



*Proud of our past. Energised for our future.*

# COPELAND LOCAL DEVELOPMENT SCHEME 2022

July 2022

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## **1. Introduction**

### **1.1 What is a Local Development Scheme?**

The Planning and Compulsory Purchase Act 2004 (as amended) requires the Council to prepare, maintain and publish a Local Development Scheme (LDS).

The LDS is the formal work programme which sets out how the Council will prepare the portfolio of documents that will make up the Copeland Local Plan (which covers all of the borough outside of the Lake District National Park).

The Local Development Scheme:

- Describes the documents that will make up the Copeland Local Plan and the timetables for their preparation, including dates for the key delivery milestones
- Establishes and reflects Council priorities and sets out the work programmes for preparation of the documents, including any details of documents which will be prepared on a joint basis with other planning authorities;
- Describes the content and geographical area to which each document will relate, and how the documents relate to one another.
- Describes the process of Sustainability Appraisal, and how this informs the various stages of document preparation;
- Identifies the policies from the current adopted Copeland Local Plan that have been 'saved' until they are replaced by the new Local Plan;
- Summarises how the supporting background information for plan production (the 'evidence base') will be managed, and identifies the main background technical studies;
- Explains how the Local Plan will be monitored and reviewed.

The Local Development Scheme provides the starting point for the local community or any interested party to find out what the current planning policies are for the area, and how we intend to replace these in the future.

### **1.2 The Copeland Local Development Scheme 2022**

This document is the latest Local Development Scheme for Copeland Borough Council, replacing the version produced in December 2021. It will cover the period up to Summer 2023.

The new Local Plan will replace the current Plan - the *Copeland Local Plan 2013- 2028 Core Strategy and Development Management Policies*, referred to in this document as the Core Strategy, which was adopted in December 2013. Since then there have been several changes, both to local and national policy and the local context.

These changes include:

- Updates to the National Planning Policy Framework (NPPF) (2019 and 2021)
- The Council's new Housing Strategy (2018-2023)
- The new Copeland Growth Strategy: *Copeland Vision and Prospectus for Growth 2020*
- The Council's Corporate Plan 2016-2020
- Cumbria Local Industrial Strategy 2019
- Cumbria Strategic Economic Plan (The Four Pronged Attack) 2014-2024
- Cumbria Nuclear Prospectus: Five Proposals for Our Nuclear Future 2020

And other significant changes including:

- The pausing of the new nuclear facility project at Moorside
- The change in Sellafield's 'missions' and the opportunities this provides,
- The potential for other nuclear new build
- Successful bids for Town Deal Funding (Cleator Moor and Millom) and Borderlands Community funding (Egremont) by the Council
- Changes to shopping patterns post Covid-19 and the need for us to reflect on the role and function of our town centres
- Changes to the way our residents work (flexible working) and access goods and services post Covid-19 and the renewed importance of digital connectivity
- The development of a new Lake District Coast brand for the Borough
- Brexit
- The development of proposals for a new Enterprise Campus and Clean Energy Park in Copeland
- The development of proposals for a new Metallurgical Coal Mine in Whitehaven
- The inscription of the Lake District as a World Heritage Site in 2017
- The commitment made by Copeland Borough Council to work with relevant bodies to extend the St Bees Heritage Coast towards Whitehaven

### **1.3 Purpose of the 2022 Update**

The purpose of this 2022 update is to take account of the Gypsy and Traveller Accommodation Assessment (GTAA), which was published January 2022, the need identified for Copeland Planning Area and subsequent work required to allocate a site to meet this need. The Publication Draft of the Local Plan had been approved by Council and was being consulted upon when the delayed GTAA was published, and contained provision within Policy H9PU to include a Gypsy and Traveller site allocation, if required, prior to Submission.

The two shortlisted sites that had been identified as potentially suitable as allocations were subject to a six week public consultation between March and May 2022, and the intention had been to submit the preferred site after this consultation. However, following an Advisory Meeting with the Planning Inspectorate the Council was advised that a further six week consultation would be required, alongside the completed assessments (including

Habitats Regulations Assessment and Sustainability Appraisal) and updated evidence, prior to Submission. This would:

- Reduce the length of the Examination and additional procedures at that stage, which would otherwise be subject to lengthy delays
- Remove the risk of both sites being allocated in the Local Plan

The additional consultation also enabled a proposed update to Policy N5PU to account for nutrient neutrality following a letter from Natural England that was received in March 2022 regarding the Derwent and Bassenthwaite Lake SAC. The amended timetable to enable this is as follows:

- Publication Draft Consultation – January-March 2022 (completed)
- Consultation on two potential Gypsy and Traveller sites – March-May 2022 (completed)
- Regulation 19 consultation on proposed Gypsy and Traveller site allocation and update to Policy N5PU re nutrient neutrality – July/August 2022
- Submission – September 2022
- Examination –Autumn 2022 to Summer 2023
- Adoption – Summer 2023

These are the only changes that have been made to the Local Development Scheme that was approved in 2021.

### **Note about Local Government Reorganisation in Cumbria**

The Government has announced that the current two tier arrangement for local government in Cumbria (of one county council and six district councils) will be replaced by two unitary authorities as follows:

- Cumberland (comprising the areas currently covered by Carlisle, Allerdale and Copeland Councils)
- Westmorland and Furness (comprising the areas currently covered by Eden South Lakeland and Barrow Councils)

The new authorities are expected to come into force on 1<sup>st</sup> April 2023, and it is anticipated that the programme identified in this Local Development Scheme will enable most of the Examination of the *Copeland Local Plan 2021-2038* to have taken place and been led by Copeland Borough Council prior to the vesting day of the new authority, although it is now anticipated that Cumberland Council will adopt the Local Plan.

The Local Plan will then form the development Plan when determining planning applications in the Copeland area of the new authority, until it, along with the Carlisle and Allerdale Local Plans, is replaced by a new Local Plan covering the whole of the Cumberland Council area outside the Lake District National Park.

