

COPELAND LOCAL DEVELOPMENT FRAMEWORK

EXAMINATION OF CORE STRATEGY AND DEVELOPMENT MANAGEMENT POLICIES

BOROUGH COUNCIL STATEMENTS: MATTER 8

SUSTAINABLE SETTLEMENTS

March 2013



8.1. Does the Plan accord with the requirements of paragraph 47 of the planning framework (NPPF) in identifying and showing how housing needs will be met, particularly in relation to the provision of a 5 year housing land supply and the inclusion of a trajectory to illustrate anticipated delivery during the plan period?

8.1.1 NPPF paragraph 47 requires (in summary) use of the evidence base to ensure the Local Plan meets the area's needs, including identifying key sites;

- identifying and updating of a five year (plus 'buffer' provision) supply of deliverable sites;
- identifying a 15 year supply of developable sites and/or or locations for growth;
- illustrating this with a trajectory;
- setting out the approach to density.

8.1.2 Policies SS1 and SS2 are accompanied by the spatial strategy in ST2 (and supporting Figure 3.3) as an indicator of what is proposed for the housing supply. The evidential base for this is the Strategic Housing Land Availability Assessment (Doc. 7.3). The SHLAA demonstrates that there is a supply of capacity 6336 on developable sites. Although this will be slimmed down as a final sieve is made based on stakeholder opinion, the assessment undertaken gives us confidence that there is a cushion large enough to maintain a developable supply in excess of the 4150 demonstrated by Trajectory 2. The supply of sites deliverable within 5 years (c.2050) is similarly well in excess of the target, including 'buffer', of 1380.

8.1.3 We can note from the Annual Monitoring Report (Doc. 2.6, page 35) that the Borough has successfully maintained a 5 year supply up to the present. This, based on development of 2006 Local Plan allocations, does not meet the recently-introduced NPPF requirement of a 20% 'buffer' to compensate for market underperformance, but as stated above, the emerging SHLAA supply demonstrates that the NPPF requirement will be met.

8.1.4 The viability study (Doc. 7.3.1) concludes that this supply is realistic regarding the 5 year supply, though at the time of the survey constrained by market factors, so that there is a recommendation that the Council exercise great care when negotiating for planning gain, including affordable housing.

8.1.5 The **Housing Trajectory** is at Appendix 5. Due to the timing of progress with the Strategic Housing Land Availability Assessment (published in the evidence base as Doc. 7.3), it has not been possible to include a firm trajectory before the submission stage. A trajectory is included annually in the monitoring report. (The most recent published version in the 2011 AMR, is at page 33 in Doc. 2.6).

8.1.6 The trajectory in the submitted plan is set out differently from the previous versions. This is mainly to demonstrate with more clarity the situation with two possible outcomes. So Trajectory 1 (Page 188 of the plan with proposed changes, Doc. 1.9) is an 'allocation' trajectory, which demonstrates what should be (and is) available. The 5 year requirement is for 230 per year plus a 20% 'buffer' to compensate for past market underperformance, that is, 276 per year or 1380 in all.

- 8.1.7 Trajectory 2 (Doc. 1.9 page 189) is a 'projected delivery' trajectory, which aims to give a realistic indication of how house building might develop from the current level of around 150 (158 in 2011/12, 143 the previous year) as the market picks up. Trajectory 2 includes allowances for market 'uplift' associated with nuclear new build in the second quinquennium, and similar uplift associated with nuclear developments in the third.

8.2. Are the broad objectives for housing provision likely to meet the needs of existing and future residents of the Borough?

