

**Report No:** D1  
**Representation No:** 847

**Subject:** Timetable to adoption

**Chapter:** 1  
**Policy:**  
**Para:** 1.4.2  
**Other:**

**No. of Objections:** 1  
**No. of Supporters:** 0

---

### **ISSUES RAISED**

1. 1<sup>st</sup> Deposit of the Plan was not published until February 2004 (timetable indicates it was January)
2. Plan indicates that Inspectors Report Binding

---

### **RESPONSE**

1. Accepted that timetable incorrect
2. Accepted that Inspectors Report will not be binding

---

### **PROPOSED CHANGES**

Timetable to be amended and updated in 2<sup>nd</sup> Deposit Version. Modifications stage to be incorporated into timetable.

**Report No:** D2  
**Objection No:** 848

**Subject:** Development Strategy

**Chapter:** 2

**Policy:**

**Para:**

**Other:**

**No. of Objections:** 1

**No. of Supporters:** 0

---

### ISSUES RAISED

1. 'Transitional' local plans should be expressed in terms which reflect the new style of plan writing. The development strategy does not present a strategic vision for the district and it does not demonstrate an integrated spatial approach to development. The strategy is also obscured by extensive tracts of text relating to background features. Clarity would be better achieved if this could be included in a different way - as appendices perhaps or in text boxes. The same applies to the lengthy extracts from RPG 13 which might be better expressed directly as a translation into how they will be implemented in the borough. The Development Strategy should be edited and reformatted to provide a clearer expression of the plan's core strategy for the borough.

---

### RESPONSE

1. Accepted that plan requires editing and reformatting to reflect new style of plan writing

---

### PROPOSED CHANGES

The Development Strategy chapter has been significantly reformatted. Firstly it has been divided into two Chapters for better readability - Chapter 2 presents the Aims and Objectives of the Plan whilst Chapter 3 provides the actual Development Strategy.

Background information on RPG and the JSP has been significantly edited. Appendix 2 provides a comprehensive cross referencing matrix for all RPG / JSP / Local Plan policies and topic chapters in the plan highlight relevant RPG / JSP policies and are better placed to aid understanding as to how the Local Plan will seek to implement such policies. Reference to other plans and strategies has also been edited, providing instead a list of influential documents. Again, where relevant, these are mentioned and expanded upon in the relevant topic chapters.

The Development Strategy (Chapter 3) has also been edited although it was felt necessary to leave in place much of the detail referring to location specific issues.

**Report No:** D3  
**Objection No:** 996

**Subject:** 'The need for Regeneration' National Park / Plan Area

**Chapter:** 2  
**Policy:**  
**Para:** 2.1  
**Other:**

**No. of Objections:** 1  
**No. of Supporters:** 0

---

### **ISSUES RAISED**

1. Lack of recognition of distinction between Plan Area and the National Park

---

### **RESPONSE**

1. Para 1.1.1 clearly states that the Plan relates to all of the borough outside of the National Park
2. Para 2.1 does provide population figures for the whole borough

---

### **PROPOSED CHANGES**

Add words "across the borough" to text (para 2.1.2 1D) when referring to population figures.

**Report No:** D4  
**Representation No:** 914

**Subject:** Sellafield Text Box

**Chapter:** 2  
**Policy:**  
**Para:**  
**Other:** pg8

**No. of Objections:** 1  
**No. of Supporters:** 0

---

### **ISSUES RAISED**

1. Text box on Sellafield useful. Might also be helpful to refer to any likely impact on the housing market

---

### **RESPONSE**

1. Agree

---

### **PROPOSED CHANGES**

Additional sentence following reference to policies which are to help foster alternative employment opportunities:

“This also includes the introduction of greater flexibility in terms of housing land allocations and allowances to widen choice and to help balance local housing markets”.

**Report No:** D5  
**Objection No:** 401, 402, 403, 608, 995

**Subject:** Regeneration Strategies and initiatives

**Chapter:** 2  
**Policy:**  
**Para:** 2.2  
**Other:**

**No. of Objections:** 5

**No. of Supporters:** 1

---

## ISSUES RAISED

1. Attention should be drawn to the Rural Renaissance Regional Recovery Plan which led to formulation of Cumbria Rural Regeneration Company.
2. Would be useful to refer to Action for Sustainability
3. Roles of objective 2 funding / Urban and Rural Regeneration Companies not clear
4. No reference given to Cumbria Woodland Vision, Countryside Agency Landscape Character assessment Guidance, Cumbria County Council Landscape Strategy, Countryside Commission Countryside Character Areas Vol2, Landscape Institute and Institute of Environmental Management Guidelines for Landscape and visual impact assessments
5. The New Visions is addressed to area outside of the National Park. This should be made clear in the Local Plan.
6. Support for reference to Estuary and Coastal Management Plans
7. The Plan totally ignores the fact that it abuts the Lake District National Park and should have regard to the setting of the National Park

---

## RESPONSE

- 1-5. There are many different plans, strategies and initiatives which influence the content of the Plan. These operate at many different spatial levels with diverse aims and objectives. The plan cannot provide detail on every such influence and in line with GONW advice that the whole chapter should be edited, it is proposed to replace this section with a (non - exhaustive) list of influential plans, strategies and initiatives. Further information on sources of specific issues is included in relevant topic chapters.
6. Support for estuary and coastal management plans reference noted.

7. The Council believes that the Plan and policies do take account the National Park

---

## **PROPOSED CHANGES**

The Development Strategy chapter has been edited and reformatted as a result of GONW objection (ref Report no. 2). As a result of this influential plans, strategies and initiatives have been listed. Cumbria Rural Regeneration Company, Westlakes Renaissance, Action for Sustainability, Cumbria Woodland Vision have been incorporated into this list.

No other proposed changes.