## 2. The Planning Policy Framework for Copeland

### 2.1 Overarching Policy Framework

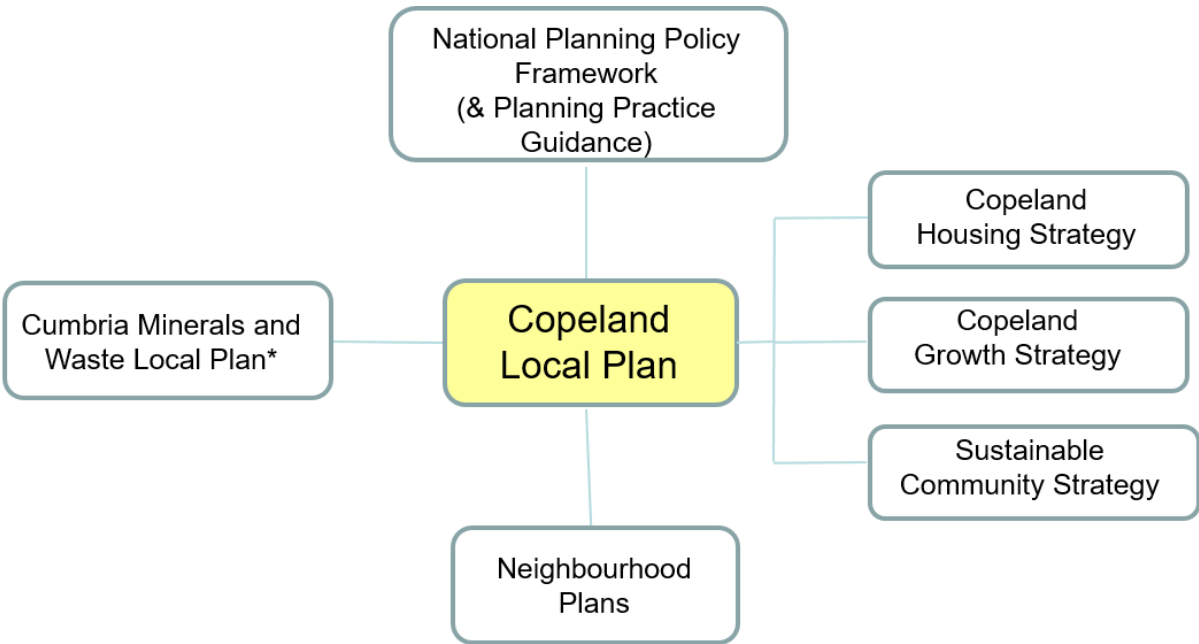
The Planning and Compulsory Purchase Act 2004 (and subsequent amendments) aims to make the preparation of Local Plans and other non-statutory documents quicker and more flexible, with increased, earlier and more in-depth community involvement.

The role of planning has been expanded from a traditional focus on the control of land use, to reflect a wider, more inclusive and **spatial** approach. Emphasis is placed on flexibility, sustainability appraisal and having a sound evidence base for policy, particularly in relation to infrastructure planning and housing delivery to support growth. There is also now a much greater emphasis on deliverability and house building in Local Plan making.

The system is a **plan-led** system, in that decisions on planning applications must be determined in accordance with the statutory development plan for that area, unless strong material considerations indicate otherwise.

The Copeland Local Plan must be in conformity with national policy as set out in the *National Planning Policy Framework* (NPPF) and the accompanying *Planning Practice Guidance*. The overarching policy context for the Copeland Local Plan is shown in Diagram 1 below.

**Diagram 1: Policy Context for the Copeland Local Plan**



\* Cumbria County Council is responsible for producing the Minerals and Waste Local Plan for the county, and Copeland Borough Council is a key consultee in this process.

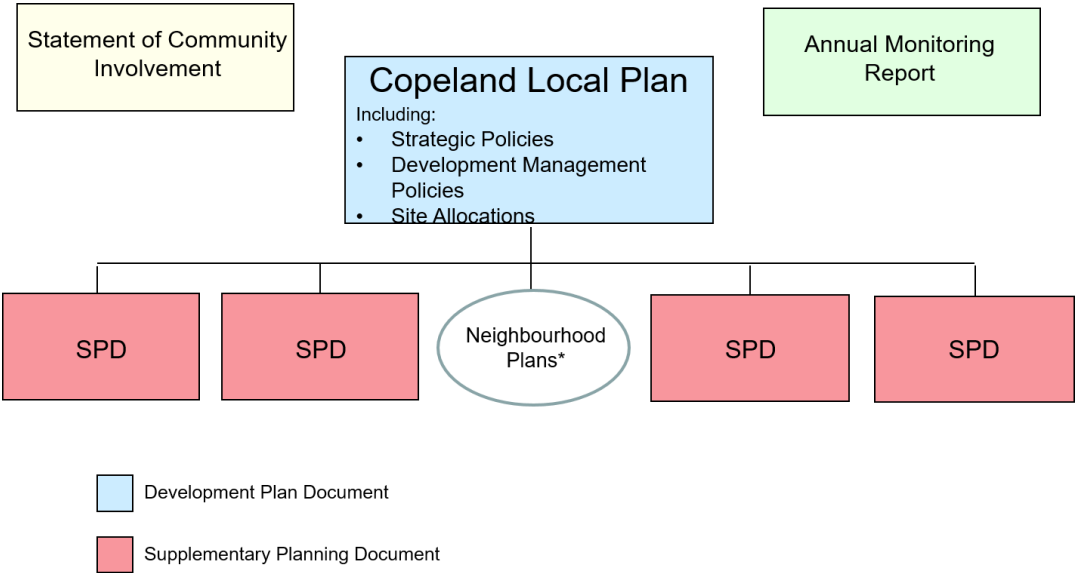
## 2.2 Local Plan Documents

The Copeland Local Plan comprises a suite of documents as follows:

- **Development Plan Documents (DPDs)**, which are statutory, contain the core policies (strategic and non-strategic) and land allocations in the Local Plan, and are subject to Independent Examination by a Planning Inspector who will consider the ‘soundness’ of the Plan
- **Proposals Map**, which illustrates the policies and allocations, together with protected areas and designations on an OS map
- **Supplementary Planning Documents (SPDs)**, which provide greater detail and clarity for some of the core policies and allocations. They can be site specific or thematic and may take the form of design guides, development briefs, masterplans or issue-based documents. SPDs are not subject to Independent Examination. They are material considerations in making decisions on planning applications and will therefore carry significant weight in decision-making.
- **Statement of Community Involvement (SCI)**, which outlines how and when the Council will consult with statutory consultees and members of the public during the production of the Local Plan and also planning applications
- **Annual Monitoring Reports (AMR)**, which reviews progress of Local Plan production and the effectiveness of the policies once adopted

The structure for these is shown in Diagram 2 below.

