

## 3.0 A DEVELOPMENT STRATEGY FOR COPELAND

### 3.1 Development Strategy

3.1.1 The Development Strategy sets out the Council's approach to achieving the Aims and Objectives of the Plan on the ground (Policy DEV1) and provides the framework for the policies and proposals in the rest of the Plan. This section also includes a number of "core" policies which apply to all proposals for development and a Key Diagram (~~Appendix 13~~).

3.1.2 ~~The shape of the Strategy follows that of the previously adopted Local Plan in terms of its recognition of a~~ The Development Strategy is derived from the settlement hierarchy based on size and functions. New development will thus be concentrated in the towns and larger villages particularly those within the ~~triangle of settlement in North Copeland~~ Urban Concentration (shown on the Key Diagram) where there is physical and social capacity to accommodate it and where the scale of development can be matched to the size and character of the settlement. Key environmental and other resources will be protected in both urban and countryside locations and development will be expected to complement or contribute to the overall regeneration of the Borough, focussing especially on the main urban areas which feature high levels of social and economic stress.

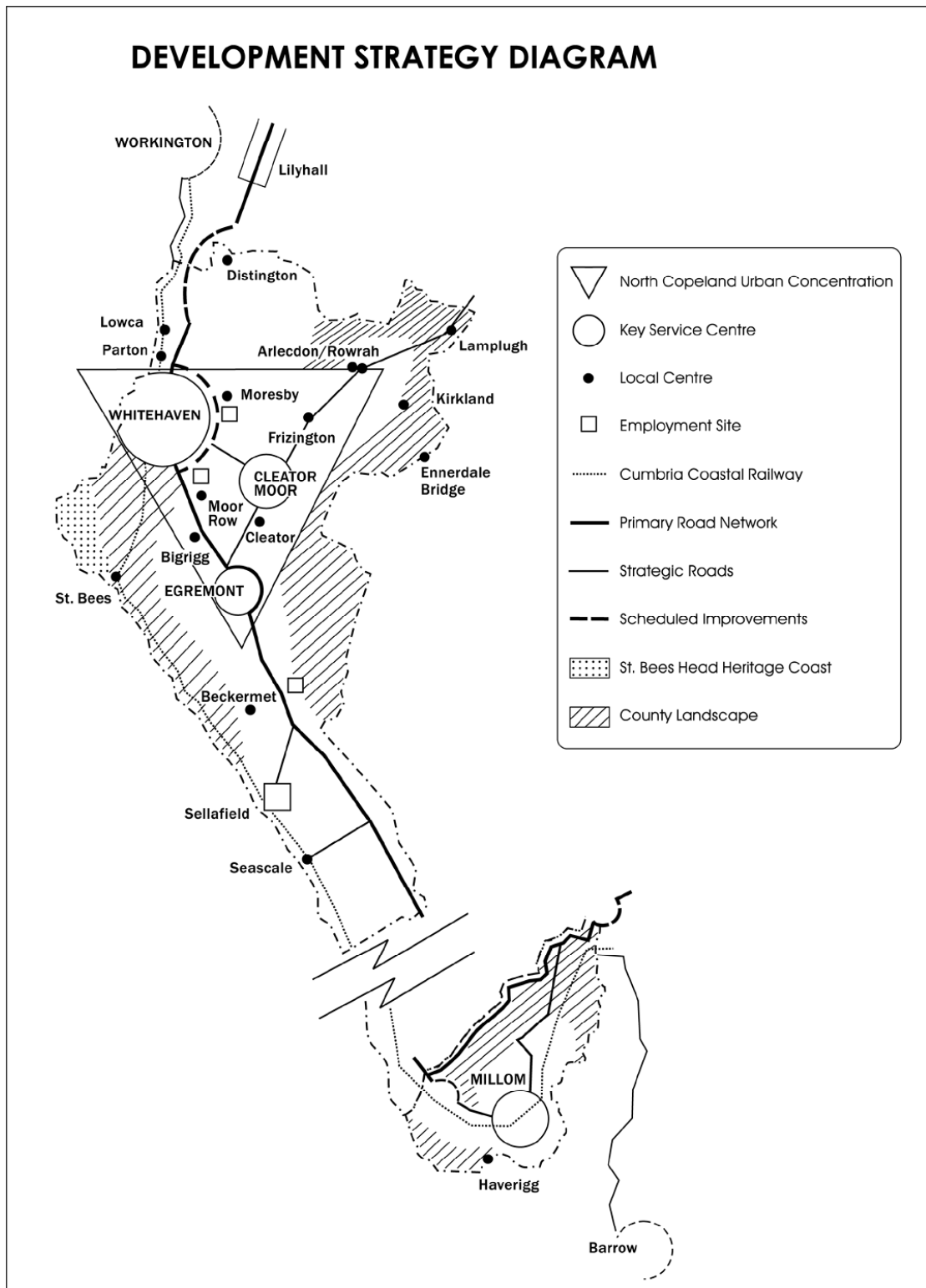
3.1.3 Key Service Centres: ~~In line with RPG and JSP requirements the main settlements in the Borough: Whitehaven, Cleator Moor, Egremont and Millom are designated as Key Service Centres by~~ Policy DEV2. Allowance is made by the Plan for most new house building, employment and other needs to be accommodated here in the Key Service Centres, as part of the mainstream regeneration activity.

