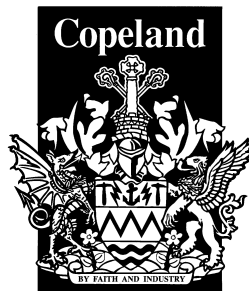




Copeland Local Plan 2001-2016 PROPOSED MODIFICATIONS

April 2006



Copeland Borough Council

COPELAND LOCAL PLAN 2001 – 2016
Proposed Modifications April 2006

1. ABOUT THE PLAN

R1.1.1 No modification

R1.2.1 No modification

2. LOCAL PLAN AIMS AND OBJECTIVES

R2.1.1 No modification

R2.2.1 No modification

R2.3.1 No modification

R2.4.1 No modification

R2.5.1 2nd sentence of Para 2.4.1 to be replaced with:
“This is now under review and a draft replacement document is due to be published for consultation in March 2006. Full adoption is envisaged by Spring 2007 and until then RSS 13 remains in force”
[PC001]

R2.5.2 No Modification

R2.6.1 Last sentence of Para 2.5.2 to be replaced with:
“Modifications were published in September 2005 and the Plan is due to be/was adopted in March 2006.”
[PC002]

R2.6.2 No Modification

R2.7.1 Add two new sentences after the first sentence of Para 5.4.7 (Tourism section of the Plan):
“In view of Policy L58 of the JSP particular attention will be paid to the potential of the Whitehaven Coastal Fringe (TOS 3) as a Regional Park. Studies are currently being undertaken and the area is to be included in a regeneration-based Area Action Plan in due course as part of the Council’s Local Development Framework.”

R2.7.2 No Modification

R2.8.1 No Modification

- R2.9.1 **No Modification:**
The West Cumbria Community Strategy has its own heading and paragraph at 2.6.2 in 2D. It is therefore unnecessary to add reference to it in Para 2.6.4
- R2.9.2 No Modification
- R2.10.1 Expand Objective No. 14 to read as follows:
“14. Encourage Sustainable economic growth and development including making fuller use of existing infrastructure capacities in sustainable locations.”
As originally conceived the objective was meant to include making fuller use of infrastructure capacities in sustainable locations as part of “encourage(ing) sustainable.... Development”. This aspect was taken into account in the Sustainability Appraisal which was based on the objectives so the Council is more than happy to add the specific reference as recommended by the Inspector.
- R2.10.2 No modification
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3. A DEVELOPMENT STRATEGY FOR COPELAND

- R3.1.1 No modification
- R3.2.1 No modification
- R3.3.1 No modification
- R3.4.1 No modification
- R3.5.1 No modification
- R3.6.1 Delete "...and small scale community facilities." from 2nd sentence of Para 3.1.8
[PC003]
See also R5.20.6 which involves the relocation of Paras 3.1.8 – 3.1.10 and Policy DEV 5 to section 5.3.
- R3.6.2 No modification
- R3.7.1 Delete the final clause of the fourth sentence of Para 3.1.9, after the word “account”. Insert a new sentence:
“Additional benefits that contribute to other regeneration aims and strategies do not constitute indicators of need, but may be material to the consideration of individual proposals”.
- R3.7.2 No modification

R3.8.1	No modification
R3.9.1	Insert “and enhancement” after the word “protection” in Policy DEV1
R3.9.2	No modification
R3.10.1	No modification
R3.11.1	No modification: The Inspector recommended that Bigrigg, Lowca and Moor Row should be deleted from the list of Local Centres. The Council feels that such a decision should only follow a comprehensive and comparative reassessment of service provision in all the Centres as part of the Local Development Framework. This is work which the Inspector in any event recommends in section d) of his comments and will be carried out during the next three years as part of a new Core Strategy.
R3.11.2	No modification
R3.12.1	No modification
R3.13.1	The following cross-references are to apply in relation to Policy DEV6 criteria: <ol style="list-style-type: none"> 1. (Policies HSG 5/6 and RUR 1) 2. (Policy HSG 11) 3. (Policies HSG 14, 17 and 20) 4. (Policies TSM 1-6, SVC 14 and 15) 5. (Policies EMP 4 and NUC 2 and 4) 6. (Policies SVC 7-11) 7. (Policies EGY 1-6) 8. (Policy DEV 9) [PC004]
R3.13.2	In the introductory sentence of Policy DEV6, delete “development” and replace with: “the quality and character of the wider countryside will be protected and, where possible, enhanced. Development...”.
R3.13.3	No modification
R3.14.1	No modification
R3.15.1	Add sentence to the end of Para 3.1.28: “However, there are important biodiversity and other interests associated with the estuary which will have to be taken fully into account in any decision on such a scheme.”
R3.15.2	No modification

- R3.16.1 Delete Para 3.1.34 and replace with the following:
 “3.1.34 For all the Local Centres there are provisions in the Plan for general needs housing in the form of existing planning permissions and/or new allocations of land. In assessing suitable sites for new housing in the Centres the Council has borne in mind the need for attractive locations which could help widen overall choice in the Borough. Centres close to the National Park boundaries will have a role to play in accommodating some of the housing needs generated by the Park communities.”
The Council has edited out the reference in 2D to specific areas of the Borough in view of the housing allocation modifications in section 4 below.
- R3.16.2 No modification
- R3.17.1 No modification
- R3.18.1 No modification
- R3.19.1 No modification
- R3.20.1 No modification
- R3.21.1 No modification
- R3.22.1 No modification
- R3.23.1 No modification
- R3.24.1 No modification
- R3.25.1 No modification
- R3.26.1 No modification – see R3.26.2 as the preferred option
- R3.26.2 Re-title Policy EMP3 and Para 5.2.17 as:
 “Employment Opportunity Sites”.
 1st sentence of Para 5.2.17 to be replaced with:
 “Two sites in Whitehaven and one in Cleator Moor have been identified as being suitable for a wide range of employment use but may also be suitable for non-employment use”.
 An additional item to be inserted after the section on Whitehaven Pow Beck Development:
“Leconfield Industrial Estate, Cleator Moor
 The site has provided traditional ‘industrial estate’ accommodation for many years but there are now several vacant/underused units and the site exhibits a rather unkempt, neglected look. There is

need for a comprehensive treatment to make the site an attractive proposition and the Council and owners consider that a range of job-creating commercial opportunities should be explored. Exploratory work will be carried out in partnership to establish cost-effective ways of ensuring that the estate is able to make an improved contribution to regeneration. A residential component could turn out to be part of an overall approach to investment in the site.”

The final sentence of Para 5.2.17 to be altered to:

“In each of these cases the Council will consider how best to develop detailed proposals, design guidance etc as part of documents in the Local Development Framework.”

Modify 1st sentence of Policy EMP 3 to: “Areas of land at Whitehaven, Cleator Moor and Egremont have been delineated on the Proposals Map as Employment Opportunity Sites.” (See *also R5.12.1 and R5.27.1*)

R3.26.3	No modification
R3.27.1	No modification
R3.28.1	No modification
R3.29.1	No modification
R3.30.1	No modification
R3.31.1	No modification
R3.32.1	No modification
R3.33.1	Modify Proposals Map to include the land between the A595 and Cringlethwaite Terrace within the settlement boundary of Egremont (Policy DEV 4).
R3.33.2	No modification
R3.34.1	Modify Proposals Map to include land at the entrance to How Bank Farm on Smithfield Road, Egremont within the town’s settlement boundary (Policy DEV 4)
R3.34.2	No modification
R3.35.1	No modification
R3.36.1	No modification
R3.37.1	No modification

R3.38.1	No modification
R3.39.1	No modification
R3.40.1	No modification
R3.41.1	No modification
R3.42.1	No modification
R3.43.1	No modification
R3.44.1	Modify the Proposals Map to include a small area of land to the south of the former Kangol factory at Cleator within the settlement boundary (Policy DEV 4).
R3.44.2	No modification
R3.45.1	No modification
R3.46.1	No modification
R3.47.1	No modification
R3.48.1	No modification
R3.49.1	No modification
R3.50.1	No modification
R3.51.1	No modification
R3.52.1	Modify the Proposals Map to include a small site at Trafalgar Square, Frizington within the settlement boundary (Policy DEV 4).
R3.52.2	No modification
R3.53.1	No modification
R3.54.1	No modification
R3.55.1	No modification
R3.56.1	No modification
R3.57.1	No modification
R3.58.1	No modification

- R3.59.1 Modify Table HS6 by allocating land for housing adjacent to Seascale School at a density of 30 dph with consequential modifications to Tables HS6/7 and HS8.
- R3.59.2 Modify the Proposals Map by adding land adjacent to Seascale School as a proposed housing allocation (Policy HSG 2).
- R3.59.3 No modification
- R3.60.1 No modification
- R3.61.1 Modify Table HS6 by deleting site HA28 Fairways extension, Seascale with consequential modifications to Tables HS7 and HS8
- R3.61.2 Modify the Proposals Map by deleting site HA28 Fairways extension, Seascale as a proposed housing allocation (Policy HSG 2).
- R3.61.3 No modification
- R3.62.1 No modification
- R3.63.1 No modification
- R3.64.1 No modification
- R3.65.1 No modification
- R3.66.1 No modification
- R3.67.1 No modification
- R3.68.1 No modification
- R3.69.1 No modification
- R3.70.1 No modification
- R3.71.1 No modification
- R3.72.1 No modification
- R3.73.1 No modification
- R3.74.1 No modification
- R3.75.1 No modification
- R3.76.1 No modification

- R3.77.1 No modification
- R3.78.1 No modification
- R3.79.1 No modification
- R3.80.1 Modify Para 3.2.11 by deleting:
 "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." To be replaced by:
 "Where development has to be located in high flood risk areas, such development will be more acceptable in areas that are already developed and protected by existing flood defences rather than in undeveloped and sparsely developed areas. Development in functional floodplains will be restricted to essential transport and utilities infrastructure that has to be there."
 [PC005]
- R3.80.2 No modification
- R3.81.1 Modify Criterion 4 of Policy DEV7 by adding to the end:
 "and where appropriate enhances biodiversity".
- R3.81.2 Delete and replace Criteria 6 and 7 of Policy DEV 7 as follows:
 "6. Has no adverse effect on air quality
 7. Has no adverse effect on the quantity and quality of groundwaters and surface waters by the provision of pollution prevention measures, water saving devices and sustainable drainage systems
 8. 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, sewerage treatment and water supply, unless these can be improved at developers' expense without adverse effect on the local community and the environment"
- R3.81.3 Renumber Criteria 8, 9 and 10 as 9, 10 and 11 respectively.
- R3.81.4 Modify Para 3.2.2 by addition of new 4th sentence:
 "It is important to ensure that local distinctiveness is recognized and preserved and that a sense of place is created or enhanced within all new development."
- R3.81.5 No modification
- R3.82.1 No modification
- R3.83.1 Delete the second sentence of Policy DEV 8 and replace with:

“Where there are planning problems that would otherwise indicate refusal of planning permission, and the use of a planning condition is not appropriate, the developer may be required to submit proposals to achieve a planning objective, mitigate the impact of a development or compensate for loss or damage caused.”
Insert the word “proposals” after the first word of the next sentence.