**Diagram 2: The Copeland Local Plan Structure<sup>1</sup>**



<sup>1</sup> \*Neighbourhood Plans are produced by the community, usually led by the local parish council. They are produced in a similar way to a Local Plan, with the community identifying issues and producing a draft plan for consultation. This is then amended and submitted for examination (a ‘light touch’ version of a Local Plan examination). If found sound it is then subject to a local referendum, and then adopted if the majority of the public in that area vote to support it. Whilst not necessarily part of the Local Plan the Council can choose to adopt them in a similar way to Supplementary Planning Documents.

## 2.3 The Current Copeland Local Plan

A large part of the *Copeland Local Plan 2013-2028: Core Strategy and Development Management Policies* was produced in 2013 and is now ready for review. The following documents currently form the Copeland Local Plan:

### **Copeland Local Plan 2013-2028: Core Strategy and Development Policies (Adopted December 2013)**

The Core Strategy sets out the strategic issues for Copeland and establishes the **strategic spatial policy framework** for all other Local Plan documents, which will have to be in conformity with the policies set out in the Core Strategy. It sets out the key elements of the development strategy for the borough and gives expression to the vision and priorities in the Sustainable Community Strategy and Copeland Growth Strategy, as well as other key strategies. It includes a **key diagram** which illustrates the broad spatial development strategy and identifies the strategic locations where development will be steered to help to deliver the Council's regeneration priorities for Copeland.

The Development Management Policies comprise a number of more detailed policies to help effectively manage the development and use of land, setting out the design standards and criteria against which planning applications will be considered.

Appendix 1 within the *Core Strategy and Development Management Policies* identifies the policies from the *Copeland Local Plan 2001-2016* that have been superseded, together with a number of that have been saved until they were to be replaced by the *Site Allocations and Policies Plan*. (See Proposals Map section below for further details).

**Site Allocations and Policies Plan** (suspended at Preferred Options stage – consulted in January 2015)

The *Site Allocations and Policies Plan* would have provided policies and proposals which allocate sites for development or earmark areas of land for protection and/or enhancement, such as sites designated for nature or heritage conservation purposes, as well as sites designated for retail use, employment land or housing. This would have represented 'Part 2' for the Core Strategy and complete that Local Plan.

Work has been suspended as the Council is now producing the *Copeland Local Plan 2021-2038* instead. Further details for this can be found in Chapter 4.

### **Proposals Map**

The Proposals Map illustrates the boundaries of the area or place specific spatial policies set out in the Local Plan. A number of the land allocations from the *Copeland Local Plan 2001-2016* have been saved until they are replaced by the new Local Plan. Details of these remaining policies, together with the associated maps, can be found in the *Proposals Map and Copeland Local Plan 2001-2016 'Saved' Policies* document.

The Proposals Map will be amended once the new Local Plan has been adopted.



### **Whitehaven Town Centre and Harbourside SPD (Adopted September 2012)**

This SPD guides redevelopment opportunities for a number of priority regeneration sites in Whitehaven Town Centre and Harbourside, providing detailed development briefs for these sites as well as setting out design and conservation guidance for these sites and the Whitehaven Town Centre Outstanding Conservation Area.

### **South Whitehaven SPD (Adopted March 2013)**

This SPD addresses Housing Market Renewal issues in the Woodhouse and Greenbank areas, involving a large new site for private sector housing south of the existing Woodhouse estate together with further new building and improvements in the existing housing areas, and the opportunity for a new school to link these existing and new estates. The SPD provides design guidance, incorporating an overarching masterplan, and forms the basis for developer contributions and obligations.

### **Conservation Area Design Guide (Adopted December 2017)**

This SPD helps to promote and encourage good design in the historic environment of the eight conservation areas of Whitehaven Town Centre, Corkickle, Hensingham, Cleator Moor, St Bees, Egremont, Beckermest and Millom.

The Design Guide is aimed at providing owners, developers, agents and designers of property and land within the Borough's Conservation Areas with guidance, advice and instructions on how to approach issues such as improvement, maintenance and repair.

### **Pow Beck Development Brief SPD (Adopted January 2008)**

This SPD was produced to address regeneration aspirations for the Pow Beck Valley in Whitehaven, setting out the constraints and opportunities presented by the Pow Beck Valley area, and indicating the type of development expected by the Council.

Much of this was subsequently proposed as an Associated Development area to support large scale nuclear new build at Moorside and so ideas for this area may need to be updated to reflect this new opportunity.

### **Cumbria Wind Energy SPD (Adopted January 2008)**

This SPD was produced by Cumbria County Council and formally adopted by the local planning authorities in Allerdale, Carlisle, Copeland, Eden, South Lakeland and the Lake District National Park, and provides locational guidance for wind farm developments.

### **Shopfront Design Guide SPD (Adopted September 2021)**

This SPD was designed to help ensure attractive and effective shopfronts are provided and maintained in order to support the vitality of the borough's town centres and villages.

An **Annual Monitoring Report (AMR)**, setting out the Local Authority's progress against the LDS is required to be published each year. The AMR allows close examination of the objectives behind planning policies in terms of:

- a) Relevance to the issues being faced by an area and its communities; and
- b) Their achievement in meeting particular targets.

By monitoring the effectiveness of policies within the Copeland Local Plan the Council can identify areas where policy and/or allocations may need to be reviewed to meet the objectives of the Plan.

Authorities are also required to produce a **Statement of Community Involvement (SCI)**. The SCI explains how local communities and stakeholders can be involved in the preparation of planning documents and planning applications, and sets out the Council standards for facilitating this. The current Statement of Community Involvement was adopted by Full Council in September 2020 and remains valid today.