3.1.4 Local Centres: A group of smaller settlements throughout the Borough are categorised as Local Centres by Policy DEV3. These have varying character and roles in relation to their surrounding areas but have been the places where smaller scale general needs housing has previously been accommodated ~~reasonably well~~ and where there is some level of local service provision and perhaps, too, small-scale employment potential. ~~They will be expected to continue this function, again in accordance with the Sustainable Development Principles.~~

3.1.5 The choice of settlements designated Key Service and Local Centres takes into account their accessibility to different modes of transport and level of service provision which is why the majority lie on the main service routes and close together in a

loosely triangular shape on the northern part of the Plan area, dominated by Whitehaven. New development will be expected to contribute to this pattern and help reduce the need to travel.

## DEVELOPMENT STRATEGY DIAGRAM



outside of the North Copeland Urban Concentration Elsewhere the designation of Millom as a Key Service Centre and additional Local Centres reflects a need to focus a wider rural community's development requirements in ~~one~~ settlements where there is some spare capacity, and transport choices and the need to support services and meet community needs. The definitions of rural communities also extends into the Lake District National Park.

3.1.6 The Plan identifies firm boundaries to all the designated settlements. These are based on a careful assessment of the character, setting and capacity of each place. They allow for some greenfield development land balanced with conversions, infilling and redevelopment options.

3.1.7 All development will have to satisfy the sequential test which prioritises "brownfield" or previously used buildings and land over "greenfield" or previously undeveloped options as set out in Policy DEV 4. ~~and accord with the other Principles of Sustainable Development outlined above.~~

3.1.8 The plan also identifies town centre boundaries in Key Service Centres. Proposals for town centre uses which include retail, leisure, entertainment facilities, intensive sport and recreation uses, offices, arts, culture and tourism developments and small scale community facilities should ideally be located within the town centre boundaries. It is recognised however that this may not always be possible, particularly in Whitehaven where the historic core of the town centre does not easily lend itself to larger scale town centre use development. Where it is not possible to locate proposals within the town centre boundaries, edge of centre locations will be considered. Edge of centre locations are those within easy walking distance of the town centre and are, or have the potential to be, well served by a choice of transport modes. Only when an appropriate town centre or edge of centre site cannot be identified will consideration be given to an out of centre site which is clearly separate from the town centre.

3.1.9 As prescribed by Policy DEV5, proposals for edge of centre or out of centre development must satisfy a series of tests as established by PPG6. Firstly a sequential approach with regards to the above will be required. A need for the proposal must also be demonstrated. This will be in the form of quantitative need but also qualitative need will be taken into account, especially where there is the potential to contribute to other regeneration aims and strategies in the borough. Impact on existing town centres, including any cumulative impact will also be considered. Any site should also be served by a road system and car parking provision capable of accommodation

anticipated traffic flows (including heavy goods vehicles) and be well served by public transport and cycle routes. The Council would expect that any proposed out of centre developments that satisfy the above tests would also comply with the sequential test prescribed by Policy DEV4

3.1.10 There will be some exceptions to proposals required to satisfy Policy DEV 5. These include developments such as farm and local needs shops and small scale hotels (Policies RUR1, TCN6 and TCN8 apply)

3.1.11 Outside the designated settlements – and this includes all other villages and hamlets, the open countryside and undeveloped coast – the Council will exercise strict control of development. Only proposals which can demonstrate an essential, overriding need will be permitted in accordance with local or individual circumstance but which contribute to the wider aims of the Plan. ~~These are listed in Policy DEV5 and other policies in the Plan detail the tests required to show why an exception should be made to allow the development to proceed.~~ The location and form of the development will be carefully controlled to ensure they are appropriate to the character and setting of the area and do not compromise important landscapes or other valued environmental “capital”. Where national need is cited there will be a requirement to mitigate any adverse effects on the local environment, community or economy. (see Policy DEV § 9)

2.8.9 ~~Some villages which were identified in the previous Local Plan as “Restricted Growth Villages” are not included in the settlement designated in Policies DEV 2 and 3. Whilst the villages omitted have distinct character and identity they do not really have the services, scope or need to develop further. There is, therefore, no allocation or allowance for general house building in these villages nor a development boundary identified. There are, however, opportunities for conversion and new housing for local needs subject to tests set out in the Housing Chapter of the Plan. There may also be opportunities for business use where it is appropriate in scale and impact on adjoining uses.~~

## **POLICY DEV 1 : Sustainable Development and Regeneration**

**Proposals for development will only be permitted if they accord with the Council’s Principles for Sustainable Development Local Plan Aims and Objectives. All development is expected to contribute to achieving a sustainable regeneration of the Borough where social progress and economic growth combine with prudent use**

of resources and protection of the quality of the environment.

