copeland.gov.uk)

Dear Sir/Madam,

## Response to Copeland Local Plan Consultation – Preferred Options Draft

We are instructed to make representations in respect of the above consultation, on behalf of our client . Our client owns a parcel of land in Bigrigg, part of which is partly included in the Preferred Options Draft Local Plan for allocation for residential development, Site HBI2 (or BI002a).

### 1) Site Description and Background

The site is located immediately to the west of Jubilee Gardens which fronts onto the A595 Springfield Road. Jubilee Gardens is a recently built housing development comprising 19 bungalows. The site is currently an unused field and is bordered by agricultural land to the north, a dismantled railway line to the south and Park House to the west.

The total area of land, in our client's ownership, measures approximately 2.4 hectares, applying a blanket density of 25 dwellings per hectare, the site is capable of providing a total yield of 60 dwellings. It is expected that a number of these would be affordable, in accordance with local and national policy requirements.

The site does not have any landscape, nature or habitat designations.

The site does not have any conservation or heritage designations and there are no listed buildings or scheduled ancient monuments within the site.

The site is not located in an area of flood risk and there are no known surface water issues affecting the site.

## 2) Comments on the Draft Copeland Local Plan (Preferred Options)

In this section, we will provide comments on the draft plan and in particular the policies which are relevant to the allocation of housing sites and delivery of the housing requirement.

In general, support is given to the Draft Local Plan and we are supportive to the principle of allocating land at Jubilee Gardens (HBI2) to accommodate new residential development.

We have provided further comments on the following policies in the order set out below:

- Policy DS2PO (Settlement Hierarchy)
- Policy DS3PO (Settlement Boundaries)
- Policy HP1PO (Improving the Housing Offer)
- Policy H2PO (Housing Requirement)
- Policy H3PO (Housing Delivery)
- Policy H4PO (Housing Distribution)
- Policy H5PO (Housing Allocations)

### Policy H1PO (Improving the Housing Offer)

This policy states that the Council will work with stakeholders, partners and communities to make Copeland a more attractive place to build home and live. To achieve this, Copeland state that they will allocate a range of deliverable and attractive sites to meet local housing needs and aspirations, ensuring they are built to a high standard, and whilst protecting the amenity of existing residents.

We are supportive of this aim, by allocating deliverable sites in attractive Local Service Centres, such as Bigrigg, Copeland is better placed to provide an improved housing mix, offering a wider range of types, tenures and choice of locations, with excellent access to services.

### Policy H2PO (Housing Requirement)

The Draft Copeland Local Plan, sets out a minimum requirement for the delivery of 2520 net additional dwellings between 2017 and 2035. This equates to an average annual requirement of 140 dwelling per annum. Within the Settlement Hierarchy, Bigrigg is identified as a Local Service Centre (LSC), the LSC's are expected to contribute at least 20% of the overall housing requirement equating to 28 dwellings per annum.

The policy also outlines an aspirational additional requirement for the delivery of new homes, which increases the annual target to 200 new homes per annum. This

target will not be used to assess Housing Land Supply, instead the lower figure will be used.

It is unclear why this specific approach is being taken; however, it does indicate that CBC are seeking to support housing growth beyond their minimum demographic requirement, which we support.

The figure of 140 new homes per annum, broadly accords with past delivery rates; however, it is noted that the delivery of the housing requirement will be heavily reliant upon large strategic sites, particularly in Whitehaven which are unlikely to deliver in the first five years. The Council has not yet published its updated Housing Land Supply figure, as such it is not possible to comment in more detail as to whether the Council has a five-year supply of housing sites currently available.

My client's land is currently available and could easily be developed within the first five years of the plan period. The delivery of the additional land not currently proposed for allocation, but also with my client's ownership, would make a more significant contribution to the overall housing requirement.

## Policy H3PO (Housing Delivery)

This policy sets out the action which will be taken by CBC in the event that delivery of new housing, does not come forward at the anticipated rate. We consider this Policy to be particularly important, as delivery of new homes across Copeland has consistently fallen below their housing target, which has resulted in a significant undersupply of homes.

We broadly support the mechanism proposed; however, consideration could be given to look more positively/proactively at sites which lie adjacent to settlement boundaries (similar to the approach taken by Allerdale). As these locations, are likely to be the most sustainable locations, outside of the allocations.

## Policy H4PO (Housing Distribution)

This policy sets out the minimum housing distribution figures for the Principal Town, Key Service Centres and Local Service Centres. The policy sets out maximum figures in the Sustainable Rural Villages and Other Rural Villages.

Again, we broadly support this approach which recognises the need for flexibility for the delivery of new homes in the most sustainable locations, which includes the Local Service Centres.

## Policy H5PO (Housing Allocations)

The draft policy recognises the importance of making provision for a variety of attractive housing sites, to encourage developers and new residents to the

Borough, to meet existing residents' housing needs and aspirations and reverse the trend of population decline.

The number of new homes delivered in the Borough has consistently fallen below the housing requirement in the Core Strategy, and the new proposed housing requirement will significantly lower than the previous requirement.

Policy H5PO identifies all the sites which are to be allocated and that will contribute to the delivery of the overall housing requirement. The site (Ref: HBI2 or BI002a) which is proposed for allocation measures approximately 0.74 hectares and has an indicative yield of 19 units, using a standard density of 25 dwellings per hectare.

This site is available for delivery immediately and more importantly is in a location that is commercially viable and will provide a strong build-out rate to support the Borough's five-year supply. Furthermore, the site will make an important contribution to the strategic growth aspirations of Copeland Borough Council.

Paragraph 67 of the NPPF states that planning policies should identify a supply of specific, deliverable sites for years one to five of the plan period; and identify specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the plan.

The National Planning Policy Framework states that "to be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years.

In particular:

a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).

b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years".



We consider there to be pent up demand for housing development in Bigrigg, as no sites have been allocated since the 2001-2016 Plan, and the settlement boundary was drawn tightly around existing development.



Other proposed allocations in Bigrigg, HBI1 and HBI3 have non-known developer interest and access constraints, yet have been deemed to be developable within the 0-5 year period. We are in discussion with a national housebuilder who have expressed an interest in bringing the site forward for development. As such, we would ask that consideration is given to the allocation of additional land, comprising site B1002 to help meet the housing requirement and demand.

Paragraph 68 recognises that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and can often be built out more quickly.

## Summary and Conclusion

In conclusion, we support the proposed allocation of HBI2 (B1002a) for allocation in the forthcoming Local Plan; however, we also urge the Council to consider the allocation of additional land at Jubilee Gardens, which is available, suitable and deliverable.

Yours sincerely,

  
  
Planning Specialist  
PFK PLANNING & DEVELOPMENT  




# Copeland Local Plan 2021- 2038

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If an agent is appointed you must complete details for both parties, but we will use the agent details as our primary contact.

	Your Details	Agent's Details (if applicable)
Name		[REDACTED]
Position		Chartered Town Planner
Organisation		PFK Planning and Development
Address		Agricultural Hall Skirsgill Penrith Cumbria
Postcode		CA11 0DN
Telephone		[REDACTED]
Email		[REDACTED]

Gender (Please circle)

Male	Female	Prefer not to say
------	--------	-------------------

Age (Please circle)

18- 25	26- 35	36-45	46-55	56-65	66-75	76+	Prefer not to say
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## Part B: Your Representation

1. To which part of the Local Plan does this representation relate?

Paragraph

Policy

DS4PU  
DS5PU

Policies Map

2. Is the nature of your representation to provide support for or to object to the Policy or Proposal?

Support

Object

3. Do you consider the Local Plan is legally compliant? (Please tick as appropriate)

Yes

No

4. Do you consider the Local Plan is sound? (Please tick as appropriate)

Yes

No

5. Do you consider the Local Plan complies with the Duty to Co-operate? (Please tick as appropriate)

Yes

No

6. Please give details of why you consider the Local Plan is not legally compliant, is unsound, fails to comply with the Duty to Co-operate, or if you wish to support it.

(Continue on a separate sheet /expand box if necessary)

7. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 6 above.

(Continue on a separate sheet /expand box if necessary)

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8. If your representation is seeking a modification to the plan, do you consider it necessary to participate in the Examination hearing session(s)?

Yes, I wish to participate  
in the hearing session(s)

No, I do not wish to participate  
in the hearing session(s)

x

9. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Signature:

Date:

31/01/2022

Please use a separate form for each site you wish to comment on and return this form **no later than 4.30pm on Monday 21<sup>st</sup> February 2022**. We are unable to consider any responses received after this date.

*Thank you for completing this form*









# Local Plan Representation

Land off Lingley Fields, Frizington

**PFK**

[pfk.co.uk](http://pfk.co.uk)

1. INTRODUCTION

- 1.1. This Local Plan Representation has been prepared by PFK Planning and Development on behalf of our client, [REDACTED] in relation to Land off Lingley Fields, Frizington.
- 1.2. The purpose of this report is to demonstrate that the site is available and suitable for a housing allocation in the Copeland Local Plan 2017 – 2035.
- 1.3. The site is located immediately adjacent to the proposed settlement boundary for Frizington and is well-related to existing development.

## 2. THE SITE

- 2.1. The Site is located off Lingley Fields, which is a small development of housing constructed in the early 2000's. The site lies to the West of Mill Street, in close proximity to services and facilities, which are within easy walking distance
- 2.2. The site is currently an agricultural field that measures approximately 4.7 hectares. However, we are proposing a smaller parcel of land which measures approximately 1ha. When applying a blanket density of 30 dwellings per hectare, the site is capable of providing a total yield of 30 dwellings. It is expected that a number of the dwellings would be affordable, in accordance with local and national policy requirements.
- 2.3. We have not identified any limitations that may prevent or constrain development on this site. Firstly, it is not located within an area of flood risk and there are no known surface water issues.
- 2.4. Secondly, the site does not have any landscape, habitat or heritage designations and there are no listed buildings within or close by the site. Also, there are no protected trees or woodland.
- 2.5. Finally, the site does not have any stability or contamination issues.



### 3. RELEVANT LOCAL PLAN POLICIES

- 3.1. Policy DS3PU (Settlement Hierarchy) identifies Frizington as a 'Local Service Centre'. The draft policy states that these locations have a supporting role to the Borough's towns containing a broad range of services. Settlements within this tier of the settlement hierarchy operate independently for day-to-day needs, or as a well-connected cluster with a neighbouring town.
- 3.2. Within these settlements, development will be focussed on existing employment allocations, moderate housing allocations, windfall sites and infill development.
- 3.3. Policy DS4PU (Settlement Boundaries) outlines that settlement boundaries have been identified for all settlements within the hierarchy and development within the settlement boundary will be supported in principle where it accords with the Development Plan unless material considerations indicate otherwise
- 3.4. Development outside of the settlement boundary will only be accepted in the following circumstances:
- Where the proposal is for housing and:
    - The site is well related to and directly adjoins the settlement boundary of a town or Local Service Centre; and
    - The site is or can be physically connected to the settlement it adjoins by a safe pedestrian route; and
    - 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; or
- The proposals for a specific type of housing supported by Policy H15PU, H16PU or H17PU.

3.5. The draft plan details the proposed housing allocations, Policy H5PU, but includes no allocations for Frizington.

#### 4. DEVELOPMENT APPRAISAL

- 4.1. The provision of housing on this site will support the Council's aspirations for the delivery of new housing and will contribute to the reversal of years of low-building rates. The Copeland Local Plan explains that delivering the right amount of housing development will provide the certainty and confidence to deliver the economic growth that the Borough needs to flourish.
- 4.2. The site is located adjacent to the settlement boundary, is well-related to existing development and would provide an appropriate extension to Frizington. The Spatial Development Strategy in the current Local Plan gives support for housing allocations in the form of small-scale development and appropriate extension to Frizington's settlement boundary.
- 4.3. Vehicle and pedestrian access could be achieved from Lingley Fields and Mill Street. The appropriate visibility splays are already in place and the access road is capable of accommodating additional development.
- 4.4. The site will reflect the sporadic pattern of development in this location and with carefully designed structural landscaping to boundaries, the development could be integrated into the surrounding landscape avoiding any adverse harm to the landscape character. We would recommend that this be included as a requirement for any forthcoming site allocation.

- 4.5. A high-quality housing development with a carefully designed layout and landscaping scheme will be successful in Frizington, where no sites have been identified. This site is available for delivery immediately and more importantly is in a location that is commercially viable and will provide a strong build-out rate to support the Borough's five-year supply.

#### **Suitable**

- 4.6. The site lies just outside of the defined settlement boundary, but within close proximity to the recent Lingley Fields development.
- 4.7. The site is steeply sloping; however, is considered to be capable of accommodating a small-scale extension to the existing housing without resulting in adverse impacts to landscape character.
- 4.8. The site is located in a highly sustainable location, with a range of services within easy walking distance.

#### **Available**

- 4.9. The site is currently available, and wholly within the ownership of [REDACTED]

#### **Achievable**

- 4.10. The site is currently available, and if allocated could be delivered within 0-5 years. The site benefits from access to services and infrastructure the adjoining development.

## 5. SUMMARY AND CONCLUSION

- 5.1. This appraisal has demonstrated that the Land off Lingley Fields, Frizington is available and suitable for a housing allocation in the Copeland Local Plan 2017 – 2035. The site is located immediately adjacent to the settlement boundary for Frizington.
- 5.2. This site is available for delivery immediately and more importantly is in a location that is commercially viable and will provide a strong build-out rate to support the Borough's five-year supply. Furthermore, this site together with other potential allocations in the area will make an important contribution to the strategic housing growth aspirations of Copeland Borough Council.
- 5.3. In conclusion, the site is in a sustainable location and is therefore suitable to be taken forward as a housing allocation in the Copeland Local Plan 2017 – 2035.



[REDACTED] MRTPI

Chartered Town Planner

[REDACTED]  
planninganddevelopment@pfk.co.uk

**PFK**

pfk.co.uk



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## Copeland Local Plan 2021- 2038

### Publication Draft Consultation Response Form

#### For internal use:

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Date Rec. ....

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If an agent is appointed you must complete details for both parties, but we will use the agent details as our primary contact.

	Your Details	Agent's Details (if applicable)
Name	[REDACTED]	[REDACTED]
Position	ASST. DIRECTOR ESTATES & FACILITIES	SENIOR PROJECT MANAGER
Organisation	NORTH CUMBRIA INTEGRATED CARE NHS FOUNDATION TRUST	CCL SOLUTIONS
Address	CUMBERLAND INFIRMARY NEWTON ROAD CARLISLE	UNIT 18 THE SOUTH RANGE HACKTHORPE BUSINESS CENTRE HACKTHORPE PENRITH
Postcode	[REDACTED]	[REDACTED]
Telephone		
Email		[REDACTED]

Gender (Please circle)

Male	Female	<u>Prefer not to say</u>
------	--------	--------------------------

Age (Please circle)

18-25	26-35	36-45	46-55	56-65	66-75	76+	<u>Prefer not to say</u>
-------	-------	-------	-------	-------	-------	-----	--------------------------

## Part B: Your Representation

1. To which part of the Local Plan does this representation relate?

Paragraph

Policy

Policies Map

☒

2. Is the nature of your representation to provide support for or to object to the Policy or Proposal?

Support

☐

Object

☒

3. Do you consider the Local Plan is legally compliant? (Please tick as appropriate)

Yes

☒

No

☐

4. Do you consider the Local Plan is sound? (Please tick as appropriate)

Yes

☐

No

☒

5. Do you consider the Local Plan complies with the Duty to Co-operate? (Please tick as appropriate)

Yes

☒

No

☐

6. Please give details of why you consider the Local Plan is not legally compliant, is unsound, fails to comply with the Duty to Co-operate, or if you wish to support it.

(Continue on a separate sheet /expand box if necessary)

**H5PU - Housing Allocations - Allocation reference HWH1 Land at West Cumberland Hospital and Sneckyeat Road**

We object to the area of land which has been allocated for housing development within the plan as part of it remains in the operation purview of the West Cumberland Hospital with no plans to redevelop. This is noted in the SHLAA 2022 which states *"See housing Allocation Profile document for further information. Discussions with the landowner post the production of the Publication Draft have suggested that the full site may not be available."*

The plan envisages the land coming forwards within the first 5 years of the Plan period with an indicative area of 5.07 hectares and an indicative yield of 127.

Part of the land is considered available by the NHS Trust as it is now surplus to requirements and actions are in place to begin demolition of buildings. However, the area of operational buildings which have a range of uses including training and staff residential units are to be retained and will be retained for the foreseeable future. As the the SHLAA already noted, this are of land will not be available and is unlikely to be available throughout the Plan period.

The inclusion of land which is not available will have an impact on the yield of the site and will mean that it could not be brought forward on a whole site basis. It is requested therefore that the element which will remain in association with the use of the adjoining West Cumberland Hospital is removed from the Plan.

There can be no certainty that the whole site would come forward for such through the Plan period. It is considered that the inclusion of the whole site makes the Plan unsound in this regard.



7. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 6 above.

AMEND THE LOCAL PLAN MAP TO REFLECT THE  
LAND WHICH IS AVAILABLE AND REVISE THE YIELD  
ACCORDINGLY

(Continue on a separate sheet /expand box if necessary)

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Yes, I wish to participate  
in the hearing session(s)

☐

No, I do not wish to participate  
in the hearing session(s)

☒

9. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Signature:



Date:

11/03/22

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Postcode	CA2 7HY	CA10 2HY
Telephone		
Email		linsey@ccl.solutions

Gender (Please circle)

Male	Female	Prefer not to say
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Age (Please circle)

18- 25	26- 35	36-45	46-55	56-65	66-75	76+	Prefer not to say
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Support  Object

3. Do you consider the Local Plan is legally compliant? (Please tick as appropriate)

Yes  No

4. Do you consider the Local Plan is sound? (Please tick as appropriate)

Yes  No

5. Do you consider the Local Plan complies with the Duty to Co-operate? (Please tick as appropriate)

Yes  No

6. Please give details of why you consider the Local Plan is not legally compliant, is unsound, fails to comply with the Duty to Co-operate, or if you wish to support it.

PLEASE REFER TO FOLLOWING PAGES.

(Continue on a separate sheet /expand box if necessary)



## Policy E5PU: EMPLOYMENT SITES AND ALLOCATIONS

We object to the inclusion of permanent car parking land for West Cumberland Hospital as an Employment Site and Allocation (Sneckyeat Road, Whitehaven).

The land is covered by two approved planning applications which establish part of the site for permanent car parking relating to West Cumberland Hospital. The application references are:

4/16/2390/0F1 - Conversion of land to form an additional 90 designated car parking spaces

4/20/2441/0F1 - Change of use of existing land into a staff car park for the West Cumberland Hospital.

The car parks form the bulk of the land noted as 'undeveloped allocation' in relation to Sneckyeat Road of 1.1ha.

In addition to the land being referred to as undeveloped when it is in active use as car parking for the West Cumberland Hospital operating under full planning permission, the policy does not confer any opportunity of the land to be used for operational hospital requirement to allow the Trust to redevelopment the site for medical uses in association with the hospital if necessary. This would be a C2 use and it is considered that it could be appropriately worded to relate to uses in association with the Hospital and not a more general C2 use.

Whilst it is noted that non-employment uses (defined as E(g), B2 and B8 uses) may come forwards, there are a range of caveats to first satisfy which would add an unwelcome layer of uncertainty, however minor the Authority may consider it, when securing funding.

The fact that the land is in active use under a permanent permission means that the land is not available for any further development at this time. There can be no certainty that it would come forward for such through the Plan period.

As it would be brownfield land in any case, there is no indication that should the position of the land change and it no longer be required by the Trust that an alternative use such as

employment would be unacceptable and could not be considered under a general windfall policy. It is considered that the Plan has sufficient flexibility for this to be appropriate.

7. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 6 above.

REMOVE THE ALLOCATION FROM THE PLAN OR  
MODIFY IT TO ENSURE THAT IT REMAINS AVAILABLE  
FOR USES IN ASSOCIATION WITH THE ADJACENT  
WEST LUMBERLAND HOSPITAL.

LOCAL PLAN MAP WILL REQUIRE MODIFICATION

(Continue on a separate sheet /expand box if necessary)

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8. If your representation is seeking a modification to the plan, do you consider it necessary to participate in the Examination hearing session(s)?

Yes, I wish to participate  
in the hearing session(s)

☐

No, I do not wish to participate  
in the hearing session(s)

☒

9. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Signature:

[Redacted Signature]

Date:

11/03/22

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ID39





**From:** [REDACTED]  
**Sent:** 17 March 2022 09:36  
**To:** Local Plan Consultation  
**Subject:** Representations to Copeland Local Plan Publication Version - Persimmon Homes  
**Attachments:** Representations to Copeland Local Plan Publication Version - Persimmon Homes Forms.pdf; Representations to Copeland Local Plan Publication Version.pdf

**CAUTION: External email, think before you click!**  
 Please report any suspicious email to our [IT Helpdesk](#)

Dear Sirs,

Please find attached representations to the Publication Version Local Plan on behalf of Persimmon Homes. The attached documents comprise the completed representation forms and a report containing Persimmon's representations. The appendices to the report are too large to email, so can be access on the link below.

If there are any issues with accessing the above link, please let me know.

I would be grateful if you could acknowledge receipt of these representations and confirm they have been "duly made".

Kind Regards

[REDACTED]  
 Associate Director

**Turley**

Mobile: [REDACTED]  
 Office: [REDACTED]

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Our co-owners are contactable in the usual ways and we suggest using mobile numbers in the first instance.



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	Your Details	Agent's Details (if applicable)
Name	[REDACTED]	[REDACTED]
Position	Land and Planning Manager	Associate Director
Organisation	Persimmon Homes	Turley
Address	Persimmon House Lancaster Business Park Caton Road Lancaster	1 New York Street Manchester
Postcode	LA1 3RQ	M1 2HD
Telephone		[REDACTED]
Email		[REDACTED]

Gender (Please circle)

Male	Female	Prefer not to say
------	--------	-------------------

Age (Please circle)

18- 25	26- 35	36-45	46-55	56-65	66-75	76+	Prefer not to say
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## Part B: Your Representation

1. To which part of the Local Plan does this representation relate?

Paragraph  Policy  Policies Map

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Support  Object ☒

3. Do you consider the Local Plan is legally compliant? (Please tick as appropriate)

Yes ☒ No ☐

4. Do you consider the Local Plan is sound? (Please tick as appropriate)

Yes ☐ No ☒

5. Do you consider the Local Plan complies with the Duty to Co-operate? (Please tick as appropriate)

Yes ☒ No ☐

6. Please give details of why you consider the Local Plan is not legally compliant, is unsound, fails to comply with the Duty to Co-operate, or if you wish to support it.

Please see enclosed statement

(Continue on a separate sheet / expand box if necessary)



7. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 6 above.

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(Continue on a separate sheet /expand box if necessary)

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Yes, I wish to participate  
in the hearing session(s)



No, I do not wish to participate  
in the hearing session(s)



9. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To provide further evidence.

Signature:

Date:

17/5/2022

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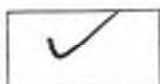
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Object

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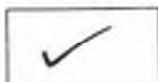
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Paragraph

Policy

HWH4

Policies Map

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Support

☒

Object

☐

3. Do you consider the Local Plan is legally compliant? (Please tick as appropriate)

Yes

☒

No

☐

4. Do you consider the Local Plan is sound? (Please tick as appropriate)

Yes

☒

No

☐

5. Do you consider the Local Plan complies with the Duty to Co-operate? (Please tick as appropriate)

Yes

☒

No

☐

6. Please give details of why you consider the Local Plan is not legally compliant, is unsound, fails to comply with the Duty to Co-operate, or if you wish to support it.

Please see enclosed statement

(Continue on a separate sheet / expand box if necessary)

7. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 6 above.

Please see enclosed statement

(Continue on a separate sheet /expand box if necessary)

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions. **After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

8. If your representation is seeking a modification to the plan, do you consider it necessary to participate in the Examination hearing session(s)?

Yes, I wish to participate in the hearing session(s)



No, I do not wish to participate in the hearing session(s)

☐

9. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To provide further evidence

Signat

[Redacted signature]

Date:

17/3/2022

Please use a separate form for each site you wish to comment on and return this form no later than 4.30pm on Monday 21<sup>st</sup> February 2022. We are unable to consider any responses received after this date.

*Thank you for completing this form*



## Part B: Your Representation

1. To which part of the Local Plan does this representation relate?

Paragraph

Policy

HSE2

Policies Map

2. Is the nature of your representation to provide support for or to object to the Policy or Proposal?

Support

☒

Object

☐

3. Do you consider the Local Plan is legally compliant? (Please tick as appropriate)

Yes

☒

No

☐

4. Do you consider the Local Plan is sound? (Please tick as appropriate)

Yes

☒

No

☐

5. Do you consider the Local Plan complies with the Duty to Co-operate? (Please tick as appropriate)

Yes

☒

No

☐

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Yes, I wish to participate  
in the hearing session(s)

☒

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in the hearing session(s)

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To provide further evidence

Signature:



Date:

17/3/2022

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☒

No

☐

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Yes

☐

No

☒

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Yes, I wish to participate  
in the hearing session(s)

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No, I do not wish to participate  
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To provide further evidence

Signature:



Date:

17/3/2022

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**Copeland Local Plan Publication Version**  
Representations on behalf of Persimmon  
Homes (Lancashire) Ltd

March 2022



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## Client

Persimmon Homes (Lancashire) Limited

## Our reference

PERM3005

4 March 2022



# 1. Introduction

- 1.1 These representations have been prepared by Turley on behalf of Persimmon Homes (Lancashire) Ltd (hereafter referred to as "Persimmon"). The representations comment on the Publication Version Copeland Local Plan, which is subject to public consultation until 18 March 2022.
- 1.2 Turley has previously prepared and submitted site specific representation on the Preferred Options and Pre-Publication Focused Consultation drafts of the Copeland Local Plan in November 2020 and October 2021 respectively. Those representations comments on various draft policies, but also promoted the allocation of a number of sites in Copeland which Persimmon has interests in. These include:
- Land south and west of St Mary's School and the Former Marchon Site, Whitehaven
  - Fairways Extension, Seascale
  - Land south of Laurel Bank, Whitehaven,
  - Melrose, Egremont
  - Vicarage Lane, Ennerdale Bridge.
- 1.3 In November 2020, representations were also submitted on the Copeland Housing Needs Report, and a joint representation with Gleeson Homes was submitted on the development strategy, housing requirement and settlement hierarchy proposed in the Preferred Options Version of the Local Plan.
- 1.4 The emerging Local Plan will be subject to an independent examination into its soundness and legal compliance. The tests of soundness are presented in paragraph 35 of the National Planning Policy Framework (NPPF). This notes that Local Plans are sound only if they are:
- **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
  - **Justified** – an appropriate strategy taking into account reasonable alternative, and based on proportionate evidence;
  - **Effective** – deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
  - **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies of the Framework.

- 1.5 These representations comment on the soundness of the policies in the Publication Version Local Plan in the context of the above-mentioned tests of soundness. The representations should be read alongside Persimmon's previous representations on the Copeland Local Plan referred to in paragraphs 1.2 and 1.3.

### **Structure**

- 1.6 The structure of these representations is as follows:

- Section 2 – Policy HP2U: Housing Requirement
- Section 3 – Policy H1PU: Improving the Housing Offer
- Section 4 – Policy H3PU: Housing Delivery
- Section 5 – Policy DS4PU: Settlement Boundaries
- Section 6 – Policy H5PU: Housing Allocations
- Section 7 – Proposed Allocation HWH4: Land South and West of St Mary's School and Proposed Allocation HWH5: Former Marchon Site North
- Section 8 – Proposed Allocation HSE2: Fairways Extension, Seascale
- Section 9 – Additional Housing Opportunity Sites
- Section 10 – Opportunity: Land South of Laurel Bank, Whitehaven
- Section 11 – Opportunity: Melrose, Egremont
- Section 12 – Opportunity: Vicarage Lane, Ennerdale Bridge
- Section 13 – Policy N7PU: St Bees Heritage Coast
- Section 14 – Conclusion

## 2. Policy H2PU: Housing Requirement

- 2.1 Policy H2PU outlines the proposed housing requirement for Copeland, this being a minimum of 2,482 net additional dwellings (an average of 146 dwellings per annum). The draft policy goes on to state that, in order to plan positively and support employment growth over the plan period, a range of attractive allocated sites, when combined with future windfall development, previous completions and extant permission, will provide a minimum of 3,400 dwellings (an average of 200 dwellings per annum) over the Plan period (2021 to 2038).
- 2.2 As referred to in Section 1 of this statement, Persimmon and Gleeson Homes submitted a technical critique of the housing requirement (hereafter referred to as the "Housing Needs Report") to the Preferred Options Draft of the Copeland Local Plan. A copy of this report is attached at Appendix 1. The housing requirement in the Preferred Options draft was slightly lower (2,520 dwellings / 140 per annum) than that in the Publication Version Plan; however the conclusions reached in the Housing Needs Report remain valid, and are summarised below.
- 2.3 The NPPF, at paragraph 17 makes it clear that Local Plans must include strategic policies to address the identified priorities for the development and use of land across the Borough. These policies must address social, economic and environmental objectives in "mutually supportive ways....."<sup>1</sup>, mindful that they are interdependent components of achieving sustainable development.
- 2.4 In respect of social objectives, as per paragraph 20 of the NPPF, the strategic policies of the Local Plan must make sufficient provision for housing, including affordable housing. This should be achieved by ensuring a "sufficient amount and variety of land"<sup>2</sup>..... is made available".
- 2.5 In accordance with paragraph 61 of the NPPF, the minimum amount of new homes needed across Copeland should be identified using the Government's "standard method". The Planning Practice Guidance (PPG) makes clear that the housing need figure calculated by the standard method is a minimum "starting point"; it therefore makes clear that there will be circumstances where "the actual housing need is higher than the standard method indicates"<sup>3</sup>.
- 2.6 At the time of writing, the standard method calculation for Copeland remains the same as it was when the Housing Needs Report was drafted (11 dwellings per annum). As outlined in the Housing Needs Report, the standard method calculation for Copeland is evidently not credible when the Borough has consistently delivered at least 110 dpa over the past decade, at an average of 133 dpa<sup>4</sup>. This is clear evidence that the scale of the need and demand for new homes in the Borough is significantly higher than the standard method indicates.

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<sup>1</sup> Paragraph 8, NPPF (July 2021)

<sup>2</sup> Paragraph 60, NPPF (July 2021)

<sup>3</sup> Paragraph 010, Reference ID: 2A-010-20190220

<sup>4</sup> Publication Version Local Plan, Figure 8

- 2.7 This is primarily due to the reliance of the standard method upon trend-based demographic projections which assume a sustained decline in the Borough's population due to the impact of a continued ageing population. However, this does not align with the Council's aspiration to depart from past trends to boost economic growth and ensure a sustainable future for the Borough.
- 2.8 Therefore, within the context of the PPG, "previous levels of housing delivery" undoubtedly signal a "significantly greater" need for housing in Copeland than implied by the standard method, and as such it is clearly "appropriate to plan for a higher level of need"<sup>5</sup>.
- 2.9 Furthermore, the Council's aspiration to depart from past trends is built on a consideration of investment potential in the borough with specific reference to its major employers and sectorial specialisms. The realism of achieving employment growth must be considered in the context of the success the borough has had over recent years in creating new employment opportunities. It is critical that this growth is sustained and its full benefits realised within the borough with the supply of an adequate quantity and breadth of housing critical to achieving this objective.
- 2.10 Persimmon supports the Council's positive approach in identifying that the full need for housing exceeds that set through the standard method. However, it is considered that the minimum housing requirement of 143 dpa outlined in draft Policy HPU2 does not fully reflect the Council's aspirations for economic growth, rather it is 'demographic-led'. Indeed, this figure does not include consideration of supporting future employment growth.
- 2.11 Therefore, the current housing requirement and associated draft policy are considered to be unsound as it is not 'positively prepared' in relation to meeting the Borough's objectively assessed needs, is not fully 'justified' when taking into account the Council's aspirations and consequently is not consistent with national policy as it would fail to significantly boost the supply of housing, as set out in paragraph 60 of the NPPF.
- 2.12 As justified in the attached Housing Need Report, Persimmon considers that the minimum housing requirement for the borough should be 300 dpa which reflects the 'employment-led growth' which will ensure the delivery and be "*mutually supportive...*"<sup>6</sup> of economic growth in the Borough and assist the Council in meeting its stated aims and objectives.
- 2.13 Persimmon therefore considers that the housing requirement in Policy HPU2 should be increased to 300 dpa in order to make the plan sound. Further justification for why a 300 dpa requirement would be the most appropriate housing requirement is set out in the Housing Needs Report attached at Appendix 1.

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<sup>5</sup> Paragraph 010, Reference ID: 2A-010-20190220

<sup>6</sup> Paragraph 8, NPPF

### 3. Policy H1PU: Improving the Housing Offer

3.1 Policy H1PU sets out that the housing requirement in Policy H2PU will be delivered through the following measures:

- (a) Allocating a range of deliverable and attractive housing sites to meet local needs and aspirations;
- (b) Supporting the renewal and improvement of the Borough's existing housing stock and bringing empty properties back into use;
- (c) Supporting proposals which aid the regeneration of the wider residential environment;
- (d) Approving housing development on appropriate windfall sites within the settlement boundaries where it accords with the Development Plan; and
- (e) Ensuring a consistent supply of deliverable housing sites is identified through an annual Five Year Housing Land Supply Position Statement

3.2 As set out in Policy H2PU (and referred to above in paragraph 2.1), the allocations in the Local Plan and a windfall allowance would deliver 3,400 dwellings (an average of 200 dwellings per annum) over the Plan period. Whilst this is higher than the minimum housing target in Policy H2PU of 2,482 net additional dwellings (an average of 146 dwellings per annum), it would be lower than requirement of 300 dpa identified in the attached Housing Needs Report that is considered to necessary to support economic growth.

3.3 Part d of Policy H1PU restricts windfall development outside of the settlement boundaries. Given that the proposed allocations in the Local Plan and a windfall allowance would not deliver the 300 dpa considered necessary to support economic growth, it is considered that by restricting windfall development to sites within the settlement boundary Policy H1PU is not positively prepared and is therefore unsound.

3.4 Persimmon considers that Policy H1PU should be amended so that it allows for windfall development on sites outside of settlement boundaries, where they are well related to the settlement, for example where development would result in the rounding off of a settlement. This would provide greater flexibility in housing supply, assisting to meet the requirement of 300 dpa considered necessary in the attached Housing Needs Assessment.

3.5 Development on sites well related to the settlement boundaries would continue to ensure that development takes place in locations that are sustainable and have access to facilities and services within settlements, whilst assisting to meeting the housing requirement necessary to deliver economic growth.

3.6 Additionally, notwithstanding Persimmon's comments on Policy DS4PU (see section 5), Policy DS4PU allows for housing development outside of the settlement boundaries of a Town or Local Service Centre where the site is well related to and directly adjoins the



settlement boundary. Policy H1PU does not therefore align with the requirements of Policy DS4PU and should be amended so that the requirements of the two policies are the same (including Persimmon's suggested amendment to Policy DS4PU)

3.7 The following amendment to part d of Policy H1PU is therefore requested:

"d) Approving housing development on appropriate windfall sites ~~within~~ that relate well to the settlement boundaries where it accords with the Development Plan....."

## 4. Policy H3PU: Housing Delivery

- 4.1 Part 3 of Policy H3PU commits the Council to a full or partial review of the Local Plan if during any monitoring year, housing delivery has exceeded expectations within the Sustainable Rural Village and Rural Village tiers in the settlement hierarchy which may put the development strategy in the Local Plan at risk.
- 4.2 Persimmon questions whether the above approach is justified and therefore whether the policy is sound. The housing requirement in Policy H2PU and the distribution of housing in Policy H4PU should be treated as minimums, not ceilings. An exceedance of the minimum housing target in a settlement or settlement tier should not prevent further development coming forward in other locations or other settlement tiers, where that development accords with other policies in the Local Plan. It is not therefore considered necessary for a local plan review if development expectations in one settlement or settlement tier exceeds expectations.
- 4.3 On the contrary, Persimmon considers that a review of the Local Plan should take place if development in a settlement or tier of settlements falls significantly below expectations. The sustainable rural villages and rural villages are some of the settlements in the Borough where housing pressures, and in particular affordable housing need, is most acute. If housing delivery in these settlements therefore drops significantly below expectations it could have negative consequences on the availability of a suitable mix of housing to meet needs and the availability of affordable housing in those settlements. Furthermore, it could also potentially impact on the ongoing sustainability of that settlement and the overall objective of boosting the economy of the Borough. It is therefore important that the Local Plan contains a mechanism that allows for an early review if delivery in these settlements drops below expectations in order to investigate and address the reasons for this, potentially through the allocation of more sites for housing development or amending settlement boundaries.
- 4.4 Without including a mechanism for a local plan review if housing delivery drops below expectations, the plan is not comply with the Government's objective of significantly boosting housing supply, and would therefore be contrary to paragraph 60 of the NPPF and unsound.
- 4.5 Persimmon therefore considers that Part 3 of Policy H3PU should be amended as follows:
- "If evidence suggests that, at the end of any monitoring year, housing delivery has ~~exceeded~~ **has fallen below** expectations within the Sustainable Rural Village and Rural Village tiers in the settlement hierarchy which may put the overall Development Strategy at risk the Council will consider carrying out a full / partial Local Plan Review."*
- 4.6 It is considered that the above policy amendment would mean that Policy H3PU is more positively prepared and is necessary to make it sound.

## 5. Policy DS4PU: Settlement Boundaries

- 5.1 Policy DS4PU sets out the criteria that will be used to determine whether development can take place outside of the Settlement Boundaries shown on the Proposals Maps. Part 1a) of the policy states that, subject to the other criteria in the Policy, and other policies in the Local Plan being met, housing development outside of the settlement boundaries will be allowed where the site is well related to and directly adjoins the settlement boundary of a town or Local Service Centre.
- 5.2 Persimmon considers that the policy should also allow for housing development on sites well related to and directly adjoin the settlement boundaries of other settlement tiers, particularly where there is limited scope for growth within the settlement boundaries. This is particularly important in the Sustainable Rural Villages. Policy H4PU (Distribution of Housing) states that development in the Sustainable Rural Villages will be allowed where it is required to support economic growth. However, with the Settlement Boundaries being drawn tight to the existing built-up area of a number of the Sustainable Rural Villages – Ennerdale Bridge in particular – and no allocations in a number of those settlements there is very limited scope for development within the Settlement Boundaries. There is therefore no, or very limited, opportunities for additional development to the level shown in Policy H4PU in some of the Sustainable Rural Villages and therefore limited opportunity for growth in the Sustainable Villages that is necessary to sustain and grow their service offer.
- 5.3 This is particularly true of Ennerdale Bridge, where the settlement boundaries are drawn tight to the existing built up area of the settlement in the Publication Version Plan and there are no proposed allocations within the settlement. Persimmon owns a site at Vicarage Lane, Ennerdale Bridge, details of which are provided at Section 12. The settlement boundaries of Ennerdale Bridge were drawn to include the site in the Preferred Options Draft of the Local Plan, but were amended in the Focused Pre-Publication Draft to exclude the site. The reasoning given for this removing the site from the Settlement Boundaries is set out in the Discounted Sites document<sup>7</sup>. These include infrastructure constraints and ecological constraints, both of which are disputed by Persimmon, and it is considered that the site provides a suitable and sustainable location for housing development to support the economic growth of Ennerdale and its hinterland (see Section 12 of these representations).
- 5.4 In light of the above, Persimmon considers that Policy DS4PU, as currently drafted in unsound as it restricts windfall development in the Sustainable Rural Villages and is therefore not positively prepared. The following changes to Part a) of Policy DS4PU are considered necessary in order to make the policy sound:
- "a) the site is well related to and directly adjoins the settlement boundary of a town or Local Service Centre....."*
- 5.5 In addition, Persimmon considers that the Settlement Boundaries of Ennerdale Bridge should be amended to include its Vicarage Lane site.

<sup>7</sup> [https://www.copeland.gov.uk/sites/default/files/attachments/discountedsiteprofiles\\_0.pdf](https://www.copeland.gov.uk/sites/default/files/attachments/discountedsiteprofiles_0.pdf), page 24

- 5.6 Notwithstanding the requested amendments to Policy DS4PU above, the Policy would remain very restrictive in terms of residential development outside of settlement boundaries due to Part c) of the Policy only allowing development on windfall sites in situations where the council is unable to demonstrate a 5 year deliverable housing supply or there has been previous under-delivery against the housing requirement or 3 years or more. Whilst it is understood that the purpose of these restrictions are to ensure that in settlements where there is opportunity for windfall development within the Settlement Boundaries, land within the Settlement Boundaries is developed first. However, as stated above, in settlements such as Ennerdale Bridge there is no opportunity for windfall development within the Settlement Boundaries due to them being tightly drawn to the existing built up area and no allocations are proposed. As a result, there is no opportunity for further development in Ennerdale Bridge and therefore very limited opportunity for Ennerdale Bridge to perform its role as a Sustainable Rural Village and accommodate development to maintain the community.
- 5.7 Persimmon therefore requests that the settlement boundaries of Ennerdale Bridge are amended to include the site, as was the case with earlier drafts of the Local Plan. It is also requested that the site is allocated for residential development. Justification for this is provided in Section 12 of these representations.

## 6. Policy H5PU: Housing Allocations

6.1 Policy H5PU allocates sites for housing development during the Plan period.

6.2 Persimmon supports the allocation of the following sites over which it has an interest:

- HWH4: Land South and West of St Mary's School, Whitehaven
- HWH5: Former Marchon Site North, Whitehaven
- HSE2: Fairways Extension, Seascale

6.3 The above sites are considered to be suitable for housing development and will all be able deliver housing within the Plan period. Further details of each site, their suitability for housing development and information on the deliverability of each site is provided in Sections 7 and 8 of these representations.

6.4 Notwithstanding the support for these allocations, Persimmon considers that amendments are necessary to proposed allocations HWH4 and HWH5 to include additional land. Reasoning for this is set out in Section 7.

6.5 As referred to in Section 2 of these representations and the accompanying Housing Needs Report, Persimmon is of the opinion that the minimum housing requirement in Policy H2PU should be increased to 300 dpa in order to meet the full economic ambitions of the Borough. The Local Plan does not allocate sufficient sites to deliver 300 dpa, and would still fall short with the windfall allowance referred to in Policy H2PU. Persimmon is therefore of the opinion that additional sites should be allocated in the Local Plan in order to deliver the 300 dpa requirement considered necessary in the accompanying Housing Needs Report and to make the Local Plan sound.

6.6 Persimmon has promoted the following sites at various stages of consultation on the Copeland Local Plan:

- Land south of Laurel Bank, Whitehaven;
- Land at Melrose, Egremont; and
- Vicarage Lane, Ennerdale Bridge.

6.7 Persimmon considers that these site, which are not proposed for allocation in the Publication Version Local Plan, provide sustainable and suitable sites to meet the higher housing need. All of the sites are located in suitable locations for housing development and are available. Housing development on these sites would therefore be achievable within the Plan period and they should be allocated in order to meet the identified higher housing need.

6.8 Justification for these additional sites being included as allocations in the Local Plan is provided in Sections 9 to 12.



## 7. Proposed Allocation HWH4: Land South and West of St Mary's School and Proposed Allocation HWH5: Former Marchon Site North

### Background

- 7.1 The Former Marchon Site North and the adjacent Land South and West of St Mary's School provide an opportunity for a comprehensively planned residential development in a sustainable location on the edge of the Principal Town of Whitehaven; redeveloping a large previously developed site. Persimmon supports the allocation of these sites for housing in the Local Plan and the inclusion of these sites within the amended settlement boundary of Whitehaven
- 7.2 Persimmon has land interests in the Former Marchon site and the adjacent land to the north. It has entered into a contract with the landowner of the land to the north of the former chemical works site to deliver a residential development and a hybrid planning application has been submitted proposing a development of up to 139 dwellings<sup>8</sup>.
- 7.3 However, part of this application site has been excluded from proposed allocation HWH5 and is located outside of the proposed settlement boundary of Whitehaven.
- 7.4 This "additional land" is not subject to any constraints that would prevent residential development in the short-term and provides the opportunity to deliver additional housing as part of a comprehensive development of the area, contributing towards the higher housing need identified in the Housing Needs Report that accompanies these representations.
- 7.5 Persimmon therefore requests that proposed allocations HWH4 and HWH5 are amended so that allocation HWH5 includes all of the land within Persimmon's control, including all of the land shown within the red line of the Location Plan submitted with the hybrid planning application (attached at Appendix 2) and all of this land is included within the proposed settlement boundary of Whitehaven.

### Proposed Allocations in the Copeland Local Plan Publication Version

#### Proposed Housing Allocations

- 7.6 The Former Marchon Site North is identified as a housing allocation in the Local Plan Publication Version (ref: HWH5). Policy H5PU identifies the site as having capacity for around 532 dwellings. The site is assessed in the 2020 SHLAA as site ref: WW014, which identifies the site as being deliverable within 5 years.
- 7.7 Part of the site is also assessed in the 2020 SHLAA as site ref: WW022: Land West of Waters Edge Close and identified as being suitable for housing and deliverable within 5 years. SHLAA site WW022 is also proposed as an allocation in Policy H5PU, as part of draft allocation HWH4: Land South and West of St Mary's School. That allocation also

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<sup>8</sup> Ref: 4/21/2432/OF1

includes some further land to the north which Persimmon do not control. Policy H5PU states that the site has the capacity for 60 dwellings.

- 7.8 Proposed Applications HWH4 and HWH5 do not include the western part of the site shown within the red line of the hybrid planning application (shown on the plan attached at Appendix 2), which is shown to be located outside of the settlement boundary of Whitehaven in the Publication Version Local Plan.
- 7.9 The capacity of the site in the proposed allocation (532 dwellings) does not therefore include the 139 dwellings that could be delivered as part of the current hybrid planning application. Persimmon therefore considers that the allocation should be amended to reflect the true capacity of the site, which is up to 700 dwellings.

#### **Requested Changes to Proposed Allocations HWH4 and HWH5**

- 7.10 Whilst Persimmon supports the proposed HWH4 and HWH5 allocations in the Local Plan Publication Version, the following changes to these allocations and the settlement boundaries are requested:
- The boundaries of proposed allocations HWH4 and HWH5 are amended so that all of the land under Persimmon's control, including all of the land within the red line of the hybrid planning application (Appendix 2) is included within proposed allocation HWH5.
  - The settlement boundary of Whitehaven is amended to also include all of this land.
  - The number of dwellings in the allocation is increased to 700 to better reflect the 139 dwellings proposed as part of the current planning application for the "additional land".
- 7.11 Notwithstanding the hybrid planning application awaiting determination for the site, the inclusion of all of the land under Persimmon's control in allocation HWH5, including any land currently shown in Proposed Allocation HWH4 and an extension of allocation HWH5 to include the additional land referred to above, as well as an amendment to the proposed settlement boundaries to include this land, would allow this additional housing to be delivered as part of the wider redevelopment of the former Marchon Chemical Works site, providing a comprehensively planned and integrated development. This is a significant benefit that would not likely occur with standalone sites on the edge of the settlement boundaries elsewhere in the Borough.
- 7.12 Additionally, given the findings of the Housing Needs Report that accompanies these representations that the housing requirement for Copeland needs to be increased from 143 dwellings per annum to 300 dwellings per annum, it is likely that additional sites will need to be identified in order to meet the housing needs of Copeland over the plan period. The inclusion of the additional area of land currently not included in the allocations would provide an opportunity for additional housing to be brought forward to contribute towards meeting this increased need in a highly sustainable location.

7.13 We set out below reasoning for why the area of the site currently excluded from the proposed allocations (hereafter referred to as “the additional land”) is suitable for housing development and should be included within the allocation, with specific reference being made to the following:

- There are no constraints to residential development on the additional land
- The additional land is within a suitable and sustainable location for residential development, and
- Residential development on the additional land would be deliverable in the short term.

### **Suitability**

#### **Absence of Constraints to Residential Development**

7.14 It is shown below that there would be no constraints to residential development on the additional land. In particular, the additional land has limited landscape character and there would be no technical constraints to housing development, such as ecology or flood risk.

#### ***Landscape***

7.15 A Landscape and Visual Impact Assessment (LVIA) has been submitted with the hybrid planning application<sup>9</sup>.

7.16 The LVIA therefore that substantial-moderate and negative visual effects would be localised and limited to a small number of residents at home at Waters Edge and moderate and negative effects on landscape character would be localised and limited, especially when considering the mitigation measures proposed as part of the planning application, including a vast area of open space to the west of the Phase 1 development.

7.17 Additionally, due to the proximity of the proposed development to existing housing development and the poor landscape condition of the majority of the site, the landscape has some ability to absorb the proposed development

7.18 As such, it is considered that landscape impact is not a constraint to development on the additional land.

#### ***Ecology***

7.19 The additional land does not comprise part of any international, national or local environmental designation. The nearest designated site is St Bees Head Site of Special Scientific Interest (SSSI), located approximately 200 m to the west. Development on the additional land would not encroach any closer to the SSSI than the development on the allocated part of the former Chemical Works site.

7.20 Development on the additional land would provide the opportunity to deliver comprehensive mitigation measures to avoid impact on the SSSI in conjunction with

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<sup>9</sup> [https://www.copeland.gov.uk/sites/default/files/planning-applications/163 landscape and visual appraisal 210817 reduced.pdf](https://www.copeland.gov.uk/sites/default/files/planning-applications/163%20landscape%20and%20visual%20appraisal%20210817%20reduced.pdf)

the development on the currently proposed allocation. Ecology Surveys and Reports submitted with the hybrid planning application confirm that subject to mitigation measures proposed in the planning application, there would be no negative impact on ecological receptors

- 7.21 It is therefore considered that there would not be any ecology constraints to extending the proposed allocation and settlement boundary to include the additional land.

#### ***Heritage***

- 7.22 There are no designated heritage assets within a 250m radius of the site. It is therefore unlikely that there would be any heritage constraints to housing development on the site and therefore no constraints in this respect to extending the allocation and settlement boundary to include the additional land. This is concluded by the Heritage Impact Assessment submitted with the hybrid planning application for the site<sup>10</sup>.
- 7.23 In addition, development of the site offers the opportunity to reveal the industrial history of the site through archaeological investigations and potential measures such as the inclusion of information boards linking the development to the site's past.

#### ***Ground Conditions***

- 7.24 Whilst it is acknowledged that the former chemical works site is subject to high levels of contamination due to its former use (initial testing and intrusive investigations have taken place over the past decade), it is considered that the additional land would not be subject to such levels of contamination. The additional land is located outside of the site of the former chemical works and has previously been used as pasture. It is considered that the additional land would not be subject to levels of contamination that would require significant levels of remediation, although this would need to be confirmed through appropriate investigations.
- 7.25 Ground conditions would not therefore be a constraint to housing development on the site, and the anticipated lower level of contamination compared to the former chemical works part of the site, would mean that housing development on this area of the site could be delivered as an initial phase, providing much needed housing in the early years of the Local Plan.

#### ***Flood Risk***

- 7.26 The site is located within Flood Zone 1 and is therefore at low risk of flooding. Flood Risk would not be a constraint to residential development on the site.

#### ***Access***

- 7.27 The land proposed to be allocated as part of a proposed allocation HWH4 benefits from access from High Road, to the north of the Waters Edge development, using existing roads that previously provided access to the former chemical works. The additional land would be able to be accessed using these roads through the area of the site currently proposed for an allocation.

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<sup>10</sup> [https://www.copeland.gov.uk/sites/default/files/planning-applications/hia\\_former\\_chemical\\_works\\_whitehaven\\_cl12200\\_reduced.pdf](https://www.copeland.gov.uk/sites/default/files/planning-applications/hia_former_chemical_works_whitehaven_cl12200_reduced.pdf)

7.28 Access is therefore not a constraint to housing development on the site.

#### **Suitability of Location**

7.29 The additional land is in a suitable location for housing development. It is located in close proximity to a range of facilities, services and infrastructure within the existing built up area of Whitehaven. These include:

- Primary and infant schools such as St Mary's Catholic Primary School and Kells Infant School located approximately 0.2 miles from the site
- Retail opportunities such as a Nisa Local on Woodhouse Road adjacent to the site and a Coop store approximately 0.3 miles from the site on Lakeland Avenue
- Health facilities such as a pharmacy, adjacent to the site on High Road
- Recreation facilities including playing fields at Kells RLFC and a children's play area on High Road, both approximately 0.3 miles from the site, as well as opportunities for coastal walks to the west of site.

7.30 The nearest bus stops to the site are located on Ennerdale Terrace and Rydal Avenue, approximately 140m from the site. These bus stops provide access to regular services to destinations including Whitehaven and Greenbank. The proposals would allow for a looped bus route through the main site that could bring services even closer.

7.31 The proposed allocation of sites HWH4 and HWH5 shows that the Council accepts that this location is a sustainable location for housing development. The Copeland Local Plan 2017-2035 Integrated Assessment of the Preferred Options and Issues and Options Drafts shows that both sites score well when assessed against accessibility, health and wellbeing and sustainable economy criteria, indicating that the site is in a sustainable location for housing development.

7.32 The additional land is also well-located in relation to existing and planned residential development. It would fill a small gap between the existing development at Waters Edge Close and Colliers Way and the development that would take place within the existing extent of the two proposed allocations.

7.33 The allocation of the additional land within the proposed allocation HWH5 would allow the site to be brought forward in combination with this allocation, providing a comprehensive residential development of the area.

#### **Suitability Conclusion**

7.34 The additional land is considered suitable for residential development and it is requested that the proposed settlement boundary of Whitehaven and proposed allocation HWH5 are amended to include the additional land.

7.35 There are no constraints to development that would make the additional land unsuitable for residential development and it is located within a sustainable location for housing development.



- 7.36 Given the findings of the Housing Needs Report that accompanies these representations that the housing requirement in the Local Plan Publication Version should be increased, it is considered increasingly important that additional sites are identified to meeting housing need. Therefore, whilst the additional land is currently located outside of the proposed settlement boundaries, it is not considered that this should be a constraint to residential development on the site. It is well-located in relation to existing and planned development and would represent an acceptable small scale extension to the existing urban area that would not negatively impact on landscape quality.
- 7.37 The inclusion of the additional land within the proposed allocation would provide the opportunity for it to come forward as part of a comprehensive residential development alongside the current extent of proposed allocation HWH5.

### **Availability**

- 7.38 The SHLAA assessment of the additional land as part of the much larger parcel WW025 (Whitehaven Coastal Fringe) states that the land is not available. This is not the case in respect of the area over which Persimmon's Phase has an interest. Whilst it is not currently under the ownership of Persimmon, Persimmon have entered into a contract with the landowner to develop the site and the adjacent land currently proposed as part of proposed allocation HWH4 for housing. The additional land is therefore considered to be available in the short term.
- 7.39 Additionally, Persimmon is contracted over the adjacent land within the former Marchon Site North currently included in proposed allocation HWH5 and is able to bring forward all of the land shown on the plan attached at Appendix 2 forward as a comprehensive development. The submission of a hybrid planning application for the site demonstrates its availability.

### **Achievability**

- 7.40 Technical work undertaken as part of the hybrid planning application for the Former Marchon Chemical Works site and adjacent land has confirmed that there are no constraints that would prevent or delay a residential development on the site. This means that the site could be developed within the plan period.

### **Summary**

- 7.41 Persimmon supports the proposed allocation of the Former Marchon Works North site (HWH5) and the proposed allocation of the Land to the South and West of St Mary's School (HWH4).
- 7.42 It is requested that the proposed HWH5 allocation is extended to include all of the land shown on the plan attached at Appendix 2 of these representations, including the additional land to the west of these allocations that is not currently proposed for allocation and the total number of dwellings that could be delivered within the allocation is increased to 700. It also requests that the proposed settlement boundaries are extended to include this "additional land".

- 7.43 The Housing Needs Report that accompanies these representations identifies a need to increase the housing requirement in the Local Plan. As a result, it is considered imperative that additional housing allocations are identified.
- 7.44 The additional land is suitable for residential development. It is not subject to constraints that would prevent housing development and, like the adjacent proposed allocations, is in a location suitable for housing development.
- 7.45 As demonstrated by the document submitted in support of the hybrid planning application for the site there are no constraints to development on the site and the site would be developable and deliverable within the Plan period

## 8. Proposed Allocation HSE2: Fairways Extension, Seascale

### Background

- 8.1 Persimmon supports proposed allocation HSE2 in the Local Plan Preferred Options Report and the proposed amendment to the settlement boundary of Seascale to include the site. The site is in a sustainable location for housing development and development on the site would fill a small gap within the existing settlement, thereby having no impact on landscape character.
- 8.2 The plan attached at Appendix 3 shows the extent of Persimmon's ownership.

### Proposed Allocations

- 8.3 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.
- 8.4 The Fairways Extension site has been assessed as a deliverable residential site in the 2020 SHLAA (ref: SE024) and is proposed for allocation in the Local Plan (ref: HSE2) for 22 dwellings.
- 8.5 It is also proposed in the Local Plan that the settlement boundary of Seascale will be amended to include the proposed allocation.
- 8.6 The proposed amendment to settlement boundaries and the proposed Fairways Extension allocation in the Local Plan Preferred Options draft is supported by Persimmon.
- 8.7 The case for this is made below, with reference made to the following:
- There are no constraints to residential development on the site
  - The site is within a suitable and sustainable location for residential development, and
  - Residential development on the site would be deliverable in the short term

## **Suitability**

### **Absence of Constraints to Residential Development**

- 8.8 It is shown below that there would be no constraints to residential development on the site. In particular, development on the site would not negatively impact on landscape character and there would be no technical constraints to housing development, such as ecology or flood risk.

### ***Landscape***

- 8.9 The site is well related to the existing built-up area of Seascale and development would fill a gap between existing urbanised features. To the east of the site, the existing housing development along Coniston Avenue extends as far as the site's northern boundary. There is also a dwelling to the north of the site, at the end of Croft-Head Road. To the west is the driving range of Seascale Golf Course. Whilst this is a green feature, it is not a natural feature and is considered to be urban in character. Development on the northern part of the site would therefore fill the gap between these built-up areas. Being a gap in between built development, the site does not have the character of the countryside landscape located to the north, rather it appears as a gap in the urban environment. The northern boundary of the site, as proposed by Persimmon, would be a natural boundary between the urban area and the countryside beyond.
- 8.10 Persimmon therefore considers that landscape impact would not be a constraint to development on the land to the north of proposed allocation HSE2.

### ***Ecology***

- 8.11 The land to the north of proposed allocation HSE2 does not comprise part of any international, national or local environmental designation. The nearest designated sites are Hallsenna Moor Site of Special Scientific Interest (SSSI) and National Nature Reserve (NNR). These designated sites are located approximately 1.5 miles to the south east of the site. They are considered to be sufficiently distant from the land to the north of proposed allocation HSE2, with existing built development in between, as to not be harmed by residential development on the land to the north of proposed allocation HSE2.
- 8.12 There would therefore be no ecology constraints that would prevent housing development.

### ***Heritage***

- 8.13 There are no designated heritage assets located within 250m of the land to the north of proposed allocation HSE2. It is therefore considered that there are no heritage constraints that would prevent residential development.

### ***Ground Conditions***

- 8.14 That land has not been developed in the past. It is considered that there is unlikely to be any adverse ground conditions that would pose a constraint to housing development on the site.

### **Flood Risk**

- 8.15 The land is located within Flood Zone 1 and is therefore at low risk of flooding. Flood risk is not therefore a constraint to development on the site.

### **Access**

- 8.16 An access to the proposed allocated site has been reserved from Links Crescent, with the potential for additional linkage through to Coniston Avenue.
- 8.17 Access is not therefore a constraint to residential development.

### **Suitability of Location**

- 8.18 As referred to above, the site is within walking distance of services and facilities in Seascale and is therefore considered to be a sustainable location for housing development. Such services and facilities include:
- Seascale Primary School, approximately 0.8 miles from the site
  - Health care facilities including Seascale Health Centre and Seascale pharmacy, approximately 0.4 miles from the site
  - A post office, approximately 0.4 miles from the site
  - Convenience retail opportunities at the Co-op store on Gosforth Road, approximately 0.4 miles from the site
  - Recreation and leisure opportunities including the recreation ground immediately to the south of the site, the golf course immediately to the west, and Seascale Community Fitness Centre, approximately 0.6 miles from the site.
- 8.19 Seascale Railway Station is located approximately 0.4 miles from the site. It offers regular services to Barrow-in-Furness and Carlisle, stopping at various settlements along the coast.

### **Suitability Conclusion**

- 8.20 There are no constraints that would make land unsuitable for housing development. It is also located in a sustainable location for housing development.
- 8.21 As a result, it is considered clear that the site is suitable for a housing allocation in the emerging Local Plan.

### **Availability**

- 8.22 The site is under the ownership of Persimmon, a reputable housebuilder with a strong track record in the delivery of housing across the UK. It is therefore clearly owned and controlled by an experienced housebuilder. There are no legal or ownership restrictions affecting the land that would preclude or delay delivery.
- 8.23 The site is therefore readily available with a realistic prospect of delivery within 5 years.



### **Achievability**

- 8.24 The preceding sections of this Chapter demonstrate that the site is sustainable and there are no technical constraints impeding delivery.
- 8.25 Development on the site would therefore be deliverable within the short term.

### **Summary**

- 8.26 Persimmon supports proposed housing allocation HSE2 and the proposed alteration of the settlement boundaries to include the site within the urban area.

## 9. Additional Housing Opportunity Sites

- 9.1 As referred to in Section 2 of these representations and the accompanying Housing Needs Report, Persimmon is of the opinion that the minimum housing requirement in Policy H2PU should be increased to 300 dpa in order to meet the full economic ambitions of the Borough. The Local Plan does not allocate sufficient sites to deliver 300 dpa, and would still fall short with the windfall allowance referred to in Policy H2PU. Persimmon is therefore of the opinion that additional sites should be allocated in the Local Plan in order to deliver the 300 dpa requirement considered necessary in the accompanying Housing Needs Report and to make the Local Plan sound.
- 9.2 Persimmon has promoted the following sites at various stages of consultation on the Copeland Local Plan:
- Land south of Laurel Bank, Whitehaven;
  - Land at Melrose, Egremont; and
  - Vicarage Lane, Ennerdale Bridge.
- 9.3 Persimmon considers that these sites, which are not proposed for allocation in the Publication Version Local Plan, provide sustainable and suitable sites to meet the higher housing need. All of the sites are located in suitable locations for housing development and are available. Housing development on these sites would therefore be achievable within the Plan period and they should be allocated in order to meet the identified higher housing need and make the Local Plan sound.
- 9.4 Justification for these additional sites being included as allocations in the Local Plan is provided in Sections 10 to 12.

## 10. Opportunity: Land South of Laurel Bank, Whitehaven

- 10.1 The Land South of Laurel Bank site offers the opportunity for a residential development in a sustainable location that would form a small extension to the existing housing area to the north.
- 10.2 Housing development on the site also offers the opportunity for the creation of open space on the southern part of the site, enabling it to be used for recreational purposes by the surrounding communities.
- 10.3 There are no constraints to housing development that would either preclude housing development or delay its delivery. The site is within the ownership of a house builder and is therefore deliverable within 5 years.
- 10.4 Persimmon therefore requests that the site is allocated for housing development in the emerging Local Plan.

### **The Site and Surroundings**

- 10.5 The site is located to the east of Whitehaven town centre, on the eastern side of the A595 Loop Road South.
- 10.6 To the north east of the site is the residential area of Harras Moor. To the north west is an area of woodland known as Crowpark Wood. To the south west and south of the site are residential properties on the A595, and to the south east and east is an area of open land with woodland (known as Midgey Wood) and residential properties beyond.
- 10.7 The site comprises a roughly rectangular piece of land, approximately 1.5 ha in area. The site slopes downwards from north east to south west. It comprises pasture and has woodland on its north eastern boundary and a hedgerow on its south western boundary.
- 10.8 The rear of dwellings on the southern side of Laurel Bank, within the residential area of Harras Moor, form the northern boundary of the site. The site's south western boundary is formed by woodland and the rear of three residential properties.
- 10.9 The developable area of the site identified by Persimmon extends to approximately 0.8 ha and is located on the northern part of the site, immediately to the rear of the dwellings on Laurel Bank. The developable area is shown on the indicative parameters masterplan attached at Appendix 4. It is estimated that the capacity of the developable area would be in the region of 24 dwellings.
- 10.10 The site currently has no vehicular access; however, space for a vehicular access has been reserved off Laurel Bank to the north east, in between two existing dwellings. The site is not currently accessible to the public.

- 10.11 The site is located in close proximity to a range of facilities, services and infrastructure within the existing built-up area of Whitehaven. These include:
- Primary and infant schools, such as St James' Primary and Junior School approximately 0.7 miles from the site
  - Retail and leisure opportunities within Whitehaven Town Centre approximately 1 mile from the site
  - Convenience retail opportunities approximately 1 mile from the site on Bransty Row (Tesco superstore)
  - Health facilities on Catherine Street approximately 1.5 miles from the site
  - Recreation facilities at Whitehaven Sports Centre approximately 1.5 miles from the site.
- 10.12 The nearest bus stop to the site is located approximately 350m straight line distance from the site to the south east on Standings Rise, via the Loop Road South. However, there is currently no access from the site to the Loop Road South. Any future residents of the site would therefore be required to walk a distance of approximately 1 mile to reach this bus stop. Development on the site may provide the opportunity to provide a pedestrian access to the Loop Road South, subject to agreement with the adjacent landowner, reducing the walking distance to this bus stop to approximately 550m.
- 10.13 Services from this bus stop provide regular access to destinations including Whitehaven, Maryport and Asby.
- 10.14 The area of land to the east of the site, known as Harras Moor, is identified as a Key Regeneration Site (ref: HWH2) in the Preferred Options Draft of the Copeland Local Plan 2017-2035, and is proposed for a housing allocation for 370 dwellings in Policy H5PO. It is also subject to an ongoing planning application by Homes England.

## **Planning Policy**

### **Copeland Local Plan 2013 – 2028**

- 10.15 The site is shown to be located within the existing settlement limits of the Principal Town of Whitehaven on the Copeland Local Plan 2013-2028 Proposals Map. It is designated as "Urban Greenspace", and the interactive version of the Proposals Map on the Council's website shows that it has been designated as such for its landscape importance, as opposed to recreation and amenity.

### **2020 SHLAA Assessment**

- 10.16 The SHLAA 2020 identifies the Laurel Bank site (SHLAA ref: Wh015) as "undeliverable". The reason given is "landscape protection".

### **Previous representations**

- 10.17 Details of the site were submitted to the January 2015 consultation on the now abandoned Copeland Local Plan Site Allocations Development Plan Document (DPD), promoting the site for a residential allocation.

- 10.18 The site was given reference "WH5 Laurel Bank" and was assessed as being unsuitable for an allocation. The Council's site assessment form for Site Allocations DPD gave the following reason:
- "Development here would sever a connection between two areas of biodiversity value and this be contrary to Core Strategy Policy SS5 (Green Infrastructure)."*
- 10.19 The site assessment form states that the Council intended to *"retain open space already allocated in the 2006 Local Plan"*.
- 10.20 It is clear from the site assessment form, through the reference to retaining the site as open space and reference to Core Strategy Policy SS5, that the Council was treating the site as open space.
- 10.21 Representations on behalf of Persimmon were submitted to the "Call for Sites" exercise that took place alongside consultation on the Issues and Options consultation on the Local Plan 2017-2035. These representations promoted the suitability of the site for a housing allocation, but also challenged the previous assessment that the site was open space.
- 10.22 In particular, the representations confirmed that the site did not comply with any of the definitions of open space in the Town and Country Planning Act 1990 (Section 226), the NPPF or the Core Strategy because there is no public access to the site and it offers no recreational, visual amenity or wildlife opportunities.
- 10.23 It is now noted that the site is not assessed as open space in the 2020 Open Space Assessment and the 2020 SHLAA assessment of the site does not make any reference to the site being open space (unlike the Council's previous assessments of the site). This is welcomed by Persimmon and reflects the fact that site does not perform any role as open space.

### **Suitability**

- 10.24 The site is considered suitable for a residential allocation in the emerging Local Plan and Persimmon strongly objects to the SHLAA identification of the site as "undeliverable".
- 10.25 The site offers the opportunity for a residential development in a sustainable location that would form a small extension to the existing housing area to the north. The Housing Needs Report submitted alongside these representations highlights the need to increase the housing requirement in Policy H2PU from 143 per annum to 300 per annum. The site provides a sustainable opportunity to provide housing to meeting this higher housing need in a sustainable location within the settlement boundaries of the Principal Town of Whitehaven.
- 10.26 Housing development on the site also offers the opportunity for the creation of new public open space on the southern part of the site, enabling it to be used for recreational purposes by the surrounding communities.