### **Other Supporting Documents**

The Council adopted a number of Supplementary Planning Guidance notes to accompany the *Copeland Local Plan 2001-2016*, which provide supplementary material to policies in the Local Plan and which were prepared under the previous planning system. They currently have the status of being a 'material consideration' for planning application decisions, albeit with limited weight, and will be replaced by Supplementary Planning Documents over time. The list of SPGs for Copeland includes:

- SPG 1: Layout of New Residential Developments
- SPG 2: Crime Prevention Design Scheme
- SPG 3: Whitehaven Shopfronts Design Guide<sup>2</sup>
- SPG 4: The Highlands Development Brief

There are also a number of other key documents that inform the planning framework. These include:

- The Council's new Housing Strategy (2018-2023)
- Production of the new Copeland Growth Strategy: *Copeland Vision*
- The Council's Corporate Plan
- Cumbria Local Industrial Strategy
- Masterplan frameworks for the four towns (Whitehaven, Cleator Moor, Egremont and Millom)
- Town Improvement Plans for Cleator Moor and Millom

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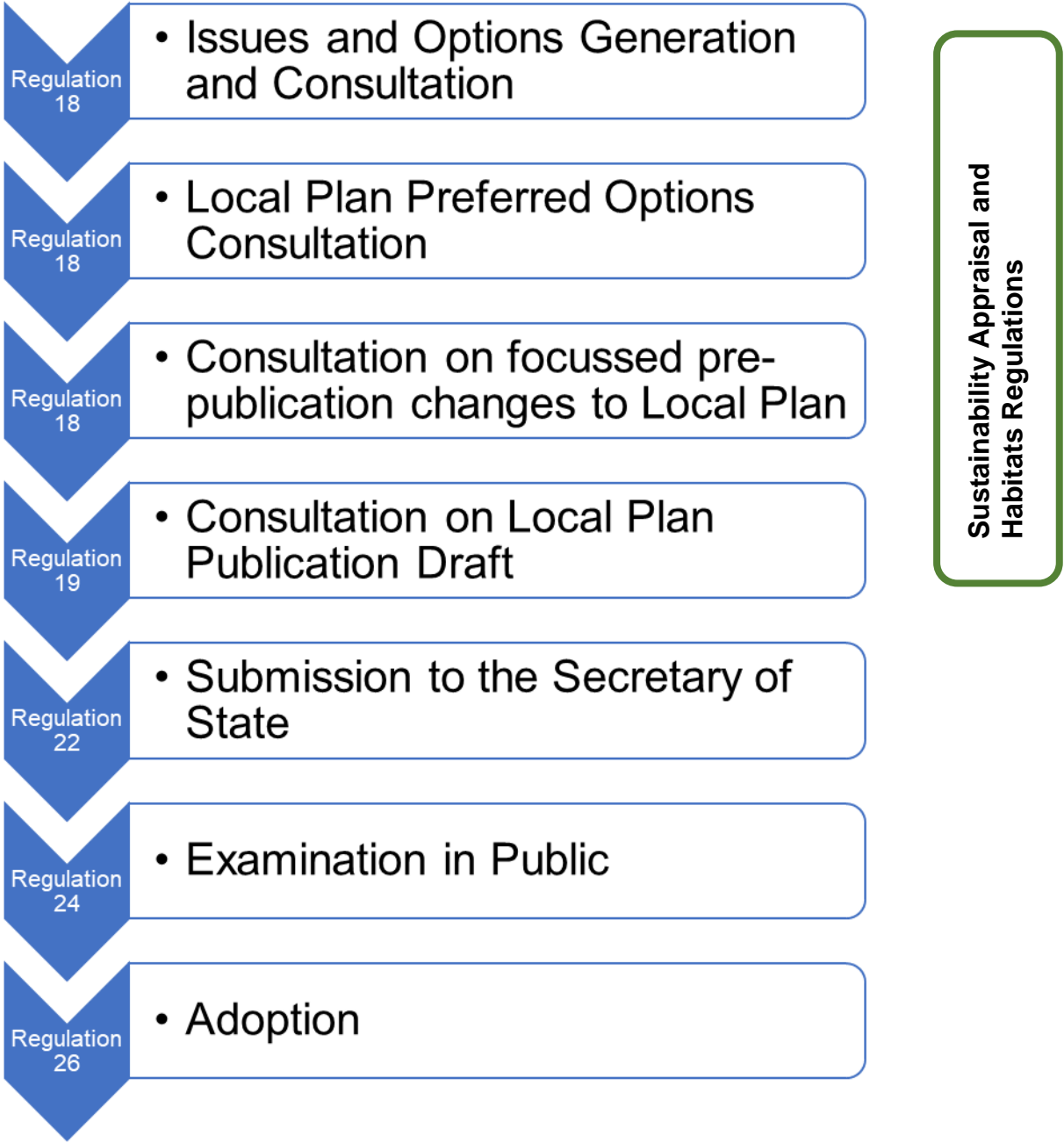
<sup>2</sup> Replaced by the Shopfront Design Guide 2021

### 3. Process for Producing the Copeland Local Plan

#### 3.1 The Local Plan Production Process

The Town and Country (Local Planning) (England) Regulations 2012 outline the process of preparing and adopting Local Plan documents. This requires a number of stages where the community and other stakeholders can get involved. This process, and the key stages for the Copeland Local Plan are illustrated in Diagram 3 below.

Diagram 3: Local Plan Production Process



The process is shorter for Supplementary Planning Documents, which are not subject to public Examination. For SPDs the Council will identify issues and options, produce a draft document for consultation which it will then amend in the light of responses received before adopting it.

Full details about how to get involved in the Local Plan production can be found in the *Statement of Community Involvement*.

### **3.2 Sustainability Appraisal (SA), Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA)**

Sustainable development is central to the planning system. Each Local Plan document will be subject to a continuous process of Sustainability Appraisal, incorporating the requirements of Strategic Environmental Assessment (SEA)<sup>3</sup>, to ensure its potential social, economic and environmental effects are identified and addressed at the policy making stage.

The process of preparing SA and SEA needs to:

- Identify sustainability issues and problems;
- Collect baseline information for monitoring these issues;
- Predict significant effects in detail;
- Ensure these effects are consulted on with the public and environmental authorities;
- Address and monitor the significant effects of the plan.

The purpose of the SA/SEA is to promote sustainable development through better integration of sustainability considerations into the preparation of plans. The SA/SEA provides an opportunity to consider ways in which the plan can achieve environmental, social and economic objectives. The appraisal is an ongoing iterative process.