[The Local Plan Aims and Objectives are contained in Sections 2.7 and 2.8 respectively](#)

#### **POLICY DEV 2 : Key Service Centres**

Most development in the Borough will be focussed on Whitehaven and the three smaller Key Service Centres of Cleator Moor, Egremont and Millom with the scale of development appropriate to the size and role of each centre, its character and setting.

#### **POLICY DEV 3 : Local Centres**

Small scale development which helps to sustain local services, meets local needs and supports rural businesses will be permitted in the following villages:

Arlecdon/Rowrah  
Beckermeth  
Bigrigg  
Cleator  
Distington  
Frizington  
Haverigg  
Kirkland/Ennerdale Bridge  
Lamplugh  
Lowca/Parton  
Moor Row  
Moresby Parks  
Seascale  
St Bees  
The Green

#### **POLICY DEV 4 : Development Boundaries**

Development boundaries have been drawn around each Key Service Centre and Local Centre as shown on the Proposals Map. The boundaries indicate a physical limit to development appropriate for each settlement over the plan period. Subject to policies in the Local Plan development will be permitted within the boundaries in the following order of priority:

1. the appropriate re-use of existing buildings worthy of retention followed by

2. the re-use of previously developed land and only then
3. the use of previously undeveloped land

**POLICY DEV 5: Town Centre Uses within Key Service Centres**

**Town Centre Boundaries have been identified on the proposals map for each Key Service Centre.**

**Proposals for town centre use development within the Key Service Centres will be subject to a sequential test in determining location in the following order of priority:**

1. **within the defined town centre boundaries followed by**
2. **edge of centre sites and only then**
3. **out of centre sites**

**Proposals for such new and extended development in edge of centre or out of centre locations will be required to demonstrate a need for the development. Potential impact on nearby key and local service centres will also be taken into consideration as will accessibility by a choice of means of transport.**

**POLICY DEV5 6: Development in the Countryside**

**Outside the defined boundaries of the Key Service Centres and Local Centres development will not be permitted unless it is ~~in accordance with other plan policies.~~ These are:**

1. **essential agricultural, forestry or other rural business development (Policies HSG 5/6 and RUR 1)**
2. **local needs housing (Policies HSG ~~10 and 11~~)**
3. **replacement dwellings, conversions or domestic alterations/extensions (Policies HSG 14, 17 and 20)**
4. **leisure or tourism related development (Policies TSM 1 – 7 6 and ~~RUR 2~~)**
5. **development within existing employment sites (Policies EMP 4 and NUC 2)**

6. **development for education, health or community purposes including service infrastructure (Policies SVC 7 – 10 11, SVC 12—14 and SVC 18—19 14-15)**
7. **energy-related development (Policies EGY 1 – 5)**
8. **major development (Policy DEV & 9)**

**and is in accordance with other policies in the plan.**

### Whitehaven

#### 3.1.12

Whitehaven (pop 25,000) is the principal town in the Borough. Apart from Sellafield it is the main employment centre and focus for services, commercial activity, retailing etc. It also has the highest concentration of deprived wards in the Borough. There are opportunities for regeneration and renewal throughout the urban area which will be taken up. The focus in the short/medium term will be on a large area south and west of the town centre defined as Pow Beck/Coastal Fringe which has already been the subject of a feasibility exercise. The subject areas and approach combine many of the Sustainable Development Principles and headline requirements of RPG and JSP:

- regenerating communities at Woodhouse and Greenbank through housing renewal and investment schemes including “home zones” and street improvements
- supporting the community at Kells through investment in improved local facilities and environmental schemes
- creating opportunities on brownfield sites for new retail, leisure recreation and employment development
- developing the coastal fringe as the nucleus of a regional park for visitors and local people

#### 3.1.13

The most significant brownfield site is the former Marchon works where a variety of soft and hard-end uses could follow a reclamation scheme. It will be important to retain and develop some workspace accommodation but large parts would be suitable for informal recreation linking through to the coastal fringe park and the South Beach end of the harbour.

#### 3.1.14

The overall scheme seeks to build on the success of regenerating the harbour and town centre through its various stages of the “Vision for Whitehaven” and “Renaissance of Whitehaven” programmes. It also fits the requirements for a

Coastal Renaissance in RPG and JSP but the Council and its partners will continue to encourage high quality new development and new initiatives in the harbour area and town centre to strengthen the tourism retail and service functions and maintain the regeneration impetus at the heart of the town. It will be important to retain a mix of uses including housing and the use of “Opportunity Development Sites” will be extended. (These indicate a range of appropriate uses on identified sites in the plan and so allow greater flexibility for developers, particularly in helping to bring back derelict land and buildings into productive order). Throughout this the Council will expect high standards of design so as not to compromise the Outstanding Conservation Area. A number of Opportunity Development Sites, involve edge of town centre locations where comprehensive treatment will be required. The Council may have to take a more proactive role in bringing forward such sites eg through use of Compulsory Purchase powers. Good access to Public Transport will be an important aspect of redevelopment and the Council will operate a sequential approach to new retail proposals to maintain the town centre’s pre-eminence. In addition there will be a continuing programme of environmental and building improvements, including better access for people with impaired mobility to ensure a safe, convenient and attractive environment.