**Report No:** D6  
**Objection No:** 607

**Subject:** New Visions document

**Chapter:** 2  
**Policy:**  
**Para:** 2.2.3  
**Other:**

**No. of Objections:** 1  
**No. of Supporters:** 0

---

### **ISSUES RAISED**

1. Opposed to New Vision for West Cumbria Strategy

---

### **RESPONSE**

1. New Visions for West Cumbria is an existing document and not subject to change through the Local Plan process.

---

### **PROPOSED CHANGES**

No change

Report No: D7  
Representation No: 609

Subject: Sustainable Development

Chapter: 2  
Policy:  
Para: 2.4  
Other:

No. of Objections: 1  
No. of Supporters: 1

---

### ISSUES RAISED

1. Support for approach to make sustainable development lie at heart of plan strategy
  2. Given emphasis on sustainability suggest environment chapter should immediately follow Development Strategy Chapter.
- 

### RESPONSE

1. Support for sustainable development noted
  2. The plan is based on the four key aims of sustainability i.e. social progress, protection of the environment, prudent use of natural resources and maintenance of high and stable levels of economic growth and employment. Each of these aims is treated with equal importance throughout the plan. The location of a Chapter within the Plan does obviously not affect the weight of the policies which it contains.  
The number one priority for the Council is **sustainable regeneration**. In order for the Local Plan to be best used proactively as a tool to assist regeneration and inward investment the order of chapters should remain as presented in the 1<sup>st</sup> deposit version.
- 

### PROPOSED CHANGES

No change

**Report No: D8**  
**Objection No: 404**

**Subject: Sustainable Development - Action for Sustainability**

**Chapter: 2**  
**Policy:**  
**Para: 2.4**  
**Other:**

**No. of Objections: 1**  
**No. of Supporters: 0**

---

### **ISSUES RAISED**

1. Reference to the targets set out in Action for Sustainability would be valuable in this section.

---

### **RESPONSE**

1. The Local Plan Aims and Objectives have been revised in light of the Sustainability Appraisal which considered the Action for Sustainability targets.

---

### **PROPOSED CHANGES**

Reference to Action for Sustainability has been included in the list of influential documents, strategies and initiatives.

Report No: D9  
Objection No: 207, 405, 494, 610, 790

Subject: Sustainable Development Principles

Chapter: 2  
Policy:  
Para: 2.4.3  
Other: pg 14/15

No. of Objections: 1  
No. of Supporters: 0

---

## ISSUES RAISED

1. Point 1 should be changed to “ To concentrate development in the main urban areas where there are more facilities **and jobs which are accessible by way of public transport, walking or cycling, thereby reducing the need to travel**”
2. Points 2 should be strengthened as follows:  
“..to prioritise development sites, particularly for housing, where **unless significant environmental reasons dictate otherwise**, a sequential approach should be adopted, which involves...” in order to recognise that sometimes brownfield land contains environmental assets that are of more importance than those present in greenfield sites
3. Point 2 should be amended to read “ To prioritise **all** development sites where a sequential approach should be adopted which **gives preference** to the reuse or conversion of empty buildings, followed by the reuse if previously developed land (brownfield sites), and only then the use if previously undeveloped (greenfield) sites **that are well related to existing built up areas.**
4. Point 7 should be strengthened as follows:  
“To protect, **and where possible enhance**, important resources...”
5. Point 7 should be amended to read “ To protect all resources of environmental, social or economic capital”
6. Sustainable development principles only deal with protection not enhancement of environmental capital – should include reference to protection of built environment, not just Conservation Areas
7. Point 9 – interests of sustainable development would be furthered by greater emphasis on the prudent use of resources, for instance promotion of recycling particularly in use of materials and waste minimisation
8. Point 10 should be amended to read “to encourage **sustainable** economic growth”

9. Point 14 – Development also needs to be within infrastructure and service capacity unless this can be overcome, normally at developers expense
  10. Additional Principle suggested – to reduce emissions of carbon dioxide and other climate changing gases from the Copeland area, through reduction in private car use, increased numbers of journeys by pedestrians, cyclists and by means of public transport, and by increased electricity from renewable energy sources.
- 

## **RESPONSE**

1. The existing Sustainable Development Principles have been replaced by the Plan Objectives which have been derived from the Sustainability Appraisal process.  
The points “Ensure that local facilities and services are available to everyone” and “Reduce number of journeys made by private car” are included in the Plan Objectives.
  - 2,3. The existing point 2 has been effectively replaced by the statement “Re-use existing buildings and previously developed land before greenfield sites”. The Objectives do also however include “Protect and enhance biodiversity”. Policies ENV 1-5 also ensure that environmental assets are protected. DEV 4 ensures that the sequential test is applied to development land.
  - 4,5,6. The phrase “Protect and enhance biodiversity” “Protect and enhance biodiversity and townscapes” and “Protect and enhance features of historical and archaeological importance” are now included as a Plan Objectives
  7. “Promote recycling, waste minimisation and renewable energy” has been included as a Plan Objective
  8. “Encourage economic growth and development” “Encourage diversification of urban and rural economies” are now included as Objectives.
  9. Point noted - planning conditions and obligations covered by DEV7
  10. The Local Plan cannot directly reduce emissions of CO2 directly but the revised Objectives allow for development to assist in reduction of emissions including particularly “Promote recycling, waste minimisation and renewable energy” and “Reduce number of journeys made by private car”
- 

## **PROPOSED CHANGES**

Changes as a result of Sustainability Appraisal

**Report No:** D10  
**Objection No:** 406,407,611

**Subject:** RPG Key objectives

**Chapter:** 2  
**Policy:**  
**Para:** 2.5  
**Other:**

**No. of Objections:** 3  
**No. of Supporters:** 0

---

### **ISSUES RAISED**

1. Need to capture RPG policies ER1 and ER5 which promote Regions natural environment and identify need for restoration / reestablishment of biodiversity
2. Para 2.5.2 does not make adequate preference to landscape protection
3. Text might be strengthened by reference to RPG policy DP2

---

### **RESPONSE**

1. It is not the Plans intention to repeat RPG. In line with GONW objection (Report 1) this chapter has been edited and further detail with regard to RPG policy is discussed in the relevant topic chapters.
2. Appendix 2 provides a cross reference between all RPG, JSP and Local Plan Policies

---

### **PROPOSED CHANGES**

No change as a result of these objections.

