

Report No: R1
Objections: 535
Support: 876
Subject: Regeneration introduction
Chapter: 4
Policy:
Para:
Other:

ISSUES RAISED

Objection

1. Whilst Tesco Stores support the general objectives relating to regeneration and employment, Tesco would wish to see an acknowledgement that different forms of development, specifically retail, can provide quality and viable regeneration and employment opportunities for local people.

Support

1. Analysis contained in introductory text of employment needs welcomed (876)
-

RESPONSE

Objection

1. Retail and other town centre uses are felt to be adequately addressed by the Regeneration Chapter.

Support

1. Support noted
-

PROPOSED CHANGES

No change

Report No: R2
Objections: 427
Support:
Subject: Reference to rural economy
Chapter: 4
Policy:
Para: 4.1
Other:

ISSUES RAISED

1. Mention of rural economy should be made in this section, which can then be developed in 4.5. There is need for farmers to seek wider economic base that includes diversification other than tourism. Also a need to recognise key role farming plays on shaping the environment and hence attractiveness of area.
-

RESPONSE

1. Agreed that mention of the rural economy should be made in the introduction to the chapter.
-

PROPOSED CHANGES

Add bullet point to 4.1.2 (1D)

- Supporting the rural economy

Report No: R3

Objections: 428, 645, 777, 877, 568, 951, 834, 579

Support: 576,

Subject: Employment land allocation

Chapter: 4

Policy: EMP1

Para:

Other:

ISSUES RAISED

Objections

1. Object as cannot be confident that the correct weight will be given to nature conservation unless DEV6 is amended. Would object if any employment land includes SSSI, County Wildlife Sites or RIGGS. Proposals for E14 would have to be agreed with English Nature as is SSSI and next to candidate SAC, SPA and RAMSAR. Would object to proposals for a Pier at Millom EOS1 as adjacent to candidate SAC, SPA, RAMSAR and SSSI and would included dredging to facilitate access. Would also conflict with ENV14 and would need to tie in with SMP. Land based development would be likely to have adverse impact on natterjack toads. (428)
2. LPA must demonstrate the need for 112ha of employment land. Must identify in local plan exactly how much brownfield land is available for development utilising NLUD and cross reference with sites in Table EM2. Not convinced that some 'Local Employment Sites' are either sustainable or well related to major built up areas. E.g. Micklam and its proximity to Lowca and Rowrah as a sustainable location. (645)
3. The amount of land identified (222ha) represents a significant overprovision based on the Deposit SP requirement.(777)
4. Policy as currently worded gives scope for changes of use to the employment uses indicated in Table EMP2 – this undermines portfolio approach encouraged in Deposit SP which also adds further value to the definitions of employment use provided in the UCO's - the quality and sectoral role of individual sites needs to be respected . An assessment of sites identified in Policy EMP1 is required taking forward a range of sites of sufficient quality to meet the requirements of the Structure Plan without a significant over provision (777)
5. Overprovision of employment land allocations would have to be justified, as if some sites are not needed they could be considered for other suitable uses or isolated developments in unsustainable

locations reconsidered. UR5 of RPG13 states land allocations in development plans provide for development to meet identified needs only. Where sites have planning permission they should be listed separately from sites allocated in the plan. A number of sites include retail and leisure development. PPG6 identifies these as suitable for town centres locations and should therefore be subject to needs and sequential tests.

Reference in table in the policy should be EM2 rather than EMP1
Changes to JSP will have to be taken into account

Justify scale of employment proposals and/or reconsider inclusion of some sites to be in line with emerging JSP

Clarify situation on sites which have planning permission

Justify allocation of sites for retail and leisure uses in terms of sequential and needs tests as in PPG6 or remove references

Take into account subsequent changes to emerging JSP. (877)

6. E8 (1D, E7 in 2D) – more satisfactory use for this site would be housing – no demand for employment use. Compromise mixed development – commercial development with housing. (568)
7. E8 – Object to inclusion of Moor Row Mineral Line Wildlife Site within allocation. Also includes Norbeck which is known to support otters – a buffer zone for this species will be required. The area may be used by Great Crested Newt. (951)
8. E12 Mainsgate Road – site located within indicative tidal floodplain and is therefore designated as Flood Zone 3 (High Risk) Policies DEV6 (8) and ENV16 of the plan apply to this site. There are also two ordinary watercourses within the site which may pose further development restrictions. (834)
9. Object to de-allocation of former opencast area at Moresby. Land only means of accessing Keekle. Owner has long term proposals for developing leisure uses. (579)

Support

1. Proposals to facilitate development of , and expand Westlakes Science and Technology Park are fully supported – essential to local economic regeneration. (576)
-

RESPONSE

Objection

1. Representations made in respect of DEV6 are considered in Report D34. If an allocation contained a SSSI, County Wildlife Site or RIGGS Local Plan policies ENV2 and ENV3 would apply. Nature Conservation designations do not necessarily preclude development. Proposed that site E14 (1D) is converted to a Housing Allocation (ref HA??, 2D). English Nature would be a consultee on proposals for this site under the GDO. Report R7 considers representations to EOS1.

- 2&3. Designated employment land reassessed and allocations reduced (including deletion of allocations at Micklam and Rowrah)
4. Uses of allocation are stipulated by Table EM2 and Policy EMP2.
5. Agree overprovision. Agree sites with planning permission should be listed separately from allocations. Where necessary proposed developments will be subject to relevant PPG/S6 tests (see new policy DEV5 – 2D). Agreed references should be amended
6. Disagree. Cleator Moor as a key service centre requires employment allocation. Allocation reduced in size.
7. Noted that allocation E8 (1D) includes Wildlife Site. Site reduced and boundary amended. Other plan policies afford protection to Wildlife Sites and Protected Species.
8. Noted
9. Disagree

Support

1. Support noted
-

PROPOSED CHANGES

Employment allocations reassessed and reduced in number and size.
Reduced to 86ha – policy and table amended accordingly
Sites with planning permission listed separately within table EM2
References to Table / policy amended and corrected
Policy EMP2 amended to read “employment uses prescribed” rather than “set out”

Report No: R4
Objections: 776, 920,
Support:
Subject: EMP2 Westlakes Science and Technology Park
Chapter: 4
Policy: EMP2
Para:
Other:

ISSUES RAISED

1. In addition to 44ha of land currently available a further 20ha is proposed. EMP4 allows for expansion of the existing site should a large scale bespoke development come forward during the Plan period e.g. NDA. No case has been presented as to why the existing allocated site could not meet future requirements(776).
 2. Reference to the action plan should be contained within reasoned justification. (920)
-

RESPONSE

1. The Area of Search has been refined in accordance with requirements identified with work recently commissioned by West Lakes Renaissance. This justifies need for additional 17ha allocation which replaces 'Areas of Search' approach. Such an approach offers greater certainty for developers and local communities with regards the proposed future of the site, rather than relying on EMP4.
 2. Reference to an action plan deleted.
-

PROPOSED CHANGES

Revised figures - land at Westlakes with planning permission (32ha) and proposed allocation (17ha).