**3.1.15** A new transport interchange is essential to encouraging greater use of the railway and buses. There are also opportunities from proximity to the harbour – including cruise ships as well as ferry/excursion services and freighting and access to a large and growing network of cycleways and footpaths.

**3.1.16** There are two priorities for development which at first sight look less than sustainable:

The first is continued expansion of the Westlakes Science and Technology Park. Although based on a previous educational establishment and partly undermined this is mainly a greenfield site. However, it is the only high quality, regionally significant site in West Cumbria able to attract high-tech and related jobs in growing sectors of the economy. It will also have a role in shaping new futures for Sellafield. Land is safeguarded for new development areas (or plateaux as they are styled) incorporating new woodland and wetland habitat, adherence to a Green Travel Plan and links to the South Whitehaven SRB programme.

The second is an eastern relief road running from the A595 at Howgate and bypassing the main urban areas of the town to re-join the A595 between its southern boundary and the Westlakes site. This route could eventually become a Trunk Road alternative but its value in the first instance would be to:

- relieve a number of residential areas of through traffic, especially heavy goods vehicles
- provide better access including via public transport for connecting development sites mainly on the eastern side of the town eg The Highlands and Moresby Parks (residential) Westlakes, Sneckyeat Road and Whitehaven Commercial Park for employment opportunities
- provide better access to other existing facilities eg main secondary schools, Hospital, Fire Station, athletics track, golf course, swimming baths
- channel access more effectively between the A595/Whitehaven and settlements to the east – principally Cleator Moor and Frizington

**3.1.17** The Council is not a Transport Authority and cannot itself undertake road building. Nevertheless it has established project – feasibility along a route “corridor” and is actively lobbying to maintain the road as priority in the Local Transport Plan. Equally development possibilities along the route could be used to help create sections of the new road and/or additional facilities like cycleways.

**3.1.18** The allocation of new housing sites reflects the balance required to meet RPG and JSP guidelines. This includes a large element of brownfield land particularly in the Pow Beck and Coastal Fringe area and around the town centre and harbour but retaining a commitment to some greenfield options principally the housing land allocation at The Highlands/Red Lonning (originally identified for the purpose in 1978 Whitehaven Local Plan). This involves phasing arrangements and the Development Brief has been revised accordingly (ref SPG 4) To maintain as wide a choice of housing as possible some urban fringe development is allowed for including potential for self-build groups.

**3.1.19** There is a range of allocated sites and allowances for new employment development in the town. Some sites previously only earmarked for industry may prove more attractive for other development including housing as part of the “Opportunity Development” approach. A Several previously allocated sites at Moresby has have been de-allocated (see 4.2.15 EMP1)

**3.1.20** There is still a need to prevent Whitehaven “swallowing up” its smaller neighbours and the defence of development boundaries around the town will be robust. The golf course to the east is a useful buffer but the previous formal designation of land in the

Keekle valley as a country park is rescinded in favour of the section of coast between St Bees Head and South Beach (see para ~~2.8.10~~ [3.1.12](#) above). The Keekle area will remain accessible to everyone via footpaths and possibly as one of a number of extensions to the cycleway network.

- 3.1.21** Important areas of open space within the existing urban boundaries will be protected and this includes some quite large sections of valley side. These contribute to wildlife and to Whitehaven's unique character and will help to form a series of linear parks or green corridors connecting the centre to the urban fringe, countryside and coast.

#### Cleator Moor, Egremont and Millom

- 3.1.22** All three Key Centres will have a critical role in providing for general development needs and regeneration for their immediate communities and those in the wider rural areas.

- 3.1.23** Cleator Moor and Egremont form the two other points of the North Copeland triangle opposite Whitehaven in the Key Diagram. As previously, new development sites have been identified on the Whitehaven – facing sides of the centres to reinforce the connectivity of existing public transport services and the network of cycleways and footpaths.

- 3.1.24** Millom is the principal settlement of South Copeland. It will continue to provide for most general needs housing and employment opportunities in this part of the Borough and be the focus of the local transport system.

- 3.1.25** Again a mixture of brownfield and greenfield housing sites have been identified or otherwise allowed for. There are also opportunities for some mixed development sites.

- 3.1.26** Efforts will continue to defend the vitality and viability of the town centres aided by the SRB programme at Cleator Moor and the Market Towns Initiative at Egremont and Millom. The sort of combined conservation/regeneration grant scheme as used in Whitehaven will be targeting buildings in the three other centres.

- 3.1.27** The centres all have potential for sustainable tourism development, eg wildlife and heritage interests at Millom and programmes of urban renewal and environmental improvement will in part be directed at realising this potential. Proximity to the National Park and coast will also be important visitor resources to tap into.

- 3.1.28** The Council will continue to lobby for the retention of trunk road status for the A595/A5092 which is the Borough's essential

Southern link to the A590 and M6. It will also press for a major road improvement across the Duddon Estuary and a new direct link between Millom and Askam would have a number of benefits: It would markedly improve journey times between Furness and West Cumbria, make Millom and Haverigg much more accessible; provide an effective bypass to the town centre and residential areas and relieve other villages of through traffic.

