

Allerdale Borough Council

Executive - 18 March 2020

Council - 20 May 2020

**Allerdale Local Plan (part 2)
Adoption**

The Reason for the Decision	The Allerdale Local Plan (part 2) was submitted in January 2019 to the Minister for Housing, Communities and Local Government for independent examination. The Council has received the Inspector's report and now has to consider whether to adopt the Local Plan (part 2) in line with his recommendations.
Summary of options considered	Not to adopt the Local Plan (part 2)
Recommendations	<p>That the modified Local Plan (part 2), as set out in appendix 2 of this report be adopted as part of the statutory development plan for the area of the Borough outside the Lake District National Park</p> <p>That the Policies Maps, including modifications, as set out in appendix 3 of this report be adopted</p>
Financial / Resource Implications	The cost associated with adoption of the Local Plan (part 2) is within budget.
Legal / Governance Implications	The adoption of the Local Plan has to comply with legal and regulation requirements set out in the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Planning) (England) Regulations 2012.
Community Safety Implications	N/A
Health and Safety and Risk Management Implications	N/A
Equality Duty considered / Impact Assessment completed	Yes
Wards Affected	All outside the National Park

The contribution this decision would make to the Council's priorities

Thriving towns and villages – supports the delivery of affordable housing, and enables town centres to remain vibrant and relevant.
Invest to grow- by supporting housing delivery and identifying employment land and premises for economic growth.
A cleaner, greener Allerdale- through the protection and enhancement of green spaces and green infrastructure networks, protecting biodiversity and landscape.

Is this a Key Decision

Yes

Portfolio Holder

Councillor Marion Fitzgerald

Lead Officer

Nik Hardy, Head of Strategy, Policy and Performance. Nik.hardy@allerdale.gov.uk
01900 702778

Report Implications

Community Safety	N	Employment (external to the Council)	Y
Financial	N	Employment (internal)	N
Legal	N	Partnership	Y
Social Inclusion	N	Asset Management	N
Equality Duty	N	Health and Safety	N

Background papers: Inspector's report, Local Plan (part 2) (modified), Policies Maps (modified).

1.0 Introduction

- 1.1 The Allerdale Local Plan is the statutory development plan for the area of the Borough outside the National Park. Its principal role is to support the delivery of the Council Strategy objectives and the housing and business growth strategies, while providing the policy framework to guide the determination of planning applications.
- 1.2 The Local Plan is in two parts. The Local Plan (part 1), which was adopted in July 2014, following an Examination in Public, sets out a housing target of at least 5471 dwellings and 54 hectares of employment land to be delivered by 2029. Part 1 of the Plan also sets out a spatial strategy which outlines in broad terms how the level of growth will be distributed across the plan area. The second part of the Local Plan is mainly focussed on identifying individual sites to deliver the strategy and level of growth set out in the Local Plan (part1).

- 1.3 The Local Plan (part 2) was submitted in January 2019 to the Minister for Housing, Communities and Local Government for independent examination. The public hearings took place in May last year. The Council received the Inspector's report in January 2020 which concluded that the Local Plan (part 2) was "sound" subject to a number of modifications. A copy of the Inspector's report and schedule of modifications can be found in appendix 1 of this report.

2.0 Background

- 2.1 The Local Plan (part 2) identifies land for a number of uses. This includes housing, employment, retail and town centres, wind energy, gypsy and travellers, open space and green infrastructure networks. It also includes policies on affordable housing, housing standards, tourism, broadband infrastructure, amenity green space, green gaps and green infrastructure. In addition all development boundaries around towns and villages have been reviewed.
- 2.2 The Planning Inspector has found the Local Plan "sound" subject to modifications. The modified Local Plan can be found in appendix 2 of this report. To be found "sound" the Local Plan had to be legally compliant, accord with national planning policy and be based on robust evidence.
- 2.3 The modifications mainly relate to changes to policy wording. No policy was struck out and all site allocations passed the soundness test. One housing allocation at Maryport Harbour has been removed, but this was at the request of the landowner who no longer wished to develop the site for housing.
- 2.4 The main findings of the Inspector and recommended modifications to the Local Plan are set out below:

3.0 Housing

3.1 Affordable Housing Policy

- 3.2 The delivery of affordable housing is a key objective of the Council and one way to achieve this is to ask, through planning policy, for housing development to include a proportion of affordable homes. In recent years the Government has made changes to the size of development that would be required to provide an element of affordable homes and this is reflected in the Local Plan policy. In addition the policy stipulates the preferred tenure of affordable homes to reflect local evidence in the Council's housing need study (2016). The policy also sets what percentage of a housing scheme should be affordable. The Council's policy required housing development in Cockermonth to provide 40% as affordable homes while development elsewhere in the Plan area was required to provide 20%. The Inspector has recommended a modification to that element of the policy for the areas outside Cockermonth. Instead of a blanket requirement of 20% the Plan area has been divided into two zones. One requiring development to include 20%

affordable homes and the other 10%. The zones are defined on the Affordable Housing policy map in appendix 3 of this report. The Inspector concluded that the requirement for 20% affordable homes in some parts of the Plan area would impact on the viability of housing development and pose an obstacle to the delivery of those sites and as such the requirement should be lower in these areas.