The Council prepared an **Integrated Assessment Scoping Report (August 2019)** that sets the framework for assessing all documents in the Development Plan, covering the requirements of SA/SEA and Health Impact Assessment. The baseline information gathered during the preparation of the Scoping Report will be reviewed and kept up to date on an annual basis, through the Annual Monitoring Report. The Council consulted statutory bodies and has produced an update to the Scoping Report (November 2019) in light of comments received. The Scoping Report then went on to inform the **Integrated Assessment of the Issues and Options and Preferred Options Draft in July 2020, and the Publication Draft in December 2021**.

The Conservation of Habitats and Species Regulations 2010 set out the requirement for assessment of plans or projects affecting the internationally important **Natura 2000 sites**<sup>4</sup>. The Habitats Regulations Assessment (HRA) is an assessment of whether proposed plans or projects are likely to have significant effects on the site's conservation objectives. The

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<sup>3</sup> Note that these processes are combined into one assessment.

<sup>4</sup> Following Brexit these sites are now known as National Site Network Sites and Ramsar Sites

Council will assess each of its Local Plan documents to determine whether any of these documents (alone or in combination with other plans) would have significant adverse effects on any Natura 2000 sites in or close to the authority boundaries. This process will run alongside the Sustainability Appraisal process as far as possible.

## **4. The New Local Plan 2021-2038**

The low level of housing completions since 2013 together with the findings of our market intelligence work brought into question the deliverability of the housing growth figure contained within the *Copeland Local Plan 2013-2028: Core Strategy and Development Management Policies*. Given this, and to in response to changes to national planning policy, the Council suspended work on a separate Site Allocations Document as 'Part 2' for the Core Strategy and instead focussed on developing a new full Local Plan.

The Council produced an Issues and Options document in November 2019. This identified the key issues the borough was facing and set out a number of alternative options for addressing them. The document was subject to an 8-week public consultation and the responses received informed the Preferred Options Draft of the Local Plan produced in September 2020, along with a range of evidence documents. The Preferred Options draft identified the Council's preferred options in terms of policies and allocations. This was subject to a 10-week consultation between September and November 2020.

Given the number and variety of responses received to the consultation, the Council decided to undertake an additional focussed consultation<sup>5</sup> where views were sought on a number of significant changes the Council were considering making to the Local Plan. Several of these changes have been taken forward into the Local Plan Publication Draft.

It should be noted that the Plan period has changed from 2017-2035 in the Preferred Options Draft to 2021-2038 in the Publication Draft. This change ensures the Local Plan covers a 15-year period from adoption as required by national policy, and allows for the rebasing of the evidence base to keep it up to date.

The Publication Draft was subject to public consultation between January and March 2022. However, the Gypsy and Traveller Accommodation Assessment which identified a need for 12 pitches in the Plan area was only concluded after this time. To deal with this the Council consulted on two options for a site allocation between March and May 2022, with the preferred site, and an update to Policy N5PU to consider Nutrient Neutrality, subject to a six week Regulation 19 consultation in July and August 2022.

The Publication Draft and the Addendum containing the Gypsy and Traveller site allocation and updated Policy N5PU are due to be submitted to the Secretary of State in September 2022.

### **Supplementary Planning Documents (SPDs)**

The Council have committed to the production of a number of potential Supplementary Planning Documents in the Local Plan Publication Draft, including a Housing SPD and a Biodiversity SPD. As the timeframes for production are currently uncertain they have not been included in this Local Development Scheme. Once the scope of any SPDs that are required is understood they will be incorporated into a future Local Development Scheme, which will be produced by Cumberland Council.

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<sup>5</sup> Pre-publication consultation carried out in September 2021

## **Neighbourhood Plans**

Neighbourhood Plans are produced by the community, usually led by the local parish council, and the Council's role is mainly to provide advice about conformity with the Local Plan and to undertake some technical duties at formal stages, such as designating the neighbourhood plan area, and organising the examination and referendum.

There are currently no active Neighbourhood Plans in the Copeland Local Plan area, but the following parishes have been designated as neighbourhood planning areas and work was begun:

- St Bees
- Millom Without

An expression of interest was also made by Drigg and Holmrook parish, and the Council will support this proposal for a neighbourhood plan if it progresses.

## 5. The Evidence Base for Preparing the Local Plan

### 5.1 The Existing Evidence Base and Updates Required

The Local Plan should be founded on a thorough understanding of the needs of Copeland, and the opportunities and constraints which may influence future development. The type of information that will be required includes not only information related to different types of land use, but to other issues and constraints which may be required to inform decision making on spatial planning issues (e.g. economic development, health, education, flooding, nature conservation, contaminated land).

Much of the evidence base for the Copeland Local Plan was produced for the *Core Strategy and Development Management Policies* document and can be found at:

<http://www.copeland.gov.uk/content/examination-document-list>

A number of evidence documents support the new Local Plan. Those with an asterisk have yet to be commissioned:

- Development Strategy and Settlement Hierarchy Paper
- Village Services Survey update
- Strategic Housing Market Assessment (SHMA)/Objectively Assessed Housing Need
- Housing Needs Study
- Strategic Housing Land Availability Assessment (SHLAA)
- Cumbria Gypsy and Traveller Accommodation Assessment (GTAA)
- Economic Development Needs Assessment
- Employment Land Availability Study
- Masterplan Frameworks for Cleator Moor, Egremont and Millom
- Cleator Moor and Millom Town Improvement Plans
- Retail and Leisure Study update
- Town Centre Occupancy Survey
- Infrastructure Delivery Plan (IDP)
- Transport Modelling of sites
- Transport Improvement Study
- Site Access Assessments
- Green Infrastructure Strategy\*
- Open Space Assessment
- Local Green Space Assessment
- Heritage Impact Assessment
- Viability Assessment
- Indoor Sports Facility Study
- Playing Pitch Strategy
- Play Strategy
- Strategic Flood Risk Assessment
- Ecology Assessments
- Copeland Settlement Landscape Character Assessment
- Copeland Landscape Character Assessment (areas outside settlements)
- Wind Energy Technical Document



This is not an exhaustive list and additional pieces of work may be produced if required.

The evidence base can be found on the Council's website:

<https://www.copeland.gov.uk/content/copeland-local-plan-2021-2038-evidence-base>

In addition to this the Council will continue to maintain other evidence such as a 5 Year Land Supply of Housing Sites, Self Build Register and Brownfield Land Register.