R3.83.2

No modification

R3.84.1

No modification

R3.85.1

No modification

R3.86.1

No modification

4. HOUSING

R4.1.1

Delete Para 4.1.2 and replace with:
“Since policies in the RSS and JSP were developed the West Cumbria Strategic Forum has been formed to address the challenging need to rebuild the local economy. Housing is an integral part of the regeneration process and the Local Plan has a role in contributing to this process. Government planning policies need to be applied with sensitivity to the local situation. This is seen as being particularly the case in relation to the phasing of planning permissions, land recycling targets and the density of development. The detailed justification for this is set out in sections 4.2 and 4.3 which follow.”

R4.1.2

No modification

R4.2.1

No modification

R4.3.1

Modify sections 4.2 and 4.3 of the Plan (pp 52-76) on the basis of Inquiry Change *IC001* subject to further additional modifications as detailed below.

R4.3.2

No modification

R4.4.1

Modify the phasing provisions of sections 4.2 and 4.3 to accord with new annualised figures in Table HS2 as set out in R4.4.3 below. Modifications to Tables HS4, Tables HS6 and HS7 (to be combined) and Table HS8 are made as shown below, which are in part a result of these new phasing provisions.

R4.4.2

Amend Para 4.2.5 to read as follows:
“It has to be stressed however that these years reflect a failing economy when there were significant job losses and population decline. With a need to attract inward investment quickly and bring

impetus to regeneration the Council allowed higher rates of housebuilding during the period 2002-04. This involved a variety of house types and a range of attractive sites in an attempt to help rebalance housing markets which for many years have been dominated by older, smaller, cheaper properties”. Delete all Para 4.2.5 from “The proposal to accelerate...”and replace with the following:

“Having facilitated the acceleration of the rate of housebuilding in the early part of the plan period the Council intends the Plan to support the development of local partnerships to ensure that adequate private sector housing investment is encouraged and channelled into the urban areas most in need of housing market renewal. This will become the dominating issue within the Local Development Framework and companion strategies over the next 10-20 years ”

R4.4.3 Amend Table HS2 to read as follows:

Table HS2 : Scale of Housing Provision Annually

Year	2002/3	2003/4	2004/5	2005/6		Total
Dwelling nos	205	488	290	134		1200
Year	2006/7	2007/8	2008/9	2009/10	2010/11	
Dwelling nos	143	143	143	143	143	715
Year	2011/12	2012/13	2013/14	2014/15	2015/16	
Dwelling nos	143	143	143	143	143	715
Total						2660

R4.4.4 No modification

R4.5.1/2 No modification considered appropriate at this stage. A new Housing Needs Assessment is to be carried out in Spring/Summer 2006 and this will inform further work on the issue as part of the Local Development Framework.

R4.6.1 In Para 4.2.10 delete all reasoned justification added in the 2D version. Also delete “However” at beginning of 3rd sentence and refer to RSS rather than RPG. Add the following:
 “Nevertheless for Copeland, to correct the overpreponderance of planning permissions involving greenfield sites as at 2002, the JSP

sets a challenging recycling target of 70%. The Plan therefore provides a policy basis for achieving this target.”

R4.6.2

Delete all Para 4.2.11 and replace with:

“Table HS4 shows how this is to be realized. It includes some limited provision for greenfield land in sustainable locations to encourage inward investment and help achieve more balanced housing markets. The housing market renewal programmes should increase the proportion of dwellings built on previously developed land in the latter part of the plan period.”

R4.6.3

Delete figures in Table HS4 and replace as follows:

Table HS4 : Targets for Recycling of Land and Buildings

	2002/2006		2006/2011		2011/2016		Total
	Dwelling nos	%	Dwelling nos	%	Dwelling nos	%	
Greenfield	511	43	215	30	215	30	941 (36%)
Brownfield	689	57	500	70	500	70	1689 (64%)
Totals	1200		715		715		2630

(The dwelling nos. for 2002-2006 in this modified Table HS4 reflect actual planning approvals during 2002-2005 and an indicative total of 134 dwellings for 2005-2006, the latter being split 70:30 to yield dwelling nos. for the recycling balance. The total figure of 2630 dwellings is a residual amount allowing for the deduction of 30 dwellings for special rural needs – please refer to Para 4.2.16 in the Plan)

R4.6.4

Delete 5th bullet point in Para 4.2.12 and replace with:

“Give priority to previously developed land in urban areas, restricting greenfield development to that considered necessary to assist regeneration in sustainable locations in accordance with the Development Strategy requirements (see 3.1 and 3.2).”

R4.6.5

Insert into 6th sentence of Para 4.2.14 after the word ...unless...:

“...the land recycling target for the relevant time-block is well on course to be met, and...”

In addition the updating of data in the Modified Plan to 31st March 2005 requires a modified Table HS5 (Extant Planning Approvals) and a modification to Policy HSG 1 referring now to a total of 1165 dwellings with planning permission in line 2.

Table HS5 : Planning Approvals at 31st March 2005

Settlement	Site Ref	Location	Numbers outstanding		Total
			Greenfield	Brownfield	
Key Service Centre					
WHITEHAVEN	H1	Aikbank	3		
	H3	Church Hill	11		
	H4	The Groves	11		
	H5	Garlieston Court		8	
	H7	The Hollins		20	
	H9	Low Road		80	
	H10	Coach Road		20	
	H42	83 Lowther Street		8	
	H43	Laundry Site, Low Rd		28	
		1/2 Howgill Street		6	
		Castle Mews, Flatt Wks		12	
		Rose Cottage, Sandwith		5	
		Town Head Farm	14		
	Under 5's	10	54	64	
		Whitehaven Total	49	241	290
CLEATOR MOOR	H12	Pillar View		6	
	H13	Little Croft, Leconfield Street		3	
	H14	Trumpet Road		3	
		Aldby Farm		10	
		Market Street		5	
	Under 5's	11	19	30	
		Cleator Moor Total	11	46	57
EGREMONT	H16	Gillfoot	50		
	H17	Old Castle Cinema		6	
	H44	Townhead	14		
	H45	Windrigg Close		23	
		Ghyll Farm	5		
	Under 5's	6	16		
		Egremont Total	75	45	120
MILLOM	H18	Pannat Hill	2		
	H19	Mainsgate Road	2		
	H20	Calderfield West		2	
	H21	Station Yard East		28	
	H22	Station Yard West		2	
	H23	Moor Farm	2		
	H46	West County Hotel		12	

		Former Yard, Holborn Hill		10	
		New Hall Farm	9		
		Station House, Salthouse Rd		6	
		Calderfield East, Salthouse Road		6	
		Under 5's	7	22	35
		Millom Total	22	88	110
LOCAL CENTRES					
BIGRIGG	H24	Rear Old Captains House	5		
	H47	Former School		9	
DISTINGTON	H26	Hinnings Farm	85		
FRIZINGTON	H28	Dower House		7	
	H29	Rheda Park	8		
	H30	Lingley Fields	1		
	H48	Kangol		39	
HAVERIGG	H31	Richmond Gardens	2		
	H49	Poolside		80	
LOWCA/ PARTON	H32	Ghyll Bank		11	
	H33	Croft Head Farm Bank Yard Rd	17	5	
MOOR ROW	H34	Montreal Place	4		
	H35	Larch Court	6		
MORESBY PARKS	H36	Eden Drive	30		
	H50	Railway Cottages	19		
SEASCALE	H37	Scawfell Hotel		8	
ST BEES	H38	Fairladies	42		
	H39	Seacote		7	
		Rottington Hall	3		
THE GREEN	H41	Black Beck	1		
All Local Centres		Under 5's	36	38	
		Total Local Centres	249	204	
OTHERS		Over 5's	26	5	
		Under 5's	78	26	
		Total Other	104	31	
		TOTAL	510	655	

- R4.6.6 In Para 4.2.15 bring up to date by inserting:
- a) new total of 1066 dwellings approved between 1st April 2002 and 31st March 2005
 - b) new residual figure that the plan must provide for of 1594 dwellings. This includes the indicative total of 134 dwellings for 2005/06 so in terms of the allocations and allowances as from 2006/07 onwards (the 'effective plan period' at this Modifications stage) the actual figure is **1460** dwellings.
 - c) new figures for recycling performance 2002-2005 of 471 dwellings (44%) greenfield and 595 dwellings (56%) brownfield
- Also insert new, penultimate sentence:

"The situation is, however, improving with 61% of units granted planning permission in 2004/5 involving previously developed land."
(This is based on the final outturn figures for the year)

- R4.6.7 Modify the figures in Para 4.2.17 to accord with the revised Table HS4 (see R4.6.3):

"The allocations for new housing land 1st April 2005 to 2016 are therefore:

Type	No of dwellings
Greenfield sites	428 (30%)
Brownfield sites	424
Windfall allowance	578
TOTAL	1430

- R4.6.8 Modify Tables HS6, HS7 and HS8 consequent to the R4.6.3 modification above and reflecting the modified site allocations set out in R4.6-9 below. (The modified Tables HS6/7 and HS8 are set out in R4.6-9 below)

- R4.6.9 No modification

- R4.7.1 No modification

- R4.8.1 Delete Paras 4.2.18 and 4.2.19 and replace with:

"4.2.18 Table HS6/7 shows the sites which have been identified by the Council which it feels are suitable for housing development. The issues involved in site-selection are discussed as part of the Development Strategy (Paras 3.1.12 – 3.1.36). Specific criteria are as follows in part informed by the provisions of Para 31 in PPG3:

- Concentration of development in Key Service Centres with small allocations in Local Centres taking into account the level and spread of existing planning permissions across housing market areas (as set out in Table HS8)

- The availability (and priority) of previously developed sites and empty or underused buildings and their suitability for housing use
- A suitable balance of greenfield sites in sustainable locations to provide a choice of sites
- The location and accessibility of potential development sites to jobs, shops and services by modes other than by car, and the potential for improving such accessibility
- The capacity of existing and potential infrastructure, including public transport, water and sewerage, other utilities and social infrastructure (such as schools and health services) to absorb further development and the cost of adding further infrastructure
- The ability to build communities to support new physical and social infrastructure and to provide sufficient demand to sustain appropriate local services and facilities
- The physical and environmental constraints on development of land including e.g. the level of contamination, stability and flood risk, taking into account that such risk may increase as a result of climate change. (The minimization of floodrisk in accordance with the Para 3.2.11 (*R3.80.1*))
- The need to assist regeneration programmes especially housing renewal where additional, higher quality development can work with renewal interventions to improve the prospects of low demand areas (e.g. West Whitehaven and Cleator Moor)
- The need to assess the potential of land previously allocated and serviced for housing purposes where completion of building would benefit neighbourhood amenities e.g. in completing highway/footpath/cycleway networks, or providing open space
- The need to reassess land previously allocated for other uses, especially employment which has remained undeveloped for many years
- Overall, and in line with the above criteria, the need to have a range of housing sites which will be attractive to potential inward investors

4.2.19 The need to provide for sustainable regeneration – the principal driver of the Development Strategy – meant that the vast majority of sites (85 %) were chosen in the 4 Key Service Centres with smaller scale provision for Local Centres (essentially to provide for rural needs and support local services). In the urban areas, new approaches are needed to help rebalance the local housing markets leading to a mix of previously used sites and some

greenfield sites in otherwise sustainable locations. The Council's assessment was applied to all previous local plan housing allocations which remained to be taken up; all employment land allocations still to be taken up; sites identified in the urban potential studies (Appendix 3) and sites suggested by owners and potential developers throughout the various stages of Plan production. The revisions and Modifications to the selected sites have been made as a result of the Plan's Sustainability Appraisal, objections received to the 1st and 2nd Deposit Versions and of course, the Inquiry process itself. More specific information on each of the sites selected including development brief requirements, studies and any phasing requirements are set out in Para 4.2.23 after Table HS6/7." Also delete 1st sentence of Para 4.2.20

R4.8.2

No modification

R4.9.1

Delete rest of Para 4.2.20 from and including the 2nd sentence.