### The Local Centres

- 3.1.29 Arlecdon/Rowrah  
Bigrigg  
Cleator  
Frizington  
Moor Row  
Moresby Parks

These villages are all within the North Copeland triangle (see Key Diagram) and benefit from established transport networks and easy access to Key Centre jobs and facilities. The presence of “Whitehaven Commercial Park” in Moresby Parks sounds a little odd but this is a long established serviced site in the employment allocations which is close to the eastern relief road - corridor (see para ~~2.8.14~~ 3.1.16 above).

- 3.1.30 Distington  
Lowca/Parton  
St Bees

Are reasonably placed in relation to northern Key Centres – particularly Distington which also benefits from proximity to Lillyhall – a strategic Business Park and home to West Cumbria College. It is also equidistant from Whitehaven and Workington town centres.

- 3.1.31 Lowca/Parton and St Bees also have railway access.  
Beckermest  
Seascale

Together with Gosforth (which is covered by the National Park Local Plan) these villages act as the natural focii for general development needs in Mid Copeland with Seascale also benefitting from railway connection.

- 3.1.32 Haverigg  
~~The Green~~

~~These are~~ Haverigg is the main villages in South Copeland. Although they it is are effectively a satellites of Millom they it

retains a separate identity and it will be important to maintain their its character.

3.1.33 Ennerdale Bridge  
Kirkland  
Lamplugh

In the north east segment of the plan area there is no one village which dominates as the focus for services and development but there is a need to prevent dispersed forms of development from threatening the character of the area.

3.1.34 For all the Local Centres there are provisions in the Plan for general needs housing development – particularly in which includes some attractive locations to widen the overall housing choice in the Borough. This is especially the case for the villages in Mid and South Copeland and the north east group which are all close to the National Park boundary. All of these will have a role to play in accommodating some of the housing needs generated by the Park communities.

3.1.35 Some housing sites are identified in the housing chapter with specific allocations including a good number of brownfield options. Others will come forward as and when to be judged against policy. It will be important to manage the release of housing land over the plan period in a measured way in line with the Plan, Monitor and Manage approach outlined in paragraph 4.3.4 and Policy HSG 3 so as to ensure that no part of the Borough is unnecessarily restricted taking into account overall land availability in all the centres.

3.1.36 Generally speaking none of the Local Centres are appropriate places for heavy or large scale employment uses. There will be opportunities for some additional workshop and commercial developments and mixed uses may be appropriate in circumstances where local amenity is not compromised. Development associated with tourism and other means of diversifying the rural economy will be encouraged where it is appropriately designed and scaled.

Employment sites

3.1.37 There are three non-settlement based employment sites in the plan area which will be retained:

**Sellfield** : Over 300 ha land is within the licensed site, although there are additional facilities on land outside the security fence. On the face of it there would appear to be space within the site for all expected operational and storage requirements over the plan period including the decommissioning phases. The Council

will expect the operators to continue to reduce radio-active waste discharges in line with national and international limits and to co-ordinate the processing and storage of waste in accordance with long-term management plans which minimise any harmful effects. All new development proposals at Sellafield and the nearby Drigg Disposal site will be subject to these requirements. There will also be encouragement for the site operators to co-operate with the local authorities in producing a Green Travel Plan so as to reduce the impact of car-borne commuting to the site which is felt over a wide area. The Council will also expect all major freight and materials to and from the site to be transported by rail. Where feasible this will be achieved through the imposition of planning conditions or obligations.

**Beckermest Industrial Estate** : A former iron-ore mine which now operates as a multi-purpose industrial site and which can accommodate a range of employment uses well away from residential areas. Small-scale expansion is allowed for in the plan.

**Haverigg Prison** : An existing Category C facility to the west of the village. No additional land is expected to be needed and no development boundary is applied.

## 3.2 DESIGN ISSUES

3.2.1 All development proposals will be assessed against the Council's ~~Principles of Sustainable Development~~ Local Plan Objectives. Policy DEV 6 7 sets out detailed requirements in this regard.

3.2.2 Attention to high standards of design and layout help create attractive environments. This is important both for the quality of life of residents/users and in terms of the Borough's image to potential investors. Developers will need to demonstrate that their proposals make efficient use of land whilst reflecting local character and ~~distinctiveness~~ and are appropriateness to the specific setting. This will entail an assessment of the site and its relationship to its surroundings, including landscape character and of any particular on-site features to be retained/enhanced. Such issues together with choosing an appropriate density or massing will often be requirements of a Development Brief for a site which will be produced as Supplementary Planning Guidance or SPG (see section 2.11 3.4 below). Developers should also take into consideration any relevant Parish Plans or Village Design Statements.