**Report No:** D11  
**Representation No:** 695, 789

**Subject:** JSP background

**Chapter:** 2  
**Policy:**  
**Para:** 2.6  
**Other:**

**No. of Objections:** 1  
**No. of Supporters:** 1

---

### **ISSUES RAISED**

1. Support for Regional Parks concept
2. Changes will be made to JSP deposit plan which may effect policy content and numbering.
3. 1<sup>st</sup> bullet point - employment land will only be 84ha of full requirement taken up
4. 3<sup>rd</sup> bullet point – 50% brownfield target applies to Cumbria as a whole

---

### **RESPONSE**

1. Support for Regional Parks noted
2. Changes to policy referencing will be made where appropriate
3. Commentary regarding employment land / brownfield targets noted and addressed in relevant topic chapters

---

### **PROPOSED CHANGES**

Amendments will be made to Policy numbering and referencing throughout the Plan where appropriate.  
No other changes as a result of these objections.

**Report No:** D12  
**Representation No:** 408, 696, 612, 850

**Subject:** Aims of the Plan

**Chapter:** 2  
**Policy:**  
**Para:** 2.7  
**Other:**

**No. of Objections:** 4

**No. of Supporters:** 1

---

### ISSUES RAISED

1. Reference to ecological enhancement in relation to delivery of biodiversity action plan habitats and species targets need to be included here.
2. Request reference made to rural needs in context of encouraging sustainable rural economy
3. Bullet point 2 should be amended to read “ To promote and facilitate **sustainable** economic regeneration...”
4. Welcome bullet point 6
5. The Council cannot control population change – should be explained more so that the plan is realistic

---

### RESPONSE

- 1-3. Chapter 2 has been edited and reformatted. The Aims and Sustainable Development Principles in the first deposit version have been replaced by the Plan Aims and Objectives. It is felt that the revised Aims and Objectives, derived from the Sustainability Appraisal of the 1<sup>st</sup> Deposit Plan, address the issues raised in Points 1-3 above.
4. The support for the protection, conservation and enhancement of the Boroughs landscape, built environment, historic heritage and sites if ecological and recreational importance is noted.
5. Whilst it is agreed that the Council cannot directly control population change, it remains an underlying aim of the Plan, and many of its policies that the population be stabilised.

---

### PROPOSED CHANGES

No changes as a result of these objections.

**Report No:** D13  
**Representation No:** 849

**Subject:** Community Strategy

**Chapter:** 2  
**Policy:**  
**Para:** 2.7.2  
**Other:**

**No. of Objections:** 1  
**No. of Supporters:** 0

---

### **ISSUES RAISED**

1. Consider whether Community Strategy has any further particular links to more specific detailed policy chapters and include appropriate references if possible

---

### **RESPONSE**

1. The West Cumbria Community Strategy is still in preparation and therefore at this stage cannot be explored further in the topic chapters of the Plan. This will be kept under review as the Community Strategy emerges.

---

### **PROPOSED CHANGES**

No change

**Report No:** D14  
**Representation No:** 913 (/848)

**Subject:** Development Strategy

**Chapter:** 2

**Policy:**

**Para:**

**Other:**

**No. of Objections:** 1

**No. of Supporters:**

---

### **ISSUES RAISED**

1. Development Strategy is not expressed in terms which reflect the new style of plan writing. Does not demonstrate an integrated spatial approach. Should be edited and reformatted to provide a clearer expression of the plan's core strategy.

---

### **RESPONSE**

1. It is felt that the Development Strategy does set out a strategic vision for the area although it is accepted that this is somewhat obscured by lengthy background text. The text has been edited and the main thrust of the strategy made more concise. A separate chapter has also been created for the Development Strategy, separate to that which contains the Plan Aims and Objectives. The Key Diagram has also been moved from the Appendices into the main body of the text. It is felt necessary and appropriate to leave in the location specific details as this provides an essential overview to the plan's implementation.

---

### **PROPOSED CHANGES**

Development Strategy edited and reformatted.

**Report No: D15**  
**Representation No: 613**

**Subject: Assessment of housing need**

**Chapter: 2**  
**Policy:**  
**Para: 2.8**  
**Other:**

**No. of Objections: 1**  
**No. of Supporters:**

---

### **ISSUES RAISED**

1. Number of housing issues with reference to assessment of need are raised

---

### **RESPONSE**

1. The issues are more relevant to the Housing Chapter and will be dealt with accordingly

---

### **PROPOSED CHANGES**

No change

**Report No:** D16  
**Representation No:** 697

**Subject:** Development Strategy

**Chapter:** 2  
**Policy:** 2.8.4/2.8.7  
**Para:**  
**Other:**

**No. of Objections:** 1  
**No. of Supporters:** 0

---

### **ISSUES RAISED**

1. Sequential test which is applied to new development should be clarified to be sustainable and contribute to meeting local needs

---

### **RESPONSE**

1. Agreed that clarification is required

---

### **PROPOSED CHANGES**

Text “ must satisfy the sequential test” added to paragraph 2.8.7(1D)

**Report No:** D17  
**Representation No:** 788

**Subject:** Service provision

**Chapter:** 2  
**Policy:**  
**Para:** 2.8.5-6  
**Other:**

**No. of Objections:** 1  
**No. of Supporters:** 0

---

### **ISSUES RAISED**

1. Reference to service provision should be strengthened in line with JSP and stress choice of local centres must be based on need to support services and meet communities need for development

---

### **RESPONSE**

1. Comments accepted

---

### **PROPOSED CHANGES**

“ ..and levels of service provision..” added to paragraph 2.8.6 (1D)

**Report No:** D18  
**Representation No:** 496

**Subject:** Development Strategy

**Chapter:** 2  
**Policy:**  
**Para:** 2.8.6  
**Other:**

**No. of Objections:** 1  
**No. of Supporters:** 0

---

### **ISSUES RAISED**

1. 2.8.6 is in direct conflict with DEV1 and ENV1

---

### **RESPONSE**

1. The Council does not consider this, or any other part of the Development Strategy to be in conflict with DEV 1 or ENV 1