Report No: R5

Objections: 558, 646, 842, 1082, 44, 48, 54, 67, 76, 94, 110, 113, 152, 179, 189, 190, 277, 284, 291, 359, 387, 590, 1010, 1014, 1054, 1064, 1066, 1072, 1074
(Total 31)

Support: 577

Subject: E1 Westlakes Science and Technology Park

Chapter: 4

Policy: EMP1

Para:

Other:

ISSUES RAISED

Objection

1. General principles
 - Insufficient evidence to support allocation given apparent supply of brownfield land. LPA must demonstrate 'need' for floorspace
 - Approach offers no certainty or clarity – should be deleted until Action Plan available or incorporated into plan now
 - Impact on local farmers and long term restrictions 'Areas of search' creates
 - Policy vague and needs clarified
 - Consideration should be given for mixed use
 - No case as to why existing allocation could not meet requirements. EMP 4 allows for future expansion
 - Reference to action plan should be contained in reasoned justification
 - Use of greenfield land / low density. Expansion unnecessary
 - Development better suited to urban areas
 - Siting industrial unit next to residential – not Council's approved policy
 - Development would join Galemire, Goosebutts and Padstow – reason for past refusals

2. Road / Traffic issues
 - Highway impacts not satisfactorily assessed by Council
 - Create road safety issues / not suitable for traffic increase
 - Lack of speed control measures
 - Lack of footpaths / lighting
 - Single line of traffic / on road parking
 - Keekle – Moor Row rat run
 - Several accidents

- Where will access route begin
 - Where is proposed emergency exit
3. Impact on housing
 - Houses may be surrounded by factory units
 - Significant disruptive impact on residential areas – noise, overshadowing and overlooking
 - Reduce house prices
 - Negative visual impacts / views
 - No details of boundaries/fences/walls etc
 - Some farm building are skirted around and others enveloped
 - Need to ensure landscape buffer between industrial and housing
 4. Other
 - Land holds no benefit to Westlakes – isolated
 - Why is land identified when WLR has no compulsory purchase powers
 - Possibility of sites being used for wind power
 - Infrastructure and servicing improvements would create long / unnecessary problems
 - Unacceptable when such high demand for housing - plan would be a violation of our property rights
 5. Boundary Specific
 - Is there reason to develop land to western side of farm track from A595 to High Low Hall part Summergrove Hall
 - Land at Corner of Galemire area - would have enormous impact on environment and residents

Support

1. Long term development of site is fully supported as being essential to local economic regeneration and development of this strategic employment site (577)
-

RESPONSE

1. An assessment of future requirements commissioned by Westlakes Renaissance has now been completed and as a result the 'Areas of Search' has been replaced by a 17ha allocation. Felt that this approach offers greater clarity to both potential investors and the local community as to the intended future of the site, rather than relying on EMP4. Site is felt to be of great significance to development of knowledge based industry in West Cumbria and proposed that D1 uses, as well as B1 will be permitted on the site. Any light industrial uses that are permitted on the site must comprises scientific research and development with ancillary industrial production. In order to preserve the research and development focus of the Park, mass production or high tonnage production will not be permitted.

2. New development must accord with requirements of TSP7 – Transport Assessments / Travel Plans. It is accepted that there are access and traffic difficulties but solutions are available and general improvement of local conditions can be made a requirement of the development. This can include traffic calming, visibility improvements and the provision of footways. Further details will be required on submission of planning applications for development.
3. Allocation reduced significantly from 'Areas of Search' including deletion of area immediately adjacent to Galemire. Proposed that uses on site restricted to B1 / D1 and any light industrial production must be ancillary. Mass production or high tonnage production will not be permitted. Site will therefore continue to focus on Research and Development rather than 'factory units'. Proposed policy requires that development be designed to a high standard and sensitive landscaping will be required. Details of such schemes will be required as part of planning applications. Impact on house prices is not a material consideration in planning matters. Allocation has been identified in line with future requirements of the site.
4. Allocation has been identified in line with future requirements of the site irrespective of ownership. Site is recognised as having great significance for future employment in West Cumbria. Would resist development of allocated site for windfarm. Disagree that infrastructure / servicing would create long / unnecessary problems Demand for housing land in plan area addressed by housing allocations and HSG policies.
5. Land immediately adjacent to Galemire has not been included in the proposed allocation. Land A595 / High Low Hall also not included as allocation.

Support

1. Support noted

PROPOSED CHANGES

Add "and the Park has the potential to become one of the top Science Parks in the country with an international reputation especially in the areas of environmental science, biotechnology, genetics, environmental engineering, nuclear technologies and decommissioning. To further this aim all new development on the Park will be restricted to B1 uses which covers offices, research and development, studios, laboratories, high tech and light industry uses but only where the use comprises scientific research and development with ancillary industrial production. In order to preserve the research and development focus of the Park, mass production or high tonnage production will not be permitted.

An exception to this approach will be development associated with higher education under the D1 Use Class. The recent takeover of the West Lakes Research Institute by the University of Central Lancashire (UCLAN) has brought about considerable potential for higher education and academic research associated development at Westlakes Science and Technology Park.

The Council fully recognises the benefits of encouraging technological innovation and its transfer to business within the site and will seek to work with UCLAN to accommodate its requirements for future academic expansion. Any academic uses (both undergraduate taught provision and post graduate research) will remain ancillary to the primary commercial role of the Park itself and student housing accommodation will not be permitted within the Park.

Overall, with the potential for future growth in mind, 17ha of land have been allocated. All proposed development on the Park must be designed to a high standard and Transport Assessments and/or Travel Plans will be required in accordance with Policy TSP7. A sensitive landscaping scheme will also be an essential part of any development proposals to maintain the established character of the Park.”

Amend policy EMP2 “Land with planning permission and land allocated for employment use has been identified on the proposals map as E1. Within this area development in Use Classes B1 and D1 will be permitted. Development must be designed to a high standard and make a positive contribution towards the high quality appearance of the Park.”

Report No: R6
Objections: 775, 647
Support:
Subject: EMP3
Chapter: 4
Policy: EMP3
Para:
Other:

ISSUES RAISED

1. Further 90ha of employment land cannot be justified by requirements of JSP Policy EM10. It is unlikely that conventional industrial and business uses (B1,B2 & B8) will constitute the principal element of future development on the EOS's. Consequently suggested these sites are classified separately to conventional employment sites and each given its own separate policy and appropriate land use emphasis. (775)
 2. Given healthy supply of brownfield land in Borough LPA must justify allocations of 90ha of employment land. Approach taken is not considered sufficiently accountable and explicit to determine as to whether or not the policy is acceptable. (647)
-

RESPONSE

- 1&2. Agreed that these sites should be classified separately. Suggested that EOS1 be deleted and replaced with employment allocation. EOS2 is an existing employment use. EOS2 and 3 will be subject to future planning policy documents as soon as practicably possible.
-

PROPOSED CHANGES

Delete EOS1 and replace with 3ha employment allocation (Ref EMP1 E11 (2D)).
EOS2 and EOS3 to be renamed Whitehaven Opportunity Sites and Policy EMP3 amended to read:
“Whitehaven Opportunity Sites

Areas of land in Whitehaven have been delineated on the Proposals Map as Whitehaven Opportunity Sites. These areas are being investigated as to their future development potential and contribution they can make to the regeneration strategies in the Borough. Detailed implications and locational issues associated with these sites will be the subject of future planning policy documents as soon as practicably possible.”