- 3.2.3** The choice of location for development must reflect good access to all existing or planned networks ie within walking distance of bus (or rail) routes and close to cycleways, as well as to the appropriate standard of highway. The design and layout of development also needs to take access and circulation requirements into account. This may mean separation between modes or special traffic calming measures to ensure pedestrian priority. Any “desire lines” making connections through the site to adjoining facilities or transport networks should be incorporated. It is essential that all new development meets the accessibility needs of people with impaired mobility including the elderly and those with young children.
- 3.2.4** The governments’ policy of encouraging a more sustainable approach to transport has meant a change in emphasis from providing a minimum level of car parking to one which is based on identifying maximum standards. New regional maximum standards have now been adopted and these are set out in Appendix 1. All new development will be required to meet these standards either through direct provision on site or eg in town centres by the developer making a pro-rata contribution to communal parking facilities.
- 3.2.5** There are a range of national and County – level designations of landscape, habitat and historic sites where development will be restricted. Detailed policies are set out in Chapters [5](#) [6](#). At the same time many development sites will have natural features eg changes in level, hedgerows and trees or traditionally constructed buildings or boundary walls which are locally significant and these should be retained as far as possible. Retention can include relocation or recombining materials within the site as part of the development. Similarly any important wildlife habitats should be retained and enhanced perhaps in association with open space provision or drainage arrangements. This can add to people’s quality of life and contribute to conservation of native species. However, the Council will expect proper precautions to be taken to guarantee the integrity of features to be retained during construction phases and may require the submission of a survey and works schedule to cover this aspect perhaps as part of an overall landscaping plan.
- 3.2.6** Some open spaces in our towns and villages need to be retained for their recreational value or wildlife interest and/or just as green areas to enjoy looking at or being in. All such areas have been identified on the Proposals Map and will generally be protected from development under Policies ENV 9 and SVC 47 [13](#). It is likely that additional areas or “green corridors” will be identified as part of community action plan activity or directly as

a result of development (play areas etc). These will be protected in a similar fashion.

**3.2.7** Energy conservation is an important principle to be observed in the design of development. It can be achieved through orientation to maximise solar gain and minimise the cooling effects of wind or by using high levels of insulation, recycling materials or using materials that are from sustainable sources or consume less energy in their production. There may also be opportunities to use grid connected or non-grid connected renewable energy.

**3.2.8** New development has to be accommodated within the capacity of existing infrastructure. This can be physical infrastructure which includes roads, foul and surface water drainage, sewage disposal, water supply, waste disposal, power supplies and telecommunications. It can also be community infrastructure which includes schools, recreational facilities and healthcare. Development likely to exceed these capacities will not be permitted unless the developer bears the cost of improving the particular items of infrastructure or making new provision in direct proportion to the size and impact of the development. Generally such arrangements will be covered by the use of planning conditions and/or obligations (see ~~2.10~~ 3.3 below) where an area has existing infrastructure problems, or if new development would cause infrastructure to be overstretched then it will be important for the improvements or new provision to be made in advance of the development. No such works should impact upon the local environment or threaten the amenities of existing or future communities.

**3.2.9** Improvements to transport infrastructure will play a significant part in moving towards a more sustainable future. It will be important to ensure that new development connects to existing or planned networks, including footpaths, bridleways and cycleways. Where development has the potential to create a significant impact on local highway conditions it will be necessary for the developer to submit a Transport Assessment. For small schemes this will simply involve outlining the transport aspects but major proposals will require details of modal split of journeys to and from the site and of measures to improve access by public transport, walking and cycling to reduce parking needs and to mitigate transport impacts. Additionally the Council will promote the use of Travel Plans. They can help reduce transport impacts by setting targets for the reduction of car use and address issues like road safety, personal security and HGV movements. The thresholds for development which will require Transport Assessments and Travel Plans are set out in Appendix 4.

- 3.2.10 Good air quality is not only essential for our health it is also an indicator of broader environmental quality. Pollution can damage flora, fauna and buildings and adversely affect soil and water. The potential of new development to create or add to air pollution problems will be assessed in relation to the Council's Air Quality Strategy and in association with the Environment Agency. Similarly the protection and sustainable management of water resources is a vital consideration and new development will not be allowed to adversely affect water quality, quantity or the habitat integrity of rivers, groundwater and sea. Generally developers will be encouraged to install water saving devices and Sustainable Drainage Systems – they will be expected to be a feature of all main housing developments. The Environment Agency will again be principal advisor on such matters.
- 3.2.11 Flooding has caused problems in different parts of the Borough and the Council will endeavour to prevent similar risks arising. A precautionary approach will be adopted in relation to new development proposals where all flooding implications must be assessed – both in terms of the potential occupiers of the development and others who could be affected outside the development site by increased run off or other affects created by the development. Development will not be allowed in areas of high flood risk unless it is essential to achieving the Plan's Aims and appropriate flood minimisation or mitigation measures can be incorporated. (early discussion with the Council and Environment Agency on such matters is advised). Proposals in high risk flood areas will generally be more acceptable in those that are already developed rather than in undeveloped and sparsely developed areas or on functional floodplains.
- 3.2.12 All development proposals will be assessed against the need to maintain standards of general amenity eg avoiding nuisance or disturbance by way of noise, dust, fumes and smell etc; ensuring reasonable levels of privacy in domestic environments, the provision of appropriate open space and the avoidance of health or safety hazards. Policy HSG 8 together with Sections 56.9 and 56.10 and SPG 1 provides further detail on these matters. Crime prevention and personal security need to be taken account of in design terms eg minimising through – routes for vehicles and pedestrians especially at the rear of the buildings, by ensuring that all public space is overlooked and well lit, and by the careful choice of materials, signs, street furniture etc to help reduce street crime and vandalism. SPG 2 provides further detail.
- 3.2.13 Some developments, due to the relationship between the site and adjacent land, may prove to be unacceptable as their implementation in isolation could adversely affect the more

comprehensive development of an area of land at a later date. In such circumstances developers are advised to discuss alternative, comprehensive proposals with adjoining land-owners and the Council. The Council intends to produce area master plans or action plans for priority sites which will help to identify these requirements. A number of "Opportunity Development Sites" are identified on the Proposals Map in the main urban areas and their development may also require this sort of approach.