---

### **PROPOSED CHANGES**

No change as a result of this objection

**Report No: D19**

**Representation No: 618**

**Subject: Development Strategy**

**Chapter: 2**

**Policy:**

**Para: 2.8.14-15**

**Other:**

**No. of Objections: 2**

**No. of Supporters:**

---

### **ISSUES RAISED**

1. Question need for 20ha additional greenfield land at Westlakes – justification in Local Plan is not adequate
2. Object to proposed Eastern by pass – no justification

---

### **RESPONSE**

1. Justification for development land at Westlakes is set out in para 4.2.16 (1D) and follows JSP Policy
2. Whitehaven Eastern Relief Road is included in the Cumbria Local Transport Plan

---

### **PROPOSED CHANGES**

No changes

**Report No:** D20  
**Representation No:** 208,409,495,698,915

**Subject:** DEV1

**Chapter:** 2  
**Policy:** DEV1  
**Para:**  
**Other:**

**No. of Objections:**4  
**No. of Supporters:** 1

---

### **ISSUES RAISED**

1. Policy makes the assumption that the whole borough is in need of regeneration which is unduly pessimistic. Large parts of area simply need protected not regenerated.
2. Policy should be cross referenced to DEV 6 and DEV6 should be amended to take into account need to protect and enhance nature conservation
3. Suggest addition of "local, national and international" before final word
4. Support this policy which places sustainable development at heart of Local Plan
5. Would be helpful for users of the Plan if the Principles referred to in the policy were listed in policy or reasoned justification

---

### **RESPONSE**

1. The Councils' number one priority is sustainable regeneration. The assets of the plan area are recognised and are afforded protection and enhancement by DEV1 and other policies in the plan
2. The Plan should be treated as a whole and therefore, in line with good practice guidance cross referencing between policies should be avoided. Both protection and enhancement of nature conservation interests is covered by DEV 1 and other policies in the Plan
3. The addition of this wording is not necessary and could potentially lead to further confusion.
4. Support is noted.
5. Agreed

---

### **PROPOSED CHANGES**

Reference to location of Aims and Objection in the included with DEV1.

**Report No:** D21  
**Representation No:** 614,699

**Subject:** DEV2

**Chapter:** 2  
**Policy:**  
**Para:** 2.8.10-26  
**Other:**

**No. of Objections:** 2  
**No. of Supporters:** 0

---

### **ISSUES RAISED**

1. Key service centres should be supported by qualitative and quantitative evidence
2. Not convinced of the need to allocated greenfield sites in such as Cleator Moor given UCS identifies 508 brownfield sites as likely to come forward and 1332 marginal brownfield sites
3. Support focus of development on key service centres but would like to see policy refer to helping to sustain local services and rural businesses

---

### **RESPONSE**

1. Key service centres are as identified by JSP
2. There are not 508/1332 brownfield sites likely to come forward – consolidated housing areas are made up of green and brownfield land. Housing chapter justifies some combinations of green and brownfield sites at Cleator Moor.
3. DEV2 is intended to focus on key service centres. Support for local centres and rural enterprise is covered by other policies in the plan.

---

### **PROPOSED CHANGES**

No change

**Report No:** D22  
**Representation No:** 410, 615, 700, 851

**Subject:** DEV3

**Chapter:** 2

**Policy:**

**Para:**

**Other:**

**No. of Objections:**4

**No. of Supporters:** 1

---

### **ISSUES RAISED**

1. Particular sites here may have good environmental reasons not to follow the priority suggested. Policy should be revised to reflect the proposed amendment to Sustainable Development Principles (as contained in Representation No: 405, Report D9)
2. Question criteria used to justify definition of local centre, particularly Arlecdon / Rowrah, Bigrigg, Haverigg, Kirkland/Ennerdale Bridge, Lowca/Parton, Moor Row, The Green. No justification on 2.8.32 to determine whether general needs housing necessary. Not convinced if the need for greenfield sites when 508/1332 brownfield sites in UCS
3. Support policy an permits small scale development in villages where it supports rural businesses and sustain local services
4. Local Centres includes almost every village in the plan area. Appears indiscriminate and looks unsustainable. Review list of local centres to better reflect Sustainable Development Principles.

---

### **RESPONSE**

1. Assumed that this is an objection to DEV4 rather than DEV3 and will be treated as such under report No 22
2. The Council is content with the justification for this classification outlined in para 2.8.5/6 (1D)
3. Support noted
4. The list of Local Centres does not include almost every village in the plan area. In the Copeland Local Plan 2001 36 villages were identified and given settlement boundaries as opposed to 15 Local Centres. The distribution of the local centres reflects the Development Strategy and the rural nature of the borough.

---

### **PROPOSED CHANGES**

No change

**Report No:** D23  
**Representation No:** 616, 846

**Subject:** DEV 4

**Chapter:** 2  
**Policy:** DEV4  
**Para:**  
**Other:**

**No. of Objections:** 2  
**No. of Supporters:** 1

---

### **ISSUES RAISED**

1. Support for this policy
2. Policy should include a 4<sup>th</sup> criterion "well related extensions"

---

### **RESPONSE**

1. Policies DEV1 and ENV 1-5 also ensure that environmental assets are protected
2. Support noted
3. Such a criterion would be in contradiction to the Development boundary approach and policy. Other policies in the plan allocate development on sites adjoining key centres. The Plan, Monitor, Manage approach will ensure that demand for land within the key service centres is met.