Report No: R7
Objections: 220, 429, 952
Support:
Subject: EOS1 – Millom Pier
Chapter: 4
Policy: EMP3
Para: 4.2.17
Other: EOS1

ISSUES RAISED

1. Need for Action Plan acknowledged for Pow Beck but not Millom Pier. Reference to such an action plan should be made to wording amended so environmental quality of site highlighted e.g. add to policy “ In the case of Millom Pier development options that are brought forward must have regard to the attractive setting of the site and its proximity to the Duddon Estuary SPA, as such they will need to demonstrate by an Environmental Assessment that these features will be protected and enhanced”. (220)
 2. Would object to proposals for a Pier at Millom EOS1 as adjacent to candidate SAC, SPA, RAMSAR and SSSI and would include dredging to facilitate access.. Would conflict with ENV 14 and would need to tie in with SMP. (429)
 3. Development would have impact on Natterjack toad (429, 952)
-

RESPONSE

- 1-3. Proposed EOS1 be deleted from the plan and replaced with smaller (3ha) employment allocation. That adjacent land has nature conservation interests does not preclude development. Any nature conservation interests in this area will be protected by other plan policies.
-

PROPOSED CHANGES

Delete EOS1. Replace with 3ha employment allocation (Ref EMP1 E11 (2D)) Reference to need for Environmental Assessment on this site added to para 4.2.16 (1D) ‘Local Employment Sites’.

Report No: R8
Objections: 559
Support:
Subject: EOS2 – Rhodia / Huntsman
Chapter: 4
Policy: EMP2
Para:
Other: EOS2

ISSUES RAISED

1. Potential for site to generate significant levels of traffic that may have an impact on the capacity, safety and efficiency of the trunk road network. Impacts do not appear to have been satisfactorily assessed. Sufficient information will be required to assess what transport infrastructure improvements may be necessary and proposals to promote public transport. (559)
-

RESPONSE

1. Site is an existing employment site historically generating significant traffic flows. Transport Assessments and Travel Plans will be required in accordance with TSP7 if and when relevant proposals come forward.
-

PROPOSED CHANGES

No change

Report No: R9
Objections: 878
Support:
Subject: Development briefs
Chapter: 4
Policy:
Para: 4.2.18
Other:

ISSUES RAISED

1. Clarify that it is the LPA that will produce development briefs rather than them being a requirement.

RESPONSE

1. Para 2.11.3 (2) to which 4.2.18 refers amended in accordance with representations as contained in Report D40

PROPOSED CHANGES

No change

Report No: R10
Objections: 479, 648
Support: 715
Subject: EMP4
Chapter: 4
Policy: EMP4
Para:
Other:

ISSUES RAISED

Objection

1. DEV6, as cross referenced in EMP4, requires amendment (479, 648).

Support

1. Welcome positive and straightforward policy which provides for extension of existing employment uses subject to DEV6 and EMP6

RESPONSE

Objection

1. Proposed amendments to DEV6 are covered by Report D34

Support

1. Support noted

PROPOSED CHANGES

No change

Report No: R11
Objections: 480
Support: 716
Subject: EMP5
Chapter: 4
Policy: EMP5
Para:
Other:

ISSUES RAISED

Objection

1. DEV6, as cross references in EMP5 requires amendment (480).

Support

1. Welcome positive and straightforward policy which provides for employment uses to be provided in the main towns and villages of the Borough subject to DEV6 and EMP6 (716)
-

RESPONSE

Objection

1. Proposed amendments to DEV6 are covered by Report D34

Support

1. Support noted
-

PROPOSED CHANGES

No change

Report No: R12

Objections: 481
Support:

Subject: EMP6

Chapter: 4
Policy: EMP6
Para:
Other:

ISSUES RAISED

1. DEV6, as cross references in EMP6 requires amendment (481)

RESPONSE

1. Proposed amendments to DEV6 are covered by Report D34.

PROPOSED CHANGES

No change

Report No: R13
Objections: 879, 649
Support:
Subject: EMP7: Use of Compulsory Purchase Powers
Chapter: 4
Policy: EMP7
Para:
Other:

ISSUES RAISED

1. Policy relating to CPO powers should be moved to reasoned justification as it is more an implementation consideration than a policy matter (879).
 2. Support policy but recommend it should be better integrated with the Economic Regeneration Strategy to identify suitable employment sites to avoid the use of greenfield allocations such as the Westlakes Science and Technology Park (649)
-

RESPONSE

1. Agreed
 2. Disagree – Westlakes Science and Technology Park is a strategically important site in terms of the Economic Regeneration Strategy. Other greenfield sites are identified to provide a range of sites to meet different needs.
-

PROPOSED CHANGES

Policy deleted

Report No: R14
Objections: 880, 774, 482
Support:
Subject: EMP8 Alternative use of employment sites
Chapter: 4
Policy: EMP8
Para:
Other:

ISSUES RAISED

1. It is not clear why the policy criteria should not apply to sites of less than 0.4ha. Explain the reasoning behind this criteria or delete it. (880)
 2. Sites identified by Policy EMP1 should not be precluded from the potential for alternative use. This is particularly so given current generous supply of land. Ideally each of the sites included in the current Local Plan for employment purposes would have to be reviewed against viability criteria and where appropriate re allocated. There is no evidence to suggest that this full employment land review exercise has been undertaken. De allocation of Keekle opencast site and Pelham House is supported. (774)
 3. DEV6, as cross references in EMP8 requires amendment (482)
-

RESPONSE

1. Agreed
 2. Employment sites as contained in 1st Deposit Version have been reviewed and as a result it is proposed that several sites are deallocated whilst others are reduced in size. Policy should therefore continue to give protection to these sites to be used for employment purposes only for clarity as supply now corresponds closely with requirement set out in JSP.
 3. Proposed amendments to DEV6 are covered by Report D34
-

PROPOSED CHANGES

Criterion 5 “the site is less than 0.4ha” deleted

Report No: R15
Objections: 881, 997, 525
Support:
Subject: Retail study
Chapter: 4
Policy:
Para: 4.3.3
Other:

ISSUES RAISED

1. Support recent retail study but its implications and strategic approach needs to be set out more here and in subsequent policies(881)
 2. Concerns over relation to some of the findings of the Roger Tym retail study – wish to retain the right to challenge this study in future (997)
 3. Assessment of additional convenience floorspace capacity has relied upon old expenditure data and low growth rates and therefore underestimates the actual potential for additional convenience floorspace. Study should be updated and consideration given as to how best to meet the quantitative and qualitative need. (525)
-

RESPONSE

1. Agreed section 4.3.3 should be reworded show how implications of study will impact local plan policy
 - 2&3. The Local Plan uses the retail study in order to inform the overall strategic approach undertaken in its policies. If in the future there are changes to the local circumstances, such changes will be taken into account in the consideration of any relevant planning applications.
-

PROPOSED CHANGES

Paragraph 4.3.3 amended to provide context for proposed local plan strategy.

Report No: R16
Objections: 882
Support: 539,595, 1002, 1144
Subject: Whitehaven Town Centre Strategy
Chapter: 4
Policy: TCN1
Para:
Other:

ISSUES RAISED

Objection

1. Policy needs to contain more detail of what is proposed for the area and justification put forward for some of the proposals already put forward in terms of need and the sequential test. SPG must not be used to avoid subjecting to public scrutiny(882)
2. Any additional car parking brought forward must be in keeping with the size of the centre so that too many cars in the centre are not encouraged.(882)

Support

1. Support promotion of Whitehaven as principal focus for shopping, commercial and tourism based activities. Future Action Plan and detailed spatial framework also supported. (539)
 2. Proposal to create bus/rail interchange supported (595)
 3. Support particularly in relation to further shopping related development and integration of town, harbour and Pow Beck. Traffic management issues, improved car parking associated with peripheral development sites also supported (1002)
 4. Support encouragement of further shopping, commercial and tourism related development especially where integrates town, harbour and Pow Beck (1144)
-

RESPONSE

Objection

1. The Council and it's partners have commissioned a detailed framework for WhitehavenTown Centre based on the overall objectives as put forward by TCN 1. It is intended that once complete spatial implications will be taken forward as a Development Plan Document and hence will therefore be subject to public scrutiny.
2. Noted. Re emphasise in para 4.3.6, Criterion 6

Support

1-4. Support noted

PROPOSED CHANGES

Remove reference to Action Plan in Policy TCN1 and amend paragraph 4.3.7 to explain that town centre framework will be a Development Plan Document.