## **POLICY DEV 6 7: Sustainability in Design**

**Planning permission will only be granted for development which:**

- 1. shows a high standard of design and choice of materials where building scale, density and proportion, landscaping and overall layout contribute to creating or maintaining a strong sense of place and achieves an efficient use of land**
- 2. provides safe and convenient access , egress and internal circulation for all users paying particular attention to public transport, walking, cycling and the needs of people with impaired mobility**
- 3. incorporates appropriate and safe provision for car parking in accordance with new regionally adopted standards (Appendix 1)**
- 4. avoids the loss of or damage to important natural or built conservation interests, landscapes or architectural character, archaeological and historic sites and important open spaces**
- 5. incorporates energy efficiency and waste minimisation in its design and uses recycled materials and renewable energy technology as far as possible reasonably practicable**
- 6. has no adverse impact on air and water quality (including surface water, groundwater or aquatic habitats) and meets good practice requirements in the efficient disposal of waste water and sewage particularly through the provision of water saving devices and sustainable drainage systems**
- 7. does not exceed the capacity of services necessary in terms of community provision and physical**

**infrastructure which includes road and transport capabilities, drainage and water supply, unless these can be improved at the developers' expense without adverse effect on the local community and the environment**

- 8. does not increase the risk of flooding either on site or elsewhere: in this regard the choice of development site will be prioritised in the order of:
  - i) sites with little or no flood risk**
  - ii) those with low or medium risk and only then**
  - iii) sites in areas of high risk designed to minimise or mitigate that risk****
- 9. by design and choice of location creates or maintains reasonable standards of general amenity and helps to minimise risk or fears for personal safety, health and the security of property**
- 10. does not prejudice the comprehensive development of an area particularly where any masterplan or action plans have been adopted by the Council**

### **3.3 IMPLEMENTATION**

**3.3.1** The Council will judge all development proposals against the aims, objectives, principles and policies in the Local Plan. It will expect all planning applications to be accompanied by sufficient drawings, or other illustrative material to show how the proposed development will relate to adjoining buildings and the surrounding area. For more complex forms of development the Council will require more detailed background information eg Transport or Environmental Assessments.

**3.3.2** The Council will impose conditions on planning approvals where it feels the proposal is lacking some design feature or if it wishes to be specific as regards which items of the material submitted are being approved.

**3.3.3** Where the Council considers that a proposal could have adverse social, economic or environmental impacts or costs to the existing community it will consider the use of Planning Obligations or other forms of agreement under s.106 of the Town and Country Planning Act 1990 as a means of mitigation.

**3.3.4** These could involve the developer contributing to infrastructure improvements necessary to accommodate the proposal including for example, openspace or health facilities; town centre

parking provision as well as drainage, roads or public transport facilities. Other instances of adverse effects may be environmental and a developer could be required to protect/enhance an adjoining area of nature conservation or, if unavoidable, relocate some on-site feature or habitat elsewhere. The Council will ensure that the obligation or agreement will be fair and reasonably related in scale and kind to the proposed development. This will include apportioning the measures required where there is cumulative impact arising from development.

**3.3.5** Where proposals come forward for major development, ie likely to be nationally or regionally significant, Policy ST9 4 in the Joint Structure Plan (Deposit Plan May 2003) will be the basis for the Council's determination of a planning application or response to consultation. This involves weighing total benefits against total detrimental effects as well as the need to establish a full safety case. The approach automatically involves assessing what measures may be necessary "to minimise the adverse effect of development and associated infrastructure, and where appropriate, (to make) provision to meet local community needs".

**3.3.6** Again Planning Obligations or other agreements will be considered as a means of dealing with possible adverse costs or effects. Any expectation by the Council must be necessary, relevant to planning, directly related to the proposed development, fairly and reasonably related in scale and kind to the proposed development and reasonable in all other respects. ~~The Council will expect the same principles of scale, nature and location of the development to be reflected in assessment of impact and mitigation measures to be commensurate. The definition of "local community" in "local community needs" above will thus be directly related to the scale of development — which could involve an immediately adjoining housing estate or in other cases the whole of the Borough. The interpretation of "needs"~~ Examples of obligations could include be as site specific as a new road connection to bypass a village or a much more widely drawn requirement to assist in the sustainable regeneration of the Borough through contributions to specific action programmes.