---

### **PROPOSED CHANGES**

No change

**Report No:** D24  
**Representation No:** 211,253, 254, 411,852, 617, 701

**Subject:** DEV5

**Chapter:** 2  
**Policy:** DEV5  
**Para:**  
**Other:**

**No. of Objections:**  
**No. of Supporters:**

---

## ISSUES RAISED

1. Proposals relate to development in the countryside but make no specific provision for environmental protection and enhancement. Should be a general requirement for development to be in accordance with DEV6.
  2. Bullet point 2 reference to HSG 10 should be removed as this does not relate to the countryside
  3. Bullet point 2 refers to 'local needs housing' in relation to HSG11 and 12 but these policies relate to 'Affordable housing' this is a contradiction. Need for 'local needs housing' is endorsed but felt that it should not be confused with separate need for affordable housing in many rural communities.
  4. Bullet point 2 must be backed up by an up to date housing needs survey
  5. Bullet point 3 refers to wrong policies - should be HSG15,18 and 21
  6. Criteria 4 is dependant on factors such as scale, impact upon landscape and visual intrusion and traffic impacts
  7. Criteria 8 is reliant upon the major development test as per draft deposit JSP ST9
  8. Policy lack clarity. Very specific cross references raise queries as to whether all plan policies apply or just cross referenced ones. Suggest additional cross reference to DEV1, DEV6 and Environmental policies
  9. Approach should ensure that efficient use is made of existing buildings, land, facilities, services and transport networks in defined settlements whilst providing for the needs of rural communities
-

## RESPONSE

1. Proposal for development are subject to all plan policies .  
Environmental protection and enhancement are provided for by other policies in the plan.
  2. Agreed
  3. Agreed
  4. Criteria and justification for this policy is set out in Housing Chapter
  5. Agreed
  6. Agreed. These points are covered by other policies in the plan.
  7. Agreed
  8. Agreed that policy could be misinterpreted to imply that not other plan policies were relevant if covered by DEV5 criteria
  9. Covered by other policies in the Plan
- 

## PROPOSED CHANGES

Policy reworded to read:

**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 12)**
3. **replacement dwellings, conversions or domestic alterations/extensions (Policies HSG 14, 17 and 20)**
4. **leisure or tourism related development (Policies TSM 1 – 7 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, SVC 12 – 14 and SVC 18 – 19)**
7. **energy-related development (Policies EGY 1 – 5)**
8. **major development (Policy DEV 8 9)**

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

**Report No:** D25  
**Representation No:** 259, 460, 237, 1109

**Subject:** Duddon Estuary Crossing

**Chapter:** 2  
**Policy:**  
**Para:** 2.8.26  
**Other:**

**No. of Objections:** 0  
**No. of Supporters:** 1

---

### ISSUES RAISED

1. Support retention of trunk road status for A595/A5092 and building of direct link across Duddon Estuary but more could be done. Copeland Council should help with this (259)
2. A bridge across the Duddon Estuary will impact on candidate SAC, SPA, Ramsar and SSSI. Also impact on tourist attractions. Object to the proposal until further information available. Policy on conflict with T22 JSP and previous studies have shown crossing would damage environmental significance of area (460, 237 – see also Report T4)
3. According to Policy ENV1 Council would be obliged to refuse planning permission for such a major road link, yet intends to lobby for such a link. How do you explain this gross inconsistency. There is little independent documentary evidence that building a bridge or a much better road would actually solve social deprivation and employment problems of the area.(1109)

---

### RESPONSE

1. Comments noted
2. A new Duddon Crossing involves consideration of a range of environmental issues which are dealt with in more detail in 5.1.7/8, 8.2.6.
3. Any such development proposals would be subject to Policy ENV1. Evidence from areas including Scotland, Wales, Devon and Cornwall show links between improved transport and regeneration. Also Policies DEV9: Major Projects may apply where decision is a balance of issues including environmental.

---

### PROPOSED CHANGES

No change

**Report No:** D26  
**Representation No:** 853

**Subject:** Local Centres

**Chapter:** 2

**Policy:**

**Para:** 2.8.32

**Other:**

**No. of Objections:**1

**No. of Supporters:** 0

---

### **ISSUES RAISED**

1. Rephrase paragraph to relate local service centre housing development to be more closely aligned to that in draft JSP policy ST3, and consider carefully the scale of development proposed in these centres in the housing chapter

---

### **RESPONSE**

1. Paragraph is statement of fact in relation to Housing Chapter and Policies. Sections 3.2-3.3 provide the justification of the approach taken to housing allocations.

---

### **PROPOSED CHANGES**

No change

**Report No:** D27  
**Representation No:** 854

**Subject:** Para 2.8.33

**Chapter:** 2  
**Policy:**  
**Para:** 2.8.33  
**Other:**

**No. of Objections:**1  
**No. of Supporters:** 0

---

### **ISSUES RAISED**

1. Reference to no part of the borough being unnecessarily restricted in relation to housing land should thus be worded more carefully - rephrase the last sentence of the paragraph more carefully to ensure that it is more in line with the approach in policy UR8 of RPG13.

---

### **RESPONSE**

1. Agreed

---

### **PROPOSED CHANGES**

Delete last sentence para 2.8.33 (1D)  
Add to para 2.8.33 (1D) "in line with the Plan, Monitor and Manage approach outlined in paragraph 3.3.4 and Policy HSG 3".

**Report No: D28**  
**Representation No: 619**

**Subject: Design Issues**

**Chapter: 2**  
**Policy:**  
**Para: 2.9**  
**Other:**

**No. of Objections:1**  
**No. of Supporters: 0**

---

### **ISSUES RAISED**

1. No reference to role of Village Design Statements or Parish Plans except in para 2.11.3 (619)
2. No reference in this section to landscape character assessment – inclusion of these design tools is required by RPG13 Policy DP3. landscape character tools should form basis of all landscape policies as a et out in JSP E33 and ER2 of RPG13. The Local Plan is not sufficiently progressive with regard to contemporary planning methodology. Policy DEV 6 makes absolutely no reference to these established tools. This must be amended and linked to other development policies in the plan. (619)

---

### **RESPONSE**

1. Agreed additional reference should be inserted
2. Para 2.9.2 makes reference to landscape character as does amended policy. Further detail on assessment of landscape character is provided in relevant Chapter – Environment Section 5.2 (1D)

---

### **PROPOSED CHANGES**

Add to para 2.9.2 (1D) “Developers should also take into consideration any relevant Parish Plans or Village Design Statements.”

