
From: Simon Blacker [REDACTED]
Sent: 09 January 2023 14:00
To: North2
Subject: Planning Inspectorate APP/Z0923/W/22/3304774: Land to the north of Station Road, Drigg Cumbria
Attachments: Planning Appeal Final Comments - land north of Station Road Drigg.pdf

Dear Sir/Madam,

Please find attached final comments in relation to the LPA's submission. Please contact me if you have any queries on the attached.

Kind regards,



Simon Blacker MRTPI



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Final Comments in relation to LPA Statement of Case – Land to the north of Station Road, Drigg, Cumbria

Proposal: Outline Planning Application for residential development



Appeal Reference

Planning Application Reference 4/22/2070/001

Mr Graeme Morgan

Sunshine Properties West Coast Ltd

January 2023

SRE Associates - Planning and Development Consultancy



1.0 Final Comments

1.1 This statement has been prepared with regards to the information provided within the statement of case from the Local Planning Authority (Copeland Borough Council) on the above planning appeal.

1.2 In section 3, the following statement is included:

'Given the stage of preparation of the emerging Copeland Local Plan 2017-2038 some weight can be attached to policies where no objections have been received or objections have been resolved. The Publication Draft (January 2022) and Addendum (July 2022) provides an indication of the direction of travel of the emerging planning policies, which themselves have been developed in accordance with the provisions of the NPPF.'

1.3 With regards to the above, it is considered that very little weight can currently be given the Local Plan currently in preparation. As the statement also mentions, the Local Plan Examination in Public has yet to commence, and therefore there is very little indication as to its suitability as it stands.

1.4 It also mentions that some weight can only be given to policies where no objections have been received. As I understand it, objections have been received regarding housing policies, including those regarding settlements, settlement boundaries, housing allocations and housing numbers, which are all issues that impact this application, and they form a significant portion of the timescale set for the Examination. For information, an abridged version of the Inspectors Matters, Issues and Questions for Examination is below, only including the issues regarding housing development.

1.5 No further comments are to be made regarding the third party representations.

S Blacker MRTPI



Independent Examination of the Copeland Local Plan 2021-2038

Inspectors Matters, Issues and Questions for Examination

Caroline Mulloy BSc (Hons) DipTP MRTPI

Inspector appointed by the Secretary of State

Date: 11 November 2022

Matter 3-The Development Strategy

Issue: Whether the development strategy is justified, effective and consistent with national policy

Relevant Policies: SP DS1PU; SP DS2PU; SP DS3PU; DS4PU

- 3.1 Is it necessary for Policy DS1PU to repeat the presumption in favour of sustainable development set out in the National Planning Policy Framework (the Framework)?
- 3.2 Does Policy DS2PU provide an effective framework to reduce the impacts of development on climate change? Has the potential effect of the policy on the viability of development been assessed?
- 3.3 Is there evidence to support the proposed higher National Housing Standard for water conservation and BREEAM rating of excellent in new non-domestic buildings as proposed in suggested Main Modification MA-LP14?
- 3.4 Is the methodology set out in the Settlement Hierarchy and Development Strategy Paper (updated) and Village Services Survey sound? Do they provide an appropriate basis to inform the settlement hierarchy in Strategic Policy DS3PU? How does it differ from the approach taken in the Copeland Local Plan 2013-2028 Core Strategy and Development Management Policies (the Core Strategy) 2013?
- 3.5 Does Policy DS3PU provide an appropriate Framework to guide development in the Principal Town, Key Service Centres, Local Service Centres, Sustainable Rural Villages and Rural Villages?
- 3.6 Is it clear the scale of development which will be allowed within each tier of the hierarchy? Does the level of growth proposed in each area reflect the housing and employment needs in the different parts of the Borough?
- 3.7 Are the suggested Main Modifications to Policy DS3PU justified? Are they necessary in the interests of soundness?
- 3.8 What is the basis of the proposed settlement clusters?
- 3.9 Is the methodology for the review and definition of detailed settlement boundaries robust? Have the criteria and judgements used to inform the choice of settlement boundaries been applied consistently?
- 3.10 Are the proposed settlement boundaries justified on the basis of proportionate evidence?
- 3.11 Will the settlement boundaries defined on the draft Proposals Map be effective in enabling further windfall sites to come forward to meet any residual housing need?
- 3.12 Does Strategic Policy DS4PU provide an appropriate basis to manage development within and adjacent to settlement boundaries and beyond in the open countryside?
- 3.13 Overall, is the development strategy justified? Does it represent an appropriate strategy when considered against the reasonable alternatives available? What alternative options were considered as part of the Plans preparation and why were they discounted?