- 8.2.1 Any strategy for housing provision in Copeland has to be drawn up under the constraints imposed by market unattractiveness, resulting from a combination of low development value and general remoteness from the main centres of volume builder activity.
- 8.2.2 (A benefit that results from this is the freedom of action given to local builders, including any local or sub-regional operator with the resources to construct large developments. These builders tend to have the knowledge and ability to capitalise on site opportunities that volume builders would regard as insufficiently profitable, but it is questionable whether over the long term they will have the capacity to provide the volume that the Borough needs.)
- 8.2.3 The objectives for housing provision therefore state what is required; the plan demonstrates that land is there to meet that requirement; and the overall strategy is aimed at maintaining or generating conditions to enable it to be met. Then it is for the market to respond. 'Market failure' in the 1990s and before led to Copeland being included in the Housing Market Renewal Initiative, and this support was withdrawn in 2010, which has not helped. In particular, net completions have been depressed by a legacy of HMRI-led demolitions, while the support for the house building intended to replace them has been withdrawn. However, completions have increased, as noted above (Issue 8.1) in the last two years, and there are signs that developer interest is growing.
- 8.2.4 The broad objectives for housing (Policy SS1) represent a policy perspective which is based on a sub-regional strategic approach enjoying widespread stakeholder support. They address issues which everyone in Copeland knows need to be addressed. Therefore we are confident that they are the right objectives, and their fulfilment would be a major step forward for our people.
- 8.2.5 The objectives have a dual purpose as hinted in the question. For existing residents the main aim is to provide better choice in sustainable locations (which are also the locations where most people live). The Strategic Housing Market Assessment (Doc 7.2; see Section 4 and diagram on page 43) tells us (broadly) that Copeland needs more 'high end' (especially 4 bedroom) properties, and, varying according to different localities, more smaller homes including bungalows. The Core Strategy is an overview and Policy SS3 contains a framework which will guide locality- and site-specific policy in the Site Allocation Document.
- 8.2.6 The objectives are couched within a framework, including site supply and other evidential support, which make it possible for a range of housing providers, with the will to do so. Assuming the market continues to pick up, they will provide a framework appropriate to making the housing supply much more responsive to Copeland's communities' needs.

8.3. Is there justification for the Council's proposal to make provision for further growth of 30% above baseline household projections?

- 8.3.1 The justification is provided in paragraphs 5.3.2 to 5.3.6, underpinning Policy SS2.
- 8.3.2 Put simply, we do not consider it sensible to plan for a level of house building that would not be enough to meet demand, if major developments currently proposed take place. But including the extra as an additional element gives us the option to plan for a lower level of provision if those developments, particularly the power station, do not happen.
- 8.3.3 The issue is discussed in more detail in Topic Paper 2 (Doc 1.6.2) and the Projections Paper (Doc 6.6, in particular the scenarios in section 7.8). Note also the comments in Doc 1.6.2 on the notional split by the Projections Paper of household growth between Allerdale and Copeland.
- 8.3.4 The rise of 30% (230 to 300 per year) is based on an estimate of the likely consequences of nuclear-fuelled growth on demand for housing, moderated by the supply of land available in Copeland and the probability that nuclear-related growth in demand will spread outside Copeland, as it does now.
- 8.3.5 It is worth noting in any event that national policy does not expressly forbid the provision of land above historic demand. In Copeland the SHLAA identifies enough land to meet the 'excess' without impacting unfavourably on any environmental interest and the supply is distributed so that even a shortfall of provision would be located in the right kind of locations. As a result, the spatial strategy is robust enough to withstand a shortfall and the worst that can happen, if the 30% addition turns out not to be needed, is that developers will have more choice than might have been the case, and the more marginal of the sites will be less likely to be developed within the plan period. Production of the site allocation document will give us an opportunity to make sure that arrangements for phasing are as up-to-date as possible.