Replace with:

"The Council is committed to avoiding the inefficient use of land for housing and expects that most housing sites will be developed within the range of 30 - 50 dwellings per hectare (dph). The density figures for sites shown in Table HS6/7 are therefore a minimum requirement and a higher intensity of development will be encouraged where there is good public transport accessibility. Where higher densities than shown in Table HS6/7 are achieved there will be consequent changes in the management of later approvals as indicated in section 4.3. Densities below 30 dph will only be permitted where clearly defined site specific circumstances indicate lower density to be desirable. Further guidance is being prepared to define limited site specific circumstances where the need for high quality housing to support regeneration may justify lower densities"

R4.9.2

Modified density requirements for sites in Table HS6 as follows (now combined as Table HS6/7) plus reference to allowing greater than 30 dph in Para 4.2.20 as per R4.9.1 above.

R4.9.3

The fully modified version of Table HS6 is set out in R4.6 - 9
The Council has revised its Local Development Scheme as at 29th March 2006 to include the early preparation of a Supplementary Planning Document which will provide guidance to address the need to secure higher priced dwellings to assist in regeneration.

R4.9.4

No modification

R4.6 – 9 *Modifications to Policy HSG 2 and Tables HS6 and 7 are required as a consequence of a number of modifications above.*

“Policy HSG 2 : New Housing Allocations

Land is designated for housing purposes in Table HS6/7 which can accommodate 852 dwellings on a mixture of new and previously used sites. Planning permission will only be granted for their development where the proposed scheme incorporates the requirements of Policies DEV 7 and HSG 8.”

TABLE HS6/7 : SITES ALLOCATED FOR NEW HOUSING DEVELOPMENT (POLICY HSG 2)

Site	Ref	Area	Density (Min)	No of Dwellings			Phasing	
				Total	GF	BF	2006-11	2011-16
Highlands Extension	HA1	6.6	30	200	200		100	100
Red Lonning	HA2	0.7	30	20	20			20
Galemire/Summergrove	HA4	-	-	0	-	-	-	-
Kells School	HA5	2.6	30	77		77	50	27
Old Brickworks	HA7	1.45	40	60	-	60	60	-
Whitehaven				357	220	137	210	147
Birks Road	HA8	1.6	30	48	20	28	48	-
Adj Mill Hill #1	HA9	2.3	30	70	70		35	35
Adj Mill Hill #2	HA10	2.2	30	66		66		66
Cleator Moor				184	90	94	83	101
North #1 (adj A5086)	HA12	1.1	30	35	35			35
North #2 (adj A5086)	HA13	1.1	30	35		35		35
Gillfoot Mansion	HA14	3.8	20	20	20		20	
Egremont				90	55	35	20	70
Salthouse Road	HA17	-	-	0	-	-	-	-
Devonshire Road	HA30	2.0	30	60		60	60	
Adj Lowther Road Est	HA31	1.0	30	30	30			30
Millom				90	30	60	60	30
Key Service Centres				721	395	326	373	348
Rowrah Goods Yard	HA19	1.2	30	35		35		35
Croftthouse Farm Beck'mt	HA20	0.2	30	5	5		5	
Main Street, Cleator	HA33	0.7	30	20	20		20	
Vicarage Lane, Ennerdale	HA21	-	-	0	-	-	-	-
Kirkland West	HA22	-	-	0	-	-	-	-
Murton Pit, Lamplugh	HA23	-	-	0	-	-	-	-
Lingla Bank, Frizington	HA25	1.3	30	39		39	19	20

Whites Row, Parton	HA27	0.4	30	12		12	12	-
Fairways, Seascale	HA28	-	-	0	-	-	-	-
Seascale School	HA34	0.7	30	20		20		20
Local Centres				131	25	106	56	75
Total Allocations				852	420	432	429	423
Windfalls				578		578	286	292
Overall Totals				1430	420	1010	715	715
Recycling % age				100%	30%	70%		

An additional modification of Table HS6 is made whereby the comments column in the table is reconfigured as a schedule under a new Para 4.2.23 as follows:

“4.2.23

HA1 Highlands Extension As per Table HS6 comments except items 2) now refers to Table 6/7 and 3) which is amended back to 1D requirements for a highway connection to Caldbeck Road (see R4.16.2) as well as the development brief’s requirement for a connection to the Harras Moor Road along with pedestrian safety improvements on the latter.

Phasing: 100 dwellings in each of the time periods to ensure an orderly rate of release on what is the only ‘volume’ site in the Borough and helping to complete the long-planned highway connections etc. The phasing here will also help prevent “cherry picking” of easier to develop sites in the town ahead of brownfield options.

HA2 Red Lonning As per Table HS6 comments

Phasing: Previously allocated for 66 now reduced to 20 dwellings in the 2011 – 2016 time period to encourage take up of brownfield options elsewhere in the town and to allow retention of the temporary sports pitch for at least a further five years.

HA5 Former Kells School As per Table HS6 comments

Phasing: 50 in 2006 – 2011, 27 in 2011 – 2016

To provide improved brownfield options earlier in plan period in an older part of the town where housing market renewal interventions are expected to create later brownfield potential.

HA7 Old Brickworks As per 1D version of Table HS6 comments with the addition of R4.19.1 requirements as detailed below.

Phasing: All 60 units within 2006 – 2011 time period for same reasons as site HA5.

HA8 Birks Road As per 1D version of Table HS6, noting also that this has both greenfield and a brownfield portions and that access to the football club premises must be guaranteed as part of development (*ref R4.23.1*)

Phasing: All 48 units within 2006 -2011 to provide orderly rate of supply in the town over the plan period and in association with sites HA9/10.

HA9/10 Mill Hill As per Table HS6 comments

Phasing: Phased to enable partial development of the greenfield area for 35 dwellings in the 2006 – 2011 time period allowing access to be formed to the reclaimed brownfield portion. This to be released for development for 66 units during 2011 – 2016 along with a further 35 dwellings on the greenfield portion. Together with the arrangements for HA8 this will enable an orderly rate of supply in the town with a balance of type and location.

HA12/13 Egremont North As per Table HS6 comments. Plan Modifications reduce the original allocation and require a Traffic Impact assessment (*R4.24.1*)

Phasing: 70 units to be released for development during 2011 – 2016. Scheduling after the development of HA14 and the current redevelopment of the former chocolate factory and dairy nearby will better enable an orderly rate of supply.

HA14 Gillfoot Mansion As per Table HS6 comments.

Phasing: All 20 units phased within 2006 – 2011 period to balance against recent developments nearby and the later HA12/13 providing an overall steady rate of supply. This lower density, treed site will also provide a different type of option in the town.

HA30 Devonshire Road As per Table HS6 comments except delete reference to two phases and incorporate Modification *R4.28.1*

Phasing: All 60 dwellings phased for 2006 – 2011 in advance of the greenfield option at HA31 thereby emphasizing the need to give priority to previously used land.

HA31 Adj Lowther Road Estate As per Table HS6 comments but delete reference to two phases and incorporate Modification *R4.29.1*

Phasing: All 30 dwellings to be released during 2011 – 2016 allowing orderly release of land overall (and priority given to completing site HA30 in advance).

HA19 Rowrah Goods Yard As per Table HS6 comments. Increased density following Modification *R4.31.1* to achieve 35 dwellings consistent with still providing a cyclepath user's carpark. Phasing: All 35 units to be released in 2nd half of plan period, 2011 – 2016 to ensure site meets later needs in this and adjoining parishes. The number of existing planning permissions and extent of recent building in this part of the Borough suggest that it is not essential to release the site immediately.

HA20 Crofthouse Farm Allocation significantly modified (see *R4.32.1*) to 5 dwellings and the new requirement is for this to be accommodated on a reduced site nearest the village which is presently occupied by the more substantial stone and brick buildings. Development would be expected to make best use of conversion potential and an additional footway extending towards the village will be required. Phasing: Too small a site to warrant phasing – all 5 units are scheduled for 2006 – 2011.

HA33 Main Street, Cleator A new allocation from Modification *R4.43.1* which will require a development brief to specify requirements as regards access, landscaping and floodrisk. Phasing: All 20 units scheduled for release in the early part of the plan period, 2006 – 2011, to satisfy the apparent needs expressed as objections to the 1D and 2D versions of the Plan.

HA25 Lingla Bank As per Table HS6 comments. Phasing: The 39 dwellings to be split equally between the two time periods to ensure orderly supply.

HA27 Whites Row As per Table HS6 comments. Phasing: Too small to warrant phasing – all 12 units to be released in 2006 – 2011.

HA34 Adj Seascale School A new allocation from Modification *R3.59.1* which will require a development brief to specify requirements as regards access, landscaping and floodrisk. Phasing: All 20 units to be released in the 2nd part of the plan period, 2011 – 2016 to balance against the existing planning permissions to date in the village (21 no).

- R4.10.1 Modify Para 4.2.22 by amending reference to Table "HS4" to "HS6/7"
[PC006]
- R4.10.2 No modification
- R4.11.1 No modification
- R4.12.1 Add new sentence to Para 4.2.12 after the last bullet point as follows:
"In addition, where previously developed land contains environmental assets of importance, consideration will be given to their protection and, if appropriate, enhancement."
- R4.12.2 No modification
- R4.13.1 Omit brackets around the 3rd sentence in Para 4.3.1; replace last sentence of Para 4.3.1 with the following:
"The RSS/JSP requirements are for an orderly release of land over the remaining plan period, incorporating phasing arrangements to achieve the annual targets as an average viewed over two, 5 year time periods i.e. 2006-2011 and 2011-2016. As noted in the JSP, applications for large housing sites may need to be phased and counted towards more than one year supply. The Plan provides for the phasing of both allocated sites and windfalls (Tables HS6/7 and HS8 refer). The phasing requirements for Policy HSG 2 allocated sites are noted in the comments schedule making up Para 4.2.23 and planning permission will not be considered earlier than the period specified unless circumstances materially change. In addition to achieving an orderly release of housing land, these phasing arrangements are seeking the re-use of urban, previously developed land as a first priority, conformity with the Development Strategy in relation to settlement hierarchy and contributing to the overall aim of sustainable regeneration."
- R4.13.2/3 Delete Paras 4.3.2 and 4.3.3 and replace with:
"4.3.2 As noted previously, prior to 2004 the local building industry did not perform well in bringing forward brownfield sites for development. Performance improved in the recent past, in part as a result of the Council's 'Interim Housing Policy' which has been in force since June 2004, pending adoption of this Local Plan. The 'Interim Policy' allowed for only brownfield development, local needs housing and limited greenfield infill options. The effect of decisions taken against the policy should improve the outturn figures for the time period 2002-2006 to the position shown in Table HS4 where a 43:57 recycling balanced is achieved. From this point on the Council is committed to fully meeting the JSP's target for the Borough which is a 30:70 recycling balance, with the steady release

of both greenfield and brownfield sites is incorporated in the phasing arrangements.”