10.27 The case for the site being suitable for residential development is provided below, with reference made to the following:

- There are no constraints to residential development on the site
- The site is within a suitable and sustainable location for residential development, and
- Residential development on the site would be deliverable in the short term.

#### **Absence of Constraints to Residential Development**

10.28 It is shown below that there would be no constraints to residential development on the site. In particular, the site has limited landscape character and there would be no technical constraints to housing development, such as ecology or flood risk.

#### ***Landscape***

10.29 Whilst the site is designated in the Core Strategy as Urban Greenscape for its landscape value and the 2020 SHLAA has identified the site as “undeliverable” for reasons of “landscape protection”, landscape studies have confirmed that development can be accommodated on the site without harm to the site’s landscape quality.

10.30 A Landscape and Visual Impact Assessment (LVIA) was prepared by PDP Associates and submitted in support of a withdrawn planning application for the site in 2014. An updated LVIA was prepared by Tyler Grange as part of Persimmon’s representations to the Local Plan Issues and Options consultation. This LVIA has again been updated and a copy is attached at Appendix 5 of these representations.

10.31 The conclusions of these LVIA are that whilst the site may appear to form an obvious strip of open land between two areas of built form, various viewpoints confirm that it does not perform this role.

10.32 The site is situated within a well-screened enclosure due to a set of defensible boundaries which limit publicly accessible views. From a short distance, there are public views into the site through small gaps in the residential development along Laurel Bank and the A595. However, such views consist of limited sections of the site and are viewed in the context of existing built development. Longer distance views are limited to views from the south of the site. However, these are very discrete and the site would only be viewed in the context of existing built development. Development on the northern part of the site, as shown on the Indicative Masterplan attached at Appendix 4, would be heavily screened in long distance views by the adjacent woodland, and the updated LVIA therefore confirms that development on the site would likely result in a minimal change in landscape character.

10.33 Paragraph 130(c) of the Framework states that planning policies and decisions should ensure that development is sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change. It does not therefore resist development where it would result in a change in landscape character. As the LVIA relating to the site shows, whilst housing development on the site would result in a **change to the site’s landscape character (as would development of any greenfield site);**

given the limited views of the site and the site's surrounding built-up context, the site does not contribute significantly to the surrounding landscape character and development on the northern part of the site would not significantly alter the landscape character of the area.

- 10.34 This would particularly be the case if the adjacent Land at Harras Moor site, which is proposed for an allocation, is developed. This would add further residential development into the surrounding context of the Laurel Bank site, further diminishing any views of an open landscape in this location. Development on the Laurel Bank site would not therefore significantly alter the landscape character.
- 10.35 In light of the above, Persimmon strongly objects to the 2020 SHLAA assessment of the site stating that "landscape protection" is a constraint to residential development on the site. The site contributes little to landscape quality, and any contribution would be diminished further by residential development on the adjacent Land at Harras Moor site. Landscape quality is therefore not considered to be a constraint to a residential allocation.

***The Site Does Not Perform a Role as Open Space***

- 10.36 As referred to above, previous representations to the emerging Copeland Local Plan provided evidence that the site does not perform any role as open space.
- 10.37 The site does not conform to the definitions at Section 336 of the Town and Country Planning Act 1990<sup>11</sup>, Annex 2 of the NPPF<sup>12</sup> or the definition in glossary of the Preferred Options version of the Copeland Local Plan<sup>13</sup>.
- 10.38 For the site to comply with these definitions it must offer opportunities for either recreation or visual amenity. As already stated, there is no public access to the site and it therefore offers no sport or recreation value. As set above, and in the updated LVIA attached at Appendix 6, the site does not provide any significant visual amenity. The site does not therefore perform any open space purpose or role.
- 10.39 It is now noted that the site is not assessed as open space in the 2020 Open Space Assessment and the 2020 SHLAA assessment of the site does not make any reference to the site being open space (unlike the Council's previous assessments of the site). This is welcomed by Persimmon and reflects the fact that site does not perform any role as open space.
- 10.40 Residential development on the site would have the potential benefit of the creation of open space on the southern part of the site, as shown on the Indicative Parameters Plan attached at Appendix 6. It may be possible to provide public access to the southern part of the site, allowing it to be used for recreation. Native tree planting would link the space to existing woodland adjacent to the site, enhancing the site's visual amenity. The landscaping and management of this portion of the site would

<sup>11</sup> "any land laid out as a public garden, or used for the purposes of public recreation, or land which is a disused burial ground".

<sup>12</sup> "All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity".

<sup>13</sup> "All open spaces of public value, including land and water provisions. These can offer opportunities for recreation, leisure and visual amenity."

therefore mutually reinforce these uses. Given that the site provides no function as open space at present, such benefits would be significant.

#### **Ecology**

- 10.41 The site does not comprise part of any international, national or local environmental designation. The nearest designated site is St Bees Head Site of Special Scientific Interest (SSSI), located approximately 1.8 km to the south west of the site, with significant areas of built development in between.
- 10.42 The previously withdrawn planning application for the site was accompanied by an ecology report confirming that surveys did not identify any presence of protected species on the site. Updated surveys and reporting was undertaken in 2019 and these confirmed no change in this position.
- 10.43 Development on the site would also offer the opportunity to enhance the biodiversity value of the site through additional boundary planting and the creation of a woodland habitat on the southern part of the site.
- 10.44 In light of the above, it is considered that there would not be any ecological constraints to housing development on the site. Any biodiversity impacts are likely to be able to be mitigated through the creation of an increased quantity and quality of habitat on the southern part of the site, outside of the developable area identified by Persimmon.

#### **Heritage**

- 10.45 There are no designated heritage assets within a 250m radius of the site. It is therefore unlikely that there would be any heritage constraints to housing development on the site.

#### **Ground Conditions**

- 10.46 Given the site's previous use as pasture, it is considered that there is unlikely to be any adverse ground conditions that would pose a constraint to housing development on the site.

#### **Flood Risk**

- 10.47 Paragraph 159 of the Framework states that development in areas at risk of flooding should be avoided by directing development away from areas at highest risk.
- 10.48 The site is located within Flood Zone 1 and the Flood Risk Assessment submitted with the previously withdrawn planning application for the site demonstrated that residential development on the site would not be at risk from flooding from surface water or fluvial sources and would not increase the risk of such flooding elsewhere.
- 10.49 Flood risk would not therefore be a constraint to housing development on the site. This was confirmed in the Council's assessment of the site as part of the 2015 consultation on the Site Allocations DPD.

#### **Access**

- 10.50 Whilst there is currently no access to the site, space for a future vehicular access has been reserved from the housing development to the north of the site. The Transport Assessment submitted with the previously withdrawn planning application for the site

confirmed that a suitable access could be achieved to the site and that there would be no severe impact on the operation of the local highway network.

- 10.51 Paragraph 111 of the Framework states that development should only be resisted on highway grounds where the residual cumulative impacts would be severe. There would be no such impacts and access is not therefore a constraint to housing development on the site.

#### **Suitability of Location**

- 10.52 The site is located within the settlement boundaries of Whitehaven. Whitehaven is identified as a Principle Town in the Core Strategy and the Local Plan. It is therefore the focus for development within Copeland.
- 10.53 The evidence provided in the Housing Needs Report submitted alongside these representations demonstrates that the housing requirement in Draft Policy H2PU should be increased from 143 dwellings per annum to 300 dwellings per annum over the Plan period. This increase in housing need will mean that additional sites would need to be identified for housing delivery.
- 10.54 In this context, housing development on the application site would assist in reducing the scale of urban expansion required above those sites already identified in the Local Plan and would likely reduce the scale of impact on sensitive landscapes that would result from urban expansion in some areas. Development on the site, within the existing settlement boundary of Whitehaven, is also likely to be more sustainably located than development outside of the existing settlement boundaries of some settlements, with future residents having greater access to a range of services within the existing settlement.
- 10.55 The site is also well-located in relation to existing built-development. Development on the site would form a small extension to an existing housing area and, as confirmed within the enclosed LVIA, would not significantly alter the wider landscape character, particularly given that the surrounding landscape character would be significantly altered by the proposed Land at Harras Moor allocation.
- 10.56 As confirmed above, the site is located in close proximity to a range of facilities, services and infrastructure within the existing built-up area of Whitehaven and is therefore in a sustainable location for residential development. An opportunity may exist through the development of the site to improve access to such services and facilities, and in particular, access to public transport. Improvements in access to services and facilities would also be of benefit to the existing residential community to the north.

#### **Suitability Conclusion**

- 10.57 The site is considered to be suitable for a residential allocation. There are no constraints to residential development that would either make the site unsuitable or delay delivery of housing development on the site.
- 10.58 The site does not contribute to landscape quality, it does not provide any role as open space, and there are no ecological, flood risk, heritage or ground condition constraints. It is also in a sustainable location within the existing settlement boundaries of the

Principal Town of Whitehaven, in a location which has good access to services, facilities and infrastructure.

- 10.59 It therefore provides an opportunity to deliver housing development in a sustainable location that would minimise the need for housing development on sites or land outside of the existing settlement boundaries, particularly in the context of a the higher housing need demonstrated in the Housing Needs Report submitted alongside these representations.

### **Availability**

- 10.60 The site is under the ownership of Persimmon, a reputable housebuilder with a strong track record in the delivery of housing across the UK. It is therefore clearly owned and controlled by an experienced housebuilder. There are no legal or ownership restrictions affecting the land that would preclude or delay delivery.
- 10.61 The Site is therefore readily available with a realistic prospect of delivery within 5 years.

### **Achievability**

- 10.62 Preliminary technical work has confirmed that a residential scheme could be developed viably within this location. The preceding sections of this Chapter and accompanying technical work demonstrate that the site is sustainable and there are no technical constraints impeding delivery.
- 10.63 Development on the site would therefore be deliverable within the short term.

### **Summary**

- 10.64 Paragraph 60 of the NPPF states that ensuring a sufficient amount and variety of land can come forward where it is needed is required in order to support the Government's objective of significantly boosting the supply of homes and to address the needs of groups with specific housing requirements.
- 10.65 As clearly demonstrated, the site is in a suitable location for housing development in reference to the role of the settlement of Whitehaven and the site's access to services, facilities and infrastructure. The site is not subject to any constraints that would prevent residential development and is available for development now.
- 10.66 It is therefore requested that land to the south of Laurel Bank is allocated for housing development in the emerging Local Plan.



## 11. Opportunity: Melrose, Egremont

- 11.1 The Melrose site is located to the west of Egremont. It has been assessed as deliverable for housing development in the 2020 SHLAA, but has not been proposed for allocation in the Local Plan Preferred Options Draft. The Preferred Options Draft does however propose to amend the settlement boundary of Egremont to include the site.
- 11.2 The site offers the potential for a sustainable residential development, which, in the context of the higher housing need identified by the Housing Needs Report that accompanies this representations, would contribute to meeting the identified higher need for housing. There are no constraints to housing development that would either preclude housing development or delay its delivery.
- 11.3 A plan showing the location of the site is attached at Appendix 7.
- 11.4 Persimmon therefore supports the proposals to extend the settlement boundaries of Egremont to include the site, but requests that the site is also allocated for housing development.

### The Site and Surroundings

- 11.5 The site is located on the west of Egremont, on the southern side of Grove Road. There is residential development to the north of the site, on the opposite side of Grove Road and immediately to the east. Agricultural fields are located to the south and west.
- 11.6 The site is rectangular in shape and is approximately 2.93 ha in area. It is predominantly flat, but slopes gently downwards from west to east. Its boundaries are formed by hedgerows. It has most recently been in use as pasture. The site has two agricultural accesses from Grove Road, one in its north western corner and one in its north eastern corner.
- 11.7 The site is located in close proximity to a range of facilities, services and infrastructure. These include:
- Primary schools including Orgill School approximately 0.4 miles from the site, St Bridget's Catholic Primary School approximately 0.6 miles from the site and Bookwell Primary School approximately 0.7 miles from the site
  - Secondary schools including West Lakes Academy, approximately 1 mile from the site
  - A number of convenience and comparison retail opportunities and other services in Egremont town centre, approximately 1 mile for the site
  - Health care facilities including Beech House Practice, and Cohen's Chemist approximately 0.8 miles from the site and Westcroft House Surgery, approximately 1 mile from the site.

## **Planning Policy**

- 11.8 The site is identified in the 2020 SHLAA as site Eg003 Land at Melrose. It is assessed as being deliverable within 5 years, with a capacity for 73 dwellings.
- 11.9 Despite the site being identified as a suitable site for housing development in the SHLAA, it is not proposed to be allocated in the Local Plan. However, it is proposed that the settlement boundary be amended to include the site.
- 11.10 Persimmon supports the proposed amendment to the settlement boundary, but objects to the omission of the site as a housing allocation and considers that it provides a sustainable and sustainable location for housing. It should be allocated for housing to assist in meeting the higher housing need identified in the Housing Needs Report that accompanies these representations. The case for the site being suitable for a housing allocation is made below, with reference to:
- There are no constraints to residential development on the site
  - The site is within a suitable and sustainable location for residential development
  - Residential development on the site would be deliverable in the short term

## **Suitability**

### **Absence of Constraints to Residential Development**

- 11.11 It is shown below that there would be no constraints to residential development on the site. In particular, development on the site would not negatively impact on landscape character and there would be no technical constraints to housing development, such as ecology or flood risk.

### **Landscape**

- 11.12 Development on the site would be a logical extension to the existing settlement. There is existing built development on the southern side of Grove Road, immediately to the east of the site, and the built development on the northern side of Grove Lane extends further to the west than the site (and would extend further to the west as a result of proposed allocation HEG1). As a result, development on the site would "round off" the settlement.
- 11.13 Due to the existing development to the east of the site, development on the site would not extend further into the countryside than the existing built development.
- 11.14 Given the above, it is considered that housing development on the site would not negatively impact on landscape character. By proposing to include the site within the amended settlement boundaries of Egremont, it is considered that the Council acknowledges that the site contributes little to the landscape character of Egremont and would likely be subject to development at some point in the future.
- 11.15 Landscape character is therefore not considered to be a constraint to development on the site.

### ***Ecology***

- 11.16 The site does not comprise part of any international, national or local environmental designation. The nearest designated site is Florence Mine Site of Special Scientific Interest (SSSI), located approximately 1 mile to the east. There is significant existing built development in between the site and these designated sites. It is therefore considered that there would be no negative impacts on these designated sites from development on the site.
- 11.17 There would therefore be no ecology constraints that would prevent housing development on the site.

### ***Heritage***

- 11.18 There are no designated heritage assets within a 250m radius of the site. It is therefore unlikely that there would be any heritage constraints to housing development on the site.

### ***Ground Conditions***

- 11.19 Given the site's previous use as pasture, it is considered that there is unlikely to be any adverse ground conditions that would pose a constraint to housing development on the site.

### ***Flood Risk***

- 11.20 The site is located within Flood Zone 1 and is therefore at low risk of flooding. Flood risk is not therefore a constraint to development on the site.

### ***Access***

- 11.21 The site benefits from two existing accesses onto Grove Road. Whilst no technical assessments have been undertaken, it is considered that there would be scope to improve these access to provide suitable access to a residential development.
- 11.22 Access is not therefore considered to be a constraint to residential development on the site.

### ***Suitability of Location***

- 11.23 Egremont is one of the larger settlements in the Borough and provides services, facilities and infrastructure for a large hinterland in the central and southern areas of the Borough. It is also well-connected to Whitehaven and existing employment areas. It is identified as a "Town" in the Local Plan Preferred Options Draft and is therefore acknowledged to be a suitable location for additional growth.
- 11.24 The site is in a suitable location for housing development. Egremont contains a wide range of services, facilities and infrastructure, all of which are accessible to the site, as shown above.

### ***Suitability Conclusion***

- 11.25 There are no constraints that would make the site unsuitable for housing development. It is also located in a sustainable location for housing development
- 11.26 The settlement boundaries of Egremont are proposed to be amended in the Local Plan to include the site within the urban area of Egremont. It is considered that this

demonstrates that the site is suitable for development without impact on landscape character. The site has also received a positive assessment in the 2020 SHLAA, confirming that it is suitable for housing development.

### **Availability**

- 11.27 The site is not under the ownership of Persimmon; however, it is understood that the existing landowner is will to sell the site to a housebuilder.
- 11.28 As a result, there would be no ownership issues that would prevent or delay development on the site and it is considered that there would be a realistic prospect of delivery within 5 years in accordance.

### **Achievability**

- 11.29 The preceding sections of this Chapter demonstrate that the site is sustainable and there are no technical constraints impeding delivery. Development on the entirety of the site would therefore be deliverable within the short term.

### **Summary**

- 11.30 Paragraph 60 of the NPPF states that ensuring a sufficient amount and variety of land can come forward where it is needed is required in order to support the Government's objective of significantly boosting the supply of homes and to address the needs of groups with specific housing requirements.
- 11.31 As clearly demonstrated, the site is in a suitable location for housing development in reference to the role of the settlement of Egremont and the site's access to services, facilities and infrastructure. The site is not subject to any constraints that would prevent residential development and is available for development now. This has been confirmed by the positive assessment of the site in the 2020 SHLAA and the proposals to include the site within the amended settlement boundaries of Egremont in the Local Plan.
- 11.32 Therefore, whilst Persimmon supports the proposed amendment to the settlement limits, it is requested that land at Melrose, Egremont is also allocated for housing development in the emerging Local Plan.
- 11.33 Given the proposed amendment to the settlement boundary to include the site, it is considered that the Council must be anticipating that the site would be developed at some point in the future. Given the higher housing need identified in the Housing Needs Report that accompanies these representations, Persimmon considers that the site should be allocated now to allow development to come forward within the emerging Plan period in order to assist in meeting this higher housing need.

## 12. Opportunity: Vicarage Lane, Ennerdale Bridge

- 12.1 The Vicarage Lane site has been identified as deliverable site in the 2020 SHLAA, with a capacity for 29 dwellings. It is not however proposed for allocation in the Local Plan.
- 12.2 No allocations are proposed in Ennerdale Bridge despite the settlement being identified as a Sustainable Rural Village. Draft Policy H4PU of the Local Preferred Options Draft states that Sustainable Rural Villages could support a limited amount of growth to maintain communities. Ennerdale Bridge contains a small number of services, but a proportionate amount of additional development should be directed to the village in order to assist in maintaining these facilities.
- 12.3 As confirmed by its positive SHLAA assessment, the Vicarage Lane site provides a suitable opportunity to deliver additional housing development in the village. There are no constraints to housing development that would either preclude housing development or delay its delivery. The site is within the ownership of a house builder and is therefore deliverable within 5 years.
- 12.4 The Local Plan Preferred Options Draft proposed to amend the settlement boundary of Ennerdale Bridge to include the site. The settlement boundaries shown in the Publication Version Local Plan now exclude the site from the settlement boundary. The Discounted Sites Document states that this is due to drainage and ecological constraints.
- 12.5 However, there is no evidence or information within the Copeland Local Plan evidence base which indicates that there may be ecological features which could limit the development on this site. The Discounted Sites Document<sup>14</sup> makes reference to Ecological Assessments taking place in 2021 that confirm that the site supports “biodiverse habitats” and is therefore of “considerable ecological value”. The 2021 ecological surveys have not been made available however. As set out below, the site does not form part of any ecological designation. Whilst it is located close to the River Ehen SAC, there is existing housing between the site and the SAC. There is no evidence that any biodiversity constraints, if they exist, cannot be overcome and would therefore make the allocation of the site inappropriate. Further information is provided under the “ecology” heading below.
- 12.6 The Discounted Sites Document also makes reference to infrastructure and sewer capacity being a constraint to the development of the site. Such infrastructure could be provided or upgraded as part of a development on the site. These matters are not therefore considered to be a constraint to the allocation of the site.
- 12.7 Furthermore, reference is made in the Discounted Sites Document to surface water drainage issues being a constraint; however, the consultation response from Cumbria County Council, summarised in the Discounted Sites Document, states that these matters could be ameliorated by development on the site. Again they should not therefore pose a constraint to the allocation of the site.

<sup>14</sup> [https://www.copeland.gov.uk/sites/default/files/attachments/discountedsiteprofiles\\_0.pdf](https://www.copeland.gov.uk/sites/default/files/attachments/discountedsiteprofiles_0.pdf), page 24



12.8 Given that these constraints could be overcome through the development of the site, and in the context of the higher housing need identified in the Housing Needs Report that accompanies these representations, Persimmon considers that the site should be allocated now to allow development to come forward within the emerging Plan period in order to assist in meeting this higher housing need.

12.9 Persimmon therefore requests that the site is allocated for housing.

### **The Site and Surroundings**

12.10 The site is located to the north west of the current developed area of Ennerdale Bridge. It is located to the rear of the houses on the northern side of Vicarage Lane. A location plan is attached at Appendix 8.

12.11 A tree belt is located to the west of the site. Housing alongside Vicarage Lane is located to the east and south, and a field is located to the north.

12.12 The site is roughly rectangular in shape and rises from south to north. It currently contains scrubland.

12.13 An access to the site has been reserved in between houses on Vicarage Lane.

12.14 Ennerdale Bridge benefits from a small number of services and facilities, which are accessible to the site. These include:

- Ennerdale and Kinniside Church of England Primary School
- Convenience retail opportunities at The Gather community owned store and café
- Community facilities at The Gather
- A number of public houses.
- Numerous recreational opportunities in the surrounding area, including the Lake District National Park.

12.15 Bus stops in the centre of the village offer services to destinations including Kirkland, Rowrah, Frizington, Branthwaite and Cockermouth.

### **Planning Policy**

12.16 The site is identified in the 2020 SHLAA as site EN001 Site Extension – Ennerdale Bridge. It is assessed as being deliverable within 5 years, with a capacity for 29 dwellings.

12.17 Despite the site being identified as a suitable site for housing development in the SHLAA, it is not proposed to be allocated in the Local Plan.

12.18 Persimmon considers that it provides a sustainable and sustainable location for housing, and it should be allocated for housing to assist in meeting the higher housing

need identified in the Housing Needs Report that accompanies these representations. The case for the site being suitable for a housing allocation is made below, with reference to:

- There are no constraints to residential development on the site
- The site is within a suitable and sustainable location for residential development, and
- Residential development on the site would be deliverable in the short term

### **Suitability**

#### **Absence of Constraints to Residential Development**

- 12.19 It is shown below that there would be no constraints to residential development on the site. In particular, development on the site would not negatively impact on landscape character and there would be no technical constraints to housing development, such as ecology or flood risk, contrary to what is stated in the Discounted Sites Document.

#### ***Landscape***

- 12.20 Development on the site would be a logical extension to the existing settlement. Existing development to the east extends further to the north than the site. Development on the site would therefore round off the settlement, with development located in between the existing development to the east and the existing development along Vicarage Lane.
- 12.21 As a result, the compact form of the village would remain and there would be no negative impact on landscape character or the character of the village. It is considered that this is acknowledged by the Council by proposing to include the site within the settlement boundaries in the Local Plan Preferred Options Draft.
- 12.22 The site is located outside of the boundary of the Lake District National Park and there is existing built development within the village between the site and the National Park boundary. There would therefore be no impact on the protected landscape of the National Park.
- 12.23 Landscape character is therefore not considered to be a constraint to development on the site.

#### ***Ecology***

- 12.24 As referred to above, the site does not comprise part of any international, national or local environmental designation. The nearest designated site is the River Ehen Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC), located to the rear of the dwellings on the southern side of Vicarage Lane. There is existing built development in between the site and this designated site and development on the site would not extend any closer to the SSSI and SAC than this existing development. It is therefore considered that there would be no negative impacts on the designated site from development on the site; however, potential mitigation measures could be identified and secured through a planning application, if necessary.

12.25 The Discounted Sites Document makes reference to the site being of considerable ecological value. However, as the 2021 Ecological Assessments have not been made available, it is not clear what evidence is available to demonstrate the site's alleged ecological value. It is noted that from the Discounted Sites Document that protected species surveys have not been undertaken. The ecological value of the site has not therefore been demonstrated. Such surveys could be undertaken as part of a planning application and appropriate mitigation measures could be undertaken as part of development.

12.26 The Discounted Sites Document also states that it would be unlikely that a Biodiversity Net Gain would be possible on the site. However, no evidence is provided to demonstrate this.

12.27 Therefore, contrary to what is stated in the Discounted Sites Document, it is considered that there are no ecology constraints that would prevent housing development on the site.

#### ***Heritage***

12.28 The site is located approximately 100m from the boundary of the Lake District National Park World Heritage Site (WHS). Development on the site would not encroach into the WHS or extend closer to the WHS than existing built development. As referred to above, the proposed development would not alter the character of the village or harm landscape character. It is therefore considered that there would be no harm to the setting of the WHS.

12.29 There are no listed buildings or other designated heritage assets located within 250m of the site.

12.30 Therefore, there are no heritage constraints that would prevent residential development on the site.

#### ***Ground Conditions***

12.31 That site has not been developed in the past. It is considered that there is unlikely to be any adverse ground conditions that would pose a constraint to housing development on the site.

#### ***Flood Risk***

12.32 The site is located within Flood Zone 1 and is therefore at low risk of flooding. Flood risk is not therefore a constraint to development on the site.

12.33 The Discounted Sites Document makes reference to surface water drainage constraints; however, no evidence has been provided of this and, as confirmed in the consultation comments from Cumbria County Council (as summarised in the Discounted Sites Document), if such constraints are present, development of the site would be able to mitigate.

#### ***Access***

12.34 Access to the site has been reserved from Vicarage Road and has specifically been designed to provide access to development on the site.

- 12.35 Access is not therefore a constraint to residential development on the site.

#### **Suitability of Location**

- 12.36 As referred to above, the site is accessible to the small number of services and facilities in Ennerdale Bridge. Bus services from the village also provide access to services in the surrounding villages and settlements, including employment areas in Rowrah. Future residents of the site would therefore have

- 12.37 Ennerdale Bridge is identified as a Sustainable Rural Village in the Local Plan. Draft Policy H4PU states that Sustainable Rural Villages could support a limited amount of growth to maintain communities. It is therefore considered that the village is a suitable location for development and additional development in the village would assist in maintaining its existing services for the benefit of existing and future residents.

#### **Suitability Conclusion**

- 12.38 There are no constraints that would make the site unsuitable for housing development. It is also located in a sustainable location for housing development
- 12.39 As a result, it is considered clear that the site is suitable for a housing allocation in the emerging Local Plan.

#### **Availability**

- 12.40 The site is under the ownership of Persimmon, a reputable housebuilder with a strong track record in the delivery of housing across the UK. It is therefore clearly owned and controlled by an experienced housebuilder. There are no legal or ownership restrictions affecting the land that would preclude or delay delivery.
- 12.41 The Site is therefore readily available with a realistic prospect of delivery within 5 years.

#### **Achievability**

- 12.42 Preliminary technical work has confirmed that a residential scheme could be developed viably within this location. The preceding sections of this Chapter demonstrate that the site is sustainable and there are no technical constraints impeding delivery.
- 12.43 Development on the site would therefore be deliverable within the short term.

#### **Summary**

- 12.44 Persimmon requests that the site is allocated for housing.
- 12.45 Paragraph 60 of the NPPF states that ensuring a sufficient amount and variety of land can come forward where it is needed is required in order to support the Government's objective of significantly boosting the supply of homes and to address the needs of groups with specific housing requirements.

- 12.46 As clearly demonstrated, the site is in a suitable location for housing development with access to services, facilities and infrastructure within Ennerdale Bridge and the surrounding area.
- 12.47 Ennerdale Bridge is identified as a Sustainable Rural Village in Policy H4PU. The draft policy states that Sustainable Urban Villages can support growth in order to maintain communities. For example, additional development could provide the additional population required to support and maintain local services. The Local Plan however, does not propose any allocations in Ennerdale Bridge however. The Vicarage Lane site is considered to be a sustainable site for housing development that would deliver the housing needed to maintain the community.
- 12.48 The site is not subject to any constraints that would prevent residential development and is available for development now.
- 12.49 Given the higher housing need identified in the Housing Needs Report that accompanies these representations, Persimmon considers that the site should be allocated now to allow development to come forward within the emerging Plan period in order to assist in meeting this higher housing need.



## 13. Policy N7PU: St Bees Heritage Coast

- 13.1 Policy N7PU was introduced to the draft Local Plan at the Focused Pre-Publication Consultation stage. It seeks to ensure that new development within, or that affects views into or the setting of, the St Bees Heritage Coast must preserve, protect and enhance the Heritage Coast and its setting.
- 13.2 Whilst Persimmon acknowledge the importance of protecting and enhancing the St Bees Heritage Coast and its setting, it is important to note that there are areas of the Heritage Coast and its setting that are already characterised by built development, including modern built development.
- 13.3 Such built development has influenced the character of the Heritage Coast and its setting somewhat, and has established that built development is considered acceptable in certain areas and now forms part of the character for parts of the Heritage Coast and its setting. Further built development in these areas, that does not further harm / influence the Heritage Coast and its setting, should therefore not be restricted.
- 13.4 For example, Persimmon have recently submitted a planning application for residential development on the Former Marchon Site, Whitehaven, including land to the north (LPA ref. 4/21/2432/0F1). Part of the proposed St Bees Heritage Coast area is to be extended to cut through part of the application site. However, as demonstrated within the Landscape and Visual Impact Assessment submitted in support of the hybrid planning application for the site, from the extended St Bees Heritage Coast area, the views of the proposed development would be limited to roof tops of homes on its western edge as set against the built form of the existing south western edge of Whitehaven. Therefore, effects on the Heritage Coast extension area are judged to be slight and negligible.
- 13.5 The policy should therefore take a flexible approach when assessing the potential influence on the Heritage Coast, accounting for the local development context of any proposed development. The policy should also seek to ensure that any impacts of development proposals are weighed against any benefits resulting from schemes, including improvements to public access / enjoyment / understanding of the Heritage Coast and the opportunities that development may bring to the area.
- 13.6 Paragraph 16(d) of the NPPF states that plans should “*contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to the development proposals*”.
- 13.7 The St Bee’s Heritage Coast is not a designated heritage asset, nor is it one of the landscape types referred to in paragraphs 176 and 177 of the Framework. It is therefore considered that by preventing major development along the heritage coast other than in exceptional circumstances, Policy N7PU, as currently drafted imposes a higher level of restriction than the NPPF. It is therefore not consistent with the NPPF. Such requirement should therefore be deleted from the policy.

- 13.8 Persimmon therefore considers that as currently drafted, Policy N7PU is not positively prepared and is not consistent with the NPPF. In order to make the policy sound, the text requires amendment as follows:

*New development within the vicinity of the Heritage Coast must conserve, protect and enhance the Heritage coast and its setting and take opportunities to encourage the public to enjoy and understand the area by improving public access and interpretation where possible. Developers should demonstrate that they have taken into consideration the features that contribute to the special character of the area and the importance of its conservation.*

***Developers should also demonstrate the benefits of development proposals and the positive impacts they would bring to the Heritage Coast, which will be weighed in the balance of any identified harm, where relevant."***

*Inappropriate development includes that which affects views within or towards/from the Heritage Coast.*

~~*Major development within the Heritage Coast is unlikely to be appropriate unless it is compatible with its special character and will only be permitted in exceptional circumstances"*~~

## 14. Conclusion

- 14.1 These representations have been prepared by Turley on behalf of Persimmon Homes (Lancashire) Ltd (hereafter referred to as "Persimmon"). The representations comment on the Publication Version Copeland Local Plan, which is subject to public consultation until 18 March 2022.
- 14.2 The Local Plan proposes to allocated the following sites which Persimmon has an interest for housing:
- HWH4: Land South and West of St Mary's School, Whitehaven
  - HWH5: Former Marchon Site North, Whitehaven
  - HSE2: Fairways Extension, Seascale
- 14.3 Persimmon supports these allocations; however, considers that Allocations HWH4 and HWH5 should be increased in size to include all of the land within the red line shown on the plan at Appendix 2. Persimmon has recently submitted a hybrid planning application for residential development on this land. It is considered that the inclusion of this land within the allocation would ensure that a comprehensive development of the former Marchon Works sites can take place.
- 14.4 The representations are accompanied by a Housing Needs Report that considers the housing requirement in the Local Plan. The Housing Needs Report concludes that the housing requirement in Policy HPU2 is too low and does not fully reflect the Council's aspirations for economic growth. The current housing target in Policy H2PU is not justified or positively prepared therefore, and is unsound. The Housing Needs Report concludes that the housing requirement should be increased to 300 dwellings per annum in order to sustain economic growth in the Borough and meet the Council's aims and objectives.
- 14.5 As a result of the above, the Local Plan does not identify sufficient sites to meet the increased housing need, even with the windfall allowance referred to in Policy H2PU. As a result, without identifying further land for housing development, the Local Plan would not be positively prepared and would be unsound.
- 14.6 Persimmon therefore considers that the following sites should also be allocated within the Local Plan to provide additional housing supply during the Plan period:
- Land south of Laurel Bank, Whitehaven;
  - Land at Melrose, Egremont; and
  - Vicarage Lane, Ennerdale Bridge.
- 14.7 Persimmon considers that these site, which are not proposed for allocation in the Publication Version Local Plan, provide sustainable and suitable sites to meet the higher housing need. All of the sites are located in suitable locations for housing

development and are available. Housing development on these sites would therefore be achievable within the Plan period and they should be allocated in order to meet the identified higher housing need.

14.8 In addition, Persimmon also considers that the following policies requirement amendment in order to provide additional scope for a higher level of housing growth and ensure that the Local Plan is positively prepared and sound:

- Policy H1PU should be amended so that it allows for windfall development on the edge of settlements, outside of the Settlement Boundaries defined in the Plan.
- Policy DS4PU should be amended so that windfall development that adjoins the Settlement Boundaries of any settlement is allowed in the circumstances outline in the policy.
- Policy H3PU should be amended to require a partial or full review of the Local Plan where housing development in Sustainable Rural Villages falls below expectations in order to allow additional sites to be identified and allocated.
- The Settlement Boundaries of Ennerdale Bridge should be amended to include Persimmons Vicarage Lane site. The currently tightly drawn Settlement Boundaries around the settlement do not allow for future development to meet the needs of the settlement. The site provides a suitable opportunity for housing development to meet the needs of the settlement and should be included within the settlement limits to allow development to take place.

14.9 Persimmon also considers that Policy N7PU (St Bees Heritage Coast) is not consistent with national policy as currently drafted, as it more restrictive than policy in the NPPF and therefore not sound. The policy should be amended to remove reference to development within the Heritage Coast only being allowed in exceptional circumstances and should state that the benefits of development on the Heritage Coast will be considered in the planning balance.

14.10 Persimmon reserves the right to add to, amend or withdraw these representations if necessary and would like to be involved in the Local Plan Examination in Public.

## **Appendix 1: Housing Needs Report**



# **Housing Need in Copeland**

## Further Technical Critique

November 2020

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# 1. Introduction

- 1.1 Copeland Borough Council ('the Council') is consulting on its Preferred Options for the emerging Local Plan<sup>1</sup>. This report has been prepared by Turley on behalf of a consortium of housebuilders<sup>2</sup> ('our clients') to critically review the proposed approach to housing provision, and consider the extent to which this is likely to meet the borough's housing needs in full.
- 1.2 A similar report was prepared by Turley and submitted to the Council by our clients earlier this year, during the previous consultation on Issues and Options<sup>3</sup>. The Council does not appear to have responded in detail to the specific issues raised during that consultation, and key points from this earlier submission are therefore reiterated in this report where they remain relevant. For the avoidance of doubt, **this report is intended to fully supersede the earlier submission** where it takes into account new data releases, documents and the changing context of the last 12 months.
- 1.3 This report is structured as follows:
- **Section 2 – Introducing the Preferred Option** – an overview of the proposed approach to housing provision in Copeland, highlighting the increasingly dated evidence on which this is based;
  - **Section 3 – Testing the Increasingly Dated Evidence Base** – with the preferred approach based on increasingly dated evidence, the Council's conclusions and assumptions on housing need are tested using the latest available information. This includes the presentation of up-to-date bespoke demographic modelling, developed by Edge Analytics, which is compared to similar modelling in the Council's evidence base that relies on superseded datasets;
  - **Section 4 – Consequences of Emerging National Policy** – the Council's preferred approach is evaluated in the context of emerging changes to the standard method of determining the minimum need for housing, which appear likely to be in place when the Local Plan is submitted for examination; and
  - **Section 5 – Summary and Conclusions** – a concise overview of the report's findings and their implications for the emerging Local Plan.

<sup>1</sup> Copeland Borough Council (September 2020) Copeland Local Plan 2017-2035: Preferred Options Draft

<sup>2</sup> Gleeson Homes, Persimmon Homes and Story Homes

<sup>3</sup> Copeland Borough Council (November 2019) Copeland Local Plan 2017-2035: Issues and Options Draft

## 2. Introducing the Preferred Option

- 2.1 The Preferred Options draft of the emerging Local Plan ('the draft Plan') proposes, at Policy H2PO, a requirement for at least 140 dwellings per annum between 2017 and 2035. The Council intends for this to provide the basis for calculating five year housing land supply.
- 2.2 The Council does, though, proceed to express a desire to '*be aspirational*', '*plan positively and support employment growth*', by identifying sufficient land to provide 200 dwellings per annum over the plan period<sup>4</sup> – some 43% more than the minimum housing requirement that has been proposed.
- 2.3 This approach has clearly been informed by the conclusions of the Strategic Housing Market Assessment<sup>5</sup> (SHMA), which was finalised in October 2019 and commissioned to understand the scale of future housing needs in Copeland. The draft Plan references its conclusion that there is an objectively assessed need (OAN) for between 140 and 200 dwellings per annum (dpa) in Copeland over the emerging plan period, and respectively aligns its proposed housing requirement and '*aspirational*' land supply to these figures which sought either to:
- Accommodate a continuation of long-term demographic trends, recorded over 15 years to 2016 (**140dpa**); or
  - Grow the resident labour force by attracting and retaining more working age people, with a view to supporting around 1,100 additional jobs over the plan period (**200dpa**).
- 2.4 While the SHMA may give the impression of having been recently produced in October 2019, it is upfront in emphasising that it was '*initially drafted in early 2018*' – now over two and a half years ago – with various unspecified factors delaying its finalisation<sup>6</sup>. The SHMA highlights that new data was released in this intervening period, and that national planning policy and guidance had substantially evolved, but generally claims that these changes did not have a '*material impact*' on its findings.
- 2.5 It did, however, advise the Council to update elements of the report '*at an appropriate time...to test some of the key outputs and to confirm the continued relevance of the findings*'. This is yet to have visibly occurred, and it is concerning that the Council does not appear – from the draft Plan – to have committed to such testing before submission despite so clearly relying on the conclusions of the SHMA to justify its proposed approach to housing provision. This is a regressive step, where plans for an update to the SHMA – in the form of a Local Housing Needs Assessment, as now required by national policy – were clearly signposted on the Council's website during the previous consultation on Issues and Options.

<sup>4</sup> Copeland Borough Council (September 2020) Copeland Local Plan 2017-2035: Preferred Options Draft, p159

<sup>5</sup> JG Consulting (October 2019) Report for Copeland Borough Council: Strategic Housing Market Assessment and Objectively Assessed Housing Need

<sup>6</sup> *Ibid*, inside cover ('Note about this report')

- 2.6 This omission creates an impression of finality, but in reality the Council must update the evidence base and potentially depart from its preferred option before the Local Plan is submitted for examination. This is considered to be critical where the National Planning Policy Framework (NPPF) emphasises that ‘*all policies should be underpinned by relevant and **up-to-date evidence***’<sup>7</sup> (emphasis added).
- 2.7 The remaining sections of this report consider how such an update, taking account of the latest available information, could alter the conclusions of the SHMA. This is intended to assist the Council as it develops the next iteration of the draft Plan, which is expected to be a Regulation 19 version.

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<sup>7</sup> MHCLG (2019) National Planning Policy Framework, paragraph 31



### 3. Testing the Increasingly Dated Evidence Base

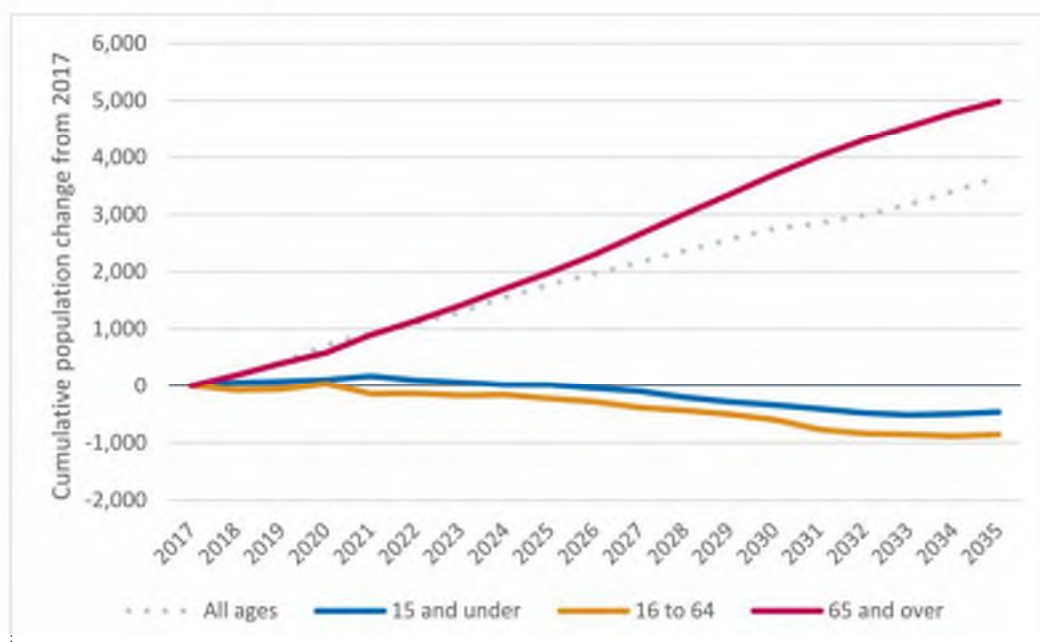
- 3.1 With the previous section having highlighted the increasingly dated evidence on which the Council's preferred approach to housing provision is based, this section tests the conclusions made in the evidence base using the latest available information, and in compliance with the revised NPPF and its associated guidance.
- 3.2 It first considers, using a demographic modelling approach comparable to that used in the SHMA, whether delivery of the 'aspirational' housing land supply could still be expected to support the level of job growth previously assumed in the evidence base. It then proceeds to examine whether it is more reasonable – when accounting for the latest evidence – to plan for a higher level of job growth, establishing the resultant implications for housing need.

#### Testing the upper end of the Council's previously evidenced range

- 3.3 As outlined in the previous section, the Council's 'aspirational' approach of providing sufficient land to deliver 200 dwellings per annum is based on its latest published SHMA, which estimated that such a level of housing provision would be needed to support the creation of around 1,100 new jobs over the plan period (2017-35).
- 3.4 The SHMA's modelling is now relatively dated, having for instance drawn assumptions from official 2014-based sub-national population projections (SNPP) that have twice been superseded. While subsequent 2016- and 2018-based projections have raised some issues – particularly when translated into households – their underlying assumptions undoubtedly reflect more recent *population* trends than the 2014-based SNPP. They provide a more up-to-date position on birth rates, life expectancy and the profile of migrants, for example, which supersedes the assumptions made by the SHMA in its modelling of the housing needed to support job growth.
- 3.5 Up-to-date modelling has therefore been developed by Edge Analytics, using the leading POPGROUP model, to understand whether the provision of 200 dwellings per annum over the plan period could still be expected to support the 1,100 new jobs previously anticipated in the SHMA, when more recent demographic trends in Copeland are taken into account. **Appendix 1** details the assumptions made in this modelling.
- 3.6 This process does notably reaffirm that such a level of provision could, in combination with changing demographics and labour force behaviours, support the creation of 1,100 new jobs over the plan period, or indeed slightly more. This updated modelling suggests that the labour force could actually grow to support circa 1,280 jobs in this scenario, albeit this difference from the SHMA is a relatively modest 10 jobs per annum over the whole plan period.
- 3.7 While likely enabling a level of job growth, it is important to recognise that there remain significant limitations to this scenario which could have consequences for the long-term competitiveness of Copeland and its economic vitality. Such issues were not adequately addressed and considered in the SHMA, and therefore appear to have not been accounted for in the translation of evidence into policy.

- 3.8 For example, while the population of Copeland would be expected to grow where 200 dwellings per annum were consistently provided, the modelling suggests that this will be *entirely* concentrated amongst those aged 65 and over. The number of children, and the number of residents of traditional working age (16-64), would both be expected to decline by a relatively substantial amount over the plan period in this scenario, particularly beyond the next five years. This is illustrated at Figure 3.1, which shows cumulative change in different age cohorts.

**Figure 3.1: Population Change Associated with Planned Housing Provision (200dpa)**



Source: Edge Analytics; Turley analysis

- 3.9 The working age population of Copeland was already relatively small at the beginning of the plan period (2017) when compared to the wider North West and England<sup>8</sup>. The contraction that appears likely to result when providing for the delivery of only 200 dwellings per annum would only reinforce this trend, potentially discouraging investment in Copeland and threatening its long-term economic resilience.
- 3.10 There appears ample scope for a more ambitious approach to housing provision that positively plans to support a more prosperous economic future, as explored below.

### Reconsidering future job growth

- 3.11 While the above reinforces that delivery of the 'aspirational' land supply could indeed be expected to broadly support the level of job growth previously anticipated by the Council – albeit not without the unsustainable consequence of a markedly ageing population – it is important to recognise the time that has passed since this level of job growth was justified in the evidence base. There now appears scope for a considerably

<sup>8</sup> ONS (2018) Population estimates, mid-2017. Circa 61% of Copeland residents were aged 16 to 64 in 2017, compared to 63% across both the North West and England

more positive approach, and a parallel risk that simply planning for no more than 200 dwellings per annum will actually serve to undermine recent progress in this regard.

- 3.12 The ostensible target of 1,100 new jobs over the plan period appears to have originated from the SHMA, which introduced four economic scenarios of which the majority actually anticipated job losses. This unusually negative outlook – from a planning policy perspective – flowed from a Cambridge Econometrics forecast that was sourced in March 2018 and used as a baseline, suggesting that some 3,400 jobs would be lost in Copeland over the plan period. This effectively meant that one in every ten jobs that already existed in the borough were assumed to be lost under this scenario<sup>9</sup>.
- 3.13 Our previous report queried the use and influence of this single and particularly negative baseline forecast from Cambridge Econometrics, which apparently had not been checked against the views of other reputable forecasting houses in conflict with widespread best practice. This remains a concern, when obtaining an up-to-date and comparable baseline forecast from Experian which again requires further interrogation – to locally verify its key assumptions, recognising the limitations of any “off the shelf” forecast – but suggests that Copeland could create around 900 jobs over the plan period<sup>10</sup>. The gap between this and the Cambridge Econometrics forecast referenced in the SHMA is stark, at some 4,300 jobs, and certainly warrants further investigation by the Council.
- 3.14 The newly published Economic Development Needs Assessment<sup>11</sup> (EDNA) might have been expected to explore this issue and rectify this critical flaw, but its publication date of July 2020 obscures the fact that it was largely drafted in 2017 before the study was paused. This appears to explain what are otherwise surprising references to still more dated forecasts from Cambridge Econometrics, obtained more than three years ago in summer 2017. The EDNA recognises the consequences of its delayed publication, listing a series of economic changes, issues and opportunities that it ignores but should now be factored in to any consideration of the economic needs of Copeland<sup>12</sup>. This includes:
- Priorities in the emerging Copeland Economic Vision;
  - Priorities in the Cumbria Nuclear Prospectus, published in August 2020;
  - The development of a Clean Energy Park, potentially incorporating advanced nuclear technologies, hydrogen production and large-scale nuclear build;
  - More detailed information on how Sellafield Ltd will operate;
  - The creation of the Enterprise and Innovation Hub, forming a genuine cluster of expertise in nuclear and clean energies;

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<sup>9</sup> JG Consulting (October 2019) Report for Copeland Borough Council: Strategic Housing Market Assessment and Objectively Assessed Housing Need, Figure 5.1

<sup>10</sup> Experian (September 2020) Local Market Forecasts Quarterly

<sup>11</sup> Lichfields (2020) Economic Development Needs Assessment: Copeland Borough Council

<sup>12</sup> *Ibid*, paragraph 1.8

- The latest round of offshore wind farm auctions;
- The proposal for a Digital Grid in Whitehaven;
- Town centre regeneration, through vehicles such as the Future High Streets Fund and Town Deals;
- The impacts of Covid-19, over the short, medium and long term; and
- The impacts of the UK's departure from the European Union.

3.15 This should not necessarily be viewed as an exhaustive list, where recognised for example that the Government has very recently launched its *'ten point plan for a green industrial revolution'*<sup>13</sup>. This emphasises its commitment to delivering new and advanced nuclear power, for example, and advancing offshore wind. With the EDNA having already highlighted opportunities in these areas for Copeland, as a location that is uniquely positioned as a pioneer in the green energy sector, these recent announcements can be considered to only raise the prospect of such investments in the borough. This certainly has the potential to offset short-term challenges relating to the latter two points listed above.

3.16 The authors of the EDNA clearly advise the Council to commission a review and update *'later in 2020'* to inform a Publication version of the Local Plan, and while this timeframe now overlaps with the extended Preferred Options consultation – and thus may be delayed – the principle is strongly supported. Like the SHMA, this update is considered essential to provide up-to-date and robust evidence that justifies policies in the emerging Local Plan, as required by the NPPF<sup>14</sup>. The draft Plan thankfully indicates that a new EDNA will indeed be *'commissioned prior to the next stage of plan production'*<sup>15</sup>.

3.17 Until this review is completed, it is unclear precisely how many additional jobs the Council needs to support through its approach to housing provision, if it is to deliver the integrated approach expected by national policy<sup>16</sup>. It is therefore premature to assume, as the Council appears to have done, that the 1,100 new jobs associated with its *'aspirational'* housing land supply are all that need to be planned for. This recognises evidence noted above with regards a potentially improving baseline position and the importance of considering the implications of planned economic investment, the support of which will be critical through the employment policies of the Local Plan.

3.18 Indeed, it appears that planning only for 1,100 additional jobs over the plan period would actually slow the job creation that has occurred in Copeland over recent years. The Business Register and Employment Survey<sup>17</sup> (BRES) suggests that the level of

<sup>13</sup> HM Government (November 2020) The Ten Point Plan for a Green Industrial Revolution: building back better, supporting green jobs, and accelerating our path to net zero

<sup>14</sup> MHCLG (2019) National Planning Policy Framework, paragraph 31

<sup>15</sup> Copeland Borough Council (September 2020) Copeland Local Plan 2017-2035: Preferred Options Draft, paragraph 21.3.3

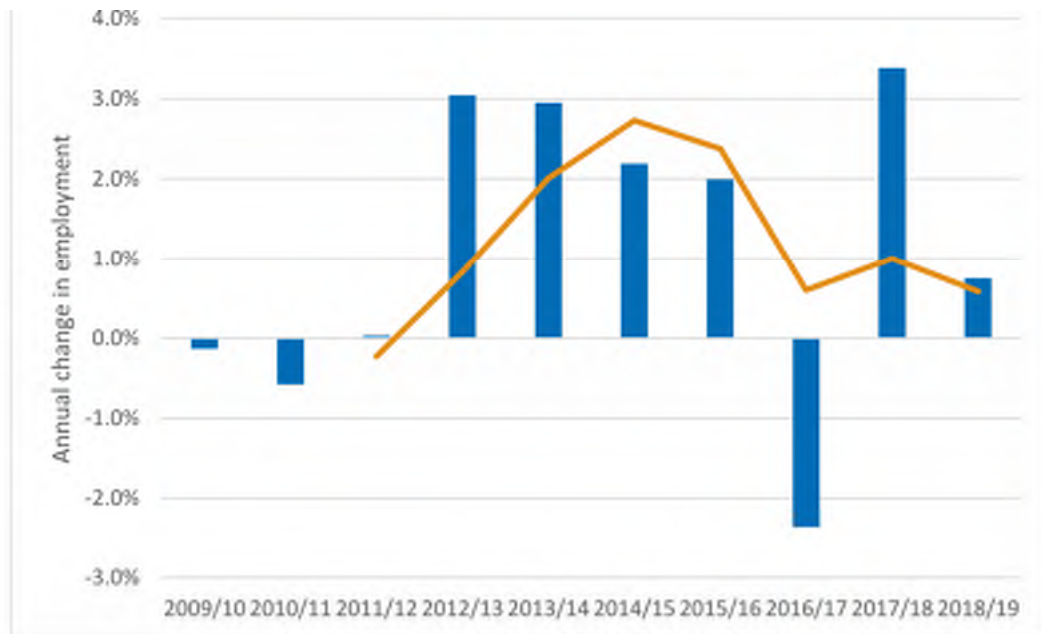
<sup>16</sup> MHCLG (2019) National Planning Policy Framework, paragraph 81c

<sup>17</sup> *'...the official source of employee and employment estimates by detailed geography and industry'* ([link](#))



employment in the borough has risen in all but one of the last eight years, and significantly so on several occasions. This is shown in proportionate terms at Figure 3.2, which also overlays a rolling three year average to soften the influence of annual volatility.

**Figure 3.2: Annual Change in Employment in Copeland (2009-19)**



Source: BRES; Turley analysis

- 3.19 The past three years (2016-19) have seen employment levels in Copeland grow by 0.6% per annum on average, matching the trend recorded over three years to 2017 and appearing relatively modest against the more pronounced growth in earlier years. This is also a lower rate of growth than seen across the North West or England over the latest three years for which data is currently available<sup>18</sup> (1.5/1.0% per annum).
- 3.20 In comparison, the creation of 1,100 jobs over the entire plan period – as apparently planned, in housing terms, by the Council through its ‘*aspirational*’ supply of land if not its lower proposed housing requirement – would represent growth of only 0.2% per annum; a third of the recent trend, and still less than recorded prior.
- 3.21 This regression is at odds with the ‘*aspirational*’ label and indeed the overarching vision of the draft Plan, which foresees ‘*a prosperous, diverse economy*’ that has capitalised on local strengths and facilitated growth<sup>19</sup>. It references the Housing Strategy, which aims to ‘*sustain and grow*’ the local economy<sup>20</sup>, and more broadly recognises the link between housing provision and economic growth by stating that:

<sup>18</sup> ONS (2020) Business Register and Employment Survey

<sup>19</sup> Copeland Borough Council (September 2020) Copeland Local Plan 2017-2035: Preferred Options Draft, p21

<sup>20</sup> *Ibid*, p12



*"It is vital that we provide the right amount and type of housing in the Borough in order to reverse the trend of population decline and ensure that we have a sufficiently sized workforce to support local businesses and create further opportunities for education and training for our residents. This in turn will help create economic growth and reduce deprivation levels in the Borough"*<sup>21</sup>

- 3.22 As the Council seeks to sustain and grow its local economy and produce a positive and supposedly 'aspirational' plan, and in advance of the essential update to the EDNA mentioned above, it must at least acknowledge success over recent years and assess the implications of sustaining this performance. This is likely to require a more ambitious approach to housing provision.
- 3.23 Further modelling has been developed by Edge Analytics to illustrate this point and estimate the level of housing provision that could be needed to sustain the rate of job growth achieved on average in each of the last three years (0.6%) over the plan period. The assumptions which have been applied in this modelling are summarised at **Appendix 1**.
- 3.24 This modelling suggests that **circa 304 dwellings per annum** could be needed in Copeland over the emerging plan period, if the borough is to sustain employment growth at a rate of 0.6% per year and thereby create a total of 3,760 new jobs. While acknowledged to be nearly double the recent peak in housing delivery<sup>22</sup>, there is some precedent to be found from the existing Core Strategy which planned to provide for 300 dwellings per annum over its latter years<sup>23</sup> (2018-28). This deliberately uplifted a lower requirement for 230 dwellings per annum that was demographically derived and applied in the first five years, in order to allow for the additional demand generated by major investment in the local economy.
- 3.25 Furthermore, where delivery even of the 'aspirational' land supply identified by the Council appears unlikely to facilitate growth in the working age population of Copeland – as shown at the earlier Figure 3.1 – the modelling suggests that a higher level of housing provision, in the order of 300 dwellings per annum, could in contrast allow for the growth of this important cohort. Figure 3.3 below shows that the working age population could grow by around 1,900 persons over the plan period where circa 300 dwellings per annum are provided, representing growth of 5% rather than the 2% decline expected where only 200 homes are provided each year. This is enabled through this higher level of housing provision, which allows such residents to be retained and attracted. This, in turn, can help to attract investment to Copeland.

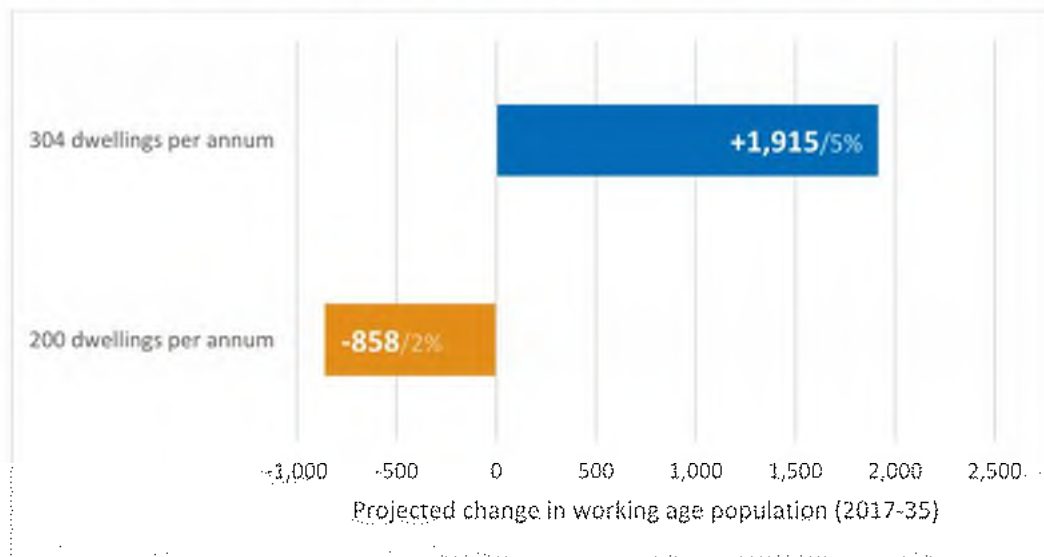
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<sup>21</sup> *Ibid*, p159

<sup>22</sup> *Ibid*, Table 12. Over the period back to 2010, housing delivery peaked when 158 homes were provided in 2011/12

<sup>23</sup> Copeland Borough Council (2013) Copeland Local Plan 2013-2018: Core Strategy and Development Management Policies DPD, Policy SS2

**Figure 3.3: Effect of Higher Housing Provision on Working Age Population (16-64)**



*Source: Edge Analytics; Turley analysis*

3.26 The above analysis has drawn upon the latest available demographic datasets where appropriate to explore the inter-relationship between jobs and housing in Copeland. This provides an updated position to that presented in the Council's published evidence base. It is recognised that further consideration is required as to a reasonable and appropriate level of employment growth in Copeland. Such a detailed exercise has not been undertaken here, where it is emphasised by the Council that this will be forthcoming through the updating of its EDNA. This represents a critical component of the evidence base for the Local Plan, and in establishing a reasonable forecast it must:

- Include consideration of up-to-date baseline forecasts from more than one forecasting house;
- Assess the implications of local performance of key sectors, drawing comparison with baseline assumptions; and
- Understand the additionality of planned investment already identified as being pertinent to this exercise in the current EDNA.

### Summary

3.27 This section has tested the conclusions made in the Council's increasingly dated evidence base – drawn upon to justify its proposed approach to housing provision – using the latest available information, and new demographic modelling.

3.28 The Council's '*aspirational*' approach of identifying land to deliver 200 dwellings per annum is informed by modelling that is now outdated, which estimated the housing needed to support 1,100 new jobs over the plan period. This does remain a conceivable outcome when remodelling to account for more recent population trends, albeit it must be recognised that such a scenario does not allow for *any* growth in the

population aged under 65. This could critically undermine the borough's economic resilience, and potentially discourage future investment.

- 3.29 Furthermore, it is important to recognise that an ostensible target of 1,100 new jobs has not been recently justified by the Council. It originated as the only one of four scenarios presented in the SHMA to envisage job growth, rather than job losses, but this process was arguably undermined at the outset by the questionable decision to draw upon a single and particularly negative baseline forecast from Cambridge Econometrics rather than obtaining a range of reputable views. Experian, for example, now envisage around 900 new jobs in Copeland under its own baseline scenario, starkly contrasting with the 3,400 jobs assumed to be lost over the plan period by Cambridge Econometrics. The newly published EDNA might have been expected to rectify this issue, had it not actually been produced in 2017 before its publication was delayed. It is clear in this context to identify the consequences of this delay and the changing economic context which will need to be taken into account, and the imminent update to this study is therefore both welcomed and essential. It is premature to assume, in the meantime, that the Council need only plan for the creation of 1,100 new jobs where a more substantive growth in the labour force may ultimately need to be sustainably accommodated through a higher level of housing provision.
- 3.30 The updated EDNA should fully account for a local economic context that has recently become increasingly positive in Copeland, with employment levels growing by an average of 0.6% in each of the past three years for which data is currently available (2017-19) and indeed more prior to this period. A target of 1,100 new jobs over the plan period is equivalent to only a third of this recent growth rate, and appears to conflict with the Council's economic ambitions which arguably justify an aspiration to *at least* sustain the rate of growth recently recorded. Further modelling suggests that this could require **around 300 dwellings per annum** over the plan period, with such a level of provision allowing for some growth in the working age population – unlike the '*aspirational*' approach favoured by the Council – and coincidentally aligning with the housing requirement now in place from the Core Strategy. This suggests that the Council should not discount the possibility of continuing to plan for a similar level of housing provision, as it considers the findings of the updated EDNA and establishes in parallel the housing that could be needed to support future economic growth.

## 4. Consequences of Emerging National Policy

- 4.1 The Council has clearly produced the draft Plan in the context of the existing NPPF and its associated guidance. It has applied the standard method to ‘*determine the minimum number of homes needed*’<sup>24</sup>, but in the case of Copeland this produces a scarcely credible figure of only 11 dwellings per annum which the Council has rightly proposed to exceed by some way as is currently permitted by national policy. The draft Plan is correct to state, in this context, that:

*“The housing need figure produced using the standard methodology does not provide a true reflection of housing need in the Borough. It is significantly lower than the number of homes that have been delivered on average over the past 10 years, and each individual year, and if it was taken forward as a housing requirement in the Local Plan would lead to further population loss and economic decline. A housing requirement this low would also be contrary to the Council’s Growth Strategy, Housing Strategy, Corporate Strategy and the NPPF which requires Local Authorities to be aspirational. Responses received to the Local Plan Issues and Options consultation also indicate that the development industry would not support a housing requirement based on this figure”<sup>25</sup> (emphasis added)*

- 4.2 It is important to recognise, however, that the Government is in the process of revising the standard method, and – as shown by this section – this will almost inevitably raise the minimum housing need in Copeland to be met by the emerging Local Plan.

### Proposed changes to the standard method

- 4.3 The Government consulted on its initial proposals for a revised approach over the summer<sup>26</sup>. It acknowledged that the method could no longer use the increasingly dated 2014-based household projections that currently form the baseline, and felt that a new approach should be ‘*more agile in using the most recent data*’<sup>27</sup>. It has, though, also recognised that such projections are volatile and ‘*cannot in isolation forecast housing need*’<sup>28</sup>.
- 4.4 The Government therefore proposed to introduce a new element into the standard method, linked to existing housing stock, to take account of the number of homes that are already in an area. This was intended to account for the diversity of housing needs throughout the country, recognising that ‘*new homes can play a vital role in schemes to regenerate deprived areas*’ for example, and offer ‘*the stability and predictability which has been absent when solely relying on household projections*’<sup>29</sup>.

<sup>24</sup> MHCLG (2019) National Planning Policy Framework, paragraph 60

<sup>25</sup> Copeland Borough Council (September 2020) Copeland Local Plan 2017-2035: Preferred Options Draft, paragraph 40.2.17

<sup>26</sup> MHCLG (2020) Changes to the current planning system: consultation on changes to planning policy and regulations

<sup>27</sup> *Ibid*, paragraph 14a

<sup>28</sup> *Ibid*, paragraph 13

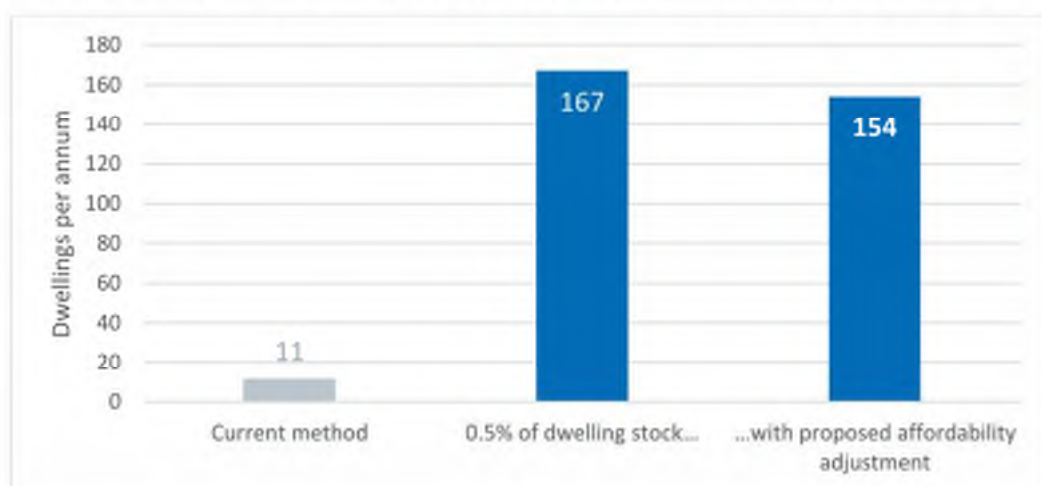
<sup>29</sup> *Ibid*, paragraphs 19 and 20

- 4.5 Household projections were nonetheless intended to retain a role, in a '*blended approach*' which prevented any such projection from falling below a certain proportion (0.5%) of the existing stock<sup>30</sup>. The growth suggested by household projections was to feature in the calculation where this is higher than the stock-based figure.
- 4.6 This process was to produce a baseline for the calculation, which – as in the current method – would continue to be adjusted to reflect the ratio between house prices and earnings. The current formula was proposed to be adapted and extended to further account for changing affordability trends over time. This would apply a larger adjustment where housing is increasingly unaffordable – relative to a threshold of 4 years earnings – but moderate the level of adjustment where the ratio was high but improving, for example.
- 4.7 The current method caps the level of adjustment that can be made based on affordability, relative to the baseline or a recently adopted housing requirement, but the Government suggested that this step would be removed in its entirety to facilitate the '*step change*' that it considers to be necessary<sup>31</sup>.

### Outcome for Copeland

- 4.8 In the case of Copeland, the approach described above would substantially raise the minimum need currently implied by the standard method, from 11 to **154 dwellings per annum**. This is entirely caused by the proposed introduction of a stock-based measure into the method, which takes precedence over a 2018-based projection that unhelpfully envisages zero additional households in Copeland. The approach sets a baseline of 167 homes per annum – equivalent to 0.5% of the 33,433 homes recorded in the borough as of 2019 – that is actually *reduced* by 8% through the affordability adjustment, because the ratio between house prices and earnings (2.78) is currently lower than four.

