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Respondent

15

Anonymous

11:30

Time to complete

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

1. Do you give permission for your details to be held in our consultation database? *

- Yes
 No

2. What are your details? (name, organisation (if applicable), address, telephone number and email address) *

The Coal Authority - [REDACTED] - Development Team Leader (Planning)
200 Lichfield Lane, Mansfield, Notts, NG18 4RG
[REDACTED]
planningconsultation@coal.gov.uk

3. What are your agents details (if applicable) (name, organisation, address, telephone number and email address?)

More options for Resp

4. Gender *

- Male
 Female
 Prefer not to say

5. Age *

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

Part B: Your Representation

6. To which part of the Consultation Document does this representation relate? *

If the representation relates to a paragraph within the supporting text, please state the paragraph number in the 'other' box.

- Policy H9: Allocated site for Gypsies and Travellers
- Policy N5: Protection of Water Resources
- Other

7. Is the nature of your representation to provide support for or object to the proposal? *

- Support
- Object

8. Do you consider the proposal to be legally compliant? *

- Yes
- No

9. Do you consider the proposal to be sound? *

- Yes
- No

10. Do you consider the proposal to be compliant with the Duty to Co-operate? *

- Yes
- No

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

The Coal Authority provide the LPA with downloadable GIS data in respect of Development Risk Plans. We would expect sites proposed for allocation to be assessed against this data in order to identify areas where past coal mining activity may pose a potential risk, or constraint, to future development. It is assumed that the sites proposed for allocation in Policy H9 have been assessed against this data and on this basis the Planning team at the Coal Authority have no specific comments to make.

12. Please set out the modification(s) you consider necessary to make the proposal legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 11 above. *

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.**

None

13. If your representation is seeking a modification to the Local Plan, do you consider it necessary to participate in the examination hearing sessions? *

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

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

No I do not



Copeland Local Plan 2021- 2038

Publication Draft: Amendments to Policy H9: Allocated Site for Gypsies and Travellers and Policy N5: Protection of Water Resources Consultation response form

For internal use:

Resp. No.
Rep. No.
Date Rec.

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Privacy Notice

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Please complete a separate sheet for each representation you wish to make and return this form **no later than Wednesday 24th August 2022** to:

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

Or email: localplanconsultation@copeland.gov.uk

Part A: Your Details

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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	[REDACTED]	
Position	PRINCIPAL PLANNING MANAGER	
Organisation	SPORT ENGLAND	
Address	SPORTPARK OAKWOOD DRIVE LOUGHBOROUGH LEICESTERSHIRE	
Postcode	LE11 3QF	
Telephone		
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
--------	--------	-------	-------	-------	-------	-----	-------------------

Part B: Your Representation

1. To which part of the Consultation Document does this representation relate?

Paragraph	<input type="text"/>	Policy (please delete)	H9: Allocated site for Gypsies and Travellers	N5: Protection of Water Resources
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2. Is the nature of your representation to provide support for or to object to the Proposal?

Support	<input checked="" type="checkbox"/>	Object	<input type="checkbox"/>
---------	-------------------------------------	--------	--------------------------

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

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
-----	-------------------------------------	----	--------------------------

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

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
-----	-------------------------------------	----	--------------------------

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

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
-----	-------------------------------------	----	--------------------------

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

The proposed site to be allocated as a site for Gypsies and Travellers (Land at Sneckyeat) is not a playing field, although it lies adjacent to a playing field. Therefore Sport England has no objections to its allocation.

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

7. Please set out the modification(s) you consider necessary to make the proposal 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:

Signature:

Date:

19/8/2022

Please use a separate form for each proposal you wish to comment on and return this form **no later than Wednesday 24th August 2022**. We are unable to consider any responses received after this date.