Matter 4 The Housing Requirement

Issue: Whether the Local Plan has been positively prepared and whether it is justified, effective and consistent with national policy in relation to the overall provision for housing and the housing requirement?

Relevant Policy: SP H2PU

- 4.1 Is the calculation of the local housing need set out in the Five-Year Housing Land Supply Statement 2021/22 consistent with the standard methodology set out in national guidance?
- 4.2 How does the Local Housing Need calculation compare to the calculation of housing need set out in the Strategic Housing Market Assessment Update (SHMA) 2021?
- 4.3 Is the methodology for calculating housing need in the SHMA appropriate and does it provide a robust basis for establishing housing need?
- 4.4 What is the demographic basis for the assessment? Are the demographic assumptions justified?
- 4.5 Are the assumptions relating to household representative rates justified?
- 4.6 Are the assumptions relating to migration justified?
- 4.7 What evidence is there in relation to future economic/jobs growth? How have economic/jobs forecasts and changes to working age population been taken into account?
- 4.8 Is it appropriate to select the midpoint economic forecast?
- 4.9 Are the economic growth assumptions upon which the proposed housing requirement is based deliverable?
- 4.10 Is it appropriate to plan for a higher figure than the standard method indicates? Is it appropriate to include a range? Should the 5 year land supply be based on the minimum housing requirement as opposed to the planned 3,400 dwellings?
- 4.11 How does the proposed requirement compare to previous levels of delivery in the Borough? Is it deliverable?
- 4.12 How have other factors been taken into account? What do they show?
- 4.13 In overall terms, is the housing requirement of 2,482 net additional dwellings for the Plan period or 146 dwellings per annum in Copeland appropriate and justified? Is it appropriate to plan for 3,400 dwellings or 200 dwellings per annum? Is there a basis to arrive at an alternative figure and if so what?

Matter 5: Other Housing Requirements

Issue: Whether the Local Plan has been positively prepared and whether it is justified, effective and consistent with national policy in relation to the provision for other housing requirements.

Relevant Policies: Policies H7PU; SP H8PU; SP H9PU; H10PU; H12PU

Housing Density and Mix (H7PU)

- 5.1 What is the evidence in relation to housing mix?
- 5.2 Does Policy H7PU provide sufficient guidance to developers in terms of housing mix?
- 5.3 Is Policy H7PU justified, effective and consistent with national policy, particularly in terms of the approach to densities?

Specialist and Older Persons Housing (H12PU)

- 5.4 What is the evidence in relation to the need for specialist and older persons housing in the Borough?
- 5.5 Does Policy H12PU provide sufficient guidance to developers in terms of specialist and older persons housing?
- 5.6 Is Policy H12PU justified, effective and consistent with national policy?