**Figure 4.1: Current and Proposed Standard Method – Outcome for Copeland**



Source: Turley analysis

<sup>30</sup> *Ibid*, paragraph 21

<sup>31</sup> *Ibid*, paragraph 39



## Potentially significant refinements

- 4.9 It is important to recognise, however, that the approach described above was merely a proposal that was subject to consultation. The Government has recently confirmed reports that the formula would be *'rebalanced so that more homes are built in urban areas, particularly in the Midlands and the North'*<sup>32</sup>. While it is currently unclear precisely how the formula will be altered, one mechanism for directing more homes towards urban areas is the stock growth rate that features in the baseline of the Government's earlier proposals and indeed is the primary driver of need in the case of Copeland. The Government may choose to raise the minimum growth rate from its current level of 0.5%, and even a fractional increase – to 0.6% for example – would increase the baseline for Copeland to 201 dwellings per annum, from 167 dwellings per annum under the proposals to date. This is likely to once again be adjusted, and conceivably lowered in the case of Copeland, based on affordability but it is more challenging to predict how this element of the proposals may evolve in response to a higher baseline.
- 4.10 The revised method, in its final form, is likely to have a direct consequence for the emerging Local Plan, as the Government has proposed only a short transition from the existing approach. Authorities like Copeland, that are yet to undertake a Regulation 19 consultation, are proposed to be given only three months to reach this stage from the point at which a revised method is formally introduced, and a further six months to submit their plan to the Planning Inspectorate. According to the draft Plan, the Council aimed – before extending the current consultation by two weeks – to reach the Publication (Reg.19) stage in spring 2021, which could conceivably be more than three months after the revised method if the latter is introduced before the end of the year. This is certainly a possibility where the Government is understood, at the time of writing, to be announcing its revised approach within weeks<sup>33</sup>.

## Summary

- 4.11 While the Council's proposed approach to housing provision cannot help but appear positive in the context of a standard method that currently implies a scarcely credible need for only 11 dwellings per annum, it is markedly less so where the method is revised in the manner that now appears likely. The proposed housing requirement of 140 dwellings per annum would fail to meet housing needs where the latter are calculated using the method that was subject to consultation this summer, and the same could conceivably be true even of the *'aspirational'* supply if – as appears a possibility – this is reweighted in favour of the existing housing stock.
- 4.12 The draft Plan does acknowledge this evolving context, stating that the *'progress'* of the new method will be *'monitored and considered prior to the production of the Publication Draft'*<sup>34</sup>. This is strongly supported and indeed appears a necessity, given that the Council appears unlikely to be covered by transitional arrangements and is therefore likely to have to meet the minimum need implied by any revised method.

<sup>32</sup> [Planning Resource](#), 16 November 2020

<sup>33</sup> *Ibid*

<sup>34</sup> Copeland Borough Council (September 2020) Copeland Local Plan 2017-2035: Preferred Options Draft, p154

## 5. Summary and Conclusions

- 5.1 Copeland Borough Council is consulting on its Preferred Options for the emerging Local Plan. This report has been prepared by Turley on behalf of a consortium of housebuilders<sup>35</sup> – superseding an earlier submission during the previous Issues and Options consultation – to critically review the proposed approach to housing provision, that would set a requirement for at least 140 dwellings per annum over the plan period (2017-35) but *'be aspirational', 'plan positively and support employment growth'* by identifying additional land to provide a total of 200 dwellings per annum.
- 5.2 These figures align with the range concluded in the Strategic Housing Market Assessment (SHMA) which was finalised in October 2019 but produced around 18 months earlier, thereby taking no account of substantive new data, policy and guidance published in the intervening period. The Council was advised to test the conclusions of the SHMA, but this is yet to have visibly occurred and there surprisingly no longer appears a firm commitment to doing so in the Preferred Options draft. An update is considered essential prior to consultation on the Publication version (Reg.19) of the Local Plan, to provide the *'up-to-date evidence'* expected by national policy<sup>36</sup>.
- 5.3 This report has aimed to assist the Council in the context of this evidential shortcoming by considering how such an update, taking account of the latest available information, could alter the conclusions of the SHMA. In summary, it has found that:
- The *'aspirational'* approach of identifying land to deliver 200 dwellings per annum was informed by the SHMA's modelling of the homes needed to support 1,100 new jobs over the plan period. While this modelling is now outdated, this remains a conceivable outcome when remodelled by Edge Analytics to account for more recent population trends, albeit in evaluating the consequences regarding the sustainability of growth in Copeland it must be recognised that such a level of provision is unlikely to encourage or allow for any growth in the population aged under 65. This could critically undermine the economic resilience of Copeland, and potentially discourage future investment;
  - Further to the above, there is a concerning lack of justification for the ostensible target of 1,100 new jobs, which originated as the only positive scenario of four presented in the SHMA in a process that was arguably undermined at the outset by the decision to unquestioningly use a single and particularly negative baseline forecast – that expected some 3,400 jobs to be lost – rather than obtaining a range of reputable views, or testing its robustness in the context of local evidence. The newly published EDNA dated July 2020 might have been expected to rectify this issue, had it not actually been produced in 2017 before its publication was delayed. A stated commitment to produce an update to the EDNA, to account for a range of new information and identified investment and growth opportunities, is both welcomed and essential, and in the meantime it is premature for the Council to assume that it need only plan for sufficient homes –

<sup>35</sup> Gleeson Homes, Persimmon Homes and Story Homes

<sup>36</sup> MHCLG (2019) National Planning Policy Framework, paragraph 31

circa 200 per year – to support 1,100 new jobs. In assessing an appropriate and reasonable level of job growth, consideration should be given to recent historic performance as well as up-to-date forecasts and the impact of potential and committed investment. Where the update to the EDNA will need to consider this in detail, it is observed that Copeland's economy has seen a strong period of job growth, equating to 0.6% per annum over the last three years, with previous years showing an even higher rate of growth. Using this as an appropriate proxy, the analysis in this report confirms that to even sustain this recent rate of job growth could require around 300 dwellings per annum to adequately grow the resident labour force, including the working age population; and

- Although the Council's proposed approach to housing provision cannot help but appear positive in the context of a standard method that currently implies a barely credible need for only 11 dwellings per annum, it is markedly less so where the method is revised in the manner that now appears likely based on a recent consultation and more recent messages from within Government. The housing requirement of 140 dwellings per annum proposed in the draft Plan would fail to meet housing needs where the latter are calculated using the method that was subject to consultation this summer, which introduced a stock-based metric and produced a figure of 154 dwellings per annum for Copeland. The same could conceivably be true even of the '*aspirational*' supply if this is reweighted in favour of the existing housing stock, as appears a possibility. The Council is therefore right to be closely monitoring changes in the standard method, not least because it appears unlikely – based on the current Local Plan timetable – to be covered by proposed transitional arrangements and is thus likely to have to meet the need implied by any revised approach as a minimum.

- 5.4 The analysis summarised above suggests that even the '*aspirational*' target of 200 dwellings per annum may fail to meet the housing needs of Copeland, or properly support the Council's economic ambitions. Around **300 dwellings per annum** could be needed even to sustain recent economic success, and where this aligns with the existing housing requirement – applied from 2018 onwards by the Core Strategy – it is clear that the Council should not prematurely or unjustifiably discount the possibility of continuing to plan for a similar level of housing provision through the new Local Plan. It should, however, also be mindful in updating its evidence on housing need both of emerging changes to the standard method and the findings of the anticipated and necessary update of the EDNA, establishing in the case of the latter the housing that could be needed in parallel to support its scenarios of future job growth. This evidence is considered likely to require a more ambitious approach to housing provision than proposed in the ongoing Preferred Options consultation.

## **Appendix 1:   Modelling Assumptions**

# Copeland

## Data Inputs & Assumptions

November 2020



Nexus | Discovery Way | University of Leeds | Leeds | LS2 3AA  
| [www.edgeanalytics.co.uk](http://www.edgeanalytics.co.uk)



## Acknowledgements

Demographic statistics used in this report have been derived from data from the Office for National Statistics licensed under the Open Government Licence v.3.0.



*The authors of this report do not accept liability for any costs or consequential loss involved following the use of the data and analysis referred to here; this is entirely the responsibility of the users of the information presented in this report.*

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# 1 POPGROUP Methodology

- 1.1 Evidence is often challenged on the basis of the appropriateness of the methodology that has been employed to develop growth forecasts. The use of a recognised forecasting product which incorporates an industry-standard methodology (a cohort component model) removes this obstacle and enables a focus on assumptions and output, rather than methods.
- 1.2 Demographic forecasts have been developed using the POPGROUP suite of products. POPGROUP is a family of demographic models that enables forecasts to be derived for population, households and the labour force, for areas and social groups. The main POPGROUP model (Figure 1) is a cohort component model, which enables the development of population forecasts based on births, deaths and migration inputs and assumptions.
- 1.3 The Derived Forecast (DF) model (Figure 2) sits alongside the population model, providing a headship rate model for household projections and an economic activity rate model for labour-force projections.
- 1.4 For further information on POPGROUP, please refer to the Edge Analytics website: <http://www.edgeanalytics.co.uk/>.

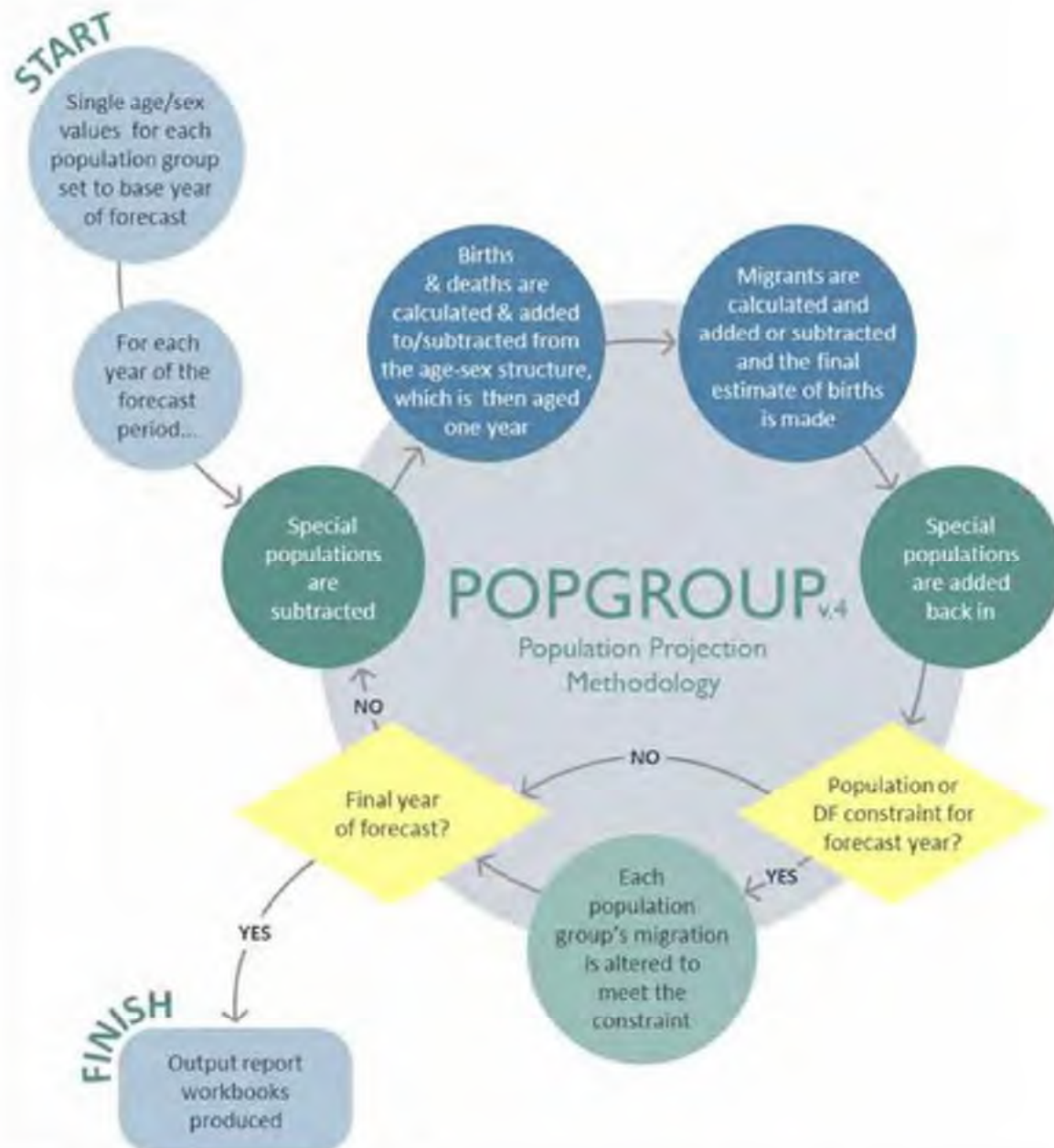
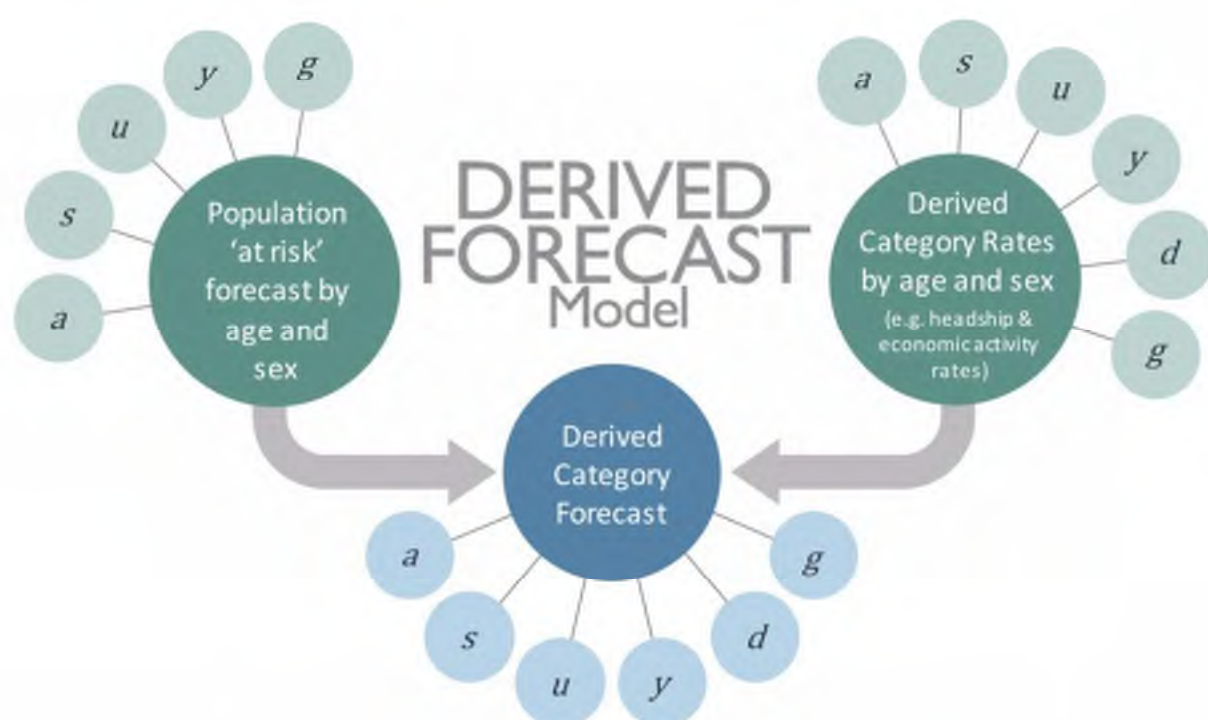


Figure 1: POPGROUP population projection methodology



$$D_{a,s,u,y,d,g} = \frac{P_{a,s,u,y,g} R_{a,s,u,y,d,g}}{100}$$

<i>D</i>	Derived Category Forecast	<i>y</i>	Year
<i>P</i>	Population 'at risk' Forecast	<i>d</i>	Derived category
<i>R</i>	Derived Category Rates	<i>g</i>	Group (usually an area, but can be an ethnic group or social group)
<i>a</i>	Age-group		
<i>s</i>	Sex		
<i>u</i>	Sub-population		

Figure 2: Derived Forecast (DF) methodology



# 2 Data Inputs & Assumptions

## Introduction

- 2.1 Edge Analytics has configured two demographic scenarios for Copeland, using POPGROUP v4.0 and the Derived Forecast model. The POPGROUP suite of demographic models draws data from a number of sources, building an historical picture of population, households, fertility, mortality and migration on which to base its scenario forecasts.
- 2.2 Using historical data evidence for 2001–2017, in conjunction with information from the Office for National Statistics (ONS) latest sub-national population projections (SNPPs) and Ministry of Housing, Communities and Local Governments (MHCLG) household projections, a series of assumptions have been derived which drive the scenario forecasts.

## Scenario Definition

- 2.3 Edge Analytics has developed a **Dwelling-led** and an **Employment-led** scenario for Copeland, taking account of the latest demographic and economic evidence.
- 2.4 Under **both** scenarios, historical mid-year population estimates have been used up to 2017 and the annual dwelling or employment growth targets have been applied as follows:
- **Dwelling-led 200 dpa (HH-14 Return)** – From 2017/18 onwards, annual dwelling growth targets of +200 dpa have been applied. Assumptions related to fertility, mortality and the profile of migrants are derived from the 2018-based SNPP. A sensitivity, **HH-14 Return**, has been applied to household headship rates (see 2.24).
  - **Employment-led (HH-14 Return)** – From 2017/18 onwards, annual employment growth targets have been applied, assuming annual employment growth of 0.6%<sup>1</sup>. Assumptions related to fertility, mortality and the profile of migrants are derived from the 2018-based SNPP. A sensitivity, **HH-14 Return**, has been applied to household headship rates (see 2.24).

## Dwelling-led Scenario

- 2.5 Under a '**Dwelling-led**' scenario, population growth is determined by the annual change in dwellings using key assumptions on household headship rates, communal population statistics and a dwelling vacancy rate.

<sup>1</sup> Annual employment growth targets were provided by Turley, for the period 2017/18–2034/35.

## Employment-led Scenarios

- 2.6 Under an ‘**Employment-led**’ scenario, population growth is determined by the annual change in employment using key assumptions on economic activity rates, a commuting ratio and unemployment rates.

## Population, Births & Deaths

### Population

- 2.7 In each scenario, historical population statistics are provided by the ONS mid-year population estimates (MYEs) for Copeland<sup>2</sup> (2001-2017).

### Births & Fertility

- 2.8 In each scenario, historical mid-year to mid-year counts of births by sex have been sourced from the ONS MYEs for the 2001/02-2016/17 period.
- 2.9 From 2017/18, an age specific fertility rate (ASFR) schedule derived from the ONS 2018-based SNPP is included in the POPGROUP model assumptions. In combination with the ‘population-at-risk’ (i.e. all women between the ages of 15–49), the area-specific ASFR and future fertility rate assumptions provide the basis for the calculation of births in each year of the forecast period (i.e. from 2018 onwards).

### Deaths & Mortality

- 2.10 In each scenario, historical mid-year to mid-year counts of deaths by 5-year age group and sex have been sourced from the ONS MYEs for the 2001/02–2016/17 period.
- 2.11 From 2017/18, an age-specific mortality rate (ASMR) schedule derived from the ONS 2018-based SNPP is included in the POPGROUP model assumptions. In combination with the ‘population-at-risk’ (i.e. the whole population), the area-specific ASMR and future mortality rate assumptions provide the basis for the calculation of deaths in each year of the forecast period (i.e. from 2018 onwards).

## Migration

### Internal Migration

- 2.12 In each scenario, historical mid-year to mid-year estimates of the internal in-and out-migration by 5-year age group and sex have been sourced from the ‘components of population change’ that underpin the ONS MYEs. These internal migration flows are estimated using data from the Patient Register (PR),

<sup>2</sup><https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates/datasets/populationestimatesforukenglandandwalesscotlandandnorthernireland>

the National Health Service Central Register (NHSCR) and the Higher Education Statistics Agency (HESA).

2.13 Historical counts of migrants are used from 2001/02 to 2016/17. From the start of the forecast period, the scenarios calculate their own internal migration assumptions to ensure an appropriate balance between the population and the targeted change in dwellings or employment defined in each year of the forecast period. Under the **Dwelling-led** scenario, a higher level of net internal migration will occur if there is insufficient population and households to meet the forecast change in dwellings. Under the **Employment-led** scenario, a higher level of net internal migration will occur if there is insufficient population and labour force to meet the forecast change in jobs.

2.14 The profile of internal migrants is defined by an age specific migration rate (ASMigR) schedule, derived from the ONS 2018-based SNPP.

## International Migration

2.15 Historical mid-year to mid-year counts of immigration and emigration by 5-year age group and sex have been sourced from the 'components of population change' files that underpin the ONS MYEs. Any 'adjustments' made to the MYEs to account for asylum cases are included in the international migration balance.

2.16 Historical counts of international in and out-migrants are used from 2001/02 to 2016/17. From 2017/18, international migration counts are derived from the full sixteen-year historical period (2001/02–2016/17). An ASMigR schedule of rates from the ONS 2018-based SNPP is used to distribute future counts by single year of age.

## Households & Dwellings

2.17 The 2011 Census defines a household as:

*"one person living alone, or a group of people (not necessarily related) living at the same address who share cooking facilities and share a living room or sitting room or dining area."*

2.18 In POPGROUP, a dwelling is defined as a unit of accommodation which can either be occupied by one household or vacant.

2.19 Under the **Dwelling-led** scenario, the population growth outcomes of each dwelling constraint have been estimated through the application of household representative statistics (also known as household headship rate statistics), communal population statistics and a dwelling vacancy rate.

2.20 In the **Employment-led** scenario, the household and dwelling implications of each population growth trajectory are estimated in the same way. These assumptions have been sourced from the 2011 Census and MHCLG's 2014-based household projection model.



## Household Headship Rates

- 2.21 A household headship rate (or household representative rate) is defined as the: *“probability of anyone in a particular demographic group being classified as being a household representative”*<sup>3</sup>
- 2.22 The household headship rates used in the POPGROUP modelling for Copeland have been taken from the MHCLG 2014-based household projection model, which is underpinned by the ONS 2014-based SNPP. The MHCLG household projections are derived through the application of projected headship rates to a projection of the private household population. The methodology used by MHCLG in its household projection models consists of two distinct stages:
- **Stage One** produces the national and local authority projections for the total number of households by sex, age-group and relationship-status group over the projection period.
  - **Stage Two** provides the detailed ‘household-type’ projection by age-group, controlled to the previous Stage One totals.
- 2.23 Under each scenario, **Stage Two** headship rates have been applied by age-group, sex and ‘household type’ (Table 1).

Table 1: MHCLG Stage Two headship rate classification household type classification

MHCLG Category	Description
One person male	One person households: Male
One person female	One person: Female
Couple no child	One family and no others: Couple households: No dependent children
Cple+adlts no child	A couple and one or more other adults: No dependent children
One child	Households with one dependent child
Two children	Households with two dependent children
Three+ children	Households with three or more dependent children
Other households	Other households with two or more adults

- 2.24 Under **both** scenarios, an adjustment to the MHCLG 2014-based Stage Two headship rates has been applied (**HH-14 Return**). Between 2017 and 2035, the MHCLG 2014-based headship rates in the 25–34 and 35–44 age-groups have been ‘returned’ to their 2001 values. All other age-groups are unadjusted.

## Communal Population Statistics

- 2.25 Household projections in POPGROUP exclude the population ‘not-in-households’ (i.e. the communal/institutional population). These data are drawn from the MHCLG 2014-based household projections, which use statistics from the 2011 Census. Examples of communal establishments include prisons, residential care homes, student halls of residence and certain armed forces accommodation.

<sup>3</sup> Household Projections 2014-based: Methodological Report. Ministry of Housing, Communities & Local Government (July 2016). <https://www.gov.uk/government/statistics/2014-based-household-projections-methodology>

- 2.26 For ages 0–74, the number of people in each age group not-in-households is fixed throughout the forecast period. For ages 75–85+, the proportion of the population not-in-households is recorded. Therefore, the population not-in-households for ages 75–85+ varies across the forecast period depending on the size of the population.

## Vacancy Rate

- 2.27 The relationship between households and dwellings is modelled using a 'vacancy rate', sourced from 2019 MHCLG Council Tax Data. Under **both** scenarios, a vacancy rate of 5.5% has been applied and fixed throughout the forecast period<sup>4</sup>.

## Labour Force & Jobs

### Economic Activity Rates

- 2.28 Economic activity rates (also referred to as labour force participation rates) are the proportion of the population that are actively involved in the labour force, either employed or unemployed and looking for work.
- 2.29 Economic activity rates by five year age group (ages 16–89) and sex have been derived from 2011 Census statistics, with adjustments made in line with the Office for Budget Responsibility's (OBR) analysis of labour market trends in its Fiscal Sustainability Report<sup>5</sup>. The economic activity rate adjustments have been applied to **both** scenarios.

### Commuting Ratio

- 2.30 The commuting ratio indicates the balance between the level of employment and the number of resident workers. A commuting ratio greater than 1.00 indicates that the size of resident workforce exceeds the level of employment available in the area, resulting in a net out-commute. A commuting ratio less than 1.00 indicates that employment in the area exceeds the size of the labour force, resulting in a net in-commute.
- 2.31 The 2011 Census recorded a 0.95 commuting ratio in Copeland. This commuting ratio has been fixed for the duration of the forecast period.

### Unemployment Rate

- 2.32 The unemployment rate is the proportion of unemployed people within the total economically active population. Under **both** scenarios, historical unemployment rates have been used up to 2019. From 2020 onward, the 10-year average unemployment rate (5.8%) has been applied, fixed throughout the forecast period.

<sup>4</sup> The use of this vacancy rate, based on 2019 MHCLG Council Tax data, was specified by Turley.

<sup>5</sup> [Fiscal Sustainability Report – July 2018](#)



**Turley**  
1 New York Street  
Manchester  
M1 4HD



**Appendix 2:    Former Marchon Chemical Works  
Hybrid Planning Application Site  
Plan**



## **Appendix 3: Fairways Extension Location Plan**





**PERSIMMON**

**Persimmon Homes Lancashire**

Persimmon Homes Lancashire, The Cross Keys, Lancashire, LA1 1JG  
 Tel: 01253 340 000 Fax: 01253 340 351 Web: www.persimmonhomes.com

**Development**  
**Location** **Seascale**

**Nearest**  
**Station**

**Planning** **Location Plan**

**Scale** **1:1250**

**Drawn by** **SDH** **Date** **Nov 2020**

**Checked by** **Date**

**Revision** **Date** **Author** **Check**

**1** **11/11/20** **SDH** **SDH**

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## **Appendix 4: Land South of Laurel Bank Location Plan**



## **Appendix 5: Land South of Laurel Bank LVIA**





**UNCONTROLLED DRAFT**

Landscape and Visual Appraisal

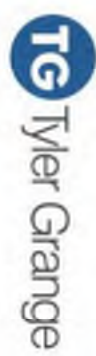
**Laurel Bank, Whitehaven**

26th July 2019

12321/R0X/EF/Admin







Revision	Date	Author / Checked
12321_R0X (DRAFT)	26/07/2019	EF/xx



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## 1 Introduction and Site Context

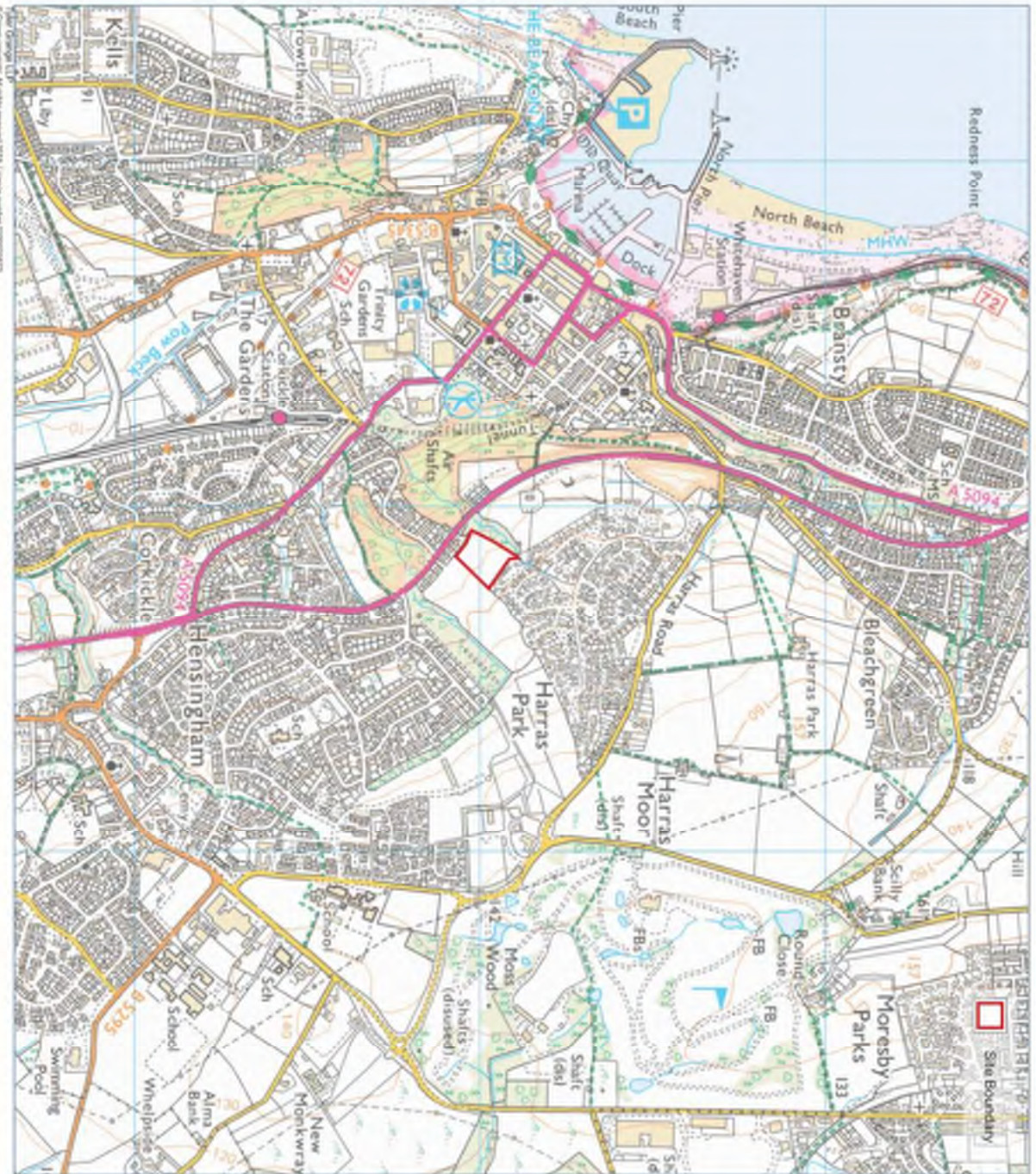
## Background

- 1.1 Tyler Grange have been appointed by Persimmon Homes to provide landscape consultancy services in relation to the Outline Planning Application for the development of up to X dwellings on land at Laurel Bank, Whitehaven. **(Waiting on layout)**
- 1.2 Copeland Borough Council place importance on the need for development to be environmentally sensitive and sustainable. The preparation of a Landscape and Visual Appraisal (LVA) report is part of the process of development planning and design through which the best environmental fit may be achieved.
- 1.3 Reference has been made to relevant Planning Policy, the Published Landscape Character Assessments, and other evidence base documents, as well as the findings of fieldwork and Tyler Grange's site specific appraisal to identify the landscape and visual context and key features of the site.
- 1.4 The appraisal contained within this report has been reviewed by an Associate of Tyler Grange, who is also a Chartered Member of the Landscape Institute (CILI).

### Site Context

- 1.5 The site is located within the town of Whitehaven; approximately 700 meters away from the town centre and its associated marina to the west.
- 1.6 The site sits directly south of the Harras Moor suburb which is an average sized housing estate, and north of the A595 primary route road with its associated ribbon development. It leads from this that the site is well related to the existing settlement edge.
- 1.7 The site also sits adjacent to the Crowpark Ancient Woodlands which is recognised as a Local Wildlife Site.
- 1.8 The site area covers approximately 13,000m<sup>2</sup>, with land cover comprising solely of an unmanaged, inaccessible pastoral field.
- 1.9 The site sits within the rising topography of the landscape which generally slopes up from the coast to the west. Itself however, the site rises on a consistent gradient from the south west to the north east from approximately 80 meters AOD to 100 AOD.
- 1.10 Currently there is no access point onto the site.

Plan 1: Site Location (12321/P01)





## 1 Introduction and Site Context

Plan 2: Site Context (12321/P02)









### National Planning Policy Framework 2019 (NPPF)

- 2.1 At the heart of the NPPF is a presumption in favour of sustainable development. For plan making the presumption requires plans to positively seek opportunities to meet the development needs of an area and be sufficiently flexible to adapt to rapid change. Footnote 6 accompanying the presumption identifies protected areas or assets of particular importance which includes Areas of Outstanding Natural Beauty.
- 2.2 Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the status of the development plan as the starting point for decision making. Furthermore, it confirms that where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.
- 2.3 The creation of high quality buildings and places is fundamental to what the planning and development process should achieve, as stated at paragraph 124.
- 2.4 Paragraph 127 seeks to ensure that developments:
- Will function well and add to the overall quality of the area, just not for the short term but over the lifetime of the development;
  - Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
  - Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
  - Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
  - Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
  - Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and, where crime and disorder, and the fear of crime, do not undermine the quality of life or

community cohesion and resilience.”

- 2.5 Paragraph 170 requires planning policies and decisions to contribute to and enhance the natural and local environment by fulfilling criteria including amongst others:
- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); and
  - b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.

### National Planning Practice Guidance

- 2.6 Whilst National Planning Practice Guidance (NPPG) is to be updated, it does not preclude development. It considers that the creation of new residential neighbourhoods can, through sensitive design, be deemed acceptable even where it results in a loss of open countryside. Those categories within the NPPG that are of particular relevance to landscape and visual matters in relation to this site are set out below.

### Design

- 2.7 The NPPG emphasises the need for development to be integrated with its surrounding context, reinforces local distinctiveness, reduces impacts on nature and sense of place, and considers views into and out of sites. This includes the use of local building forms and ensuring that development reflects the layout, scale, pattern and materials within new development. At paragraph 007 Reference ID: 26-007-20140306, it states: “Planning should promote local character (including landscape setting). Development should seek to promote character in townscape and landscape by responding to and reinforcing locally distinctive patterns of developments, local man-made and natural heritage and culture, while not preventing or discouraging appropriate innovation”.

- 2.8 The use of high quality hard and soft landscape design to help successfully integrate development into the wider environment is also emphasised as being important to consider from the outset, in order to ensure proposals improve the overall quality of the townscape and landscape.

### Green Infrastructure

- 2.9 This NPPG highlights the multifaceted benefits provided through the provision of Green Infrastructure, including but not limited to: “enhanced wellbeing, outdoor recreation and access, enhanced biodiversity and landscapes, urban cooling, and the management of flood risk” (Paragraph: 005 Reference ID: 8-005-20190721)

- 2.10 Moreover, the NPPG recognises how green infrastructure exists within a wider landscape context and can thus be used to reinforce and enhance local landscape character and contribute to a sense of place

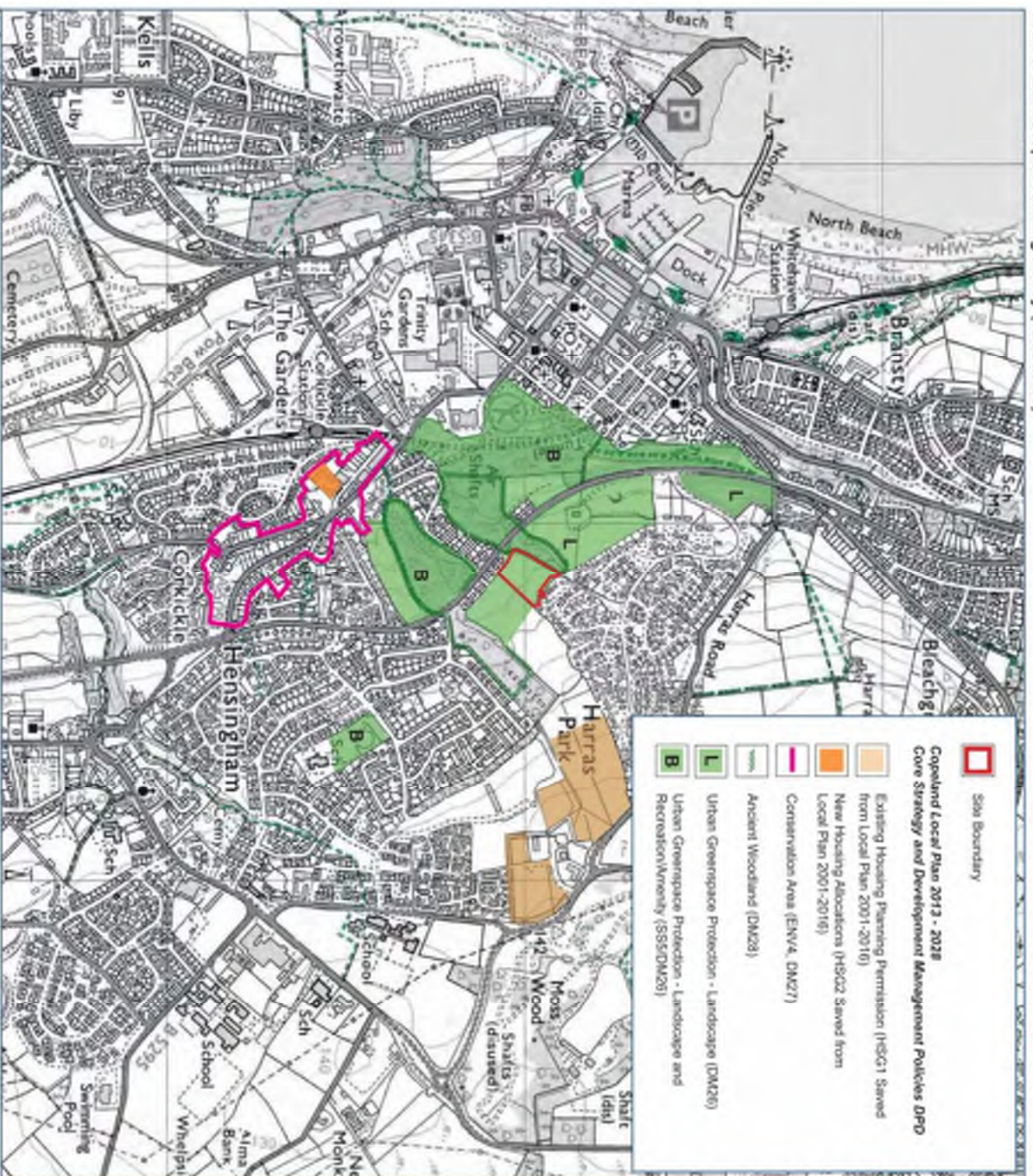
### Landscape

- 2.11 The NPPG makes reference to the National Planning Policy Framework, stating: “It is clear that plans should recognise the intrinsic character and beauty of the countryside, and that strategic policies should provide for the conservation and enhancement of landscapes” (Paragraph: 036 Reference ID: 8-036-20190721)

- 2.12 It is therefore emphasised that the cumulative impacts of development on the landscape need to be considered carefully, whereby proposals should “avoid adverse impacts on landscapes and set out necessary mitigation measures, such as appropriate design principles and visual screening, where necessary” (Paragraph: 036 Reference ID: 8-036-20190721)



Plan 3: Landscape Planning Policy (12321/P03)



### Local Planning Policy Context

- 2.13 The following provides details of the relevant planning policy context for the site. The site falls within the administrative boundaries of Copeland Borough Council and is covered by the Copeland Local Plan 2013-2028: Adopted Core Strategy and Development Management Policies. This section of the report should be read alongside Plan 3.

Policy SS: Provision and Access to Open Space and Green Infrastructure

- 2.14 The policy seeks to improve the Borough's Green Infrastructure provision by:
- 2.15 A) Protecting against the loss of designated open space (including playing fields, play areas and allotments) within settlements, and of the access routes or wildlife corridors which connect them, whilst ensuring also that they are well maintained. Where it is necessary to build on land covered by this policy, equivalent replacement provision should be made

- 2.16 B) Setting minimum open space standards for new development in accordance with Policy DM12

Policy ENV4: Heritage Assets

- 2.18 The policy sets out to maximise the value of the Borough's heritage assets by:

## Policy ENV5: Protecting and Enhancing the Borough's Landscapes

- 2.19 The Borough's landscape will be protected and enhanced by:
- A) Protecting all landscapes from inappropriate change by ensuring that development does not threaten or detract from the distinctive characteristics of that particular area*
  - B) Where the benefits of the development outweigh the potential harm, ensuring that the impact of the development on the landscape is minimised through adequate mitigation, preferably*



on-site

C) Supporting proposals which enhance the value of the Borough's landscapes

### **Policy ENV6: Access to the Countryside**

2.20 The Council's policy is to ensure access to the countryside for residents and visitors by:

"A) Identifying opportunities to provide or improve access on routes and gateways from settlements and to secure the implementation of improvement measures with key partners and developers"

### **Policy DM25: Protecting Nature Conservation Sites, Habitats and Protected Species**

2.21 With relation to the site the policy sets out an approach toward managing proposals that are likely to have an effect on conservation sites, habitats and protected / priority species. All development proposals should:

"... Maximise opportunities for conservation, restoration, enhancement and connection of natural habitats"

"Where compensatory habitat is created, it should be of equal or greater size than the area lost as a result of the development"

### **Policy DM10: Achieving Quality of Place**

2.22 The Council will expect a high standard of design and the fostering of 'quality places'. Development proposals will be required to:

"...B) Respond positively to the character of the site and the immediate and wider setting and enhance local distinctiveness through: i) An appropriate size and arrangement of development plots ii) The appropriate provision, orientation, proportion, scale and massing of buildings iii) Careful attention to the design of spaces between buildings, including provision for efficient and unobtrusive recycling and waste storage iv) Careful selection and use of building materials which reflects local character and vernacular"

### **Policy DM26: Landscaping**

2.23 All development proposals will be assessed in terms of their potential impact on the landscape. The policy mentions how developers should "refer to the Cumbria Landscape Character Assessment and Cumbria Historic Landscape Characterisation documents for their particular character area and design their

development to be congruent with that character.

2.24 The Council will continue to protect the areas designated as Landscapes of County Importance on the Proposals Map from inappropriate change until a more detailed Landscape Character Assessment can be completed for the Copeland plan area.

2.25 Proposals will be assessed according to whether the proposed structures and associated landscaping relate well in terms of visual impact, scale, character, amenity value and local distinctiveness and the cumulative impact of developments will be taken into account as part of this assessment.

2.26 Development proposals, where necessary, will be required to include landscaping schemes that retain existing landscape features, reinforce local landscape character and mitigate against any adverse visual impact. Care should be taken that landscaping schemes do not include invasive non-native species"

### **Site Allocations and Policies**

2.27 The site is subject to an Open space designation (ref WH5) whereby development would "sever a connection between two areas of biodiversity value and thus be contrary to core strategy policy SS5"

2.28 The council has previously dismissed an application on these grounds. Future applications should therefore seek to minimise the impact on the connection between the two areas of biodiversity.

### **Policy Requirements for the Development:**

To summarise, the proposals should seek to meet the following policy requirements:

- Proposals should improve, protect and contribute positively towards the districts Green Infrastructure Network (Policy SS5):
- Development should not threaten or detract from the distinctive characteristics of the area whereby proposals which instead enhance the value of the Borough's landscape will be supported (Policy ENV5):
- The site is located adjacent to the Crowpark Ancient Woodland which is subject to a Local Wildlife Site designation. Accordingly, the proposals should seek to conserve and enhance this woodland as well as providing connection to other natural habitats (Policy DM25)
- Development should respond to the character of the site and wider setting. Namely, it should be cohesive with the existing context of the properties along Laurel Bank and the A595 (Policy DM10)
- Proposals should be informed by the Cumbria Landscape Character Assessment so that development is congruent with the character of the wider area (Policy DM26)
- The site is subject to an Urban Greenspace Protection designation (ref WH5) for landscape purposes. It is noted that development of the site would "sever a connection between two areas of biodiversity", thus proposals should seek to minimise this impact.



### 3 Landscape and Visual Baseline

### Purpose of the Landscape and Visual Baseline

- 3.1 The landscape and visual baseline describes the site specific landscape character and sets this in the context of the published landscape character assessments and the landscape planning context. This forms the baseline against which the proposals and their potential impacts, in both landscape and visual terms are considered.

### Landscape Character

- 3.2 The characterisation process is a non-value judgement process; therefore, classifying landscapes into distinct areas does not suggest that one character area is more sensitive than another or valued by people more or less.

- 3.3 The landscape character appraisal process reviews the wider landscape character type at a national level, explores more detailed character features at a district/local level and analyses site-specific land use that informs local distinctiveness and sense of place.

- 3.4 This landscape and visual appraisal considers the local, site specific character features and context as identified by Tyler Grange LLP through fieldwork, and informed by a review of published assessments. From this baseline information we can identify the relevant characteristic's, important site features to retain and also identify detracting features that need to be addressed within the proposals.

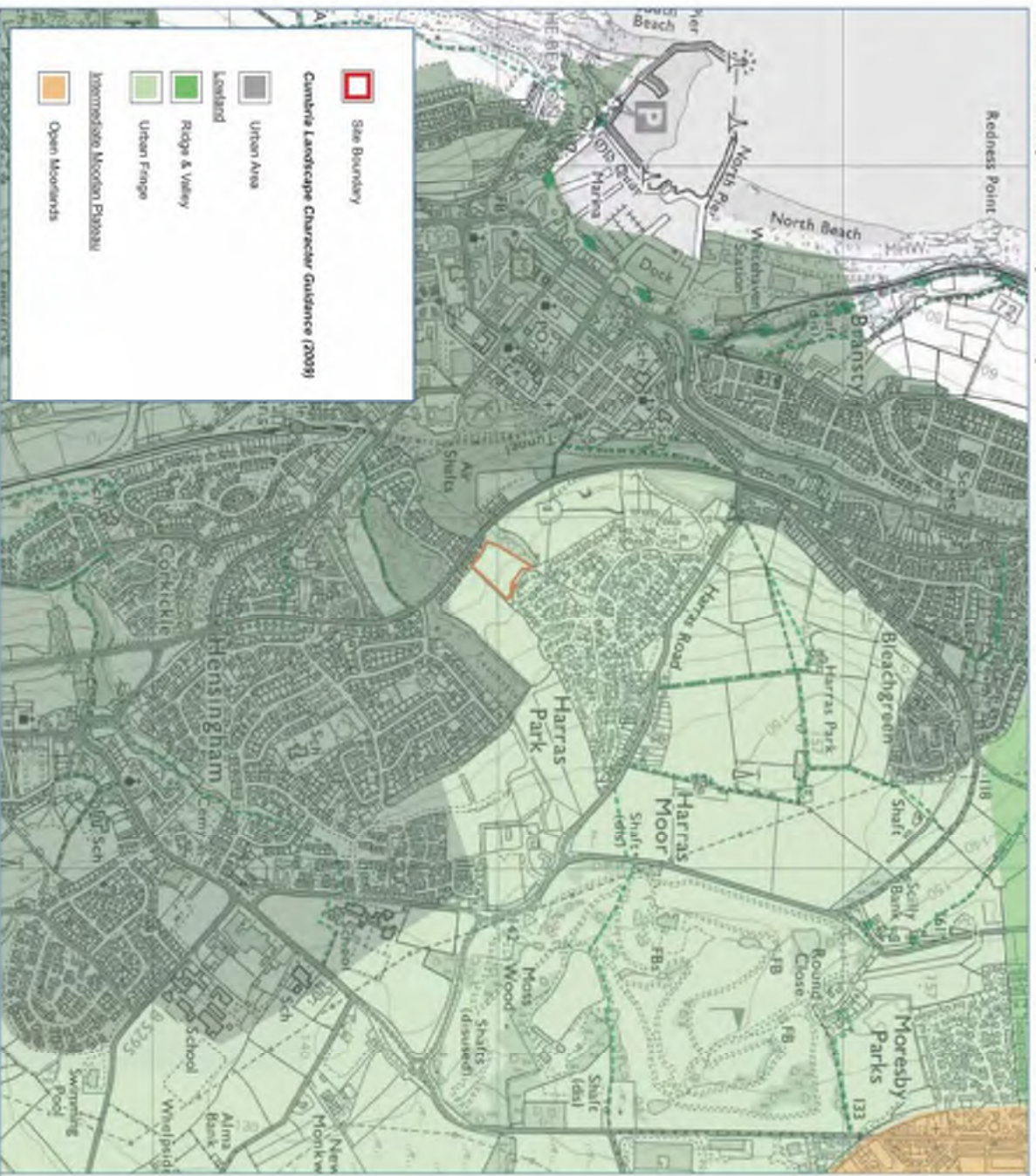
## Published Landscape Character

- 3.5 The landscape character of the land within the study area has been considered by a hierarchy of landscape character assessments at national, district and local level. The findings of these assessments are illustrated on **Plan 4: Landscape Character**.

- 3.6 At a national level the site lies within the National Character Area (NCA) '7: West Cumbria Coastal Plain'. Aspects of this character area of relevance to the wider study area beyond the settlement boundary includes:

- An undulating coastal landscape of varying width with open views to the Cumbria High Falls NCA and across the Irish Sea to Galloway and the Isle of Man.
- There are lowland river valleys with limited ancient semi-natural woodland, and extensive estuarine landscapes with

**Plan 4: Landscape Character (12321/P04)**





- lowland raised mires, salt marshes, mudflats and intertidal habitats with large numbers of wintering waders and wildfowl
- open pastoral farmland with occasional woodlands, basin and valley fens, remnant semi-natural grasslands/meadows associated with streambeds, low-lying land, and localised pockets of arable land supporting species such as curlew and wintering hen harrier
- There are areas of ancient enclosure with medium to large rectilinear fields and few hedgerow trees. They are bounded by hedges (often gappy and augmented by wire fences), stone walls on higher ground, and stone-faced earthen banks locally known as 'kists' along the coast.
- There is limited tree cover, with most woodland to be found on steeper slopes and along river corridors. There are some plantation woodlands and shelterbelts associated with the upland margins of the area and former open cast mining sites

3.7 Asides from 'tree cover on steeper slopes', such features are not present on site itself owing to the broad scale of the national characterisation process, however this does assist with understanding the wider context of the surrounding landscape.

#### Regional/Local Character

**Cumbria Landscape Character Guidance – Sub type 5d: Urban Fringe**

3.8 At a more local level, the site falls within the 'Urban Fringe' Landscape Character Type. Its key characteristics include:

- Long term urban influences on agricultural land
- Recreation, large scale buildings and industrial estates are common
- Mining and opencast coal workings are found around Keswick and Moor Row
- Wooded valleys, restored woodland and some semi-ruralised woodland provide interest

3.9 The perceptual character is described as being 'a busy area where modern development dominates the pastoral character. The towns can be seen as progressively encroaching and areas have an air of neglect. The more agricultural areas and parts

where woodland and open green spaces remain are important green lungs close to the towns and cities which provide respite from the busy areas and a connection to the wider countryside".

3.10 The character assessment provides several guidelines to inform development. Of relevance to landscape and visual matters are the following guidelines:

- Establish new woodlands or tree groups on prominent skylines in order to soften their windswept appearance and provide screening where climatic conditions allow.
- Manage and restore existing semi-natural woodlands.
- Carry out schemes of structural planting to contain settlements, punctuate and reinforce the identity of each settlement and contain urban edges.
- Use planting and general environmental improvements to frame views and define open spaces and recreational links along river valleys.
- Restore and develop the pattern of hedgerows with additional planting and supplementary planting of scanty hedgerows.
- Increase planting of deciduous trees as feature trees, within hedgerows, along watercourses and in tree groups to enrich the general landscape.
- Ensure, where possible, that linked networks of vegetation are created using native trees and shrubs to enhance their nature conservation value and their use as ecological corridors.
- Discourage the replacement or sole use of fences and encourage planting and traditional management of hedgerows.
- When new development takes place consider opportunities to enhance and strengthen green infrastructure to provide a link between urban areas and the wider countryside. Reinforcing woodland belts, enhancing water and soil quality and the provision of green corridors from and between settlements could all help reinforce landscape and biodiversity features.

#### Site Specific Character

3.11 Generally the site is representative of the 'Urban Fringe' character area, whereby modern development dominates the pastoral character and areas of woodland to the west provide interest.

3.12 The broadly rectangular site comprises a sole, relatively featureless pastoral field which slopes up from the south east to the north west, forming part of a wider strip of undeveloped land which separates the Highlands to the north from the A595 to the south.

3.13 The site appears to be in poor condition with no clear or safe access currently permitted. Overgrown grass and nettles fabricate an unmanaged appearance, whilst areas around the peripheries of the site are in places overgrown with bramble that detract from its overall character.

3.14 The site is bordered by a mixture of boundary features which serve to visually and physically enclose it:

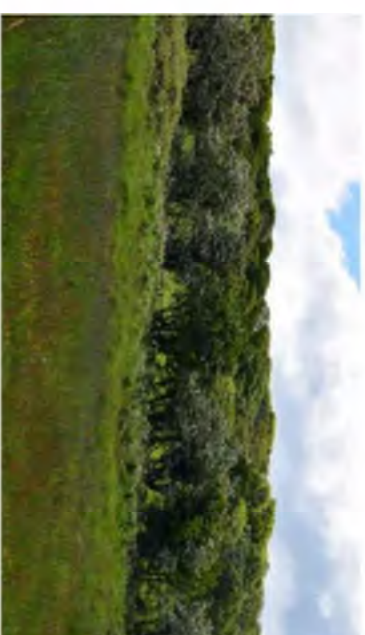
- To the north: the site is bounded and overlooked by residential properties at Laurel Bank, which place the site within the suburban context of Marras Moor (Image 1). Only a small wooden fence separates the site from these properties.
  - To the east: the site is contained by a strip of gappy hedge planting and barbed wire fencing. This boundary physically and visually separates the site from the adjoining field / open space (Image 2).
  - To the south: the site is edged by the rear of properties along the A595 which place the site in a peri-urban context (Image 4).
  - To the west: the site is bordered by a belt of tree planting which is part of Crowpark Wood and serves as a robust physical and visual barrier (Image 3 and Image 5). Crowpark is an Ancient Woodland and is recognised as a Local Wildlife Site.
- 3.15 The images depicted overhead illustrate the key characteristics described above.



## Landscape and Visual Baseline



**Image 1:** Properties along Laurel Bank overlook the site to the north and place it within the extents of the Harras Moor suburb.



**Image 2:** To the east the site is enclosed by a gappy hedgerow which separates it from the adjoining open field.



**Image 3:** Aerial photography clearly illustrates the sites physical containment.



**Image 4:** To the south the site is edged by properties of the A595 which serve to place the site within a peri-urban context.



**Image 5:** Crow Park- an Ancient Woodland and Local Wildlife Site, bounds the site to the west and serves as a robust physical and visual barrier.



**Image 6:** The site sits within the existing urban fabric (image zoomed in)



#### Landscape Character Conclusion

Overall the site is largely representative of the Urban Fringe character area in the sense that it is part of a wider landscape where modern development dominates the pastoral character of the area. As described and depicted overleaf, the sites character is heavily influenced by its location in between the Harrold Moor suburb to the north and A595 to the south, whereby the overlooking properties place the site within an urban context. It is recognised that Crowpark to the west of the site is a Local Wildlife Site which should be respected.

As per Policy DM26 of the adopted Core Strategy, proposals are expected to refer to the Cumwila Landscape Character Assessment to ensure development is congruent with the character of the area. Namely, the site has the potential to adhere to the following guidelines which have been considered on the Opportunities and Constraints Plan:

- Carry out schemes of structural planting to contain settlements, punctuate and reinforce the identity of each settlement and contain urban edges.
- Restore and develop the pattern of hedgerows with additional planting and supplementary planting of scrubby hedgerows.
- Increase planting of deciduous trees as feature trees, within hedgerows to enrich the general landscape.
- Ensure, where possible, that linked networks of vegetation are created using native trees and shrubs to enhance their native conservation value and their use as 'ecological corridors'.
- Discourage the replacement or sole use of fences and encourage planting and traditional management of hedgerows.
- Reinforcing woodland belts and the provision of green corridors from and between settlements could all help reinforce landscape and biodiversity features.

Accordingly, proposals informed by these guidelines would greatly enhance the presently poor character of the site.

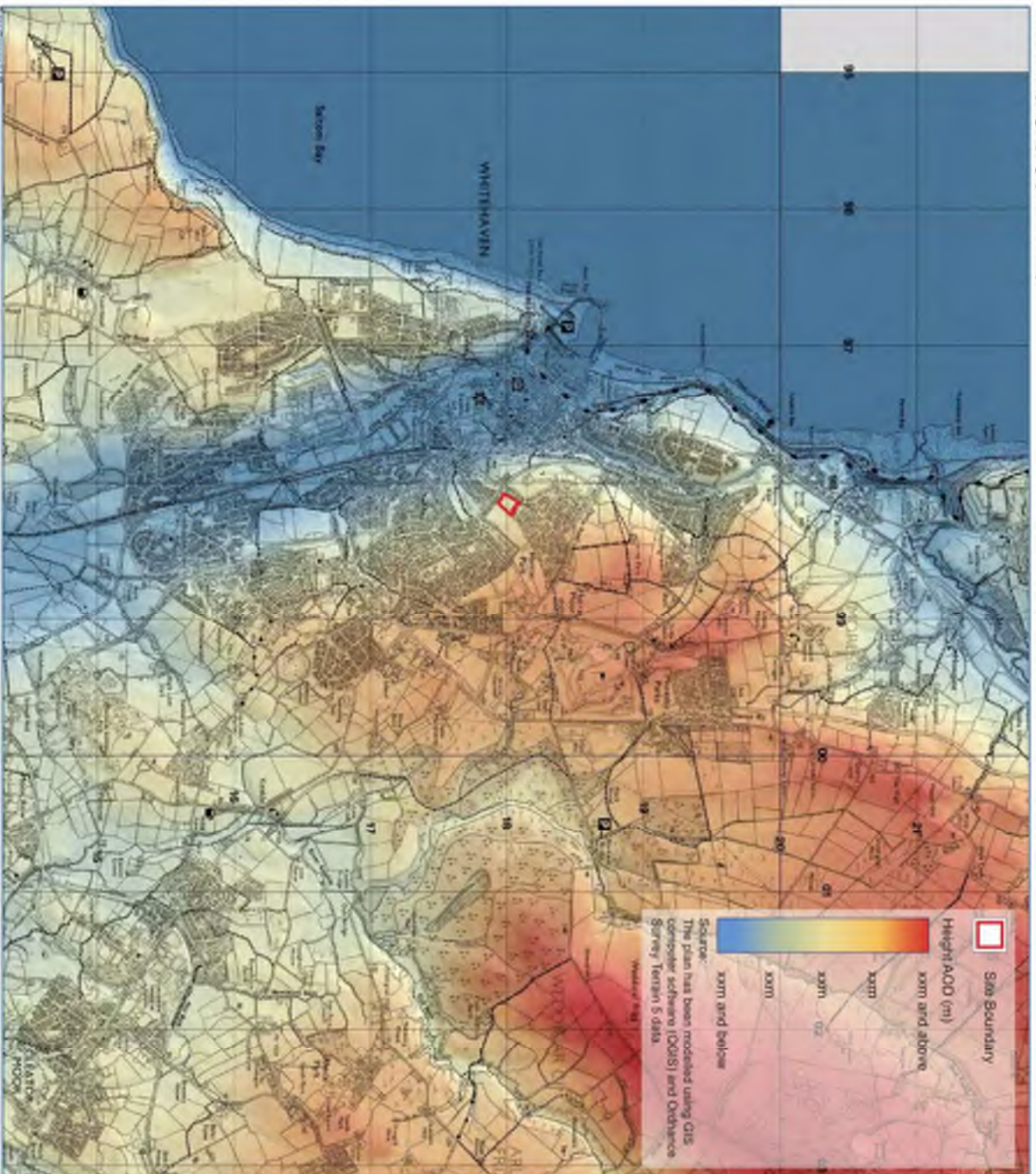


### 3 Landscape and Visual Baseline

### Visual Context and Visual Receptors

- 3.16 In order to establish the degree of any change that may arise from future development on site and the extent to which such changes will affect identified local receptors, it is important to understand the existing situation in terms of visual amenity alongside the availability and context of views associated with the local area. Chapter 6 of the GLVIA3 sets out how the visual baseline is established. The baseline should establish the area in which the proposed development may be visible, those people who may experience views of the development, the key viewpoints representative of affected views and the nature of the views at the viewpoints.
- 3.17 To ascertain the visual context and visibility of the site, representative views towards the site from the surrounding area are considered. This is based on the findings of topographical mapping (Plan 5: Topography) and Geographic Information System (GIS) first sieve analysis mapping (Plan 6: Zone of Theoretical Visibility (ZTV)) which is then refined and verified through field assessment.
- 3.18 The software generated image (adjacent) illustrates the extent to which development of up to 8m high on the site would be potentially visible within a 5km radius to a 1.6m high receptor- the average eye height of an adult. The calculation is based on Ordnance Survey Terrain 5 data only, and does not take into account built form or vegetation present within the landscape. The Theoretical Zone of Visual Influence (ZTV) generated for the proposed development on the site clearly identifies the influence of the topography in limiting views.
- 3.19 Given the local landform and the densely woodland vegetation in the areas surrounding the site, the ZTV indicates a considerably greater area than in reality. The influence of built form and vegetation, including the dense vegetated site boundaries serve to limit inter-visibility.
- 3.20 This first sieve exercise has been verified in the field to take into account any significant vegetation or built form which further restricts or limits the extent of visibility. Following the completion of a visit to the site, a number of representative viewpoints have been included that illustrate the approximate extent of areas from which the site is visible. These are illustrated further on in Section 3 of this report. In accordance with GLVIA3, the visual analysis is based on views from external spaces within the public domain excluding barely discernible views and not from inside buildings or private spaces. However, where notable views from private properties are possible, these have been considered where relevant.

Plan 5: Topography (12321/P06)





### 3 Landscape and Visual Baseline

3.21 Photographs were taken from selected viewpoints with a digital camera with an equivalent 50mm focal length lens at eye level (approximately 1600mm above ground). A total of 5 representative viewpoints have been chosen from locations surrounding the site to enable the effects of the development to be assessed from all directions (see **Photoviewpoints 1-5**).

3.22 Whilst the views are chosen to be representative of the area, they cannot provide continuous coverage of all potential locations within the vicinity of the development. Often, views will occur as a sequence within the surrounding environment, with the most significant views assessed further within this report.

3.23 Likewise, where transient or fleeting views are possible, these will also be assessed as part of the report.

3.24 The GIS Zone of theoretical visibility suggests that the site will be visible as far north as public footpath 431 011#1 which traverses Harrold Moor, and as far south as Mirehouse. To the east, the ZTV suggests that the site is visible from the Whitehaven Marina and to the west suggests that it is visible from Harrold Park.

3.25 In reality, however, as the following visual study will show the extent of visibility is far more localised.

#### Public Rights of Way

3.26 There are few public footpaths in the area where views of the site are sustained. The public footpaths of relevance are illustrated on **Plan 7: Public Rights of Way Plan** overleaf.

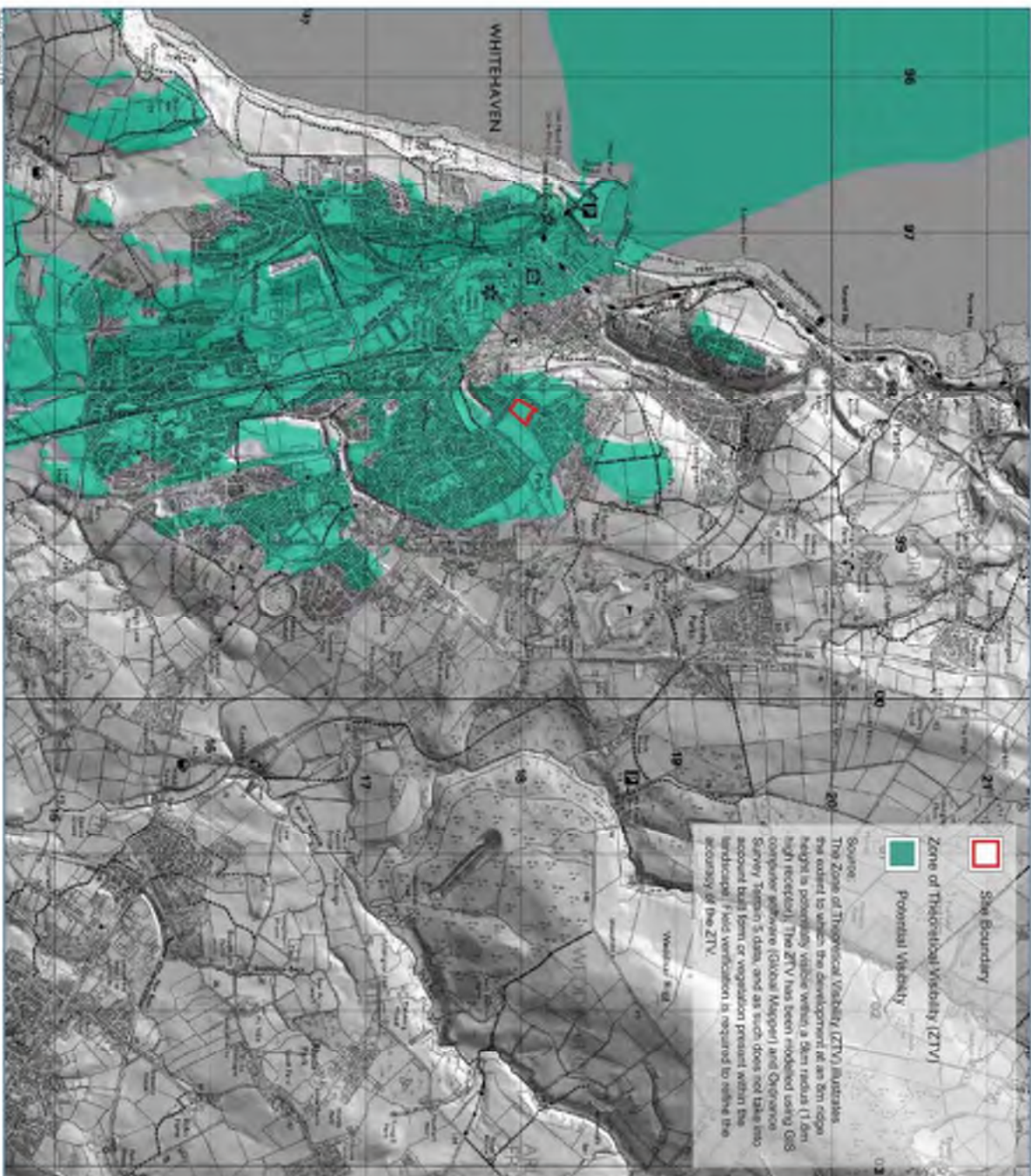
#### Extent of Views

3.27 Overall the site sits within a well screened enclosure due to a combination of existing developments to the north and south, vegetation to the west, and more generally the variable topography of the surrounding area (see **Plan 5**)

3.28 The extent of the sites visibility is as follows:

- To the north: there are short distance views sustained onto the site through a gap in the residential built edge along Laurel Bank (**Photoviewpoint 1**). Residents of the properties which directly back onto the site (seen in **Image 1**) have unrestricted views across it.
- To the east: there are no views afforded onto the site from the nearest publicly accessible street/path due to the intervening belt of tree planting to the east (**Image 2**).

Plan 6: GIS Zone of Theoretical Visibility (12321/P07)





### 3 Landscape and Visual Baseline

- To the south, there are short distance views onto the site from the A595 through a gap in the residential edge, above one of the properties back fences (**Photoviewpoint 2**). Residents of the properties which back onto the site have open visibility of it (seen in **Image 2**). Views from the south east along the A595 at the adjoining fields access gate are shielded by the sites eastern boundary vegetation (**Photoviewpoint 3**), although the roofline of any development would be clearly discernible from this location. There are medium distance views of the site from the south, south east and west. The site however does not form a key component of any of these views, whereby it sits within the existing residential fabric which renders the site almost indistinguishable (**Photoviewpoint 4 and 5**)
- To the west, there are no views of the site due to the screening of the adjoining Crowpark wooded area and topography.

3.29 There are no distant views possible of the site due to intervening vegetation, high levels of tree cover found along field boundaries and undulating topography in the wider landscape which serves to limit views of the site.