Para 4.3.6 (1D) add “..consistent with the general need to reduce car-use” to criterion 6

Report No: R17
Objections: 538, 773, 537, 883, 1001
Support: 1145
Subject: Whitehaven Town Centre Boundaries
Chapter: 4
Policy: TCN2 / TCN3
Para:
Other:

ISSUES RAISED

Objections

1. Town centre boundary (TCN2) should be amended to include the Tesco site so as not to impair competition and future development aspirations (538)
2. Policies TCN2 and TCN 3 boundaries are drawn quite widely. Policy TCN3 makes provision for large retail stores within the periphery of Whitehaven town centre. It is not clear from the Policy or supporting text how this relates to the sequential test – PPG6 and Structure Plan L50. Large retail stores / warehouses should in the first instance be looking for a site within the town centre and then only in the periphery if a town centre site is not available and a need for the development can be sustained.
3. Inappropriate for policy to allocate swathe of peripheral land as an area which is suitable for large retail store / warehouse development. In preference to allocating another edge of centre retail site for development, would urge the Council to promote the expansion of existing large foodstores in Whitehaven which are within locations that are proximate to the town centre and accessible via public transport (537)
4. Incorrect that the town centre periphery sites should be treated as town centre sites in terms of the PPG6 sequential test. Such periphery sites should be considered edge of centre if they are within easy walking distance of the PSA. As such any new allocations would have to be justified in terms of need, sequential test and impact.(883)
5. Suggest that final category of uses TCN3 is clarified to make explicit that food store development supported in Whitehaven Town Centre Periphery. (1001)

Support

1. Support definition on proposals map and range of specified uses within Town Centre Periphery (TCN3)
-

RESPONSE

1. Site is regarded as 'edge of centre'. The site divorced both physically and in character from the rest of the town centre. This separation is compounded by the intervening land uses between the site and town centre.
2. Agreed text should be amended to be more consistent with PPG6 and Structure Plan. New Policy DEV5 included to cover PPG6 requirements and sequential test. Reasoned justification should be amended accordingly.
3. New Policy DEV5 added to ensure new retail outlets will only be permitted in edge of centre if sequential, needs and impact tests can be satisfied
4. Agree that town centre periphery sites should not be treated as town centre. New Policy DEV5 addresses this issue
5. Disagree. Retail development proposals in Whitehaven Town Centre Periphery would be subject to tests as set out in PPG6 (and incorporated into new Policy DEV5)

Support

1. Support noted
-

PROPOSED CHANGES

Add new Policy DEV5

Delete paragraph 4.3.9 (1D)

Add new reasoned justification for Policy TCN3 5.3.13-15(2D)

Policy DEV 5 sets out the sequential approach which will be applied when there are proposals for town centre uses development within Key Service Centres. Town centre uses include retail, leisure, entertainment facilities, intensive sport and recreation uses, offices, arts, culture and tourism developments and small scale community facilities. Such development should be located within the town centre boundary wherever possible. Only if no town centre sites are suitable can edge of centre sites be considered.

The protected historic built form and architecture of Whitehaven obviously places constraints on opportunities for larger retail schemes and other extensive land uses within the town centre boundaries. Land within easy walking distance of Whitehaven Town Centre has therefore been identified as 'Whitehaven Town Centre Periphery' on the proposals map (Town Centre Inset) and is considered by the Council to be the most suitable 'edge of town centre' areas in terms of Policy DEV 5 sequential approach. These areas are where the Council would prefer to direct any edge of centre development in order to support and contribute to regeneration strategies with the town.

The uses listed in Policy TCN3 which would potentially be subject to Policy DEV5 are offices, large retail stores / warehouses and leisure.

Amend Policy TCN3 to read:

Policy TCN 3 : Whitehaven Town Centre Periphery

Development proposals for the following uses will be permitted in Whitehaven Town Centre Periphery, provided the requirements of Policies TCN10, DEV5 and other plan policies are met:

- Petrol Filling Stations
- Taxi and vehicles hire business
- Car showrooms
- Car parks
- Warehouses
- Offices
- Large retail stores/warehouses
- Leisure

The proposals must also be:

- 1 easily accessed from the town centre by pedestrians, cyclists and people with impaired mobility;
- 2 well related to town centre access roads and public transport facilities and is unlikely to add to traffic congestion within the town centre;
- 3 and provide adequate car parking in accordance with the standards set out Appendix 2

Report No: R18
Objections: 536, 884, 717
Support:
Subject: Other town centres and local centres
Chapter: 4
Policy: TCN5
Para:
Other:

ISSUES RAISED

1. Network and hierarchy of centres within the Borough should be reassessed. Re defining hierarchy of centres and allocating locations where retail uses could be developed to the benefit of local residents, the policy could be redefined to provide wider strategic benefits to smaller centres (536)
 2. Policy refers to established shopping areas of these centres but are not identified on proposals map. Define clearly where these centres are and their status (884).
 3. Support but feel greater emphasis should be given to the work that has been done in Millom under the MTI (771)
-

RESPONSE

1. Hierarchy of centres is established by RPG and Structure Plan. Facilities in smaller settlements, including shops, are afforded some protection by other plan policies.
2. Proposed that town centre boundaries be introduced on all key services centres and new Policy DEV5 added to address PPG6 issues. Suggest status more clearly defined by introducing separate policies to deal with Key Service Centres and Local Service Centres.
3. The work currently underway in Millom and Egremont under the Market Towns Initiative is recognised. It is too early however to include any specific land use proposals from their developing 'mini master plans' within this stage of the local plan process. It is anticipated however that land use elements of both masterplans should have the potential to become planning policy through forming part of the future Action Plans / Development Plan Documents.

PROPOSED CHANGES

Define town centre boundaries for all Key Service Centres on proposals map.

New Policy DEV5 (2D) to apply.

New Policy (TCN6 2D) to deal with Local Centres only.

Report No: R19
Objections: 885
Support:
Subject: Town Centre Improvements
Chapter: 4
Policy: TCN6
Para:
Other:

ISSUES RAISED

1. Policy reads as statement of intent rather than development policy. Reword the policy or move it to the reasoned justification (885)
-

RESPONSE

1. Agreed policy should be reworded.
-

PROPOSED CHANGES

Reword policy to read:

Development which improves the general environment within shopping areas of the key and local service centres will be permitted. These include proposals that:

1. create new and enhanced pedestrian areas with improved access for people with disabilities;
2. improve car parks and access to public transport, and;
3. repair and enhance shopfronts.