**Report No:** D29  
**Representation No:** 801

**Subject:** Insufficient information contained in Section 2.9 – Design Issues

**Chapter:** 2  
**Policy:**  
**Para:** 2.9.5  
**Other:**

**No. of Objections:**1  
**No. of Supporters:** 0

---

### ISSUES RAISED

1. No reference is made to watercourses and ponds as important wildlife habitats or preventing culverting of open watercourses and supporting the reinstatement of existing culverts as open watercourses. Recommend change to:  
“Similarly any important wildlife habitats, such as watercourse corridors and ponds, should be retained and enhanced perhaps in association with open space provision or drainage arrangements. In relation to drainage arrangements, the culverting of open watercourses will be opposed and support will be given to reverting existing culverts to their former open watercourse status. The retention of important wildlife habitats can add to people’s quality of life and contribute to the conservation of native species. However..”

---

### RESPONSE

1. It is not felt necessary to refer specifically to watercourses and ponds as the paragraph is making reference to all types of wildlife habitats.

---

### PROPOSED CHANGES

No change

**Report No:** D30  
**Representation No:** 497

**Subject:** 2.9.7

**Chapter:** 2

**Policy:**

**Para:** 2.9.7

**Other:**

**No. of Objections:**1

**No. of Supporters:** 0

---

### **ISSUES RAISED**

1. Support this paragraph but suggest the inclusion of words 'grid connected or' before renewable energy

---

### **RESPONSE**

1. Agreed

---

### **PROPOSED CHANGES**

Amend para 2.9.7 (1D) "There may be opportunities to use grid connected or non-grid connected renewable energy"

**Report No:** D31  
**Objection:** 800  
**Support:** 540

**Subject:** Capacity of Infrastructure

**Chapter:** 2  
**Policy:**  
**Para:** 2.9.8  
**Other:**

---

## ISSUES RAISED

### Objection

1. No mention of foul and surface waters drainage in the list of physical infrastructure. Following change is recommended  
“This can be physical infrastructure, which includes roads, foul and surface water drainage, sewage disposal, water supply, waste disposal , power supplies and telecommunications”

### Support

1. United Utilities take a demand led approach to provision of infrastructure assets and will provide for customers as appropriate. We welcome the opportunity which Copeland Planning Officers allowed us to inform the process in preparation of 1<sup>st</sup> deposit plan. Para 2.9.8 is welcomed as utility infrastructure capacity is taken into account in considering development proposals (540)

---

## RESPONSE

### Objection

1. Agreed

### Support

1. Comments noted

---

## PROPOSED CHANGES

Incorporate “foul and surface water drainage” as suggested above (para 2.9.8 1D)

**Report No: D32**  
**Representation No: 516**

**Subject: Bridleways**

**Chapter: 2**  
**Policy:**  
**Para: 2.9.9**  
**Other:**

**No. of Objections: 1**  
**No. of Supporters: 0**

---

### **ISSUES RAISED**

1. Council should bear in mind need of horse riders when considering new developments . This section of the plan only recognises footpaths and cycleways

---

### **RESPONSE**

1. Agreed that “bridleways” should be added to the text, but not horse riders, to be consistent with use of terms footpaths and cycleways rather than walkers and cyclists.

---

### **PROPOSED CHANGES**

“bridleways” added to para 2.9.9

**Report No:** D33  
**Objection:** 802  
**Support:**

**Subject:** 2.9.10

**Chapter:** 2

**Policy:**

**Para:** 2.9.10

**Other:**

---

## ISSUES RAISED

1. Para 2.9.10 tries to cover too many topics and should be split into two paragraphs. First paragraph should deal with air quality and can remain unchanged. Second paragraph should refer to water resources and be extended to include both Sustainable Drainage Systems and wise use of water  
“The protection and sustainable management of water resources is a vital consideration and new development will not be allowed to adversely affect water quantity, quality or the habitat integrity of rivers, groundwater and the sea. Consequently developers will need to install water saving devices and ensure that water is used wisely. Also the use of sustainable drainage systems will be actively encouraged to ensure that groundwater resources are recharged at source wherever possible”.

---

## RESPONSE

1. Comments noted

---

## PROPOSED CHANGES

Amend para 2.9.10 to read “.....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.....”

**Report No:** D34  
**Objection:** 212, 296, 412, 498, 541, 620, 787, 803, 916, 1003,702  
**Support:** 498, 541, 916  
**Subject:** DEV6 Sustainability in design

**Chapter:** 2  
**Policy:** DEV6  
**Para:**  
**Other:**

---

## ISSUES RAISED

### Objection

1. Wording of bullet point 4 should be amended to make it clear that it encompasses both nature conservation and the built environment. Should reword “avoids the loss or damage to all natural and built conservation interests, including landscapes, nature conservation, architectural character, archaeological sites, sites of historic interest, and important open spaces” (212)
2. Policy must include reference to landscape character, village design statements to the Parish Plan design statements as a means to assess development proposals as required by RPG Policy DP3 (620)
3. Bullet point 5 - The literal application of this policy will render the majority of proposed developments financially unviable. Suggest the words “ as far as possible” are replaced by “as far as reasonably practicable” (296)
4. Bullet point 5 could be strengthened by adding expectation that all development with floorspace >1000m<sup>2</sup> or 10+ residential units to incorporate renewable energy production equipment to provide at least 10% of predicted energy requirements (498)
5. Bullet Point 5 – should include examples of energy efficient technology such as photovoltaics or SUDS (620)
6. Bullet Point 5 should also mention waste minimisation (787)
7. Bullet point 5 – in order to be sustainable, development does need to be efficient in design, however, it also needs to consider conserving energy. The promotion and adoption of water conservation measures in new development would contribute to the saving of the energy and costs related to the supply, treatment and process and disposal of water supplies. Therefore reference needs to be made to the wise use of water. (803)
8. Bullet point 6 – does not take into account the need to protect and enhance nature conservation interests or to the targets of Action for Sustainability including the targets of the UK and local Biodiversity Action Plans. Amend 6.4 to read “...which avoids loss to damage to the capital assets of nature conservation, landscapes, architectural character, and historic sites and important open spaces. These capital assets include land or species with potential

to Action for Sustainability targets. In our damaged natural / semi-natural environment there is also the need to restore and enhance as well as to protect existing high quality assets.(412)