## **5.2 Scope for Joint Working with Other Local Planning Authorities**

The Council regularly meets with other planning authorities in Cumbria, and this is an opportunity to share experiences and resources via joint working. Historically the Council has undertaken or commissioned a number of evidence base reports with Allerdale Borough Council to properly reflect the west Cumbria sub-region<sup>6</sup>.

Officers at Allerdale Borough Council have also provided support to the Copeland team and acted on behalf of Copeland Borough Council, supporting the management of consultants producing evidence documents where required and producing key documents such as the Wind Energy Technical document and Infrastructure Delivery Plan.

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<sup>6</sup> For example the Retail and Town Centre Study

## **6. Monitoring and Review**

### **6.1 The Annual Monitoring Report (AMR)**

The Council is required to monitor the effectiveness of its policies and proposals. The Annual Monitoring Report (AMR) covers the period 1st April to 31st March and will be completed by December each year should resources allow. The AMR will monitor progress on plan preparation, as set out in the Local Development Scheme, and whether the key milestones are being met. The monitoring will:

- Assess whether the policies and targets in the Local Plan have been met, or progress is being made towards meeting them;
- Assess whether any policies need to be replaced - if they are not working as intended, or are failing to achieve sustainable development objectives. If policies need changing or replacing, suggested actions will be identified;
- Include progress against the national core output indicators<sup>7</sup>, including information on housing delivery;
- Indicate how infrastructure providers have performed against infrastructure delivery programmes set out in support of the Core Strategy and the new Local Plan in the future. The AMR will be used to reprioritise any previous assumptions made regarding infrastructure delivery.
- Include a list of background and supporting documents and identify if further information is required; and
- Guide further revisions of the LDS, as necessary.

A copy of the AMR can be found on the planning policy pages of the Council's website at <http://www.copeland.gov.uk/content/annual-monitoring-report>.

### **6.2 Future Reviews of the LDS**

The Council is committed to reviewing this LDS as regularly as is necessary. The flexible nature of the planning system means that we can make changes to the LDS as circumstances change. For example, a new Supplementary Planning Document may be identified as the Local Plan is produced, required to address a policy issue identified in the AMR, or a revision to the timetable may be needed to reflect a substantial change in resources. When this happens, the Council will publish the revised LDS on our website.

It is likely that the Supplementary Planning Documents will be produced once the Local Plan has been adopted, and the programme for these will be determined by the new Cumberland Council.

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<sup>7</sup> Core Output Indicators are indicators that all local authorities must monitor and they are listed in *Local Development Framework Monitoring: A Good Practice Guide* (ODPM 2005) and *Regional Spatial Strategy and Local Development Framework: Core Output Indicators - Update 2/2008* (CLG 2008).

## **7. Resources and Responsibilities for Delivering the Local Plan**

The following section identifies the responsibilities of those involved in production of the Local Plan, and the resources allocated to the task.

### **7.1 Political decision making**

The Local Plan production process will be steered at the political level by the Council's **Local Development Framework Panel** (LDF Panel), which comprises council members from all parties and meets as required. Its role is to consider evidence reports, background reports, consultation programming and outcomes, sustainability appraisals and policies and proposals. The LDF Panel will make recommendations to Full Council on all key policy decisions. The decision to adopt documents as Council policy will be made by Full Council.

The Strategic Planning Manager will be responsible for overall programme management to produce the Local Plan and supporting SPDs and evidence base, including ensuring that the Annual Monitoring Report is produced and that monitoring information is fed into reviews of the LDS.

### **7.2 Human Resources**

The Council's Strategic Planning team is responsible for all planning functions excluding development control, conservation, enforcement, minerals and waste and transportation (although the Strategic Planning Manager also has overall responsibility for liaison with transport authorities and others on all transport matters).

The Strategic Planning team comprises:

- The Strategic Planning Manager
- Principal Strategic Planner
- Strategic Planner (Career Grade)
- Graduate Planner (recently appointed)
- Strategic Planning Technical Officer.

The LDS is built on the premise that a full team is established and maintained.

The Council's Development Management team also provide some support with testing policies, and site assessments and appraisals, along with other Council departments. The 'Joint Working' discussed in paragraph 5.2 above also allows for the limited resources to go further, due to Allerdale officers' local experience and knowledge supporting the team.

Where appropriate, further work will be commissioned from consultants, particularly in relation to technical background studies and evidence base.

### **7.3 Financial Resources**

There is an annual budget allocated for Local Plan work, primarily for staff salary costs. Additional funding was approved by Full Council to pay for the remaining evidence base and assessments during 2021-22, and then the Public Examination during 2022-23. Currently the actual costs remain on track to fall within the budget allocated.

## **8. Risks to Delivery of the Local Plan**

As part of the Council's approach to project management, the risks associated with producing different elements of the Local Plan have been identified, in order to ensure that steps can be taken to address these, or to minimise their impact on the Local Plan programme. The principal risks identified are set out below.

### **8.1 Human Resources**

Staff recruitment and retention has been identified as a high risk.

Due to a number of factors the Strategic Planning team was very small (two staff) for a number of years, and the Council has only had a team of four or five including a graduate planner for the past two years. It is hoped that the team will remain fully staffed in the future as the new Local Plan is produced.

Planning Performance Agreements for major projects and planning applications will help to ensure the team can meet the needs of the many competing demands associated with growth while continuing with Local Plan production.

### **8.2 Moorside and North West Coast Connections Nationally Significant Infrastructure Projects (NSIPs)**

Both of these NSIPs have now paused. Moorside remains identified in national policy as a site for large scale nuclear energy generation and the team will need to be ready to respond and engage constructively as and when a new developer takes over the project. This could have serious implications for the Local Plan, both in terms of staff time and the scope of documents that the Local Plan will need to provide.

### **8.3 Changes to National Policy, Priorities and Legislation**

The *National Planning Policy Framework* and associated *Planning Practice Guidance* were updated in July 2018, with some further amendments in early 2019 and 2021. Any further changes during the Local Plan's production and Examination could impact the work programme if new things need to be considered/included in the Local Plan at a very late stage.

To reduce the impact of this issue the Council will continue to work collaboratively with other Cumbrian authorities to share ideas, identify best practice and possibly even share resources to meet these new and increasing requirements.