Report No: R20
Objections:
Support: 1146, 998
Subject: Ginns Depot / Back Ginns
Chapter: 4
Policy: TCN7
Para:
Other: WCT13

ISSUES RAISED

Objections

1. Support but wording should be clarified to make explicit that food store development is supported on WCT13 site (998)

Support

1. Support identification of WCT13 and suggested uses (1146)
-

RESPONSE

Objections

1. Disagree. 'Retail' does not preclude food retail.

Support

1. Support noted
-

PROPOSED CHANGES

No change

Report No: R21
Objections: 526
Support:
Subject: BT depot, Whitehaven
Chapter: 4
Policy: TCN7
Para:
Other: WTC12

ISSUES RAISED

1. By definition Town Centre Opportunity Development Opportunity Sites should be potentially acceptable for retail development. Site WTC12 is not identified as having potential for retail use. Include reference to retail in table TC2 as a potential use for WTC12.
-

RESPONSE

1. Uses given in Table TC2 are for guidance only. They are what the Council believes are the more suitable uses for the site given its location.
-

PROPOSED CHANGES

No change

Report No: R22
Objections: 886, 1000, 297
Support:
Subject: Town Centre Development Opportunity Sites
Chapter: 4
Policy: TCN7
Para:
Other:

ISSUES RAISED

1. A number of the sites are edge of centre and refer to retail development use. Any new allocations for shopping development will need to be justified in terms of need, sequential test and impact. (886)
 2. Support but proposals map refers erroneously to Policy TNC7 and TNC4 rather than TCN7 and TCN4 (1000)
 3. No land allocated under this policy in Millom. Suggest site of job centre / playschool (Horn Hill / St Georges Rd) (297)
-

RESPONSE

1. Agreed
 2. Agreed
 3. Land is outside what is considered to be the town centre. Suitable proposals for redevelopment would be welcomed however.
-

PROPOSED CHANGES

New Policy DEV5 (2D) introduced to cover PPG6 issues. Reference made to Policy DEV5 in para 4.3.13 and TCN7 (1D)
Proposals map amended - TNC to TCN

Report No: R23
Objections: 972
Support:
Subject: Bus Station and Garage, Whitehaven
Chapter: 4
Policy: TCN7
Para:
Other: WTC5

ISSUES RAISED

1. Object to any plan which will increase vehicle traffic using Solway View, Sunnyhill - infrastructure damage to the houses by exhaust discharges, increased road usage and interference to rights under European Charter for Human Rights (972)
-

RESPONSE

1. WTC 5 is a town centre site with redevelopment opportunity and has been designated accordingly
-

PROPOSED CHANGES

No change

Report No: R24

Objections: 6, 18, 19, 20, 35, 37, 40, 45, 51, 69, 72, 77, 87, 96, 174, 186, 195, 196, 203, 269, 275, 278, 281, 288, 313, 324, 327, 328, 329, 330, 364, 365, 565, 583, 1159, 1164, 1170

Support:

Subject:

Chapter:

Policy:

Para:

Other: WCT15 / 16

ISSUES RAISED

1. Visual impact to and from site
 - Sites are important visual amenity / greenspace
 - Enhance appearance of harbour
 - Complements opposite green headland at Bransty and Midgey Wood
 - View from site over harbour would be lost or interrupted by houses
 - Spoil views from existing houses on harbour view
 - Harbour is historical site which must be treated sensitively – volume housing not in line with this
(6,18,19,35,37,40,45,51,69,77,174,203,275,313,327,328,329,330,364,365,565)
2. Local amenity
 - Important public open space
 - Important for recreation and and viewpoint for harbour events e.g. Maritime Festival
 - Would result in loss of unique civic amenity
 - Should be available to all
 - Viewing and picnic area
 - Forms a major access route and point to harbour West Pier area – any building would restrict and spoil this
 - Would cause disruption to elderly residents
(6,18,20,40,45,69,77,96,174,195,196,203,275, 278, 305, 313,327,328,329,330,365,565,583)
3. Attracting visitors
 - Should not be developed for housing as it is a prime tourism site / location
 - Key tourist picnic, viewing and recreational area
 - ‘amphitheatre’ ideal for tourism use

- Whitehaven faces major competition in terms of tourism (45, 72,77,96,186,203,275,278,281,288,313,327,329,330,565,583, 1159,1164,1170)
4. Erosion / stability issues
 - Fears of erosion and subsidence – land undermined
 - Concern over methane leakage and impact on neighbouring properties (19,77,269,324,583)
 5. Conservation Issues
 - Proposed allocations adjacent to Conservation area. Potential for other archaeological remains, full evaluation of area would be required before development. Essential that development brief required by TCN7. Para 4.3.13 should refer to impact on scheduled monuments and their settings, archaeological remains, Conservation Areas and their settings. Para 4.4.8 should refer to Jonathan Swift House (77,87)
 6. Traffic Issues
 - Would increase traffic on Rosemary Lane and congestion (195,203, 364)
 - Roads would not support increase in traffic – could affect response time of coastguard (324)
 - Form major access point for proposed harbour to Haig Colliery museum improvements (278)
 7. Houses would be expensive and only available to few or second homes (96,364)
 8. Area improved using public money (77,203,269)
 9. Sewage treatment plant at base of Mount (?) (19)
-

RESPONSE

1. Suggested that sites should be deleted from Local Plan, but may be revisited in future planning policy documents, particularly in light of the current studies underway in Whitehaven Town Centre and Pow Beck / Coastal Fringe area
-

PROPOSED CHANGES

Delete WTC 15 and WTC 16

Report No: R25
Objections: 650, 979
Support: 718
Subject: Village and neighbourhood shopping
Chapter: 4
Policy: TCN8
Para:
Other:

ISSUES RAISED

Objection

1. Policy does not contain any criteria to measure landscape impacts of the development that might be proposed on the edge of a settlement / greenfield site. Appropriate criteria should be added to policy to deal with this aspect - Policy DEV 6 not adequate to address this issue. (670)
2. You are killing off our retail premises rather than encouraging, because of our two sets of parking restrictions (979)

Support

1. Support policy and reference to necessary safeguards to ensure development appropriate and makes positive contribution (718)
-

RESPONSE

Objection

1. Landscape impact of development and design issues are dealt with by other plan policies. Suggested cross reference added to relevant policies in reasoned justification. Representations in respect of DEV6 are dealt with by Report D34
2. Imposition of car parking charges is not a land use planning issue.

Support

1. Support noted
-

PROPOSED CHANGES

Add reference to ENV12 (1D) to para 4.3.14

Report No: R26
Objections: 527, 528, 651, 772, 887, 1147
Support:
Subject: Off Centre Retailing
Chapter: 4
Policy: TCN9
Para:
Other:

ISSUES RAISED

Objection

1. Policy not consistent with terminology in PPG6 in relation to sequential approach. Suggest "In accordance with the sequential test of PPG6 and Structure Plan Policy L50 proposals for out of centre large scale retail development will not be permitted unless there are no alternative suitable sites available for this purpose firstly in town centres, followed by edge of centre, district and local centres and only then out of centre sites". Also request that any reference to 'off-centre' or 'out of town' is replaced with 'out of centre' to be consistent with PPG6(527)
2. Proposals for out of centre retailing must also demonstrate need. (772, 887) Request that additional criterion is added "1. There is a need for the proposal" (528)
3. Policy does not contain any criteria to measure landscape impacts of development that might be proposed on the edge of the settlement / greenfield site. Appropriate criteria should be added. (651)
4. Phrase 'large scale' should be removed from policy or qualified to be in line with PPG6 (887)
5. Planning obligations are a matter for negotiation and the Council should not attempt to establish requirements. Policy should be reworded to reflect that Council will seek planning agreements rather than require them (887)
6. Policy title should be changed from 'Off centre retailing' to 'Out of centre retailing' and 'out of town' by 'out of centre' (1147)
7. Retail sites within settlement limits should be recognised as being sequentially superior to any brownfield sites outside settlement boundaries (1147)

Support

1. support policy's acknowledgement of their place in the sequential hierarchy of Town Centre Periphery Sites
-

RESPONSE

Objection

1,2,4,5&6.