Thank you for completing this form



United Utilities Water Limited
 Grasmere House
 Lingley Mere Business Park
 Lingley Green Avenue
 Great Sankey
 Warrington WA5 3LP

unitedutilities.com

Planning.Liaison@uuplc.co.uk

By email only: localplanconsultation@copeland.gov.uk

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

Your ref:

Our ref:

Date: 24-AUG-22

Dear Sir / Madam

COPELAND BOROUGH COUNCIL – COPELAND LOCAL PLAN PUBLICATION DRAFT ADDENDUM

Thank you for your consultation seeking the views of United Utilities as part of the Local Plan process for Copeland. United Utilities wishes to build a strong partnership with all local planning authorities (LPAs) to aid sustainable development and growth within its area of operation. We aim to proactively identify future development needs and share our information. This helps:

- ensure a strong connection between development and infrastructure planning;
- deliver sound planning strategies; and
- inform our future infrastructure investment submissions for determination by our regulator.

United Utilities wishes to highlight the benefit of early, constructive communication with the council and site promoters to ensure a co-ordinated approach to the delivery of any future allocations. We will seek to work closely with the council during the local plan process to develop a coordinated approach for delivering sustainable growth in sustainable locations. When preparing the Development Plan and future policies, new development should be focused in sustainable locations which are accessible to local services and infrastructure. We can most appropriately manage the impact of development on our infrastructure if development is identified in locations where infrastructure is available with existing capacity.

We encourage you to direct future developers to our **free pre-application service** to discuss their schemes and highlight any potential issues by contacting:

Developer Services – Wastewater

Tel: 03456 723 723

Email: WastewaterDeveloperServices@uuplc.co.uk

Developer Services – Water
Tel: 0345 072 6067
Email: DeveloperServicesWater@uuplc.co.uk

General Comments

Our Assets

It is important to outline to the LPA the need for our assets to be fully considered in development proposals. We will not normally permit development over or in close proximity to our assets. All United Utilities' assets will need to be afforded due regard in the masterplanning process for a site. This should include careful consideration of landscaping proposals in the vicinity of our assets and any changes in levels.

We strongly recommend that the LPA advises future applicants of the importance of fully understanding site constraints as soon as possible, ideally before any land transaction is negotiated, so that the implications of our assets on development can be fully understood. Where our assets exist on a site, we ask site promoters to contact United Utilities to understand any implications using the above contact details.

Plans of our assets are available from a range of providers including our Property Searches team who can be contacted at <https://www.unitedutilities.com/property-searches/>.

Site Reference GTW5: Land at Sneckyeat, Whitehaven

We would reiterate our comments made in our previous response to the Regulation 19 Consultation Paper March 2022 in relation to this site as follows:

A water main passes through this site. United Utilities will not allow building over or in close proximity to a water main.

Any surface water should discharge to the most sustainable option in accordance with the hierarchy for the management of surface water outlined in the national planning practice guidance. From a review of our mapping records, it is not clear whether this site has readily available alternatives to the public sewer for the management of surface water. This should be investigated further to understand what options may exist. We recommend that these investigations take place as soon as possible.

Summary

Moving forward, we respectfully request that the council continues to consult with United Utilities for all future planning documents. In the meantime, if you have any queries or would like to discuss this representation, please do not hesitate to contact me.

Yours faithfully


Planning, Landscape and Ecology
United Utilities Water Limited



Copeland Local Plan 2021- 2038

Publication Draft: Amendments to Policy H9: Allocated Site for Gypsies and Travellers and Policy N5: Protection of Water Resources Consultation response form

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Date Rec.

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Part A: Your Details

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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		
Position	Sustainable Development Lead Advisor	
Organisation	Natural England	
Address		
Postcode		
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
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Part B: Your Representation

1. To which part of the Consultation Document does this representation relate?

Paragraph

Policy (please delete)

H9: Allocated site for Gypsies and Travellers

N5: Protection of Water Resources

This representation relates to the Air Quality chapter of the Habitats Regulations Assessment.

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

Support

Object

Natural England require more information to be provided.

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

Yes

No

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

Yes

No

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

Yes

No

6. Please give details of why you consider the Proposal 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 the Natural England letters sent on the 12th and 23rd of August 2022 for why Natural England is unable to agree with the conclusion of no adverse effect on integrity of the sites and have therefore commented that the Habitats Regulations Assessment is unsound.