9. Bullet points 6 & 7 – 6 refers to water quality but ignores water quantity and incorrectly links suds to wastewater and sewage. Suds are associated with surface water drainage. Needs to be reference to wise use of water. Following changes recommended:  
“6. has no adverse affect on water quality  
6a. has no adverse affect on the quantity of groundwater’s and surface waters by the provision of pollution prevention measures, 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, foul and surface water sewers, sewage treatment, and water supply unless these can be improved at the developers’ expense without adverse effect on the local community and the environment (803)
10. There is no sequential approach test in the Policy, nor any criteria requiring new development to be well related to the existing built up area to avoid new development or sprawl in the open countryside. (620)
11. Bullet point 8 – priority order is in accordance with Table 1 PPG25 however Table 1 further subdivides the high risk zone into 3 further zones, viz. developed areas, undeveloped and sparsely developed areas and functional flood plain. Depending on this some sites may be unsuitable for development irrespective of mitigating measures. Therefore point 8 is probably acceptable, but supporting paragraph 2.9.11 needs to be amended to reflect the issues referred to above and make reference to Chapter 5.(803)
12. Suggested that following wording is inserted “Planning permission will only be granted for development, unless material considerations dictate otherwise which 6. has no unacceptable adverse impact, 7.....unless these can be improved , potentially at the developers expense, 8. ...does not unacceptably increase..”(1003)
13. Countryside Agency’s Countryside Character Areas relating to Copeland should be mentioned in 2.9.2 and the policy. Also helpful to mention Agency’s Landscape Character assessment approach (702)

#### **Support**

1. Support and welcome inclusion of cross referencing to DEV6 in other policies (498)
2. Support inclusion of this policy setting out good design.(916)
3. Utility infrastructure capacity should be taken into account in considering development proposals. This policy supports this consideration (541)

---

#### **RESPONSE Objection**

1. Comments noted
2. Agreed reference should be made to landscape character rather than landscape. Reference to Village Design Statements and Parish Plans added to reasoned justification (see Report D28) and also considered in Section 2.11 (1D). Inappropriate to make reference in Policy.
3. Agreed
4. Disagree. Will not specify this type of quota without appropriate surveys and further research.
5. Further detail in energy efficiency technology is addressed by other plan policies (including EGY1-5). Not necessary to introduce such detail in this policy.
6. Agreed
7. Covered by additional reference to waste minimisation. Further issues surrounding wise use of water addressed by SVC5 (1D)
8. Protection of nature conservation and BAP targets covered in further detail in Environment Chapter and Policies (Section 5.1 (1D)). Unnecessary to repeat in Policy DEV6.
9. Agreed that reference should be made to water-saving devices. Current wording of policy and reasoned justification addresses all other issues.
10. Concerns addressed dealt with by DEV4.
11. Agreed reference to 3 zones be added to para 2.9.11. Wording of paragraph already suggests that some sites may be unsuitable for development. – “Development will not be allowed in areas of high flood risk unless.....flood minimisation or mitigation measures can be incorporated.
12. Disagree. Proposed amendments would introduce uncertainty into policy as further definition and qualification of such terms would be required.
13. More detailed policies and discussion of landscape character is featured in the Environment Chapter (Section 5.2). Unnecessary to repeat same text here.

### **Support**

- 1-3. Support noted – however cross references removed in 2<sup>nd</sup> Deposit Version – Plan should be read as a whole.

---

### **PROPOSED CHANGES**

Add to bullet point 4 “natural or built...”

Amend bullet point 4 to read “landscape or architectural character”

Amend bullet point 5 “...and waste minimisation in its design and uses recycled materials and renewable energy technology as far as reasonably practicable”

Add to bullet point 6 “water saving devices and..”

Add to paragraph 2.9.11 "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."

**Report No:** D35  
**Objection:** 413  
**Subject:** Habitat and species relocation  
**Chapter:** 2  
**Policy:**  
**Para:** 2.10.4  
**Other:**

---

### **ISSUES RAISED**

1. Welcome intention to use planning conditions to achieve protection and enhancement of nature conservation features but wish to caution against the use of relocation of habitats or species except as a measure of last resort because the successes of such measures cannot always be relied upon
- 

### **RESPONSE**

1. Noted – relevant nature conservation bodies would be consulted on such matters.
- 

### **PROPOSED CHANGES**

Add to para 2.10.4 (1D)  
“...if unavoidable..”

**Report No:** D36  
**Objection:** 855

**Subject:** Planning Conditions and Obligations

**Chapter:** 2  
**Policy:**  
**Para:** 2.10.6  
**Other:**

**No. of Objections:**1  
**No. of Supporters:** 0

---

### **ISSUES RAISED**

1. Last sentence is vague and danger could be in conflict with Circular 01/97, in that it would not be directly related to the proposed development. R/j needs to explain how this expectation will operate and be invoked. The wording should be clarified, perhaps with examples.

---

### **RESPONSE**

1. Paragraph has been rephrased to clearly establish requirements of Circular 01/97. Last sentence reworded to emphasis that the suggestions are examples.

---

### **PROPOSED CHANGES**

Amend para 2.10.6 to read  
“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. Examples of obligations could 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.”