## Visual Receptors

3.30 The receptors (individuals or groups of people) with views towards the site and whose visual amenity will be directly affected by the proposed development are listed below:

### Pedestrian and Vehicular Receptors

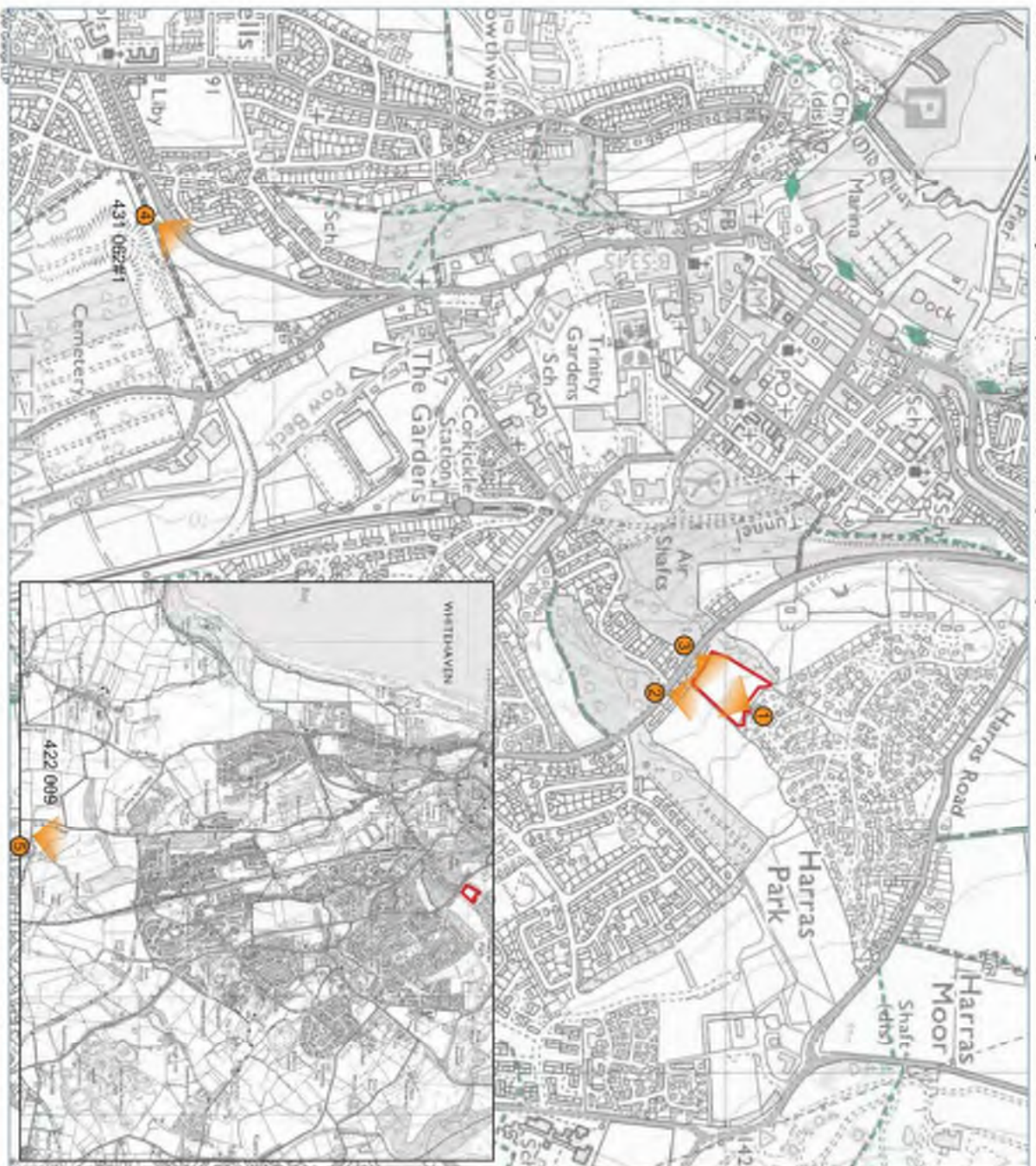
- Users of Laurel Bank (Representative Photoviewpoint 1)
- Users of the A595 (Representative Photoviewpoint 2 and 3)

### Residential Receptors

- Residents of the properties on Laurel Bank which directly overlook the site (seen in Image 1)
- Residents of the A195 which back onto the site (seen in Image 4)

• Residents of the property on Broom Bank to the north west which overlooks the site

Plan 7: Public Rights of Way and Viewpoint Location Plan (12321/P06)





**Photoviewpoint 1:**

- 4.1 There are short distance views sustained onto the site through a gap in the residential edge of Laurel Bank. Much of the site however is concealed below the ridgeline due to its falling topography to the south west.

- 4.2 As illustrated in the viewpoint, the rooftop of the adjoining A585 properties are visible. Representative of the site itself, there are also expansive views towards the south west in the background, where pockets of residential development sit within, and on top of, belts of woodland amongst the undulating landscape.

## Receptors

- 4.3 Receptors likely to experience this view are recreational and transient users of Laurel Bank. Residents of the properties which directly back onto the site will experience this view yet more expansively.



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**Photoviewpoint 1:** View taken from Laurel Bank looking south towards the site.

Orientation: South



### Photoviewpoint 2:

- 4.4 As illustrated in this viewpoint, views of the site from the A556 to the south east are obstructed by a combination of the existing built edge and the sites eastern boundary hedgerow. Where there is limited visibility, the views are framed against Harra's Moor's settlement edge which serve to place the site in an urban fringe context.
- 4.5 It is acknowledged that the roofline of any development would be discernible from this location, however this would not be incongruous with the view that is presently experienced due visibility of the existing residential properties.

### Receptors

- 4.6 Receptors likely to experience this view are recreational users of the A595, and transient users who are travelling at speed. Residents of the properties on the A595 in this location would also experience this view.



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**Photoviewpoint 2:** View taken from the A595 looking north west towards the site.

Orientation: South



**Photoviewpoint 3:**

4.7 There are glimpsed views afforded onto the site through a gap in the properties of the A595. As shown in the viewpoint, the majority of the site from this location is obstructed by the hard edge of the houses. Much of the western extents of the site are also concealed by robust vegetation planting associated with Crowpark wood. Accordingly, only a very small extent of the site can be seen from this location.

4.8 The properties on Laurel Bank can be clearly seen on top of the ridge (and site) in the background.

**Receptors**

4.9 Receptors likely to experience this view are recreational users of the A595, and transient users who are travelling at speed. Residents of the property opposite the illustrated viewpoint will also experience this view.



**Photoviewpoint 3:** View taken from the A595 looking north towards the site.

**Orientation:** North



**Photoviewpoint 4:**

4.10 This is a representation of the views experienced from the south, south east and south west. The view is dominated by residential development which is interspersed with undeveloped land and belts of woodland.

4.11 As shown in the viewpoint, the site forms a very small, even negligible, component of the view where it sits in between the Harras Moor settlement to the north and Crowpark wood to the south. It leads from this that any development of the site would be indistinguishable for receptors to the south as it would sit strongly within the urban fabric of the existing adjacent developments

**Receptors**

4.12 Receptors likely to experience this and similar views are residential, recreational and transient users to the south where the topography is higher and views are not obstructed by the built edge.



**Photoviewpoint 4:** View taken from public footpath 431 062#1 looking towards the site.

**Orientation:** North East



### Photoviewpoint 5:

- 4.13 Like with Photoviewpoint 4, this viewpoint illustrates and is representative of the sites visual confinement from the south.
- 4.14 Considering the distance from the site and urban setting within which the site sits, any views of the proposed development will not render it distinguishable from the existing land use in the area.
- 4.15 Receptors likely to experience this and similar views are residential, recreational and transient users to the south where the topography is higher and views are not obstructed by the built edge.

### Receptors



**Photoviewpoint 5:** View taken from public footpath 422 009 looking north towards Whitehaven.

**Orientation:** North

### Conclusions

- 4.16 The appraisal of the visual context within this section has included a review of the extent of visibility, visual receptors and nature / composition of views. Reference has been made to representative viewpoints when defining these. The findings of the appraisal are summarised below:

#### Extent of Views

- 4.17 Overall the site sits within a well screened enclosure due to a set of defensible boundaries which serve to limit publicly accessible localised views (refer to the site context photos, page 9).
- 4.18 From a short distance, there are public views onto the site through gaps in the residential edges along Laurel Bank to the north (Representative **Photoviewpoint 1**) and the A595 to the south (Representative **Photoviewpoint 2 and 3**). Views from the east and west are obstructed by belts of Ancient woodland planting.
- 4.19 Further afield from the south in general, there are middle distance views afforded of the site. As the photoviewpoints have illustrated, however, these views of the site are extremely discrete.
- Nature of Views**
- 4.20 As illustrated by **Photoviewpoints 1, 2 and 3**, views of the site from the adjoining roads of Laurel Bank and the A595 are limited to gaps between the residential properties. Nonetheless, the comprising views consist of limited sections of the site and are screened by existing urban development.
- 4.21 When viewed from further distance to the south, the site sits within the extents of the existing urban fabric and is heavily concealed by Crowpark wood (see **Photoviewpoints 4 and 5**).

### Visual Design Principles

In light of the findings of the visual appraisal, the following design principles have been identified to ensure that development proposals respect the visual context of the site and its surroundings:

- Retain and enhance the sites eastern boundary vegetation to maintain the sites visual enclosure from the south east along the A595. Any potential views of the proposed developments roofline would consequently be softened.
- There is the opportunity for a new and more defensible vegetation boundary to be planted along the sites southern boundary in the form of a contextually coherent belt of woodland planting, which would aid in screening the views of any potential development from the A595 (as seen in **Photoviewpoint 3**). Doing so would also help mitigate the perceived impact of development for residents of the properties adjoining the site to the south.
- Adhering to the LCA guidelines, the fence which separates the site from the rear of the properties on Laurel Bank could be replaced with the planting of a new hedgerow to help mitigate the visual impact of development upon the adjoining dwellings on the northern site boundary

As the Opportunities and Constraints plan will show, the visual recommendations and measures are synonymous with the landscape guidelines set out in the LCA and adhere to numerous policies outlined within the core strategy.



## 5 Proposals and Benefits

## Proposals

- 5.1 In response to the landscape and visual baseline analysis, a series of landscape objectives, and opportunities and constraints have been identified (see **Plan 8: Opportunities and Constraints Plan**) to ensure that the development response reflects the local circumstance and addresses opportunities for landscape enhancement.

- 5.2 The following information sets out aspects of the proposed layout which are to be considered as part of the submitted outline scheme layout:

- A new native hedgerow and staggered clumps of hedgerow standards would help to mitigate the visual impact of development upon the adjoining dwellings at Laurel Bank on the northern site boundary. The addition of this boundary would also adhere to the LCA guideline to "discourage the replacement or sole use of fences and encourage planting and traditional management of hedgerows"
- There are opportunities for a woodland buffer to be implemented along the western site boundary to ensure an appropriate development offset and sensitive design and management response in relation to the adjoining Cropmark Wood area of ancient woodland (meeting Policy DM26)
- Opportunity to establish a new belt of tree planting across the lower reaches of the site will help to reduce the perceived density of development and can also maintain a physical gap between new and existing residential development. In accordance with SPD objectives, new woodland planting can be used strategically to create a bold landscape structure to reinforce the wooded qualities of the immediate site context, to provide visual relief. Moreover, a new belt of tree planting would not just retain but enhance the connectivity between the two areas of biodiversity (i.e. the two woodlands)
- The retention, strengthening and management of the eastern boundary hedgerow tree belt would enhance connectivity and ensure that field patterns can remain intact following development. Doing so would also meet the LCA guidelines to "restore and develop the pattern of hedgerows with additional planting and supplementary planting of scanty hedgerows"
- Adjacent scaling, materials and colouration should be referenced within the proposed scheme to ensure a high quality design that will be appropriate to the character of the adjoining townscape (also adhering to Policy DM10)

### Plan 8: Opportunities and Constraints Plan (12321/P09)







## **Appendix 6: Land South of Laurel Bank Indicative Parameters Plan**



# Accommodation Schedule

Site Area: 1,502 hectares  
Land within existing rear garden: 0.016 hectares  
Green Infrastructure: 0.612 hectares  
Net developable: 0.890 hectares  
Number of Homes: 33 homes  
Net Density: 37 homes/hectare  
Gross Density: 22 homes/hectare

## Key



4955 Loop Road South

Crowpark Wood

Crowpark Green

Pit 2  
0.24 hectares  
20 trees  
2000 m<sup>2</sup> area

Pit 1  
0.12 hectares  
10 trees  
1000 m<sup>2</sup> area

Opportunities to improve permeability & connectivity of the two sites through footpath connections - only in agreement with adjacent landowners

Currently Pasture

Proposed Harris Moor Development  
(Homes England)

Currently Pasture

Laurel Bank

e\*SCAPE 10 years

Project Title  
Laurel Bank, Whitehaven

e\*SCAPE job No.  
019-023

Client  
Purvisson Homes (Lancashire)

Design Number  
019-023-PC08

Design Title  
Parameters Masterplan

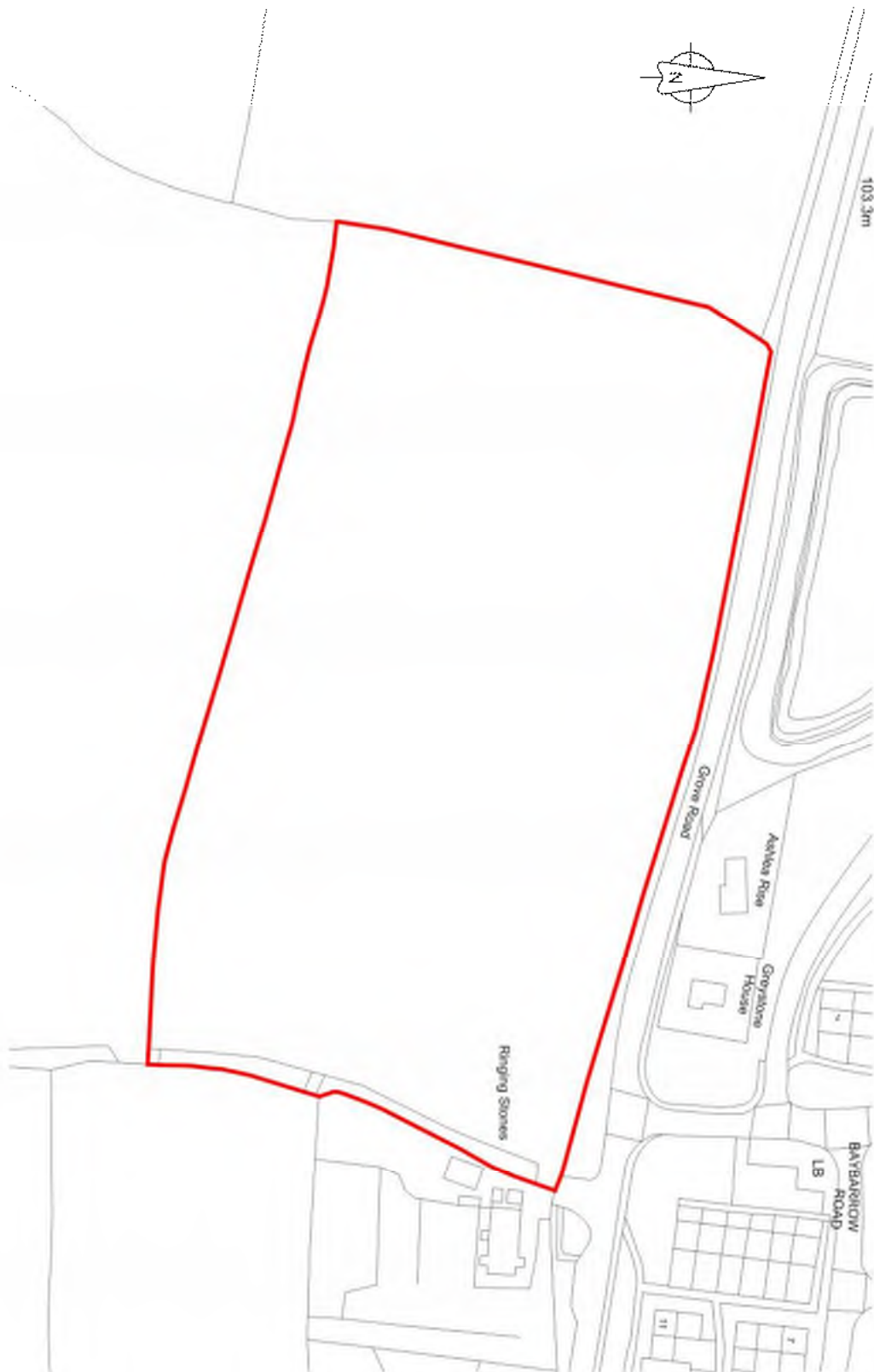
Scale  
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Date  
November '19



## **Appendix 7: Melrose Location Plan**





Site Plan

### Grove Road

Location

Agreement

Showing the

Location Plan

GRE.101

Scale 1:1250

Drawn by SDH Date issued NOV 2023

2000



PERSIMMON

Persimmon Homes Lancashire

Not to be used for any other purpose without the written consent of Persimmon Homes Lancashire

## **Appendix 8: Vicarage Lane Location Plan**

[Insert text here]

Vicarage Lane, ENNERDALE BRIDGE.



**CHARLES CHURCH**

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Manchester  
M1 4HD





**Copeland Local Plan Publication Version**  
Representations on behalf of Persimmon  
Homes (Lancashire) Ltd

March 2022

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**Client**  
 Persimmon Homes (Lancashire) Limited  
**Our reference**  
 PERM3005

4 March 2022

# 1. Introduction

- 1.1 These representations have been prepared by Turley on behalf of Persimmon Homes (Lancashire) Ltd (hereafter referred to as "Persimmon"). The representations comment on the Publication Version Copeland Local Plan, which is subject to public consultation until 18 march 2022.
- 1.2 Turley has previously prepared and submitted site specific representation on the Preferred Options and Pre-Publication Focused Consultation drafts of the Copeland Local Plan in November 2020 and October 2021 respectively. Those representations comments on various draft policies, but also promoted the allocation of a number of sites in Copeland which Persimmon has interests in. These include:
- Land south and west of St Mary's School and the Former Marchon Site, Whitehaven
  - Fairways Extension, Seascale
  - Land south of Laurel Bank, Whitehaven,
  - Melrose, Egremont
  - Vicarage Lane, Ennerdale Bridge.
- 1.3 In November 2020, representations were also submitted on the Copeland Housing Needs Report, and a joint representation with Gleeson Homes was submitted on the development strategy, housing requirement and settlement hierarchy proposed in the Preferred Options Version of the Local Plan.
- 1.4 The emerging Local Plan will be subject to an independent examination into its soundness and legal compliance. The tests of soundness are presented in paragraph 35 of the National Planning Policy Framework (NPPF). This notes that Local Plans are sound only if they are:
- **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
  - **Justified** – an appropriate strategy taking into account reasonable alternative, and based on proportionate evidence;
  - **Effective** – deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
  - **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies of the Framework.

- 1.5 These representations comment on the soundness of the policies in the Publication Version Local Plan in the context of the above-mentioned tests of soundness. The representations should be read alongside Persimmon's previous representations on the Copeland Local Plan referred to in paragraphs 1.2 and 1.3.

### **Structure**

- 1.6 The structure of these representations is as follows:

- Section 2 – Policy HP2U: Housing Requirement
- Section 3 – Policy H1PU: Improving the Housing Offer
- Section 4 – Policy H3PU: Housing Delivery
- Section 5 – Policy DS4PU: Settlement Boundaries
- Section 6 – Policy H5PU: Housing Allocations
- Section 7 – Proposed Allocation HWH4: Land South and West of St Mary's School and Proposed Allocation HWH5: Former Marchon Site North
- Section 8 – Proposed Allocation HSE2: Fairways Extension, Seascale
- Section 9 – Additional Housing Opportunity Sites
- Section 10 – Opportunity: Land South of Laurel Bank, Whitehaven
- Section 11 – Opportunity: Melrose, Egremont
- Section 12 – Opportunity: Vicarage Lane, Ennerdale Bridge
- Section 13 – Policy N7PU: St Bees Heritage Coast
- Section 14 – Conclusion



## 2. Policy H2PU: Housing Requirement

- 2.1 Policy H2PU outlines the proposed housing requirement for Copeland, this being a minimum of 2,482 net additional dwellings (an average of 146 dwellings per annum). The draft policy goes on to state that, in order to plan positively and support employment growth over the plan period, a range of attractive allocated sites, when combined with future windfall development, previous completions and extant permission, will provide a minimum of 3,400 dwellings (an average of 200 dwellings per annum) over the Plan period (2021 to 2038).
- 2.2 As referred to in Section 1 of this statement, Persimmon and Gleeson Homes submitted a technical critique of the housing requirement (hereafter referred to as the "Housing Needs Report") to the Preferred Options Draft of the Copeland Local Plan. A copy of this report is attached at Appendix 1. The housing requirement in the Preferred Options draft was slightly lower (2,520 dwellings / 140 per annum) than that in the Publication Version Plan; however the conclusions reached in the Housing Needs Report remain valid, and are summarised below.
- 2.3 The NPPF, at paragraph 17 makes it clear that Local Plans must include strategic policies to address the identified priorities for the development and use of land across the Borough. These policies must address social, economic and environmental objectives in "mutually supportive ways....."<sup>1</sup>, mindful that they are interdependent components of achieving sustainable development.
- 2.4 In respect of social objectives, as per paragraph 20 of the NPPF, the strategic policies of the Local Plan must make sufficient provision for housing, including affordable housing. This should be achieved by ensuring a "sufficient amount and variety of land"<sup>2</sup>..... is made available".
- 2.5 In accordance with paragraph 61 of the NPPF, the minimum amount of new homes needed across Copeland should be identified using the Government's "standard method". The Planning Practice Guidance (PPG) makes clear that the housing need figure calculated by the standard method is a minimum "starting point"; it therefore makes clear that there will be circumstances where "the actual housing need is higher than the standard method indicates"<sup>3</sup>.
- 2.6 At the time of writing, the standard method calculation for Copeland remains the same as it was when the Housing Needs Report was drafted (11 dwellings per annum). As outlined in the Housing Needs Report, the standard method calculation for Copeland is evidently not credible when the Borough has consistently delivered at least 110 dpa over the past decade, at an average of 133 dpa<sup>4</sup>. This is clear evidence that the scale of the need and demand for new homes in the Borough is significantly higher than the standard method indicates.

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<sup>1</sup> Paragraph 8, NPPF (July 2021)

<sup>2</sup> Paragraph 60, NPPF (July 2021)

<sup>3</sup> Paragraph 010, Reference ID: 2A-010-20190220

<sup>4</sup> Publication Version Local Plan, Figure 8

- 2.7 This is primarily due to the reliance of the standard method upon trend-based demographic projections which assume a sustained decline in the Borough's population due to the impact of a continued ageing population. However, this does not align with the Council's aspiration to depart from past trends to boost economic growth and ensure a sustainable future for the Borough.
- 2.8 Therefore, within the context of the PPG, "previous levels of housing delivery" undoubtedly signal a "significantly greater" need for housing in Copeland than implied by the standard method, and as such it is clearly "appropriate to plan for a higher level of need"<sup>5</sup>.
- 2.9 Furthermore, the Council's aspiration to depart from past trends is built on a consideration of investment potential in the borough with specific reference to its major employers and sectorial specialisms. The realism of achieving employment growth must be considered in the context of the success the borough has had over recent years in creating new employment opportunities. It is critical that this growth is sustained and its full benefits realised within the borough with the supply of an adequate quantity and breadth of housing critical to achieving this objective.
- 2.10 Persimmon supports the Council's positive approach in identifying that the full need for housing exceeds that set through the standard method. However, it is considered that the minimum housing requirement of 143 dpa outlined in draft Policy HPU2 does not fully reflect the Council's aspirations for economic growth, rather it is 'demographic-led'. Indeed, this figure does not include consideration of supporting future employment growth.
- 2.11 Therefore, the current housing requirement and associated draft policy are considered to be unsound as it is not 'positively prepared' in relation to meeting the Borough's objectively assessed needs, is not fully 'justified' when taking into account the Council's aspirations and consequently is not consistent with national policy as it would fail to significantly boost the supply of housing, as set out in paragraph 60 of the NPPF.
- 2.12 As justified in the attached Housing Need Report, Persimmon considers that the minimum housing requirement for the borough should be 300 dpa which reflects the 'employment-led growth' which will ensure the delivery and be "*mutually supportive...*"<sup>6</sup> of economic growth in the Borough and assist the Council in meeting its stated aims and objectives.
- 2.13 Persimmon therefore considers that the housing requirement in Policy HPU2 should be increased to 300 dpa in order to make the plan sound. Further justification for why a 300 dpa requirement would be the most appropriate housing requirement is set out in the Housing Needs Report attached at Appendix 1.

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<sup>5</sup> Paragraph 010, Reference ID: 2A-010-20190220

<sup>6</sup> Paragraph 8, NPPF

### 3. Policy H1PU: Improving the Housing Offer

- 3.1 Policy H1PU sets out that the housing requirement in Policy H2PU will be delivered through the following measures:
- (a) Allocating a range of deliverable and attractive housing sites to meet local needs and aspirations;
  - (b) Supporting the renewal and improvement of the Borough's existing housing stock and bringing empty properties back into use;
  - (c) Supporting proposals which aid the regeneration of the wider residential environment;
  - (d) Approving housing development on appropriate windfall sites within the settlement boundaries where it accords with the Development Plan; and
  - (e) Ensuring a consistent supply of deliverable housing sites is identified through an annual Five Year Housing Land Supply Position Statement
- 3.2 As set out in Policy H2PU (and referred to above in paragraph 2.1), the allocations in the Local Plan and a windfall allowance would deliver 3,400 dwellings (an average of 200 dwellings per annum) over the Plan period. Whilst this is higher than the minimum housing target in Policy H2PU of 2,482 net additional dwellings (an average of 146 dwellings per annum), it would be lower than requirement of 300 dpa identified in the attached Housing Needs Report that is considered to necessary to support economic growth.
- 3.3 Part d of Policy H1PU restricts windfall development outside of the settlement boundaries. Given that the proposed allocations in the Local Plan and a windfall allowance would not deliver the 300 dpa considered necessary to support economic growth, it is considered that by restricting windfall development to sites within the settlement boundary Policy H1PU is not positively prepared and is therefore unsound.
- 3.4 Persimmon considers that Policy H1PU should be amended so that it allows for windfall development on sites outside of settlement boundaries, where they are well related to the settlement, for example where development would result in the rounding off of a settlement. This would provide greater flexibility in housing supply, assisting to meet the requirement of 300 dpa considered necessary in the attached Housing Needs Assessment.
- 3.5 Development on sites well related to the settlement boundaries would continue to ensure that development takes place in locations that are sustainable and have access to facilities and services within settlements, whilst assisting to meeting the housing requirement necessary to deliver economic growth.
- 3.6 Additionally, notwithstanding Persimmon's comments on Policy DS4PU (see section 5), Policy DS4PU allows for housing development outside of the settlement boundaries of a Town or Local Service Centre where the site is well related to and directly adjoins the

settlement boundary. Policy H1PU does not therefore align with the requirements of Policy DS4PU and should be amended so that the requirements of the two policies are the same (including Persimmon's suggested amendment to Policy DS4PU)

3.7 The following amendment to part d of Policy H1PU is therefore requested:

"d) Approving housing development on appropriate windfall sites ~~within~~ that relate well to the settlement boundaries where it accords with the Development Plan....."



## 4. Policy H3PU: Housing Delivery

- 4.1 Part 3 of Policy H3PU commits the Council to a full or partial review of the Local Plan if during any monitoring year, housing delivery has exceeded expectations within the Sustainable Rural Village and Rural Village tiers in the settlement hierarchy which may put the development strategy in the Local Plan at risk.
- 4.2 Persimmon questions whether the above approach is justified and therefore whether the policy is sound. The housing requirement in Policy H2PU and the distribution of housing in Policy H4PU should be treated as minimums, not ceilings. An exceedance of the minimum housing target in a settlement or settlement tier should not prevent further development coming forward in other locations or other settlement tiers, where that development accords with other policies in the Local Plan. It is not therefore considered necessary for a local plan review if development expectations in one settlement or settlement tier exceeds expectations.
- 4.3 On the contrary, Persimmon considers that a review of the Local Plan should take place if development in a settlement or tier of settlements falls significantly below expectations. The sustainable rural villages and rural villages are some of the settlements in the Borough where housing pressures, and in particular affordable housing need, is most acute. If housing delivery in these settlements therefore drops significantly below expectations it could have negative consequences on the availability of a suitable mix of housing to meet needs and the availability of affordable housing in those settlements. Furthermore, it could also potentially impact on the ongoing sustainability of that settlement and the overall objective of boosting the economy of the Borough. It is therefore important that the Local Plan contains a mechanism that allows for an early review if delivery in these settlements drops below expectations in order to investigate and address the reasons for this, potentially through the allocation of more sites for housing development or amending settlement boundaries.
- 4.4 Without including a mechanism for a local plan review if housing delivery drops below expectations, the plan is not comply with the Government's objective of significantly boosting housing supply, and would therefore be contrary to paragraph 60 of the NPPF and unsound.
- 4.5 Persimmon therefore considers that Part 3 of Policy H3PU should be amended as follows:
- "If evidence suggests that, at the end of any monitoring year, housing delivery has exceeded **has fallen below** expectations within the Sustainable Rural Village and Rural Village tiers in the settlement hierarchy which may put the overall Development Strategy at risk the Council will consider carrying out a full / partial Local Plan Review."*
- 4.6 It is considered that the above policy amendment would mean that Policy H3PU is more positively prepared and is necessary to make it sound.

## 5. Policy DS4PU: Settlement Boundaries

- 5.1 Policy DS4PU sets out the criteria that will be used to determine whether development can take place outside of the Settlement Boundaries shown on the Proposals Maps. Part 1a) of the policy states that, subject to the other criteria in the Policy, and other policies in the Local Plan being met, housing development outside of the settlement boundaries will be allowed where the site is well related to and directly adjoins the settlement boundary of a town or Local Service Centre.
- 5.2 Persimmon considers that the policy should also allow for housing development on sites well related to and directly adjoin the settlement boundaries of other settlement tiers, particularly where there is limited scope for growth within the settlement boundaries. This is particularly important in the Sustainable Rural Villages. Policy H4PU (Distribution of Housing) states that development in the Sustainable Rural Villages will be allowed where it is required to support economic growth. However, with the Settlement Boundaries being drawn tight to the existing built-up area of a number of the Sustainable Rural Villages – Ennerdale Bridge in particular – and no allocations in a number of those settlements there is very limited scope for development within the Settlement Boundaries. There is therefore no, or very limited, opportunities for additional development to the level shown in Policy H4PU in some of the Sustainable Rural Villages and therefore limited opportunity for growth in the Sustainable Villages that is necessary to sustain and grow their service offer.
- 5.3 This is particularly true of Ennerdale Bridge, where the settlement boundaries are drawn tight to the existing built up area of the settlement in the Publication Version Plan and there are no proposed allocations within the settlement. Persimmon owns a site at Vicarage Lane, Ennerdale Bridge, details of which are provided at Section 12. The settlement boundaries of Ennerdale Bridge were drawn to include the site in the Preferred Options Draft of the Local Plan, but were amended in the Focused Pre-Publication Draft to exclude the site. The reasoning given for this removing the site from the Settlement Boundaries is set out in the Discounted Sites document<sup>7</sup>. These include infrastructure constraints and ecological constraints, both of which are disputed by Persimmon, and it is considered that the site provides a suitable and sustainable location for housing development to support the economic growth of Ennerdale and its hinterland (see Section 12 of these representations).
- 5.4 In light of the above, Persimmon considers that Policy DS4PU, as currently drafted in unsound as it restricts windfall development in the Sustainable Rural Villages and is therefore not positively prepared. The following changes to Part a) of Policy DS4PU are considered necessary in order to make the policy sound:
- “a) *the site is well related to and directly adjoins the settlement boundary of a town or Local Service Centre.....”*
- 5.5 In addition, Persimmon considers that the Settlement Boundaries of Ennerdale Bridge should be amended to include its Vicarage Lane site.

<sup>7</sup> [https://www.copeland.gov.uk/sites/default/files/attachments/discountedsiteprofiles\\_0.pdf](https://www.copeland.gov.uk/sites/default/files/attachments/discountedsiteprofiles_0.pdf), page 24

- 5.6 Notwithstanding the requested amendments to Policy DS4PU above, the Policy would remain very restrictive in terms of residential development outside of settlement boundaries due to Part c) of the Policy only allowing development on windfall sites in situations where the council is unable to demonstrate a 5 year deliverable housing supply or there has been previous under-delivery against the housing requirement or 3 years or more. Whilst it is understood that the purpose of these restrictions are to ensure that in settlements where there is opportunity for windfall development within the Settlement Boundaries, land within the Settlement Boundaries is developed first. However, as stated above, in settlements such as Ennerdale Bridge there is no opportunity for windfall development within the Settlement Boundaries due to them being tightly drawn to the existing built up area and no allocations are proposed. As a result, there is no opportunity for further development in Ennerdale Bridge and therefore very limited opportunity for Ennerdale Bridge to perform its role as a Sustainable Rural Village and accommodate development to maintain the community.
- 5.7 Persimmon therefore requests that the settlement boundaries of Ennerdale Bridge are amended to include the site, as was the case with earlier drafts of the Local Plan. It is also requested that the site is allocated for residential development. Justification for this is provided in Section 12 of these representations.

## 6. Policy H5PU: Housing Allocations

6.1 Policy H5PU allocates sites for housing development during the Plan period.

6.2 Persimmon supports the allocation of the following sites over which it has an interest:

- HWH4: Land South and West of St Mary's School, Whitehaven
- HWH5: Former Marchon Site North, Whitehaven
- HSE2: Fairways Extension, Seascale

6.3 The above sites are considered to be suitable for housing development and will all be able deliver housing within the Plan period. Further details of each site, their suitability for housing development and information on the deliverability of each site is provided in Sections 7 and 8 of these representations.

6.4 Notwithstanding the support for these allocations, Persimmon considers that amendments are necessary to proposed allocations HWH4 and HWH5 to include additional land. Reasoning for this is set out in Section 7.

6.5 As referred to in Section 2 of these representations and the accompanying Housing Needs Report, Persimmon is of the opinion that the minimum housing requirement in Policy H2PU should be increased to 300 dpa in order to meet the full economic ambitions of the Borough. The Local Plan does not allocate sufficient sites to deliver 300 dpa, and would still fall short with the windfall allowance referred to in Policy H2PU. Persimmon is therefore of the opinion that additional sites should be allocated in the Local Plan in order to deliver the 300 dpa requirement considered necessary in the accompanying Housing Needs Report and to make the Local Plan sound.

6.6 Persimmon has promoted the following sites at various stages of consultation on the Copeland Local Plan:

- Land south of Laurel Bank, Whitehaven;
- Land at Melrose, Egremont; and
- Vicarage Lane, Ennerdale Bridge.

6.7 Persimmon considers that these site, which are not proposed for allocation in the Publication Version Local Plan, provide sustainable and suitable sites to meet the higher housing need. All of the sites are located in suitable locations for housing development and are available. Housing development on these sites would therefore be achievable within the Plan period and they should be allocated in order to meet the identified higher housing need.

6.8 Justification for these additional sites being included as allocations in the Local Plan is provided in Sections 9 to 12.



## 7. Proposed Allocation HWH4: Land South and West of St Mary's School and Proposed Allocation HWH5: Former Marchon Site North

### Background

- 7.1 The Former Marchon Site North and the adjacent Land South and West of St Mary's School provide an opportunity for a comprehensively planned residential development in a sustainable location on the edge of the Principal Town of Whitehaven; redeveloping a large previously developed site. Persimmon supports the allocation of these sites for housing in the Local Plan and the inclusion of these sites within the amended settlement boundary of Whitehaven
- 7.2 Persimmon has land interests in the Former Marchon site and the adjacent land to the north. It has entered into a contract with the landowner of the land to the north of the former chemical works site to deliver a residential development and a hybrid planning application has been submitted proposing a development of up to 139 dwellings<sup>8</sup>.
- 7.3 However, part of this application site has been excluded from proposed allocation HWH5 and is located outside of the proposed settlement boundary of Whitehaven.
- 7.4 This "additional land" is not subject to any constraints that would prevent residential development in the short-term and provides the opportunity to deliver additional housing as part of a comprehensive development of the area, contributing towards the higher housing need identified in the Housing Needs Report that accompanies these representations.
- 7.5 Persimmon therefore requests that proposed allocations HWH4 and HWH5 are amended so that allocation HWH5 includes all of the land within Persimmon's control, including all of the land shown within the red line of the Location Plan submitted with the hybrid planning application (attached at Appendix 2) and all of this land is included within the proposed settlement boundary of Whitehaven.

### Proposed Allocations in the Copeland Local Plan Publication Version

#### Proposed Housing Allocations

- 7.6 The Former Marchon Site North is identified as a housing allocation in the Local Plan Publication Version (ref: HWH5). Policy H5PU identifies the site as having capacity for around 532 dwellings. The site is assessed in the 2020 SHLAA as site ref: WW014, which identifies the site as being deliverable within 5 years.
- 7.7 Part of the site is also assessed in the 2020 SHLAA as site ref: WW022: Land West of Waters Edge Close and identified as being suitable for housing and deliverable within 5 years. SHLAA site WW022 is also proposed as an allocation in Policy H5PU, as part of draft allocation HWH4: Land South and West of St Mary's School. That allocation also

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<sup>8</sup> Ref: 4/21/2432/OF1

includes some further land to the north which Persimmon do not control. Policy H5PU states that the site has the capacity for 60 dwellings.

- 7.8 Proposed Applications HWH4 and HWH5 do not include the western part of the site shown within the red line of the hybrid planning application (shown on the plan attached at Appendix 2), which is shown to be located outside of the settlement boundary of Whitehaven in the Publication Version Local Plan.
- 7.9 The capacity of the site in the proposed allocation (532 dwellings) does not therefore include the 139 dwellings that could be delivered as part of the current hybrid planning application. Persimmon therefore considers that the allocation should be amended to reflect the true capacity of the site, which is up to 700 dwellings.

#### **Requested Changes to Proposed Allocations HWH4 and HWH5**

- 7.10 Whilst Persimmon supports the proposed HWH4 and HWH5 allocations in the Local Plan Publication Version, the following changes to these allocations and the settlement boundaries are requested:
- The boundaries of proposed allocations HWH4 and HWH5 are amended so that all of the land under Persimmon's control, including all of the land within the red line of the hybrid planning application (Appendix 2) is included within proposed allocation HWH5.
  - The settlement boundary of Whitehaven is amended to also include all of this land.
  - The number of dwellings in the allocation is increased to 700 to better reflect the 139 dwellings proposed as part of the current planning application for the "additional land".
- 7.11 Notwithstanding the hybrid planning application awaiting determination for the site, the inclusion of all of the land under Persimmon's control in allocation HWH5, including any land currently shown in Proposed Allocation HWH4 and an extension of allocation HWH5 to include the additional land referred to above, as well as an amendment to the proposed settlement boundaries to include this land, would allow this additional housing to be delivered as part of the wider redevelopment of the former Marchon Chemical Works site, providing a comprehensively planned and integrated development. This is a significant benefit that would not likely occur with standalone sites on the edge of the settlement boundaries elsewhere in the Borough.
- 7.12 Additionally, given the findings of the Housing Needs Report that accompanies these representations that the housing requirement for Copeland needs to be increased from 143 dwellings per annum to 300 dwellings per annum, it is likely that additional sites will need to be identified in order to meet the housing needs of Copeland over the plan period. The inclusion of the additional area of land currently not included in the allocations would provide an opportunity for additional housing to be brought forward to contribute towards meeting this increased need in a highly sustainable location.

7.13 We set out below reasoning for why the area of the site currently excluded from the proposed allocations (hereafter referred to as “the additional land”) is suitable for housing development and should be included within the allocation, with specific reference being made to the following:

- There are no constraints to residential development on the additional land
- The additional land is within a suitable and sustainable location for residential development, and
- Residential development on the additional land would be deliverable in the short term.

### **Suitability**

#### **Absence of Constraints to Residential Development**

7.14 It is shown below that there would be no constraints to residential development on the additional land. In particular, the additional land has limited landscape character and there would be no technical constraints to housing development, such as ecology or flood risk.

#### ***Landscape***

7.15 A Landscape and Visual Impact Assessment (LVIA) has been submitted with the hybrid planning application<sup>9</sup>.

7.16 The LVIA therefore that substantial-moderate and negative visual effects would be localised and limited to a small number of residents at home at Waters Edge and moderate and negative effects on landscape character would be localised and limited, especially when considering the mitigation measures proposed as part of the planning application, including a vast area of open space to the west of the Phase 1 development.

7.17 Additionally, due to the proximity of the proposed development to existing housing development and the poor landscape condition of the majority of the site, the landscape has some ability to absorb the proposed development

7.18 As such, it is considered that landscape impact is not a constraint to development on the additional land.

#### ***Ecology***

7.19 The additional land does not comprise part of any international, national or local environmental designation. The nearest designated site is St Bees Head Site of Special Scientific Interest (SSSI), located approximately 200 m to the west. Development on the additional land would not encroach any closer to the SSSI than the development on the allocated part of the former Chemical Works site.

7.20 Development on the additional land would provide the opportunity to deliver comprehensive mitigation measures to avoid impact on the SSSI in conjunction with

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<sup>9</sup> [https://www.copeland.gov.uk/sites/default/files/planning-applications/163\\_landscape\\_and\\_visual\\_appraisal\\_210817\\_reduced.pdf](https://www.copeland.gov.uk/sites/default/files/planning-applications/163_landscape_and_visual_appraisal_210817_reduced.pdf)

the development on the currently proposed allocation. Ecology Surveys and Reports submitted with the hybrid planning application confirm that subject to mitigation measures proposed in the planning application, there would be no negative impact on ecological receptors

- 7.21 It is therefore considered that there would not be any ecology constraints to extending the proposed allocation and settlement boundary to include the additional land.

#### ***Heritage***

- 7.22 There are no designated heritage assets within a 250m radius of the site. It is therefore unlikely that there would be any heritage constraints to housing development on the site and therefore no constraints in this respect to extending the allocation and settlement boundary to include the additional land. This is concluded by the Heritage Impact Assessment submitted with the hybrid planning application for the site<sup>10</sup>.

- 7.23 In addition, development of the site offers the opportunity to reveal the industrial history of the site through archaeological investigations and potential measures such as the inclusion of information boards linking the development to the site's past.

#### ***Ground Conditions***

- 7.24 Whilst it is acknowledged that the former chemical works site is subject to high levels of contamination due to its former use (initial testing and intrusive investigations have taken place over the past decade), it is considered that the additional land would not be subject to such levels of contamination. The additional land is located outside of the site of the former chemical works and has previously been used as pasture. It is considered that the additional land would not be subject to levels of contamination that would require significant levels of remediation, although this would need to be confirmed through appropriate investigations.

- 7.25 Ground conditions would not therefore be a constraint to housing development on the site, and the anticipated lower level of contamination compared to the former chemical works part of the site, would mean that housing development on this area of the site could be delivered as an initial phase, providing much needed housing in the early years of the Local Plan.

#### ***Flood Risk***

- 7.26 The site is located within Flood Zone 1 and is therefore at low risk of flooding. Flood Risk would not be a constraint to residential development on the site.

#### ***Access***

- 7.27 The land proposed to be allocated as part of a proposed allocation HWH4 benefits from access from High Road, to the north of the Waters Edge development, using existing roads that previously provided access to the former chemical works. The additional land would be able to be accessed using these roads through the area of the site currently proposed for an allocation.

- 7.28 Access is therefore not a constraint to housing development on the site.

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<sup>10</sup> [https://www.copeland.gov.uk/sites/default/files/planning-applications/hia\\_former\\_chemical\\_works\\_whitehaven\\_c12200\\_reduced.pdf](https://www.copeland.gov.uk/sites/default/files/planning-applications/hia_former_chemical_works_whitehaven_c12200_reduced.pdf)



### **Suitability of Location**

- 7.29 The additional land is in a suitable location for housing development. It is located in close proximity to a range of facilities, services and infrastructure within the existing built up area of Whitehaven. These include:
- Primary and infant schools such as St Mary's Catholic Primary School and Kells Infant School located approximately 0.2 miles from the site
  - Retail opportunities such as a Nisa Local on Woodhouse Road adjacent to the site and a Coop store approximately 0.3 miles from the site on Lakeland Avenue
  - Health facilities such as a pharmacy, adjacent to the site on High Road
  - Recreation facilities including playing fields at Kells RLFC and a children's play area on High Road, both approximately 0.3 miles from the site, as well as opportunities for coastal walks to the west of site.
- 7.30 The nearest bus stops to the site are located on Ennerdale Terrace and Rydal Avenue, approximately 140m from the site. These bus stops provide access to regular services to destinations including Whitehaven and Greenbank. The proposals would allow for a looped bus route through the main site that could bring services even closer.
- 7.31 The proposed allocation of sites HWH4 and HWH5 shows that the Council accepts that this location is a sustainable location for housing development. The Copeland Local Plan 2017-2035 Integrated Assessment of the Preferred Options and Issues and Options Drafts shows that both sites score well when assessed against accessibility, health and wellbeing and sustainable economy criteria, indicating that the site is in a sustainable location for housing development.
- 7.32 The additional land is also well-located in relation to existing and planned residential development. It would fill a small gap between the existing development at Waters Edge Close and Colliers Way and the development that would take place within the existing extent of the two proposed allocations.
- 7.33 The allocation of the additional land within the proposed allocation HWH5 would allow the site to be brought forward in combination with this allocation, providing a comprehensive residential development of the area.

### **Suitability Conclusion**

- 7.34 The additional land is considered suitable for residential development and it is requested that the proposed settlement boundary of Whitehaven and proposed allocation HWH5 are amended to include the additional land.
- 7.35 There are no constraints to development that would make the additional land unsuitable for residential development and it is located within a sustainable location for housing development.
- 7.36 Given the findings of the Housing Needs Report that accompanies these representations that the housing requirement in the Local Plan Publication Version should be increased, it is considered increasingly important that additional sites are

identified to meeting housing need. Therefore, whilst the additional land is currently located outside of the proposed settlement boundaries, it is not considered that this should be a constraint to residential development on the site. It is well-located in relation to existing and planned development and would represent an acceptable small scale extension to the existing urban area that would not negatively impact on landscape quality.

- 7.37 The inclusion of the additional land within the proposed allocation would provide the opportunity for it to come forward as part of a comprehensive residential development alongside the current extent of proposed allocation HWH5.

### **Availability**

- 7.38 The SHLAA assessment of the additional land as part of the much larger parcel WW025 (Whitehaven Coastal Fringe) states that the land is not available. This is not the case in respect of the area over which Persimmon's Phase has an interest. Whilst it is not currently under the ownership of Persimmon, Persimmon have entered into a contract with the landowner to develop the site and the adjacent land currently proposed as part of proposed allocation HWH4 for housing. The additional land is therefore considered to be available in the short term.

- 7.39 Additionally, Persimmon is contracted over the adjacent land within the former Marchon Site North currently included in proposed allocation HWH5 and is able to bring forward all of the land shown on the plan attached at Appendix 2 forward as a comprehensive development. The submission of a hybrid planning application for the site demonstrates its availability.

### **Achievability**

- 7.40 Technical work undertaken as part of the hybrid planning application for the Former Marchon Chemical Works site and adjacent land has confirmed that there are no constraints that would prevent or delay a residential development on the site. This means that the site could be developed within the plan period.

### **Summary**

- 7.41 Persimmon supports the proposed allocation of the Former Marchon Works North site (HWH5) and the proposed allocation of the Land to the South and West of St Mary's School (HWH4).
- 7.42 It is requested that the proposed HWH5 allocation is extended to include all of the land shown on the plan attached at Appendix 2 of these representations, including the additional land to the west of these allocations that is not currently proposed for allocation and the total number of dwellings that could be delivered within the allocation is increased to 700. It also requests that the proposed settlement boundaries are extended to include this "additional land".
- 7.43 The Housing Needs Report that accompanies these representations identifies a need to increase the housing requirement in the Local Plan. As a result, it is considered imperative that additional housing allocations are identified.

- 7.44 The additional land is suitable for residential development. It is not subject to constraints that would prevent housing development and, like the adjacent proposed allocations, is in a location suitable for housing development.
- 7.45 As demonstrated by the document submitted in support of the hybrid planning application for the site there are no constraints to development on the site and the site would be developable and deliverable within the Plan period

## 8. Proposed Allocation HSE2: Fairways Extension, Seascale

### Background

- 8.1 Persimmon supports proposed allocation HSE2 in the Local Plan Preferred Options Report and the proposed amendment to the settlement boundary of Seascale to include the site. The site is in a sustainable location for housing development and development on the site would fill a small gap within the existing settlement, thereby having no impact on landscape character.
- 8.2 The plan attached at Appendix 3 shows the extent of Persimmon's ownership.

### Proposed Allocations

- 8.3 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/OF1), 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.
- 8.4 The Fairways Extension site has been assessed as a deliverable residential site in the 2020 SHLAA (ref: SE024) and is proposed for allocation in the Local Plan (ref: HSE2) for 22 dwellings.
- 8.5 It is also proposed in the Local Plan that the settlement boundary of Seascale will be amended to include the proposed allocation.
- 8.6 The proposed amendment to settlement boundaries and the proposed Fairways Extension allocation in the Local Plan Preferred Options draft is supported by Persimmon.
- 8.7 The case for this is made below, with reference made to the following:
- There are no constraints to residential development on the site
  - The site is within a suitable and sustainable location for residential development, and
  - Residential development on the site would be deliverable in the short term



## **Suitability**

### **Absence of Constraints to Residential Development**

- 8.8 It is shown below that there would be no constraints to residential development on the site. In particular, development on the site would not negatively impact on landscape character and there would be no technical constraints to housing development, such as ecology or flood risk.

### **Landscape**

- 8.9 The site is well related to the existing built-up area of Seascale and development would fill a gap between existing urbanised features. To the east of the site, the existing housing development along Coniston Avenue extends as far as the site's northern boundary. There is also a dwelling to the north of the site, at the end of Croft-Head Road. To the west is the driving range of Seascale Golf Course. Whilst this is a green feature, it is not a natural feature and is considered to be urban in character. Development on the northern part of the site would therefore fill the gap between these built-up areas. Being a gap in between built development, the site does not have the character of the countryside landscape located to the north, rather it appears as a gap in the urban environment. The northern boundary of the site, as proposed by Persimmon, would be a natural boundary between the urban area and the countryside beyond.
- 8.10 Persimmon therefore considers that landscape impact would not be a constraint to development on the land to the north of proposed allocation HSE2.

### **Ecology**

- 8.11 The land to the north of proposed allocation HSE2 does not comprise part of any international, national or local environmental designation. The nearest designated sites are Hallsenna Moor Site of Special Scientific Interest (SSSI) and National Nature Reserve (NNR). These designated sites are located approximately 1.5 miles to the south east of the site. They are considered to be sufficiently distant from the land to the north of proposed allocation HSE2, with existing built development in between, as to not be harmed by residential development on the land to the north of proposed allocation HSE2.

- 8.12 There would therefore be no ecology constraints that would prevent housing development.

### **Heritage**

- 8.13 There are no designated heritage assets located within 250m of the land to the north of proposed allocation HSE2. It is therefore considered that there are no heritage constraints that would prevent residential development.

### **Ground Conditions**

- 8.14 That land has not been developed in the past. It is considered that there is unlikely to be any adverse ground conditions that would pose a constraint to housing development on the site.

### **Flood Risk**

- 8.15 The land is located within Flood Zone 1 and is therefore at low risk of flooding. Flood risk is not therefore a constraint to development on the site.

### **Access**

- 8.16 An access to the proposed allocated site has been reserved from Links Crescent, with the potential for additional linkage through to Coniston Avenue.
- 8.17 Access is not therefore a constraint to residential development.

### **Suitability of Location**

- 8.18 As referred to above, the site is within walking distance of services and facilities in Seascale and is therefore considered to be a sustainable location for housing development. Such services and facilities include:
- Seascale Primary School, approximately 0.8 miles from the site
  - Health care facilities including Seascale Health Centre and Seascale pharmacy, approximately 0.4 miles from the site
  - A post office, approximately 0.4 miles from the site
  - Convenience retail opportunities at the Co-op store on Gosforth Road, approximately 0.4 miles from the site
  - Recreation and leisure opportunities including the recreation ground immediately to the south of the site, the golf course immediately to the west, and Seascale Community Fitness Centre, approximately 0.6 miles from the site.
- 8.19 Seascale Railway Station is located approximately 0.4 miles from the site. It offers regular services to Barrow-in-Furness and Carlisle, stopping at various settlements along the coast.

### **Suitability Conclusion**

- 8.20 There are no constraints that would make land unsuitable for housing development. It is also located in a sustainable location for housing development.
- 8.21 As a result, it is considered clear that the site is suitable for a housing allocation in the emerging Local Plan.

### **Availability**

- 8.22 The site is under the ownership of Persimmon, a reputable housebuilder with a strong track record in the delivery of housing across the UK. It is therefore clearly owned and controlled by an experienced housebuilder. There are no legal or ownership restrictions affecting the land that would preclude or delay delivery.
- 8.23 The site is therefore readily available with a realistic prospect of delivery within 5 years.

### **Achievability**

- 8.24 The preceding sections of this Chapter demonstrate that the site is sustainable and there are no technical constraints impeding delivery.
- 8.25 Development on the site would therefore be deliverable within the short term.

### **Summary**

- 8.26 Persimmon supports proposed housing allocation HSE2 and the proposed alteration of the settlement boundaries to include the site within the urban area.

## 9. Additional Housing Opportunity Sites

- 9.1 As referred to in Section 2 of these representations and the accompanying Housing Needs Report, Persimmon is of the opinion that the minimum housing requirement in Policy H2PU should be increased to 300 dpa in order to meet the full economic ambitions of the Borough. The Local Plan does not allocate sufficient sites to deliver 300 dpa, and would still fall short with the windfall allowance referred to in Policy H2PU. Persimmon is therefore of the opinion that additional sites should be allocated in the Local Plan in order to deliver the 300 dpa requirement considered necessary in the accompanying Housing Needs Report and to make the Local Plan sound.
- 9.2 Persimmon has promoted the following sites at various stages of consultation on the Copeland Local Plan:
- Land south of Laurel Bank, Whitehaven;
  - Land at Melrose, Egremont; and
  - Vicarage Lane, Ennerdale Bridge.
- 9.3 Persimmon considers that these sites, which are not proposed for allocation in the Publication Version Local Plan, provide sustainable and suitable sites to meet the higher housing need. All of the sites are located in suitable locations for housing development and are available. Housing development on these sites would therefore be achievable within the Plan period and they should be allocated in order to meet the identified higher housing need and make the Local Plan sound.
- 9.4 Justification for these additional sites being included as allocations in the Local Plan is provided in Sections 10 to 12.



## 10. Opportunity: Land South of Laurel Bank, Whitehaven

- 10.1 The Land South of Laurel Bank site offers the opportunity for a residential development in a sustainable location that would form a small extension to the existing housing area to the north.
- 10.2 Housing development on the site also offers the opportunity for the creation of open space on the southern part of the site, enabling it to be used for recreational purposes by the surrounding communities.
- 10.3 There are no constraints to housing development that would either preclude housing development or delay its delivery. The site is within the ownership of a house builder and is therefore deliverable within 5 years.
- 10.4 Persimmon therefore requests that the site is allocated for housing development in the emerging Local Plan.

### The Site and Surroundings

- 10.5 The site is located to the east of Whitehaven town centre, on the eastern side of the A595 Loop Road South.
- 10.6 To the north east of the site is the residential area of Harras Moor. To the north west is an area of woodland known as Crowpark Wood. To the south west and south of the site are residential properties on the A595, and to the south east and east is an area of open land with woodland (known as Midgey Wood) and residential properties beyond.
- 10.7 The site comprises a roughly rectangular piece of land, approximately 1.5 ha in area. The site slopes downwards from north east to south west. It comprises pasture and has woodland on its north eastern boundary and a hedgerow on its south western boundary.
- 10.8 The rear of dwellings on the southern side of Laurel Bank, within the residential area of Harras Moor, form the northern boundary of the site. The site's south western boundary is formed by woodland and the rear of three residential properties.
- 10.9 The developable area of the site identified by Persimmon extends to approximately 0.8 ha and is located on the northern part of the site, immediately to the rear of the dwellings on Laurel Bank. The developable area is shown on the indicative parameters masterplan attached at Appendix 4. It is estimated that the capacity of the developable area would be in the region of 24 dwellings.
- 10.10 The site currently has no vehicular access; however, space for a vehicular access has been reserved off Laurel Bank to the north east, in between two existing dwellings. The site is not currently accessible to the public.

10.11 The site is located in close proximity to a range of facilities, services and infrastructure within the existing built-up area of Whitehaven. These include:

- Primary and infant schools, such as St James' Primary and Junior School approximately 0.7 miles from the site
- Retail and leisure opportunities within Whitehaven Town Centre approximately 1 mile from the site
- Convenience retail opportunities approximately 1 mile from the site on Bransty Row (Tesco superstore)
- Health facilities on Catherine Street approximately 1.5 miles from the site
- Recreation facilities at Whitehaven Sports Centre approximately 1.5 miles from the site.

10.12 The nearest bus stop to the site is located approximately 350m straight line distance from the site to the south east on Standings Rise, via the Loop Road South. However, there is currently no access from the site to the Loop Road South. Any future residents of the site would therefore be required to walk a distance of approximately 1 mile to reach this bus stop. Development on the site may provide the opportunity to provide a pedestrian access to the Loop Road South, subject to agreement with the adjacent landowner, reducing the walking distance to this bus stop to approximately 550m.

10.13 Services from this bus stop provide regular access to destinations including Whitehaven, Maryport and Asby.

10.14 The area of land to the east of the site, known as Harras Moor, is identified as a Key Regeneration Site (ref: HWH2) in the Preferred Options Draft of the Copeland Local Plan 2017-2035, and is proposed for a housing allocation for 370 dwellings in Policy HSPO. It is also subject to an ongoing planning application by Homes England.

## **Planning Policy**

### **Copeland Local Plan 2013 – 2028**

10.15 The site is shown to be located within the existing settlement limits of the Principal Town of Whitehaven on the Copeland Local Plan 2013-2028 Proposals Map. It is designated as "Urban Greenspace", and the interactive version of the Proposals Map on the Council's website shows that it has been designated as such for its landscape importance, as opposed to recreation and amenity.

### **2020 SHLAA Assessment**

10.16 The SHLAA 2020 identifies the Laurel Bank site (SHLAA ref: Wh015) as "undeliverable". The reason given is "landscape protection".

### **Previous representations**

10.17 Details of the site were submitted to the January 2015 consultation on the now abandoned Copeland Local Plan Site Allocations Development Plan Document (DPD), promoting the site for a residential allocation.

- 10.18 The site was given reference “WH5 Laurel Bank” and was assessed as being unsuitable for an allocation. The Council’s site assessment form for Site Allocations DPD gave the following reason:
- “Development here would sever a connection between two areas of biodiversity value and this be contrary to Core Strategy Policy SS5 (Green Infrastructure).”*
- 10.19 The site assessment form states that the Council intended to “retain open space already allocated in the 2006 Local Plan”.
- 10.20 It is clear from the site assessment form, through the reference to retaining the site as open space and reference to Core Strategy Policy SS5, that the Council was treating the site as open space.
- 10.21 Representations on behalf of Persimmon were submitted to the “Call for Sites” exercise that took place alongside consultation on the Issues and Options consultation on the Local Plan 2017-2035. These representations promoted the suitability of the site for a housing allocation, but also challenged the previous assessment that the site was open space.
- 10.22 In particular, the representations confirmed that the site did not comply with any of the definitions of open space in the Town and Country Planning Act 1990 (Section 226), the NPPF or the Core Strategy because there is no public access to the site and it offers no recreational, visual amenity or wildlife opportunities.
- 10.23 It is now noted that the site is not assessed as open space in the 2020 Open Space Assessment and the 2020 SHLAA assessment of the site does not make any reference to the site being open space (unlike the Council’s previous assessments of the site). This is welcomed by Persimmon and reflects the fact that site does not perform any role as open space.

### **Suitability**

- 10.24 The site is considered suitable for a residential allocation in the emerging Local Plan and Persimmon strongly objects to the SHLAA identification of the site as “undeliverable”.
- 10.25 The site offers the opportunity for a residential development in a sustainable location that would form a small extension to the existing housing area to the north. The Housing Needs Report submitted alongside these representations highlights the need to increase the housing requirement in Policy H2PU from 143 per annum to 300 per annum. The site provides a sustainable opportunity to provide housing to meeting this higher housing need in a sustainable location within the settlement boundaries of the Principal Town of Whitehaven.
- 10.26 Housing development on the site also offers the opportunity for the creation of new public open space on the southern part of the site, enabling it to be used for recreational purposes by the surrounding communities.

10.27 The case for the site being suitable for residential development is provided below, with reference made to the following:

- There are no constraints to residential development on the site
- The site is within a suitable and sustainable location for residential development, and
- Residential development on the site would be deliverable in the short term.

#### **Absence of Constraints to Residential Development**

10.28 It is shown below that there would be no constraints to residential development on the site. In particular, the site has limited landscape character and there would be no technical constraints to housing development, such as ecology or flood risk.

#### ***Landscape***

10.29 Whilst the site is designated in the Core Strategy as Urban Greenscape for its landscape value and the 2020 SHLAA has identified the site as “undeliverable” for reasons of “landscape protection”, landscape studies have confirmed that development can be accommodated on the site without harm to the site’s landscape quality.

10.30 A Landscape and Visual Impact Assessment (LVIA) was prepared by PDP Associates and submitted in support of a withdrawn planning application for the site in 2014. An updated LVIA was prepared by Tyler Grange as part of Persimmon’s representations to the Local Plan Issues and Options consultation. This LVIA has again been updated and a copy is attached at Appendix 5 of these representations.

10.31 The conclusions of these LVIA are that whilst the site may appear to form an obvious strip of open land between two areas of built form, various viewpoints confirm that it does not perform this role.

10.32 The site is situated within a well-screened enclosure due to a set of defensible boundaries which limit publicly accessible views. From a short distance, there are public views into the site through small gaps in the residential development along Laurel Bank and the A595. However, such views consist of limited sections of the site and are viewed in the context of existing built development. Longer distance views are limited to views from the south of the site. However, these are very discrete and the site would only be viewed in the context of existing built development. Development on the northern part of the site, as shown on the Indicative Masterplan attached at Appendix 4, would be heavily screened in long distance views by the adjacent woodland, and the updated LVIA therefore confirms that development on the site would likely result in a minimal change in landscape character.

10.33 Paragraph 130(c) of the Framework states that planning policies and decisions should ensure that development is sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change. It does not therefore resist development where it would result in a change in landscape character. As the LVIA relating to the site shows, whilst housing development on the site would result in a change to the site’s landscape character (as would development of any greenfield site);



given the limited views of the site and the site's surrounding built-up context, the site does not contribute significantly to the surrounding landscape character and development on the northern part of the site would not significantly alter the landscape character of the area.

- 10.34 This would particularly be the case if the adjacent Land at Harras Moor site, which is proposed for an allocation, is developed. This would add further residential development into the surrounding context of the Laurel Bank site, further diminishing any views of an open landscape in this location. Development on the Laurel Bank site would not therefore significantly alter the landscape character.
- 10.35 In light of the above, Persimmon strongly objects to the 2020 SHLAA assessment of the site stating that "landscape protection" is a constraint to residential development on the site. The site contributes little to landscape quality, and any contribution would be diminished further by residential development on the adjacent Land at Harras Moor site. Landscape quality is therefore not considered to be a constraint to a residential allocation.

***The Site Does Not Perform a Role as Open Space***

- 10.36 As referred to above, previous representations to the emerging Copeland Local Plan provided evidence that the site does not perform any role as open space.
- 10.37 The site does not conform to the definitions at Section 336 of the Town and Country Planning Act 1990<sup>11</sup>, Annex 2 of the NPPF<sup>12</sup> or the definition in glossary of the Preferred Options version of the Copeland Local Plan<sup>13</sup>.
- 10.38 For the site to comply with these definitions it must offer opportunities for either recreation or visual amenity. As already stated, there is no public access to the site and it therefore offers no sport or recreation value. As set above, and in the updated LVIA attached at Appendix 6, the site does not provide any significant visual amenity. The site does not therefore perform any open space purpose or role.
- 10.39 It is now noted that the site is not assessed as open space in the 2020 Open Space Assessment and the 2020 SHLAA assessment of the site does not make any reference to the site being open space (unlike the Council's previous assessments of the site). This is welcomed by Persimmon and reflects the fact that site does not perform any role as open space.
- 10.40 Residential development on the site would have the potential benefit of the creation of open space on the southern part of the site, as shown on the Indicative Parameters Plan attached at Appendix 6. It may be possible to provide public access to the southern part of the site, allowing it to be used for recreation. Native tree planting would link the space to existing woodland adjacent to the site, enhancing the site's visual amenity. The landscaping and management of this portion of the site would

<sup>11</sup> "any land laid out as a public garden, or used for the purposes of public recreation, or land which is a disused burial ground".

<sup>12</sup> "All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity".

<sup>13</sup> "All open spaces of public value, including land and water provisions. These can offer opportunities for recreation, leisure and visual amenity."

therefore mutually reinforce these uses. Given that the site provides no function as open space at present, such benefits would be significant.

#### ***Ecology***

- 10.41 The site does not comprise part of any international, national or local environmental designation. The nearest designated site is St Bees Head Site of Special Scientific Interest (SSSI), located approximately 1.8 km to the south west of the site, with significant areas of built development in between.
- 10.42 The previously withdrawn planning application for the site was accompanied by an ecology report confirming that surveys did not identify any presence of protected species on the site. Updated surveys and reporting was undertaken in 2019 and these confirmed no change in this position.
- 10.43 Development on the site would also offer the opportunity to enhance the biodiversity value of the site through additional boundary planting and the creation of a woodland habitat on the southern part of the site.
- 10.44 In light of the above, it is considered that there would not be any ecological constraints to housing development on the site. Any biodiversity impacts are likely to be able to be mitigated through the creation of an increased quantity and quality of habitat on the southern part of the site, outside of the developable area identified by Persimmon.

#### ***Heritage***

- 10.45 There are no designated heritage assets within a 250m radius of the site. It is therefore unlikely that there would be any heritage constraints to housing development on the site.

#### ***Ground Conditions***

- 10.46 Given the site's previous use as pasture, it is considered that there is unlikely to be any adverse ground conditions that would pose a constraint to housing development on the site.

#### ***Flood Risk***

- 10.47 Paragraph 159 of the Framework states that development in areas at risk of flooding should be avoided by directing development away from areas at highest risk.
- 10.48 The site is located within Flood Zone 1 and the Flood Risk Assessment submitted with the previously withdrawn planning application for the site demonstrated that residential development on the site would not be at risk from flooding from surface water or fluvial sources and would not increase the risk of such flooding elsewhere.
- 10.49 Flood risk would not therefore be a constraint to housing development on the site. This was confirmed in the Council's assessment of the site as part of the 2015 consultation on the Site Allocations DPD.

#### ***Access***

- 10.50 Whilst there is currently no access to the site, space for a future vehicular access has been reserved from the housing development to the north of the site. The Transport Assessment submitted with the previously withdrawn planning application for the site

confirmed that a suitable access could be achieved to the site and that there would be no severe impact on the operation of the local highway network.

- 10.51 Paragraph 111 of the Framework states that development should only be resisted on highway grounds where the residual cumulative impacts would be severe. There would be no such impacts and access is not therefore a constraint to housing development on the site.

#### **Suitability of Location**

- 10.52 The site is located within the settlement boundaries of Whitehaven. Whitehaven is identified as a Principle Town in the Core Strategy and the Local Plan. It is therefore the focus for development within Copeland.
- 10.53 The evidence provided in the Housing Needs Report submitted alongside these representations demonstrates that the housing requirement in Draft Policy H2PU should be increased from 143 dwellings per annum to 300 dwellings per annum over the Plan period. This increase in housing need will mean that additional sites would need to be identified for housing delivery.
- 10.54 In this context, housing development on the application site would assist in reducing the scale of urban expansion required above those sites already identified in the Local Plan and would likely reduce the scale of impact on sensitive landscapes that would result from urban expansion in some areas. Development on the site, within the existing settlement boundary of Whitehaven, is also likely to be more sustainably located than development outside of the existing settlement boundaries of some settlements, with future residents having greater access to a range of services within the existing settlement.
- 10.55 The site is also well-located in relation to existing built-development. Development on the site would form a small extension to an existing housing area and, as confirmed within the enclosed LVIA, would not significantly alter the wider landscape character, particularly given that the surrounding landscape character would be significantly altered by the proposed Land at Harras Moor allocation.
- 10.56 As confirmed above, the site is located in close proximity to a range of facilities, services and infrastructure within the existing built-up area of Whitehaven and is therefore in a sustainable location for residential development. An opportunity may exist through the development of the site to improve access to such services and facilities, and in particular, access to public transport. Improvements in access to services and facilities would also be of benefit to the existing residential community to the north.