### **8.4 Soundness of Local Plan documents**

There is a risk that the Local Plan may be found to be 'unsound' by the Planning Inspector. This would mean that the Council would have to return to an earlier stage in the production process and effectively start over, adding considerably to the cost and timeframe for production. This risk will be minimised by working closely with the Planning Inspectorate (PINS) at each production milestone stage, and the recent Advisory Meeting identified the

need for further consultation prior to submitting the Local Plan to avoid risks and lengthy delays at Examination.

### **8.5 Legal Challenge**

The risk of legal challenge will be minimised by ensuring that the submitted Local Plan is 'sound'. The Council will undertake a soundness self-assessment in accordance with route mapper and toolkit from the Planning Advisory Service (PAS) before it submits any document for examination. The Strategic Planning team will also work with the Legal department to ensure that its policies are legally sound and have been prepared in accordance with the Regulations.

### **8.6 Public and political engagement**

Unforeseen delays in the political approval of Local Plan components, or changes in local political agendas have the potential to prejudice achievement of the published programme. This risk will be managed via close and on-going dialogue with Members in relation to the proposed content of documents, so that wide political ownership of the Local Plan is secured.

The inclusion of the additional Focussed Consultation on potential significant changes that the Council was considering prior to producing the Publication Draft helped to reduce the number of objections to the Publication Draft Local Plan by discussing these before committing to them.

The potential for consultation fatigue and the limited capacity to respond to consultation requests in a small volunteer community with limited resources, could lead to resistance to the timescales, and/or limited engagement.

This risk will be minimised, as far as possible, by coordinating major consultations and adopting a flexible approach to consultation. The *Statement of Community Involvement*, provides details about how the Council will consult with the public on Local Plan documents and the team will monitor the effectiveness of different methods to improve in the future.

### **8.7 Financial Resources**

The Council has approved a budget for the completion of the Local Plan, and presently costs are in line with those forecast (see paragraph 7.3).

### **8.8 Joint Working**

While joint working with other authorities has obvious benefits in terms of joined-up thinking, consistency of approach to cross boundary issues and savings in time and resources, it also has the potential to cause delays to the programme. This can happen particularly if partner organisations are unable to commit similar resources over similar time periods in order to meet joint deadlines/milestones or if there are delays in joint decision-making. This risk will be minimised by close project management and discussion between the parties involved, with formalised agreements for decision making wherever possible.

## **8.9 Examination Delays**

Delays to the timetable may be experienced if the Planning Inspectorate is unable to meet the proposed timetable for examination and reporting. This risk will be minimised by early discussion and consultation with the Planning Inspectorate as to the proposed timetable.

### **Contact details**

For more information about any of the issues raised in this Local Development Scheme please contact:-

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

Tel. 01946 598300

Email: [ldf@copeland.gov.uk](mailto:ldf@copeland.gov.uk)

This document, together with all other Local Plan documents produced by Copeland Borough Council will be made available on the Planning Policy pages on the Council's website: [www.copeland.gov.uk](http://www.copeland.gov.uk)

## **APPENDIX 1: Local Plan Document Profile**

This appendix contains the detailed profile for the scope and content of the new Copeland Local Plan 2021-2038, together with the key milestones for its production.

The following documents have now been produced and adopted and as such we have not included full profiles about them and their production in this appendix:

- Copeland Local Plan: Core Strategy and Development Management Policies (December 2013)
- Cumbria Wind Energy SPD (January 2008)
- Pow Beck SPD (January 2008)
- Whitehaven Town Centre and Harbourside SPD (September 2012)
- South Whitehaven SPD (March 2013)
- Conservation Area Design Guide (December 2017)
- Shopfront Design Guide SPD (November 2021)

<b>Title of the Document</b>	<b>COPELAND LOCAL PLAN</b>	
<b>Role &amp; Content</b>	Sets out the strategic development strategy for the borough including the scale of development required, settlement hierarchy and distribution of development. It also includes more detailed development management policies and the spatial land allocations to deliver the strategy.	
<b>Geographical Coverage</b>	Copeland Borough outside of the National Park.	
<b>Status</b>	Development Plan Document	
<b>Chain of Conformity</b>	1	<b>Copeland Local Plan</b>
	2	SPD
<b>Joint Document? (if so, who with)</b>	No	
<b>Timetable</b>		
<b>Pre-production Consulting statutory bodies on scope of Sustainability Appraisal</b>	August 2019	
<b>Consultation on Issues and Options/Preferred Options (Regulation 18 consultation).</b>	Issues and Options – November 2019-January 2020 Preferred Options – September-November 2020	
<b>Consultation on pre-publication changes being considered (Regulation 19 consultation)</b>	September 2021	
<b>Consultation on the Publication Document (Regulation 19 consultation)</b>	January-March 2022 Gypsy and Traveller consultation (2 sites) – March-May 2022 Gypsy and Traveller and Policy N5PU Update – July-August 2022	
<b>Submission to Secretary of State</b>	September 2022	
<b>Pre examination meeting (if required)</b>	November 2022	
<b>Start of Public Examination Hearing</b>	December 2022 or January 2023	
<b>Receipt of Inspectors Report</b>	May or June 2023	
<b>Adoption, Publication and Revision of Proposals Maps</b>	July 2023	
<b>Arrangements for production</b>	Strategic Planning Team	
<b>Which department will lead the process</b>	Strategic Planning Team	
<b>Management arrangements</b>	Strategic Planning Manager is the lead officer, LDF Panel to review and recommend documents for consultation and adoption, and Full Council to approve consultation and adopt documents	
<b>Resources required to produce the Local Plan, including resources committed from external stakeholders.</b>	Strategic Planning Team will undertake the majority of the work. Additional work to produce some evidence base by consultants and officers at Allerdale Borough Council.	
<b>Approach to involving Stakeholders</b>	As set out in the Statement of Community Involvement.	
<b>Post Production</b>		
<b>Monitoring and Review mechanisms</b>	As set out in the Annual Monitoring Report.	



## APPENDIX 2: Glossary

**The Act:** the Planning and Compulsory Purchase Act 2004 (as amended).

**Annual Monitoring Report (AMR):** part of the Local Plan, the Annual Monitoring Report will assess the implementation of the Local Development Scheme and the extent to which policies in Local Development Documents (including saved Local Plan policies) are being successfully implemented.

**Core Strategy:** sets out the long-term spatial vision for the local planning authority area, the spatial objectives and strategic policies to deliver that vision. It can include strategic site allocations. The Core Strategy will have the status of a Development Plan Document.