**Report No:** D37  
**Representation No:** 159, 414, 703

**Subject:** Dev 7 Planning conditions and obligations

**Chapter:** 2  
**Policy:** Dev 7  
**Para:**  
**Other:**

**No. of Objections:**  
**No. of Supporters:**

---

## ISSUES RAISED

1. Policy unclear as to whether transport infrastructure included. Should be made explicit that planning obligations can include additions or improvements to public transport infrastructure and services, as well as other 'direct physical community or economic infrastructure'. (159)
2. Policy lacks clarity. It might be taken to have intention of restricting its objectives to those sites on which external objections have been raised. We consider that to achieve the objectives cited in 2.10.4 the phrase "Where there are planning objections to a development" should be deleted. (414)
3. Would like the policy to refer to the 'net gain' approach to development, promoted by the Agency, which moves away from the idea of 'balance' which creates winners and losers, to a system based on requiring development to show a net gain (or at least a neutral effect) for the social, environmental and economic interests of an area, with no significant losses to any of them (703)

---

## RESPONSE

1. Transport infrastructure is included under 'direct physical community or economic infrastructure'. Reasoned justification provides example of a new road.
2. Policy refers to 'planning objections' rather than 'external objections'
3. Policy refers to Planning Conditions and Obligations in line with Circular 01/97. Suggest overall aim of 'net gain' approach is similar to that prescribed by planning legislation.

---

## PROPOSED CHANGES

No change

**Report No:** D38  
**Representation No:** 554, 621, 786

**Subject:** Major Development

**Chapter:** 2  
**Policy:** DEV8  
**Para:**  
**Other:**

---

## ISSUES RAISED

1. Wording of this section makes no reference to Highways Agency as the Highway Authority for the trunk road network. Suggest the following additional wording is included "briefs and transport assessments will need to be prepared in consultation with stakeholders, Highways Agency, and approved by the Council before detailed plans are submitted for planning permission"
2. Effect of policy DEV8 is entirely wrong. Development that would cause significant adverse social, economic or environmental costs, where total benefits is clearly outweighed by the detrimental effects them presumably permission should be refused. This is not explicit in Policy DEV8. Unclear as to how a Planning Obligation would ever address an environmental cost, nor exactly what could be achieved. Any adverse cost could not be re-dressed either in part or in whole by way of a Section 106 agreement or obligation. The statement in the Policy is therefore not acceptable. (621)
3. Suggest name structure plan policy in full(or amend policy references) as numbering likely to change.

---

## RESPONSE

1. Disagree. Concerns addressed by Policy TSP7 / Appendix 4.
2. Disagree. Policy requires that any applications for major development will be assessed against JSP ST4 which specifies criteria which proposals must satisfy. If major development were permitted by JSP Policy then the Council would expect any costs to be addressed by means of a Planning Obligation. If costs cannot be addressed satisfactorily planning permission should be refused.
3. Agreed to amend Policy reference

---

## PROPOSED CHANGES

Amend reference to JSP Policy to read "JSP Policy ST4"

**Report No:** D39  
**Representation No:** 086, 415, 522, 704, 856

**Subject:** 2.11.3

**Chapter:** 2

**Policy:**

**Para:** 2.11.3

**Other:**

---

## **ISSUES RAISED**

### **Objection**

1. Welcome commitment for Design brief to accommodate biodiversity would prefer stronger commitment; to further implementation of Cumbria BAP. Similarly the 'Green corridors' commitment linked to AFS targets. Welcome specific commitment that design briefs should provide details on how existing and proposed wildlife features should be incorporated and enhanced. Without this commitment we would be uncertain as to what weight would be given to nature conservation issues within DEV9 (415).
2. Welcome design briefs and reference to town and village design statements and Parish Plans. Note that Millom market town partnership has produced an action plan from which there may be elements which could be endorsed through SPG/SPD so we suggest that text should include these types of plans. The Countryside Agency's 'Concept Statements and Local Development Documents' may also be of relevance here. (704)
3. Most of this section should be deleted or reduced significantly. SPG's already adopted are referred to in other parts of the plan and new proposed SPG's could be dealt with in the same way (856)
4. Development briefs - written as though they are required by the Council rather than the Council producing them themselves. Clarify that LPA produce development briefs rather than being a requirement.(856)
5. Reference to village design statements and parish plans under the Action Area Plan section could cause some confusion as areas action plans under the new system will concentrate on areas of significant change or conservation. Consider village design statements and parish plans as more general SPG rather than action plans. (856)
6. Include an additional bullet point under para 3 (Action Plans) of 'Conservation Area Appraisals and Studies' (0086)

### **Support**

1. Support emphasis in plan of active rural communities. Welcome aspects of Plan which allow for consideration and adoption of town

and village design statements and Parish Plans as part of SPG (522)

---

## RESPONSE

1. Disagree. Believe references in this section adequate. Chapter 5, particularly Section 5.1 also refers.
2. It is recognised that the Market Town Action Plans may have future land use implications. Area Action Plans (Development Plan Documents) for Millom, Egremont and Cleator Moor have been incorporated into the Local Development Scheme.
3. Agreed. Section edited
4. Agreed
5. Agree. Future Action Plans / SPD set out in LDS
6. Disagree. At present Conservation Area Appraisals and Studies do not feature in the Council's work programme and therefore would be misleading to include. If future resources allow, such documents could be entered into the LDS and adopted as part of the LDF.

### Support

1. Support noted
- 

## PROPOSED CHANGES

**Delete** from reasoned justification;

“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.

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”

Add to para 2.11.3 (2)

“Development Briefs can either be prepared by the Council or alternatively....”

Delete 2.11.3 (3) - ‘Area Action Plans’

Add to para 2.11.3 “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.”

**Report No:** D40  
**Representation No:** 298, 857

**Subject:** DEV 9 Supplementary Planning Guidance

**Chapter:** 2  
**Policy:** DEV9  
**Para:**  
**Other:**

**No. of Objections:** 2  
**No. of Supporters:** 0

---

### **ISSUES RAISED**

1. Policy attempts to give SPG same weight as adopted Local Plan policy. While it may be a material consideration in determining planning applications it does not have the same status as adopted development plan policy. Suggest policy is deleted (298/857) or reworded to be in line with PPG12 (857)

---

### **RESPONSE**

1. Agreed

---

### **PROPOSED CHANGES**

Policy deleted