#### **Suitability Conclusion**

- 10.57 The site is considered to be suitable for a residential allocation. There are no constraints to residential development that would either make the site unsuitable or delay delivery of housing development on the site.
- 10.58 The site does not contribute to landscape quality, it does not provide any role as open space, and there are no ecological, flood risk, heritage or ground condition constraints. It is also in a sustainable location within the existing settlement boundaries of the

Principal Town of Whitehaven, in a location which has good access to services, facilities and infrastructure.

- 10.59 It therefore provides an opportunity to deliver housing development in a sustainable location that would minimise the need for housing development on sites or land outside of the existing settlement boundaries, particularly in the context of a the higher housing need demonstrated in the Housing Needs Report submitted alongside these representations.

### **Availability**

- 10.60 The site is under the ownership of Persimmon, a reputable housebuilder with a strong track record in the delivery of housing across the UK. It is therefore clearly owned and controlled by an experienced housebuilder. There are no legal or ownership restrictions affecting the land that would preclude or delay delivery.
- 10.61 The Site is therefore readily available with a realistic prospect of delivery within 5 years.

### **Achievability**

- 10.62 Preliminary technical work has confirmed that a residential scheme could be developed viably within this location. The preceding sections of this Chapter and accompanying technical work demonstrate that the site is sustainable and there are no technical constraints impeding delivery.
- 10.63 Development on the site would therefore be deliverable within the short term.

### **Summary**

- 10.64 Paragraph 60 of the NPPF states that ensuring a sufficient amount and variety of land can come forward where it is needed is required in order to support the Government's objective of significantly boosting the supply of homes and to address the needs of groups with specific housing requirements.
- 10.65 As clearly demonstrated, the site is in a suitable location for housing development in reference to the role of the settlement of Whitehaven and the site's access to services, facilities and infrastructure. The site is not subject to any constraints that would prevent residential development and is available for development now.
- 10.66 It is therefore requested that land to the south of Laurel Bank is allocated for housing development in the emerging Local Plan.



## 11. Opportunity: Melrose, Egremont

- 11.1 The Melrose site is located to the west of Egremont. It has been assessed as deliverable for housing development in the 2020 SHLAA, but has not been proposed for allocation in the Local Plan Preferred Options Draft. The Preferred Options Draft does however propose to amend the settlement boundary of Egremont to include the site.
- 11.2 The site offers the potential for a sustainable residential development, which, in the context of the higher housing need identified by the Housing Needs Report that accompanies this representations, would contribute to meeting the identified higher need for housing. There are no constraints to housing development that would either preclude housing development or delay its delivery.
- 11.3 A plan showing the location of the site is attached at Appendix 7.
- 11.4 Persimmon therefore supports the proposals to extend the settlement boundaries of Egremont to include the site, but requests that the site is also allocated for housing development.

### The Site and Surroundings

- 11.5 The site is located on the west of Egremont, on the southern side of Grove Road. There is residential development to the north of the site, on the opposite side of Grove Road and immediately to the east. Agricultural fields are located to the south and west.
- 11.6 The site is rectangular in shape and is approximately 2.93 ha in area. It is predominantly flat, but slopes gently downwards from west to east. Its boundaries are formed by hedgerows. It has most recently been in use as pasture. The site has two agricultural accesses from Grove Road, one in its north western corner and one in its north eastern corner.
- 11.7 The site is located in close proximity to a range of facilities, services and infrastructure. These include:
- Primary schools including Orgill School approximately 0.4 miles from the site, St Bridget's Catholic Primary School approximately 0.6 miles from the site and Bookwell Primary School approximately 0.7 miles from the site
  - Secondary schools including West Lakes Academy, approximately 1 mile from the site
  - A number of convenience and comparison retail opportunities and other services in Egremont town centre, approximately 1 mile for the site
  - Health care facilities including Beech House Practice, and Cohen's Chemist approximately 0.8 miles from the site and Westcroft House Surgery, approximately 1 mile from the site.

## **Planning Policy**

- 11.8 The site is identified in the 2020 SHLAA as site Eg003 Land at Melrose. It is assessed as being deliverable within 5 years, with a capacity for 73 dwellings.
- 11.9 Despite the site being identified as a suitable site for housing development in the SHLAA, it is not proposed to be allocated in the Local Plan. However, it is proposed that the settlement boundary be amended to include the site.
- 11.10 Persimmon supports the proposed amendment to the settlement boundary, but objects to the omission of the site as a housing allocation and considers that it provides a sustainable and sustainable location for housing. It should be allocated for housing to assist in meeting the higher housing need identified in the Housing Needs Report that accompanies these representations. The case for the site being suitable for a housing allocation is made below, with reference to:
- There are no constraints to residential development on the site
  - The site is within a suitable and sustainable location for residential development
  - Residential development on the site would be deliverable in the short term

## **Suitability**

### **Absence of Constraints to Residential Development**

- 11.11 It is shown below that there would be no constraints to residential development on the site. In particular, development on the site would not negatively impact on landscape character and there would be no technical constraints to housing development, such as ecology or flood risk.

### **Landscape**

- 11.12 Development on the site would be a logical extension to the existing settlement. There is existing built development on the southern side of Grove Road, immediately to the east of the site, and the built development on the northern side of Grove Lane extends further to the west than the site (and would extend further to the west as a result of proposed allocation HEG1). As a result, development on the site would “round off” the settlement.
- 11.13 Due to the existing development to the east of the site, development on the site would not extend further into the countryside than the existing built development.
- 11.14 Given the above, it is considered that housing development on the site would not negatively impact on landscape character. By proposing to include the site within the amended settlement boundaries of Egremont, it is considered that the Council acknowledges that the site contributes little to the landscape character of Egremont and would likely be subject to development at some point in the future.
- 11.15 Landscape character is therefore not considered to be a constraint to development on the site.

### ***Ecology***

- 11.16 The site does not comprise part of any international, national or local environmental designation. The nearest designated site is Florence Mine Site of Special Scientific Interest (SSSI), located approximately 1 mile to the east. There is significant existing built development in between the site and these designated sites. It is therefore considered that there would be no negative impacts on these designated sites from development on the site.
- 11.17 There would therefore be no ecology constraints that would prevent housing development on the site.

### ***Heritage***

- 11.18 There are no designated heritage assets within a 250m radius of the site. It is therefore unlikely that there would be any heritage constraints to housing development on the site.

### ***Ground Conditions***

- 11.19 Given the site's previous use as pasture, it is considered that there is unlikely to be any adverse ground conditions that would pose a constraint to housing development on the site.

### ***Flood Risk***

- 11.20 The site is located within Flood Zone 1 and is therefore at low risk of flooding. Flood risk is not therefore a constraint to development on the site.

### ***Access***

- 11.21 The site benefits from two existing accesses onto Grove Road. Whilst no technical assessments have been undertaken, it is considered that there would be scope to improve these access to provide suitable access to a residential development.
- 11.22 Access is not therefore considered to be a constraint to residential development on the site.

### ***Suitability of Location***

- 11.23 Egremont is one of the larger settlements in the Borough and provides services, facilities and infrastructure for a large hinterland in the central and southern areas of the Borough. It is also well-connected to Whitehaven and existing employment areas. It is identified as a "Town" in the Local Plan Preferred Options Draft and is therefore acknowledged to be a suitable location for additional growth.
- 11.24 The site is in a suitable location for housing development. Egremont contains a wide range of services, facilities and infrastructure, all of which are accessible to the site, as shown above.

### ***Suitability Conclusion***

- 11.25 There are no constraints that would make the site unsuitable for housing development. It is also located in a sustainable location for housing development
- 11.26 The settlement boundaries of Egremont are proposed to be amended in the Local Plan to include the site within the urban area of Egremont. It is considered that this

demonstrates that the site is suitable for development without impact on landscape character. The site has also received a positive assessment in the 2020 SHLAA, confirming that it is suitable for housing development.

### **Availability**

- 11.27 The site is not under the ownership of Persimmon; however, it is understood that the existing landowner is will to sell the site to a housebuilder.
- 11.28 As a result, there would be no ownership issues that would prevent or delay development on the site and it is considered that there would be a realistic prospect of delivery within 5 years in accordance.

### **Achievability**

- 11.29 The preceding sections of this Chapter demonstrate that the site is sustainable and there are no technical constraints impeding delivery. Development on the entirety of the site would therefore be deliverable within the short term.

### **Summary**

- 11.30 Paragraph 60 of the NPPF states that ensuring a sufficient amount and variety of land can come forward where it is needed is required in order to support the Government's objective of significantly boosting the supply of homes and to address the needs of groups with specific housing requirements.
- 11.31 As clearly demonstrated, the site is in a suitable location for housing development in reference to the role of the settlement of Egremont and the site's access to services, facilities and infrastructure. The site is not subject to any constraints that would prevent residential development and is available for development now. This has been confirmed by the positive assessment of the site in the 2020 SHLAA and the proposals to include the site within the amended settlement boundaries of Egremont in the Local Plan.
- 11.32 Therefore, whilst Persimmon supports the proposed amendment to the settlement limits, it is requested that land at Melrose, Egremont is also allocated for housing development in the emerging Local Plan.
- 11.33 Given the proposed amendment to the settlement boundary to include the site, it is considered that the Council must be anticipating that the site would be developed at some point in the future. Given the higher housing need identified in the Housing Needs Report that accompanies these representations, Persimmon considers that the site should be allocated now to allow development to come forward within the emerging Plan period in order to assist in meeting this higher housing need.



## 12. Opportunity: Vicarage Lane, Ennerdale Bridge

- 12.1 The Vicarage Lane site has been identified as deliverable site in the 2020 SHLAA, with a capacity for 29 dwellings. It is not however proposed for allocation in the Local Plan.
- 12.2 No allocations are proposed in Ennerdale Bridge despite the settlement being identified as a Sustainable Rural Village. Draft Policy H4PU of the Local Preferred Options Draft states that Sustainable Rural Villages could support a limited amount of growth to maintain communities. Ennerdale Bridge contains a small number of services, but a proportionate amount of additional development should be directed to the village in order to assist in maintaining these facilities.
- 12.3 As confirmed by its positive SHLAA assessment, the Vicarage Lane site provides a suitable opportunity to deliver additional housing development in the village. There are no constraints to housing development that would either preclude housing development or delay its delivery. The site is within the ownership of a house builder and is therefore deliverable within 5 years.
- 12.4 The Local Plan Preferred Options Draft proposed to amend the settlement boundary of Ennerdale Bridge to include the site. The settlement boundaries shown in the Publication Version Local Plan now exclude the site from the settlement boundary. The Discounted Sites Document states that this is due to drainage and ecological constraints.
- 12.5 However, there is no evidence or information within the Copeland Local Plan evidence base which indicates that there may be ecological features which could limit the development on this site. The Discounted Sites Document<sup>14</sup> makes reference to Ecological Assessments taking place in 2021 that confirm that the site supports “biodiverse habitats” and is therefore of “considerable ecological value”. The 2021 ecological surveys have not been made available however. As set out below, the site does not form part of any ecological designation. Whilst it is located close to the River Ehen SAC, there is existing housing between the site and the SAC. There is no evidence that any biodiversity constraints, if they exist, cannot be overcome and would therefore make the allocation of the site inappropriate. Further information is provided under the “ecology” heading below.
- 12.6 The Discounted Sites Document also makes reference to infrastructure and sewer capacity being a constraint to the development of the site. Such infrastructure could be provided or upgraded as part of a development on the site. These matters are not therefore considered to be a constraint to the allocation of the site.
- 12.7 Furthermore, reference is made in the Discounted Sites Document to surface water drainage issues being a constraint; however, the consultation response from Cumbria County Council, summarised in the Discounted Sites Document, states that these matters could be ameliorated by development on the site. Again they should not therefore pose a constraint to the allocation of the site.

<sup>14</sup> [https://www.copeland.gov.uk/sites/default/files/attachments/discountedsiteprofiles\\_0.pdf](https://www.copeland.gov.uk/sites/default/files/attachments/discountedsiteprofiles_0.pdf), page 24

12.8 Given that these constraints could be overcome through the development of the site, and in the context of the higher housing need identified in the Housing Needs Report that accompanies these representations, Persimmon considers that the site should be allocated now to allow development to come forward within the emerging Plan period in order to assist in meeting this higher housing need.

12.9 Persimmon therefore requests that the site is allocated for housing.

### **The Site and Surroundings**

12.10 The site is located to the north west of the current developed area of Ennerdale Bridge. It is located to the rear of the houses on the northern side of Vicarage Lane. A location plan is attached at Appendix 8.

12.11 A tree belt is located to the west of the site. Housing alongside Vicarage Lane is located to the east and south, and a field is located to the north.

12.12 The site is roughly rectangular in shape and rises from south to north. It currently contains scrubland.

12.13 An access to the site has been reserved in between houses on Vicarage Lane.

12.14 Ennerdale Bridge benefits from a small number of services and facilities, which are accessible to the site. These include:

- Ennerdale and Kinniside Church of England Primary School
- Convenience retail opportunities at The Gather community owned store and café
- Community facilities at The Gather
- A number of public houses.
- Numerous recreational opportunities in the surrounding area, including the Lake District National Park.

12.15 Bus stops in the centre of the village offer services to destinations including Kirkland, Rowrah, Frizington, Branthwaite and Cockermouth.

### **Planning Policy**

12.16 The site is identified in the 2020 SHLAA as site EN001 Site Extension – Ennerdale Bridge. It is assessed as being deliverable within 5 years, with a capacity for 29 dwellings.

12.17 Despite the site being identified as a suitable site for housing development in the SHLAA, it is not proposed to be allocated in the Local Plan.

12.18 Persimmon considers that it provides a sustainable and sustainable location for housing, and it should be allocated for housing to assist in meeting the higher housing

need identified in the Housing Needs Report that accompanies these representations. The case for the site being suitable for a housing allocation is made below, with reference to:

- There are no constraints to residential development on the site
- The site is within a suitable and sustainable location for residential development, and
- Residential development on the site would be deliverable in the short term

### **Suitability**

#### **Absence of Constraints to Residential Development**

- 12.19 It is shown below that there would be no constraints to residential development on the site. In particular, development on the site would not negatively impact on landscape character and there would be no technical constraints to housing development, such as ecology or flood risk, contrary to what is stated in the Discounted Sites Document.

#### ***Landscape***

- 12.20 Development on the site would be a logical extension to the existing settlement. Existing development to the east extends further to the north than the site. Development on the site would therefore round off the settlement, with development located in between the existing development to the east and the existing development along Vicarage Lane.
- 12.21 As a result, the compact form of the village would remain and there would be no negative impact on landscape character or the character of the village. It is considered that this is acknowledged by the Council by proposing to include the site within the settlement boundaries in the Local Plan Preferred Options Draft.
- 12.22 The site is located outside of the boundary of the Lake District National Park and there is existing built development within the village between the site and the National Park boundary. There would therefore be no impact on the protected landscape of the National Park.
- 12.23 Landscape character is therefore not considered to be a constraint to development on the site.

#### ***Ecology***

- 12.24 As referred to above, the site does not comprise part of any international, national or local environmental designation. The nearest designated site is the River Ehen Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC), located to the rear of the dwellings on the southern side of Vicarage Lane. There is existing built development in between the site and this designated site and development on the site would not extend any closer to the SSSI and SAC than this existing development. It is therefore considered that there would be no negative impacts on the designated site from development on the site; however, potential mitigation measures could be identified and secured through a planning application, if necessary.

12.25 The Discounted Sites Document makes reference to the site being of considerable ecological value. However, as the 2021 Ecological Assessments have not been made available, it is not clear what evidence is available to demonstrate the site's alleged ecological value. It is noted that from the Discounted Sites Document that protected species surveys have not been undertaken. The ecological value of the site has not therefore been demonstrated. Such surveys could be undertaken as part of a planning application and appropriate mitigation measures could be undertaken as part of development.

12.26 The Discounted Sites Document also states that it would be unlikely that a Biodiversity Net Gain would be possible on the site. However, no evidence is provided to demonstrate this.

12.27 Therefore, contrary to what is stated in the Discounted Sites Document, it is considered that there are no ecology constraints that would prevent housing development on the site.

#### ***Heritage***

12.28 The site is located approximately 100m from the boundary of the Lake District National Park World Heritage Site (WHS). Development on the site would not encroach into the WHS or extend closer to the WHS than existing built development. As referred to above, the proposed development would not alter the character of the village or harm landscape character. It is therefore considered that there would be no harm to the setting of the WHS.

12.29 There are no listed buildings or other designated heritage assets located within 250m of the site.

12.30 Therefore, there are no heritage constraints that would prevent residential development on the site.

#### ***Ground Conditions***

12.31 That site has not been developed in the past. It is considered that there is unlikely to be any adverse ground conditions that would pose a constraint to housing development on the site.

#### ***Flood Risk***

12.32 The site is located within Flood Zone 1 and is therefore at low risk of flooding. Flood risk is not therefore a constraint to development on the site.

12.33 The Discounted Sites Document makes reference to surface water drainage constraints; however, no evidence has been provided of this and, as confirmed in the consultation comments from Cumbria County Council (as summarised in the Discounted Sites Document), if such constraints are present, development of the site would be able to mitigate.

#### ***Access***

12.34 Access to the site has been reserved from Vicarage Road and has specifically been designed to provide access to development on the site.



- 12.35 Access is not therefore a constraint to residential development on the site.

#### **Suitability of Location**

- 12.36 As referred to above, the site is accessible to the small number of services and facilities in Ennerdale Bridge. Bus services from the village also provide access to services in the surrounding villages and settlements, including employment areas in Rowrah. Future residents of the site would therefore have
- 12.37 Ennerdale Bridge is identified as a Sustainable Rural Village in the Local Plan. Draft Policy H4PU states that Sustainable Rural Villages could support a limited amount of growth to maintain communities. It is therefore considered that the village is a suitable location for development and additional development in the village would assist in maintaining its existing services for the benefit of existing and future residents.

#### **Suitability Conclusion**

- 12.38 There are no constraints that would make the site unsuitable for housing development. It is also located in a sustainable location for housing development
- 12.39 As a result, it is considered clear that the site is suitable for a housing allocation in the emerging Local Plan.

#### **Availability**

- 12.40 The site is under the ownership of Persimmon, a reputable housebuilder with a strong track record in the delivery of housing across the UK. It is therefore clearly owned and controlled by an experienced housebuilder. There are no legal or ownership restrictions affecting the land that would preclude or delay delivery.
- 12.41 The Site is therefore readily available with a realistic prospect of delivery within 5 years.

#### **Achievability**

- 12.42 Preliminary technical work has confirmed that a residential scheme could be developed viably within this location. The preceding sections of this Chapter demonstrate that the site is sustainable and there are no technical constraints impeding delivery.
- 12.43 Development on the site would therefore be deliverable within the short term.

#### **Summary**

- 12.44 Persimmon requests that the site is allocated for housing.
- 12.45 Paragraph 60 of the NPPF states that ensuring a sufficient amount and variety of land can come forward where it is needed is required in order to support the Government's objective of significantly boosting the supply of homes and to address the needs of groups with specific housing requirements.

- 12.46 As clearly demonstrated, the site is in a suitable location for housing development with access to services, facilities and infrastructure within Ennerdale Bridge and the surrounding area.
- 12.47 Ennerdale Bridge is identified as a Sustainable Rural Village in Policy H4PU. The draft policy states that Sustainable Urban Villages can support growth in order to maintain communities. For example, additional development could provide the additional population required to support and maintain local services. The Local Plan however, does not propose any allocations in Ennerdale Bridge however. The Vicarage Lane site is considered to be a sustainable site for housing development that would deliver the housing needed to maintain the community.
- 12.48 The site is not subject to any constraints that would prevent residential development and is available for development now.
- 12.49 Given the higher housing need identified in the Housing Needs Report that accompanies these representations, Persimmon considers that the site should be allocated now to allow development to come forward within the emerging Plan period in order to assist in meeting this higher housing need.

## 13. Policy N7PU: St Bees Heritage Coast

- 13.1 Policy N7PU was introduced to the draft Local Plan at the Focused Pre-Publication Consultation stage. It seeks to ensure that new development within, or that affects views into or the setting of, the St Bees Heritage Coast must preserve, protect and enhance the Heritage Coast and its setting.
- 13.2 Whilst Persimmon acknowledge the importance of protecting and enhancing the St Bees Heritage Coast and its setting, it is important to note that there are areas of the Heritage Coast and its setting that are already characterised by built development, including modern built development.
- 13.3 Such built development has influenced the character of the Heritage Coast and its setting somewhat, and has established that built development is considered acceptable in certain areas and now forms part of the character for parts of the Heritage Coast and its setting. Further built development in these areas, that does not further harm / influence the Heritage Coast and its setting, should therefore not be restricted.
- 13.4 For example, Persimmon have recently submitted a planning application for residential development on the Former Marchon Site, Whitehaven, including land to the north (LPA ref. 4/21/2432/0F1). Part of the proposed St Bees Heritage Coast area is to be extended to cut through part of the application site. However, as demonstrated within the Landscape and Visual Impact Assessment submitted in support of the hybrid planning application for the site, from the extended St Bees Heritage Coast area, the views of the proposed development would be limited to roof tops of homes on its western edge as set against the built form of the existing south western edge of Whitehaven. Therefore, effects on the Heritage Coast extension area are judged to be slight and negligible.
- 13.5 The policy should therefore take a flexible approach when assessing the potential influence on the Heritage Coast, accounting for the local development context of any proposed development. The policy should also seek to ensure that any impacts of development proposals are weighed against any benefits resulting from schemes, including improvements to public access / enjoyment / understanding of the Heritage Coast and the opportunities that development may bring to the area.
- 13.6 Paragraph 16(d) of the NPPF states that plans should “*contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to the development proposals*”.
- 13.7 The St Bee’s Heritage Coast is not a designated heritage asset, nor is it one of the landscape types referred to in paragraphs 176 and 177 of the Framework. It is therefore considered that by preventing major development along the heritage coast other than in exceptional circumstances, Policy N7PU, as currently drafted imposes a higher level of restriction than the NPPF. It is therefore not consistent with the NPPF. Such requirement should therefore be deleted from the policy.

- 13.8 Persimmon therefore considers that as currently drafted, Policy N7PU is not positively prepared and is not consistent with the NPPF. In order to make the policy sound, the text requires amendment as follows:

*New development within the vicinity of the Heritage Coast must conserve, protect and enhance the Heritage coast and its setting and take opportunities to encourage the public to enjoy and understand the area by improving public access and interpretation where possible. Developers should demonstrate that they have taken into consideration the features that contribute to the special character of the area and the importance of its conservation.*

***Developers should also demonstrate the benefits of development proposals and the positive impacts they would bring to the Heritage Coast, which will be weighed in the balance of any identified harm, where relevant."***

*Inappropriate development includes that which affects views within or towards/from the Heritage Coast.*

~~*Major development within the Heritage Coast is unlikely to be appropriate unless it is compatible with its special character and will only be permitted in exceptional circumstances"*~~



## 14. Conclusion

- 14.1 These representations have been prepared by Turley on behalf of Persimmon Homes (Lancashire) Ltd (hereafter referred to as "Persimmon"). The representations comment on the Publication Version Copeland Local Plan, which is subject to public consultation until 18 March 2022.
- 14.2 The Local Plan proposes to allocated the following sites which Persimmon has an interest for housing:
- HWH4: Land South and West of St Mary's School, Whitehaven
  - HWH5: Former Marchon Site North, Whitehaven
  - HSE2: Fairways Extension, Seascale
- 14.3 Persimmon supports these allocations; however, considers that Allocations HWH4 and HWH5 should be increased in size to include all of the land within the red line shown on the plan at Appendix 2. Persimmon has recently submitted a hybrid planning application for residential development on this land. It is considered that the inclusion of this land within the allocation would ensure that a comprehensive development of the former Marchon Works sites can take place.
- 14.4 The representations are accompanied by a Housing Needs Report that considers the housing requirement in the Local Plan. The Housing Needs Report concludes that the housing requirement in Policy HPU2 is too low and does not fully reflect the Council's aspirations for economic growth. The current housing target in Policy H2PU is not justified or positively prepared therefore, and is unsound. The Housing Needs Report concludes that the housing requirement should be increased to 300 dwellings per annum in order to sustain economic growth in the Borough and meet the Council's aims and objectives.
- 14.5 As a result of the above, the Local Plan does not identify sufficient sites to meet the increased housing need, even with the windfall allowance referred to in Policy H2PU. As a result, without identifying further land for housing development, the Local Plan would not be positively prepared and would be unsound.
- 14.6 Persimmon therefore considers that the following sites should also be allocated within the Local Plan to provide additional housing supply during the Plan period:
- Land south of Laurel Bank, Whitehaven;
  - Land at Melrose, Egremont; and
  - Vicarage Lane, Ennerdale Bridge.
- 14.7 Persimmon considers that these site, which are not proposed for allocation in the Publication Version Local Plan, provide sustainable and suitable sites to meet the higher housing need. All of the sites are located in suitable locations for housing

development and are available. Housing development on these sites would therefore be achievable within the Plan period and they should be allocated in order to meet the identified higher housing need.

14.8 In addition, Persimmon also considers that the following policies requirement amendment in order to provide additional scope for a higher level of housing growth and ensure that the Local Plan is positively prepared and sound:

- Policy H1PU should be amended so that it allows for windfall development on the edge of settlements, outside of the Settlement Boundaries defined in the Plan.
- Policy DS4PU should be amended so that windfall development that adjoins the Settlement Boundaries of any settlement is allowed in the circumstances outline in the policy.
- Policy H3PU should be amended to require a partial or full review of the Local Plan where housing development in Sustainable Rural Villages falls below expectations in order to allow additional sites to be identified and allocated.
- The Settlement Boundaries of Ennerdale Bridge should be amended to include Persimmons Vicarage Lane site. The currently tightly drawn Settlement Boundaries around the settlement do not allow for future development to meet the needs of the settlement. The site provides a suitable opportunity for housing development to meet the needs of the settlement and should be included within the settlement limits to allow development to take place.

14.9 Persimmon also considers that Policy N7PU (St Bees Heritage Coast) is not consistent with national policy as currently drafted, as it more restrictive than policy in the NPPF and therefore not sound. The policy should be amended to remove reference to development within the Heritage Coast only being allowed in exceptional circumstances and should state that the benefits of development on the Heritage Coast will be considered in the planning balance.

14.10 Persimmon reserves the right to add to, amend or withdraw these representations if necessary and would like to be involved in the Local Plan Examination in Public.

## **Appendix 1: Housing Needs Report**

**Appendix 2:    Former Marchon Chemical Works  
Hybrid Planning Application Site  
Plan**



## **Appendix 3: Fairways Extension Location Plan**

## **Appendix 4: Land South of Laurel Bank Location Plan**

## **Appendix 5: Land South of Laurel Bank LVIA**

## **Appendix 6: Land South of Laurel Bank Indicative Parameters Plan**



## **Appendix 7: Melrose Location Plan**

## **Appendix 8: Vicarage Lane Location Plan**

[Insert text here]

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**Copeland Local Plan Publication Version**  
Representations on behalf of Persimmon  
Homes (Lancashire) Ltd

March 2022



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## Client

Persimmon Homes (Lancashire) Limited

## Our reference

PERM3005

4 March 2022

# 1. Introduction

- 1.1 These representations have been prepared by Turley on behalf of Persimmon Homes (Lancashire) Ltd (hereafter referred to as "Persimmon"). The representations comment on the Publication Version Copeland Local Plan, which is subject to public consultation until 18 March 2022.
- 1.2 Turley has previously prepared and submitted site specific representation on the Preferred Options and Pre-Publication Focused Consultation drafts of the Copeland Local Plan in November 2020 and October 2021 respectively. Those representations comments on various draft policies, but also promoted the allocation of a number of sites in Copeland which Persimmon has interests in. These include:
- Land south and west of St Mary's School and the Former Marchon Site, Whitehaven
  - Fairways Extension, Seascale
  - Land south of Laurel Bank, Whitehaven,
  - Melrose, Egremont
  - Vicarage Lane, Ennerdale Bridge.
- 1.3 In November 2020, representations were also submitted on the Copeland Housing Needs Report, and a joint representation with Gleeson Homes was submitted on the development strategy, housing requirement and settlement hierarchy proposed in the Preferred Options Version of the Local Plan.
- 1.4 The emerging Local Plan will be subject to an independent examination into its soundness and legal compliance. The tests of soundness are presented in paragraph 35 of the National Planning Policy Framework (NPPF). This notes that Local Plans are sound only if they are:
- **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
  - **Justified** – an appropriate strategy taking into account reasonable alternative, and based on proportionate evidence;
  - **Effective** – deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
  - **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies of the Framework.

- 1.5 These representations comment on the soundness of the policies in the Publication Version Local Plan in the context of the above-mentioned tests of soundness. The representations should be read alongside Persimmon's previous representations on the Copeland Local Plan referred to in paragraphs 1.2 and 1.3.

### **Structure**

- 1.6 The structure of these representations is as follows:

- Section 2 – Policy HP2U: Housing Requirement
- Section 3 – Policy H1PU: Improving the Housing Offer
- Section 4 – Policy H3PU: Housing Delivery
- Section 5 – Policy DS4PU: Settlement Boundaries
- Section 6 – Policy H5PU: Housing Allocations
- Section 7 – Proposed Allocation HWH4: Land South and West of St Mary's School and Proposed Allocation HWH5: Former Marchon Site North
- Section 8 – Proposed Allocation HSE2: Fairways Extension, Seascale
- Section 9 – Additional Housing Opportunity Sites
- Section 10 – Opportunity: Land South of Laurel Bank, Whitehaven
- Section 11 – Opportunity: Melrose, Egremont
- Section 12 – Opportunity: Vicarage Lane, Ennerdale Bridge
- Section 13 – Policy N7PU: St Bees Heritage Coast
- Section 14 – Conclusion

## 2. Policy H2PU: Housing Requirement

- 2.1 Policy H2PU outlines the proposed housing requirement for Copeland, this being a minimum of 2,482 net additional dwellings (an average of 146 dwellings per annum). The draft policy goes on to state that, in order to plan positively and support employment growth over the plan period, a range of attractive allocated sites, when combined with future windfall development, previous completions and extant permission, will provide a minimum of 3,400 dwellings (an average of 200 dwellings per annum) over the Plan period (2021 to 2038).
- 2.2 As referred to in Section 1 of this statement, Persimmon and Gleeson Homes submitted a technical critique of the housing requirement (hereafter referred to as the "Housing Needs Report") to the Preferred Options Draft of the Copeland Local Plan. A copy of this report is attached at Appendix 1. The housing requirement in the Preferred Options draft was slightly lower (2,520 dwellings / 140 per annum) than that in the Publication Version Plan; however the conclusions reached in the Housing Needs Report remain valid, and are summarised below.
- 2.3 The NPPF, at paragraph 17 makes it clear that Local Plans must include strategic policies to address the identified priorities for the development and use of land across the Borough. These policies must address social, economic and environmental objectives in "mutually supportive ways....."<sup>1</sup>, mindful that they are interdependent components of achieving sustainable development.
- 2.4 In respect of social objectives, as per paragraph 20 of the NPPF, the strategic policies of the Local Plan must make sufficient provision for housing, including affordable housing. This should be achieved by ensuring a "sufficient amount and variety of land"<sup>2</sup>..... is made available".
- 2.5 In accordance with paragraph 61 of the NPPF, the minimum amount of new homes needed across Copeland should be identified using the Government's "standard method". The Planning Practice Guidance (PPG) makes clear that the housing need figure calculated by the standard method is a minimum "starting point"; it therefore makes clear that there will be circumstances where "the actual housing need is higher than the standard method indicates"<sup>3</sup>.
- 2.6 At the time of writing, the standard method calculation for Copeland remains the same as it was when the Housing Needs Report was drafted (11 dwellings per annum). As outlined in the Housing Needs Report, the standard method calculation for Copeland is evidently not credible when the Borough has consistently delivered at least 110 dpa over the past decade, at an average of 133 dpa<sup>4</sup>. This is clear evidence that the scale of the need and demand for new homes in the Borough is significantly higher than the standard method indicates.

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<sup>1</sup> Paragraph 8, NPPF (July 2021)

<sup>2</sup> Paragraph 60, NPPF (July 2021)

<sup>3</sup> Paragraph 010, Reference ID: 2A-010-20190220

<sup>4</sup> Publication Version Local Plan, Figure 8



- 2.7 This is primarily due to the reliance of the standard method upon trend-based demographic projections which assume a sustained decline in the Borough's population due to the impact of a continued ageing population. However, this does not align with the Council's aspiration to depart from past trends to boost economic growth and ensure a sustainable future for the Borough.
- 2.8 Therefore, within the context of the PPG, "previous levels of housing delivery" undoubtedly signal a "significantly greater" need for housing in Copeland than implied by the standard method, and as such it is clearly "appropriate to plan for a higher level of need"<sup>5</sup>.
- 2.9 Furthermore, the Council's aspiration to depart from past trends is built on a consideration of investment potential in the borough with specific reference to its major employers and sectorial specialisms. The realism of achieving employment growth must be considered in the context of the success the borough has had over recent years in creating new employment opportunities. It is critical that this growth is sustained and its full benefits realised within the borough with the supply of an adequate quantity and breadth of housing critical to achieving this objective.
- 2.10 Persimmon supports the Council's positive approach in identifying that the full need for housing exceeds that set through the standard method. However, it is considered that the minimum housing requirement of 143 dpa outlined in draft Policy HPU2 does not fully reflect the Council's aspirations for economic growth, rather it is 'demographic-led'. Indeed, this figure does not include consideration of supporting future employment growth.
- 2.11 Therefore, the current housing requirement and associated draft policy are considered to be unsound as it is not 'positively prepared' in relation to meeting the Borough's objectively assessed needs, is not fully 'justified' when taking into account the Council's aspirations and consequently is not consistent with national policy as it would fail to significantly boost the supply of housing, as set out in paragraph 60 of the NPPF.
- 2.12 As justified in the attached Housing Need Report, Persimmon considers that the minimum housing requirement for the borough should be 300 dpa which reflects the 'employment-led growth' which will ensure the delivery and be "*mutually supportive...*"<sup>6</sup> of economic growth in the Borough and assist the Council in meeting its stated aims and objectives.
- 2.13 Persimmon therefore considers that the housing requirement in Policy HPU2 should be increased to 300 dpa in order to make the plan sound. Further justification for why a 300 dpa requirement would be the most appropriate housing requirement is set out in the Housing Needs Report attached at Appendix 1.

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<sup>5</sup> Paragraph 010, Reference ID: 2A-010-20190220

<sup>6</sup> Paragraph 8, NPPF

### 3. Policy H1PU: Improving the Housing Offer

3.1 Policy H1PU sets out that the housing requirement in Policy H2PU will be delivered through the following measures:

- (a) Allocating a range of deliverable and attractive housing sites to meet local needs and aspirations;
- (b) Supporting the renewal and improvement of the Borough's existing housing stock and bringing empty properties back into use;
- (c) Supporting proposals which aid the regeneration of the wider residential environment;
- (d) Approving housing development on appropriate windfall sites within the settlement boundaries where it accords with the Development Plan; and
- (e) Ensuring a consistent supply of deliverable housing sites is identified through an annual Five Year Housing Land Supply Position Statement

3.2 As set out in Policy H2PU (and referred to above in paragraph 2.1), the allocations in the Local Plan and a windfall allowance would deliver 3,400 dwellings (an average of 200 dwellings per annum) over the Plan period. Whilst this is higher than the minimum housing target in Policy H2PU of 2,482 net additional dwellings (an average of 146 dwellings per annum), it would be lower than requirement of 300 dpa identified in the attached Housing Needs Report that is considered to necessary to support economic growth.

3.3 Part d of Policy H1PU restricts windfall development outside of the settlement boundaries. Given that the proposed allocations in the Local Plan and a windfall allowance would not deliver the 300 dpa considered necessary to support economic growth, it is considered that by restricting windfall development to sites within the settlement boundary Policy H1PU is not positively prepared and is therefore unsound.

3.4 Persimmon considers that Policy H1PU should be amended so that it allows for windfall development on sites outside of settlement boundaries, where they are well related to the settlement, for example where development would result in the rounding off of a settlement. This would provide greater flexibility in housing supply, assisting to meet the requirement of 300 dpa considered necessary in the attached Housing Needs Assessment.

3.5 Development on sites well related to the settlement boundaries would continue to ensure that development takes place in locations that are sustainable and have access to facilities and services within settlements, whilst assisting to meeting the housing requirement necessary to deliver economic growth.

3.6 Additionally, notwithstanding Persimmon's comments on Policy DS4PU (see section 5), Policy DS4PU allows for housing development outside of the settlement boundaries of a Town or Local Service Centre where the site is well related to and directly adjoins the

settlement boundary. Policy H1PU does not therefore align with the requirements of Policy DS4PU and should be amended so that the requirements of the two policies are the same (including Persimmon's suggested amendment to Policy DS4PU)

3.7 The following amendment to part d of Policy H1PU is therefore requested:

"d) Approving housing development on appropriate windfall sites ~~within~~ **that relate well to** the settlement boundaries where it accords with the Development Plan....."

## 4. Policy H3PU: Housing Delivery

4.1 Part 3 of Policy H3PU commits the Council to a full or partial review of the Local Plan if during any monitoring year, housing delivery has exceed expectations within the Sustainable Rural Village and Rural Village tiers in the settlement hierarchy which may put the development strategy in the Local Plan at risk.

4.2 Persimmon questions whether the above approach is justified and therefore whether the policy is sound. The housing requirement in Policy H2PU and the distribution of housing in Policy H4PU should be treated as minimums, not ceilings. An exceedance of the minimum housing target in a settlement or settlement tier should would not prevent further development coming forward in other locations or other settlement tiers, where that development accords with other policies in the Local Plan. It is not therefore considered necessary for a local plan review if development expectations in one settlement or settlement tier exceeds expectations.

4.3 On the contrary, Persimmon considers that a review of the Local Plan should take place if development in a settlement or tier of settlements falls significantly below expectations. The sustainable rural villages and rural villages are some of the settlements in the Borough where housing pressures, and in particular affordable housing need, is most acute. If housing delivery in these settlements therefore drops significantly below expectations it could have negative consequences on the availability of a suitable mix of housing to meet needs and the availability of affordable housing in those settlements. Furthermore, it could also potentially impact on the ongoing sustainability of that settlement and the overall objective of boosting the economy of the Borough. It is therefore important that the Local Plan contains a mechanism that allows for an early review if delivery in these settlements drops below expectations in order to investigate and address the reasons for this, potentially through the allocation of more sites for housing development or amending settlement boundaries.

4.4 Without including a mechanism for a local plan review if housing delivery drops below expectations, the plan is not comply with the Government's objective of significantly boosting housing supply, and would therefore be contrary to paragraph 60 of the NPPF and unsound.

4.5 Persimmon therefore considers that Part 3 of Policy H3PU should be amended as follows:

*"If evidence suggests that, at the end of any monitoring year, housing delivery has ~~exceeded~~ **has fallen below** expectations within the Sustainable Rural Village and Rural Village tiers in the settlement hierarchy which may put the overall Development Strategy at risk the Council will consider carrying out a full / partial Local Plan Review."*

4.6 It is considered that the above policy amendment would mean that Policy H3PU is more positively prepared and is necessary to make it sound.



## 5. Policy DS4PU: Settlement Boundaries

- 5.1 Policy DS4PU sets out the criteria that will be used to determine whether development can take place outside of the Settlement Boundaries shown on the Proposals Maps. Part 1a) of the policy states that, subject to the other criteria in the Policy, and other policies in the Local Plan being met, housing development outside of the settlement boundaries will be allowed where the site is well related to and directly adjoins the settlement boundary of a town or Local Service Centre.
- 5.2 Persimmon considers that the policy should also allow for housing development on sites well related to and directly adjoin the settlement boundaries of other settlement tiers, particularly where there is limited scope for growth within the settlement boundaries. This is particularly important in the Sustainable Rural Villages. Policy H4PU (Distribution of Housing) states that development in the Sustainable Rural Villages will be allowed where it is required to support economic growth. However, with the Settlement Boundaries being drawn tight to the existing built-up area of a number of the Sustainable Rural Villages – Ennerdale Bridge in particular – and no allocations in a number of those settlements there is very limited scope for development within the Settlement Boundaries. There is therefore no, or very limited, opportunities for additional development to the level shown in Policy H4PU in some of the Sustainable Rural Villages and therefore limited opportunity for growth in the Sustainable Villages that is necessary to sustain and grow their service offer.
- 5.3 This is particularly true of Ennerdale Bridge, where the settlement boundaries are drawn tight to the existing built up area of the settlement in the Publication Version Plan and there are no proposed allocations within the settlement. Persimmon owns a site at Vicarage Lane, Ennerdale Bridge, details of which are provided at Section 12. The settlement boundaries of Ennerdale Bridge were drawn to include the site in the Preferred Options Draft of the Local Plan, but were amended in the Focused Pre-Publication Draft to exclude the site. The reasoning given for this removing the site from the Settlement Boundaries is set out in the Discounted Sites document<sup>7</sup>. These include infrastructure constraints and ecological constraints, both of which are disputed by Persimmon, and it is considered that the site provides a suitable and sustainable location for housing development to support the economic growth of Ennerdale and its hinterland (see Section 12 of these representations).
- 5.4 In light of the above, Persimmon considers that Policy DS4PU, as currently drafted in unsound as it restricts windfall development in the Sustainable Rural Villages and is therefore not positively prepared. The following changes to Part a) of Policy DS4PU are considered necessary in order to make the policy sound:
- "a) the site is well related to and directly adjoins the settlement boundary of a town or Local Service Centre....."*
- 5.5 In addition, Persimmon considers that the Settlement Boundaries of Ennerdale Bridge should be amended to include its Vicarage Lane site.

<sup>7</sup> [https://www.copeland.gov.uk/sites/default/files/attachments/discountedsiteprofiles\\_0.pdf](https://www.copeland.gov.uk/sites/default/files/attachments/discountedsiteprofiles_0.pdf), page 24

- 5.6 Notwithstanding the requested amendments to Policy DS4PU above, the Policy would remain very restrictive in terms of residential development outside of settlement boundaries due to Part c) of the Policy only allowing development on windfall sites in situations where the council is unable to demonstrate a 5 year deliverable housing supply or there has been previous under-delivery against the housing requirement or 3 years or more. Whilst it is understood that the purpose of these restrictions are to ensure that in settlements where there is opportunity for windfall development within the Settlement Boundaries, land within the Settlement Boundaries is developed first. However, as stated above, in settlements such as Ennerdale Bridge there is no opportunity for windfall development within the Settlement Boundaries due to them being tightly drawn to the existing built up area and no allocations are proposed. As a result, there is no opportunity for further development in Ennerdale Bridge and therefore very limited opportunity for Ennerdale Bridge to perform its role as a Sustainable Rural Village and accommodate development to maintain the community.
- 5.7 Persimmon therefore requests that the settlement boundaries of Ennerdale Bridge are amended to include the site, as was the case with earlier drafts of the Local Plan. It is also requested that the site is allocated for residential development. Justification for this is provided in Section 12 of these representations.

## 6. Policy H5PU: Housing Allocations

6.1 Policy H5PU allocates sites for housing development during the Plan period.

6.2 Persimmon supports the allocation of the following sites over which it has an interest:

- HWH4: Land South and West of St Mary's School, Whitehaven
- HWH5: Former Marchon Site North, Whitehaven
- HSE2: Fairways Extension, Seascale

6.3 The above sites are considered to be suitable for housing development and will all be able deliver housing within the Plan period. Further details of each site, their suitability for housing development and information on the deliverability of each site is provided in Sections 7 and 8 of these representations.

6.4 Notwithstanding the support for these allocations, Persimmon considers that amendments are necessary to proposed allocations HWH4 and HWH5 to include additional land. Reasoning for this is set out in Section 7.

6.5 As referred to in Section 2 of these representations and the accompanying Housing Needs Report, Persimmon is of the opinion that the minimum housing requirement in Policy H2PU should be increased to 300 dpa in order to meet the full economic ambitions of the Borough. The Local Plan does not allocate sufficient sites to deliver 300 dpa, and would still fall short with the windfall allowance referred to in Policy H2PU. Persimmon is therefore of the opinion that additional sites should be allocated in the Local Plan in order to deliver the 300 dpa requirement considered necessary in the accompanying Housing Needs Report and to make the Local Plan sound.

6.6 Persimmon has promoted the following sites at various stages of consultation on the Copeland Local Plan:

- Land south of Laurel Bank, Whitehaven;
- Land at Melrose, Egremont; and
- Vicarage Lane, Ennerdale Bridge.

6.7 Persimmon considers that these site, which are not proposed for allocation in the Publication Version Local Plan, provide sustainable and suitable sites to meet the higher housing need. All of the sites are located in suitable locations for housing development and are available. Housing development on these sites would therefore be achievable within the Plan period and they should be allocated in order to meet the identified higher housing need.

6.8 Justification for these additional sites being included as allocations in the Local Plan is provided in Sections 9 to 12.

## 7. Proposed Allocation HWH4: Land South and West of St Mary's School and Proposed Allocation HWH5: Former Marchon Site North

### Background

- 7.1 The Former Marchon Site North and the adjacent Land South and West of St Mary's School provide an opportunity for a comprehensively planned residential development in a sustainable location on the edge of the Principal Town of Whitehaven; redeveloping a large previously developed site. Persimmon supports the allocation of these sites for housing in the Local Plan and the inclusion of these sites within the amended settlement boundary of Whitehaven
- 7.2 Persimmon has land interests in the Former Marchon site and the adjacent land to the north. It has entered into a contract with the landowner of the land to the north of the former chemical works site to deliver a residential development and a hybrid planning application has been submitted proposing a development of up to 139 dwellings<sup>8</sup>.
- 7.3 However, part of this application site has been excluded from proposed allocation HWH5 and is located outside of the proposed settlement boundary of Whitehaven.
- 7.4 This "additional land" is not subject to any constraints that would prevent residential development in the short-term and provides the opportunity to deliver additional housing as part of a comprehensive development of the area, contributing towards the higher housing need identified in the Housing Needs Report that accompanies these representations.
- 7.5 Persimmon therefore requests that proposed allocations HWH4 and HWH5 are amended so that allocation HWH5 includes all of the land within Persimmon's control, including all of the land shown within the red line of the Location Plan submitted with the hybrid planning application (attached at Appendix 2) and all of this land is included within the proposed settlement boundary of Whitehaven.

### Proposed Allocations in the Copeland Local Plan Publication Version

#### Proposed Housing Allocations

- 7.6 The Former Marchon Site North is identified as a housing allocation in the Local Plan Publication Version (ref: HWH5). Policy H5PU identifies the site as having capacity for around 532 dwellings. The site is assessed in the 2020 SHLAA as site ref: WW014, which identifies the site as being deliverable within 5 years.
- 7.7 Part of the site is also assessed in the 2020 SHLAA as site ref: WW022: Land West of Waters Edge Close and identified as being suitable for housing and deliverable within 5 years. SHLAA site WW022 is also proposed as an allocation in Policy H5PU, as part of draft allocation HWH4: Land South and West of St Mary's School. That allocation also

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<sup>8</sup> Ref: 4/21/2432/OF1



includes some further land to the north which Persimmon do not control. Policy H5PU states that the site has the capacity for 60 dwellings.

- 7.8 Proposed Applications HWH4 and HWH5 do not include the western part of the site shown within the red line of the hybrid planning application (shown on the plan attached at Appendix 2), which is shown to be located outside of the settlement boundary of Whitehaven in the Publication Version Local Plan.
- 7.9 The capacity of the site in the proposed allocation (532 dwellings) does not therefore include the 139 dwellings that could be delivered as part of the current hybrid planning application. Persimmon therefore considers that the allocation should be amended to reflect the true capacity of the site, which is up to 700 dwellings.

#### **Requested Changes to Proposed Allocations HWH4 and HWH5**

- 7.10 Whilst Persimmon supports the proposed HWH4 and HWH5 allocations in the Local Plan Publication Version, the following changes to these allocations and the settlement boundaries are requested:
- The boundaries of proposed allocations HWH4 and HWH5 are amended so that all of the land under Persimmon's control, including all of the land within the red line of the hybrid planning application (Appendix 2) is included within proposed allocation HWH5.
  - The settlement boundary of Whitehaven is amended to also include all of this land.
  - The number of dwellings in the allocation is increased to 700 to better reflect the 139 dwellings proposed as part of the current planning application for the "additional land".
- 7.11 Notwithstanding the hybrid planning application awaiting determination for the site, the inclusion of all of the land under Persimmon's control in allocation HWH5, including any land currently shown in Proposed Allocation HWH4 and an extension of allocation HWH5 to include the additional land referred to above, as well as an amendment to the proposed settlement boundaries to include this land, would allow this additional housing to be delivered as part of the wider redevelopment of the former Marchon Chemical Works site, providing a comprehensively planned and integrated development. This is a significant benefit that would not likely occur with standalone sites on the edge of the settlement boundaries elsewhere in the Borough.
- 7.12 Additionally, given the findings of the Housing Needs Report that accompanies these representations that the housing requirement for Copeland needs to be increased from 143 dwellings per annum to 300 dwellings per annum, it is likely that additional sites will need to be identified in order to meet the housing needs of Copeland over the plan period. The inclusion of the additional area of land currently not included in the allocations would provide an opportunity for additional housing to be brought forward to contribute towards meeting this increased need in a highly sustainable location.

7.13 We set out below reasoning for why the area of the site currently excluded from the proposed allocations (hereafter referred to as “the additional land”) is suitable for housing development and should be included within the allocation, with specific reference being made to the following:

- There are no constraints to residential development on the additional land
- The additional land is within a suitable and sustainable location for residential development, and
- Residential development on the additional land would be deliverable in the short term.

### **Suitability**

#### **Absence of Constraints to Residential Development**

7.14 It is shown below that there would be no constraints to residential development on the additional land. In particular, the additional land has limited landscape character and there would be no technical constraints to housing development, such as ecology or flood risk.

#### ***Landscape***

7.15 A Landscape and Visual Impact Assessment (LVIA) has been submitted with the hybrid planning application<sup>9</sup>.

7.16 The LVIA therefore that substantial-moderate and negative visual effects would be localised and limited to a small number of residents at home at Waters Edge and moderate and negative effects on landscape character would be localised and limited, especially when considering the mitigation measures proposed as part of the planning application, including a vast area of open space to the west of the Phase 1 development.

7.17 Additionally, due to the proximity of the proposed development to existing housing development and the poor landscape condition of the majority of the site, the landscape has some ability to absorb the proposed development

7.18 As such, it is considered that landscape impact is not a constraint to development on the additional land.

#### ***Ecology***

7.19 The additional land does not comprise part of any international, national or local environmental designation. The nearest designated site is St Bees Head Site of Special Scientific Interest (SSSI), located approximately 200 m to the west. Development on the additional land would not encroach any closer to the SSSI than the development on the allocated part of the former Chemical Works site.

7.20 Development on the additional land would provide the opportunity to deliver comprehensive mitigation measures to avoid impact on the SSSI in conjunction with

<sup>9</sup> [https://www.copeland.gov.uk/sites/default/files/planning-applications/163\\_landscape\\_and\\_visual\\_appraisal\\_210817\\_reduced.pdf](https://www.copeland.gov.uk/sites/default/files/planning-applications/163_landscape_and_visual_appraisal_210817_reduced.pdf)

the development on the currently proposed allocation. Ecology Surveys and Reports submitted with the hybrid planning application confirm that subject to mitigation measures proposed in the planning application, there would be no negative impact on ecological receptors

- 7.21 It is therefore considered that there would not be any ecology constraints to extending the proposed allocation and settlement boundary to include the additional land.

#### ***Heritage***

- 7.22 There are no designated heritage assets within a 250m radius of the site. It is therefore unlikely that there would be any heritage constraints to housing development on the site and therefore no constraints in this respect to extending the allocation and settlement boundary to include the additional land. This is concluded by the Heritage Impact Assessment submitted with the hybrid planning application for the site<sup>10</sup>.
- 7.23 In addition, development of the site offers the opportunity to reveal the industrial history of the site through archaeological investigations and potential measures such as the inclusion of information boards linking the development to the site's past.

#### ***Ground Conditions***

- 7.24 Whilst it is acknowledged that the former chemical works site is subject to high levels of contamination due to its former use (initial testing and intrusive investigations have taken place over the past decade), it is considered that the additional land would not be subject to such levels of contamination. The additional land is located outside of the site of the former chemical works and has previously been used as pasture. It is considered that the additional land would not be subject to levels of contamination that would require significant levels of remediation, although this would need to be confirmed through appropriate investigations.
- 7.25 Ground conditions would not therefore be a constraint to housing development on the site, and the anticipated lower level of contamination compared to the former chemical works part of the site, would mean that housing development on this area of the site could be delivered as an initial phase, providing much needed housing in the early years of the Local Plan.

#### ***Flood Risk***

- 7.26 The site is located within Flood Zone 1 and is therefore at low risk of flooding. Flood Risk would not be a constraint to residential development on the site.

#### ***Access***

- 7.27 The land proposed to be allocated as part of a proposed allocation HWH4 benefits from access from High Road, to the north of the Waters Edge development, using existing roads that previously provided access to the former chemical works. The additional land would be able to be accessed using these roads through the area of the site currently proposed for an allocation.

<sup>10</sup> [https://www.copeland.gov.uk/sites/default/files/planning-applications/hia\\_former\\_chemical\\_works\\_whitehaven\\_cl12200\\_reduced.pdf](https://www.copeland.gov.uk/sites/default/files/planning-applications/hia_former_chemical_works_whitehaven_cl12200_reduced.pdf)

7.28 Access is therefore not a constraint to housing development on the site.

#### **Suitability of Location**

7.29 The additional land is in a suitable location for housing development. It is located in close proximity to a range of facilities, services and infrastructure within the existing built up area of Whitehaven. These include:

- Primary and infant schools such as St Mary's Catholic Primary School and Kells Infant School located approximately 0.2 miles from the site
- Retail opportunities such as a Nisa Local on Woodhouse Road adjacent to the site and a Coop store approximately 0.3 miles from the site on Lakeland Avenue
- Health facilities such as a pharmacy, adjacent to the site on High Road
- Recreation facilities including playing fields at Kells RLFC and a children's play area on High Road, both approximately 0.3 miles from the site, as well as opportunities for coastal walks to the west of site.

7.30 The nearest bus stops to the site are located on Ennerdale Terrace and Rydal Avenue, approximately 140m from the site. These bus stops provide access to regular services to destinations including Whitehaven and Greenbank. The proposals would allow for a looped bus route through the main site that could bring services even closer.

7.31 The proposed allocation of sites HWH4 and HWH5 shows that the Council accepts that this location is a sustainable location for housing development. The Copeland Local Plan 2017-2035 Integrated Assessment of the Preferred Options and Issues and Options Drafts shows that both sites score well when assessed against accessibility, health and wellbeing and sustainable economy criteria, indicating that the site is in a sustainable location for housing development.

7.32 The additional land is also well-located in relation to existing and planned residential development. It would fill a small gap between the existing development at Waters Edge Close and Colliers Way and the development that would take place within the existing extent of the two proposed allocations.

7.33 The allocation of the additional land within the proposed allocation HWH5 would allow the site to be brought forward in combination with this allocation, providing a comprehensive residential development of the area.

#### **Suitability Conclusion**

7.34 The additional land is considered suitable for residential development and it is requested that the proposed settlement boundary of Whitehaven and proposed allocation HWH5 are amended to include the additional land.

7.35 There are no constraints to development that would make the additional land unsuitable for residential development and it is located within a sustainable location for housing development.



- 7.36 Given the findings of the Housing Needs Report that accompanies these representations that the housing requirement in the Local Plan Publication Version should be increased, it is considered increasingly important that additional sites are identified to meeting housing need. Therefore, whilst the additional land is currently located outside of the proposed settlement boundaries, it is not considered that this should be a constraint to residential development on the site. It is well-located in relation to existing and planned development and would represent an acceptable small scale extension to the existing urban area that would not negatively impact on landscape quality.
- 7.37 The inclusion of the additional land within the proposed allocation would provide the opportunity for it to come forward as part of a comprehensive residential development alongside the current extent of proposed allocation HWH5.

### **Availability**

- 7.38 The SHLAA assessment of the additional land as part of the much larger parcel WW025 (Whitehaven Coastal Fringe) states that the land is not available. This is not the case in respect of the area over which Persimmon's Phase has an interest. Whilst it is not currently under the ownership of Persimmon, Persimmon have entered into a contract with the landowner to develop the site and the adjacent land currently proposed as part of proposed allocation HWH4 for housing. The additional land is therefore considered to be available in the short term.
- 7.39 Additionally, Persimmon is contracted over the adjacent land within the former Marchon Site North currently included in proposed allocation HWH5 and is able to bring forward all of the land shown on the plan attached at Appendix 2 forward as a comprehensive development. The submission of a hybrid planning application for the site demonstrates its availability.

### **Achievability**

- 7.40 Technical work undertaken as part of the hybrid planning application for the Former Marchon Chemical Works site and adjacent land has confirmed that there are no constraints that would prevent or delay a residential development on the site. This means that the site could be developed within the plan period.

### **Summary**

- 7.41 Persimmon supports the proposed allocation of the Former Marchon Works North site (HWH5) and the proposed allocation of the Land to the South and West of St Mary's School (HWH4).
- 7.42 It is requested that the proposed HWH5 allocation is extended to include all of the land shown on the plan attached at Appendix 2 of these representations, including the additional land to the west of these allocations that is not currently proposed for allocation and the total number of dwellings that could be delivered within the allocation is increased to 700. It also requests that the proposed settlement boundaries are extended to include this "additional land".

- 7.43 The Housing Needs Report that accompanies these representations identifies a need to increase the housing requirement in the Local Plan. As a result, it is considered imperative that additional housing allocations are identified.
- 7.44 The additional land is suitable for residential development. It is not subject to constraints that would prevent housing development and, like the adjacent proposed allocations, is in a location suitable for housing development.
- 7.45 As demonstrated by the document submitted in support of the hybrid planning application for the site there are no constraints to development on the site and the site would be developable and deliverable within the Plan period

## 8. Proposed Allocation HSE2: Fairways Extension, Seascale

### Background

- 8.1 Persimmon supports proposed allocation HSE2 in the Local Plan Preferred Options Report and the proposed amendment to the settlement boundary of Seascale to include the site. The site is in a sustainable location for housing development and development on the site would fill a small gap within the existing settlement, thereby having no impact on landscape character.
- 8.2 The plan attached at Appendix 3 shows the extent of Persimmon's ownership.

### Proposed Allocations

- 8.3 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.
- 8.4 The Fairways Extension site has been assessed as a deliverable residential site in the 2020 SHLAA (ref: SE024) and is proposed for allocation in the Local Plan (ref: HSE2) for 22 dwellings.
- 8.5 It is also proposed in the Local Plan that the settlement boundary of Seascale will be amended to include the proposed allocation.
- 8.6 The proposed amendment to settlement boundaries and the proposed Fairways Extension allocation in the Local Plan Preferred Options draft is supported by Persimmon.
- 8.7 The case for this is made below, with reference made to the following:
- There are no constraints to residential development on the site
  - The site is within a suitable and sustainable location for residential development, and
  - Residential development on the site would be deliverable in the short term

## **Suitability**

### **Absence of Constraints to Residential Development**

- 8.8 It is shown below that there would be no constraints to residential development on the site. In particular, development on the site would not negatively impact on landscape character and there would be no technical constraints to housing development, such as ecology or flood risk.

### **Landscape**

- 8.9 The site is well related to the existing built-up area of Seascale and development would fill a gap between existing urbanised features. To the east of the site, the existing housing development along Coniston Avenue extends as far as the site's northern boundary. There is also a dwelling to the north of the site, at the end of Croft-Head Road. To the west is the driving range of Seascale Golf Course. Whilst this is a green feature, it is not a natural feature and is considered to be urban in character. Development on the northern part of the site would therefore fill the gap between these built-up areas. Being a gap in between built development, the site does not have the character of the countryside landscape located to the north, rather it appears as a gap in the urban environment. The northern boundary of the site, as proposed by Persimmon, would be a natural boundary between the urban area and the countryside beyond.
- 8.10 Persimmon therefore considers that landscape impact would not be a constraint to development on the land to the north of proposed allocation HSE2.

### **Ecology**

- 8.11 The land to the north of proposed allocation HSE2 does not comprise part of any international, national or local environmental designation. The nearest designated sites are Hallsenna Moor Site of Special Scientific Interest (SSSI) and National Nature Reserve (NNR). These designated sites are located approximately 1.5 miles to the south east of the site. They are considered to be sufficiently distant from the land to the north of proposed allocation HSE2, with existing built development in between, as to not be harmed by residential development on the land to the north of proposed allocation HSE2.
- 8.12 There would therefore be no ecology constraints that would prevent housing development.

### **Heritage**

- 8.13 There are no designated heritage assets located within 250m of the land to the north of proposed allocation HSE2. It is therefore considered that there are no heritage constraints that would prevent residential development.

### **Ground Conditions**

- 8.14 That land has not been developed in the past. It is considered that there is unlikely to be any adverse ground conditions that would pose a constraint to housing development on the site.



### **Flood Risk**

- 8.15 The land is located within Flood Zone 1 and is therefore at low risk of flooding. Flood risk is not therefore a constraint to development on the site.

### **Access**

- 8.16 An access to the proposed allocated site has been reserved from Links Crescent, with the potential for additional linkage through to Coniston Avenue.
- 8.17 Access is not therefore a constraint to residential development.

### **Suitability of Location**

- 8.18 As referred to above, the site is within walking distance of services and facilities in Seascale and is therefore considered to be a sustainable location for housing development. Such services and facilities include:
- Seascale Primary School, approximately 0.8 miles from the site
  - Health care facilities including Seascale Health Centre and Seascale pharmacy, approximately 0.4 miles from the site
  - A post office, approximately 0.4 miles from the site
  - Convenience retail opportunities at the Co-op store on Gosforth Road, approximately 0.4 miles from the site
  - Recreation and leisure opportunities including the recreation ground immediately to the south of the site, the golf course immediately to the west, and Seascale Community Fitness Centre, approximately 0.6 miles from the site.
- 8.19 Seascale Railway Station is located approximately 0.4 miles from the site. It offers regular services to Barrow-in-Furness and Carlisle, stopping at various settlements along the coast.

### **Suitability Conclusion**

- 8.20 There are no constraints that would make land unsuitable for housing development. It is also located in a sustainable location for housing development.
- 8.21 As a result, it is considered clear that the site is suitable for a housing allocation in the emerging Local Plan.

### **Availability**

- 8.22 The site is under the ownership of Persimmon, a reputable housebuilder with a strong track record in the delivery of housing across the UK. It is therefore clearly owned and controlled by an experienced housebuilder. There are no legal or ownership restrictions affecting the land that would preclude or delay delivery.
- 8.23 The site is therefore readily available with a realistic prospect of delivery within 5 years.

### **Achievability**

- 8.24 The preceding sections of this Chapter demonstrate that the site is sustainable and there are no technical constraints impeding delivery.
- 8.25 Development on the site would therefore be deliverable within the short term.

### **Summary**

- 8.26 Persimmon supports proposed housing allocation HSE2 and the proposed alteration of the settlement boundaries to include the site within the urban area.

## 9. Additional Housing Opportunity Sites

- 9.1 As referred to in Section 2 of these representations and the accompanying Housing Needs Report, Persimmon is of the opinion that the minimum housing requirement in Policy H2PU should be increased to 300 dpa in order to meet the full economic ambitions of the Borough. The Local Plan does not allocate sufficient sites to deliver 300 dpa, and would still fall short with the windfall allowance referred to in Policy H2PU. Persimmon is therefore of the opinion that additional sites should be allocated in the Local Plan in order to deliver the 300 dpa requirement considered necessary in the accompanying Housing Needs Report and to make the Local Plan sound.
- 9.2 Persimmon has promoted the following sites at various stages of consultation on the Copeland Local Plan:
- Land south of Laurel Bank, Whitehaven;
  - Land at Melrose, Egremont; and
  - Vicarage Lane, Ennerdale Bridge.
- 9.3 Persimmon considers that these sites, which are not proposed for allocation in the Publication Version Local Plan, provide sustainable and suitable sites to meet the higher housing need. All of the sites are located in suitable locations for housing development and are available. Housing development on these sites would therefore be achievable within the Plan period and they should be allocated in order to meet the identified higher housing need and make the Local Plan sound.
- 9.4 Justification for these additional sites being included as allocations in the Local Plan is provided in Sections 10 to 12.

## 10. Opportunity: Land South of Laurel Bank, Whitehaven

- 10.1 The Land South of Laurel Bank site offers the opportunity for a residential development in a sustainable location that would form a small extension to the existing housing area to the north.
- 10.2 Housing development on the site also offers the opportunity for the creation of open space on the southern part of the site, enabling it to be used for recreational purposes by the surrounding communities.
- 10.3 There are no constraints to housing development that would either preclude housing development or delay its delivery. The site is within the ownership of a house builder and is therefore deliverable within 5 years.
- 10.4 Persimmon therefore requests that the site is allocated for housing development in the emerging Local Plan.

### The Site and Surroundings

- 10.5 The site is located to the east of Whitehaven town centre, on the eastern side of the A595 Loop Road South.
- 10.6 To the north east of the site is the residential area of Harras Moor. To the north west is an area of woodland known as Crowpark Wood. To the south west and south of the site are residential properties on the A595, and to the south east and east is an area of open land with woodland (known as Midgey Wood) and residential properties beyond.
- 10.7 The site comprises a roughly rectangular piece of land, approximately 1.5 ha in area. The site slopes downwards from north east to south west. It comprises pasture and has woodland on its north eastern boundary and a hedgerow on its south western boundary.
- 10.8 The rear of dwellings on the southern side of Laurel Bank, within the residential area of Harras Moor, form the northern boundary of the site. The site's south western boundary is formed by woodland and the rear of three residential properties.
- 10.9 The developable area of the site identified by Persimmon extends to approximately 0.8 ha and is located on the northern part of the site, immediately to the rear of the dwellings on Laurel Bank. The developable area is shown on the indicative parameters masterplan attached at Appendix 4. It is estimated that the capacity of the developable area would be in the region of 24 dwellings.
- 10.10 The site currently has no vehicular access; however, space for a vehicular access has been reserved off Laurel Bank to the north east, in between two existing dwellings. The site is not currently accessible to the public.



10.11 The site is located in close proximity to a range of facilities, services and infrastructure within the existing built-up area of Whitehaven. These include:

- Primary and infant schools, such as St James' Primary and Junior School approximately 0.7 miles from the site
- Retail and leisure opportunities within Whitehaven Town Centre approximately 1 mile from the site
- Convenience retail opportunities approximately 1 mile from the site on Bransty Row (Tesco superstore)
- Health facilities on Catherine Street approximately 1.5 miles from the site
- Recreation facilities at Whitehaven Sports Centre approximately 1.5 miles from the site.

10.12 The nearest bus stop to the site is located approximately 350m straight line distance from the site to the south east on Standings Rise, via the Loop Road South. However, there is currently no access from the site to the Loop Road South. Any future residents of the site would therefore be required to walk a distance of approximately 1 mile to reach this bus stop. Development on the site may provide the opportunity to provide a pedestrian access to the Loop Road South, subject to agreement with the adjacent landowner, reducing the walking distance to this bus stop to approximately 550m.

10.13 Services from this bus stop provide regular access to destinations including Whitehaven, Maryport and Asby.

10.14 The area of land to the east of the site, known as Harras Moor, is identified as a Key Regeneration Site (ref: HWH2) in the Preferred Options Draft of the Copeland Local Plan 2017-2035, and is proposed for a housing allocation for 370 dwellings in Policy H5PO. It is also subject to an ongoing planning application by Homes England.

## **Planning Policy**

### **Copeland Local Plan 2013 – 2028**

10.15 The site is shown to be located within the existing settlement limits of the Principal Town of Whitehaven on the Copeland Local Plan 2013-2028 Proposals Map. It is designated as "Urban Greenspace", and the interactive version of the Proposals Map on the Council's website shows that it has been designated as such for its landscape importance, as opposed to recreation and amenity.