8.4. Are targets for housing density and the use of previously developed land reasonable and achievable?

- 8.4.1 **Density.** The National Planning Policy Framework enjoins us to set out our own approach to density to reflect local circumstances.
- 8.4.2 There is a general intention in Policy SS2 to seek densities of over 30 dwellings per hectare. 30-35 d.p.h. has become the convention over the last ten years, having proved to be consistent with good design and a level of compactness consistent with settlement sustainability and a reasonable standard of living, and we see no reason to depart from it as a norm.
- 8.4.3 The policy does, however, explicitly allow for departures based on site characteristics, and paragraph 5.3.7 explains this further. In central Whitehaven density will be driven by the urban design considerations set out in the SPD Doc. 3.3, and there is no need for a numerical standard. (In practice densities would be over 50dph – again, a figure that has been demonstrated to be easily achievable when housing is terraced). Conversely, para. 5.3.7 also refers to circumstances where lower densities are justifiable, and it would be inappropriate to set specific numerical targets in such variable situations. We assume that developers are unlikely to be intimidated by the prospect of achieving densities lower than 30 dph.
- 8.4.4 **Previously developed land.** The plan inherited from the Structure plan a target of 50% 'brownfield'. In Copeland this appears from the identified supply to be challenging, but the Council is inclined to retain it as an aspiration. As is common in traditional industrial areas, we can expect brownfield 'windfall' to emerge, and some major possibilities (see 8.4.7 below) already exist.
- 8.4.5 At present about 40 hectares of the housing land supply of 150 Ha. is previously-developed land.
- 8.4.6 In the supply identified in the Employment Land Review Update Doc. 6.4), 56 ha. of the total of 88 ha. is previously developed land. Thus about 40% of the *total* supply – 93 out of 238 ha. - is 'brownfield'. There is potential for switchover between employment and housing (which would be made easier if current Government proposals are adopted); for example, some sites in Whitehaven town centre might be appropriate for housing.
- 8.4.7 These figures do not include two previously developed areas not currently part of the supply but where development is feasible – the Marchon site (allocated in the 2006 Local Plan as an 'area of opportunity' and subject of an emerging 'West Whitehaven' SPD), which could have up to 50ha. developable, and former opencast land south of Moresby Parks, close to the line of the Whitehaven Bypass and land which might have potential as a support site for Moorside, around 25 ha. Marchon alone could, within the time frame of the plan, enable Copeland to achieve fifty per cent of development on previously-developed land. Parts of Marchon have the capability to take residential development, which could give a major boost to the brownfield total. This would be an example of a phenomenon common to many traditional industrial communities, the tendency for brownfield 'windfall' sites to appear.

8.4.8 It can be concluded that the 50% target for housing alone is challenging to say the least. However, paragraph 5.3.8 clearly states that it is an aspiration and that, based on the currently identified supply of housing land, 25-35% is more likely. The merit of retaining the aspirational target is that it gives a policy 'steer' for dealing with any substantial brownfield windfalls that emerge. The target itself will not act as a brake on development, as a supply of greenfield land is clearly identified and it is acknowledged in the evidence base that this land is needed to realise a range of plan objectives.

8.5. Is the intended approach to affordable housing provision sufficiently developed and one where the detail can be left for a future plan to progress?

8.5.1 The National Planning Policy Framework requires local planning authorities to 'set policies' to meet identified need for affordable housing. It does not specify where these policies should appear. This continues the approach of Planning Policy Statement 3, which did not insist that affordable housing policy should be in a Core Strategy.

8.5.2 We note that the adopted Lake District Core Strategy (Doc 14.3, policy C18 and para. 4.30.2) delegates to a Supplementary Planning Document the detailed policy on, including definition of, affordable housing and local need. The merit of this is that it enables policy to react quickly to changing circumstances. However, as the intention in Copeland is to complete the Local Plan by producing as quickly as possible a site allocation document, the Borough Council considers that to be the best avenue for looking at the issue in detail, given that the Copeland plan will be making site allocation on a much bigger scale than in the National Park.

8.5.3 Thus the policy we have regarding housing mix, needs and affordability (SS3) is strategic in tone and will be augmented by the site allocation process. This has two advantages:

- firstly, it allows us to develop the policy in a way that recognises differences across the Borough, from areas in mid and south Copeland very much in the shadow of the National Park and showing comparably high house prices, to the more industrial villages where the character of affordability problems is based on tenure rather than price;
- secondly, it enables us to take a detailed look at individual sites if appropriate.

We submit that this is a legitimate gradation from strategic to detailed policy.

8.5.4 Policy SS3 is clearly referenced in the evidence base, and specific enough to inform negotiations with developers as to the scale and type of affordable provision that might be sought. It also permits flexibility in current market circumstances of constrained development viability.