Agreed. Policy deleted. New Policy DEV5 (2D) added to deal with PPG6 tests and rj amended accordingly.

3. Landscape impact and design issues dealt with by other plan policies
7. DEV4 ensures such an approach is taken.

Support

1. Support noted but policy effectively replaced by DEV 5 (2D)
-

PROPOSED CHANGES

Amend r/j to read
"Out of Centre Retailing

Proposals for out of centre large scale retail development must comply with Policy DEV5 and satisfy the sequential approach to location, needs, impact and accessibility tests which it prescribes. The Council does not consider that large store development will be justified beyond the edge of centre areas of Whitehaven Cleator Moor, Egremont, Millom ~~and~~ or the Local Centres during the plan period.

Should the supply of town centre and edge of centre sites for this purpose become exhausted during the plan period other sites within existing settlement boundaries may be considered in accordance with Policies DEV 5 and DEV 4. The Council will not accept proposals which seek to utilise land allocated for other purposes in the plan where this would necessitate further releases of such land to compensate for their loss. In addition the Council may seek the use of an agreement under s.106 of the Town and Country Planning Act 1990 in accordance with the provisions of Policy DEV 8 to overcome any planning objection associated with these forms of development."

Policy TCN9 (1D) deleted.

Report No: R27
Objections: 999
Support:
Subject: Town Centre Design
Chapter: 4
Policy: TCN10
Para:
Other:

ISSUES RAISED

1. Support but suggest 'unacceptable' inserted between 'no' and 'loss' at subheading 2 (999)
-

RESPONSE

1. Insertion of 'unacceptable' would add uncertainty to the policy and undermine other local plan policies.
-

PROPOSED CHANGES

No change

Report No: R28
Objections: 529
Support:
Subject: Retailing on Employment Sites
Chapter: 4
Policy: TCN11
Para:
Other:

ISSUES RAISED

1. Policy lacks flexibility and is contradictory to Policy EMP8 – alternative use of employment sites. Policy TCN 11 should either be altered to take into account criteria set out in Policy EMP8 or deleted. (529)
-

RESPONSE

1. Policy is not contradictory to EMP8 which protects designated employment sites for employment uses only. The Council wishes to ensure priority is given to industrial and high tech use on employment sites to achieve economic objectives.
-

PROPOSED CHANGES

No change

Report No: R29
Objections: 719
Support:
Subject: Request for additional retailing policy
Chapter: 4
Policy:
Para:
Other: 4.3

ISSUES RAISED

1. Would welcome additional policy that would resist loss of village shops especially where there are the only such resource in the community. Suggest
“The loss of existing village shops (A1 uses) will be strongly resisted in rural settlements. Changes of use to non-A1 will not be allowed except in the following circumstances:
 - i) The premises have been properly marketed for a period of at least 9/12/15/18 months at a reasonable price or rent and no purchaser or tenant has been found;
 - ii) The proposal does not lead to the loss of a shop which is the only source of basic foodstuff or a facility such as a post office
 - iii) The proposed use will help to support the vitality and viability of the settlementExtension of this policy to cover A2 and A3 along with comments to SVC15 should be considered (719)

RESPONSE

1. Loss of community facilities (including shops) is covered by Policy SVC15 (1D) Report S18 refers). That property be marketed for period 12 months incorporated into reasoned justification support SVC15 (1D). Overly onerous on property owner to suggest that will refuse permission where will lead to loss of only shop or will affect vitality or viability of settlement if has been marketed unsuccessfully for 12 months..
-

PROPOSED CHANGES

Add cross reference to Policy SVC15 (1D) to paragraph 4.3.14 (1D)

For proposed amendments to SVC15 see Report S18

Report No: R30
Objections: 543, 921
Support:
Subject: Food and drink uses in town centres
Chapter: 4
Policy: TCN14
Para:
Other:

ISSUES RAISED

1. Proposals for food and drink establishments should not unduly affect amenity of nearby residents or businesses. Can release hot fats and grease which can cause blockages in public sewers. Suggest wording added within section 1 "hot fats and grease discharged to sewer" (543).
 2. Could such detail be included in future SPG in order to produce more succinct plans (921)
-

RESPONSE

1. Agreed
 2. Excluding detail will be given consideration in preparation of the future LDF's
-

PROPOSED CHANGES

Add "sewer discharge" to Policy TCN14, criterion 1 (1D)

Report No: R31
Objections: 430, 652
Support:
Subject: Garden Centres
Chapter: 4
Policy: TCN16
Para:
Other:

ISSUES RAISED

1. DEV6 (to which policy cross references) is not adequate (430, 652).
 2. Policy does not contain any criteria to measure landscape impact (652)
-

RESPONSE

1. Representations to DEV6 are detailed in Report D34
 2. Landscape impact and design issues are dealt with by other plan policies.
-

PROPOSED CHANGES

Add “and other plan policies” to policy

Report No: R32
Objections: 653, 499
Support:
Subject: Sustainable tourism
Chapter: 4
Policy:
Para: 4.4.1 – 4.4.5
Other:

ISSUES RAISED

1. Oppose notion that substantial tourism resources are “underused or under exploited”. Should be amended to reflect sustainable principles of RPG and SP. LPA should set out what it means by ‘sustainable tourism’ with reference to high environment quality and proximity to National Park. (653)
 2. Paras 4.4.3 – 4.4.5 omit any reference to the principles of sustainable tourism, which we believe should be recognised and incorporated in the text (499)
-

RESPONSE

- 1-2. Para 4.4.2 (1D) largely covers what the Council is trying to achieve in terms of sustainable development
-

PROPOSED CHANGES

Add cross reference to Policy DEV1 in para 4.4.2 (1D)

Report No: R33
Objections: 26
Support:
Subject: Cumbria Coastal Way
Chapter: 4
Policy:
Para: 4.4.5
Other:

ISSUES RAISED

1. No mention of intention to support or promote Cumbria Coastal Way
-

RESPONSE

1. Protection and support for long distance footpaths, including the Cumbria Coastal Way, and other rights of way is provided by Policy ENV13: Access to the Countryside and TSP5: Cycleways and Footpaths(1D)
-

PROPOSED CHANGES

No change

Report No: R34
Objections: 474, 500, 654
Support:
Subject: Visitor attractions
Chapter: 4
Policy: TSM1
Para:
Other:

ISSUES RAISED

1. Cannot be confident that the correct weight will be given to nature conservation unless DEV6 amended. Would object to any land allocated for tourism which contains a County Wildlife Site or RIGS (474)
 2. DEV 6 does not deal adequately with measuring landscape and traffic impacts or landscape character. Additional criteria should be applied. (654)
 3. Add reference to 'DEV1' to policy (500, 654)
-

RESPONSE

- 1&2. Representations made in respect of DEV6 considered in Report D34.
 3. Plan should be read as a whole therefore no need to cross reference other plan policies.
-

PROPOSED CHANGES

No change

Report No: R35
Objections: 221, 475,483, 501, 655, 770, 888, 88, 165
Support:
Subject: Tourism Opportunity Sites
Chapter: 4
Policy: TSM2
Para: 4.4.7
Other:

ISSUES RAISED

1. Policy inadequate to ensure suitable environmental safeguards are in place. Policy should make specific reference to Policy DEV8 (221)
2. TOS3 should be considered undeveloped coast and dealt with accordingly (221)
3. Cannot be confident that the correct weight will be given to nature conservation unless DEV6 amended. Would object to any land allocated for tourism which contains a County Wildlife Site or RIGS (475)
4. TOS1 is candidate SAC, SPA RAMSAR and SSSI – would object to any proposals which would adversely affect nature conservation interest (483)
5. TOS3 St Bees Heritage Coast includes a SSSI, County Wildlife Sites and RIGS – would object to any proposal which would adversely affect nature conservation interest (483)
6. Add 'policy DEV1' before 'policy DEV6' (501, 655)
7. DEV6 does not adequately deal with measuring landscape and traffic impacts. Additional criteria should be applied. Concerned about the type of uses that may be given favourable consideration given the positive approach of the policy and the lack of adequate safeguards built into DEV6 (655)
8. Local Plan needs to take forward SP Policies ST2 and 3 – seek to prevent new development outside of key and local service centres except in exceptional circumstance. Policy EM13 offers some flexibility but this is for conversions. Extensive open uses such as regional parks may be considered but the Local Plan needs to outline criteria for considering any exceptions in more detail (770)
9. Tourism development included in PPG6 – need to include PPG/s 6 and consider whether sites meet tests of need, appropriateness, sequential test impact and accessibility. (888)
10. TOS3 – proximity to Conservation Areas and Scheduled Monuments. Potential for other archaeological remains and full

evaluation of area would be required. Development brief essential-amend para 4.4.8, TS1 or TSM2 to refer to development brief. Para 4.4.8 should refer to Jonathan Swift House – one of oldest surviving buildings in Whitehaven (88)

11. TOS1 fails to recognise potential for wind farm developments to attract tourists and associated potential benefits to the economy. TOS1 and TOS4 include tracts of land suitable for supporting wind farm development and to be of sufficient scale to be of interest to tourists. Amend TS1 to refer to potential link to tourist development in areas of renewable energy initiatives, particularly wind farm developments (165)

RESPONSE

1. Environmental safeguards ensured by other plan policies. DEV8 would be applied in relevant circumstances.
2. Disagree
3. Representations made in respect of DEV6 covered by report D34
4. Policies ENV1 and 2 protect sites of international and national nature conservation importance
5. Policies ENV2 and 3 protect sites of national and local nature conservation importance
6. Plan should be read as a whole therefore cross reference to DEV1 unnecessary
7. Representations made in respect of DEV6 covered by Report D34
- 8-9. It is intended that TOS's would have largely leisure and soft end uses. DEV5 introduced to cover PPG6 issues.
10. Conservation interests will be protected by other plan policies.
11. Wind energy development covered by other plan policies.

PROPOSED CHANGES

Wording added to 4.4.8 (1D) to emphasise that proposals mainly concern soft end uses. "Opportunities within these locations will be expected to focus on activities and facilities to assist interpretation and quiet enjoyment in undeveloped sections rather than hard development."

Report No: R36
Objections: 656
Support:
Subject: Tourism Accommodation and Facilities
Chapter: 4
Policy:
Para: 4.4.9
Other:

ISSUES RAISED

1. Should be greater emphasis given to appropriate locations for sites with new static holiday caravans, greater emphasis to landscape visual and traffic impacts and how LPA would measure those impacts
-

RESPONSE

1. Disagree – feel emphasis is appropriate
-

PROPOSED CHANGES

No change

Report No: R37
Objections: 222, 476, 657, 769, 889
Support:
Subject: Serviced Accommodation
Chapter: 4
Policy: TSM3
Para:
Other:

ISSUES RAISED

1. Policy refers to 'settlement boundaries prescribed by DEV1' – presumably reference should be to DEV4 (222)
2. Cannot be confident that the correct weight will be given to nature conservation unless DEV6 to which they refer is amended. Would object to any land allocated for tourism which contains a County Wildlife Site or RIGS (476)
3. Policy contains no criteria to deal with landscape impacts of setting of settlements. Policy gives an implicit acceptance that development would be acceptable irrespective of landscape impacts. Unacceptable and does not accord with RPG13, SP and PPG7 (657)
4. Outside key service and local centres new development is the exception. Because a hotel already exists does not in itself mean that a new unrelated one should be permitted. Local Plan should tighten this up perhaps by reference to the need to be part of the existing business consistent with strategic policy (769)
5. Hotel uses included in uses draft PPS6 – sequential test and accessibility by different modes of transport should be considered in policy(889)

RESPONSE

1. Agreed
2. Representations made in respect of DEV6 considered in Report D34.
3. Landscape impact dealt with by other plan policies
4. Agreed. Not intention of policy that new unrelated hotel would be permitted.
5. New Policy added DEV5 to address concerns of PPG6

PROPOSED CHANGES

Change reference to “DEV1” to “DEV4”

Add “is providing for an extension to.” to policy

Report No: R38
Objections: 477, 658
Support:
Subject: Holiday caravans, chalets and camping
Chapter: 4
Policy: TSM4
Para:
Other:

ISSUES RAISED

1. Cannot be confident correct weight will be given to nature conservation unless DEV6 amended. Would object to any land allocated for tourism which contains a County Wildlife Site or RIGS (477)
 2. Policy lacks adequate criteria to deal with landscape impacts or the effects of development on wider countryside, and criteria 2 assumes any proposals can be mitigated by screening. Policy as currently worded gives an implicit acceptance that development would be acceptable irrespective of the landscape and traffic impacts – unacceptable and not in accordance with RPG, SP and PPG7 (658)
-

RESPONSE

1. Representations made in respect of DEV6 are considered in Report DEV34.
 2. Landscape and traffic impact of development covered by other plan policies.
-

PROPOSED CHANGES

No change

Report No: R39
Objections: 478, 659,980
Support:
Subject: Caravan storage
Chapter: 4
Policy: TSM5
Para:
Other:

ISSUES RAISED

1. Cannot be confident correct weight will be given to nature conservation unless DEV6 amended. Would object to any land allocated for tourism which contains a County Wildlife Site or RIGS (478)
 2. Policy lack adequate criteria to deal with landscape impacts or the effects of development on wider countryside, and criteria 2 assumes any proposals can be mitigated by screening. Policy as currently worded gives an implicit acceptance that development would be acceptable irrespective of the landscape and traffic impacts – unacceptable and not in accordance with RPG, SP and PPG7 (659)
 3. Would welcome screened caravan storage in Seascale area (980)
-

RESPONSE

1. Representations made in respect of DEV6 are considered in Report D34.
 2. Landscape and traffic impacts of development proposals covered by other plan policies
 3. Comment noted
-

PROPOSED CHANGES

No change

Report No: R40
Objections: 431, 660
Support:
Subject: Beach chalets
Chapter: 4
Policy: TSM6
Para:
Other:

ISSUES RAISED

1. Object as no cross reference to DEV6. Additionally cannot be confident that correct weight will be given to nature conservation unless DEV 6 amended. Would object to any land allocated for tourist development which contains County Wildlife or RIGS. Would additionally consider the location of beach chalets need reviewing if there is adverse impact from disturbance from people / dogs on shingle nesting birds. (431)
 2. Concern that no criteria that would stipulate a limitation on the size of the replacement chalet. Paragraph 4.4.14 indicates this would be approach taken by LPA but policy does not state this and would be a weakness at Public Inquiries. Any replacement chalet should be one-for-one and should only be limited opportunity to increase the size of a chalet which might otherwise harm character of the landscape. Policy should be amended accordingly (660).
-