R4.13.4 Delete 1st part of Para 4.3.4 up to and including “...and build rate on the ground.” and replace with:

“4.3.3 Table HS6/7 shows how it is intended to phase planning permissions for new housing development over time. Table HS8 shows how the process is to be managed in spatial terms taking into account the effect of permissions already granted since April 2002 as well as the allocations and allowances for the remainder of the plan period. This involves looking at a number of housing market groups within the 3 main areas of the Borough: North, Mid and South Copeland and incorporating all the phasing requirements as outlined above. The Council will continuously monitor consents, the cumulative effect of consents in market areas and the build rate on the ground to ensure that sites are properly sequenced within the time periods as prescribed in Tables HS6/7 and HS8. It will not grant planning permission for levels of development which would exceed the target figures in the tables.”

A new Para 4.3.4 to be as per the existing Para 4.3.4 from “Where slippage begins to occur...”, incorporating reference to “Table HS6/7” rather than “Table HS7”

R4.13.5 Delete Policy HSG 3 and replace by the following:

“Policy HSG 3: Plan, Monitor and Manage

The release of land for housing purposes will be carefully managed in accordance with the provisions of Tables HS6/7 and HS8. These incorporate phasing requirements for both allocated sites and windfall sites over two five year time periods which make up the remainder of the plan period. This process will ensure an even and orderly supply of housing land in accordance with targets for the recycling of previously used land and buildings.

Continuous monitoring will be undertaken to ensure that planning permissions granted deliver the required build rates on the ground. Planning permission will be refused where proposals would be likely to lead to a significant overprovision of capacity when judged against the annual targets. Should slippage occur in the phased delivery of sites, alternative proposals may be considered subject to their delivering similar forms of development in the vicinity of the subject site.”

Table HS8 is also updated and modified accordingly.

TABLE HS8 – THE MANAGED RELEASE OF HOUSING LAND

MARKET AREAS	Planning approvals granted 2002 - 2005			Indicative Target 2005/2006		Allocations						Windfall Allowance	
	G	B	TOT	G	B	2006/11		2011/16		Totals			
						G	B	G	B	G	B		TOT
Whitehaven including Moresby Parks	73	176	249			100	110	120	27	293	313	606	
Cleator Moor and Cleator	9	48	57			83	20	35	66	127	134	261	
Egremont inc Bigrigg, Moor Row	142	91	233			20		35	35	197	126	323	
Arlecdon/Rowrah and Frizington	8	51	59				19		55	8	125	133	
Distington, Lowca/Parton	91	12	103				12			91	24	115	
Ennerdale, Kirkland, Lamplugh	11	10	21							11	10	21	
St Bees	38	5	43							38	5	43	
Others North Area	46	5	51							46	5	51	
TOTAL NORTH	418	398	816	30	71	203	161	190	183	841	813	1654	433
Beckermet	1	0	1			5				6		6	
Seascale	5	16	21						20	5	36	41	
Others Mid Area	28	12	40							28	12	40	
TOTAL MID	34	28	62	4	9	5			20	43	57	100	58
Millom and Haverigg	10	162	172				60	30		40	222	262	
Others South Area	13	3	16							13	3	16	
TOTAL SOUTH	23	165	188	6	14		60	30		59	239	298	87
TOTALS	475	591	1066	40	94	208	221	220	203	943	1109	2052	578

Overall by Type	2002 – 2006		2006 – 11		2011 - 16	
Permissions/Allocations + indicative target 2005/6	1066 + 134		429		423	
Windfalls			286		292	
TOTAL	1200		715		715	
	G	B	G	B	G	B
Recycling Split			215	500	215	500
%			30	70	30	70

R4.13.6	No modification
R4.14.1	No modification
R4.15.1	To Para 4.3.5 add “All proposals will be expected to conform with Policy DEV 7”.
R4.15.2	No modification
R4.16.1	In the Para 4.2.23 schedule (which replaces the comments column in the 2D Table HS6) the requirements for the Site HA1 Highlands Extension modified to include: “The connection to Harras Road must be designed and implemented to minimise traffic impacts on that road” (and this requirement will be added to the Development Brief for the site).
R4.16.2	The Proposals Map modified with realigned western and southern site boundaries which allow for a pedestrian, cycle and bus connection to Caldbeck Road and to achieve 200 units on a smaller site area.
R4.16.3	Modify Tables HS6/7 and HS8 to show Site HA1 with 100 units in 2006/2011 and 100 in 2011/2016
R4.16.4	No modifications
R4.17.1	No modification
R4.17.2	Modify Tables HS6/7 and HS8 to show Site HA2 Red Lonning with 20 units in 2011/2016.
R4.18.1	No modification
R4.19.1	In Table HS6/7 the ‘Builders’ Yard, Low Road (old brickworks)’ is reinstated as Site HA7, the area is 1.45 hectares, the density is 40 dph or above with a total “yield” of 60 dwellings indicated in the brownfield column. The Para 4.2.23 comments schedule modified to include requirements that its release will be dependent on significant progress having been secured in housing market renewal; that access must be from the B5345 after the Coach Road and Pow Beck Spine Road developments; that public access to the old “brake” on the southern site boundary must be safeguarded and that matters of landscaping, contamination, stability and flood risk be dealt with as set out in the Para 4.2.23 comments schedule
R4.19.2	Proposals Map modified to include new Site HA7 allocation in accordance with details submitted to the Local Plan Inquiry.
R4.19.3	No modification
R4.20.1	Delete Site HA4 Galemire/Summergrove from Table HS6
R4.20.2	Delete Site HA4 from the Proposals Map
R4.20.3	No modification

- R4.21.1 No modification
- R4.22.1 No modification
- R4.23.1 In Table HS6 the Birks Road site is reinstated as Site HA8. However, the site is part brown, part greenfield so the allocation is modified to 20 dwellings on the brownfield section and 28 dwellings on the greenfield area at the rear. The overall total remains at 48 from a minimum density of 30 dph. The 1D comments text is reinstated in the comments schedule re flood risk and access with an additional requirement to safeguard access to the adjoining football pitch and associated facilities.
- R4.23.2 Proposals Map modified with reinstatement of HA8 allocation
- R4.23.3 No modification
- R4.24.1 Modify Table HS6/7 by reducing the number of units at the Adj Mill Hill site, Site HA9, from 115 to 70. Also amend the Site HA9 comments schedule following "Also before building work begins...":
"1. The treatment programme to be completed to the satisfaction of the Council, the Environment Agency and, if appropriate, United Utilities"
[PC007]
- R4.24.2 Modify Tables HS6/7 and HS8 showing Site HA9 with 35 units in 2006/11 and 35 units in 2011/16
- R4.24.3 No modification
- R4.25.1 Modify Para 4.2.23 by adding the following to the comments schedule in respect of Sites HA 12/13 Egremont North:
"A Traffic Impact Assessment will also be required."
[IC003]
- R4.25.2 Modify Table HS6/7 to show a reduction in unit numbers at Site HA12 Egremont North #1 from 100 to 35 dwellings.
- R4.25.3 Modify Tables HS6/7 and HS8 showing Site HA12 with 5 units in 2006/11 and 30 units in 2011/16
- R4.25.4 No modification
- R4.26.1 No modification
- R4.27.1 No modification
- R4.28.1 Delete Para 4.2.23 comments in respect of Site HA30 Devonshire Road and replace with:
"Two phases and brief also to require the following:

- An ecological survey to assess the impact of the proposed development on the Duddon Estuary SSSI together with a scheme of ecological mitigation / enhancement measures
 - a landscaping scheme which incorporates some of the existing planting and other planting and nature conservation safeguards to protect the adjoining Nature Reserve
 - Pedestrian (and possibly cyclist) access to the LNR and thereby connecting with the local footpath network
 - A whole site flood risk assessment / surface water drainage strategy
 - A desk study, site investigation and remediation strategy”
- [PC008]
- R4.28.2 Modify Tables HS6/7 and HS8 so that Site HA30 is phased for release in time block 2006/11 i.e. before Site HA 31 Adj Lowther Road Estate (ref R4.29.2 below)
- R4.28.3 No modification
- R4.29.1 Modify Para 4.2.23 by amending comments for Site HA31, Adj Lowther Road Estate to read:
"Brief to require:
- nature conservation study with protection / enhancement measures to be incorporated in layout:
 - a whole site flood risk assessment / surface water drainage strategy and an assessment of the potential impact from any existing or former land uses either on or close to the site.
 - improved surfacing and lighting for the existing footpath
- [PC009]
- R4.29.2 Modify Tables HS6/7 and HS8 so that Site HA31 is phased for release in time block 2011/16 i.e. after Site HA30 Devonshire Road (ref R4.228.2 above)
- R4.29.3 No modification
- R4.30.1 No modification
- R4.31.1 Modify Table HS6/7 by increasing the density figure for Site HA19, Rowrah Goods Yard from 20 to 30 dph with a proportionate increase in unit total from 26 to 35 dwellings
- R4.31.2 No modification
- R4.32.1 Modify Table HS6/7 by reducing the size of Site HA20, Crofthouse Farm from 0.7 ha to 0.2 ha, increasing the density required from 20 to 30 dph and therefore reducing the unit “yield” from 14 to 5 dwellings
- R4.32.2 Modify Proposals Map by reducing site area for Site HA20’s allocation to 0.2 ha and amending the Beckermat Settlement Boundary definition to suit

- R4.32.3 No modification
- R4.33.1 Delete Site HA21, Vicarage Lane Extension from Table HS6/7. Modify Table HS8 by removing the allocation from the Ennerdale/Kirkland/Lamplugh figures
- R4.33.2 Delete Site HA21 from the Proposals Map and redraw the Settlement Boundary to exclude the site
- R4.33.3 No modification
- R4.34.1 Delete Site HA22, Kirkland West from Tables HS6/7. Modify Table HS8 by removing the allocation from the Ennerdale/Kirkland/Lamplugh figures
- R4.34.2 Delete Site HA22 from the Proposals Map and redraw Settlement Boundary to exclude the site
- R4.34.3 No modification
- R4.35.1 Delete Site HA23, Former Murton Pit from Tables HS6/7. Modify Table HS8 by removing the allocation from the Ennerdale/Kirkland/Lamplugh figures
- R4.35.2 Delete Site HA23 from the Proposals Map and remove the Settlement Boundary here
- R4.35.3 Delete Lamplugh from the list of Local Centres prescribed under Policy DEV 3
- R4.35.4 No modification
- R4.36.1 No modification
- R4.37.1 Delete site HA32, Cleator Mills from Table HS6/7. Modify Table HS8 by removing the allocation from the Cleator Moor/Cleator figures.
Amend Table EM2 - area of site changes from 3.74 to 2.74 ha.
Amend Permitted Use for Site to read "Also leisure / tourism related uses"
Delete "(see also HSG 2 re mixed use)".
Amend Table EM2 'Employment Allocations Total' to accord with a 2.74 ha figure for the Cleator Mills site
Amend 5.2.12 and Policy EMP 1 total figure references to take this into account.
[PC010]
- R4.37.2 No modification
- R4.38.1 No modification
- R4.39.1 No modification
- R4.40.1 No modification