Affordable Housing (SP H8PU)

- 5.7 What is the evidence in terms of affordable housing need and what does it show?
- 5.8 What are the past trends in affordable housing in terms of completions and forms of delivery? How is this likely to change in the future?
- 5.9 Is the site size threshold for seeking affordable housing in Policy SP H8PU justified and consistent with national policy? Is the lower threshold of 5 units within the Whitehaven Rural sub-area supported by evidence and justified?
- 5.10 What is the evidence in relation to the viability of delivering affordable housing as part of market housing schemes? What does it show and does it justify the 10% requirement set out in Policy SP H8PU?
- 5.11 What is the basis for the tenure split set out in Policy SP H8PU? Is this justified?
- 5.12 Is there evidence to support the approach to not require 10% of homes within major developments to be made available for affordable home ownership as required by paragraph 65 of the Framework?
- 5.13 Is the policy sufficiently flexible in relation to viability and the potential for off-site provision?
- 5.14 Are suggested Main Modifications MA LP117-MA LP121 required in the interests of soundness?
- 5.15 In overall terms, is Policy SP H8PU justified, effective and consistent with national policy?

Matter 15 Housing Allocations

Issue – Whether the proposed housing allocations and broad locations are justified, effective and consistent with national policy?

Relevant Policies: SP H4PU; H5PU

Site Selection

- 15.1 Was the methodology used to assess and select the proposed site allocations and broad locations appropriate? Were reasonable alternatives considered and tested? Are the reasons for selecting the preferred sites and rejecting others clear and where is this set out?

Distribution of Housing (Policy SP H4PU)

- 15.2 Is the proposed distribution of housing set out in Policy SP H4PU consistent with the settlement hierarchy set out in Policy DS3PU? How were the proportions/amounts of development for each tier of the hierarchy of settlements arrived at?

Housing Allocations (Policy SP H5PU)

NB. In responding to the questions on site allocations the Council should identify and address specific key concerns raised in representations e.g. in terms of adverse impacts, delivery etc

Taking each of the following proposed housing allocations individually:

A: Housing allocations in the towns:

Whitehaven

- HWH1 Land at West Cumberland Hospital and Sneckyeat Road
- HWH2 Red Lonning and Harris Moor
- HWH3 Land at Edgehill Park Phase 4
- HWH4 Land south and west of St Mary's School
- HWH5 Former Marchon Site North
- HWH6 Land south of Waters Edge Close

Cleator Moor:

- HCM1 Land at Jacktrees Road
- HCM2 Land north of Dent Road
- HCM3 Former Ehenside School
- HCM4 Land at Mill Hill

Egremont:

- HEG1 Land north of Ashlea Road
- HEG2 Land at Gulley Flats
- HEG3 Land to south of Daleview Gardens

Millom:

- HMI1 Land west of Grammerscroft

- HMI2 Moor Farm

B: Housing allocations in the Local Service Centres:

- *HAR1 Land East of Arlecdon Road*
- *HDI1 Land south of Prospect Works*
- *HD12 Land south west of Rectory Place*
- *HSB1 Land adjacent Abbots Court*
- *HSB3 Land adjacent Fairladies*
- *HSE2 Fairways Extension*
- *HSE3 Town End Farm East*
- *HTH1 Land to south of Thornhill*

C: Housing allocations in the Sustainable Rural Villages and Rural Villages

- HBE1 Land north of Crofthouse Farm
- HBE2 Land adjacent to Mill Fields
- HBI1 Land north of Springfield Gardens
- HB12 Land west of Jubilee Gardens
- HDH2 Wray Head, Station Road
- HDH3 Hill Farm, Holmrook
- HMR1 Land to north of Social Club
- HMR2 Land to south of Scalegill Road
- HLO1 Solway Road
- HSU1 Land to South West of Summergrove

- 15.3 What is the background to the site allocation? How was it identified and which options were considered?
- 15.4 What is the current planning status of the site in terms of planning applications, planning permissions and completions/construction?
- 15.5 How were the site areas and dwelling capacities determined? Are the assumptions justified and based on available evidence having regard to any constraints and the provision of necessary infrastructure?
- 15.6 What are the potential adverse impacts of developing the site and how could these be mitigated for example in terms of transport/traffic, nature conservation, landscape and countryside, heritage assets and the impact on flood risk? Would policy safeguards and proposed mitigation be sufficiently effective?
- 15.7 What are the infrastructure requirements/costs and are there physical or other constraints to development? How would these be addressed?
- 15.8 Is the development proposed viable and deliverable within the plan period?
- 15.9 What is the situation in relation to land ownership and developer interest?
- 15.10 What is the expected timescale and rate of development and is this realistic?

