

Ms Laurie Crayston
16 Holme Mill Cottages
Holme
Cumbria
LA6 1RB

Please Contact: Sarah Papaleo
Officer Tel No: 07799131864
My Ref: PAA/21/0070
Date: 5 November 2021

Dear Ms Crayston,

**FIELD 911, MILL STREET, FRIZINGTON
ERECTION OF A TWO BEDROOM COTTAGE**

I refer to your request for pre-application advice which was received on 7th October 2021.

I have now had an opportunity to review the site on the Councils GIS mapping system and the information submitted as part of the enquiry. I would advise that planning permission would be required for your proposal for the erection of a single dwelling on land at Mill Steet, Frizington.

The following policies within the Copeland Local Plan 2013 – 2028 relevant to this proposal are as follows:

- Policy ST1 – Strategic Development Principles
- Policy ST2 – Spatial Development Strategy
- Policy SS1 – Improving the Housing Offer
- Policy SS3 – Housing Needs, Mix and Affordability
- Policy DM10 – Achieving Quality of Place
- Policy DM11 – Sustainable Development Standards
- Policy DM12 – Standards for New Residential Developments

You can access the Copeland Local Plan 2013 – 2028 using the link below. This contains details of the relevant policies listed above.

http://www.copeland.gov.uk/sites/default/files/attachments/copeland_local_plan_2013_2028.pdf

The application lies outside of any designated settlement boundary, and as such, the proposal is in conflict with Policy ST2. Policy ST2 of the Copeland Local Plan states that outside of the defined settlement boundaries, development is restricted to that which has a proven requirement for such a location, including housing that meets proven specific and local needs including provision for

agricultural workers, replacement dwellings, replacement of residential caravans, affordable housing and the conversion of rural buildings to residential use. None of these exceptions have been identified in this case, therefore any planning application would be assessed as an open market dwelling.

Paragraph 11 of the NPPF requires the application of the presumption in favour of sustainable development to the provision of housing where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date. Out of date includes where the Local Planning Authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.

In November 2020, Copeland Borough Council produced a Five Year Housing Land Supply Statement which demonstrates a 6.35 year supply of deliverable housing sites against the emerging housing requirement calculated in the updated Strategic Housing Market Assessment (SHMA) and a 55 year supply against the Government's standard methodology figure. Copeland Borough Council has also met the most recent Housing Delivery Test.

Notwithstanding the above, the policies in the Local Plan must still be considered out of date and only some weight can be given to their content as far as they are consistent with the provisions of the NPPF.

Consultation on the Local Plan 2017-2035 Preferred Options Draft (ECLP) ended in November 2020. The ECLP will, once adopted, replace the policies of the adopted Local Plan.

The ECLP has been drafted based upon an evidence base. The Strategic Housing Market Assessment (SHMA) calculates a housing need in Copeland over the plan period 2017-2035 of 140 dwellings per annum. The ECLP confirms that to meet the housing need identified in the SHMA, development will be required beyond the existing development boundaries identified in Policy ST2 of the CS.

The ECLP continues to identify Frizington as a Local Service Centre reflective of the number and type of services it contains and identifies a settlement boundary around the town. The ECLP continues to identify the Application Site as outside the revised settlement boundary for Frizington. The proposed development is in conflict with the emerging policies and provisions of the ECLP, however the document is at an early stage of preparation and there are outstanding objections to the relevant policies applicable to this development, the identified conflict can be given little weight at present.

In the context of the provisions of Paragraph 11, the defined development boundaries in Copeland must be considered out of date. Paragraph 11 of the NPPF sets out that planning permission should be granted unless:

- i. The application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Any application should provide a justification for a dwelling given its location outside of the settlement boundary taking into account the provisions of paragraph 11 of the NPPF, as set out above.

The site lies on a coal development referral area and according to the Coal Authority's mapping system, potentially includes a mine entry and high risk area. Furthermore, the site lies in an area designated as potentially contaminated. As a result, a coal assessment and contaminated land assessment would be required with any planning application in order to ascertain whether the land would be suitable for residential development.

Should you require any further information, please do not hesitate to contact me at sarah.papaleo@copeland.gov.uk.

Response prepared by:	Date:
S. Papaleo Development Management – Planning Officer	17 th November 2021
Response checked by:	Date:
N.J. Hayhurst Head of Planning & Place	17 th November 2021

Please note that the advice in this letter is given in good faith on the basis of the information available at the present time. The advice may be subject to revision following further examination or consultation, or where additional information comes to light, and is therefore not binding on any future recommendation which may be made to the Council or any formal decision by the Council.