- R4.41.1 No modification
- R4.42.1 No modification
- R4.43.1 Modify Table HS6/7 by adding the “Cleator Omission Site E” (adj the Ennerdale Country House Hotel) as a housing allocation for 20 dwellings at a density of 30 dph. Re-label as Site HA33, Main Street, Cleator. Adjust figures for Cleator Moor/Cleator in Table HS8 accordingly
- R4.43.2 Modify Proposals Map by adding Site HA33 to housing allocations under Policy HSG 2
- R4.43.3 No modification
- R4.44.1 No modification
- R4.45.1 No modification
- R4.46.1 Add to the end of Para 4.7.6: “The Cumbria Rural Housing Trust can provide help and guidance on such needs assessments”
- R4.46.2 No modification
- R4.47.1 No modification
- R4.48.1 Delete from first two lines of Policy HSG 7 “Planning permission” to “unless” and replace with:
“Where planning permission is sought to remove an agricultural occupancy condition, it will be replaced wherever possible by other local occupancy conditions. Planning permission for the removal of occupancy conditions will only be granted where...”
- R4.48.2 Add a new second sentence to Para 4.4.4:
“It may be that there are otherwise unmet needs in the locality which the subject dwelling could satisfy, again safeguarded by the application of a similar occupancy condition, thereby obviating the need for additional new building in rural areas.” Also the last sentence of Para 4.4.4 be amended so as to read:
“The Council will wish to ensure that all housing needs arising from local social and economic circumstances are examined which could be met by the subject property without the need for alternative new building. The advice of Housing Associations and Trusts operating in the area should also be sought.”
- R4.48.3 No modification
- R4.49.1 In the 4th criterion of Policy HSG 8 delete all text which appears after “30 dwellings per hectare”
- R4.49.2 Add new sentence to Paras 3.2.2 and 4.5.1: “It should be noted that the Council is committed to the early production of a Supplementary

	Planning Document on design character and quality of new housing development as part of its Local Development Framework.”
R4.49.3	No modification
R4.50.1	No modification
R4.51.1	No modification
R4.52.1	Modify Policy HSG 10 by deleting the words “high density” from the 1 st line
R4.52.2	No modification
R4.53.1	No modification
R4.54.1	No modification
R4.55.1	No modification
R4.56.1	Modify Para 4.8.13 by adding: “Planning permissions for dwellings arising from this policy will be monitored in accordance with the provisions set out in section 4.3, in order to meet the land recycling target, ensure an orderly release of land and secure overall compliance with the Development Strategy.”
R4.56.2	No modification
R4.57.1	No modification
R4.58.1	Modify Para 4.9.1 by deleting the words: “Particular care will be needed” and replacing them with: “Care will be needed to avoid adverse landscape and visual impacts, particularly...”Also insert comma after “(Policy ENV 6)”
R4.58.2	No modification
R4.59.1	No modification
R4.60.1	No modification
R4.61.1	No modification
R4.62.1	No modification
R4.63.1	No modification
R4.64.1	Modify by deleting Criterion 1 of Policy HSG 26 and replacing it with: “1. not involve locations within or adjoining: <ul style="list-style-type: none"> • St Bees Head Heritage Coast • Landscapes of County Importance

- areas of nature conservation interest including SSSIs, Local Nature Reserves and Sites of Wildlife Importance
 - Conservation Areas or in the vicinity of Listed Buildings or Scheduled Ancient Monuments
- or otherwise have an adverse impact on the local landscape or undeveloped coast”
- R4.64.2 At end of Policy HSG 26 add the following:
“Proposals must also be in accordance with other relevant Local Plan policies.”
- R4.64.3 No modifications
- R4.65.1 Modify by deleting Criterion 1 of Policy HSG 27 and replacing it with:
“1. not involve locations within or adjoining:
- St Bees Head Heritage Coast
 - Landscapes of County Importance
 - areas of nature conservation interest including SSSIs, Local Nature Reserves and Sites of Wildlife Importance
 - Conservation Areas or in the vicinity of Listed Buildings or Scheduled Ancient Monuments
- or otherwise have an adverse impact on the local landscape or undeveloped coast”
- R4.65.2 No modification

5. REGENERATION

- R5.1.1 No modification
- R5.2.1 Delete Para 5.2.12 and replace with:
“5.2.12 In making provision for new employment needs over the plan period the Council has assessed the potential of existing employment sites (some of which are redesignated for other uses, and others are reduced in size) and has looked at new site opportunities, particularly in relation to market growth sectors and regeneration needs. The current stock of planning permissions for employment use extends to 51 ha which goes a long way to achieving the overall JSP target of 84 ha for the Borough by 2016. Policy DEV 4 requires a sequential approach to be adopted in the allocation of new sites, favouring previously used land and buildings, and their supply is expected to be phased in an orderly fashion and line with JSP Policy EM13. Reference to both of these issues is made in each of the Market Sector resumes which follow within Para 5.2.15. The Market Sectors are those identified in RSS and Table

EM2 sets out all the sites and the contributions they are expected to make. Policy EMP 1 confirms the designation of all the sites in Table EM2 for employment use. A comparative assessment of each of the sectors in terms of JSP requirements is also included in Para 5.2.15.”

Delete 2nd and 3rd sentences of Para 5.2.13.

Delete Para 5.2.14 and replace with:

“5.2.14 In addition to the sites allocated by virtue of Policy EMP 1 three Employment Opportunity Sites have been identified in Whitehaven and Cleator Moor (the former Marchon works, Pow Beck Valley and Leconfield Industrial Estate). Further work is scheduled for all three to establish their employment potential. Modify Table EM2 by adding 0.76 ha to the E12 Mainsgate Road site reflecting the modification at R5.7.1 and the totals for “Local Employment Sites” and “Employment Allocations” accordingly. Also modify Table EM2 by a) clarifying that the reference to non-food retail in the permitted use column for site E2 relates to an old, but still extant planning permission, which allows for limited retailing in the case of two small buildings and b) that the E8 site is no longer available for mixed use in accordance with R4.37.1 above.

Modify total designation figure in Policy EMP 1 to 89 ha.

Renumber Para 5.2.16 as 5.2.15 (since original of latter has been struck out in 2D) and incorporate the following to explain the brownfield:greenfield sequence and any phasing requirements under the heading “Comments re DEV 4 sequence/phasing”:

For The Westlakes Science and Technology Park add:

“This is a special case. Although involving greenfield land this was originally based on an existing building complex (former Ingwell School). It is a Regional Investment Site with a vital role to play in regenerating the local economy. The aim is to provide for a steady rate of development through the plan period in association with housing allocations in the nearby Key Service Centres and the land with planning permission is expected to be developed before the new allocation of 19 ha. All further development will be subject to a Development Brief (in accordance with Paras 3.4.5 and 5.2.18) which will include requirements at R5.11.2 and the need for a comprehensive landscape strategy for phased implementation ahead of the building programmes.”

For The Whitehaven Commercial Park add:

“There is no new allocation of land here which can be sequenced and the terms of planning permission do not require a phased development.” *They did, however, allow some limited non-food retailing and it was this to which the now deleted comments in the Permitted Use column of Table EM2 referred. In line with Policy*

TCN 1 this will not be extended in any way in the future. Further development will require prior approval of a Development Brief.

For Local Employment Sites add:

“In Whitehaven Sites E3 and E5 are existing sites which are too small to warrant phasing. Site E4 is greenfield and is to be split equally between two 2006-2011 and 2011-2016 time periods to allow for an orderly supply unless a potential single user emerges and there is no viable alternative in the area.

At Cleator Moor the E6 site has been reclassified as an Employment Opportunity Site (see R3.26.2) which may include non-employment uses. Accordingly the E7 extension which involves greenfield land (because there is no brownfield alternative next to E6) is phased for development only after the E6 site has been comprehensively improved and developed. A Development Brief will be required, informed by the approach to design incorporated in the work on E6 development.

The E8 Cleator Mills site is not phased for development because it can offer a mix of leisure and employment use potential. It is a greenfield site but is effectively the residue of an industrial estate which has been available for employment use for many years.

At Egremont the E10 allocation is similar to E7 i.e. a greenfield extension to an existing site. It is therefore phased for development after the existing E9 site has been substantially completed and taken up.

In Millom the E11 Millom Pier site is brownfield and is therefore available for efficient re-use in the early part of the remaining plan period. The permitted uses are extended to allow leisure/tourism related uses but the site is ..” (*at this point add modification at R5.6.2 from “particularly sensitive..”*)

The E12 allocation involves land to provide expansion options for the occupiers of the former Elbeo premises. This is one of the few new successful enterprises in the town so no phasing constraint is imposed. It is greenfield but there is no brownfield alternative to do the job and similarly the flood risk to which it is in part subject can be accepted within the PPG 25 sequential test since there are no other reasonable expansion options in a lower risk category in the area.

At Seascale the E21 site represents the only workshop allocation in Mid-Copeland. Although greenfield it is the only available expansion area and is too small to subject to a phasing programme.

Further modify Para 5.2.16 (*now 5.2.15*) by the addition of the following tables for each of the three market sectors to be placed immediately after the ‘criteria boxes’ (all in hectares):

Business/Science Park

JSP Total Requirement	30
Land with Planning Permission	31.84
New Employment Allocation	19.12
Plan Total	50.96

Phasing: Land with planning permission to be substantially developed out before new allocation

Strategic Employment Site

JSP Total Requirement	15
Land with Planning Permission	12.7
New Employment Allocation	---
Plan Total	12.7

Phasing: None

Local Employment Site

JSP Total Requirement	39
Land with Planning Permission	6.65
New Employment Allocation	18.68
Plan Total	25.33

Phasing:	2006 - 2011	9.64
	2011 – 2016	9.04

- R5.3.1 Add sentence at the end of Para 5.2.16 (pp 110):
“Site E7 adjoining the Leconfield Estate at Cleator Moor exhibits some biodiversity interest. Measures to safeguard and enhance this interest will be required as part of a development brief and subsequent development.”
- R5.3.2 No modification
- R5.4.1 No modification
- R5.5.1 No modification
- R5.6.1 Modify Table EM2 by adding:
“Also leisure/tourism related uses”
to the ‘Permitted Use’ column in relation to E11 Millom Pier