### **2020 SHLAA Assessment**

10.16 The SHLAA 2020 identifies the Laurel Bank site (SHLAA ref: Wh015) as "undeliverable". The reason given is "landscape protection".

### **Previous representations**

10.17 Details of the site were submitted to the January 2015 consultation on the now abandoned Copeland Local Plan Site Allocations Development Plan Document (DPD), promoting the site for a residential allocation.

- 10.18 The site was given reference "WH5 Laurel Bank" and was assessed as being unsuitable for an allocation. The Council's site assessment form for Site Allocations DPD gave the following reason:

*"Development here would sever a connection between two areas of biodiversity value and this be contrary to Core Strategy Policy SS5 (Green Infrastructure)."*

- 10.19 The site assessment form states that the Council intended to "retain open space already allocated in the 2006 Local Plan".
- 10.20 It is clear from the site assessment form, through the reference to retaining the site as open space and reference to Core Strategy Policy SS5, that the Council was treating the site as open space.
- 10.21 Representations on behalf of Persimmon were submitted to the "Call for Sites" exercise that took place alongside consultation on the Issues and Options consultation on the Local Plan 2017-2035. These representations promoted the suitability of the site for a housing allocation, but also challenged the previous assessment that the site was open space.
- 10.22 In particular, the representations confirmed that the site did not comply with any of the definitions of open space in the Town and Country Planning Act 1990 (Section 226), the NPPF or the Core Strategy because there is no public access to the site and it offers no recreational, visual amenity or wildlife opportunities.
- 10.23 It is now noted that the site is not assessed as open space in the 2020 Open Space Assessment and the 2020 SHLAA assessment of the site does not make any reference to the site being open space (unlike the Council's previous assessments of the site). This is welcomed by Persimmon and reflects the fact that site does not perform any role as open space.

### **Suitability**

- 10.24 The site is considered suitable for a residential allocation in the emerging Local Plan and Persimmon strongly objects to the SHLAA identification of the site as "undeliverable".
- 10.25 The site offers the opportunity for a residential development in a sustainable location that would form a small extension to the existing housing area to the north. The Housing Needs Report submitted alongside these representations highlights the need to increase the housing requirement in Policy H2PU from 143 per annum to 300 per annum. The site provides a sustainable opportunity to provide housing to meeting this higher housing need in a sustainable location within the settlement boundaries of the Principal Town of Whitehaven.
- 10.26 Housing development on the site also offers the opportunity for the creation of new public open space on the southern part of the site, enabling it to be used for recreational purposes by the surrounding communities.

10.27 The case for the site being suitable for residential development is provided below, with reference made to the following:

- There are no constraints to residential development on the site
- The site is within a suitable and sustainable location for residential development, and
- Residential development on the site would be deliverable in the short term.

#### **Absence of Constraints to Residential Development**

10.28 It is shown below that there would be no constraints to residential development on the site. In particular, the site has limited landscape character and there would be no technical constraints to housing development, such as ecology or flood risk.

#### ***Landscape***

10.29 Whilst the site is designated in the Core Strategy as Urban Greenscape for its landscape value and the 2020 SHLAA has identified the site as “undeliverable” for reasons of “landscape protection”, landscape studies have confirmed that development can be accommodated on the site without harm to the site’s landscape quality.

10.30 A Landscape and Visual Impact Assessment (LVIA) was prepared by PDP Associates and submitted in support of a withdrawn planning application for the site in 2014. An updated LVIA was prepared by Tyler Grange as part of Persimmon’s representations to the Local Plan Issues and Options consultation. This LVIA has again been updated and a copy is attached at Appendix 5 of these representations.

10.31 The conclusions of these LVIA are that whilst the site may appear to form an obvious strip of open land between two areas of built form, various viewpoints confirm that it does not perform this role.

10.32 The site is situated within a well-screened enclosure due to a set of defensible boundaries which limit publicly accessible views. From a short distance, there are public views into the site through small gaps in the residential development along Laurel Bank and the A595. However, such views consist of limited sections of the site and are viewed in the context of existing built development. Longer distance views are limited to views from the south of the site. However, these are very discrete and the site would only be viewed in the context of existing built development. Development on the northern part of the site, as shown on the Indicative Masterplan attached at Appendix 4, would be heavily screened in long distance views by the adjacent woodland, and the updated LVIA therefore confirms that development on the site would likely result in a minimal change in landscape character.

10.33 Paragraph 130(c) of the Framework states that planning policies and decisions should ensure that development is sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change. It does not therefore resist development where it would result in a change in landscape character. As the LVIA relating to the site shows, whilst housing development on the site would result in a change to the site’s landscape character (as would development of any greenfield site);

given the limited views of the site and the site's surrounding built-up context, the site does not contribute significantly to the surrounding landscape character and development on the northern part of the site would not significantly alter the landscape character of the area.

- 10.34 This would particularly be the case if the adjacent Land at Harras Moor site, which is proposed for an allocation, is developed. This would add further residential development into the surrounding context of the Laurel Bank site, further diminishing any views of an open landscape in this location. Development on the Laurel Bank site would not therefore significantly alter the landscape character.
- 10.35 In light of the above, Persimmon strongly objects to the 2020 SHLAA assessment of the site stating that "landscape protection" is a constraint to residential development on the site. The site contributes little to landscape quality, and any contribution would be diminished further by residential development on the adjacent Land at Harras Moor site. Landscape quality is therefore not considered to be a constraint to a residential allocation.

***The Site Does Not Perform a Role as Open Space***

- 10.36 As referred to above, previous representations to the emerging Copeland Local Plan provided evidence that the site does not perform any role as open space.
- 10.37 The site does not conform to the definitions at Section 336 of the Town and Country Planning Act 1990<sup>11</sup>, Annex 2 of the NPPF<sup>12</sup> or the definition in glossary of the Preferred Options version of the Copeland Local Plan<sup>13</sup>.
- 10.38 For the site to comply with these definitions it must offer opportunities for either recreation or visual amenity. As already stated, there is no public access to the site and it therefore offers no sport or recreation value. As set above, and in the updated LVIA attached at Appendix 6, the site does not provide any significant visual amenity. The site does not therefore perform any open space purpose or role.
- 10.39 It is now noted that the site is not assessed as open space in the 2020 Open Space Assessment and the 2020 SHLAA assessment of the site does not make any reference to the site being open space (unlike the Council's previous assessments of the site). This is welcomed by Persimmon and reflects the fact that site does not perform any role as open space.
- 10.40 Residential development on the site would have the potential benefit of the creation of open space on the southern part of the site, as shown on the Indicative Parameters Plan attached at Appendix 6. It may be possible to provide public access to the southern part of the site, allowing it to be used for recreation. Native tree planting would link the space to existing woodland adjacent to the site, enhancing the site's visual amenity. The landscaping and management of this portion of the site would

<sup>11</sup> "any land laid out as a public garden, or used for the purposes of public recreation, or land which is a disused burial ground".

<sup>12</sup> "All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity".

<sup>13</sup> "All open spaces of public value, including land and water provisions. These can offer opportunities for recreation, leisure and visual amenity."



therefore mutually reinforce these uses. Given that the site provides no function as open space at present, such benefits would be significant.

#### **Ecology**

- 10.41 The site does not comprise part of any international, national or local environmental designation. The nearest designated site is St Bees Head Site of Special Scientific Interest (SSSI), located approximately 1.8 km to the south west of the site, with significant areas of built development in between.
- 10.42 The previously withdrawn planning application for the site was accompanied by an ecology report confirming that surveys did not identify any presence of protected species on the site. Updated surveys and reporting was undertaken in 2019 and these confirmed no change in this position.
- 10.43 Development on the site would also offer the opportunity to enhance the biodiversity value of the site through additional boundary planting and the creation of a woodland habitat on the southern part of the site.
- 10.44 In light of the above, it is considered that there would not be any ecological constraints to housing development on the site. Any biodiversity impacts are likely to be able to be mitigated through the creation of an increased quantity and quality of habitat on the southern part of the site, outside of the developable area identified by Persimmon.

#### **Heritage**

- 10.45 There are no designated heritage assets within a 250m radius of the site. It is therefore unlikely that there would be any heritage constraints to housing development on the site.

#### **Ground Conditions**

- 10.46 Given the site's previous use as pasture, it is considered that there is unlikely to be any adverse ground conditions that would pose a constraint to housing development on the site.

#### **Flood Risk**

- 10.47 Paragraph 159 of the Framework states that development in areas at risk of flooding should be avoided by directing development away from areas at highest risk.
- 10.48 The site is located within Flood Zone 1 and the Flood Risk Assessment submitted with the previously withdrawn planning application for the site demonstrated that residential development on the site would not be at risk from flooding from surface water or fluvial sources and would not increase the risk of such flooding elsewhere.
- 10.49 Flood risk would not therefore be a constraint to housing development on the site. This was confirmed in the Council's assessment of the site as part of the 2015 consultation on the Site Allocations DPD.

#### **Access**

- 10.50 Whilst there is currently no access to the site, space for a future vehicular access has been reserved from the housing development to the north of the site. The Transport Assessment submitted with the previously withdrawn planning application for the site

confirmed that a suitable access could be achieved to the site and that there would be no severe impact on the operation of the local highway network.

- 10.51 Paragraph 111 of the Framework states that development should only be resisted on highway grounds where the residual cumulative impacts would be severe. There would be no such impacts and access is not therefore a constraint to housing development on the site.

#### **Suitability of Location**

- 10.52 The site is located within the settlement boundaries of Whitehaven. Whitehaven is identified as a Principle Town in the Core Strategy and the Local Plan. It is therefore the focus for development within Copeland.
- 10.53 The evidence provided in the Housing Needs Report submitted alongside these representations demonstrates that the housing requirement in Draft Policy H2PU should be increased from 143 dwellings per annum to 300 dwellings per annum over the Plan period. This increase in housing need will mean that additional sites would need to be identified for housing delivery.
- 10.54 In this context, housing development on the application site would assist in reducing the scale of urban expansion required above those sites already identified in the Local Plan and would likely reduce the scale of impact on sensitive landscapes that would result from urban expansion in some areas. Development on the site, within the existing settlement boundary of Whitehaven, is also likely to be more sustainably located than development outside of the existing settlement boundaries of some settlements, with future residents having greater access to a range of services within the existing settlement.
- 10.55 The site is also well-located in relation to existing built-development. Development on the site would form a small extension to an existing housing area and, as confirmed within the enclosed LVIA, would not significantly alter the wider landscape character, particularly given that the surrounding landscape character would be significantly altered by the proposed Land at Harras Moor allocation.
- 10.56 As confirmed above, the site is located in close proximity to a range of facilities, services and infrastructure within the existing built-up area of Whitehaven and is therefore in a sustainable location for residential development. An opportunity may exist through the development of the site to improve access to such services and facilities, and in particular, access to public transport. Improvements in access to services and facilities would also be of benefit to the existing residential community to the north.

#### **Suitability Conclusion**

- 10.57 The site is considered to be suitable for a residential allocation. There are no constraints to residential development that would either make the site unsuitable or delay delivery of housing development on the site.
- 10.58 The site does not contribute to landscape quality, it does not provide any role as open space, and there are no ecological, flood risk, heritage or ground condition constraints. It is also in a sustainable location within the existing settlement boundaries of the

Principal Town of Whitehaven, in a location which has good access to services, facilities and infrastructure.

- 10.59 It therefore provides an opportunity to deliver housing development in a sustainable location that would minimise the need for housing development on sites or land outside of the existing settlement boundaries, particularly in the context of a the higher housing need demonstrated in the Housing Needs Report submitted alongside these representations.

### **Availability**

- 10.60 The site is under the ownership of Persimmon, a reputable housebuilder with a strong track record in the delivery of housing across the UK. It is therefore clearly owned and controlled by an experienced housebuilder. There are no legal or ownership restrictions affecting the land that would preclude or delay delivery.
- 10.61 The Site is therefore readily available with a realistic prospect of delivery within 5 years.

### **Achievability**

- 10.62 Preliminary technical work has confirmed that a residential scheme could be developed viably within this location. The preceding sections of this Chapter and accompanying technical work demonstrate that the site is sustainable and there are no technical constraints impeding delivery.
- 10.63 Development on the site would therefore be deliverable within the short term.

### **Summary**

- 10.64 Paragraph 60 of the NPPF states that ensuring a sufficient amount and variety of land can come forward where it is needed is required in order to support the Government's objective of significantly boosting the supply of homes and to address the needs of groups with specific housing requirements.
- 10.65 As clearly demonstrated, the site is in a suitable location for housing development in reference to the role of the settlement of Whitehaven and the site's access to services, facilities and infrastructure. The site is not subject to any constraints that would prevent residential development and is available for development now.
- 10.66 It is therefore requested that land to the south of Laurel Bank is allocated for housing development in the emerging Local Plan.

## 11. Opportunity: Melrose, Egremont

- 11.1 The Melrose site is located to the west of Egremont. It has been assessed as deliverable for housing development in the 2020 SHLAA, but has not been proposed for allocation in the Local Plan Preferred Options Draft. The Preferred Options Draft does however propose to amend the settlement boundary of Egremont to include the site.
- 11.2 The site offers the potential for a sustainable residential development, which, in the context of the higher housing need identified by the Housing Needs Report that accompanies this representations, would contribute to meeting the identified higher need for housing. There are no constraints to housing development that would either preclude housing development or delay its delivery.
- 11.3 A plan showing the location of the site is attached at Appendix 7.
- 11.4 Persimmon therefore supports the proposals to extend the settlement boundaries of Egremont to include the site, but requests that the site is also allocated for housing development.

### The Site and Surroundings

- 11.5 The site is located on the west of Egremont, on the southern side of Grove Road. There is residential development to the north of the site, on the opposite side of Grove Road and immediately to the east. Agricultural fields are located to the south and west.
- 11.6 The site is rectangular in shape and is approximately 2.93 ha in area. It is predominantly flat, but slopes gently downwards from west to east. Its boundaries are formed by hedgerows. It has most recently been in use as pasture. The site has two agricultural accesses from Grove Road, one in its north western corner and one in its north eastern corner.
- 11.7 The site is located in close proximity to a range of facilities, services and infrastructure. These include:
- Primary schools including Orgill School approximately 0.4 miles from the site, St Bridget's Catholic Primary School approximately 0.6 miles from the site and Bookwell Primary School approximately 0.7 miles from the site
  - Secondary schools including West Lakes Academy, approximately 1 mile from the site
  - A number of convenience and comparison retail opportunities and other services in Egremont town centre, approximately 1 mile for the site
  - Health care facilities including Beech House Practice, and Cohen's Chemist approximately 0.8 miles from the site and Westcroft House Surgery, approximately 1 mile from the site.



## **Planning Policy**

- 11.8 The site is identified in the 2020 SHLAA as site Eg003 Land at Melrose. It is assessed as being deliverable within 5 years, with a capacity for 73 dwellings.
- 11.9 Despite the site being identified as a suitable site for housing development in the SHLAA, it is not proposed to be allocated in the Local Plan. However, it is proposed that the settlement boundary be amended to include the site.
- 11.10 Persimmon supports the proposed amendment to the settlement boundary, but objects to the omission of the site as a housing allocation and considers that it provides a sustainable and sustainable location for housing. It should be allocated for housing to assist in meeting the higher housing need identified in the Housing Needs Report that accompanies these representations. The case for the site being suitable for a housing allocation is made below, with reference to:
- There are no constraints to residential development on the site
  - The site is within a suitable and sustainable location for residential development
  - Residential development on the site would be deliverable in the short term

## **Suitability**

### **Absence of Constraints to Residential Development**

- 11.11 It is shown below that there would be no constraints to residential development on the site. In particular, development on the site would not negatively impact on landscape character and there would be no technical constraints to housing development, such as ecology or flood risk.

### **Landscape**

- 11.12 Development on the site would be a logical extension to the existing settlement. There is existing built development on the southern side of Grove Road, immediately to the east of the site, and the built development on the northern side of Grove Lane extends further to the west than the site (and would extend further to the west as a result of proposed allocation HEG1). As a result, development on the site would "round off" the settlement.
- 11.13 Due to the existing development to the east of the site, development on the site would not extend further into the countryside than the existing built development.
- 11.14 Given the above, it is considered that housing development on the site would not negatively impact on landscape character. By proposing to include the site within the amended settlement boundaries of Egremont, it is considered that the Council acknowledges that the site contributes little to the landscape character of Egremont and would likely be subject to development at some point in the future.
- 11.15 Landscape character is therefore not considered to be a constraint to development on the site.

### ***Ecology***

- 11.16 The site does not comprise part of any international, national or local environmental designation. The nearest designated site is Florence Mine Site of Special Scientific Interest (SSSI), located approximately 1 mile to the east. There is significant existing built development in between the site and these designated sites. It is therefore considered that there would be no negative impacts on these designated sites from development on the site.
- 11.17 There would therefore be no ecology constraints that would prevent housing development on the site.

### ***Heritage***

- 11.18 There are no designated heritage assets within a 250m radius of the site. It is therefore unlikely that there would be any heritage constraints to housing development on the site.

### ***Ground Conditions***

- 11.19 Given the site's previous use as pasture, it is considered that there is unlikely to be any adverse ground conditions that would pose a constraint to housing development on the site.

### ***Flood Risk***

- 11.20 The site is located within Flood Zone 1 and is therefore at low risk of flooding. Flood risk is not therefore a constraint to development on the site.

### ***Access***

- 11.21 The site benefits from two existing accesses onto Grove Road. Whilst no technical assessments have been undertaken, it is considered that there would be scope to improve these access to provide suitable access to a residential development.
- 11.22 Access is not therefore considered to be a constraint to residential development on the site.

### ***Suitability of Location***

- 11.23 Egremont is one of the larger settlements in the Borough and provides services, facilities and infrastructure for a large hinterland in the central and southern areas of the Borough. It is also well-connected to Whitehaven and existing employment areas. It is identified as a "Town" in the Local Plan Preferred Options Draft and is therefore acknowledged to be a suitable location for additional growth.
- 11.24 The site is in a suitable location for housing development. Egremont contains a wide range of services, facilities and infrastructure, all of which are accessible to the site, as shown above.

### ***Suitability Conclusion***

- 11.25 There are no constraints that would make the site unsuitable for housing development. It is also located in a sustainable location for housing development
- 11.26 The settlement boundaries of Egremont are proposed to be amended in the Local Plan to include the site within the urban area of Egremont. It is considered that this

demonstrates that the site is suitable for development without impact on landscape character. The site has also received a positive assessment in the 2020 SHLAA, confirming that it is suitable for housing development.

### **Availability**

- 11.27 The site is not under the ownership of Persimmon; however, it is understood that the existing landowner is will to sell the site to a housebuilder.
- 11.28 As a result, there would be no ownership issues that would prevent or delay development on the site and it is considered that there would be a realistic prospect of delivery within 5 years in accordance.

### **Achievability**

- 11.29 The preceding sections of this Chapter demonstrate that the site is sustainable and there are no technical constraints impeding delivery. Development on the entirety of the site would therefore be deliverable within the short term.

### **Summary**

- 11.30 Paragraph 60 of the NPPF states that ensuring a sufficient amount and variety of land can come forward where it is needed is required in order to support the Government's objective of significantly boosting the supply of homes and to address the needs of groups with specific housing requirements.
- 11.31 As clearly demonstrated, the site is in a suitable location for housing development in reference to the role of the settlement of Egremont and the site's access to services, facilities and infrastructure. The site is not subject to any constraints that would prevent residential development and is available for development now. This has been confirmed by the positive assessment of the site in the 2020 SHLAA and the proposals to include the site within the amended settlement boundaries of Egremont in the Local Plan.
- 11.32 Therefore, whilst Persimmon supports the proposed amendment to the settlement limits, it is requested that land at Melrose, Egremont is also allocated for housing development in the emerging Local Plan.
- 11.33 Given the proposed amendment to the settlement boundary to include the site, it is considered that the Council must be anticipating that the site would be developed at some point in the future. Given the higher housing need identified in the Housing Needs Report that accompanies these representations, Persimmon considers that the site should be allocated now to allow development to come forward within the emerging Plan period in order to assist in meeting this higher housing need.

## 12. Opportunity: Vicarage Lane, Ennerdale Bridge

- 12.1 The Vicarage Lane site has been identified as deliverable site in the 2020 SHLAA, with a capacity for 29 dwellings. It is not however proposed for allocation in the Local Plan.
- 12.2 No allocations are proposed in Ennerdale Bridge despite the settlement being identified as a Sustainable Rural Village. Draft Policy H4PU of the Local Preferred Options Draft states that Sustainable Rural Villages could support a limited amount of growth to maintain communities. Ennerdale Bridge contains a small number of services, but a proportionate amount of additional development should be directed to the village in order to assist in maintaining these facilities.
- 12.3 As confirmed by its positive SHLAA assessment, the Vicarage Lane site provides a suitable opportunity to deliver additional housing development in the village. There are no constraints to housing development that would either preclude housing development or delay its delivery. The site is within the ownership of a house builder and is therefore deliverable within 5 years.
- 12.4 The Local Plan Preferred Options Draft proposed to amend the settlement boundary of Ennerdale Bridge to include the site. The settlement boundaries shown in the Publication Version Local Plan now exclude the site from the settlement boundary. The Discounted Sites Document states that this is due to drainage and ecological constraints.
- 12.5 However, there is no evidence or information within the Copeland Local Plan evidence base which indicates that there may be ecological features which could limit the development on this site. The Discounted Sites Document<sup>14</sup> makes reference to Ecological Assessments taking place in 2021 that confirm that the site supports “biodiverse habitats” and is therefore of “considerable ecological value”. The 2021 ecological surveys have not been made available however. As set out below, the site does not form part of any ecological designation. Whilst it is located close to the River Ehen SAC, there is existing housing between the site and the SAC. There is no evidence that any biodiversity constraints, if they exist, cannot be overcome and would therefore make the allocation of the site inappropriate. Further information is provided under the “ecology” heading below.
- 12.6 The Discounted Sites Document also makes reference to infrastructure and sewer capacity being a constraint to the development of the site. Such infrastructure could be provided or upgraded as part of a development on the site. These matters are not therefore considered to be a constraint to the allocation of the site.
- 12.7 Furthermore, reference is made in the Discounted Sites Document to surface water drainage issues being a constraint; however, the consultation response from Cumbria County Council, summarised in the Discounted Sites Document, states that these matters could be ameliorated by development on the site. Again they should not therefore pose a constraint to the allocation of the site.

<sup>14</sup> [https://www.copeland.gov.uk/sites/default/files/attachments/discountedsiteprofiles\\_0.pdf](https://www.copeland.gov.uk/sites/default/files/attachments/discountedsiteprofiles_0.pdf), page 24



12.8 Given that these constraints could be overcome through the development of the site, and in the context of the higher housing need identified in the Housing Needs Report that accompanies these representations, Persimmon considers that the site should be allocated now to allow development to come forward within the emerging Plan period in order to assist in meeting this higher housing need.

12.9 Persimmon therefore requests that the site is allocated for housing.

### **The Site and Surroundings**

12.10 The site is located to the north west of the current developed area of Ennerdale Bridge. It is located to the rear of the houses on the northern side of Vicarage Lane. A location plan is attached at Appendix 8.

12.11 A tree belt is located to the west of the site. Housing alongside Vicarage Lane is located to the east and south, and a field is located to the north.

12.12 The site is roughly rectangular in shape and rises from south to north. It currently contains scrubland.

12.13 An access to the site has been reserved in between houses on Vicarage Lane.

12.14 Ennerdale Bridge benefits from a small number of services and facilities, which are accessible to the site. These include:

- Ennerdale and Kinniside Church of England Primary School
- Convenience retail opportunities at The Gather community owned store and café
- Community facilities at The Gather
- A number of public houses.
- Numerous recreational opportunities in the surrounding area, including the Lake District National Park.

12.15 Bus stops in the centre of the village offer services to destinations including Kirkland, Rowrah, Frizington, Branthwaite and Cockermouth.

### **Planning Policy**

12.16 The site is identified in the 2020 SHLAA as site EN001 Site Extension – Ennerdale Bridge. It is assessed as being deliverable within 5 years, with a capacity for 29 dwellings.

12.17 Despite the site being identified as a suitable site for housing development in the SHLAA, it is not proposed to be allocated in the Local Plan.

12.18 Persimmon considers that it provides a sustainable and sustainable location for housing, and it should be allocated for housing to assist in meeting the higher housing

need identified in the Housing Needs Report that accompanies these representations. The case for the site being suitable for a housing allocation is made below, with reference to:

- There are no constraints to residential development on the site
- The site is within a suitable and sustainable location for residential development, and
- Residential development on the site would be deliverable in the short term

### **Suitability**

#### **Absence of Constraints to Residential Development**

- 12.19 It is shown below that there would be no constraints to residential development on the site. In particular, development on the site would not negatively impact on landscape character and there would be no technical constraints to housing development, such as ecology or flood risk, contrary to what is stated in the Discounted Sites Document.

#### ***Landscape***

- 12.20 Development on the site would be a logical extension to the existing settlement. Existing development to the east extends further to the north than the site. Development on the site would therefore round off the settlement, with development located in between the existing development to the east and the existing development along Vicarage Lane.
- 12.21 As a result, the compact form of the village would remain and there would be no negative impact on landscape character or the character of the village. It is considered that this is acknowledged by the Council by proposing to include the site within the settlement boundaries in the Local Plan Preferred Options Draft.
- 12.22 The site is located outside of the boundary of the Lake District National Park and there is existing built development within the village between the site and the National Park boundary. There would therefore be no impact on the protected landscape of the National Park.
- 12.23 Landscape character is therefore not considered to be a constraint to development on the site.

#### ***Ecology***

- 12.24 As referred to above, the site does not comprise part of any international, national or local environmental designation. The nearest designated site is the River Ehen Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC), located to the rear of the dwellings on the southern side of Vicarage Lane. There is existing built development in between the site and this designated site and development on the site would not extend any closer to the SSSI and SAC than this existing development. It is therefore considered that there would be no negative impacts on the designated site from development on the site; however, potential mitigation measures could be identified and secured through a planning application, if necessary.

- 12.25 The Discounted Sites Document makes reference to the site being of considerable ecological value. However, as the 2021 Ecological Assessments have not been made available, it is not clear what evidence is available to demonstrate the site's alleged ecological value. It is noted that from the Discounted Sites Document that protected species surveys have not been undertaken. The ecological value of the site has not therefore been demonstrated. Such surveys could be undertaken as part of a planning application and appropriate mitigation measures could be undertaken as part of development.
- 12.26 The Discounted Sites Document also states that it would be unlikely that a Biodiversity Net Gain would be possible on the site. However, no evidence is provided to demonstrate this.
- 12.27 Therefore, contrary to what is stated in the Discounted Sites Document, it is considered that there are no ecology constraints that would prevent housing development on the site.

#### ***Heritage***

- 12.28 The site is located approximately 100m from the boundary of the Lake District National Park World Heritage Site (WHS). Development on the site would not encroach into the WHS or extend closer to the WHS than existing built development. As referred to above, the proposed development would not alter the character of the village or harm landscape character. It is therefore considered that there would be no harm to the setting of the WHS.
- 12.29 There are no listed buildings or other designated heritage assets located within 250m of the site.
- 12.30 Therefore, there are no heritage constraints that would prevent residential development on the site.

#### ***Ground Conditions***

- 12.31 That site has not been developed in the past. It is considered that there is unlikely to be any adverse ground conditions that would pose a constraint to housing development on the site.

#### ***Flood Risk***

- 12.32 The site is located within Flood Zone 1 and is therefore at low risk of flooding. Flood risk is not therefore a constraint to development on the site.
- 12.33 The Discounted Sites Document makes reference to surface water drainage constraints; however, no evidence has been provided of this and, as confirmed in the consultation comments from Cumbria County Council (as summarised in the Discounted Sites Document), if such constraints are present, development of the site would be able to mitigate.

#### ***Access***

- 12.34 Access to the site has been reserved from Vicarage Road and has specifically been designed to provide access to development on the site.

- 12.35 Access is not therefore a constraint to residential development on the site.

#### **Suitability of Location**

- 12.36 As referred to above, the site is accessible to the small number of services and facilities in Ennerdale Bridge. Bus services from the village also provide access to services in the surrounding villages and settlements, including employment areas in Rowrah. Future residents of the site would therefore have

- 12.37 Ennerdale Bridge is identified as a Sustainable Rural Village in the Local Plan. Draft Policy H4PU states that Sustainable Rural Villages could support a limited amount of growth to maintain communities. It is therefore considered that the village is a suitable location for development and additional development in the village would assist in maintaining its existing services for the benefit of existing and future residents.

#### **Suitability Conclusion**

- 12.38 There are no constraints that would make the site unsuitable for housing development. It is also located in a sustainable location for housing development

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

#### **Availability**

- 12.40 The site is under the ownership of Persimmon, a reputable housebuilder with a strong track record in the delivery of housing across the UK. It is therefore clearly owned and controlled by an experienced housebuilder. There are no legal or ownership restrictions affecting the land that would preclude or delay delivery.

- 12.41 The Site is therefore readily available with a realistic prospect of delivery within 5 years.

#### **Achievability**

- 12.42 Preliminary technical work has confirmed that a residential scheme could be developed viably within this location. The preceding sections of this Chapter demonstrate that the site is sustainable and there are no technical constraints impeding delivery.

- 12.43 Development on the site would therefore be deliverable within the short term.

#### **Summary**

- 12.44 Persimmon requests that the site is allocated for housing.

- 12.45 Paragraph 60 of the NPPF states that ensuring a sufficient amount and variety of land can come forward where it is needed is required in order to support the Government's objective of significantly boosting the supply of homes and to address the needs of groups with specific housing requirements.



- 12.46 As clearly demonstrated, the site is in a suitable location for housing development with access to services, facilities and infrastructure within Ennerdale Bridge and the surrounding area.
- 12.47 Ennerdale Bridge is identified as a Sustainable Rural Village in Policy H4PU. The draft policy states that Sustainable Urban Villages can support growth in order to maintain communities. For example, additional development could provide the additional population required to support and maintain local services. The Local Plan however, does not propose any allocations in Ennerdale Bridge however. The Vicarage Lane site is considered to be a sustainable site for housing development that would deliver the housing needed to maintain the community.
- 12.48 The site is not subject to any constraints that would prevent residential development and is available for development now.
- 12.49 Given the higher housing need identified in the Housing Needs Report that accompanies these representations, Persimmon considers that the site should be allocated now to allow development to come forward within the emerging Plan period in order to assist in meeting this higher housing need.

## 13. Policy N7PU: St Bees Heritage Coast

- 13.1 Policy N7PU was introduced to the draft Local Plan at the Focused Pre-Publication Consultation stage. It seeks to ensure that new development within, or that affects views into or the setting of, the St Bees Heritage Coast must preserve, protect and enhance the Heritage Coast and its setting.
- 13.2 Whilst Persimmon acknowledge the importance of protecting and enhancing the St Bees Heritage Coast and its setting, it is important to note that there are areas of the Heritage Coast and its setting that are already characterised by built development, including modern built development.
- 13.3 Such built development has influenced the character of the Heritage Coast and its setting somewhat, and has established that built development is considered acceptable in certain areas and now forms part of the character for parts of the Heritage Coast and its setting. Further built development in these areas, that does not further harm / influence the Heritage Coast and its setting, should therefore not be restricted.
- 13.4 For example, Persimmon have recently submitted a planning application for residential development on the Former Marchon Site, Whitehaven, including land to the north (LPA ref. 4/21/2432/0F1). Part of the proposed St Bees Heritage Coast area is to be extended to cut through part of the application site. However, as demonstrated within the Landscape and Visual Impact Assessment submitted in support of the hybrid planning application for the site, from the extended St Bees Heritage Coast area, the views of the proposed development would be limited to roof tops of homes on its western edge as set against the built form of the existing south western edge of Whitehaven. Therefore, effects on the Heritage Coast extension area are judged to be slight and negligible.
- 13.5 The policy should therefore take a flexible approach when assessing the potential influence on the Heritage Coast, accounting for the local development context of any proposed development. The policy should also seek to ensure that any impacts of development proposals are weighed against any benefits resulting from schemes, including improvements to public access / enjoyment / understanding of the Heritage Coast and the opportunities that development may bring to the area.
- 13.6 Paragraph 16(d) of the NPPF states that plans should *"contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to the development proposals"*.
- 13.7 The St Bee's Heritage Coast is not a designated heritage asset, nor is it one of the landscape types referred to in paragraphs 176 and 177 of the Framework. It is therefore considered that by preventing major development along the heritage coast other than in exceptional circumstances, Policy N7PU, as currently drafted imposes a higher level of restriction than the NPPF. It is therefore not consistent with the NPPF. Such requirement should therefore be deleted from the policy.

- 13.8 Persimmon therefore considers that as currently drafted, Policy N7PU is not positively prepared and is not consistent with the NPPF. In order to make the policy sound, the text requires amendment as follows:

*New development within the vicinity of the Heritage Coast must conserve, protect and enhance the Heritage coast and its setting and take opportunities to encourage the public to enjoy and understand the area by improving public access and interpretation where possible. Developers should demonstrate that they have taken into consideration the features that contribute to the special character of the area and the importance of its conservation.*

***Developers should also demonstrate the benefits of development proposals and the positive impacts they would bring to the Heritage Coast, which will be weighed in the balance of any identified harm, where relevant."***

*Inappropriate development includes that which affects views within or towards/from the Heritage Coast.*

~~*Major development within the Heritage Coast is unlikely to be appropriate unless it is compatible with its special character and will only be permitted in exceptional circumstances"*~~

## 14. Conclusion

- 14.1 These representations have been prepared by Turley on behalf of Persimmon Homes (Lancashire) Ltd (hereafter referred to as "Persimmon"). The representations comment on the Publication Version Copeland Local Plan, which is subject to public consultation until 18 March 2022.
- 14.2 The Local Plan proposes to allocated the following sites which Persimmon has an interest for housing:
- HWH4: Land South and West of St Mary's School, Whitehaven
  - HWH5: Former Marchon Site North, Whitehaven
  - HSE2: Fairways Extension, Seascale
- 14.3 Persimmon supports these allocations; however, considers that Allocations HWH4 and HWH5 should be increased in size to include all of the land within the red line shown on the plan at Appendix 2. Persimmon has recently submitted a hybrid planning application for residential development on this land. It is considered that the inclusion of this land within the allocation would ensure that a comprehensive development of the former Marchon Works sites can take place.
- 14.4 The representations are accompanied by a Housing Needs Report that considers the housing requirement in the Local Plan. The Housing Needs Report concludes that the housing requirement in Policy HPU2 is too low and does not fully reflect the Council's aspirations for economic growth. The current housing target in Policy H2PU is not justified or positively prepared therefore, and is unsound. The Housing Needs Report concludes that the housing requirement should be increased to 300 dwellings per annum in order to sustain economic growth in the Borough and meet the Council's aims and objectives.
- 14.5 As a result of the above, the Local Plan does not identify sufficient sites to meet the increased housing need, even with the windfall allowance referred to in Policy H2PU. As a result, without identifying further land for housing development, the Local Plan would not be positively prepared and would be unsound.
- 14.6 Persimmon therefore considers that the following sites should also be allocated within the Local Plan to provide additional housing supply during the Plan period:
- Land south of Laurel Bank, Whitehaven;
  - Land at Melrose, Egremont; and
  - Vicarage Lane, Ennerdale Bridge.
- 14.7 Persimmon considers that these site, which are not proposed for allocation in the Publication Version Local Plan, provide sustainable and suitable sites to meet the higher housing need. All of the sites are located in suitable locations for housing



development and are available. Housing development on these sites would therefore be achievable within the Plan period and they should be allocated in order to meet the identified higher housing need.

14.8 In addition, Persimmon also considers that the following policies requirement amendment in order to provide additional scope for a higher level of housing growth and ensure that the Local Plan is positively prepared and sound:

- Policy H1PU should be amended so that it allows for windfall development on the edge of settlements, outside of the Settlement Boundaries defined in the Plan.
- Policy DS4PU should be amended so that windfall development that adjoins the Settlement Boundaries of any settlement is allowed in the circumstances outline in the policy.
- Policy H3PU should be amended to require a partial or full review of the Local Plan where housing development in Sustainable Rural Villages falls below expectations in order to allow additional sites to be identified and allocated.
- The Settlement Boundaries of Ennerdale Bridge should be amended to include Persimmons Vicarage Lane site. The currently tightly drawn Settlement Boundaries around the settlement do not allow for future development to meet the needs of the settlement. The site provides a suitable opportunity for housing development to meet the needs of the settlement and should be included within the settlement limits to allow development to take place.

14.9 Persimmon also considers that Policy N7PU (St Bees Heritage Coast) is not consistent with national policy as currently drafted, as it more restrictive than policy in the NPPF and therefore not sound. The policy should be amended to remove reference to development within the Heritage Coast only being allowed in exceptional circumstances and should state that the benefits of development on the Heritage Coast will be considered in the planning balance.

14.10 Persimmon reserves the right to add to, amend or withdraw these representations if necessary and would like to be involved in the Local Plan Examination in Public.

## **Appendix 1: Housing Needs Report**

# **Housing Need in Copeland**

## Further Technical Critique

November 2020

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# 1. Introduction

- 1.1 Copeland Borough Council ('the Council') is consulting on its Preferred Options for the emerging Local Plan<sup>1</sup>. This report has been prepared by Turley on behalf of a consortium of housebuilders<sup>2</sup> ('our clients') to critically review the proposed approach to housing provision, and consider the extent to which this is likely to meet the borough's housing needs in full.
- 1.2 A similar report was prepared by Turley and submitted to the Council by our clients earlier this year, during the previous consultation on Issues and Options<sup>3</sup>. The Council does not appear to have responded in detail to the specific issues raised during that consultation, and key points from this earlier submission are therefore reiterated in this report where they remain relevant. For the avoidance of doubt, **this report is intended to fully supersede the earlier submission** where it takes into account new data releases, documents and the changing context of the last 12 months.
- 1.3 This report is structured as follows:
- **Section 2 – Introducing the Preferred Option** – an overview of the proposed approach to housing provision in Copeland, highlighting the increasingly dated evidence on which this is based;
  - **Section 3 – Testing the Increasingly Dated Evidence Base** – with the preferred approach based on increasingly dated evidence, the Council's conclusions and assumptions on housing need are tested using the latest available information. This includes the presentation of up-to-date bespoke demographic modelling, developed by Edge Analytics, which is compared to similar modelling in the Council's evidence base that relies on superseded datasets;
  - **Section 4 – Consequences of Emerging National Policy** – the Council's preferred approach is evaluated in the context of emerging changes to the standard method of determining the minimum need for housing, which appear likely to be in place when the Local Plan is submitted for examination; and
  - **Section 5 – Summary and Conclusions** – a concise overview of the report's findings and their implications for the emerging Local Plan.

<sup>1</sup> Copeland Borough Council (September 2020) Copeland Local Plan 2017-2035: Preferred Options Draft

<sup>2</sup> Gleeson Homes, Persimmon Homes and Story Homes

<sup>3</sup> Copeland Borough Council (November 2019) Copeland Local Plan 2017-2035: Issues and Options Draft

## 2. Introducing the Preferred Option

- 2.1 The Preferred Options draft of the emerging Local Plan ('the draft Plan') proposes, at Policy H2PO, a requirement for at least 140 dwellings per annum between 2017 and 2035. The Council intends for this to provide the basis for calculating five year housing land supply.
- 2.2 The Council does, though, proceed to express a desire to '*be aspirational*', '*plan positively and support employment growth*', by identifying sufficient land to provide 200 dwellings per annum over the plan period<sup>4</sup> – some 43% more than the minimum housing requirement that has been proposed.
- 2.3 This approach has clearly been informed by the conclusions of the Strategic Housing Market Assessment<sup>5</sup> (SHMA), which was finalised in October 2019 and commissioned to understand the scale of future housing needs in Copeland. The draft Plan references its conclusion that there is an objectively assessed need (OAN) for between 140 and 200 dwellings per annum (dpa) in Copeland over the emerging plan period, and respectively aligns its proposed housing requirement and '*aspirational*' land supply to these figures which sought either to:
- Accommodate a continuation of long-term demographic trends, recorded over 15 years to 2016 (**140dpa**); or
  - Grow the resident labour force by attracting and retaining more working age people, with a view to supporting around 1,100 additional jobs over the plan period (**200dpa**).
- 2.4 While the SHMA may give the impression of having been recently produced in October 2019, it is upfront in emphasising that it was '*initially drafted in early 2018*' – now over two and a half years ago – with various unspecified factors delaying its finalisation<sup>6</sup>. The SHMA highlights that new data was released in this intervening period, and that national planning policy and guidance had substantially evolved, but generally claims that these changes did not have a '*material impact*' on its findings.
- 2.5 It did, however, advise the Council to update elements of the report '*at an appropriate time...to test some of the key outputs and to confirm the continued relevance of the findings*'. This is yet to have visibly occurred, and it is concerning that the Council does not appear – from the draft Plan – to have committed to such testing before submission despite so clearly relying on the conclusions of the SHMA to justify its proposed approach to housing provision. This is a regressive step, where plans for an update to the SHMA – in the form of a Local Housing Needs Assessment, as now required by national policy – were clearly signposted on the Council's website during the previous consultation on Issues and Options.

<sup>4</sup> Copeland Borough Council (September 2020) Copeland Local Plan 2017-2035: Preferred Options Draft, p159

<sup>5</sup> JG Consulting (October 2019) Report for Copeland Borough Council: Strategic Housing Market Assessment and Objectively Assessed Housing Need

<sup>6</sup> *Ibid*, inside cover ('Note about this report')

- 2.6 This omission creates an impression of finality, but in reality the Council must update the evidence base and potentially depart from its preferred option before the Local Plan is submitted for examination. This is considered to be critical where the National Planning Policy Framework (NPPF) emphasises that '*all policies should be underpinned by relevant and **up-to-date evidence***'<sup>7</sup> (emphasis added).
- 2.7 The remaining sections of this report consider how such an update, taking account of the latest available information, could alter the conclusions of the SHMA. This is intended to assist the Council as it develops the next iteration of the draft Plan, which is expected to be a Regulation 19 version.

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<sup>7</sup> MHCLG (2019) National Planning Policy Framework, paragraph 31

### 3. Testing the Increasingly Dated Evidence Base

- 3.1 With the previous section having highlighted the increasingly dated evidence on which the Council's preferred approach to housing provision is based, this section tests the conclusions made in the evidence base using the latest available information, and in compliance with the revised NPPF and its associated guidance.
- 3.2 It first considers, using a demographic modelling approach comparable to that used in the SHMA, whether delivery of the 'aspirational' housing land supply could still be expected to support the level of job growth previously assumed in the evidence base. It then proceeds to examine whether it is more reasonable – when accounting for the latest evidence – to plan for a higher level of job growth, establishing the resultant implications for housing need.

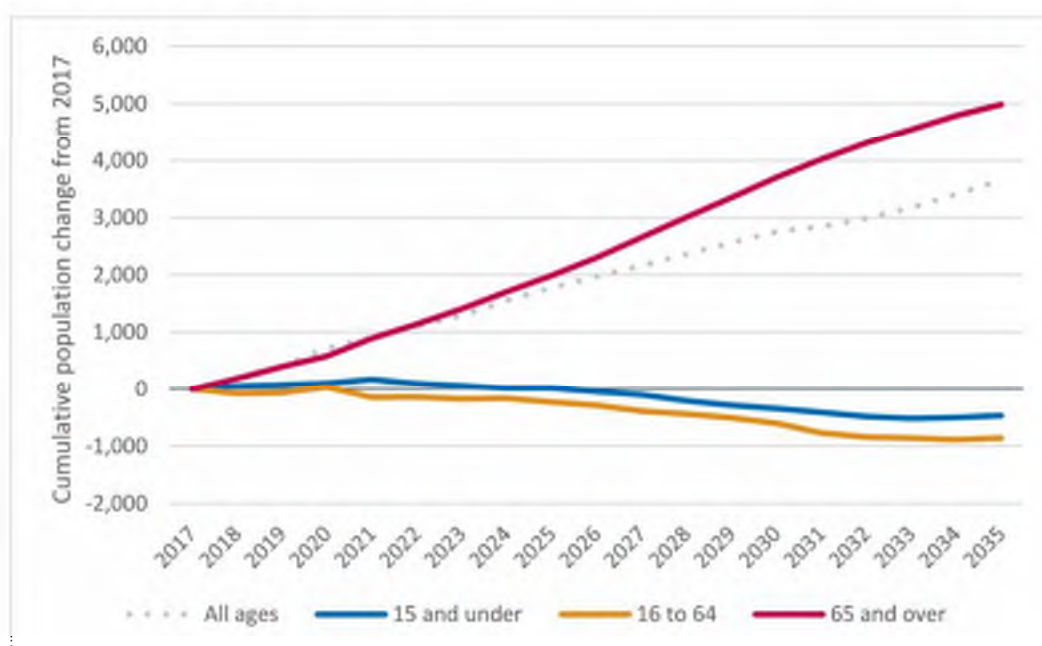
#### Testing the upper end of the Council's previously evidenced range

- 3.3 As outlined in the previous section, the Council's 'aspirational' approach of providing sufficient land to deliver 200 dwellings per annum is based on its latest published SHMA, which estimated that such a level of housing provision would be needed to support the creation of around 1,100 new jobs over the plan period (2017-35).
- 3.4 The SHMA's modelling is now relatively dated, having for instance drawn assumptions from official 2014-based sub-national population projections (SNPP) that have twice been superseded. While subsequent 2016- and 2018-based projections have raised some issues – particularly when translated into households – their underlying assumptions undoubtedly reflect more recent *population* trends than the 2014-based SNPP. They provide a more up-to-date position on birth rates, life expectancy and the profile of migrants, for example, which supersedes the assumptions made by the SHMA in its modelling of the housing needed to support job growth.
- 3.5 Up-to-date modelling has therefore been developed by Edge Analytics, using the leading POPGROUP model, to understand whether the provision of 200 dwellings per annum over the plan period could still be expected to support the 1,100 new jobs previously anticipated in the SHMA, when more recent demographic trends in Copeland are taken into account. **Appendix 1** details the assumptions made in this modelling.
- 3.6 This process does notably reaffirm that such a level of provision could, in combination with changing demographics and labour force behaviours, support the creation of 1,100 new jobs over the plan period, or indeed slightly more. This updated modelling suggests that the labour force could actually grow to support circa 1,280 jobs in this scenario, albeit this difference from the SHMA is a relatively modest 10 jobs per annum over the whole plan period.
- 3.7 While likely enabling a level of job growth, it is important to recognise that there remain significant limitations to this scenario which could have consequences for the long-term competitiveness of Copeland and its economic vitality. Such issues were not adequately addressed and considered in the SHMA, and therefore appear to have not been accounted for in the translation of evidence into policy.



- 3.8 For example, while the population of Copeland would be expected to grow where 200 dwellings per annum were consistently provided, the modelling suggests that this will be *entirely* concentrated amongst those aged 65 and over. The number of children, and the number of residents of traditional working age (16-64), would both be expected to decline by a relatively substantial amount over the plan period in this scenario, particularly beyond the next five years. This is illustrated at Figure 3.1, which shows cumulative change in different age cohorts.

**Figure 3.1: Population Change Associated with Planned Housing Provision (200dpa)**



Source: Edge Analytics; Turley analysis

- 3.9 The working age population of Copeland was already relatively small at the beginning of the plan period (2017) when compared to the wider North West and England<sup>8</sup>. The contraction that appears likely to result when providing for the delivery of only 200 dwellings per annum would only reinforce this trend, potentially discouraging investment in Copeland and threatening its long-term economic resilience.
- 3.10 There appears ample scope for a more ambitious approach to housing provision that positively plans to support a more prosperous economic future, as explored below.

### Reconsidering future job growth

- 3.11 While the above reinforces that delivery of the 'aspirational' land supply could indeed be expected to broadly support the level of job growth previously anticipated by the Council – albeit not without the unsustainable consequence of a markedly ageing population – it is important to recognise the time that has passed since this level of job growth was justified in the evidence base. There now appears scope for a considerably

<sup>8</sup> ONS (2018) Population estimates, mid-2017. Circa 61% of Copeland residents were aged 16 to 64 in 2017, compared to 63% across both the North West and England

more positive approach, and a parallel risk that simply planning for no more than 200 dwellings per annum will actually serve to undermine recent progress in this regard.

- 3.12 The ostensible target of 1,100 new jobs over the plan period appears to have originated from the SHMA, which introduced four economic scenarios of which the majority actually anticipated job losses. This unusually negative outlook – from a planning policy perspective – flowed from a Cambridge Econometrics forecast that was sourced in March 2018 and used as a baseline, suggesting that some 3,400 jobs would be lost in Copeland over the plan period. This effectively meant that one in every ten jobs that already existed in the borough were assumed to be lost under this scenario<sup>9</sup>.
- 3.13 Our previous report queried the use and influence of this single and particularly negative baseline forecast from Cambridge Econometrics, which apparently had not been checked against the views of other reputable forecasting houses in conflict with widespread best practice. This remains a concern, when obtaining an up-to-date and comparable baseline forecast from Experian which again requires further interrogation – to locally verify its key assumptions, recognising the limitations of any “off the shelf” forecast – but suggests that Copeland could create around 900 jobs over the plan period<sup>10</sup>. The gap between this and the Cambridge Econometrics forecast referenced in the SHMA is stark, at some 4,300 jobs, and certainly warrants further investigation by the Council.
- 3.14 The newly published Economic Development Needs Assessment<sup>11</sup> (EDNA) might have been expected to explore this issue and rectify this critical flaw, but its publication date of July 2020 obscures the fact that it was largely drafted in 2017 before the study was paused. This appears to explain what are otherwise surprising references to still more dated forecasts from Cambridge Econometrics, obtained more than three years ago in summer 2017. The EDNA recognises the consequences of its delayed publication, listing a series of economic changes, issues and opportunities that it ignores but should now be factored in to any consideration of the economic needs of Copeland<sup>12</sup>. This includes:
- Priorities in the emerging Copeland Economic Vision;
  - Priorities in the Cumbria Nuclear Prospectus, published in August 2020;
  - The development of a Clean Energy Park, potentially incorporating advanced nuclear technologies, hydrogen production and large-scale nuclear build;
  - More detailed information on how Sellafield Ltd will operate;
  - The creation of the Enterprise and Innovation Hub, forming a genuine cluster of expertise in nuclear and clean energies;

<sup>9</sup> JG Consulting (October 2019) Report for Copeland Borough Council: Strategic Housing Market Assessment and Objectively Assessed Housing Need, Figure 5.1

<sup>10</sup> Experian (September 2020) Local Market Forecasts Quarterly

<sup>11</sup> Lichfields (2020) Economic Development Needs Assessment: Copeland Borough Council

<sup>12</sup> *Ibid*, paragraph 1.8

- The latest round of offshore wind farm auctions;
- The proposal for a Digital Grid in Whitehaven;
- Town centre regeneration, through vehicles such as the Future High Streets Fund and Town Deals;
- The impacts of Covid-19, over the short, medium and long term; and
- The impacts of the UK's departure from the European Union.

3.15 This should not necessarily be viewed as an exhaustive list, where recognised for example that the Government has very recently launched its *'ten point plan for a green industrial revolution'*<sup>13</sup>. This emphasises its commitment to delivering new and advanced nuclear power, for example, and advancing offshore wind. With the EDNA having already highlighted opportunities in these areas for Copeland, as a location that is uniquely positioned as a pioneer in the green energy sector, these recent announcements can be considered to only raise the prospect of such investments in the borough. This certainly has the potential to offset short-term challenges relating to the latter two points listed above.

3.16 The authors of the EDNA clearly advise the Council to commission a review and update *'later in 2020'* to inform a Publication version of the Local Plan, and while this timeframe now overlaps with the extended Preferred Options consultation – and thus may be delayed – the principle is strongly supported. Like the SHMA, this update is considered essential to provide up-to-date and robust evidence that justifies policies in the emerging Local Plan, as required by the NPPF<sup>14</sup>. The draft Plan thankfully indicates that a new EDNA will indeed be *'commissioned prior to the next stage of plan production'*<sup>15</sup>.

3.17 Until this review is completed, it is unclear precisely how many additional jobs the Council needs to support through its approach to housing provision, if it is to deliver the integrated approach expected by national policy<sup>16</sup>. It is therefore premature to assume, as the Council appears to have done, that the 1,100 new jobs associated with its *'aspirational'* housing land supply are all that need to be planned for. This recognises evidence noted above with regards a potentially improving baseline position and the importance of considering the implications of planned economic investment, the support of which will be critical through the employment policies of the Local Plan.

3.18 Indeed, it appears that planning only for 1,100 additional jobs over the plan period would actually slow the job creation that has occurred in Copeland over recent years. The Business Register and Employment Survey<sup>17</sup> (BRES) suggests that the level of

<sup>13</sup> HM Government (November 2020) The Ten Point Plan for a Green Industrial Revolution: building back better, supporting green jobs, and accelerating our path to net zero

<sup>14</sup> MHCLG (2019) National Planning Policy Framework, paragraph 31

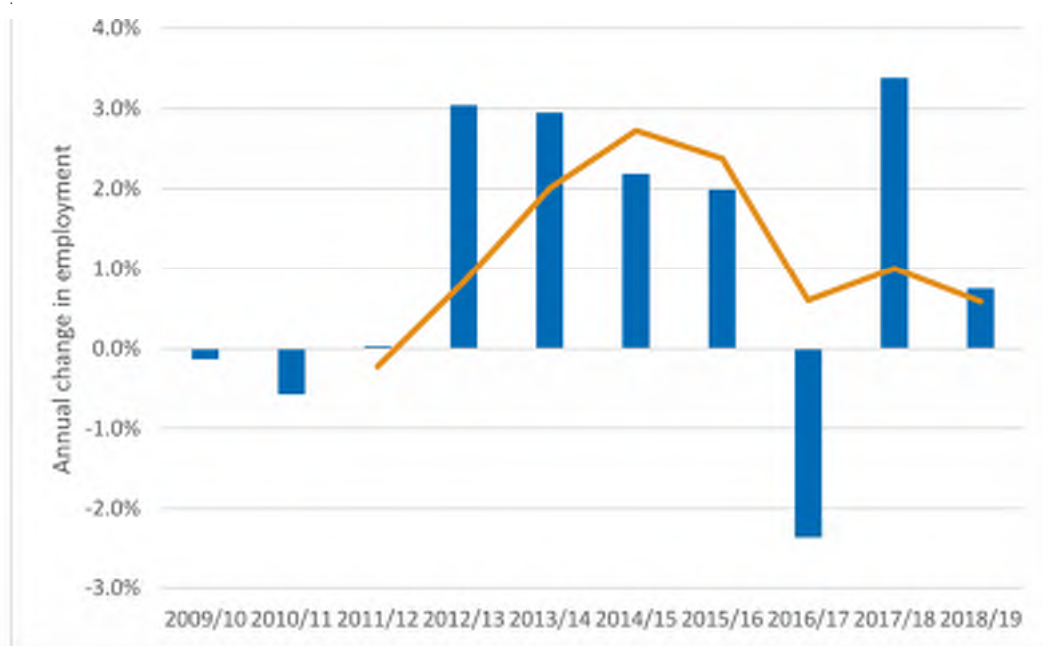
<sup>15</sup> Copeland Borough Council (September 2020) Copeland Local Plan 2017-2035: Preferred Options Draft, paragraph 21.3.3

<sup>16</sup> MHCLG (2019) National Planning Policy Framework, paragraph 81c

<sup>17</sup> *'...the official source of employee and employment estimates by detailed geography and industry'* ([link](#))

employment in the borough has risen in all but one of the last eight years, and significantly so on several occasions. This is shown in proportionate terms at Figure 3.2, which also overlays a rolling three year average to soften the influence of annual volatility.

**Figure 3.2: Annual Change in Employment in Copeland (2009-19)**



Source: BRES; Turley analysis

- 3.19 The past three years (2016-19) have seen employment levels in Copeland grow by 0.6% per annum on average, matching the trend recorded over three years to 2017 and appearing relatively modest against the more pronounced growth in earlier years. This is also a lower rate of growth than seen across the North West or England over the latest three years for which data is currently available<sup>18</sup> (1.5/1.0% per annum).
- 3.20 In comparison, the creation of 1,100 jobs over the entire plan period – as apparently planned, in housing terms, by the Council through its ‘aspirational’ supply of land if not its lower proposed housing requirement – would represent growth of only 0.2% per annum; a third of the recent trend, and still less than recorded prior.
- 3.21 This regression is at odds with the ‘aspirational’ label and indeed the overarching vision of the draft Plan, which foresees ‘a prosperous, diverse economy’ that has capitalised on local strengths and facilitated growth<sup>19</sup>. It references the Housing Strategy, which aims to ‘sustain and grow’ the local economy<sup>20</sup>, and more broadly recognises the link between housing provision and economic growth by stating that:

<sup>18</sup> ONS (2020) Business Register and Employment Survey

<sup>19</sup> Copeland Borough Council (September 2020) Copeland Local Plan 2017-2035: Preferred Options Draft, p21

<sup>20</sup> Ibid, p12



*"It is vital that we provide the right amount and type of housing in the Borough in order to reverse the trend of population decline and ensure that we have a sufficiently sized workforce to support local businesses and create further opportunities for education and training for our residents. This in turn will help create economic growth and reduce deprivation levels in the Borough"*<sup>21</sup>

- 3.22 As the Council seeks to sustain and grow its local economy and produce a positive and supposedly 'aspirational' plan, and in advance of the essential update to the EDNA mentioned above, it must at least acknowledge success over recent years and assess the implications of sustaining this performance. This is likely to require a more ambitious approach to housing provision.
- 3.23 Further modelling has been developed by Edge Analytics to illustrate this point and estimate the level of housing provision that could be needed to sustain the rate of job growth achieved on average in each of the last three years (0.6%) over the plan period. The assumptions which have been applied in this modelling are summarised at **Appendix 1**.
- 3.24 This modelling suggests that **circa 304 dwellings per annum** could be needed in Copeland over the emerging plan period, if the borough is to sustain employment growth at a rate of 0.6% per year and thereby create a total of 3,760 new jobs. While acknowledged to be nearly double the recent peak in housing delivery<sup>22</sup>, there is some precedent to be found from the existing Core Strategy which planned to provide for 300 dwellings per annum over its latter years<sup>23</sup> (2018-28). This deliberately uplifted a lower requirement for 230 dwellings per annum that was demographically derived and applied in the first five years, in order to allow for the additional demand generated by major investment in the local economy.
- 3.25 Furthermore, where delivery even of the 'aspirational' land supply identified by the Council appears unlikely to facilitate growth in the working age population of Copeland – as shown at the earlier Figure 3.1 – the modelling suggests that a higher level of housing provision, in the order of 300 dwellings per annum, could in contrast allow for the growth of this important cohort. Figure 3.3 below shows that the working age population could grow by around 1,900 persons over the plan period where circa 300 dwellings per annum are provided, representing growth of 5% rather than the 2% decline expected where only 200 homes are provided each year. This is enabled through this higher level of housing provision, which allows such residents to be retained and attracted. This, in turn, can help to attract investment to Copeland.

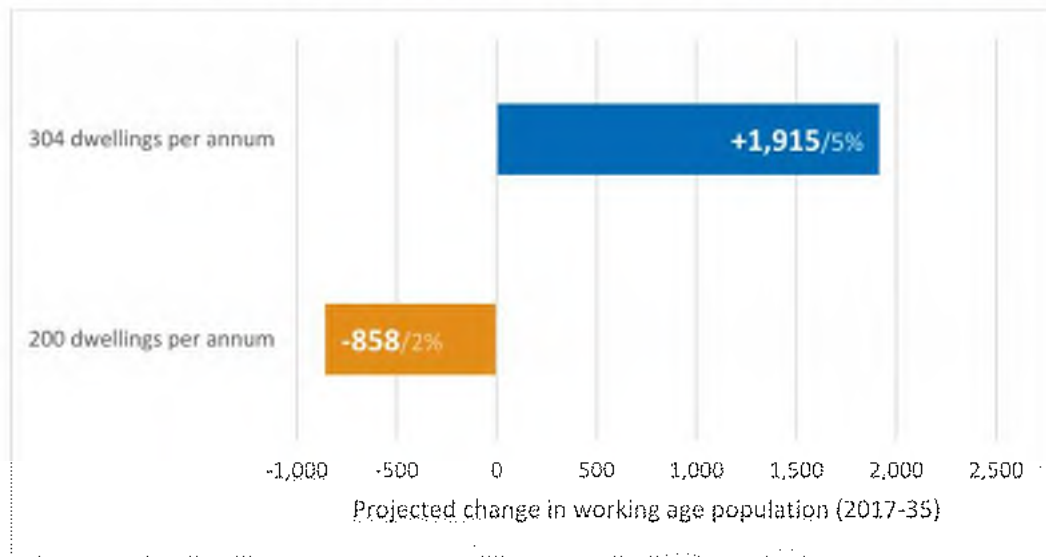
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<sup>21</sup> *Ibid*, p159

<sup>22</sup> *Ibid*, Table 12. Over the period back to 2010, housing delivery peaked when 158 homes were provided in 2011/12

<sup>23</sup> Copeland Borough Council (2013) Copeland Local Plan 2013-2018: Core Strategy and Development Management Policies DPD, Policy SS2

**Figure 3.3: Effect of Higher Housing Provision on Working Age Population (16-64)**



*Source: Edge Analytics; Turley analysis*

3.26 The above analysis has drawn upon the latest available demographic datasets where appropriate to explore the inter-relationship between jobs and housing in Copeland. This provides an updated position to that presented in the Council's published evidence base. It is recognised that further consideration is required as to a reasonable and appropriate level of employment growth in Copeland. Such a detailed exercise has not been undertaken here, where it is emphasised by the Council that this will be forthcoming through the updating of its EDNA. This represents a critical component of the evidence base for the Local Plan, and in establishing a reasonable forecast it must:

- Include consideration of up-to-date baseline forecasts from more than one forecasting house;
- Assess the implications of local performance of key sectors, drawing comparison with baseline assumptions; and
- Understand the additionality of planned investment already identified as being pertinent to this exercise in the current EDNA.

## Summary

3.27 This section has tested the conclusions made in the Council's increasingly dated evidence base – drawn upon to justify its proposed approach to housing provision – using the latest available information, and new demographic modelling.

3.28 The Council's '*aspirational*' approach of identifying land to deliver 200 dwellings per annum is informed by modelling that is now outdated, which estimated the housing needed to support 1,100 new jobs over the plan period. This does remain a conceivable outcome when remodelling to account for more recent population trends, albeit it must be recognised that such a scenario does not allow for *any* growth in the

population aged under 65. This could critically undermine the borough's economic resilience, and potentially discourage future investment.

- 3.29 Furthermore, it is important to recognise that an ostensible target of 1,100 new jobs has not been recently justified by the Council. It originated as the only one of four scenarios presented in the SHMA to envisage job growth, rather than job losses, but this process was arguably undermined at the outset by the questionable decision to draw upon a single and particularly negative baseline forecast from Cambridge Econometrics rather than obtaining a range of reputable views. Experian, for example, now envisage around 900 new jobs in Copeland under its own baseline scenario, starkly contrasting with the 3,400 jobs assumed to be lost over the plan period by Cambridge Econometrics. The newly published EDNA might have been expected to rectify this issue, had it not actually been produced in 2017 before its publication was delayed. It is clear in this context to identify the consequences of this delay and the changing economic context which will need to be taken into account, and the imminent update to this study is therefore both welcomed and essential. It is premature to assume, in the meantime, that the Council need only plan for the creation of 1,100 new jobs where a more substantive growth in the labour force may ultimately need to be sustainably accommodated through a higher level of housing provision.
- 3.30 The updated EDNA should fully account for a local economic context that has recently become increasingly positive in Copeland, with employment levels growing by an average of 0.6% in each of the past three years for which data is currently available (2017-19) and indeed more prior to this period. A target of 1,100 new jobs over the plan period is equivalent to only a third of this recent growth rate, and appears to conflict with the Council's economic ambitions which arguably justify an aspiration to *at least* sustain the rate of growth recently recorded. Further modelling suggests that this could require **around 300 dwellings per annum** over the plan period, with such a level of provision allowing for some growth in the working age population – unlike the '*aspirational*' approach favoured by the Council – and coincidentally aligning with the housing requirement now in place from the Core Strategy. This suggests that the Council should not discount the possibility of continuing to plan for a similar level of housing provision, as it considers the findings of the updated EDNA and establishes in parallel the housing that could be needed to support future economic growth.

## 4. Consequences of Emerging National Policy

- 4.1 The Council has clearly produced the draft Plan in the context of the existing NPPF and its associated guidance. It has applied the standard method to ‘*determine the minimum number of homes needed*’<sup>24</sup>, but in the case of Copeland this produces a scarcely credible figure of only 11 dwellings per annum which the Council has rightly proposed to exceed by some way as is currently permitted by national policy. The draft Plan is correct to state, in this context, that:

*“The housing need figure produced using the standard methodology does not provide a true reflection of housing need in the Borough. It is significantly lower than the number of homes that have been delivered on average over the past 10 years, and each individual year, and if it was taken forward as a housing requirement in the Local Plan would lead to further population loss and economic decline. A housing requirement this low would also be contrary to the Council’s Growth Strategy, Housing Strategy, Corporate Strategy and the NPPF which requires Local Authorities to be aspirational. Responses received to the Local Plan Issues and Options consultation also indicate that the development industry would not support a housing requirement based on this figure”<sup>25</sup> (emphasis added)*

- 4.2 It is important to recognise, however, that the Government is in the process of revising the standard method, and – as shown by this section – this will almost inevitably raise the minimum housing need in Copeland to be met by the emerging Local Plan.

### Proposed changes to the standard method

- 4.3 The Government consulted on its initial proposals for a revised approach over the summer<sup>26</sup>. It acknowledged that the method could no longer use the increasingly dated 2014-based household projections that currently form the baseline, and felt that a new approach should be ‘*more agile in using the most recent data*’<sup>27</sup>. It has, though, also recognised that such projections are volatile and ‘*cannot in isolation forecast housing need*’<sup>28</sup>.
- 4.4 The Government therefore proposed to introduce a new element into the standard method, linked to existing housing stock, to take account of the number of homes that are already in an area. This was intended to account for the diversity of housing needs throughout the country, recognising that ‘*new homes can play a vital role in schemes to regenerate deprived areas*’ for example, and offer ‘*the stability and predictability which has been absent when solely relying on household projections*’<sup>29</sup>.

<sup>24</sup> MHCLG (2019) National Planning Policy Framework, paragraph 60

<sup>25</sup> Copeland Borough Council (September 2020) Copeland Local Plan 2017-2035: Preferred Options Draft, paragraph 40.2.17

<sup>26</sup> MHCLG (2020) Changes to the current planning system: consultation on changes to planning policy and regulations

<sup>27</sup> *Ibid*, paragraph 14a

<sup>28</sup> *Ibid*, paragraph 13

<sup>29</sup> *Ibid*, paragraphs 19 and 20

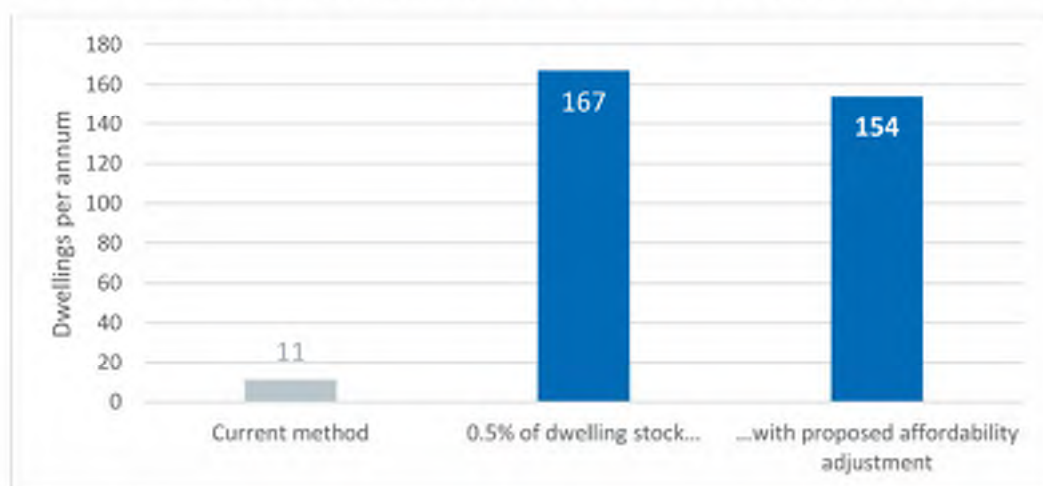


- 4.5 Household projections were nonetheless intended to retain a role, in a '*blended approach*' which prevented any such projection from falling below a certain proportion (0.5%) of the existing stock<sup>30</sup>. The growth suggested by household projections was to feature in the calculation where this is higher than the stock-based figure.
- 4.6 This process was to produce a baseline for the calculation, which – as in the current method – would continue to be adjusted to reflect the ratio between house prices and earnings. The current formula was proposed to be adapted and extended to further account for changing affordability trends over time. This would apply a larger adjustment where housing is increasingly unaffordable – relative to a threshold of 4 years earnings – but moderate the level of adjustment where the ratio was high but improving, for example.
- 4.7 The current method caps the level of adjustment that can be made based on affordability, relative to the baseline or a recently adopted housing requirement, but the Government suggested that this step would be removed in its entirety to facilitate the '*step change*' that it considers to be necessary<sup>31</sup>.