## **POLICY DEV 7 8: Planning Conditions and Obligations**

**When granting planning permission ~~the Council will impose conditions~~ will be imposed as necessary to ensure that the development meets the policy aims of the Plan.**

Where there are planning objections to a development the Council may ask the developer **may be required** to submit proposals for mitigation measures to deal with adverse impacts. These can include additions or improvements to direct physical community or economic infrastructure or a proportional contribution to address the cumulative impact of the development. In such cases ~~the Council will seek to secure the measures through~~ Planning Obligations or other forms of agreement **will be sought to secure the measures.**

## **POLICY DEV 8 9: Major Development**

Proposals for major development will be considered in relation to JSP Policy ST9 **4**. Where there is a significant adverse social, economic or environmental cost or effect ~~which arises~~ **arising** directly from the development the Council ~~will expect~~ a Planning Obligation to address this cost or effect **will be expected.** Provision secured by this means will be commensurate with the scale, nature and location of the individual development.

### **3.4 SUPPLEMENTARY PLANNING GUIDANCE / DOCUMENTS**

**3.4.1** In addition to the requirements of Policy DEV6 and other detailed policies in the Local Plan proposals will be expected to have regard to any design guidance adopted by the Council for a specific area or covering the whole of the Borough. This material is **previously** termed “Supplementary Planning Guidance” (SPG) **will be known as “Supplementary Planning Documents” under the new planning system.**

**3.4.2** SPG / SPD does not form part of the plan but it is a material consideration in terms of planning decisions. The Council has adopted four items of SPG at this stage:

SPG 1 :       Layout of New Residential Developments  
SPG 2 :       Crime Prevention Design Scheme  
SPG 3 :       Whitehaven Shopfronts (Design Guide)  
SPG 4 :       The Highlands, Whitehaven (Development Brief  
                  for a housing site)

These items are referred to in the plan text and copies are available from the Council. ~~Updated versions of SPG 1 and 2 are likely during the next twelve months. SPG 4 has been slightly amended with a revised phasing plan which reflects the allocation for development in this Local Plan.~~

3.4.3 ~~Once the new Planning Act comes into force during 2004 the Local Plan will progressively move towards the format required for a Local Development Framework. This will feature more and more the sort of guidance and action plan type of document bolted on to the Development Strategy and main policies as SPG. The Council intends to begin producing more of these documents during the next year:~~

~~1. Design Guides will include:~~

- ~~• Householder development (domestic extensions etc)~~
- ~~• Vernacular building in rural areas~~
- ~~• Landscaping/care of trees on development sites~~
- ~~• Accommodating biodiversity~~
- ~~• Green “corridors” and access to the countryside~~

3.4.4 Proposed future SPD’s include Landscape Character, Onshore Wind Energy and Sustainability Appraisals. The Council will also take into consideration any Town and Village Design Statements or Parish Plans and where appropriate adopt them as Supplementary Planning Documents.

3.4.5 2- Development Briefs

The Council will continue to use development briefs as a means of clarifying policy issues as they relate to specific sites. Briefs will be required for all housing development involving sites in excess of 1.0 ha (or 25 dwellings) or those requiring particularly sensitive handling eg in rural villages or in/near Conservation Areas or if there are special local needs involved. The threshold for employment sites will be 4.0 ha. Briefs will need to be prepared in consultation with stakeholders. Development Briefs can either be prepared by the Council or alternatively and approved by the Council before detailed plans are submitted for planning permission. They should accord with any design guidance or other SPG and cover the following matters:

- assessment of site character and setting
- requirements for design and materials and design guidelines eg densities, height, layout, mix of uses etc for buildings and features to achieve local distinctiveness or to deal with particular site characteristics eg undermining

- the mix of housing including affordable or special needs housing provision or otherwise details of unit size and mix over the site as a whole
- details of physical and social infrastructure necessary to serve the site (including drainage and open space requirements)
- the likely phasing of development and timing of infrastructure works
- requirements for landscaping, structure planting or other it assimilation measures
- details of how existing and proposed wildlife, landscape, cultural or historic features should be incorporated or enhanced
- transport implications including the provision of safe and attractive footpath and cycle links to adjoining uses or local networks (which can connect to workplaces, shops, community facilities or countryside); the principles of vehicular movement and traffic management; any special parking requirements; provision for public transport linkages.
- measures to promote sustainability eg a Green Travel Plan

### 3. Area Action Plans

- ~~Masterplans — a masterplan for the future development and expansion of the Westlakes Science and Technology Park is to be prepared shortly in addition to that for the Pow Beck/Coastal Fringe and Town Centre at Whitehaven.~~
- ~~Town and Village Design Statements )~~
- ~~Parish Plans )~~

~~Implementation of Market Towns and Vital Villages initiatives, or similar approaches triggered by the Community Strategy may identify a need for these types of Action Plan: The Council will endeavour to assist Parish Councils or other community groups in their preparation and will consider their formal adoption as part of its SPG.~~

**POLICY DEV 9 : Supplementary Planning Guidance**

~~Development will only be permitted where proposals accord with any relevant design guidance, development brief or other adopted Supplementary Planning Guidance approved or adopted by the Council.~~