- R5.6.2 Modify Para 5.2.16 by replacing the red, underlined section in 2D with the following:
 “The E11 Millom Pier site is particularly sensitive in visual and biodiversity terms, overlooking the Duddon Estuary and adjoining an SSSI and SPA. A development brief will therefore be required before specific development proposals are considered together with an Environmental Impact Assessment.”
- R5.6.3 No modification
- R5.7.1 Modify the area of site E12 to 2.34 ha in Table EM2 and rename it as:
 “Mainsgate Road Expansion site”
- R5.7.2 Modify the Proposals Map to show revised employment allocation (Policy EMP 1) and amend settlement boundary to incorporate the revised allocation (Policy DEV 4).
- R5.7.3 No modification
- R5.8.1 No modification
- R5.9.1 No modification
- R5.10.1 No modification
- R5.11.1 Insert additional paragraph after 5.2.14 to read
 “Most sites will require a Flood Risk Assessment / Drainage Strategy in line with Policy ENV16.”
 Amend wording of Para 5.2.16 (bottom of p108) to read:
 "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. Flooding issues must also be taken into account and a Flood Risk Assessment and Drainage Strategy will also be required. The importance of retaining wildlife strips adjacent to watercourses must also be considered. A sensitive landscaping scheme will also be an essential part of any development proposals to maintain the established character of the Park."
 [PC011]
- R5.11.2 Add the following to Para 5.2.16 (as amended by R5.11.1):
 “The landscaping scheme must include particular attention to the creation of buffer zones between the development areas on site and adjoining housing. Access to the highway network via the Summergrove area or to the Moor Row to Keekle Road (C4003) will be restricted to emergency purposes only.
- R5.11.3 No modification
- R5.12.1 In Para 5.2.17 (‘Former Marchon Site, Kells’) delete:

- "The Environment Agency has notified it as a 'special site' in relation to clean up of contamination....." and replace with:
 "The Council has designated it as a 'special site'. The Environment Agency is responsible for inspection and remediation of contamination and investigations are underway into the most appropriate remediation works and possible end uses."
 [PC012]
- R5.12.2 Add to last sentence of section of Para 5.2.17 amended by R.12.1:
 "The Council and its regeneration partners are committed to seeking outcomes which improve the environment of the former Marchon site and contribute to sustainable regeneration."
- R5.12.3 No modification
- R5.13.1 No modification
- R5.14.1 No modification
- R5.15.1 No modification
- R5.16.1 No modification
- R5.17.1 No modification
- R5.18.1 No modification
- R5.19.1 Modify Policy EMP 7 by deleting "or" at the end of criterion 4 and add after the criteria:
 "and the wider community benefits outweigh the loss of employment land."
- R5.19.2 No modifications
- R5.20.1 Major amendments to Section 5.3 mainly in line with the Inspector's recommendations. These involve a new overall policy (a new Policy TCN 1), a repositioned Policy DEV 5 (which becomes Policy TCN 2) and reorganizing the 'running order' and reference numbers of the remaining 2D policies. In addition some 2D policies are to be deleted - *see following Modifications*.
 In terms of updating the Plan, in the 2nd sentence of Para 5.3.2 change reference from "PPG 6" to "PPS 6: Planning for Town Centres" and in last sentence change reference from "Policy DEV 5 (3.1.8 – 9)" to "Policy TCN 2". Also add reference before JSP policies to "Policy EC8 in RSS".
- R5.20.2/5 Para 5.3.3 to be replaced with the following:
 "In terms of the hierarchy of centres as defined in PPS 6 Annex A the Council identifies Whitehaven as the principal or 'Town Centre' of the Borough with Cleator Moor, Egremont and Millom performing the roles of 'District Centres'. The Council's approach to

development of these centres will be to promote their vitality and viability, to strengthen their roles in the hierarchy and to assist their regeneration as part of the rebuilding of the local economy over the next few years. It will therefore resist proposals which could weaken individual centres or the network of centres or which could damage the ability of the centres to secure the necessary inward investment to facilitate renewal.

POLICY TCN 1 : PROMOTING VITALITY AND VIABILITY OF TOWN CENTRES

The vitality and viability of existing town centres will be protected and promoted. Proposals that are contrary to this will not be permitted.”

- R5.20.6 *Paras 3.1.8 – 3.1.10 are to be inserted here as 5.3.4 – 5.3.6 followed by Policy DEV 5 re-numbered as Policy TCN 2. Para 5.3.3 of 2D now becomes 5.3.7 and all paras thereafter renumbered in sequence up to 5.3.7 (2D) which becomes 5.3.11.*
- R5.20.3/4/7 Para 5.3.7 (2D), now 5.3.11, is extended by addition of: “The percentages in Table TC1 relate to the number of respondents who mentioned a particular issue as being significant for them (i.e. 12% of those expressing an opinion about Cleator Moor felt its cleanliness was an issue).” and overall the significant levels of dissatisfaction have to be addressed as part of Action Area Plans the Council intends to prepare for each of the 4 KSC town centres as part of the Local Development Framework. These will involve wide consultation but will be based on local ‘masterplanning’ exercises that have already been undertaken for the Council and its regeneration partners. The particular issues which are identified as shortcomings for Whitehaven are taken up in the focus of Policy TCN 9 ”
- Para 5.3.19 (2D) now renumbered as 5.3.12 then follows introducing Policy TCN 7 Town Centre Improvements now renumbered as Policy TCN 3. A 2nd sentence is added to the new Para 5.3.12: “Comments on the requirements for Whitehaven are made in Paras 5.3.18 – 21”
- Para 5.3.24 (2D) now renumbered as 5.3.13 then follows introducing Policy TCN 10 Town Centre Design now renumbered as Policy TCN 4.
- Para 5.3.26 (2D) now renumbered as 5.3.14 then follows introducing Policy TCN 12 Street Markets now renumbered as Policy TCN 5.
- Para 5.3.27 (2D) now renumbered as 5.3.15 then follows introducing Policy TCN 13 Non Retail Uses in Town Centres now renumbered as Policy TCN 6.

Para 5.3.28 (2D) now renumbered as 5.3.16 then follows introducing Policy TCN 14 Food and Drink in Town Centres now renumbered as Policy TCN 7.

Para 5.3.29 (2D) now renumbered as 5.3.17 then follows introducing Policy TCN 15 Amusement Centres now renumbered as Policy TCN 8.

Heading inserted at this point: “Key Service Centres” followed by “a)Whitehaven” then Paras 5.3.8 – 11 (2D) now renumbered as 5.3.18 – 21 introducing Policy TCN 1 Whitehaven Town Centre Strategy now renumbered as Policy TCN 9. Reference to Policy TCN 1 in new Para 5.3.21 revised to TCN 9 and insert “as an Action Area Plan” in last sentence.

Para 5.3.12 (2D) then follows renumbered as 5.3.22 with all para references therein altered to accord with revised sequence and reference to “primary shopping area” in the 4th sentence altered to “Primary Frontage” (*see R5.23.3*). Add the following (*which is taken from the otherwise deleted Para 5.3.14 of 2D*) to the last sentence “...and obviously place constraints on opportunities for larger retail schemes and other extensive land uses within the town centre boundaries.”

Remainder of Modification to this section on Whitehaven is set out in R5.23.1 – 5 below.

A new heading “b) Other Key Service Centres” is inserted after the section on Whitehaven followed by Para 5.3.17 (2D) now renumbered as 5.3.24 and add the following to 3rd sentence after “..regional shopping context”: “...and within the hierarchy of centres in the Borough as identified in the Plan.” Also change reference to Policy DEV 5 to Policy TCN 2 and confirm that the Town Centre boundaries at Cleator Moor, Egremont and Millom follow the Conservation Area boundaries.

Policy TCN 5 (2D) is deleted see R5.25.1

A new heading “Local Centres” is inserted at this point followed by Para 5.3.18 (2D) renumbered as 5.3.26 and extended by the addition of “...which are identified as ‘Local Centres’ within the terms of the PPS 6 Annex A hierarchy-definitions.” Policy TCN 6 Local Centres (2D) then follows renumbered as Policy TCN 13.

A new heading “Village and Neighbourhood Shopping” is inserted at this point followed by Para 5.3.21 (2D) renumbered as 5.3.27 with a new opening to the 2nd sentence as follows: “These usually operate below the hierarchy of centres referred to in Para 5.3.3 and 5.3.24 and ...” Omit the word “However” , continue with: “..these sectors...” and refer to “implementation” (of Policy SVC 12) rather than “imposition” in 3rd sentence (*repairing an original typing error*). Policy TCN 9 Village and Neighbourhood Shopping (2D) then follows renumbered as Policy TCN 14.

- R5.21.1 No modification
- R5.22.1 No modification
- R5.23.1 **No Modification**
 The Council appreciates the Inspector's logic in recommending that the Whitehaven town centre boundary should be redefined. However it does not feel that it is appropriate to publish such a significant change as a Modification to the Plan. It would be better to include this and the definition of a Primary Shopping Area (see *R5.23.3 below*) as part of the Action Area Plan for the town centre and harbour which is scheduled for early completion in the Local Development Framework (2007). In this way the exercise can be based on a full and transparent consultation programme. At the same time the Council is conscious of an outstanding planning application for a major food superstore close to the town centre boundary which has yet to be determined. Any alteration to the boundary at this sensitive time could be construed as manipulative on the part of the local planning authority, especially in the circumstances where the Inspector has not provided actual boundary definitions as part of his recommendation. The boundary as shown in 2D is retained as is Policy TCN 2 but renumbered in the new sequence as Policy TCN 10.
- R5.23.2 Delete 5.3.13 - 5.3.15 inclusive together with Policy TCN 3
- R5.23.3 **No Modification** in terms of designating a Primary Shopping Area as per the PPS 6 Annex A Table 2 definitions: *see argument expressed in R5.23.1 above*
 Modification: Policy TCN 4 retained, renumbered in the new sequence as Policy TCN 11 and retitled as "Primary Frontages". The 1st sentence is altered to "A Primary Frontages Area is designated..."
 Para 5.3.16 (2D) is renumbered as 5.3.23 and amended: 1st sentence to now begin "The most intensive area of shopping use in Whitehaven town centre is along King Street between Market Place and Duke Street and this is identified on the Proposals Map as the Primary Frontages Area." Remainder as per 2D with the exception of the 4th sentence beginning "King Street is therefore..." which is to be deleted
- R5.23.4 Delete "Whitehaven Town Centre Peripheral Area" from Proposals Map. Retain area on Proposals Map delineated as "Whitehaven Prime Shopping Area" but change wording of this designation to "Whitehaven Primary Frontages (TCN 11)".
- R5.23.5 No modification
- R5.24.1 Delete "...and small scale community facilities" from the second sentence of Para 5.3.13
 [PC013]
- R5.24.2 No modification

R5.25.1 Delete Policy TCN 5 – supporting text in Para 5.3.17 retained as 5.3.24 in the new sequence as the 1st sentence under the heading “Other Key Service Centres” (see R5.20.3/4/7 above)

R5.25.2 No modification

R5.26.1 No modification

R5.27.1 }

R5.28.1 } *Combined as follows:*

R5.28.3 }

Modify Table TC2 by deleting sites which are not within the defined Town Centre Boundaries for Whitehaven and Egremont. Specifically these are site WTC 6 and sites WTC 10 – 14 in Whitehaven and site ETC 1 in Egremont. Modify Policy TCN 8 (2D) which is now renumbered as Policy TCN 12 in the new sequence to read as follows:

“Policy TCN 12 : Town Centre Opportunity Development Sites

Proposals for the development of sites identified in Table TC2 will be permitted subject to their meeting the requirements of Policies TCN 1, 2 and 4 and other Plan policies. The sites 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.”