3.3 Custom and Self Build Housing

3.4 A policy specifically for custom and self build development has been included in the Plan. The Borough has a strong tradition of individuals building their own homes however its delivery is very different from a volume housebuilder. The aim of the policy is to ensure supporting infrastructure is delivered in a coordinated way and that there is a consistent approach to design across multiple individual plots. The Inspector supported the policy without modification.

3.5 Housing Standards

3.6 Allerdale's population is ageing faster than the regional and national averages and is in the top 20% in the country for the increase in population aged 65 and over between 2004 and 2014. Government research has identified that older people are the main group requiring adaptations to their homes to allow them to live independently. Given that older people spend 70-90% of their time at home it is important to ensure dwellings can be satisfactorily adapted.

3.7 The policy required all new dwellings to satisfy a higher level of Building Regulations M4 (2). This requires, where possible, a level access on approach to dwellings and internal space requirements that support easy adaptation. In addition the policy required that development of over 30 dwellings will be required to provide 5% of the units to a higher building regulation standard M4(3). This standard is to ensure the dwelling can be used for people using wheelchairs.

3.8 The Inspector has concluded that although there is evidence of need to justify this policy the cost of doing so for the developer would have an impact on the viability of schemes and therefore their deliverability. The Inspector recommends that the policy is modified so that residential developments of 10 dwellings or more should provide 20% of those homes to Regulations M4 (2) standards. The policy requirement regarding M4 (3) remains unaltered.

3.9 At present the Council has no policy which requires housing development to consider providing dwellings capable of providing flexible living space to adapt to residents changing needs. The Inspector's modification retains the policy principle and seeks to strike a balance between delivering suitable housing to meet local need and not creating an obstacle to housing delivery.

3.10 Housing Site allocations

- 3.11 As mentioned above all the housing allocations put forward were considered acceptable and that the Plan “*makes adequate provision, through identifying a range of different sites, to ensure that there is a reasonable prospect of maintaining a rolling five- year supply*” The recommended modifications relate to policy wording to ensure specific site development requirements are included.
- 3.12 Settlement boundaries were reviewed as part of the Local plan (part 2) process. The Inspector concluded that the Council’s approach “*is consistent with sustainable development in ensuring the needs of the district are met without causing unnecessary harm to the rural landscape which forms an important aspect of the character of Allerdale*” The Inspector did not recommend any changes to the settlement boundaries.

4.0 Gypsy and Traveller Sites and Travelling Showpeople

- 4.1 The Local Plan identified a single site at Oldside in Workington to accommodate both the permanent and transit need for Gypsy and Travellers for the Plan period. The Inspector agreed that it was a suitable site in an area favoured by travellers. With respect to Travelling Showpeople the existing yards held enough capacity for future need so no additional land was required. Overall the Inspector concluded “*the Local plan (part 2) provides an effective framework to meet the needs of Gypsies, Travellers and Travelling Showpeople and is consistent with the Local Plan (part 1) and national policy*”

5.0 Employment

- 5.1 The employment site allocations reinforces the importance of the Port of Workington and Lillyhall and ensures that there are employment sites in the main towns of Workington, Maryport, Cockermouth, Wigton, Aspatria and Silloth. In addition, a number of existing built employment sites are safeguarded to ensure they remained available to the local economy. Outside the main towns policies provide strong support for rural business start ups or expansion, farm diversifications, and live work units. The Inspector concluded that “*the proposed employment allocations are consistent with the spatial strategy in Local Plan (part 1), being sufficient to meet the Plan’s employment requirement and justified as the most appropriate distribution and selection of sites*” The Inspector’s proposed modifications relate to policy wording changes to ensure clarity and that all site specific requirements were included to guide developers at the planning application stage.

6.0 Broadband

- 6.1 This policy ensures that the provision of broadband infrastructure is considered at the early design stage in commercial and residential schemes along with other utilities such as water, gas and electricity. The original policy required all housing development to consider broadband infrastructure, however the Inspector has modified this to require development of 2 or more dwellings to comply with the policy. This was on the basis that to apply this policy requirement on all dwellings would be too onerous. Other modifications

relate to policy wording to ensure clarity for developers in terms of what is required to comply.

7.0 Retail and Town Centre Uses

7.1 The Inspector supported the approach to identifying future retail and town centre growth. The recommended modifications are designed to introduce a degree of flexibility regarding the mix of uses allowed, in order to support delivery. In addition the Primary shopping area in Workington has been defined on the Policies Map, which is set out in appendix 3 of this report.