**Core Output Indicators:** these are indicators that all local authorities must monitor, and they are listed in Local Development Framework Monitoring: A Good Practice Guide (ODPM 2005).

**Development Plan:** as set out in Section 38(6) of the Act.

**Development Plan Documents (DPD):** spatial planning documents that are subject to independent examination, and will form the Development Plan for a local authority area for the purposes of the Act. They can include a Core Strategy, Site Specific Allocations of land, and Area Action Plans (where needed). Other Development Plan Documents, including Development Management Policies, can be produced. They will all be shown geographically on an adopted Proposals Map. Individual Development Plan Documents or parts of a document can be reviewed independently from other Development Plan Documents. Each authority must set out the programme for preparing its Development Plan Documents in the Local Development Scheme.

**Development Management Policies:** a suite of criteria-based policies which are required to ensure that all development within the areas meets the spatial vision and spatial objectives set out in the Core Strategy.

**Housing Trajectory:** The role of the housing trajectory is to integrate the "Plan, Monitor, Manage" approach to housing delivery by showing past performance and estimating future performance. The housing trajectory will illustrate this information in a graphical form. The AMR housing trajectory for Copeland will compare the levels of actual and projected completions over the period of the plan with the housing trajectory contained in the Core Strategy.

**Key Diagram:** authorities will be required to include a key diagram in the Core Strategy to illustrate broad locations of future development.

**Local Development Documents (LDD):** the collective term in the Act for Development Plan Documents, Supplementary Planning Documents and the Statement of Community Involvement.

**Local Plan (formerly Local Development Framework in the 2004 Act):** the Development Plan for an area, which can be a portfolio of Local Development Documents. It consists of Development Plan Documents, Supplementary Planning Documents, a Statement of Community Involvement, the Local Development Scheme and Annual Monitoring Reports. Together these documents will provide the framework for delivering the spatial planning strategy for a local authority area and may also include Local Development Orders and Simplified Planning Zones.

**Local Development Scheme:** sets out the programme for preparing Local Development Documents. All authorities must submit a Scheme to the Secretary of State for approval within six months of commencement of the Act.

**Local Strategic Partnership:** partnerships of stakeholders who develop ways of involving local people in shaping the future of their neighbourhood and deciding how local services are provided. They are often single non-statutory, multi-agency bodies which aim to bring together locally the public, private, community and voluntary sectors.

**Local Transport Plan:** 5-year strategy prepared by each local highways authority for the development of local, integrated transport, supported by a programme of transport improvements. It is used to bid to Government for funding transport improvements.

**Proposals Map:** the adopted Proposals Map illustrates on a base map (reproduced from, or based upon a map base to a registered scale) all the policies contained in Development Plan Documents, together with any saved policies. It must be revised as each new Development Plan Document is adopted, and it should always reflect the up-to-date planning strategy for the area. Proposals for changes to the adopted proposals map accompany submitted Development Plan Documents in the form of a submission Proposals Map.

**The Regulations:** Town and Country Planning (Local Development) (England) Regulations 2004, the Town and Country Planning (Transitional Arrangements) Regulations 2004, and the Town and Country Planning (Local Planning) (England) Regulations 2012, including any subsequent amendments.

**Saved policies or plans:** adopted Development Plan policies are saved for three years from the date of commencement of the Act. Any policies in pre-2004 style Development Plans adopted after commencement of the Act were saved policies for three years from their adoption or approval. The Local Development Scheme should explain the authority's approach to saved policies. Policies can be saved beyond the three year period by application by the local planning authority to Secretary of State, six months prior to expiry.

**Site specific allocations:** allocations of sites for specific or mixed uses or development, to be contained in Development Plan Documents. Policies will identify any specific requirements for individual proposals.

**Statement of Community Involvement (SCI):** sets out the standards which authorities will achieve with regard to involving local communities in the preparation of Local Development Documents and development management decisions.

**Strategic Environmental Assessment:** a generic term used to describe environmental assessment as applied to policies, plans and programmes. The European 'SEA Directive' (2001/42/EC) requires a formal 'environmental assessment of certain plans and programmes, including those in the field of planning and land use'.

**Supplementary Planning Documents:** provide supplementary information in respect of the policies in Development Plan Documents. They do not form part of the Development Plan and are not subject to independent examination, although they must be subject to community consultation before being adopted. SPDs are a material consideration when considering planning applications

**Sustainability Appraisal:** a tool for appraising policies to ensure they reflect sustainable development objectives (i.e. social, environmental and economic factors) and required in the Act to be undertaken for all Local Development Documents.

**Sustainable Community Strategy:** local authorities are required by the Local Government Act 2000 to prepare these, with aim of improving the social, environmental and economic well being of their areas. Through the Community Strategy, authorities are expected to co-ordinate the actions of local public, private, voluntary and community sectors. Responsibility for producing Community Strategies may be passed to Local Strategic Partnerships, which include local authority representatives.

### APPENDIX 3: Local Development Scheme Overall Programme (July 2022)

Document Title	2021					2022												2023							
	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	
Copeland Local Plan 2021-2038																									

**Key:**

Preparation (including evidence gathering), consideration, review and amendment
Pre-publication Consultation (Regulation 18)
Publication Consultation (Regulation 19) (including the Addendum consultation on the Gypsy and Traveller site allocation and update to Policy N5PU for Nutrient Neutrality)
Submission
Pre-hearing meeting
Public Hearing Sessions
Examination in Public
Receipt of inspector’s report
Adoption

**Note:**

- Issues and Options consultation took place from November 2019 to January 2020 (8 weeks)
- Preferred Options Consultation took place from September to November 2020 (10 weeks)
- Additional Focussed Consultation took place from September to October 2021 (5 weeks)

**Detailed Anticipated Programme to Adoption**

	2022								2023								
	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
LDf Panel to agree G&T Site/Nutrients Policy		24th															
Council to agree G&T Site/Nutrients Policy			6th														
Reg. 19 Consultation on G&T Site/Nutrients Policy			13th	24th													
Submission of the Plan					16th												
Appointment of Inspector						3rd											
Issues and Questions						24th											
Examination Hearing sessions								5th-16th									
Main Modifications consultation (4 Weeks)									16th	10th							
Inspector’s Report													26th				
Adoption																	