Matter 17 The Supply and Delivery of Housing Land

Issue-Whether the approach towards the supply and delivery of housing land is justified, effective and consistent with national policy.

Relevant policy: H3PU

- 17.1 What is the estimated total supply of new housing in the plan period 2021-2038 and how does this compare with the requirement?
- 17.2 What is the estimated total supply in the plan period from:
 - a) Completions since 31 March 2021
 - b) Sites under-construction
 - c) Planning permissions
 - d) Proposed allocations
 - e) Windfall sites
- 17.3 What are the assumptions about the scale and timing of supply and annual rates of delivery from these various sources? Are these realistic? How do they compare to previous rates?
- 17.4 How has flexibility been provided in terms of the housing land supply? Are there other potential sources of supply not specifically identified? Can this be specified?
- 17.5 In overall terms, would the Local Plan realistically deliver the number of houses required over the Plan period?
- 17.6 Has there been persistent under delivery of housing? In terms of a buffer for a five-year supply of housing sites, should this be 5% or 20% in relation to para 47 of the NPPF?
- 17.7 How would any shortfall since 2021 be dealt with?
- 17.8 What would the requirement be for a five-year supply including a buffer and accommodating any shortfall since 2021?
- 17.9 Would the Local Plan realistically provide for a five-year supply on adoption? Will a five-year supply be maintained?
- 17.10 Is Policy SP H3PU justified, effective and consistent with national policy?

Matter 18 Housing Development Policies

Issue-Whether the approach towards housing development is justified, effective and consistent with national policy.

Relevant Policies: SP H1PU; H6PU; H11PU; H13PU; H14PU; H15PU; H16PU; H17PU; H18PU; H19PU; H20PU

Improving the Housing Offer (Policy SP H1PU)

- 18.1 Is the approach set out in Policy SP H1PU effective, justified and consistent with national policy?

New Housing Development (Policy H6PU)

- 18.2 Is the approach set out in Policy H6PU effective, justified and consistent with national policy?

Custom and Self-build housing (Policy H11PU)

- 18.3 What is the evidence in relation to the need for custom build and self-build housing?
- 18.4 Will the approach in Policy H11PU be effective in delivering the identified need? Is it justified and consistent with national policy?

Conversion and sub-division of buildings to residential uses including large HMOs (H13PU)

- 18.5 How would an 'over-concentration of HMO's' be practically assessed?
- 18.6 Overall, does Policy H13PU provide an effective basis for the consideration of proposals for conversion and subdivision of properties, including large HMOs?

Domestic Extensions and Alterations (Policy H14PU)

- 18.7 Is Policy H14PU justified, effective and consistent with national policy?

New Housing in the Countryside (Policies H15PU; H16PU)

- 18.8 Is Policy H15PU justified, effective and consistent with national policy?
- 18.9 Is Policy H16PU justified, effective and consistent with national policy?

Conversion of Rural Buildings to Residential Use in the Open Countryside (Policy H17PU)

- 18.10 Is Policy H17PU justified, effective and consistent with national policy?

Replacement Dwellings in the Open Countryside (Policy H18PU)

- 18.11 Is Policy H18PU justified, effective and consistent with national policy?

Beach Bungalows (Policy H19PU)

- 18.12 Is Policy H19PU justified, effective and consistent with national policy?

Removal of Occupancy Conditions (H20PU)

- 18.13 Is the technical note regarding 'local occupancy' referred to in paragraph 13.21.3 available?
- 18.14 Is Policy H20PU justified, effective and consistent with national policy?

Residential Caravans (Policy H21PU)

- 18.15 Is Policy H21PU justified, effective and consistent with national policy?