8.6. Is the intended approach to Rural Exception Sites valid and supported by local communities?

- 8.6.1 The policy is that exception sites will be supported when used to provide “affordable housing that meets and identified need and will be secured to meet that need in perpetuity” (Policy SS3B). This is consistent with the policy of the Lake District National Park (Doc. 14.3, policy CS18) where the policy is to fetter all new housing in that way. It is appropriate to match that policy in the smaller rural settlements, most of which are very close to the National Park. The risk otherwise would be that ‘rural exceptions’ might become a loophole allowing construction of retirement or second homes on the Park border, undermining the provision of legitimate local needs housing and putting pressure on house prices, as well as being inconsistent with the spatial strategy.
- 8.6.2 There are plenty of precedents for rural exception provision being defined in this way, indeed it is arguable that such a policy loses its legitimacy if used to provide open market housing.
- 8.6.3 Paragraph 5.4.6 defines how the policy will operate, including a description of the kind of site that is likely to qualify, guidance as to what qualifies as ‘local need’, and how it will be implemented (planning obligation).
- 8.6.4 There has been no opposition to this approach. A small number of representations have supported it, including implicitly that of Millom Without Parish Council, who wish to promote the concept of local need provision generally. The Council is of the opinion that the approach has tacit support based on the fact that in Cumbria people are well acquainted with its operation in the Lake District and often request its extension into surrounding areas; additionally, most local housing providers are familiar with it.

8.7. Should more emphasis be given to allocating housing in the rural areas?

- 8.7.1 The reference to rural areas is taken as meaning the places for which no place-specific allowance is made, namely Local Service Centres and smaller settlements. The background to the approach as regards the more rural areas is as follows.
- 8.7.2 During the 1990s and 2000s the majority of homes in the Borough were being built in the villages, and, correspondingly, not enough development was being attracted to the towns. This is not sustainable for economic or social reasons, as well as being inimical to environmental sustainability by increasing dependence on the car. A strategy which stresses regeneration must concentrate development on the settlement that need it most, and control the level of development in settlements which might deflect demand away from the towns.
- 8.7.3 We also have to consider consistency with policy in the Lake District National Park, where there is tight control on housing provision generally, a stress on provision meeting local needs affordably, and concentration on villages (Gosforth and Bootle) of the bulk of the Park's provision (90 dwellings during the current plan period, with proposed allocation of sites to accommodate a total of 85 at the 'rural service centres' of Gosforth and Bootle and the villages of Waberthwaite and Silecroft). (See the second part of Doc 14.4)
- 8.7.4 Additionally, the Borough Council does not consider it appropriate to make an allocation for each of these settlements, for the following reasons.
- The SHLAA process has not produced a range of site proposals which would make it possible to allocate for each settlement systematically.
 - The nature of demand over the years suggests that, even if more sites could be identified and a fuller range of allocations made, market interest is not likely to embrace these settlements comprehensively.
 - Even if only small sites were identified for each settlement, there would be a risk of deflecting developer interest away from the towns, returning us to the situation that developed over the last two decades, when Whitehaven stagnated while some villages were growing disproportionately.
- 8.7.5 The right approach, therefore, is to assume that development will happen in most Local Centres as 'windfall' (for which no allowance is made in the plan), along with some development on sites that have been identified in the SHLAA, for some of which the Council expects to make allocations in the Site Allocation Document. There is no ceiling on development in individual Local Centres, but (Core Strategy paragraph 3.5.7) the plan does assume that no more than 20% of development will take place there.
- 8.7.6 In the countryside (including villages with no settlement boundary) it is assumed that development will be to meet local need only. This is consistent with policy in that part of the Borough covered by the National Park. Note that allocations in these smaller villages are not ruled out; but thus far the SHLAA process has only produced only 4 potentially acceptable sites in them.

8.7.7 Note also that this policy is essentially permissive (see relevant entries in Figure 3.2, Settlement Hierarchy, page 24 of Doc. 1.9). The rate of demand for development in smaller settlements will be monitored and, if it resumes to levels likely to undermine achievement of regeneration objectives, a review of the spatial strategy would be undertaken which might trigger an alteration to the plan.