### Outcome for Copeland

- 4.8 In the case of Copeland, the approach described above would substantially raise the minimum need currently implied by the standard method, from 11 to **154 dwellings per annum**. This is entirely caused by the proposed introduction of a stock-based measure into the method, which takes precedence over a 2018-based projection that unhelpfully envisages zero additional households in Copeland. The approach sets a baseline of 167 homes per annum – equivalent to 0.5% of the 33,433 homes recorded in the borough as of 2019 – that is actually *reduced* by 8% through the affordability adjustment, because the ratio between house prices and earnings (2.78) is currently lower than four.

**Figure 4.1: Current and Proposed Standard Method – Outcome for Copeland**



Source: Turley analysis

<sup>30</sup> Ibid, paragraph 21

<sup>31</sup> Ibid, paragraph 39

## Potentially significant refinements

- 4.9 It is important to recognise, however, that the approach described above was merely a proposal that was subject to consultation. The Government has recently confirmed reports that the formula would be *'rebalanced so that more homes are built in urban areas, particularly in the Midlands and the North'*<sup>32</sup>. While it is currently unclear precisely how the formula will be altered, one mechanism for directing more homes towards urban areas is the stock growth rate that features in the baseline of the Government's earlier proposals and indeed is the primary driver of need in the case of Copeland. The Government may choose to raise the minimum growth rate from its current level of 0.5%, and even a fractional increase – to 0.6% for example – would increase the baseline for Copeland to 201 dwellings per annum, from 167 dwellings per annum under the proposals to date. This is likely to once again be adjusted, and conceivably lowered in the case of Copeland, based on affordability but it is more challenging to predict how this element of the proposals may evolve in response to a higher baseline.
- 4.10 The revised method, in its final form, is likely to have a direct consequence for the emerging Local Plan, as the Government has proposed only a short transition from the existing approach. Authorities like Copeland, that are yet to undertake a Regulation 19 consultation, are proposed to be given only three months to reach this stage from the point at which a revised method is formally introduced, and a further six months to submit their plan to the Planning Inspectorate. According to the draft Plan, the Council aimed – before extending the current consultation by two weeks – to reach the Publication (Reg.19) stage in spring 2021, which could conceivably be more than three months after the revised method if the latter is introduced before the end of the year. This is certainly a possibility where the Government is understood, at the time of writing, to be announcing its revised approach within weeks<sup>33</sup>.

## Summary

- 4.11 While the Council's proposed approach to housing provision cannot help but appear positive in the context of a standard method that currently implies a scarcely credible need for only 11 dwellings per annum, it is markedly less so where the method is revised in the manner that now appears likely. The proposed housing requirement of 140 dwellings per annum would fail to meet housing needs where the latter are calculated using the method that was subject to consultation this summer, and the same could conceivably be true even of the *'aspirational'* supply if – as appears a possibility – this is reweighted in favour of the existing housing stock.
- 4.12 The draft Plan does acknowledge this evolving context, stating that the *'progress'* of the new method will be *'monitored and considered prior to the production of the Publication Draft'*<sup>34</sup>. This is strongly supported and indeed appears a necessity, given that the Council appears unlikely to be covered by transitional arrangements and is therefore likely to have to meet the minimum need implied by any revised method.

<sup>32</sup> [Planning Resource](#), 16 November 2020

<sup>33</sup> *Ibid*

<sup>34</sup> Copeland Borough Council (September 2020) Copeland Local Plan 2017-2035: Preferred Options Draft, p154

## 5. Summary and Conclusions

- 5.1 Copeland Borough Council is consulting on its Preferred Options for the emerging Local Plan. This report has been prepared by Turley on behalf of a consortium of housebuilders<sup>35</sup> – superseding an earlier submission during the previous Issues and Options consultation – to critically review the proposed approach to housing provision, that would set a requirement for at least 140 dwellings per annum over the plan period (2017-35) but *'be aspirational', 'plan positively and support employment growth'* by identifying additional land to provide a total of 200 dwellings per annum.
- 5.2 These figures align with the range concluded in the Strategic Housing Market Assessment (SHMA) which was finalised in October 2019 but produced around 18 months earlier, thereby taking no account of substantive new data, policy and guidance published in the intervening period. The Council was advised to test the conclusions of the SHMA, but this is yet to have visibly occurred and there surprisingly no longer appears a firm commitment to doing so in the Preferred Options draft. An update is considered essential prior to consultation on the Publication version (Reg.19) of the Local Plan, to provide the *'up-to-date evidence'* expected by national policy<sup>36</sup>.
- 5.3 This report has aimed to assist the Council in the context of this evidential shortcoming by considering how such an update, taking account of the latest available information, could alter the conclusions of the SHMA. In summary, it has found that:
- The *'aspirational'* approach of identifying land to deliver 200 dwellings per annum was informed by the SHMA's modelling of the homes needed to support 1,100 new jobs over the plan period. While this modelling is now outdated, this remains a conceivable outcome when remodelled by Edge Analytics to account for more recent population trends, albeit in evaluating the consequences regarding the sustainability of growth in Copeland it must be recognised that such a level of provision is unlikely to encourage or allow for any growth in the population aged under 65. This could critically undermine the economic resilience of Copeland, and potentially discourage future investment;
  - Further to the above, there is a concerning lack of justification for the ostensible target of 1,100 new jobs, which originated as the only positive scenario of four presented in the SHMA in a process that was arguably undermined at the outset by the decision to unquestioningly use a single and particularly negative baseline forecast – that expected some 3,400 jobs to be lost – rather than obtaining a range of reputable views, or testing its robustness in the context of local evidence. The newly published EDNA dated July 2020 might have been expected to rectify this issue, had it not actually been produced in 2017 before its publication was delayed. A stated commitment to produce an update to the EDNA, to account for a range of new information and identified investment and growth opportunities, is both welcomed and essential, and in the meantime it is premature for the Council to assume that it need only plan for sufficient homes –

<sup>35</sup> Gleeson Homes, Persimmon Homes and Story Homes

<sup>36</sup> MHCLG (2019) National Planning Policy Framework, paragraph 31

circa 200 per year – to support 1,100 new jobs. In assessing an appropriate and reasonable level of job growth, consideration should be given to recent historic performance as well as up-to-date forecasts and the impact of potential and committed investment. Where the update to the EDNA will need to consider this in detail, it is observed that Copeland's economy has seen a strong period of job growth, equating to 0.6% per annum over the last three years, with previous years showing an even higher rate of growth. Using this as an appropriate proxy, the analysis in this report confirms that to even sustain this recent rate of job growth could require around 300 dwellings per annum to adequately grow the resident labour force, including the working age population; and

- Although the Council's proposed approach to housing provision cannot help but appear positive in the context of a standard method that currently implies a barely credible need for only 11 dwellings per annum, it is markedly less so where the method is revised in the manner that now appears likely based on a recent consultation and more recent messages from within Government. The housing requirement of 140 dwellings per annum proposed in the draft Plan would fail to meet housing needs where the latter are calculated using the method that was subject to consultation this summer, which introduced a stock-based metric and produced a figure of 154 dwellings per annum for Copeland. The same could conceivably be true even of the '*aspirational*' supply if this is reweighted in favour of the existing housing stock, as appears a possibility. The Council is therefore right to be closely monitoring changes in the standard method, not least because it appears unlikely – based on the current Local Plan timetable – to be covered by proposed transitional arrangements and is thus likely to have to meet the need implied by any revised approach as a minimum.

- 5.4 The analysis summarised above suggests that even the '*aspirational*' target of 200 dwellings per annum may fail to meet the housing needs of Copeland, or properly support the Council's economic ambitions. Around **300 dwellings per annum** could be needed even to sustain recent economic success, and where this aligns with the existing housing requirement – applied from 2018 onwards by the Core Strategy – it is clear that the Council should not prematurely or unjustifiably discount the possibility of continuing to plan for a similar level of housing provision through the new Local Plan. It should, however, also be mindful in updating its evidence on housing need both of emerging changes to the standard method and the findings of the anticipated and necessary update of the EDNA, establishing in the case of the latter the housing that could be needed in parallel to support its scenarios of future job growth. This evidence is considered likely to require a more ambitious approach to housing provision than proposed in the ongoing Preferred Options consultation.



## **Appendix 1:   Modelling Assumptions**

# Copeland

## Data Inputs & Assumptions

November 2020



Nexus | Discovery Way | University of Leeds | Leeds | LS2 3AA  
| [www.edgeanalytics.co.uk](http://www.edgeanalytics.co.uk)

## Acknowledgements

Demographic statistics used in this report have been derived from data from the Office for National Statistics licensed under the Open Government Licence v.3.0.



*The authors of this report do not accept liability for any costs or consequential loss involved following the use of the data and analysis referred to here; this is entirely the responsibility of the users of the information presented in this report.*

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# 1 POPGROUP Methodology

- 1.1 Evidence is often challenged on the basis of the appropriateness of the methodology that has been employed to develop growth forecasts. The use of a recognised forecasting product which incorporates an industry-standard methodology (a cohort component model) removes this obstacle and enables a focus on assumptions and output, rather than methods.
- 1.2 Demographic forecasts have been developed using the POPGROUP suite of products. POPGROUP is a family of demographic models that enables forecasts to be derived for population, households and the labour force, for areas and social groups. The main POPGROUP model (Figure 1) is a cohort component model, which enables the development of population forecasts based on births, deaths and migration inputs and assumptions.
- 1.3 The Derived Forecast (DF) model (Figure 2) sits alongside the population model, providing a headship rate model for household projections and an economic activity rate model for labour-force projections.
- 1.4 For further information on POPGROUP, please refer to the Edge Analytics website: <http://www.edgeanalytics.co.uk/>.

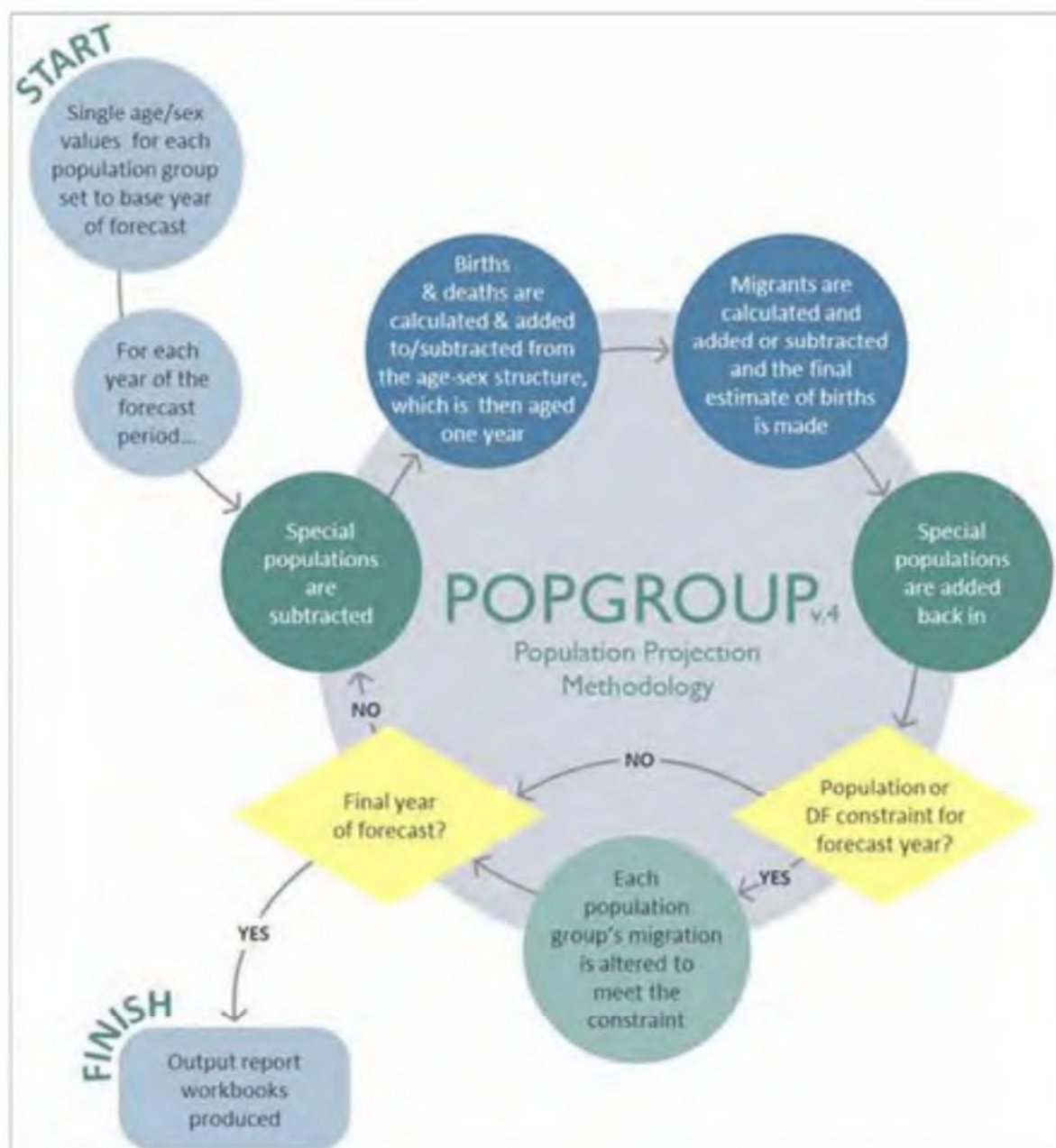
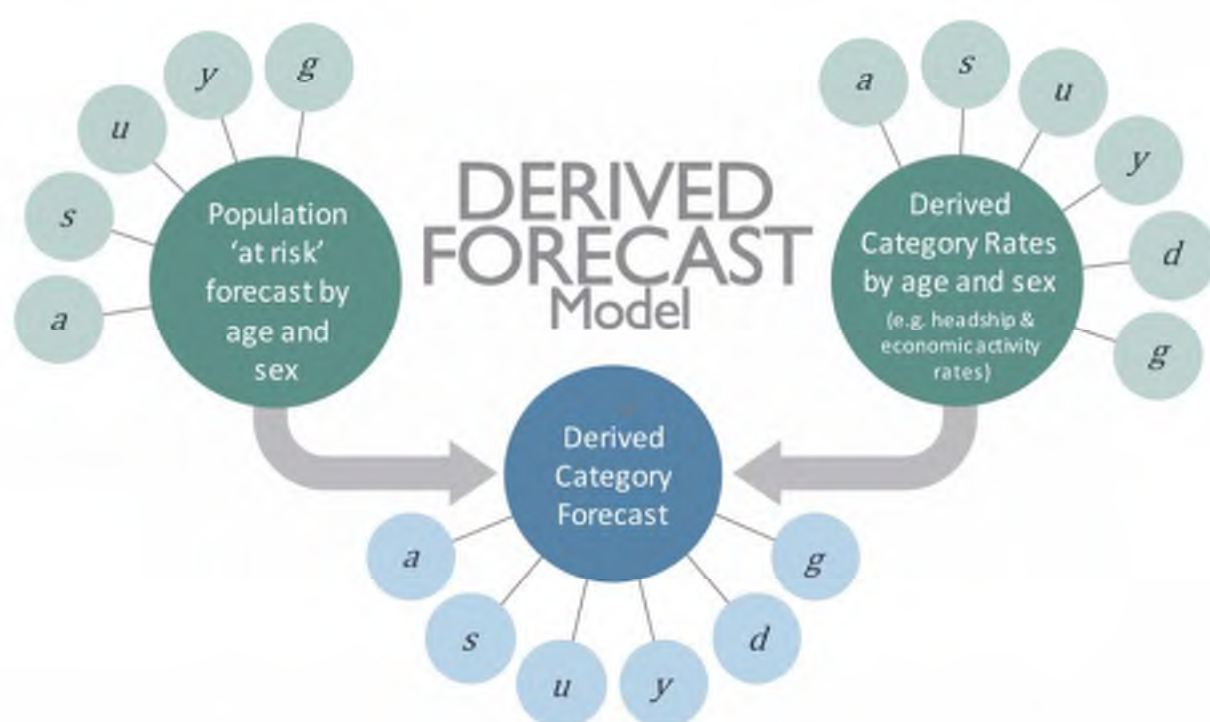


Figure 1: POPGROUP population projection methodology



$$D_{a,s,u,y,d,g} = \frac{P_{a,s,u,y,g} R_{a,s,u,y,d,g}}{100}$$

<i>D</i>	Derived Category Forecast	<i>y</i>	Year
<i>P</i>	Population 'at risk' Forecast	<i>d</i>	Derived category
<i>R</i>	Derived Category Rates	<i>g</i>	Group (usually an area, but can be an ethnic group or social group)
<i>a</i>	Age-group		
<i>s</i>	Sex		
<i>u</i>	Sub-population		

Figure 2: Derived Forecast (DF) methodology

## 2 Data Inputs & Assumptions

### Introduction

- 2.1 Edge Analytics has configured two demographic scenarios for Copeland, using POPGROUP v4.0 and the Derived Forecast model. The POPGROUP suite of demographic models draws data from a number of sources, building an historical picture of population, households, fertility, mortality and migration on which to base its scenario forecasts.
- 2.2 Using historical data evidence for 2001–2017, in conjunction with information from the Office for National Statistics (ONS) latest sub-national population projections (SNPPs) and Ministry of Housing, Communities and Local Governments (MHCLG) household projections, a series of assumptions have been derived which drive the scenario forecasts.

### Scenario Definition

- 2.3 Edge Analytics has developed a **Dwelling-led** and an **Employment-led** scenario for Copeland, taking account of the latest demographic and economic evidence.
- 2.4 Under **both** scenarios, historical mid-year population estimates have been used up to 2017 and the annual dwelling or employment growth targets have been applied as follows:
- **Dwelling-led 200 dpa (HH-14 Return)** – From 2017/18 onwards, annual dwelling growth targets of +200 dpa have been applied. Assumptions related to fertility, mortality and the profile of migrants are derived from the 2018-based SNPP. A sensitivity, **HH-14 Return**, has been applied to household headship rates (see 2.24).
  - **Employment-led (HH-14 Return)** – From 2017/18 onwards, annual employment growth targets have been applied, assuming annual employment growth of 0.6%<sup>1</sup>. Assumptions related to fertility, mortality and the profile of migrants are derived from the 2018-based SNPP. A sensitivity, **HH-14 Return**, has been applied to household headship rates (see 2.24).

### Dwelling-led Scenario

- 2.5 Under a '**Dwelling-led**' scenario, population growth is determined by the annual change in dwellings using key assumptions on household headship rates, communal population statistics and a dwelling vacancy rate.

<sup>1</sup> Annual employment growth targets were provided by Turley, for the period 2017/18–2034/35.



## Employment-led Scenarios

- 2.6 Under an ‘**Employment-led**’ scenario, population growth is determined by the annual change in employment using key assumptions on economic activity rates, a commuting ratio and unemployment rates.

## Population, Births & Deaths

### Population

- 2.7 In each scenario, historical population statistics are provided by the ONS mid-year population estimates (MYEs) for Copeland<sup>2</sup> (2001-2017).

### Births & Fertility

- 2.8 In each scenario, historical mid-year to mid-year counts of births by sex have been sourced from the ONS MYEs for the 2001/02-2016/17 period.
- 2.9 From 2017/18, an age specific fertility rate (ASFR) schedule derived from the ONS 2018-based SNPP is included in the POPGROUP model assumptions. In combination with the ‘population-at-risk’ (i.e. all women between the ages of 15–49), the area-specific ASFR and future fertility rate assumptions provide the basis for the calculation of births in each year of the forecast period (i.e. from 2018 onwards).

### Deaths & Mortality

- 2.10 In each scenario, historical mid-year to mid-year counts of deaths by 5-year age group and sex have been sourced from the ONS MYEs for the 2001/02–2016/17 period.
- 2.11 From 2017/18, an age-specific mortality rate (ASMR) schedule derived from the ONS 2018-based SNPP is included in the POPGROUP model assumptions. In combination with the ‘population-at-risk’ (i.e. the whole population), the area-specific ASMR and future mortality rate assumptions provide the basis for the calculation of deaths in each year of the forecast period (i.e. from 2018 onwards).

## Migration

### Internal Migration

- 2.12 In each scenario, historical mid-year to mid-year estimates of the internal in-and out-migration by 5-year age group and sex have been sourced from the ‘components of population change’ that underpin the ONS MYEs. These internal migration flows are estimated using data from the Patient Register (PR),

<sup>2</sup><https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates/datasets/populationestimatesforukenglandandwalesscotlandandnorthernireland>

the National Health Service Central Register (NHSCR) and the Higher Education Statistics Agency (HESA).

2.13 Historical counts of migrants are used from 2001/02 to 2016/17. From the start of the forecast period, the scenarios calculate their own internal migration assumptions to ensure an appropriate balance between the population and the targeted change in dwellings or employment defined in each year of the forecast period. Under the **Dwelling-led** scenario, a higher level of net internal migration will occur if there is insufficient population and households to meet the forecast change in dwellings. Under the **Employment-led** scenario, a higher level of net internal migration will occur if there is insufficient population and labour force to meet the forecast change in jobs.

2.14 The profile of internal migrants is defined by an age specific migration rate (ASMigR) schedule, derived from the ONS 2018-based SNPP.

## International Migration

2.15 Historical mid-year to mid-year counts of immigration and emigration by 5-year age group and sex have been sourced from the 'components of population change' files that underpin the ONS MYEs. Any 'adjustments' made to the MYEs to account for asylum cases are included in the international migration balance.

2.16 Historical counts of international in and out-migrants are used from 2001/02 to 2016/17. From 2017/18, international migration counts are derived from the full sixteen-year historical period (2001/02–2016/17). An ASMigR schedule of rates from the ONS 2018-based SNPP is used to distribute future counts by single year of age.

## Households & Dwellings

2.17 The 2011 Census defines a household as:

*"one person living alone, or a group of people (not necessarily related) living at the same address who share cooking facilities and share a living room or sitting room or dining area."*

2.18 In POPGROUP, a dwelling is defined as a unit of accommodation which can either be occupied by one household or vacant.

2.19 Under the **Dwelling-led** scenario, the population growth outcomes of each dwelling constraint have been estimated through the application of household representative statistics (also known as household headship rate statistics), communal population statistics and a dwelling vacancy rate.

2.20 In the **Employment-led** scenario, the household and dwelling implications of each population growth trajectory are estimated in the same way. These assumptions have been sourced from the 2011 Census and MHCLG's 2014-based household projection model.

## Household Headship Rates

- 2.21 A household headship rate (or household representative rate) is defined as the: *“probability of anyone in a particular demographic group being classified as being a household representative”*<sup>3</sup>
- 2.22 The household headship rates used in the POPGROUP modelling for Copeland have been taken from the MHCLG 2014-based household projection model, which is underpinned by the ONS 2014-based SNPP. The MHCLG household projections are derived through the application of projected headship rates to a projection of the private household population. The methodology used by MHCLG in its household projection models consists of two distinct stages:
- **Stage One** produces the national and local authority projections for the total number of households by sex, age-group and relationship-status group over the projection period.
  - **Stage Two** provides the detailed ‘household-type’ projection by age-group, controlled to the previous Stage One totals.
- 2.23 Under each scenario, **Stage Two** headship rates have been applied by age-group, sex and ‘household type’ (Table 1).

Table 1: MHCLG Stage Two headship rate classification household type classification

MHCLG Category	Description
One person male	One person households: Male
One person female	One person: Female
Couple no child	One family and no others: Couple households: No dependent children
Cple+adlts no child	A couple and one or more other adults: No dependent children
One child	Households with one dependent child
Two children	Households with two dependent children
Three+ children	Households with three or more dependent children
Other households	Other households with two or more adults

- 2.24 Under **both** scenarios, an adjustment to the MHCLG 2014-based Stage Two headship rates has been applied (**HH-14 Return**). Between 2017 and 2035, the MHCLG 2014-based headship rates in the 25–34 and 35–44 age-groups have been ‘returned’ to their 2001 values. All other age-groups are unadjusted.

## Communal Population Statistics

- 2.25 Household projections in POPGROUP exclude the population ‘not-in-households’ (i.e. the communal/institutional population). These data are drawn from the MHCLG 2014-based household projections, which use statistics from the 2011 Census. Examples of communal establishments include prisons, residential care homes, student halls of residence and certain armed forces accommodation.

<sup>3</sup> Household Projections 2014-based: Methodological Report. Ministry of Housing, Communities & Local Government (July 2016). <https://www.gov.uk/government/statistics/2014-based-household-projections-methodology>



- 2.26 For ages 0–74, the number of people in each age group not-in-households is fixed throughout the forecast period. For ages 75–85+, the proportion of the population not-in-households is recorded. Therefore, the population not-in-households for ages 75–85+ varies across the forecast period depending on the size of the population.

## Vacancy Rate

- 2.27 The relationship between households and dwellings is modelled using a ‘vacancy rate’, sourced from 2019 MHCLG Council Tax Data. Under **both** scenarios, a vacancy rate of 5.5% has been applied and fixed throughout the forecast period<sup>4</sup>.

## Labour Force & Jobs

### Economic Activity Rates

- 2.28 Economic activity rates (also referred to as labour force participation rates) are the proportion of the population that are actively involved in the labour force, either employed or unemployed and looking for work.
- 2.29 Economic activity rates by five year age group (ages 16–89) and sex have been derived from 2011 Census statistics, with adjustments made in line with the Office for Budget Responsibility’s (OBR) analysis of labour market trends in its Fiscal Sustainability Report<sup>5</sup>. The economic activity rate adjustments have been applied to **both** scenarios.

### Commuting Ratio

- 2.30 The commuting ratio indicates the balance between the level of employment and the number of resident workers. A commuting ratio greater than 1.00 indicates that the size of resident workforce exceeds the level of employment available in the area, resulting in a net out-commute. A commuting ratio less than 1.00 indicates that employment in the area exceeds the size of the labour force, resulting in a net in-commute.
- 2.31 The 2011 Census recorded a 0.95 commuting ratio in Copeland. This commuting ratio has been fixed for the duration of the forecast period.

### Unemployment Rate

- 2.32 The unemployment rate is the proportion of unemployed people within the total economically active population. Under **both** scenarios, historical unemployment rates have been used up to 2019. From 2020 onward, the 10-year average unemployment rate (5.8%) has been applied, fixed throughout the forecast period.

<sup>4</sup> The use of this vacancy rate, based on 2019 MHCLG Council Tax data, was specified by Turley.

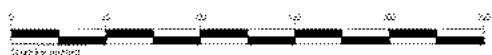
<sup>5</sup> [Fiscal Sustainability Report - July 2018](#)



**Turley**  
1 New York Street  
Manchester  
M1 4HD



**Appendix 2:    Former Marchon Chemical Works  
Hybrid Planning Application Site  
Plan**



MORTGAGE	
ANALYSIS	
Project	
Client	
Property	
Completion Date	11/11/2021
Project Ref	MWH/CP/3112
Drawn By	SDP
Check By	SDP
Date	July 2021

Page 330


**PERSIMMON**  
Persimmon Homes Lancashire  
Persimmon Homes Lancashire is a subsidiary of Persimmon plc

## **Appendix 3: Fairways Extension Location Plan**



Revision	Date	Amendment	Notes

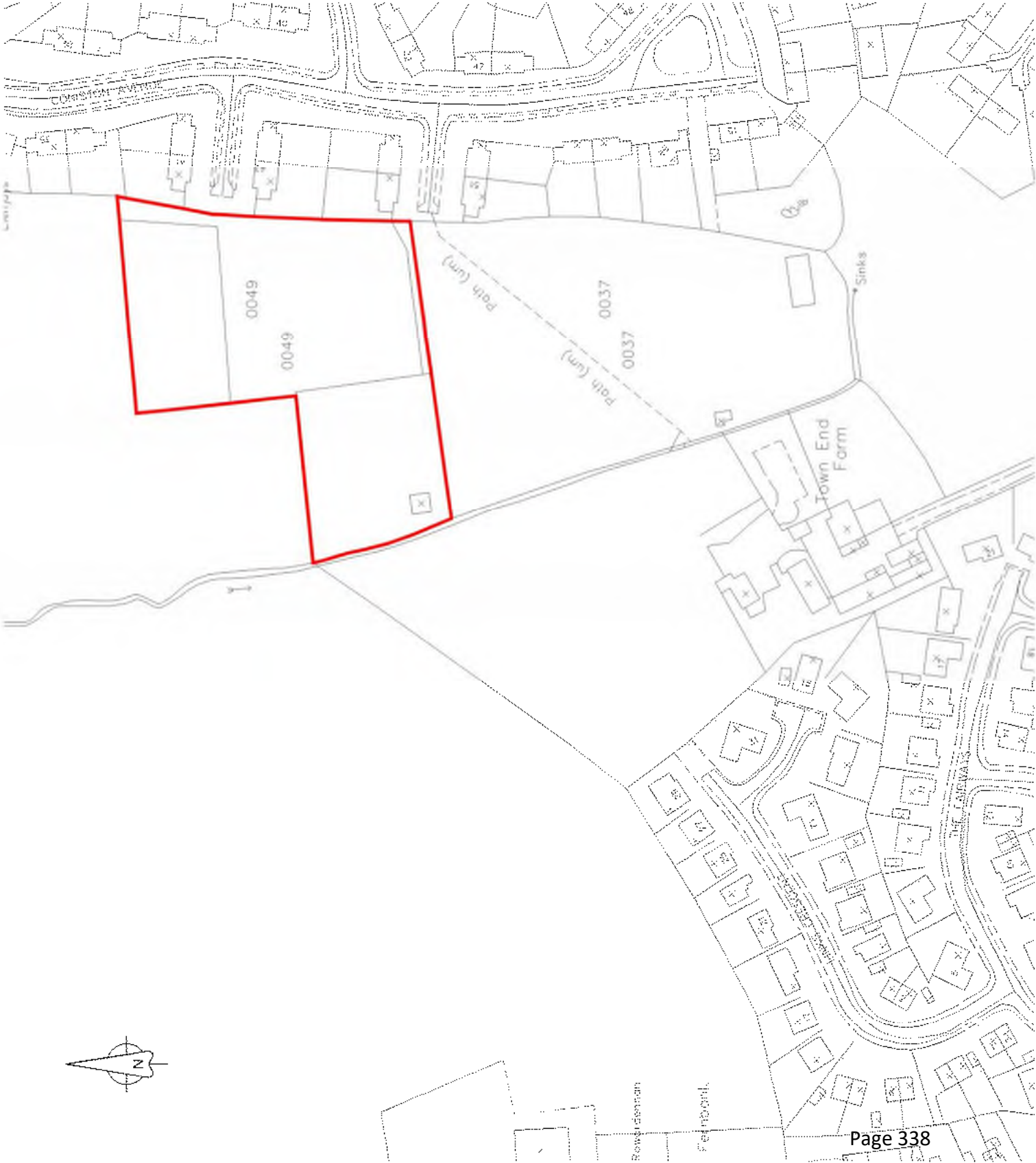
Development Land off Links Crescent			
Location	Seascale		
Authoring			
Review			
Designing			
Location Plan			
Designing Services			
Location Plan			
Scale	1:1250	Date	Nov 2020
Drawn by	SDH	Checked by	



**PERSIMMON**

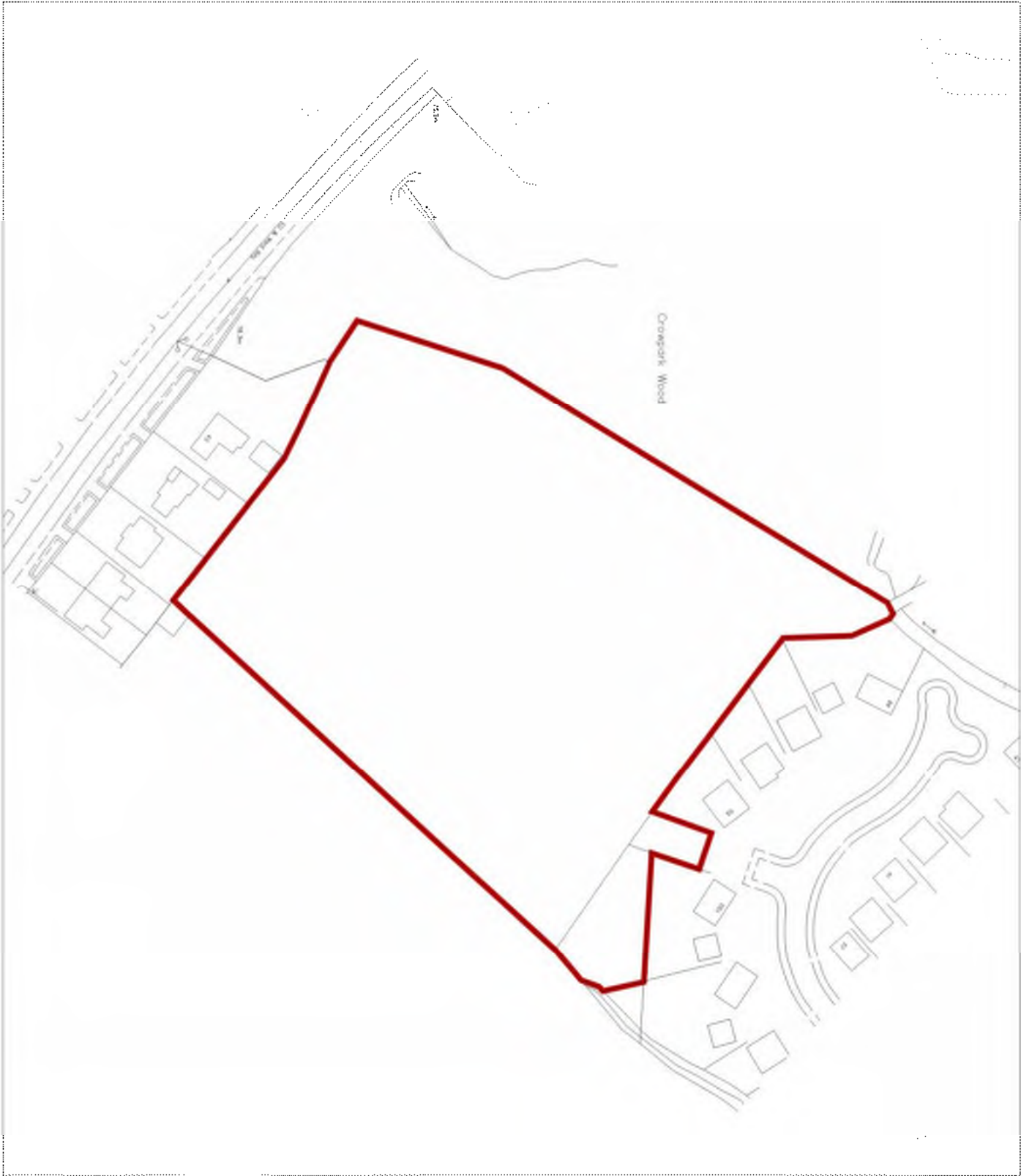
**Persimmon Homes Lancashire**


Persimmon Homes Lancashire is a subsidiary of Persimmon plc, a public limited company registered in England and Wales. Persimmon plc is a public limited company registered in England and Wales. Persimmon plc is a public limited company registered in England and Wales.



## **Appendix 4: Land South of Laurel Bank Location Plan**

# The Highlands, WHITEHAVEN





**PERSIMMON**  
Persimmon Homes Lancashire  
NEWCASTLE  
LIVERPOOL  
MANCHESTER  
SHEFFIELD  
BIRMINGHAM  
GLoucester

Developer <b>THE RAISELANDS</b>			
Location <b>WHITEHAVEN</b>			
Plot/Phase <b>HW BLO1</b>			
Planning reference <b>2016/2145</b>			
Budget <b>1.000</b>			
Start date <b>EW</b>			
Completion date <b>19.08.13</b>			
Status <b>2016</b>			

Number	Scale	Orientation	Index
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## **Appendix 5: Land South of Laurel Bank LVIA**



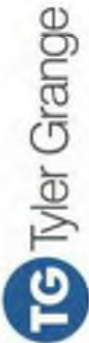
**UNCONTROLLED DRAFT**

Landscape and Visual Appraisal  
**Laurel Bank, Whitehaven**  
26th July 2019

12321/R0X/EF/Admin







Revision	Date	Author / Checked
12321_R0X (DRAFT)	28/07/2019	EF/xx

Section 1: Introduction and Site Context	1	12321/P01: Plan 1: Site Location	Appendix 1: xx
Section 2: Planning Policy Context	4	12321/P02: Plan 2: Site Context	Appendix 2: xx
Section 3: Landscape and Visual Baseline	10	12321/P03: Plan 3: Planning Policy	
Section 4: Visual Study	17	12321/P04: Plan 4: Landscape Character	
Section 5: Proposals and Benefits	26	12321/P05: Plan 5: Topography	
Section 6: Implications of Development	29	12321/P06: Plan 6: ZTV	
Section 7: Summary and Conclusion	34	12321/P07: Plan 7: Viewpoint Location Plan	
		1xxxx/Pxx: Plan 8: Opportunities and Constraints	
		1xxxx/Pxx: Plan 9: xx	

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## 1 Introduction and Site Context

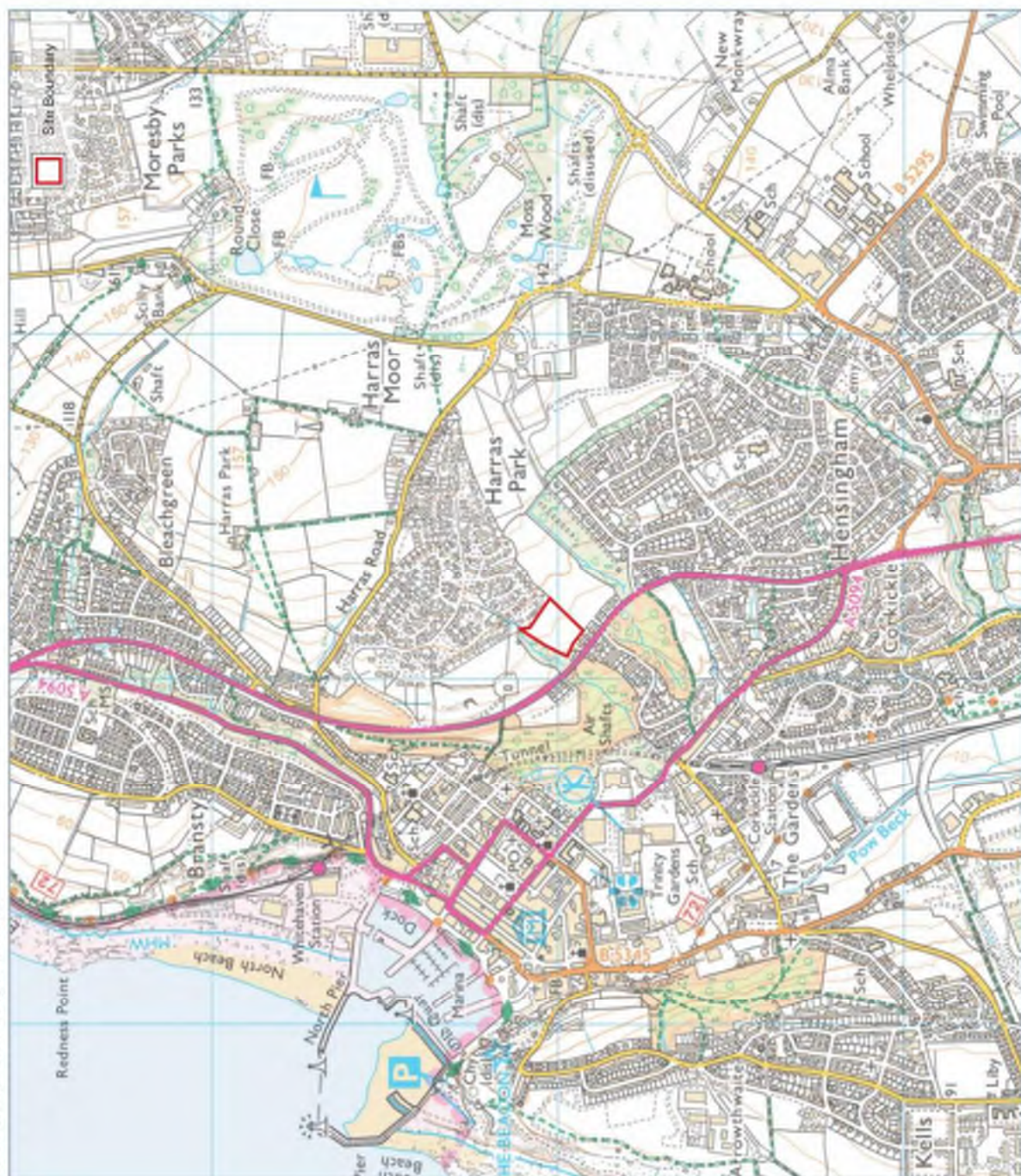
## Background

- 1.1 Tyler Grange have been appointed by Persimmon Homes to provide landscape consultancy services in relation to the Outline Planning Application for the development of up to **X** dwellings on land at Laurel Bank, Whitehaven. **(Waiting on layout)**
- 1.2 Copeland Borough Council place importance on the need for development to be environmentally sensitive and sustainable. The preparation of a Landscape and Visual Appraisal (LVA) report is part of the process of development planning and design through which the best environmental fit may be achieved.
- 1.3 Reference has been made to relevant Planning Policy, the Published Landscape Character Assessments, and other evidence base documents, as well as the findings of fieldwork and Tyler Grange's site specific appraisal to identify the landscape and visual context and key features of the site.
- 1.4 The appraisal contained within this report has been reviewed by an Associate of Tyler Grange, who is also a Chartered Member of the Landscape Institute (CMLI).

### Site Context

- 1.5 The site is located within the town of Whitehaven, approximately 700 meters away from the town centre and its associated marina to the west.
- 1.6 The site sits directly south of the Harras Moor suburb which is an average sized housing estate, and north of the A595 primary route road with its associated ribbon development. It leads from this that the site is well related to the existing settlement edge..
- 1.7 The site also sits adjacent to the Crowpark Ancient Woodlands which is recognised as a Local Wildlife Site.
- 1.8 The site area covers approximately 13,000m2, with land cover comprising solely of an unmanaged, inaccessible pastoral field.
- 1.9 The site sits within the rising topography of the landscape which generally slopes up from the coast to the west. Itself however, the site rises on a consistent gradient from the south west to the north east from approximately 80 meters AOD to 100 AOD.
- 1.10 Currently there is no access point onto the site.

Plan 1: Site Location (12321/P01)



Site Name, Location  
Landscape and Visual Appraisal  
Access/Evidence/both September 2019

**UNCONTROLLED DRAFT**



Plan 2: Site Context (12321/P02)







## National Planning Policy Framework 2019 (NPPF)

- 2.1 At the heart of the NPPF is a presumption in favour of sustainable development. For plan making the presumption requires plans to positively seek opportunities to meet the development needs of an area and be sufficiently flexible to adapt to rapid change. Footnote 6 accompanying the presumption identifies protected areas or assets of particular importance which includes Areas of Outstanding Natural Beauty.
- 2.2 Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the status of the development plan as the starting point for decision making. Furthermore, it confirms that where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

- 2.3 The creation of high quality buildings and places is fundamental to what the planning and development process should achieve, as stated at paragraph 124.

- 2.4 Paragraph 127 seeks to ensure that developments:

Will function well and add to the overall quality of the area, just not for the short term but over the lifetime of the development;

Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities):

Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.

Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users<sup>46</sup>; and where crime and disorder, and the fear of crime, do not undermine the quality of life or

community cohesion and resilience.”

- 2.5 Paragraph 170 requires planning policies and decisions to contribute to and enhance the natural and local environment by fulfilling criteria including amongst others:
- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); and
  - b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.

## National Planning Practice Guidance

- 2.6 Whilst National Planning Practice Guidance (NPPG) is to be updated, it does not preclude development. It considers that the creation of new residential neighbourhoods can, through sensitive design, be deemed acceptable even where it results in a loss of open countryside. Those categories within the NPPG that are of particular relevance to landscape and visual matters in relation to this site are set out below.

## Design

- 2.7 The NPPG emphasizes the need for development to be integrated with its surrounding context, reinforces local distinctiveness, reduces impacts on nature and sense of place, and considers views into and out of sites. This includes the use of local building forms and ensuring that development reflects the layout, scale, pattern and materials within new development. At paragraph 007 Reference ID: 26-007-20140306, it states: "*planning should promote local character (including landscape setting). Development should seek to promote character in townscape and landscape by responding to and reinforcing locally distinctive patterns of developments, local man-made and natural heritage and culture, while not preventing or discouraging appropriate innovation*".

- 2.8 The use of high quality hard and soft landscape design to help successfully integrate development into the wider environment is also emphasised as being important to consider from the outset, in order to ensure proposals improve the overall quality of the townscape and landscape.

## Green Infrastructure

- 2.9 This NPPG highlights the multifaceted benefits provided through the provision of Green Infrastructure, including but not limited to: 'enhanced wellbeing, outdoor recreation and access, enhanced biodiversity and landscapes, urban cooling, and the management of flood risk' (Paragraph: 005 Reference ID: 8-005-20190721)

- 2.10 Moreover, the NPPG recognises how green infrastructure exists within a wider landscape context and can thus be used to reinforce and enhance local landscape character and contribute to a sense of place.

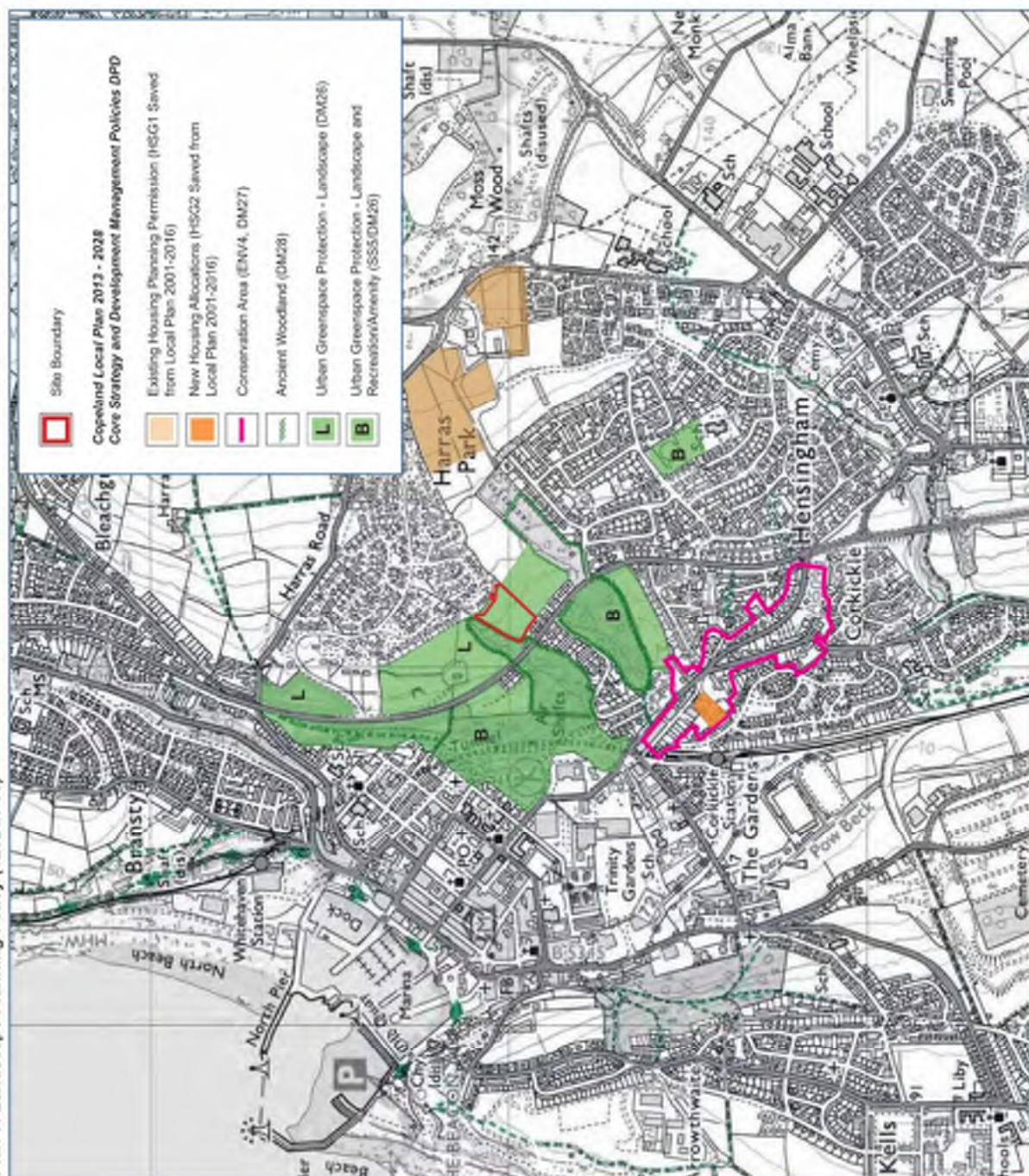
## Landscape

- 2.11 The NPPG makes reference to the National Planning Policy Framework, stating: 'It is clear that plans should recognise the intrinsic character and beauty of the countryside, and that strategic policies should provide for the conservation and enhancement of landscapes' (Paragraph: 036 Reference ID: 8-036-20190721)

- 2.12 It is therefore emphasised that the cumulative impacts of development on the landscape need to be considered carefully, whereby proposals should 'avoid adverse impacts on landscapes and set out necessary mitigation measures, such as appropriate design principles and visual screening, where necessary' (Paragraph: 036 Reference ID: 8-036-2090721).



Plan 3: Landscape Planning Policy (12321/P03)



### Local Planning Policy Context

2.13 The following provides details of the relevant planning policy context for the site. The site falls within the administrative boundaries of Copeland Borough Council and is covered by the **Copeland Local Plan 2013-2028: Adopted Core Strategy and Development Management Policies**. This section of the report should be read alongside **Plan 3**.

Policy SS5: Provision and Access to Open Space and Green Infrastructure

2.14 The policy seeks to improve the Boroughs Green Infrastructure provision by:

2.15 A) Protecting against the loss of designated open space (including playing fields, play areas and allotments) within settlements, and of the access routes or wildlife corridors which connect them, whilst ensuring also that they are well maintained. Where it is necessary to build on land covered by this policy, equivalent replacement provision should be made.

2.16 B) Setting minimum open space standards for new development in accordance with Policy DM12

2.17 C) Promoting the establishment, improvement and protection of green infrastructure networks connecting open spaces with each other and with the countryside"

## Policy ENV4: Heritage Assets

2.18 The policy sets out to maximise the value of the Borough's heritage assets by:

... C) Strengthening the distinctive character of the Borough's settlements, through the application of high-quality urban design and architecture that respects this character and enhances the settings of listed buildings"

## Policy ENV5: Protecting and Enhancing the Borough's Landscapes

2.19 The Borough's landscape will be protected and enhanced by:

(A) Protecting all landscapes from inappropriate change by ensuring that development does not threaten or detract from the distinctive characteristics of that particular area

B) Where the benefits of the development outweigh the potential harm, ensuring that the impact of the development on the landscape is minimised through adequate mitigation, preferably











lowland raised mires, salt marshes, mudflats and intertidal habitats with large numbers of wintering waders and wildfowl

- open pastoral farmland with occasional woodlands, basin and valley fens, remnant semi-natural grasslands/meadows associated with streambanks, low-lying land, and localised pockets of arable land supporting species such as curlew and wintering hen harrier
- There are areas of ancient enclosure with medium to large rectangular fields and few hedgerow trees. They are bounded by hedges (often gappy and augmented by wire fences), stone walls on higher ground, and stone-faced earthenbanks locally known as 'kests' along the coast.
- There is limited tree cover, with most woodland to be found on steeper slopes and along river corridors. There are some plantation woodlands and shelterbelts associated with the upland margins of the area and former open cast mining sites

3.7 Aside from "tree cover on steeper slopes", such features are not present on site itself owing to the broad scale of the national characterisation process; however this does assist with understanding the wider context of the surrounding landscape.

#### Regional/Local Character

Cumbria Landscape Character Guidance – Sub type 5d: Urban Fringe

3.8 At a more local level, the site falls within the 'Urban Fringe' Landscape Character Type. Its key characteristics include:

- Long term urban influences on agricultural land
- Recreation, large scale buildings and industrial estates are common
- Mining and opencast coal workings are found around Keeble and Moor Row
- Wooded valleys, restored woodland and some semiurbanised woodland provide interest

3.9 The perceptual character is described as being "a busy area where modern development dominates the pastoral character. The towns can be seen as progressively encroaching and areas have an air of neglect. The more agricultural areas and parts

where woodland and open green spaces remain are important green lungs close to the towns and cities which provide respite from the busy areas and a connection to the wider countryside"

3.10 The character assessment provides several guidelines to inform development. Of relevance to landscape and visual matters are the following guidelines:

- Establish new woodlands or tree groups on prominent skylines in order to soften their windswept appearance and provide screening where climatic conditions allow.
- Manage and restore existing semi-natural woodlands.
- Carry out schemes of structural planting to contain settlements, punctuate and reinforce the identity of each settlement and contain urban edges.
- Use planting and general environmental improvements to frame views and define open spaces and recreational links along river valleys.
- Restore and develop the pattern of hedgerows with additional planting and supplementary planting of scanty hedgerows.
- Increase planting of deciduous trees as feature trees, within hedgerows, along watercourses and in tree groups to enrich the general landscape.
- Ensure, where possible, that linked networks of vegetation are created using native trees and shrubs to enhance their nature conservation value and their use as 'ecological corridors'.
- Discourage the replacement or sole use of fences and encourage planting and traditional management of hedgerows.
- When new development takes place consider opportunities to enhance and strengthen green infrastructure to provide a link between urban areas and the wider countryside. Reinforcing woodland belts, enhancing water and soil quality and the provision of green corridors from and between settlements could all help reinforce landscape and biodiversity features.

#### Site Specific Character

3.11 Generally the site is representative of the 'Urban Fringe' character area, whereby modern development dominates the pastoral character and areas of woodland to the west provide interest.

3.12 The broadly rectangular site comprises a sole, relatively featureless pastoral field which slopes up from the south east to the north west, forming part of a wider strip of undeveloped land which separates the Highlands to the north from the A595 to the south.

3.13 The site appears to be in poor condition with no clear or safe access currently permitted. Overgrown grass and nettles fabricate an unmanaged appearance, whilst areas around the peripheries of the site are in places overgrown with bramble that detract from its overall character.

3.14 The site is bordered by a mixture of boundary features which serve to visually and physically enclose it:

- To the north: the site is bounded and overlooked by residential properties at Laurel Bank which place the site within the suburban context of Haras Moor (Image 1). Only a small wooden fence separates the site from these properties.
- To the east: the site is contained by a strip of gappy hedge planting and barbed wire fencing. This boundary physically and visually separates the site from the adjoining field / open space (Image 2).
- To the south: the site is edged by the rear of properties along the A595 which place the site in a peri-urban context (Image 4).
- To the west: the site is bordered by a belt of tree planting which is part of Crowpark Wood and serves a robust physical and visual barrier (Image 3 and Image 5). Crowpark is an Ancient Woodland and is recognised as a Local Wildlife Site.

3.15 The images depicted overleaf illustrate the key characteristics described above.



### 3 Landscape and Visual Baseline



**Image 1:** Properties along Laurel Bank overlook the site to the north and place it within the extents of the Harris Moor suburb.



**Image 2:** To the east the site is enclosed by a gappy hedgerow which separates it from the adjoining open field.



**Image 3:** Aerial photography clearly illustrates the sites physical containment.



**Image 4:** To the south the site is edged by properties of the A595 which serve to place the site within a peri-urban context.



**Image 5:** Crow Park- an Ancient Woodland and Local Wildlife Site, bounds the site to the west and serves as a robust physical and visual barrier.



**Image 6:** The site sits within the existing urban fabric (image zoomed in)



## Landscape Character Conclusion

Overall the site is largely representative of the Urban Fringe character area in the sense that it is part of a wider landscape where modern development dominates the pastoral character of the area. As described and depicted overleaf, the sites character is heavily influenced by its location in between the Harras Moor suburb to the north and A595 to the south, whereby the overlooking properties place the site within an urban context. It is recognised that Crowpark to the west of the site is a Local Wildlife Site which should be respected.

As per Policy DM28 of the adopted Core Strategy, proposals are expected to refer to the Cumbria Landscape Character Assessment to ensure development is congruent with the character of the area. Namely, the site has the potential to adhere to the following guidelines which have been considered on the Opportunities and Constraints Plan:

- Carry out schemes of structural planting to contain settlements, punctuate and reinforce the identity of each settlement and contain urban edges.
- Restore and develop the pattern of hedgerows with additional planting and supplementary planting of scanty hedgerows.
- Increase planting of deciduous trees as feature trees, within hedgerows to enrich the general landscape.
- Ensure, where possible, that linked networks of vegetation are created using native trees and shrubs to enhance their nature conservation value and their use as 'ecological corridors'.
- Discourage the replacement or sole use of fences and encourage planting and traditional management of hedgerows.
- Reinforcing woodland belts and the provision of green corridors from and between settlements could all help reinforce landscape and biodiversity features.

Accordingly, proposals informed by these guidelines would greatly enhance the presently poor character of the site.







### 3 Landscape and Visual Baseline

3.2.1 Photographs were taken from selected viewpoints with a digital camera with an equivalent 50mm focal length lens at eye level (approximately 1600mm above ground). A total of 5 representative viewpoints have been chosen from locations surrounding the site to enable the effects of the development to be assessed from all directions (see **Photoviewpoints 1-5**).

3.22 Whilst the views are chosen to be representative of the area, they cannot provide continuous coverage of all potential locations within the vicinity of the development. Often, views will occur as a sequence within the surrounding environment, with the most significant views assessed further within this report.

3.23 Likewise, where transient or fleeting views are possible, these will also be assessed as part of the report.

3.2.4 The GIS Zone of theoretical visibility suggests that the site will be visible as far north as public footpath 431 011#1 which traverses Harras Moor, and as far south as Mirehouse. To the east, the ZTV suggests that the site is visible from the Whitehaven Marina and to the west suggests that it is visible from Harras Park.

3.2.25 In reality, however, as the following visual study will show the extent of visibility is far more localised.

## Public Rights of Way

3.26 There are few public footpaths in the area where views of the site are sustained. The public footpaths of relevance are illustrated on **Plan 7: Public Rights of Way Plan** overleaf.

### Extent of Views

3.27 Overall the site sits within a well screened enclosure due to a combination of existing developments to the north and south, vegetation to the west, and more generally the variable topography of the surrounding area (see [Plan 5](#)).

3.2.8 The extent of the sites visibility is as follows:

- **To the north:** there are short distance views sustained onto the site through a gap in the residential built edge along Laurel Bank (**Photoviewpoint 1**). Residents of the properties which directly back onto the site (seen in **Image 1**) have unrestricted views across it.
- **To the east:** there are no views afforded onto the site from the nearest publicly accessible street/path due to the intervening belt of tree planting to the east (**Image 2**).

Plan 6: GIS Zone of Theoretical Visibility (12321/P07)





### 3 Landscape and Visual Baseline

- **To the south:** there are short distance views onto the site from the A595 through a gap in the residential edge; above one of the properties back fences (**Photoviewpoint 2**). Residents of the properties which back onto the site have open visibility of it (seen in **Image 2**). Views from the south east along the A595 at the adjoining fields access gate are shielded by the sites eastern boundary vegetation (**Photoviewpoint 3**), although the roofline of any development would be clearly discernible from this location. There are medium distance views of the site from the south, south east and west. The site however does not form a key component of any of these views, whereby it sits within the existing residential fabric which renders the site almost indistinguishable (**Photoviewpoint 4 and 5**)
- **To the west:** there are no views of the site due to the screening of the adjoining Crowpark wooded area and topography.

3.29 There are no distant views possible of the site due to intervening vegetation, high levels of tree cover found along field boundaries and undulating topography in the wider landscape which serves to limit views of the site.

## Visual Receptors

3.30 The receptors (individuals or groups of people) with views towards the site and whose visual amenity will be directly affected by the proposed development are listed below:

## Pedestrian and Vehicular Receptors

- Users of Laurel Bank (Representative Photoviewpoint 1)
- Users of the A595 (Representative Photoviewpoint 2 and 3)

### Residential Receptors

- Residents of the properties on Laurel Bank which directly overlook the site (seen in **Image 1**)
- Residents of the A595 which back onto the site (seen in **Image 4**)
- Residents of the property on Broom Bank to the north west which overlooks the site

3.31 As Photoviewpoints 4 and 5 will show, there are views of the site sustained from the wider landscape to the south, however they are not deemed significant as the site is barely visible and is heavily contained by existing development-rendering any view of the potential development negligible.

Plan 7: Public Rights of Way and Viewpoint Location Plan (12321/P08)



**UNCONTROLLED DRAFT**



#### 4 Visual Study

**Photoviewpoint 1:**

- 4.1 There are short distance views sustained onto the site through a gap in the residential edge of Laurel Bank. Much of the site however is concealed below the ridgeline due to its falling topography to the south west.
- 4.2 As illustrated in the viewpoint, the rooftop of the adjoining A595 properties are visible. Representative of the site itself, there are also expansive views towards the south west in the background, where pockets of residential development sit within, and on top of, belts of woodland amongst the undulating landscape.
- Receptors**
- 4.3 Receptors likely to experience this view are recreational and transient users of Laurel Bank. Residents of the properties which directly back onto the site will experience this view yet more expansively.

## Receptors

- 4.3 Receptors likely to experience this view are recreational and transient users of Laurel Bank. Residents of the properties which directly back onto the site will experience this view yet more expansively.



Photoviewpoint 1: View taken from Laurel Bank looking south towards the site.

Orientation: South







#### 4 Visual Study

### Photoviewpoint 3:

- 4.7 There are glimpsed views afforded onto the site through a gap in the properties of the A595. As shown in the viewpoint, the majority of the site from this location is obstructed by the hard edge of the houses. Much of the western extents of the site are also concealed by robust vegetation planting associated with Crowpark wood. Accordingly, only a very small extent of the site can be seen from this location.
- 4.8 The properties on Laurel Bank can be clearly seen on top of the ridge/line (and site) in the background.
- Receptors**
- 4.9 Receptors likely to experience this view are recreational users of the A595, and transient users who are travelling at speed. Residents of the property opposite the illustrated viewpoint will also experience this view.

## Receptors

- 4.9 Receptors likely to experience this view are recreational users of the A595, and transient users who are travelling at speed. Residents of the property opposite the illustrated viewpoint will also experience this view.



**Photoviewpoint 3:** View taken from the A595 looking north towards the site.

Orientation: North



#### 4 Visual Study

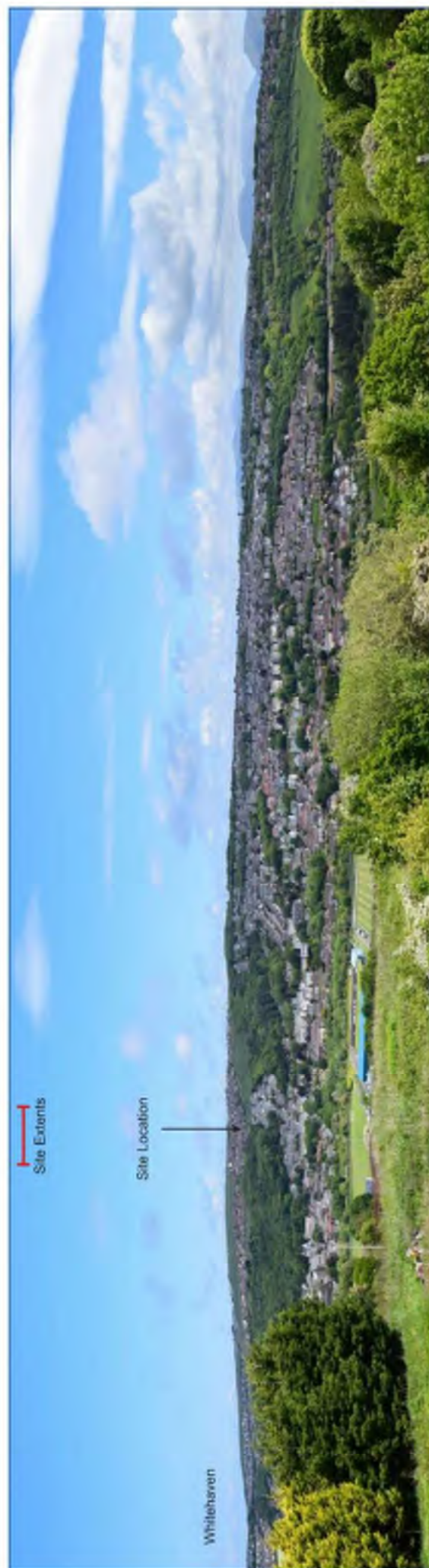
**Photoviewpoint 4:**

4.10 This viewpoint is to be read alongside Photoviewpoint 5 whereby it is a representation of the views experienced from the south, south east and south west. The view is dominated by residential development which is interspersed with undeveloped land and belts of woodland.

4.11 As shown in the viewpoint, the site forms a very small, even negligible, component of the view where it sits in between the Harras Moor settlement to the north and Crowpark wood to the south. It leads from this that any development of the site would be indistinguishable for receptors to the south as it would sit strongly within the urban fabric of the existing adjacent developments.

## Receptors

4.12 Receptors likely to experience this and similar views are residential, recreational and transient users to the south where the topography is higher and views are not obstructed by the built edge.



**Photoviewpoint 4:** View taken from public footpath 431 062#1 looking towards the site.

Orientation: North East

TG

**UNCONTROLLED DRAFT**

**Sid Name, Location**  
**Landscape and Visual Appraisal**  
Focus/E06/hobbs/eth September 2019



### Photoviewpoint 5:

- 4.13 Like with Photoviewpoint 4, this viewpoint illustrates and is representative of the sites visual confinement from the south.
- 4.14 Considering the distance from the site and urban setting within which the site sits, any views of the proposed development will not render it distinguishable from the existing land use in the area.
- Receptors**
- 4.15 Receptors likely to experience this and similar views are residential, recreational and transient users to the south where the topography is higher and views are not obstructed by the built edge.



**Photoviewpoint 5:** View taken from public footpath 422 009 looking north towards Whitehaven.

Orientation: North

### Conclusions

4.16 The appraisal of the visual context within this section has included a review of the extent of visibility, visual receptors and nature / composition of views. Reference has been made to representative viewpoints when defining these. The findings of the appraisal are summarised below:

### Extent of Views

4.17 Overall the site sits within a well screened enclosure due to a set of defensible boundaries which serve to limit publicly accessible localised views (refer to the site context photos, page 9).

4.18 From a short distance, there are public views onto the site through gaps in the residential edges along Laurel Bank to the north (Representative Photoviewpoint 1) and the A595 to the south (Representative Photoviewpoint 2 and 3). Views from the east and west are obstructed by belts of Ancient woodland planting.

4.19 Further afield from the south in general, there are middle distance views afforded of the site. As the photoviewpoints have illustrated, however, these views of the site are extremely discrete.

### Nature of Views

4.20 As illustrated by Photoviewpoints 1, 2 and 3, views of the site from the adjoining roads of Laurel Bank and the A595 are limited to gaps between the residential properties. Nonetheless, the comprising views consist of limited sections of the site and are screened by existing urban development.

4.21 When viewed from further distance to the south, the site sits within the extents of the existing urban fabric and is heavily concealed by Crowpark wood (see Photoviewpoints 4 and 5).