RESPONSE

1. Plan should be read as a whole therefore no need for specific cross reference to DEV6. Representations made in respect of DEV6 are considered in Report D34.
 2. Concern is addressed clearly by reasoned justification - no need to repeat in policy
-

PROPOSED CHANGES

No change

Report No: R41
Objections: 223, 432, 661, 771, 890
Support:
Subject: Tourism related facilities
Chapter: 4
Policy: TSM7
Para:
Other:

ISSUES RAISED

1. Policy very loosely worded and would for example permit any A3 use throughout the plan area. Reference at end to being subject to 'other policies in the local plan' is considered too vague. Reference should be incorporated to such development being restricted to the Key Service and Local Centres unless there is a specific need identified in relation to an existing tourist attraction and requirements of DEV6 are met (223)
 2. Cannot be confident that correct weight will be given to nature conservation unless DEV6 amended (432)
 3. Policy lacks criteria to deal with landscape impacts or effects of development on wider countryside. Policy currently gives an implicit acceptance that development would be acceptable irrespective of landscape and traffic impacts – unacceptable and not in accordance with RPG13, SP and PPG7 (661)
 4. SP Policies ST2 and 3 seek to prevent new development outside key service or local centres except in exceptional circumstances. Policy EM13 provides some flexibility through conversions. Extensive open uses e.g., regional parks may be considered but local plan needs to outline criteria for considering any exceptions in more detail (771)
 5. Policy needs to be expanded to be in line with PPG/S 6 considerations of need, sequential test, appropriateness, impact and accessibility. Remove the word "normally" (890)
-

RESPONSE

- 1-5. Agree that policy is vague and proposals would be subject to numerous other plan policies. Suggest policy be deleted and additional reference to other plan policies included o para 4.4.15 (1D)

PROPOSED CHANGES

Delete policy TSM7

Add “subject to the requirements of plan policies” to para 4.4.15 (1D)

Report No: R42
Objections: 255, 472, 662, 720, 891
Support: 224
Subject: Employment use in rural areas
Chapter: 4
Policy: RUR1
Para:
Other:

ISSUES RAISED

1. Generally support but do not consider policies will meet the needs of the rural areas of the next 10years. It is essential that Council develops strategies for dealing with change in the rural economy and local plan should be sufficiently flexible to meet the needs of these strategies
Narrow perception of economic activity in rural areas is cause for concern – plan assumes workshops and industrial sites are limits of economic activity. RUR1 broadly replicates existing policy – needs to be greater willingness to permit economic development of all kinds – tourist, agricultural, cultural, industrial, workshop, office – and as close as possible to its originating need.
Would encourage the Council to develop a strategy for a wider range of economic activity in the countryside, which would support sustainable communities. This will involve a more radical approach to planning policy in the countryside.
Request that RUR1 indicates reference to holiday accommodation (255)
2. Cannot be confident that correct weight will be given to nature conservation unless DEV6 amended (472)
3. Support general approach but should be reference to ‘traditional’ to avoid conversions of buildings that are otherwise less likely to be sympathetic to the character of the landscape. Policy HSG18 should be combined with RUR1 as inter-related and PPG7 establishes a policy framework that requires a sequential preference given to employment reuse rather than residential reuse (662)
4. Support policy but should also allow for new building as well as conversions and would like to see a clear reference inserting to say this (720)
5. Could be interpreted too loosely and allow inappropriate and unsustainable development. Accessibility issues are an important consideration. Could justify developments which compromise rural

regeneration. Remove reference to conversion of large country houses and institutional buildings and include reference to accessibility, other sustainable development and rural regeneration consideration within policy in line with PPG13 (891).

Support

1. Support the need for rural diversification proposals to assist the rural economy provided adequate environmental protection as required by DEV6 is not compromised (224)
-

RESPONSE

Objection

1. Disagree. Policy allows for wide range of different employment uses. 4.5.3 (1D) already refers to “tourism” therefore felt not necessary to add specific reference to holiday accommodation”.
2. Representations made in respect of DEV6 are considered in Report D34.
3. Adding reference to ‘traditional’ would not be appropriate for all employment uses. Agree cross reference to HSG chapter should be added.
4. New building in countryside would not be in line with Development Strategy
5. Disagree – feel that such proposals could offer significant regeneration opportunities.

Support

1. Support noted
-

PROPOSED CHANGES

Add to para 4.5.3 (1D) In accordance with **Policy HSG18** the Council will adopt a sequential approach to conversions in the countryside giving preference to employment use over residential use

R/j reordered to accommodate deletion of RUR2 (1D)

Report No: R43
Objections: 225, 256, 473, 663, 768, 892
Support: 721
Subject: Rural Tourism Attractions
Chapter: 4
Policy: RUR2
Para:
Other:

ISSUES RAISED

1. Policy needs clarifying – wording in 4.5.4 suggests it is intended to cover rural diversification which is already dealt with at RUR1 and in TSM on tourism related facilities. New attractions should follow sequential approach and normally located away from rural areas. Occasionally potential to develop around specific historic, cultural or landscape feature but such examples rare and warrant more tightly worded policy (225)
2. Generally support but do not consider policies will meet the needs of the rural areas of the next 10years. It is essential that Council develops strategies for dealing with change in the rural economy and local plan should be sufficiently flexible to meet the needs of these strategies
Narrow perception of economic activity in rural areas is cause for concern – plan assumes workshops and industrial sites are limits of economic activity. RUR1 broadly replicates existing policy – needs to be greater willingness to permit economic development of all kinds – tourist, agricultural, cultural , industrial, workshop, office – and as close as possible to its originating need.
Would encourage the Council to develop a strategy for a wider range of economic activity in the countryside, which would support sustainable communities. This will involve a more radical approach to planning policy in the countryside. (256)
3. Cannot be confident that correct weight will be given to nature conservation unless DEV6 amended (473)
4. Policy contains no criteria to measure effects of development upon the landscape, visual and traffic impacts. DEV 6 fails to assess landscape character and traffic impacts.(663)
5. SP EM13 and supporting text to RUR2 allow tourist attractions in converted buildings in the open countryside. Local Plan needs to be consistent with the SP definition of open countryside i.e. anything outside local service centres. New building would not be

- permitted even if part of an established group unless part of an existing business see also Policy EM12 (768)
6. Last sentence of r/j referring to isolated sites is an important consideration and should be included in policy itself (892)

Support

1. Support policy for its potential contribution to a sustainable rural economy (721)
-

RESPONSE

1. Agreed aims of policy are dealt with elsewhere. Policy deleted
 2. Disagree. See also response to RUR1 – Report R42.
 - 3&4 Representations made in respect of DEV6 are considered in Report D34.
 4. Concerns addressed by other plan policies.
 - 5&6. Policy deleted. Concerns over permitting development in the countryside addressed by other plan policies
-

PROPOSED CHANGES

Policy deleted. R/j reordered in support of Policy RUR1.

Report No: R44
Objections: 644
Support:
Subject: Economic Regeneration
Chapter: 4
Policy:
Para:
Other:

ISSUES RAISED

1. LPA made no attempt to quantify brownfield land when allocating 112ha of employment land. Challenge additional 20hectares of greenfield land at Westlakes. If significant levels of brownfield available then LPA should make use of CPO powers for land assembly.
-

RESPONSE

1. Employment land allocations dealt with in Report R3 and Westlakes in R5. LPA will use CPO powers where appropriate.
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PROPOSED CHANGES

See proposed changes in Reports R3 and R5 where same points by same objector are dealt with.