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

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

Please refer to the Natural England letters sent on the 12th and 23rd of August 2022 for further information on what evidence Natural England needs in order to understand the impacts to the affected designated sites.

(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:

All of Natural England's advice has been provided in writing and therefore, due to resource pressures, we are not planning on attending the hearing session at this time. But we are happy to continue to work with Copeland to resolve this issue and can provide written statements to the inspector as required.

Signature:

Date:

23.08.2022

Please use a separate form for each proposal you wish to comment on and return this form **no later than Wednesday 24th August 2022**. We are unable to consider any responses received after this date.

Thank you for completing this form

Date: 23 August 2022
 Our ref: 400343
 Your ref: Publication Draft of the Copeland Local Plan 2021-2038.



LocalPlanConsultation@copeland.gov.uk

BY EMAIL ONLY

Hornbeam House
 Crewe Business Park
 Electra Way
 Crewe
 Cheshire
 CW1 6GJ

T 0300 060 3900

Dear Chris,

Thank you for your consultation on the Copeland Local Plan Addendum consultation received by Natural England on 13 July 2022.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Our remit includes protected sites and landscapes, biodiversity, geodiversity, soils, protected species, landscape character, green infrastructure and access to and enjoyment of nature.

This letter provides our formal response on the publication version of the Copeland Local Plan.

MATTERS RELATING TO SOUNDNESS AND LEGAL COMPLIANCE:

Habitats Regulation Assessment (HRA) – UNSOUND

3.4 Air Quality Assessment

The HRA has identified through the screening assessment the potential effects in relation to air quality impacts on the following sites: Duddon Mosses SAC, Lake District High Fells SAC and Subberthwaite, Blawith and Torver Low Commons SAC. We haven't seen the Air Quality Assessment report that is referenced throughout the HRA. Please make this and any other evidence collected available so we can understand the evidence supporting the HRA. At this stage, due to a lack of evidence it is not possible for the HRA to conclude no adverse effect on integrity of the above sites.

Notwithstanding the evidence which may have been collected. The following further information is required for all three of the sites that have been escalated to the Appropriate Assessment stage:

- Evidence showing if and what designated features are within the 200m boundary of the roads.
- If there are designated features within the 200m of the road, are these features susceptible to air quality impacts and therefore will there be an adverse effect on integrity of the site.
- Have the protected sites conservation objectives been taken into consideration when assessing the impacts from air quality?
- The HRA assesses the air quality for the three sites against 2021 background pollutant levels and 2038 background pollutant levels, further justification is needed to explain why these two years were selected and whether given the large span of time they are the most appropriate years to use.

- Further clarification is also needed on the use of 2038 background pollutants. If the HRA concludes that there is no adverse effect on integrity because the 2038 data used is too over precautionary, is there more appropriate data that can be used? Does modelling take into consideration recent traffic trends and predicted traffic trends?

Natural England have provided further advice in relation to the Air Quality Chapter of the Habitats Regulation Assessment in the letter sent on the 12th of August 2022, please refer to this letter to see what further information we recommend is collected.

Natural England has no further comments to make regarding Policy N5: Protection of Water Resources and H9: Allocated site for Gypsies and Travellers.

Should the plan be amended in a way which significantly affects its impact on the natural environment, then, please consult Natural England again.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries relating to specific advice in this letter only, please contact [REDACTED] [REDACTED] For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely,

[REDACTED]
Sustainable Development Lead Advisor

View results

Respondent

13

Anonymous

119:19

Time to complete

Part A: Your Details

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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

1. Do you give permission for your details to be held in our consultation database? *

- Yes
 No

2. What are your details? (name, organisation (if applicable), address, telephone number and email address) *

[Redacted], Planning Officer, Friends of the Lake District, [Redacted]

3. What are your agents details (if applicable) (name, organisation, address, telephone number and email address?)

[Redacted]

4. Gender *

- Male
 Female
 Prefer not to say

More options for Resp

5. Age *

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

Part B: Your Representation

6. To which part of the Consultation Document does this representation relate? *

If the representation relates to a paragraph within the supporting text, please state the paragraph number in the 'other' box.