Modify Para 5.3.20 (2D), now renumbered 5.3.25 in the new sequence to read:

“Sites in Whitehaven and Cleator Moor town centres have been identified which are under-used, vacant or derelict or where existing uses are not entirely compatible with their surroundings. There are a variety of town centre uses which would be appropriate for their redevelopment including retail, commercial, leisure, residential and hotel use so long as the requirements of other Plan policies are met and in particular those of Policies TCN 1,2 and 4. Generally the Council and its regeneration partners would wish to encourage ‘active’ ground floor frontages and would favour the development of site WTC 2 site in Whitehaven as an hotel. There are similar sites to those in Table TC2 which are in areas of Whitehaven and Egremont very close to the town centre boundaries. These are identified in a new Para 5.2.18 (see *immediately below*) as additional Employment Opportunity Sites to which Policy EMP 3 refers. The Council is committed to the preparation of an Area Action Plan for the town centre and harbour at Whitehaven which will examine both the

Table TC2 town centre sites and the Employment Opportunity Sites nearby. The site identified at Cleator Moor will be investigated as part of the scheduled work on a Supplementary Development Document.”

Modify Section 5.2 of the Plan by adding a new Para 5.2.18 as follows:

“5.2.18 Sites Close to Town Centres

Additional, smaller sites have been identified close to the town centre boundaries of Whitehaven and Egremont (see list below WEOS and EEOS). These were originally included in the Town Centre Opportunity Development Sites (ref Policy TCN 12) in previous versions of the Plan but are now treated as additional Employment Opportunity Sites for redevelopment which would follow the requirements of other Plan policies – in particular the sequential requirements of Policy TCN 2 – and accord with the proposals brought forward from the Local Development Framework. At Whitehaven the latter relates to Area Action Plan work and at Egremont a Supplementary Development Document is scheduled.”
(See also R3.2.26 and R5.12.1)

Sites: WEOS1	Old Dawnfresh factory site	1.41ha
WEOS2	Jacksons timber yard	0.47ha
WEOS3	Preston St. garage	0.45ha
WEOS4	BT Depot	0.90ha
WEOS5	Land at Ginns	3.00ha
WEOS6	Land at Coach Rd	0.63ha

EEOS1	Land at Chapel St	0.88ha
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(These are Sites WTC6, WTC10-14 and ETC1 from the 2D Table TC2)

R5.27.2	Modify Proposals Map to show all the R5.27.1 Modifications.
R5.27.3	No modifications
R5.28.1/2	As above
R5.28.3	As above
R5.28.4	No modifications
R5.29.1	No modification
R5.30.1	No modification
R5.31.1	No modification
R5.32.1	No modification
R5.33.1	Modify by deleting Paras 5.3.22/23 in 2D form. Replace with new Para 5.3.29 in the new sequence as follows:

- “5.3.29 Proposals for out of centre retail development will be assessed against the requirements of Plan policies, particularly DEV 4, DEV 8, and the sequential tests of Policy TCN 2 together with the requirements of PPS 6.”
- R5.33.2 No modification
- R5.34.1 No modification
- R5.35.1 Modify by deleting Policy TCN 11. Also by additional sentence to Para 5.3.25: “The Council will assess proposals against the requirements of Plan policies, particularly Policies DEV 4, DEV 8, TCN 2, EMP 1 and EMP7.”
- R5.35.2 No modification
- R5.36.1 No modification
- R5.37.1 No modification
- R5.38.1 No modification
- R5.38.2 Modify by deleting Policy TCN 16 and delete last sentence of Para 5.3.30 (2D). Renumber as Para 5.3. and add new last sentence: “Exceptionally, where a special case can be made and the requirements of Plan policies are met, particularly Policy TCN 2, consideration may be given to proposals involving sustainable locations on the periphery of the main settlements.”
- R5.39.1 No modification
- R5.40.1 No modification
- R5.41.1 No modification
- R5.42.1 Add new sentence to paragraph 5.4.8:
“This will particularly be the case in the defined areas of Undeveloped Coast in TOS1 and TOS3 where Policies ENV14 and 15 will apply. In relation to TOS3 hard development will only be considered in the northern section near Haig Mining Museum - otherwise opportunities will be available as part of the remediation package of the former Marchon site adjoining (policy EMP3 refers).”
- R5.42.2 No modifications
- R5.43.1 Modify Policy TSM 3 to read as follows:
“Proposals for new hotel accommodation will be assessed against the requirements of Plan policies, particularly Policy TCN 2 and the requirements of PPS 6. Proposals for guest house or bed and breakfast establishments will be permitted so long as the proposed development would not conflict with the sustainable design

- requirements set out in Policy DEV 7 and the site is within the settlement boundaries prescribed by Policy DEV 4. Proposals for extending existing serviced accommodation will be permitted so long as they do not conflict with Policy DEV 7 or other Plan policies and the site is well-related to the main transport networks.”
- R5.43.2 No modification
- R5.44.1 No modification
- R5.45.1 Add the following to the last sentence of Para 5.4.13:
 “...and proposals should meet the requirements of Policy DEV 7.”
 Delete the following from Policy TSM 5:
 “...which meet the sustainable design requirements of Policy DEV 7...”
 Delete “adequately screened” from Policy TSM 5 and replace with “well-screened”
- R5.46.1 Add to Policy TSM 6:
 “The scale and character of the replacement chalet is to match that which it is proposed to replace”
- R5.46.2 No modification
- R5.47.1 Modify wording of 2nd sentence of paragraph 5.4.15:
 “...The Council will support any such proposals in appropriate situations including the expansion of existing facilities subject to the requirements of plan policies, in particular the implementation of Policy RUR1.”
 [PC014]
- R5.47.2 No modifications
- R5.48.1 Re-title Policy RUR 1 as:
 “Economic Regeneration in Rural Areas”
 Delete the word “employment” which appears twice in the first sentence of Policy RUR 1 and replace on both occasions with “economic”.
- Modify existing criterion no. 4 of Policy RUR 1 to read:
 “The site is reasonably well-related to local transport network ks, particularly public transport routes and those enabling access by foot and cycle and the scale of development would not add significantly to traffic flows on the local networks” (*see also 5.48.3 below*)
- R5.48.2 Modify Para 5.5.3 by deleting 3rd sentence (beginning “There is, too scope...” and replacing it with the following:
 “There is also scope for well conceived farm diversification schemes which could include light industrial, service or tourism uses so long as these uses remain incidental to and help sustain the main economic activity, agriculture and are consistent in their scale with

their rural location. The Council will give preference to the conversion of traditionally constructed and sound buildings for such purposes within established building groups (see also Policy HSG 17). The replacement of buildings for this form of development may be favoured where the proposal would involve an overall improvement in terms of the impact of development on its surroundings and landscape as noted in PPS 7 Para 19 and the replacement building is no bigger than the subject it is to replace.

Add to Para 5.5.4 after 2nd sentence: “It is also important to ensure that rural economic development does not end up creating long distance commuting or unacceptable traffic conditions on country roads which are unsuitable for heavy volumes of traffic, particularly HGVs. The Council will expect proposals which involve significant increases in employment or are likely to generate significant increases in HGV traffic movements to be located in or close to Key Service Centres or Local Centres.

In view of these modifications the following modifications are made to Policy RUR 1:

Policy RUR 1 Economic Regeneration in Rural Areas

Proposals for the conversion or replacement of existing buildings in rural areas for small-scale, ancillary development for employment purposes will be permitted subject to other plan policies and:

1. as existing
2. as existing
3. the replacement building is of a size and character which is appropriate to the existing building group and its setting and is no bigger than the building it replaces
4. as existing criteria no.3
5. as modified above (R5.48.1)

R5.48.3	In the first sentence of Para 5.5.4 add “and facilities” after “Small scale tourist attractions...” and “(see para 5.4.15)” at the end of the sentence. [PC015]
R5.48.4	No modification
R5.49.1	No modification

6. ENVIRONMENT

R6.1.1	No modification
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- R6.2.1 No modification
- R6.3.1 Modify Policy ENV 1 by deleting the last sentence and replacing it with:
 “Where development proposals meet the above criteria (+ R6.6.2 addition) the use of conditions and planning obligations will be considered as the means of securing all necessary mitigation and compensatory measures to ensure the protection and enhancement of the international nature conservation value of the site.”
 Modify Policy ENV 4 by adding “...and where possible enhance...” after “...which could reinstate...” in the 1st sentence.
- R6.3.2 To Policy ENV1 add “and in accordance with Policy DEV 8,” after “...meet the above criteria...” in the final sentence.
 To Policies ENV 2 and ENV 3 add “and in accordance with Policy DEV 8,” after “Where development is permitted...” in the final sentence of both policies
 In Policy ENV 4 delete the 2nd and 3rd sentence and replace with:
 “Where development is permitted and in accordance with Policy DEV 8 the use of conditions and planning obligations will be considered for this purpose. Management agreements with landowners and developers will also be sought where appropriate.”
 Replace 3rd sentence of Policy ENV 5 with:
 “Where development is permitted and in accordance with Policy DEV 8 the use of conditions and planning obligations to provide appropriate mitigation and compensatory measures will be considered. In particular these will address measures to:”
- R6.3.3 No modification
- R6.4.1 In 1st sentence of Policy ENV 1 delete "affects" and replace with "...may adversely affect"
 [PC016]
- R6.4.2 No modification
- R6.5.1 Add word “will” to 2nd sentence of policy ENV2 after "Development proposals..." (repairing typo)
 [PC017]
- R6.5.2 No modification
- R6.6.1 No modification
- R6.7.1 No modification
- R6.8.1 No modification
- R6.9.1 Modify Policy ENV 4 by adding the words “...and habitat...” after “landscape features...” in the 1st and 4th sentences

R6.9.2	[PC018] No modification
R6.10.1	In last sentence of Para 6.1.16 Delete "harm" and replace with "affect"
R6.10.2	[PC019] No modification
R6.11.1	No modification
R6.12.1	In 1 st sentence of Para 6.2.2 delete "replace" and replace with "..to run alongside..."
R6.12.2	[PC020] Modify Para 6.2.2, revising from 2 nd sentence onwards as follows: "This approach will be taken into consideration in measuring the impact of proposed development and land use change in accordance with RSS Policy ER2 and JSP Policy E37 as it becomes available. Proposals will be judged in terms of their likely effect on the character and distinctive features of the particular landscape involved. These include both natural and man-made features and proposals will be expected to enhance or be in sympathy with the local character. A Supplementary Development Document on Landscape Character is shortly to be prepared by the County Council on behalf of all the Cumbrian authorities. This will provide more detailed guidance on the issues." Remainder as per the 2D version.
R6.12.3	Add to Policy ENV 6: "Elsewhere the Council will seek to protect the character of, and wherever possible enhance the local distinctiveness of the wider landscapes of the area." No modification
R.6.13.1	No modification
R6.14.1	No modification
R6.15.1	No modification
R6.16.1	No modification
R6.17.1	No modification
R6.18.1	No modification
R6.19.1	No modification