8.0 Lower Derwent Valley

8.1 The Local Plan has a specific policy for the Lower Derwent Valley in Workington to provide an overarching policy framework. It supports sports and leisure uses, high quality design, enhancing the river corridor, green infrastructure, and uses that complement the town centre. The Inspector supported this approach and the modifications centred on policy wording to ensure all site specific development requirements were included.

9.0 Tourism

9.1 This policy is an update of the one currently in the Local Plan (part 1) It has been amended to reflect the changing tourism market and to proactively support this important sector of the local economy. The Inspector recommends wording changes to aid implementation and supports the principle of the policy.

10.0 Area Suitable for Wind Energy Development

10.1 Policy S19 in the Local Plan (part 1) sets out the policy for assessing proposals for renewable energy. In June 2015 a Ministerial Statement, now incorporated into the Planning Practice Guidance, introduced two further tests when considering proposals for wind energy. Firstly, a planning application for wind turbines should only be granted if the development is in an area identified as suitable for wind energy development in a Local Plan and secondly it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed.

10.2 The Local Plan (part 2) identifies an Area Suitable for Wind Energy Development. It covers the whole district (outside the National Park). The exception to this is the areas within the Solway Coast AONB, Hadrian's Wall World Heritage Site and a buffer zone running along the boundary with the Lake District National Park. In these areas only small scale wind turbine schemes will be supported. The Inspector supported the Area as defined by the Council. However he has recommended an amendment to the policy text as follows " Evidence showing that the planning impacts identified by affected communities following a public consultation have been fully addressed *and the proposal has their backing*"

11.0 Amenity Green Space, Green Infrastructure and Green Gaps

- 11.1 The Local Plan (part 2) has identified Amenity Green Spaces in the Local Service Centres and Rural Villages. The Amenity Green Space designation is proposed on sites that make the most significant contribution to village character and appearance or play an important community role. Development will be ruled out on such amenity space unless special circumstances can be justified. The Inspector supported the overall approach. Two changes are proposed firstly the removal of an open space designation in Dean and secondly identifying an additional designated area in Ireby.
- 11.2 In the main towns of Workington, Maryport, Cockermouth, Wigton, Silloth and Aspatria a network of green infrastructure has been identified. This is composed of open space, parks, wildlife and river corridors. The purpose of identifying the network is to safeguard and enhance it, especially areas of wildlife value, and to ensure development takes account of the network in their layout and design. The Inspector supported the overall approach and made no changes to the network identified on the Policies Map. The proposed modifications relate to the policy wording to ensure greater clarity when implemented.
- 11.3 Two Green Gaps are identified; one between Kirkbampton and Thurstonfield and another between Prospect and Oughterside. The purpose of the Green Gaps is to ensure that these villages remain separate entities by resisting development in those areas. The Inspector supported the green gaps as proposed and made no modifications.

12.0 Policies Map

- 12.1 In line with legislation and to give effect to the Plan's policies the Council is required to update the adopted Policies Map. The Policies Map that accompanies the Local Plan document shows geographically the application of policies such as the site allocations, green infrastructure networks, and open space designations. The Policies Map is set out in appendix 3 of this report, included in this is a schedule of map modifications. The map modifications that relate to policy changes have been outlined above, such as the affordable housing zones and the amenity green space designations. The remaining map modifications relate to minor updates such as reflecting recent development or correcting errors.

13.0 Additional changes

- 13.1 A schedule of minor modifications to the Local Plan document has been drawn up. These modifications do not relate to the soundness of the Plan but address typographical or formatting errors. For completeness this schedule has been included in appendix 4 of this report.

14.0 Customer Satisfaction and Service

14.1 Local communities and businesses have been consulted at each stage of the Local Plan (part 2) preparation.

15.0 Services Delivered as Locally as Possible

15.1 The Local Plan recognises how distinct each town and village is and this is reflected in the proposals.

16.0 Finance/Resource Implications

16.1 The cost associated with adoption of the Local Plan (part 2) is within budget.

17.0 Legal Implications and Risks

17.1 The adoption of the Local Plan has to comply with legal and regulation requirements set out in the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Planning) (England) Regulations 2012, as well as Examination in Public.

18.0 Recommendations

18.1 That the modified Local Plan (part 2), as set out in appendix 2 of this report be adopted as part of the statutory development plan for the area of the Borough outside the Lake District National Park.

18.2 That the Policies Maps, including modifications, as set out in appendix 3 of this report be adopted.

19.0 Conclusion

19.1 The adoption of the Local Plan (part 2) will make a significant contribution to the delivery of the Council's housing, economic and environmental objectives. It will also provide certainty for local communities, businesses and investors by providing a clear and well evidence framework to guide future development in the Borough.

Nik Hardy
Head of Strategy, Policy and Performance