### Visual Design Principles

In light of the findings of the visual appraisal, the following design principles have been identified to ensure that development proposals respect the visual context of the site and its surroundings:

- Retain and enhance the sites eastern boundary vegetation to maintain the sites visual enclosure from the south east along the A595. Any potential views of the proposed developments roofline would consequently be softened.
- There is the opportunity for a new and more defensible vegetation boundary to be planted along the sites southern boundary in the form of a contextually coherent belt of woodland planting, which would aid in screening the views of any potential development from the A595 (as seen in Photoviewpoint 3). Doing so would also help mitigate the perceived impact of development for residents of the properties adjoining the site to the south.
- Adhering to the LCA guidelines, the fence which separates the site from the rear of the properties on Laurel Bank could be replaced with the planting of a new hedgerow to help mitigate the visual impact of development upon the adjoining dwellings on the northern site boundary

As the Opportunities and Constraints plan will show, the visual recommendations and measures are synonymous with the landscape guidelines set out in the LCA and adhere to numerous policies outlined within the core strategy.



## 5 Proposals and Benefits

## Proposals

- 5.1 In response to the landscape and visual baseline analysis, a series of landscape objectives, and opportunities and constraints have been identified (see **Plan 8: Opportunities and Constraints Plan**) to ensure that the development response reflects the local circumstance and addresses opportunities for landscape enhancement.
- 5.2 The following information sets out aspects of the proposed layout which are to be considered as part of the submitted outline scheme layout:
- A new native hedgerow and staggered clumps of hedgerow standards would help to mitigate the visual impact of development upon the adjoining dwellings at Laurel Bank on the northern site boundary. The addition of this boundary would also adhere to the LCA guideline to "discourage the replacement or sole use of fences and encourage planting and traditional management of hedgerows"
  - There are opportunities for a woodland buffer to be implemented along the western site boundary to ensure an appropriate development offset and sensitive design and management response in relation to the adjoining Crowpark Wood area of ancient woodland (meeting Policy DM26)
  - Opportunity to establish a new belt of tree planting across the lower reaches of the site will help to reduce the perceived density of development and can also maintain a physical gap between new and existing residential development. In accordance with SPD objectives, new woodland planting can be used strategically to create a bold landscape structure to reinforce the wooded qualities of the immediate site context to provide visual relief. Moreover, a new belt of tree planting would not just retain but enhance the connectivity between the two areas of biodiversity (i.e. the two woodlands)
  - The retention, strengthening and management of the eastern boundary hedgerow tree belt would enhance connectivity and ensure that field patterns can remain intact following development. Doing so would also meet the LCA guidelines to "restore and develop the pattern of hedgerows with additional planting and supplementary planting of scanty hedgerows"
  - Adjacent scaling, materials and colouration should be referenced within the proposed scheme to ensure a high quality design that will be appropriate to the character of the adjoining townscape (also adhering to Policy DM10)

Plan 8: Opportunities and Constraints Plan (12321/P09)





## 5 Proposals and Benefits

- Opportunity to implement area of Public Open Space in conjunction with the proposed woodland planting and woodland buffer. This would retain the sites green infrastructure connectivity with the surroundings and adhere to the open space standards set in Policy DM12 of the local plan.

## **Appendix 6: Land South of Laurel Bank Indicative Parameters Plan**



## Accommodation Schedule

Site Area: 1,502 hectares  
Land within existing rear gardens: 0,016 hectares  
Green Infrastructure: 0,612 hectares  
Net developable: 0,890 hectares  
Number of Homes: 33 homes  
Net Density: 37 homes/hectare  
Gross Density: 22 homes/hectare

## Key



## Proposed Harras Moor Development (Homes England)

Opportunities to improve permeability & connectivity of the two sites through footpath connections - only in agreement with adjacent landowners

e\*SCAPE10 years

Project Title  
Laurel Bank, Whitehaven

e\*SCAPE job No.  
019-023

Client  
Persimmon Homes (Lancashire)

Drawing Number  
019-023-P008

Revision  
REV A

Drawing Title  
Parameters Masterplan

Scale  
1:1,250 @ A3

Date  
November '19



## **Appendix 7: Melrose Location Plan**





Version: 1.0  
 Date: 11/11/2020  
 Author: [Redacted]

Development Name <b>Grove Road</b>	
Project Name <b>Egremont</b>	
Location Plan <b>GREL01</b>	
Scale: 1:1750	Date: 11/11/2020
Sheet No: 0014	Page No: 0014
Author: [Redacted]	



**PERSIMMON**

**Persimmon Homes Lancashire**

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FOR 10 YEARS  
100% SECURED FINANCING  
FOR 10 YEARS

## **Appendix 8: Vicarage Lane Location Plan**

[Insert text here]

# Vicarage Lane, ENNERDALE BRIDGE.



<b>CHARLES CHURCH</b> 100 Years of the Church of England 1888-1988	
<b>CHARLES CHURCH</b> Vicarage Lane Ennerdale Bridge Cumbria LA1 1JH Tel: 01524 831111 Fax: 01524 831112 Email: charles@charleschurch.co.uk Website: www.charleschurch.co.uk	
<b>Charles Church</b>	

Turley Office  
1 New York Street  
Manchester  
M1 4HD







# Copeland Local Plan 2021- 2038

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Date Rec. ....

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Copeland Borough Council  
Market Hall  
Market Place  
Whitehaven  
CA28 7JG

Or email: [localplanconsultation@copeland.gov.uk](mailto:localplanconsultation@copeland.gov.uk)

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If you **do not** wish for your details to be held in our consultation database, please tick here: ☐

If an agent is appointed you must complete details for both parties, but we will use the agent details as our primary contact.

	Your Details	Agent's Details (if applicable)
Name	Copeland Borough Council	[REDACTED]
Position	c/o Agent	Director
Organisation		Avison Young
Address		Central Square South Orchard Street Newcastle upon Tyne NE1 3AZ
Postcode		NE1 3AZ
Telephone		[REDACTED]
Email		[REDACTED]

### Gender (Please circle)

Male <input checked="" type="checkbox"/>	Female <input type="checkbox"/>	Prefer not to say <input type="checkbox"/>
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### Age (Please circle)

18- 25 <input type="checkbox"/>	26- 35 <input type="checkbox"/>	36-45 <input type="checkbox"/>	46-55 <input checked="" type="checkbox"/>	56-65 <input type="checkbox"/>	66-75 <input type="checkbox"/>	76+ <input type="checkbox"/>	Prefer not to say <input type="checkbox"/>
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## Part B: Your Representation

### 1. To which part of the Local Plan does this representation relate?

Paragraph

Policy

Policies Map

### 2. Is the nature of your representation to provide support for or to object to the Policy or Proposal?

Support

Object

### 3. Do you consider the Local Plan is legally compliant? (Please tick as appropriate)

Yes

No

### 4. Do you consider the Local Plan is sound? (Please tick as appropriate)

Yes

No

### 5. Do you consider the Local Plan complies with the Duty to Co-operate? (Please tick as appropriate)

Yes

No

### 6. Please give details of why you consider the Local Plan is not legally compliant, is unsound, fails to comply with the Duty to Co-operate, or if you wish to support it.

Please see supporting letter.

Following dialogue over the past 9 months with the Council as local planning authority the aspirations for Area 2 have been discussed at length. The vision and requirements for this part of the site include accommodation in order to serve the Cleator Moor Innovation Quarter project. The intention being that businesses locating at Cleator Moor Innovation Quarter are likely to have requirements for temporary accommodation for those visiting or working at the site.

At this stage flexibility is required on what form this accommodation will take and it may be based around a "student accommodation" model or a more flexible "hotel accommodation" model.

(Continue on a separate sheet /expand box if necessary)

**7. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 6 above.**

Please see supporting letter.

It is therefore considered that this element of the policy text has not been positively prepared as it does not reflect the identified needs for the site and the inclusion of an accommodation component would increase the sustainability of the scheme by minimising the need to travel away from the site.

For these reasons, it is requested that the policy wording be amended to include reference to "Class C1 (Hotels)" within the acceptable range of uses for Area 2.

(Continue on a separate sheet /expand box if necessary)

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Yes, I wish to participate  
in the hearing session(s)

☒

No, I do not wish to participate  
in the hearing session(s)

☐

**9. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

To allow discussions between the parties and enable further articulation and explanation of the points made.

Signature:



Date:

17 March 2022

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## Part B: Your Representation

### 1. To which part of the Local Plan does this representation relate?

Paragraph

Para 7.7.13

Policy

Policy E4PU

Policies Map

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Support

Object

✓

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Yes

✓

No

### 4. Do you consider the Local Plan is sound? (Please tick as appropriate)

Yes

No

✓

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Yes

✓

No

### 6. Please give details of why you consider the Local Plan is not legally compliant, is unsound, fails to comply with the Duty to Co-operate, or if you wish to support it.

Please see supporting letter.

As currently worded the paragraph provides a lack of clarity as to the Council's position and acceptance of the need and importance of Area 3 for the Cleator Moor Innovation Quarter project. It is therefore considered that this element of the policy's supporting text is unclear.

As currently drafted it is deemed to be imprecise and unjustified. It therefore fails the test of soundness and should be modified in such a way that it serves a clear purpose and is sufficiently precise and unambiguous.

For this reason the wording of this element of the supporting text to Policy E4PU should be amended to ensure that there is a clear statement that Area 3 forms part of the allocated land under Policy E4PU.

(Continue on a separate sheet /expand box if necessary)

**7. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 6 above.**

Please see supporting letter.

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**8. If your representation is seeking a modification to the plan, do you consider it necessary to participate in the Examination hearing session(s)?**

Yes, I wish to participate  
in the hearing session(s)

☒

No, I do not wish to participate  
in the hearing session(s)

☐

**9. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

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Signature:



Date:

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***Thank you for completing this form***





Central Square South  
Orchard Street  
Newcastle upon Tyne  
NE1 3AZ

T: +44 (0)191 261 2361  
F: +44 (0)191 269 0076

avisonyoung.co.uk



Our Ref: CBC/Leconfield  
17 March 2022

Copeland Borough Council  
[localplanconsultation@copeland.gov.uk](mailto:localplanconsultation@copeland.gov.uk)  
Via email only

Dear Sir/Madam

### Representations to the Copeland Local Plan 2021-2038 Publication Consultation

Please find below representation made by Avison Young on behalf of Copeland Borough Council to support the proposed allocation of Leconfield Industrial Estate and adjacent land to accommodate the Cleator Moor Innovation Quarter (CMIQ).

Specifically, the representations are submitted to provide additional information to support the inclusion of new Policy E4PU: Cleator Moor Innovation Quarter at Leconfield in the Publication draft Copeland Local Plan 2021-2038.

### Overview

The representations outlined below are consistent with the previous representations made to earlier iterations of the Draft Copeland Local Plan. Although there have been some welcomed changes to policy text and supporting paragraphs there are some areas which we would request are considered for amendments. The representations have been structured to highlight the non-compliance of these parts of the Plan with the National Planning Policy Framework's (NPPF) 'tests of soundness', that is:

- **Positively prepared** – providing a strategy which seeks to meet the area's objectively assessed needs and consistent with achieving sustainable development.
- **Justified** – the most appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence.
- **Effective** – deliverable over the plan period and based on effective joint working on cross-boundary strategic matters.
- **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework.

### Representations

Policy / Paragraph reference	Requested Change
Strategic Policy E4PU: Cleator Moor Innovation Quarter at Leconfield – Supporting Text Paragraph 7.7.13	As currently worded the paragraph provides a lack of clarity as to the Council's position and acceptance of the need and importance of Area 3 for the Cleator Moor Innovation Quarter project.

<p><i>"It should be noted that when part of Area 3 was assessed in the Employment Land Availability Assessment (ELAS) it was considered to be suitable for the future growth of the Leconfield Estate. However it was not promoted in the ELAS as necessary to be an allocation in this Local Plan as the land was not available at that time and the land requirements identified in the EDNA 2021 could be met by alternative sites."</i></p>	<p>It is therefore considered that this element of the policy's supporting text is unclear.</p> <p>As currently drafted it is deemed to be imprecise and unjustified. It therefore fails the test of soundness and should be modified in such a way that it serves a clear purpose and is sufficiently precise and unambiguous.</p> <p>For this reason the wording of this element of the supporting text to Policy E4PU should be amended to ensure that there is a clear statement that Area 3 forms part of the allocated land under Policy E4PU.</p>
<p><b>Strategic Policy E4PU: Cleator Moor Innovation Quarter at Leconfield – Policy Text</b></p> <p><i>"The primary uses on Growth Area 2 will be limited to Use Class E(g) and student accommodation linked to the site."</i></p>	<p>Following dialogue over the past 9 months with the Council as local planning authority the aspirations for Area 2 have been discussed at length. The vision and requirements for this part of the site include accommodation in order to serve the Cleator Moor Innovation Quarter project. The intention being that businesses locating at Cleator Moor Innovation Quarter are likely to have requirements for temporary accommodation for those visiting or working at the site.</p> <p>At this stage flexibility is required on what form this accommodation will take and it may be based around a "student accommodation" model or a more flexible "hotel accommodation" model.</p> <p>It is therefore considered that this element of the policy text has not been positively prepared as it does not reflect the identified needs for the site and the inclusion of an accommodation component would increase the sustainability of the scheme by minimising the need to travel away from the site.</p> <p>For these reasons, it is requested that the policy wording be amended to include reference to "Class C1 (Hotels)" within the acceptable range of uses for Area 2.</p>

We would welcome a meeting with Officers to discuss the above. If you require any clarity in respect of the enclosed representation, then please do contact me.



Yours faithfully

[Redacted signature]

[Redacted name]

Director

[Redacted text]

For and on behalf of Avison Young (UK) Limited





# Copeland Local Plan 2021- 2038

## Publication Draft Consultation Response Form

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If an agent is appointed you must complete details for both parties, but we will use the agent details as our primary contact.

	Your Details	Agent's Details (if applicable)
Name	Nuclear Decommissioning Authority	[REDACTED]
Position	c/o Agent	Director
Organisation		Avison Young
Address		Central Square South Orchard Street Newcastle upon Tyne NE1 3AZ
Postcode		NE1 3AZ
Telephone		[REDACTED]
Email		[REDACTED]

### Gender (Please circle)

Male <input checked="" type="checkbox"/>	Female <input type="checkbox"/>	Prefer not to say <input type="checkbox"/>
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---------------------------------	---------------------------------	--------------------------------	---	--------------------------------	--------------------------------	------------------------------	--

**Part B: Your Representation****1. To which part of the Local Plan does this representation relate?**

Paragraph

Paras 3 -5 of  
Policy

Policy

Policy NU1PU

Policies Map

**2. Is the nature of your representation to provide support for or to object to the Policy or Proposal?**

Support

Object

✓

**3. Do you consider the Local Plan is legally compliant? (Please tick as appropriate)**

Yes

✓

No

**4. Do you consider the Local Plan is sound? (Please tick as appropriate)**

Yes

No

✓

**5. Do you consider the Local Plan complies with the Duty to Co-operate? (Please tick as appropriate)**

Yes

✓

No

**6. Please give details of why you consider the Local Plan is not legally compliant, is unsound, fails to comply with the Duty to Co-operate, or if you wish to support it.**

Please see supporting letter and attached table setting out reasons for proposed changes and proposed amended text.

(Continue on a separate sheet /expand box if necessary)

7. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 6 above.

Please see supporting letter and attached table setting out reasons for proposed changes and proposed amended text.

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Yes, I wish to participate in the hearing session(s)

☒

No, I do not wish to participate in the hearing session(s)

☐

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Signature:



Date:

17 March 2022

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*Thank you for completing this form*



Policy / Paragraph reference	Requested Change
<p><b>Policy NU1PU – Supporting Development of the Nuclear Sector – Policy Text</b></p> <p><i>"Proposals that deliver the Sellafield mission will be supported where they meet the criteria in Policy NU4PU." – 3<sup>rd</sup> paragraph</i></p> <p><i>"The Council will work proactively with Cumbria County Council and Sellafield site operators in the development and management of nuclear and associated facilities/infrastructure." – 4<sup>th</sup> paragraph</i></p> <p><i>"In applying this policy the Council will expect all nuclear sector-related development in the Borough to make a proportionate and meaningful contribution to local economic, social and environmental strategies/priorities." – 5<sup>th</sup> paragraph</i></p>	<p>The NDA request that the text within <b>the third and fourth paragraphs</b> be amended to reflect the much broader range of projects and proposals within the nuclear sector. That is, the policy should be explicit in its support for all projects which deliver the NDA's mission as set out in the NDA Strategy (2021) (a Government policy document) and not just those that deliver the "Sellafield mission".</p> <p>Similarly, the fourth paragraph should be amended to include reference to the NDA.</p> <p>The following amendments to the third and fourth paragraphs are proposed.</p> <p><i>"Proposals that deliver the <b>NDA's mission</b> will be supported. Proposals that deliver the Sellafield mission will <b>also</b> be supported where they meet the criteria in Policy NU4PU."</i></p> <p><i>"The Council will work proactively with <b>the Nuclear Decommissioning Authority</b>, Cumbria County Council and Sellafield site operators in the development and management of nuclear and associated facilities/infrastructure <b>including offsite highway works and necessary areas of land required for construction of projects.</b>"</i></p> <p>The NDA request that the text within <b>the fifth</b></p>
	<p><b>paragraph</b> also be amended. The NDA are concerned that the policy refers to the requirement for all nuclear sector-related development to make a proportionate and meaningful contribution to local economic, social and environmental strategies/priorities.</p> <p>It is considered that this element of the policy's supporting text is unclear in terms of what is being sought and how this would be measured and assessed by the Local Planning Authority.</p> <p>The phrase 'proportionate and meaningful contribution' is considered to be ambiguous and could be interpreted in such a way that the developer is expected to provide a monetary contribution to satisfy this policy requirement. While a monetary sum may be required where reasonable, necessary and directly related to the development, this is appropriately addressed at Policy DSSPU (Planning Obligations). Any additional monetary contribution being sought from nuclear-related development proposals through the planning process would be unjustified.</p>



	and unsound.
	It is not appropriate for a requirement within the Local Plan to require applicants to contribute funds through the planning application process, unless it satisfies the planning obligations tests.
	For these reasons, the wording of this policy requirement is deemed imprecise and unjustified. It therefore fails the test of soundness and should be modified in such a way that it serves a clear purpose and is sufficiently precise and unambiguous.



# Copeland Local Plan 2021- 2038

## Publication Draft Consultation Response Form

### For internal use:

Resp. No. ....  
Rep. No. ....  
Date Rec. ....

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Market Hall  
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If an agent is appointed you must complete details for both parties, but we will use the agent details as our primary contact.

	Your Details	Agent's Details (if applicable)
Name	Nuclear Decommissioning Authority	[REDACTED]
Position	c/o Agent	Director
Organisation		Avison Young
Address		Central Square South Orchard Street Newcastle upon Tyne NE1 3AZ
Postcode		NE1 3AZ
Telephone		[REDACTED]
Email		[REDACTED]

### Gender (Please circle)

Male <input checked="" type="checkbox"/>	Female <input type="checkbox"/>	Prefer not to say <input type="checkbox"/>
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18- 25 <input type="checkbox"/>	26- 35 <input type="checkbox"/>	36-45 <input type="checkbox"/>	46-55 <input checked="" type="checkbox"/>	56-65 <input type="checkbox"/>	66-75 <input type="checkbox"/>	76+ <input type="checkbox"/>	Prefer not to say <input type="checkbox"/>
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## Part B: Your Representation

### 1. To which part of the Local Plan does this representation relate?

Paragraph  Policy  Policies Map

### 2. Is the nature of your representation to provide support for or to object to the Policy or Proposal?

Support  Object

### 3. Do you consider the Local Plan is legally compliant? (Please tick as appropriate)

Yes  No

### 4. Do you consider the Local Plan is sound? (Please tick as appropriate)

Yes  No

### 5. Do you consider the Local Plan complies with the Duty to Co-operate? (Please tick as appropriate)

Yes  No

### 6. Please give details of why you consider the Local Plan is not legally compliant, is unsound, fails to comply with the Duty to Co-operate, or if you wish to support it.

Please see supporting letter and attached table setting out reasons for proposed changes and proposed amended text.

(Continue on a separate sheet /expand box if necessary)



**7. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 6 above.**

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**8. If your representation is seeking a modification to the plan, do you consider it necessary to participate in the Examination hearing session(s)?**

Yes, I wish to participate  
in the hearing session(s)

☒

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Signature:



Date:

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Policy / Paragraph reference	Requested Change
<p><b>Policy NU3PU: General Nuclear Energy and Associated Development and Infrastructure. - Criteria 'a'</b></p> <p><i>"a) The development is sited on a designated employment site or on a suitable sites within settlement boundaries or otherwise be accompanied by a justifiable exceptional need case."</i></p>	<p>As currently worded criteria 'a' directs development towards either designated employment sites, suitable sites within settlement boundaries or if not within these areas to be justified through an "exceptional need case"</p> <p>The NDA are of the view that the "need" has already been established through the NDA Strategy (2021) which is a Government policy document and subject to extensive consultation prior to being published.</p> <p>As written the policy has the potential to add delay or further constraint to the NDA's ability to deliver its decommissioning and clean-up mission, making best use of NDA land in order to do this. The NDA Strategy (2021) is Government policy and was published after extensive consultation. The Strategy sets out how the NDA are required to ensure that the Site Licence Companies (SLCs) have the land and property they need to complete their mission. It also describes the NDA's role in helping promote opportunities for reuse of their land to stimulate progress in decommissioning and the release of land to support other government priorities such as national infrastructure projects.</p> <p>The policy should also recognise that the siting of infrastructure to support nuclear development (transports links, security, emergency services, construction logistics) should be sited in such a way as to enhance the attractiveness of the area to future developers. This applies regardless of whether the future development is nuclear or not, for example, a new rail head, or lay down areas in the identified development areas outside of the Sellafield site would benefit Sellafield Ltd now and would also benefit the development of the Clean Energy Park development in this location.</p> <p>It is therefore requested that criterion (a) be redrafted to include reference to NDA land and also set out the precise assessment criteria to be adopted when considering proposals subject to the "exceptional need case" to ensure a clear and consistent approach to decision-taking is possible.</p> <p><i>"a) The development is sited on a designated employment site, land under the control of the Nuclear Decommissioning Authority, on suitable sites within settlement boundaries or otherwise be accompanied by a justifiable exceptional need case."</i></p>



	<p>For these reasons, the wording of this policy requirement is deemed imprecise and unjustified. It therefore fails the test of soundness and should be modified in such a way that it serves a clear purpose and is sufficiently precise and unambiguous.</p>
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Postcode		NE1 3AZ
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### Gender (Please circle)

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## Part B: Your Representation

1. To which part of the Local Plan does this representation relate?

Paragraph  Policy  Policies Map

2. Is the nature of your representation to provide support for or to object to the Policy or Proposal?

Support  Object

3. Do you consider the Local Plan is legally compliant? (Please tick as appropriate)

Yes  No

4. Do you consider the Local Plan is sound? (Please tick as appropriate)

Yes  No

5. Do you consider the Local Plan complies with the Duty to Co-operate? (Please tick as appropriate)

Yes  No

6. Please give details of why you consider the Local Plan is not legally compliant, is unsound, fails to comply with the Duty to Co-operate, or if you wish to support it.

Please see supporting letter and attached table setting out reasons for proposed changes and proposed amended text.

(Continue on a separate sheet /expand box if necessary)

**7. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 6 above.**

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Yes, I wish to participate  
in the hearing session(s)

☒

No, I do not wish to participate  
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Policy / Paragraph reference	Requested Change
<p><b>Policy NU3PU: General Nuclear Energy and Associated Development and Infrastructure. – Policy Text</b></p> <p><i>"The Council will support nuclear energy sector development and associated infrastructure projects by working with potential developers to identify suitable sites for range of nuclear related support activities including, supply chain operations, research and development, worker accommodation and other relevant uses. The development of such sites will be supported where the following criteria are met:"</i></p> <p><i>"a) The development is sited on a designated employment site or on a suitable sites within settlement boundaries or otherwise be accompanied by a justifiable exceptional need case."</i></p> <p><i>"b) Any new energy infrastructure will minimise potential impacts on the borough's landscape and natural environment, and the health and amenity of its community and visitors;"</i></p> <p><i>"c) Sites must be located, developed and designed, to minimise any adverse impacts and where relevant must be capable of leaving a positive legacy for the borough and its communities."</i></p> <p><i>"Pre-application advice should be sought with the Council at an early stage of the proposal's development. Where relevant, proposals should be developed in consultation with the community and other key stakeholders."</i></p>	<p>In general terms the policy provides support for nuclear energy sector development and associated infrastructure projects and requires that development should be sited on a designated employment site or on a suitable sites within settlement boundaries or otherwise be accompanied by a "justifiable exceptional need case".</p> <p>As currently worded the policy title refers to "General Nuclear Energy and Associated Development and Infrastructure". The NDA request that the policy title be amended to include a broader range of projects which fully reflect the scope of the nuclear sector. The following amendment to the Policy title is proposed.</p> <p><b>"Policy NU3PU: General Nuclear <del>Energy</del> Sector and Associated Development and Infrastructure."</b></p> <p>Similarly, the first paragraph should be amended as follows:</p> <p><i>"The Council will support nuclear <del>energy</del> sector development and associated infrastructure projects by working with potential developers to identify suitable sites for range of nuclear related <del>support activities</del> <b>projects and activities</b> including, <b>production, decommissioning, innovation, storage, supply chain operations, research and development, worker accommodation, transport, logistics, provision of energy for existing assets and other relevant uses.</b> The development of such sites will be supported where the following criteria are met:"</i></p> <p>For these reasons, the wording of this policy requirement is deemed to be imprecise and unjustified. It therefore fails the test of soundness and should be modified in such a way that it serves a clear purpose and is sufficiently precise and unambiguous.</p>





# Copeland Local Plan 2021- 2038

## Publication Draft Consultation Response Form

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## Part B: Your Representation

1. To which part of the Local Plan does this representation relate?

Paragraph

Criteria A

Policy

Policy NU4PU

Policies Map

2. Is the nature of your representation to provide support for or to object to the Policy or Proposal?

Support

Object

✓

3. Do you consider the Local Plan is legally compliant? (Please tick as appropriate)

Yes

✓

No

4. Do you consider the Local Plan is sound? (Please tick as appropriate)

Yes

No

✓

5. Do you consider the Local Plan complies with the Duty to Co-operate? (Please tick as appropriate)

Yes

✓

No

6. Please give details of why you consider the Local Plan is not legally compliant, is unsound, fails to comply with the Duty to Co-operate, or if you wish to support it.

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Yes, I wish to participate  
in the hearing session(s)

☒

No, I do not wish to participate  
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Policy / Paragraph reference	Requested Change
<p><b>Policy NU4PU: Nuclear Development at Sellafield – Criterion ‘a’</b></p> <p><i>“a) All nuclear development (other than monitoring, maintenance and investigatory work necessarily done off-site) shall be sited within the existing Sellafield site boundary unless Criterion b) applies.”</i></p>	<p>The NDA wishes to raise concerns with regard to the definition of ‘nuclear development’ and the extent of the ‘Sellafield site boundary’. Further clarification is required to ensure the policy wording is justified and effective in considering future planning applications.</p> <p>There are a broad range of activities carried out on the Sellafield site, not all of which can be categorised as ‘nuclear development’. For example, there are various supporting activities and construction works which are required alongside nuclear developments.</p> <p>The NDA is seeking clarity regarding the associated developments required on the site so that they are enabled and supported by the Local Plan. The following amendment to criterion a is proposed.</p>
	<p><i>“a) All <b>Nuclear</b> development (other than monitoring, maintenance and investigatory work necessarily done off-site) and <b>any non-nuclear development and enabling works requiring planning permission</b> shall be sited within the existing Sellafield [Nuclear Licensed Site] boundary unless Criterion b) applies.”</i></p> <p>This would serve to provide a ‘positively prepared’ strategy which would avoid the need to demonstrate and justify the requirement for “non-nuclear” development at the Sellafield site at the planning application stage.</p>
	<p>The Local Plan should not unnecessarily constrain activities to the nuclear licensed site. As written the policy has the potential to add delay or further constraint to the NDA’s ability to deliver its decommissioning and clean-up mission, making best use of NDA land (not simply licensed site areas of land) in order to do this. The NDA Strategy (2021) was published after extensive consultation and sets out the NDA’s intention to ensure that Site Licence Companies (including Sellafield Ltd) have the land and property they need to complete their mission. It also describes the NDA’s role in helping promote opportunities for reuse of their land to stimulate progress in decommissioning and the release of land to support other government priorities such as national infrastructure projects.</p> <p>With respect to the Sellafield site boundary, as currently drawn on the proposals map it appears to follow the Nuclear Licenced Site boundary which</p>

	<p>only relates to part of the Sellafield site. There are areas outside of this boundary which have been developed and it is necessary to recognise these. It is therefore requested that the proposed site boundary is reviewed in order to reflect the area that is currently owned by the NDA, including that operated and controlled by Sellafield Ltd. And the NDA</p>
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## Part B: Your Representation

### 1. To which part of the Local Plan does this representation relate?

Paragraph

Criteria B

Policy

Policy NU4PU

Policies Map

### 2. Is the nature of your representation to provide support for or to object to the Policy or Proposal?

Support

Object

✓

### 3. Do you consider the Local Plan is legally compliant? (Please tick as appropriate)

Yes

✓

No

### 4. Do you consider the Local Plan is sound? (Please tick as appropriate)

Yes

No

✓

### 5. Do you consider the Local Plan complies with the Duty to Co-operate? (Please tick as appropriate)

Yes

✓

No

### 6. Please give details of why you consider the Local Plan is not legally compliant, is unsound, fails to comply with the Duty to Co-operate, or if you wish to support it.

Please see supporting letter and attached table setting out reasons for proposed changes and proposed amended text.

(Continue on a separate sheet /expand box if necessary)

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Yes, I wish to participate  
in the hearing session(s)

☒

No, I do not wish to participate  
in the hearing session(s)

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To allow discussions between the parties and enable further articulation and explanation of the points made.

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Date:

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Policy / Paragraph reference	Requested Change
<p><b>Policy NU4PU: Nuclear Development at Sellafield – criterion ‘b’</b></p> <p><i>“b) Where any proposed development is outside the Sellafield site it shall be sited on a designated employment site or on suitable sites within settlement boundaries in accordance with the principles set out in Policies DS3PO and DS4PO, or otherwise accompanied by a justifiable exceptional need case<sup>43</sup>.”</i></p> <p><i>“<sup>43</sup> A development proposal which is supported by a statement outlining the special ‘site specific’ circumstances that demonstrate the need / reason for that development on planning grounds to be on that particular site (as opposed to elsewhere) and which justify the proposal in that location as an exception to established planning policies.”</i></p>	<p>There is a requirement under criterion ‘b’ for supporting non-nuclear development to be sited in close proximity to the Sellafield site.</p> <p>However, it is considered unclear what is required by the “justifiable exceptional need case”. The additional footnote (43) intended to help describe the “exceptional need case” does not establish the criteria against which any development proposal would be assessed.</p> <p>It is therefore suggested that criterion ‘b’ be redrafted to set out the precise assessment criteria to be adopted when considering proposals subject to the “exceptional need case” to ensure a clear and consistent approach to decision-taking is possible.</p> <p>The NDA are of the view that the exceptional “need” has already been established through the NDA Strategy (2021) which is a Government policy document having been subject to extensive consultation prior to being published.</p> <p>As written this policy has the potential to add delay or further constraint to the NDA’s ability to deliver its decommissioning and clean-up mission, restricting best use of NDA land. The NDA Strategy (2021) was published after extensive consultation and sets out the intention to ensure that the Site Licence Companies (SLCs) (including Sellafield Ltd) have the land and property they need to complete their mission. It also describes the NDA’s role in helping promote opportunities for reuse of their land to stimulate progress in decommissioning and the release of land.</p> <p>It is also noted that footnote (43) suggests that any proposed development outside of the defined Sellafield site would be considered an exception to established planning policies. This is in apparent contradiction to Policy DS4PU which offers support to “nuclear related development” and “essential infrastructure to support energy development and other infrastructure” outside settlement boundaries provided there is a proven need for an open countryside location. Following this logic, it should follow that future development outside of the defined Sellafield site – subject to adequately demonstrating the need for an open countryside location – would comply with Policy DS4PU and should not be deemed as an exception.</p> <p>Given the above, further guidance and clarification</p>

	are required, either within Policy NU4PU or its supporting text, on the assessment criteria to be applied to future development proposals outside of the defined Sellafield site and subject to the "exceptional need case".
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# Copeland Local Plan 2021- 2038

## For internal use:

Resp. No. ....  
Rep. No. ....  
Date Rec. ....

## Publication Draft Consultation Response Form

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Market Hall  
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Whitehaven  
CA28 7JG

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If an agent is appointed you must complete details for both parties, but we will use the agent details as our primary contact.

	Your Details	Agent's Details (if applicable)
Name	Nuclear Decommissioning Authority	[REDACTED]
Position	c/o Agent	Director
Organisation		Avison Young
Address		Central Square South Orchard Street Newcastle upon Tyne NE1 3AZ
Postcode		NE1 3AZ
Telephone		[REDACTED]
Email		[REDACTED]

Gender (Please circle)

Male <input checked="" type="checkbox"/>	Female <input type="checkbox"/>	Prefer not to say <input type="checkbox"/>
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Age (Please circle)

18- 25 <input type="checkbox"/>	26- 35 <input type="checkbox"/>	36-45 <input type="checkbox"/>	46-55 <input checked="" type="checkbox"/>	56-65 <input type="checkbox"/>	66-75 <input type="checkbox"/>	76+ <input type="checkbox"/>	Prefer not to say <input type="checkbox"/>
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## Part B: Your Representation

### 1. To which part of the Local Plan does this representation relate?

Paragraph

Criteria C

Policy

Policy NU4PU

Policies Map

### 2. Is the nature of your representation to provide support for or to object to the Policy or Proposal?

Support

Object

✓

### 3. Do you consider the Local Plan is legally compliant? (Please tick as appropriate)

Yes

✓

No

### 4. Do you consider the Local Plan is sound? (Please tick as appropriate)

Yes

No

✓

### 5. Do you consider the Local Plan complies with the Duty to Co-operate? (Please tick as appropriate)

Yes

✓

No

### 6. Please give details of why you consider the Local Plan is not legally compliant, is unsound, fails to comply with the Duty to Co-operate, or if you wish to support it.

Please see supporting letter and attached table setting out reasons for proposed changes and proposed amended text.

(Continue on a separate sheet /expand box if necessary)

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Yes, I wish to participate  
in the hearing session(s)

☒

No, I do not wish to participate  
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Signature:



Date:

17 March 2022

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Policy / Paragraph reference	Requested Change
<p><b>Policy NU4PU: Nuclear Development at Sellafield – criterion ‘c’</b></p> <p><i>“c) With the exception of irradiated fuel and nuclear materials, no radioactive material is imported for treatment or storage on the Sellafield licensed site unless the proposal represents the best practical environmental option and is an interim proposal pending agreement on a national disposal route.”</i></p>	<p>It is considered that criteria ‘c’ of the policy is not justified and should be deleted.</p> <p>The NDA Strategy requires that options for diverse radioactive waste management and disposal solutions are considered. A key principle for waste management, as described in the NDA Strategy, is that where appropriate, decisions should give greater integration across the NDA's estate and the supply chain, in particular by seeking opportunities to share treatment and interim storage assets.</p> <p>Decisions are made using the NDA's "Value Framework". The Value Framework comprises factors that describe what the NDA values, recognising that value comes in many forms. These factors are considered when assessing options and identifying which option offers the greatest value. The Value Framework incorporates the requirements of Strategic Environmental Assessment (SEA), and therefore sustainability and environmental considerations underpin strategy development and decision making.</p> <p>The consolidation of radioactive material is, therefore, in line with NDA Strategy (2021) and not in itself development requiring planning permission and would be controlled by other regulatory processes.</p> <p>The NDA undertakes extensive public consultation prior to the publication of its Strategy which establishes its position on the consolidation of nuclear material.</p> <p>The local planning process should seek to enable this delivery rather than introducing an additional requirement through the planning process which would conflict with the national strategy for nuclear low level waste management and the duties of other nuclear regulators (e.g. The Office for Nuclear Regulation (ONR) and Environment Agency (EA)).</p> <p>It is therefore requested that criterion ‘c’ be deleted.</p>



# Copeland Local Plan 2021- 2038

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Position	c/o Agent	Director
Organisation		Avison Young
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## Part B: Your Representation

### 1. To which part of the Local Plan does this representation relate?

Paragraph

Criteria G

Policy

Policy NU4PU

Policies Map

### 2. Is the nature of your representation to provide support for or to object to the Policy or Proposal?

Support

Object

✓

### 3. Do you consider the Local Plan is legally compliant? (Please tick as appropriate)

Yes

✓

No

### 4. Do you consider the Local Plan is sound? (Please tick as appropriate)

Yes

No

✓

### 5. Do you consider the Local Plan complies with the Duty to Co-operate? (Please tick as appropriate)

Yes

✓

No

### 6. Please give details of why you consider the Local Plan is not legally compliant, is unsound, fails to comply with the Duty to Co-operate, or if you wish to support it.

Please see supporting letter and attached table setting out reasons for proposed changes and proposed amended text.

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Yes, I wish to participate  
in the hearing session(s)

☒

No, I do not wish to participate  
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☐

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Policy / Paragraph reference	Requested Change
<p><b>Policy NU4PU: Nuclear Development at Sellafield – criterion ‘g’</b></p> <p><i>“g) Proposals shall include measures for carbon offsetting via off site / other agreed compensatory means where it has been demonstrated that they cannot be achieved on site.”</i></p>	<p>In our previous representations we stated concerns that the criterion required “satisfactory” measures for carbon offsetting be secured via off site or other agreed compensatory means where it has been demonstrated that they cannot be achieved on site.</p> <p>As drafted the policy could not be supported as the word “satisfactory” provides no clarity as to the level of carbon offsetting required to be associated with proposals and planning applications.</p> <p>The removal of the word “satisfactory” has not dealt with our concerns on this point.</p> <p>The NDA is already taking a centralised approach to secure large-scale carbon offsetting to ensure consistency, good practice and best use of publicly funded resources. The NDA requires its’ operating companies (i.e. Sellafield Ltd) to continue with the primary task of carbon reduction and does not expect nor require individual projects to undertake carbon offsetting at scale.</p> <p>The NDA Strategy and sustainability policy stance on carbon reduction is for a hierarchy of measures to be considered and for this to be embedded in all of their projects and operations. Carbon offsetting is at the bottom of this hierarchy. As such the wording of the requirement is inconsistent with the NDA Strategy which is based around the principles of carbon reduction as opposed to carbon offsetting.</p> <p>In addition, the intended purpose of the requirement is also unclear and there is no understanding of how carbon offsetting would be measured and applied in practice.</p> <p>There is also no link made in criteria G to Strategic Policy DS2PU (<i>Reducing the Impacts of development on Climate Change</i>) where there is reference to “Measures to avoid fossil fuel usage for transport, heating and power generation and offsetting any carbon intensive energy usage over full lifetime of development”.</p> <p>For the above reasons, the imposition of this criterion within Policy NU4PU would be inconsistent with the NDA Strategy for carbon management and offsetting. As such this element of the policy does not meet the tests of soundness on the basis it is unjustified, ineffective and inconsistent with national policy.</p>

	It is therefore requested that criterion 'g' be deleted.
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# Copeland Local Plan 2021- 2038

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Date Rec. ....

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## Part B: Your Representation

1. To which part of the Local Plan does this representation relate?

Paragraph

Policy

Policies Map

LLWR site

2. Is the nature of your representation to provide support for or to object to the Policy or Proposal?

Support

Object

3. Do you consider the Local Plan is legally compliant? (Please tick as appropriate)

Yes

No

4. Do you consider the Local Plan is sound? (Please tick as appropriate)

Yes

No

5. Do you consider the Local Plan complies with the Duty to Co-operate? (Please tick as appropriate)

Yes

No

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(Continue on a separate sheet /expand box if necessary)

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Yes, I wish to participate  
in the hearing session(s)

☒

No, I do not wish to participate  
in the hearing session(s)

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Policy / Paragraph reference	Requested Change
<b>General text and the Proposals Map</b>	The LLWR site is currently 'white land' in the adopted Local Plan an approach which is carried forward in this Publication draft stage Plan.
<b>LLWR site recognition and LLWR site boundary</b>	
	The site is therefore comparable, in planning policy terms, with the open countryside. It is considered by the NDA that the proposals map should recognise all of the key NDA sites, i.e. Moorside, Sellafield and the LLWR.
	It is acknowledged that the majority of planning applications at the LLWR will be considered by Cumbria County Council as 'waste developments'. However, this does not eliminate the need for these sites to be given context and policy provision in the new Copeland Local Plan, given the significance and nature of the site and its importance to the local economy and nationally in terms of radioactive waste management.
	It is therefore requested that the LLWR site boundary be added to the proposals map.
	In addition, it is requested that in a similar approach taken for Moorside (section 10.4), Cumbria Clean Energy Park (section 10.5) and the Industrial Solutions Hub (section 10.6) that a contextual and descriptive overview be provided for the LLWR site.





Central Square South  
Orchard Street  
Newcastle upon Tyne  
NE1 3AZ

Our Ref: Sellafield & LLWR

17 March 2022

Strategic Planning  
Copeland Borough Council  
Copeland Centre  
Catherine Street  
Whitehaven  
Cumbria  
CA28 7SJ

avisonyoung.co.uk



Dear Sir/Madam,

## **COPELAND LOCAL PLAN 2017 TO 2035 – PUBLICATION DRAFT CONSULTATION REPRESENTATIONS ON BEHALF OF THE NDA**

We write to you on behalf of the Nuclear Decommissioning Authority ('the NDA'), in respect of the current consultation on the *Copeland Local Plan 2017 – 2035 Publication Draft Consultation*.

Avison Young are the appointed property advisors for the NDA and provide planning advice across the NDA's UK-wide estate. This representation is made in respect of the NDA's assets within Copeland Borough including the Moorside site, Sellafield site, the national Low Level Waste Repository ('LLWR') and the NDA's interests in the Geological Disposal Facility ('GDF').

The NDA have worked jointly with Copeland Borough Council for many years and can appreciate the importance and contribution that the nuclear sector brings to the health of the local economy.

The NDA is the strategic authority responsible for managing the effective and efficient clean-up of the UK's nuclear legacy, which includes the Sellafield site. Sellafield is operated by Sellafield Limited (the Site Licence Company) on the NDA's behalf, in order to carry out the decommissioning of the site (including waste management and where appropriate land remediation). Decommissioning is a lengthy process expected to occur throughout and beyond the plan period. LLW Repository Limited is the Site Licence Company ('SLC'), responsible for operating the LLWR on the NDA's behalf.

### **Context – Moorside, Sellafield, LLWR and GDF Sites**

The NDA owns land adjacent to Sellafield which is commonly referred to as the "Moorside site" which includes proposals for the "Cumbria Clean Energy Park", a low-carbon energy hub centred on Moorside. The site has been identified as the potential host site for either a large new nuclear station or a mix of large, small and advanced nuclear. This could result in 3GW+ of large new build and a further contribution of low carbon power from other technologies on or adjacent to the site.

The Sellafield site includes a diverse range of nuclear facilities; including spent fuel management including reprocessing, waste treatment and packaging, storage of radioactive wastes, and decommissioning. Activities in support of the NDA mission are undertaken both on the nuclear licensed portion of the NDA owned land at Sellafield, and also on the non-licensed portion.

LLWR has operated as the UK's national repository for the disposal of lower activity radioactive waste since 1959. Such waste is produced by the nuclear industry as well as non-nuclear sources such as hospitals and research establishments.

The NDA also own land located in some of the "Search Areas" where Nuclear Waste Services Geological Disposal Facility (GDF) Programme team are seeking to identify potentially suitable sites for a Geological Disposal Facility (GDF). The GDF seeks to develop a permanent disposal capability for higher-activity UK radioactive wastes and represents one of the largest environmental protection and infrastructure programmes in the UK. The GDF siting process is ongoing, and the Search Areas includes areas within Mid Copeland and South Copeland as well as areas in Allerdale and potentially other parts of the country.

### **Context – Existing Local Plan**

The statutory development plan affecting proposals at Sellafield, Moorside, LLWR and areas under consideration for the GDF currently comprises of the *Copeland Local Plan 2013-2028: Core Strategy and Development Management Policies DPD*, in addition to the saved policies of the *Copeland Local Plan 2001-2016* (2009).

In the adopted development plan, the main Sellafield site is currently afforded a settlement boundary under Policy ST2 and is therefore, at a strategic level, subject to similar policy provisions to towns, villages and other settlements within the Borough that have such a designation.

LLWR was originally allocated as a 'Safeguarding Zone' in the 2001-2016 Local Plan; however Policy ENV 23 (which supported this allocation) has not been 'saved' and therefore LLWR is currently considered to be 'white land' within the adopted development plan.

Policy DM5 of the Local Plan 2013-2028 relates specifically to nuclear sector development at Sellafield and LLWR. The policy states:

*"The Council's approach to dealing with proposals for nuclear reprocessing and waste management in the Borough is to work with operators of facilities at the Sellafield licensed site and the LLWR at Drigg and Cumbria County Council to ensure that:*

- a) Operations (other than monitoring, maintenance and investigatory work necessarily done off-site) will be retained within existing boundaries at Sellafield and the LLWR at Drigg*
- b) At Sellafield further development related to the nuclear fuel cycle will only be permitted where it contributes to a long term strategy for the future management of the site*
- c) With the exception of irradiated fuel and the transfer of waste from the LLWR at Drigg no radioactive waste is imported for treatment or storage on the Sellafield licensed site unless the proposal represents the best practical environmental option and is an interim proposal pending agreement on a national disposal route*
- d) No non-waste management-related operations are introduced on the LLWR at Drigg*
- e) Proposals for any new facilities are submitted with long term management plans to set out how operations will be co-ordinated to minimise any harmful effects and mitigate or compensate for physical environmental impacts*
- f) Proposals include provision for adequate infrastructure to support new facilities*
- g) Proposals involve and secure the support of the local community and stakeholders*

- h) Proposals include measures to meet local community needs and to mitigate the adverse effects of the proposed development on the social and economic wellbeing of the community"*

Policy ER1 *Planning for the Nuclear Sector* also notes that the Council will support the nuclear sector; including maximising opportunities from the proposed nuclear decommissioning phase for the borough to become a centre of excellence for knowledge and skills, working with Cumbria County Council and the LLWR and Sellafield sites in managing waste facilities and associated infrastructure requirements, and working with Sellafield to optimise the number of jobs that can be relocated to the Borough's towns.

### **Context – Previous Representations on Behalf of the NDA**

Representations were previously submitted on behalf of the NDA to the previous stages of consultation for the preparation of the Local Plan. In summary this has included:

- **Issues & Options stage consultation (November 2017).** These representations requested that Sellafield be subject to an allocation within the new Local Plan that supported B1 to B8 employment uses<sup>1</sup>, together with works and uses associated with nuclear decommissioning and site remediation. It was also requested that the LLWR site be afforded a specific allocation, given its current designation as 'white land'.
- **Second Issues and Options stage consultation and Call for Sites consultation (January 2020).** The representations again sought to request that the Sellafield site be subject to an allocation to support B1 to B8 employment uses<sup>1</sup>, together with works and uses associated with nuclear decommissioning and site remediation, including the management of waste in line with national strategies and policies for the management of waste (both radioactive and directive). It was also considered that the LLWR site be subject to an allocation within the new Copeland Local Plan which reflects its fundamental long-term strategic role for the UK nuclear industry in terms of waste management.
- **Preferred Options stage consultation (November 2020).** Representations were made to the Preferred Options stage which sought to reiterate and reaffirm the points made within previous representations. In summary, the NDA sought to seek the provision of a planning policy framework enabling both sites to build the required development at the right time in order to achieve the NDA mission, recognising the important environmental benefits that will accrue from remediating on-site hazards and the capital investment this will generate for the local community and economy of Copeland Borough. It was also requested that the NDA be given the opportunity to comment on any proposed site boundaries for the Sellafield and LLWR sites at the next stage of consultation for the *new Copeland Local Plan*.
- **Focussed Publication Draft stage consultation (October 2021).** The representations welcomed the deletion of reference to the Council's internal Nuclear Position Statement which from the NDA's perspective was not appropriate to be referenced in the Local Plan given that it is an internal Council document which had not been reviewed by either the NDA or Sellafield Ltd from a planning perspective. The request for an extension to the

<sup>1</sup> It is noted that Use Class B1 has now been replaced by Use Class E, effective September 2020

Sellafield development boundary within the adopted Local Plan in addition to a specific allocation for the LLWR site was reiterated. It was requested that a greater emphasis be placed upon the need for supporting development near Sellafield which is required to achieve site-clearance and, ultimately, the NDA mission. The NDA stated that it would welcome providing input into a framework offering certainty as to how such proposals could and should be enabled going forwards.

### **Representations to the Publication Draft Plan**

The representations outlined below are consistent with the NDA's responses to earlier iterations of the Draft Copeland Local Plan. Although there have been some welcome changes to policy text and supporting paragraphs there are still a number of areas of concern where policy wording has neither been amended or no reason for its inclusion been satisfactorily substantiated by the Council. Our current representations have therefore sought to elaborate on these outstanding matters and have been structured to highlight the non-compliance of these parts of the Plan with the National Planning Policy Framework's ('NPPF') 'tests of soundness', that is:

- **Positively prepared** – providing a strategy which seeks to meet the area's objectively assessed needs and consistent with achieving sustainable development.
- **Justified** – the most appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence.
- **Effective** – deliverable over the plan period and based on effective joint working on cross-boundary strategic matters.
- **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework.

With respect to the 'consistency with national policy' test of soundness, the *Planning and Compulsory Purchase Act 2004* Section 19(2) requires that in preparing a local development document the local planning authority must have regard to national policies and advice contained in guidance issued by the Secretary of State.

The Government sets the high level policy which is implemented by the Nuclear Decommissioning Authority (NDA) through the published *NDA Strategy* (2021). A core objective of the NDA is to ensure that the historic civil public sector nuclear legacy sites are decommissioned safely, securely, cost effectively and in ways that protect the environment.

In addition, a key objective of the NDA as included within the *NDA Strategy* (2021) is to optimise the reuse of NDA sites. The NDA's land use strategy explores how land can be used either when the NDA mission is complete or on an interim basis prior to achieving the site end state (an 'interim use'). The strategy identifies credible uses for NDA land that could benefit society either when the mission is complete or on an interim basis prior to achieving the site end-state.

Rather than waiting for the next use to be identified through market interest, the NDA will be proactive in researching and raising awareness of reuse opportunities for all their sites, including opportunities for reusing their land to support other government priorities such as national infrastructure projects<sup>2</sup>.

<sup>2</sup> "4.4 Land Use Objective: To optimise the reuse of NDA sites" (*NDA Strategy* 2021, page 45)



In seeking to achieve the above objectives, the NDA is responsible for implementing a Strategy approved by Government Ministers. It is considered that the NDA Strategy (2021) is a relevant national policy for the purposes of Section 20(5) of the 2004 Act which refers back to Section 19 and, in this regard, Section 19(2)(a).

The NDA therefore make the following representations.

Policy / Paragraph reference	Requested Change
<p><b>Policy NU1PU – Supporting Development of the Nuclear Sector – Policy Text</b></p> <p><i>“Proposals that deliver the Sellafield mission will be supported where they meet the criteria in Policy NU4PU.” – 3<sup>rd</sup> paragraph</i></p> <p><i>“The Council will work proactively with Cumbria County Council and Sellafield site operators in the development and management of nuclear and associated facilities/infrastructure.” – 4<sup>th</sup> paragraph</i></p> <p><i>“In applying this policy the Council will expect all nuclear sector-related development in the Borough to make a proportionate and meaningful contribution to local economic, social and environmental strategies/priorities.” – 5<sup>th</sup> paragraph</i></p>	<p>The NDA request that the text within <b>the third and fourth paragraphs</b> be amended to reflect the much broader range of projects and proposals within the nuclear sector. That is, the policy should be explicit in its support for all projects which deliver the NDA's mission as set out in the NDA Strategy (2021) (a Government policy document) and not just those that deliver the “Sellafield mission”.</p> <p>Similarly, the fourth paragraph should be amended to include reference to the NDA.</p> <p>The following amendments to the third and fourth paragraphs are proposed.</p> <p><i>“Proposals that deliver the <b>NDA's mission</b> will be supported. Proposals that deliver the Sellafield mission will <b>also</b> be supported where they meet the criteria in Policy NU4PU.”</i></p> <p><i>“The Council will work proactively with <b>the Nuclear Decommissioning Authority</b>, Cumbria County Council and Sellafield site operators in the development and management of nuclear and associated facilities/infrastructure <b>including offsite highway works and necessary areas of land required for construction of projects.</b>”</i></p> <p>The NDA request that the text within <b>the fifth paragraph</b> also be amended. The NDA are concerned that the policy refers to the requirement for all nuclear sector-related development to make a proportionate and meaningful contribution to local economic, social and environmental strategies/priorities.</p> <p>It is considered that this element of the policy's supporting text is unclear in terms of what is being sought and how this would be measured and assessed by the Local Planning Authority.</p> <p>The phrase ‘proportionate and meaningful contribution’ is considered to be ambiguous and</p>

	<p>could be interpreted in such a way that the developer is expected to provide a monetary contribution to satisfy this policy requirement. While a monetary sum may be required where reasonable, necessary and directly related to the development, this is appropriately addressed at Policy DS5PU (Planning Obligations). Any additional monetary contribution being sought from nuclear-related development proposals through the planning process would be unjustified and unsound.</p> <p>It is not appropriate for a requirement within the Local Plan to require applicants to contribute funds through the planning application process, unless it satisfies the planning obligations tests.</p> <p>For these reasons, the wording of this policy requirement is deemed imprecise and unjustified. It therefore fails the test of soundness and should be modified in such a way that it serves a clear purpose and is sufficiently precise and unambiguous.</p>
<p><b>Policy NU3PU: General Nuclear Energy and Associated Development and Infrastructure. – Policy Text</b></p> <p><i>"The Council will support nuclear energy sector development and associated infrastructure projects by working with potential developers to identify suitable sites for range of nuclear related support activities including, supply chain operations, research and development, worker accommodation and other relevant uses. The development of such sites will be supported where the following criteria are met:"</i></p> <p><i>"a) The development is sited on a designated employment site or on a suitable sites within settlement boundaries or otherwise be accompanied by a justifiable exceptional need case."</i></p> <p><i>"b) Any new energy infrastructure will minimise potential impacts on the borough's landscape and natural environment, and the health and amenity of its community and visitors;"</i></p> <p><i>"c) Sites must be located, developed and designed, to minimise any adverse impacts and where relevant must be capable of leaving a positive legacy for the borough and its communities."</i></p> <p><i>"Pre-application advice should be sought with the Council at an early stage of the proposal's</i></p>	<p>In general terms the policy provides support for nuclear energy sector development and associated infrastructure projects and requires that development should be sited on a designated employment site or on a suitable sites within settlement boundaries or otherwise be accompanied by a "justifiable exceptional need case".</p> <p>As currently worded the policy title refers to "General Nuclear Energy and Associated Development and Infrastructure". The NDA request that the policy title be amended to include a broader range of projects which fully reflect the scope of the nuclear sector. The following amendment to the Policy title is proposed.</p> <p><b>"Policy NU3PU: General Nuclear <del>Energy</del> Sector and Associated Development and Infrastructure."</b></p> <p>Similarly, the first paragraph should be amended as follows:</p> <p><b><i>"The Council will support nuclear <del>energy</del> sector development and associated infrastructure projects by working with potential developers to identify suitable sites for range of nuclear related <del>support activities</del> projects and activities including, production, decommissioning, innovation, storage, supply chain operations, research and development, worker</i></b></p>



<p>development. Where relevant, proposals should be developed in consultation with the community and other key stakeholders."</p>	<p><i>accommodation, transport, logistics, provision of energy for existing assets and other relevant uses. The development of such sites will be supported where the following criteria are met:</i>"</p> <p>For these reasons, the wording of this policy requirement is deemed to be imprecise and unjustified. It therefore fails the test of soundness and should be modified in such a way that it serves a clear purpose and is sufficiently precise and unambiguous.</p>
<p><b>Policy NU3PU: General Nuclear Energy and Associated Development and Infrastructure. - Criteria 'a'</b></p> <p><i>"a) The development is sited on a designated employment site or on a suitable sites within settlement boundaries or otherwise be accompanied by a justifiable exceptional need case."</i></p>	<p>As currently worded criteria 'a' directs development towards either designated employment sites, suitable sites within settlement boundaries or if not within these areas to be justified through an "exceptional need case".</p> <p>The NDA are of the view that the "need" has already been established through the NDA Strategy (2021) which is a Government policy document and subject to extensive consultation prior to being published.</p> <p>As written the policy has the potential to add delay or further constraint to the NDA's ability to deliver its decommissioning and clean-up mission, making best use of NDA land in order to do this. The NDA Strategy (2021) is Government policy and was published after extensive consultation. The Strategy sets out how the NDA are required to ensure that the Site Licence Companies (SLCs) have the land and property they need to complete their mission. It also describes the NDA's role in helping promote opportunities for reuse of their land to stimulate progress in decommissioning and the release of land to support other government priorities such as national infrastructure projects.</p> <p>The policy should also recognise that the siting of infrastructure to support nuclear development (transports links, security, emergency services, construction logistics) should be sited in such a way as to enhance the attractiveness of the area to future developers. This applies regardless of whether the future development is nuclear or not, for example, a new rail head, or lay down areas in the identified development areas outside of the Sellafield site would benefit Sellafield Ltd now and would also benefit the development of the Clean Energy Park development in this location.</p>

	<p>It is therefore requested that criterion (a) be redrafted to include reference to NDA land and also set out the precise assessment criteria to be adopted when considering proposals subject to the "exceptional need case" to ensure a clear and consistent approach to decision-taking is possible.</p> <p><i>"a) The development is sited on a designated employment site, land under the control of the Nuclear Decommissioning Authority, on suitable sites within settlement boundaries or otherwise be accompanied by a justifiable exceptional need case."</i></p> <p>For these reasons, the wording of this policy requirement is deemed imprecise and unjustified. It therefore fails the test of soundness and should be modified in such a way that it serves a clear purpose and is sufficiently precise and unambiguous.</p>
<p><b>Policy NU4PU: Nuclear Development at Sellafield – Criterion 'a'</b></p> <p><i>"a) All nuclear development (other than monitoring, maintenance and investigatory work necessarily done off-site) shall be sited within the existing Sellafield site boundary unless Criterion b) applies."</i></p>	<p>The NDA wishes to raise concerns with regard to the definition of 'nuclear development' and the extent of the 'Sellafield site boundary'. Further clarification is required to ensure the policy wording is justified and effective in considering future planning applications.</p> <p>There are a broad range of activities carried out on the Sellafield site, not all of which can be categorised as "nuclear development". For example, there are various supporting activities and construction works which are required alongside nuclear developments.</p> <p>The NDA is seeking clarity regarding the associated developments required on the site so that they are enabled and supported by the Local Plan. The following amendment to criterion a is proposed.</p> <p><i>"a) All <u>Nuclear development (other than monitoring, maintenance and investigatory work necessarily done off-site) and any non-nuclear development and enabling works requiring planning permission</u> shall be sited within the existing Sellafield (Nuclear Licensed Site) boundary unless Criterion b) applies."</i></p> <p>This would serve to provide a 'positively prepared' strategy which would avoid the need to demonstrate and justify the requirement for "non-nuclear" development at the Sellafield site at the planning application stage.</p>



	<p>The Local Plan should not unnecessarily constrain activities to the nuclear licensed site. As written the policy has the potential to add delay or further constraint to the NDA's ability to deliver its decommissioning and clean-up mission, making best use of NDA land (not simply licensed site areas of land) in order to do this. The NDA Strategy (2021) was published after extensive consultation and sets out the NDA's intention to ensure that Site Licence Companies (including Sellafield Ltd) have the land and property they need to complete their mission. It also describes the NDA's role in helping promote opportunities for reuse of their land to stimulate progress in decommissioning and the release of land to support other government priorities such as national infrastructure projects.</p> <p>With respect to the Sellafield site boundary, as currently drawn on the proposals map it appears to follow the Nuclear Licensed Site boundary which only relates to part of the Sellafield site. There are areas outside of this boundary which have been developed and it is necessary to recognise these. It is therefore requested that the proposed site boundary is reviewed in order to reflect the area that is currently owned by the NDA, including that operated and controlled by Sellafield Ltd. And the NDA</p>
<p><b>Policy NU4PU: Nuclear Development at Sellafield – criterion 'b'</b></p> <p><i>"b) Where any proposed development is outside the Sellafield site it shall be sited on a designated employment site or on suitable sites within settlement boundaries in accordance with the principles set out in Policies DS3PO and DS4PO, or otherwise accompanied by a justifiable exceptional need case<sup>43</sup>."</i></p> <p><sup>43</sup> A development proposal which is supported by a statement outlining the special 'site specific' circumstances that demonstrate the need / reason for that development on planning grounds to be on that particular site (as opposed to elsewhere) and which justify the proposal in that location as an exception to established planning policies."</p>	<p>There is a requirement under criterion 'b' for supporting non-nuclear development to be sited in close proximity to the Sellafield site.</p> <p>However, it is considered unclear what is required by the "justifiable exceptional need case". The additional footnote (43) intended to help describe the "exceptional need case" does not establish the criteria against which any development proposal would be assessed.</p> <p>It is therefore suggested that criterion 'b' be redrafted to set out the precise assessment criteria to be adopted when considering proposals subject to the "exceptional need case" to ensure a clear and consistent approach to decision-taking is possible.</p> <p>The NDA are of the view that the exceptional "need" has already been established through the NDA Strategy (2021) which is a Government policy document having been subject to extensive consultation prior to being published.</p>

	<p>As written this policy has the potential to add delay or further constraint to the NDA's ability to deliver its decommissioning and clean-up mission, restricting best use of NDA land. The NDA Strategy (2021) was published after extensive consultation and sets out the intention to ensure that the Site Licence Companies (SLCs) (including Sellafield Ltd) have the land and property they need to complete their mission. It also describes the NDA's role in helping promote opportunities for reuse of their land to stimulate progress in decommissioning and the release of land.</p> <p>It is also noted that footnote (43) suggests that any proposed development outside of the defined Sellafield site would be considered an exception to established planning policies. This is in apparent contradiction to Policy DS4PU which offers support to "nuclear related development" and "essential infrastructure to support energy development and other infrastructure" outside settlement boundaries provided there is a proven need for an open countryside location. Following this logic, it should follow that future development outside of the defined Sellafield site – subject to adequately demonstrating the need for an open countryside location – would comply with Policy DS4PU and should not be deemed as an exception.</p> <p>Given the above, further guidance and clarification are required, either within Policy NU4PU or its supporting text, on the assessment criteria to be applied to future development proposals outside of the defined Sellafield site and subject to the "exceptional need case".</p>
<p><b>Policy NU4PU: Nuclear Development at Sellafield – criterion 'c'</b></p> <p><i>"c) With the exception of irradiated fuel and nuclear materials, no radioactive material is imported for treatment or storage on the Sellafield licensed site unless the proposal represents the best practical environmental option and is an interim proposal pending agreement on a national disposal route."</i></p>	<p>It is considered that criteria 'c' of the policy is not justified and should be deleted.</p> <p>The NDA Strategy requires that options for diverse radioactive waste management and disposal solutions are considered. A key principle for waste management, as described in the NDA Strategy, is that where appropriate, decisions should give greater integration across the NDA's estate and the supply chain, in particular by seeking opportunities to share treatment and interim storage assets.</p> <p>Decisions are made using the NDA's "Value Framework", "The Value Framework comprises factors that describe what the NDA values, recognising that value comes in many forms. These factors are considered when assessing options and identifying which option offers the greatest value."</p>



	<p>The Value Framework incorporates the requirements of Strategic Environmental Assessment (SEA), and therefore sustainability and environmental considerations underpin strategy development and decision making.</p> <p>The consolidation of radioactive material is, therefore, in line with NDA Strategy (2021) and not in itself development requiring planning permission and would be controlled by other regulatory processes.</p> <p>The NDA undertakes extensive public consultation prior to the publication of its Strategy which establishes its position on the consolidation of nuclear material.</p> <p>The local planning process should seek to enable this delivery rather than introducing an additional requirement through the planning process which would conflict with the national strategy for nuclear low level waste management and the duties of other nuclear regulators (e.g. The Office for Nuclear Regulation (ONR) and Environment Agency (EA)).</p> <p>It is therefore requested that criterion 'c' be deleted.</p>
<p><b>Policy NU4PU: Nuclear Development at Sellafield – criterion 'g'</b></p> <p><i>"g) Proposals shall include measures for carbon offsetting via off site / other agreed compensatory means where it has been demonstrated that they cannot be achieved on site."</i></p>	<p>In our previous representations we stated concerns that the criterion required "satisfactory" measures for carbon offsetting be secured via off site or other agreed compensatory means where it has been demonstrated that they cannot be achieved on site.</p> <p>As drafted the policy could not be supported as the word "satisfactory" provides no clarity as to the level of carbon offsetting required to be associated with proposals and planning applications.</p> <p>The removal of the word "satisfactory" has not dealt with our concerns on this point.</p> <p>The NDA is already taking a centralised approach to secure large-scale carbon offsetting to ensure consistency, good practice and best use of publicly funded resources. The NDA requires its' operating companies (i.e. Sellafield Ltd) to continue with the primary task of carbon reduction and does not expect nor require individual projects to undertake carbon offsetting at scale.</p> <p>The NDA Strategy and sustainability policy stance on carbon reduction is for a hierarchy of measures to be considered and for this to be embedded in all of their projects and operations Carbon off-setting</p>

	<p>is at the bottom of this hierarchy. As such the wording of the requirement is inconsistent with the NDA Strategy which is based around the principles of carbon reduction as opposed to carbon offsetting.</p> <p>In addition, the intended purpose of the requirement is also unclear and there is no understanding of how carbon offsetting would be measured and applied in practice.</p> <p>There is also no link made in criteria G to Strategic Policy DS2PU (<i>Reducing the impacts of development on Climate Change</i>) where there is reference to "Measures to avoid fossil fuel usage for transport, heating and power generation and offsetting any carbon intensive energy usage over full lifetime of development".</p> <p>For the above reasons, the imposition of this criterion within Policy NU4PU would be inconsistent with the NDA Strategy for carbon management and offsetting. As such this element of the policy does not meet the tests of soundness on the basis it is unjustified, ineffective and inconsistent with national policy.</p> <p>It is therefore requested that criterion 'g' be deleted.</p>
<p><b>General text and the Proposals Map</b></p> <p><b>LLWR site recognition and LLWR site boundary</b></p>	<p>The LLWR site is currently 'white land' in the adopted Local Plan an approach which is carried forward in this Publication draft stage Plan.</p> <p>The site is therefore comparable, in planning policy terms, with the open countryside. It is considered by the NDA that the proposals map should recognise all of the key NDA sites, i.e. Moorside, Sellafield and the LLWR.</p> <p>It is acknowledged that the majority of planning applications at the LLWR will be considered by Cumbria County Council as 'waste developments'. However, this does not eliminate the need for these sites to be given context and policy provision in the new Copeland Local Plan, given the significance and nature of the site and its importance to the local economy and nationally in terms of radioactive waste management.</p> <p>It is therefore requested that the LLWR site boundary be added to the proposals map.</p> <p>In addition, it is requested that in a similar approach taken for Moorside (section 10.4), Cumbria Clean</p>



	Energy Park (section 10.5) and the Industrial Solutions Hub (section 10.6) that a contextual and descriptive overview be provided for the LLWR site.
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### Conclusion

This representation has been made by Avison Young on behalf of the NDA in response to the current *Copeland Local Plan 2017 – 2035 Publication Draft Consultation*.

As outlined above, it is considered that the enclosed amendments are necessary to the Plan as currently drafted in order to meet the tests of soundness as defined by the NPPF.

The NDA continue to welcome the opportunity to work with Copeland Borough Council on the relevant sections of the Local Plan with regard to the Moorside site, Sellafield site, the national Low Level Waste Repository ('LLWR') and the NDA's interests in the Geological Disposal Facility (GDF). The NDA look forward to contributing to the next stages of the Local Plan process.

If you require any clarity in respect of the enclosed representation, then please do contact me.

Yours sincerely

[Redacted signature]

[Redacted name]  
**Director**

[Redacted email address]

**For and on behalf of Avison Young (UK) Limited**