COPELAND LOCAL DEVELOPMENT FRAMEWORK

EXAMINATION OF CORE STRATEGY AND DEVELOPMENT MANAGEMENT POLICIES

BOROUGH COUNCIL STATEMENTS:

MATTER 7

ENVIRONMENTAL POLICIES

March 2013

7.1. **Is the Council's overall approach on environmental matters consistent with the National Planning Policy Framework?**

7.1.1 The plan's vision is of Copeland as "a place that adapts to climate change and minimises its carbon footprint, makes the most of its unique coastal location and abundant natural resources whilst protecting and enhancing its green infrastructure, landscapes, heritage and biodiversity".

7.1.2 The theme of the environment accordingly runs through the plan in a variety of ways; for instance ST2 and other policies such as ER6, along with others which require special justification of rural development, will tend to reduce the carbon footprint, and thus increase development sustainability, by concentrating development in accessible locations, especially Whitehaven. Strategic policies which concentrate development in the most accessible locations are at the heart of sustainable development, and their achievement will have broad consequences on the atmosphere and thus on biodiversity.

7.1.3 Looking more closely at 'the natural environment', the Borough Council sees its approach as meeting key NPPF objectives as follows (with reference to relevant parts of NPPF Para. 17).

7.1.4 *"Contribute to conserving and enhancing the natural environment and reducing pollution."* The Spatial strategy will tend to reduce pollution by reducing dependency on the car. The central policy on the natural environment is ENV3, but this is supported by four policies in particular: ENV2 concentrates on making sure use of the undeveloped coast is suitable to that environment, ENV5 protects the landscape (supported by a cross-county approach to landscape assessment – see Docs. 10.3 and 10.4), ENV6 aims to enhance countryside accessibility, and facilitate associated improvements, and SS5 sets this in a social context by dealing with the idea of green infrastructure. This them has been picked up in infrastructure work and will figure in the Developer Contributions SPD.

7.1.5 *"Encourage the effective use of land by reusing land that has been previously developed, providing that it is not of high environmental value".* The approach to maximising brownfield development (5.3.8) – setting a target which will be challenging to achieve – underlies Copeland's support of that principle, which is a means of keeping our settlements reasonably compact and supports focusing development on Whitehaven. It is informed by recent experience of 90% brownfield development, generally well in excess of the plan target.

7.1.6 *"Conserve heritage assets …"* As far as the natural environment is concerned, Copeland's major assets are protected by high level designations (see Table 6.1). The Habitats Regulations Assessment did not need to go beyond stage 1 (a conclusion supported by Natural England). Further to that, Policy DM25 sets out the requirements which development proposals affecting valuable sites, habitats and species must fulfil.

7.2.   Is the Council's stance on Flood Risk Management adequate?

7.2.1   The approach to flood risk management set out in Policy ENV1 (with related content in DM24 and DM11). It is proportionate to the level of flood risk in the Borough, important elements of which can be summarised as follows.

- In central Whitehaven there is a tract of land running along the line of Pow Beck to the harbour, where there is risk of fluvial and/or coastal flooding. Policy ENV1 makes provisions governing any development in this area, which due to its importance to the town and the Borough would need to be governed by mitigatory and protective measures, rather than blighted.
- At Millom and Haverigg there are extensive areas at risk of coastal inundation, which restrict the areas in those settlements that can be developed, and the directions in which they can grow.
- In Egremont there are areas prone to surface water flooding, as well as a strip along the River Ehen which includes some built up areas and floods frequently.

7.2.2   The Strategic Flood Risk Assessment (Doc. 10.1) provides a more comprehensive perspective. Its conclusion at page 48 identifies actions the Borough Council should undertake, "steering vulnerable development away from areas affected by flooding". The relationship of our settlements to floodplains that affect them, and the distribution of identified development land, is such that flood risk is not a major constraint to the implementation of the spatial strategy, although care will have to be taken in central Whitehaven. The tone of the SFRA and its conclusions gives us grounds for confidence that development can proceed in accordance with the spatial strategy.

7.2.3   There are some 2006 Local Plan allocations in floodplains. The SHLAA has, with a small number of exceptions (notably a previously developed site at Cleator), avoided floodplains and any move to allocate sites at risk of flooding would be subject to discussion with the Environment Agency as to whether mitigation and protection measures can successfully be applied. The Agency's advice, in the light of NPPF guidance on sequential and exceptions tests, will be given great weight.

7.2.4   (In support of this we can point out that Copeland has given no developments planning permission contrary to Environment Agency advice in the period we have been monitoring this, that is, since 2005.)

7.2.5   The Environment Agency has been involved throughout the preparation of the plan, with occasional meetings and a further meeting planned in March 2013. The Agency commented on the draft of policy ENV1 and has indicated that it is content with the plan as submitted.

7.2.6   The Council's Flood and Coastal Defence Engineer is involved in the continuing evolution of the Local Plan as it moves towards site allocation, and we are additionally in continuing dialogue with United Utilities regarding what is needed to react successfully to locations vulnerable to surface water flooding.

7.3.   Is promotion of coastal areas for tourism and recreation compatible with the protection of heritage, biodiversity and landscape assets?

7.3.1   The key strategic policy for the coast is ENV2. It should of course be read alongside the spatial strategy in ST2, which identifies the type of development that may be permissible outside the settlements. These include tourism activities *requiring location in the countryside*. Policy ER10 on tourism has a similar perspective, supporting rural siting of development *requiring* a rural location. It also identifies three foci for coastal development: Hodbarrow, where there is already established tourist use adjacent to Millom and Haverigg on a relic industrial site; the Whitehaven Coastal Fringe, which adjoins the town on land formerly used for coal mining and chemical production; and Lowca, overlooked by existing settlements and overlooking a formerly industrialised stretch of coast.

7.3.2   This policy thrust is supported by DM8, which sets tests of permissibility, and DM9, which includes provisions governing applications for rural visitor accommodation.

7.3.3   Policy ENV2A promotes tourism uses on the developed coast, in accordance with the spatial strategy.

7.3.4   ENV2B, C, D and E relate to development that might be permissible on the undeveloped coast. This is within the context of the policies already referred to, requiring that development in rural places needs to be located there, and the requirement of NPPF (paragraph 114) to "maintain the character of the undeveloped coast … particularly in areas defined as Heritage Coast, and improve public access to and enjoyment of the coast".

7.3.5   ENV2 seeks to maintain that balance. ENV2B encourages development supporting the North West Coastal Trail and 'Colourful Coast', both of which are about low intensity tourism fitted to an undeveloped location. ENV2D supports energy-related development requiring a coastal location, as long as they respect biodiversity, landscape and heritage; and ENV2C specifically supports management of the coast to enhance biodiversity. ENV2E protects the Heritage Coast whilst encouraging appropriate visitor access to it.

7.3.5   The plan therefore respects the intrinsic qualities of the Copeland coast, whilst encouraging development which is appropriate to it and respects its character. This is entirely in keeping with the balance struck by NPPF paragraph 114.