- Policy H9: Allocated site for Gypsies and Travellers
- Policy N5: Protection of Water Resources
- Other

7. Is the nature of your representation to provide support for or object to the proposal? *

- Support
- Object

8. Do you consider the proposal to be legally compliant? *

- Yes
- No

9. Do you consider the proposal to be sound? *

- Yes
- No

10. Do you consider the proposal to be compliant with the Duty to Co-operate? *

- Yes
- No

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

We very much support the principle of covering the nutrient neutrality issue in policy N5 policy and the supporting text. However, the proposed supporting text and policy wording state that the need to take nutrient neutrality into account only applies to development that will generate overnight stays. i.e. paras. 15.12.12, 15.12.15, footnote 3 of the addendum document. Whilst overnight accommodation has been the focus of the advice, this PAS advice (<https://www.local.gov.uk/pas/plan-making/archive/nutrient-neutrality-faqs> - see Q3.1 and the answer to it) is clear that "Natural England's advice applies to all development"; that "Tourism infrastructure for day visitors should be included if there is clear evidence that people are travelling from outside the catchment" and that "Agricultural infrastructure and industrial applications should be considered on a case-by-case basis due to the variation in nature and scale. Nutrient neutrality applies to agricultural developments that lead to an intensification of use and therefore increased nutrient loads". It also states that for "very significant commercial developments that attract people as visitors or for employment from outside the catchment area, nutrient neutrality may be needed".

This article <https://www.birketts.co.uk/legal-update/norfolk-nutrient-nightmare-natural-england-updates-nutrient-neutrality-guidance/> by legal firm Birketts states of the NE advice that "The upshot of this advice is that new development that would lead to the creation of overnight sleeping accommodation or any other development that may have non-sewerage water quality impacts that would impact protected habitats should not be authorised, unless it can be demonstrated that such development would not cause adverse impacts to those habitats".

The references in the proposed new text should therefore make it clear that the policy does not exclusively relate to housing developments and other development that generates an overnight stay.

12. Please set out the modification(s) you consider necessary to make the proposal legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 11 above. *

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.**

Amend the relevant paragraphs and footnote to instead read as follows:

15.12.12: Mitigation will however need to be secured and delivered before affected development can be occupied or otherwise brought into use.

15.12.15: Policy N5 relates to "affected developments". At present, this means all development that would lead to the creation of overnight stays or any other development that may generate a net increase in wastewater within the catchment area.

Footnote 3 may be unnecessary as the explanation of what developments N5 will apply to is set out at 15.12.15. However, if footnote 3 is retained, it should be amended to read "Those that create additional overnight accommodation such as housing developments, or any other development that may generate a net increase in wastewater within the catchment area".

13. If your representation is seeking a modification to the Local Plan, do you consider it necessary to participate in the examination hearing sessions? *

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

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

Not applicable



Homes
England

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

By email: LocalPlanConsultation@copeland.gov.uk

22 August 2022

Dear Sir / Madam,

Consultation on the Copeland Local Plan 2021-2038 Publication Draft Addendum

Homes England Response

As a prescribed body and landowner in Copeland, we would firstly like to thank you for the opportunity to comment on the above consultation.

Homes England is the government's housing accelerator. We have the appetite, influence, expertise, and resources to drive positive market change. By releasing more land to developers who want to make a difference, we're making possible the new homes England needs, helping to improve neighbourhoods and grow communities.

Whilst Homes England submitted representations to the previous Local Plan consultation, relating to our land ownership at Harras Moor, Homes England does not wish to make any representations on the above consultation. We will however continue to engage with you as appropriate.

Yours faithfully,



Head of Planning and Enabling

Homes England
1st Floor Churchgate House
56 Oxford Street
Manchester
M1 6EU

Please send all Local Plan and related consultations to


0300 1234 500
www.gov.uk/homes-england