- R6.20.1 No modification
- R6.21.1 No modification
- R6.22.1 Modify Para 6.2.8 by deleting last sentence beginning “JSP Policy E40...” Add the following to end of the 3rd sentence: “...or archaeological or historic features and are compatible with existing landscape character – in line with JSP Policy E40.”
(Paragraphs 6.2.7 – 6.2.9 taken together are intended to explain the application of JSP Policy E40)
- R6.22.2 No modification
- R6.23.1 Add to Para 6.2.9:
“Generally the Council will encourage and secure tree planting in ways that will contribute to the achievement of Biodiversity Action Plan targets.”
- R6.23.2 No modification
- R6.24.1 No modification
- R6.25.1 In 2nd sentence of Para 6.2.10 delete: “...in the more sensitive locations.” and replace with:
“...commensurate with the scale of the proposal, in character with the locality and using indigenous species.”
- R6.25.2 No modification
- R6.26.1 No modification
- R6.27.1 No modification
- R6.27.2 Amend Policy ENV 13 to read:
“Existing rights of way will be protected from development and proposals for the improvement and promotion of locally important circular routes and long distance paths where possible served by public transport and/or sensitively designed and landscaped car parking will be supported”
[IC005]
- R6.28.1 No modification
- R6.29.1 Delete Para 6.4.5 and replace with:
"Areas at risk from tidal flooding are shown on the Environment Agency's Flood Map. This information is regularly updated by both the Agency and the Council and the most up to date information is available on the Agency's website www.environment-agency.gov.uk or by contacting the Council or the Agency"
[PC021]

- R6.29.2 No modification
- R6.30.1 Amend boundary of area defined as undeveloped coast northwards from St Bees Heritage Coast as far as South Beach recreation area at Whitehaven Harbour. Eastern boundary to coincide with revised settlement boundary.
Add new sentence to Para 5.4.8:
"This will particularly be the case in the defined areas of Undeveloped Coast in TOS1 and TOS3 where Policies ENV14 and 15 will apply. In relation to TOS3 hard development will only be considered in the northern section near Haig Mining Museum - otherwise opportunities will be available as part of the remediation package of the former Marchon site adjoining (policy EMP3 refers)."
[PC022]
- R6.30.2 The Proposals Map to exclude an area of informal open space, identified at the Inquiry as "the pink land", north of the Haigh Mining Museum from the Settlement Boundary and to include it in the coastal zone (undeveloped coast).
- R6.30.3 The Proposals Map to include the adjoining playing field and car park ("the green land") within the Settlement Boundary as open space to be protected under Policy SVC 13.
- R6.30.4 Delete 3rd sentence of Para 6.4.13 and replace with the following:
"The Council will assess proposals against the sequential approach set out in PPPG 25 and incorporated in criterion 8 of Policy DEV 7."
- R6.30.5 No modification
- R6.31.1 No modification
- R6.32.1 Delete 2nd sentence of Para 6.5.2 and replace with:
"Areas at risk from flooding (flood zones) are shown on Flood Maps supplied by the Environment Agency. These are regularly updated from information supplied by the Council and the Agency and the latest versions can be viewed on the Agency's website at www.environmentat-agency.gov.uk or inspected at the Council or Agency's office."
[PC023]
Delete part of 2nd sentence of Para 6.5.3 "...in order to reduce flood risk, erosion and water quality." and replace with
"...-see Policy DEV7. In addition to reducing flood risk such systems can also prevent pollution, assist groundwater recharge, enhance biodiversity and provide valuable amenity space."
[PC024]
- R6.32.2 Add to end of Para 6.5.4:
"Where development is proposed near to main rivers or watercourses, restrictions will be imposed by either the Council or the Environment Agency to ensure that access to the river or

	watercourse is protected to allow essential maintenance works to take place".
R6.32.3	No modification
R6.33.1	No modification
R6.34.1	In Para 6.6.5 delete "...or be discharged to public sewers without agreement from the statutory sewerage undertaker" and replace with: "...and the agreement of the statutory sewerage undertaker shall be obtained before any discharge is made to the public sewer." [PC025]
R6.34.2	No modification
R6.35.1	In Policy ENV 18 delete "to ensure that all appropriate remedial measures required are taken." and replace with: "...requiring, as a minimum, a desk study to be submitted before development commences." [PC026]
R6.35.2	No modification
R6.36.1	No modification
R6.37.1	No modification
R6.38.1	In Para 6.7.4 delete: "The Environment Agency" and replace with: "Appropriate bodies...." [PC027]
R6.38.2	No modification
R6.39.1	No modification
R6.40.1	No modification
R6.41.1	No modification
R6.42.1	No modification
R6.43.1	No modification
R6.44.1	In Policy ENV 20: Change title to: "Water, sewage treatment and sewerage facilities". Delete from 1st sentence: "Development of water and sewerage..." and replace with: " Development proposals for the supply and treatment of water, sewage treatment and sewerage...." [PC028]
R6.44.2	No modification

R6.45.1	No modification
R6.46.1	No modification
R6.47.1	Add after last sentence of Para 6.12.3: “When considering proposals to demolish the Council will also have regard to the advice in PPG 15.”
R6.47.2	No modification
R6.48.1	No modification
R6.49.1	No modification
R6.50.1	Add after last sentence of Para 6.13.1: “When considering proposals to demolish a listed building the Council will also have regard to the advice in PPG 15.”
R6.50.2	Add to Policy ENV 31: “All proposals to demolish a listed building must be accompanied by a detailed planning permission for redevelopment for which a contract has been let, the implementation of which will be secured by legal agreement.”
R6.50.3	No modification
R6.51.1	No modification
R6.52.1	No modification
R6.53.1	No modification
R6.54.1	No modification
R6.55.1	No modification
R6.56.1	No modification

7. TRANSPORT

R7.1.1	No modification
R7.2.1	No modification
R7.3.1	Modify by adding new 2nd sentence to Para 7.2.2: “Strategic improvements can only be delivered through the Regional Transport Strategy which forms part of RSS and the Council and its

partners must make submissions at the various stages of its adoption process. This involves in the first instance the North West Regional Assembly and later the ODPM who ultimately approves the Transport Strategy and makes resources available for its implementation. As noted in Para 2.4.1 the process of revising RSS is currently in train and the Council is hoping to influence its provisions for West Cumbria over the next 12 months as it proceeds through the stages to adoption. At this stage, however, the Council is discouraged by the following facts:

- a) There is only one currently scheduled major transport scheme in the regional programme in the Borough – the A595 Parton-Lillyhall Improvement (see 7.2.5)
- b) A study of “Access to Furness and West Cumbria” undertaken by consultants for the North West Development Agency and North West Regional Assembly in 2004 did not recommend any major infrastructure improvements – merely giving a commitment to completing existing road and rail network investigations which were happening in any event.
- c) The government has now confirmed that it is detrunking the A595 and A5092 between Calderbridge and Greenodd. This is the Borough’s southern link to the national road network and very important in relation to safety and security issues for the Sellafield site.”

Delete existing Paras 7.2.3/4 and replace with:

“It is now essential that the ‘Spatial Masterplan’ for West Cumbria, lately commissioned by the West Cumbria Strategic Forum, demonstrates the links between accessibility and regeneration and fully investigates the necessary transport infrastructure requirements of the sub-region. This must include assessments of both road and rail network connections: For roads the A66/A595 link is the highest priority where journey time improvements would be expected to include carriageway dualling, upgrading single carriageway lengths, climbing lanes etc. A total length of 78.2 Km is involved between the Penrith M6 Junction 40 and Sellafield. For rail the Cumbrian Coastal Railway route involves 138 Km between Barrow and Carlisle with 22 stops and an average journey time of 2hrs 31 mins. There are intrinsic constraints on development of markets including coastal defence and sections of single track. Nevertheless there are improvements which could be put together in a package including signalling improvements, re-railing, strengthening automatic crossings, station improvements (including information) and improved freight handling facilities. It is only by tackling such fundamental problems of accessibility that the Council feels that its regeneration aims can be realised.”

Modify Para 7.2.5 by addition of the following after “...were published in March 2005” (last sentence): “... and a Public Inquiry

has recently been held. The current timetable envisages completion of the scheme by late 2008.”

(Note: the 2D version as existing goes on to discuss items involved in the Local Transport Plan-making process and paras 7.3.10 and 7.5.1 deal further with rail issues)

- | | |
|---------|--|
| R7.3.2 | No modification |
| R7.4.1 | No modification |
| R7.5.1 | No modification |
| R7.6.1 | In Policy TSP 2 replace sentence after criterion 4 with:
“will be supported so long as the benefits of a scheme clearly outweigh any environmental harm, with all practical measures being taken to mitigate the harmful effects of such works on the environment.” |
| R7.6.2 | No modification |
| R7.7.1 | No modification |
| R7.8.1 | No modification |
| R7.9.1 | No modification |
| R7.10.1 | No modification |
| R7.11.1 | No modification |
| R7.12.1 | No modification |
| R7.13.1 | No modification |
| R7.14.1 | In Policy TSP 5:
Delete “appropriate” in 1 st line and replace with “possible”
Delete “including” from line 4 and replace only with a full stop, following sentence to being “Development alongside cycleway routes...”
[IC004] |
| R7.14.2 | No modification |
| R7.15.1 | No modification |
| R7.16.1 | Modify Para 7.4.3 by deleting the sentence beginning “Where access is via a trunk road...”. Insert the words:
“Access to the trunk road network, whether directly through a new access or indirectly through an existing one, will be assessed on a |

	graduated basis. Developer's Transport Assessments should assess the impact of development proposals on the entire affected trunk road network."
R7.16.2	No modification
R7.17.1	No modification
R7.18.1	Modify Para 7.4.6 by deleting the second part of the last sentence (added in 2D), after the word "etc.". Insert the words: "to achieve an appropriate provision of parking facilities near rail and bus stations to encourage motorists to use public transport for part of their journeys."
R7.18.2	No modification
R7.19.1	In Para 7.5.1 delete: "...makes it difficult to expand its use for freight movements." and replace with: "...does_not assist easy expansion of rail freighting and associated facilities" [PC029]
R7.19.2	No modification
R7.20.1	No modification
R7.21.1	No modification
R7.22.1	No modification

8. COMMUNITY SERVICES AND FACILITIES

R8.1.1	No modification
R8.2.1	No modification
R8.3.1	Add on to 2 nd sentence of Policy SVC 2: "...or where disposal to a water course would be considered acceptable".
R8.3.2	No modification
R8.4.1	No modification
R8.5.1	No modification
R8.6.1	No modification
R8.7.1	No modification

- R8.8.1 No modification
- R8.9.1 In line 3 of Policy SVC 7 delete "..permitted.." and replace with "..supported.." [PC030]
In Policy SVC 7 delete from criterion 6: "areas used for formal or informal recreation including playing fields, public open space and". Also delete: "and any other especially sensitive or prominent locations" [JC002]
- R8.9.2 In Policy SVC 7 delete criterion 3 and replace it with: "designated conservation sites"
Also insert the word "closely" before "adjoining" in the introductory sentence.
- R8.9.3 No modification
- R8.10.1 No modification
- R8.11.1 Modify Para 8.3.5 by the addition of: "Proposals for development significantly larger than domestic scale satellite television dishes will be dealt with by the provisions of Policy SVC 8."
- R8.11.2 No modification
- R8.12.1 No modification
- R8.13.1 No modification
- R8.14.1 No modification
- R8.15.1 No modification
- R8.16.1 No modification
- R8.17.1 No modification
- R8.18.1 No modification
- R8.19.1 Modify Policy SVC 13 by adding after last sentence:
"The Council will also seek appropriate means of enhancing the biodiversity interest of the sites protected by this policy."
- R8.19.2 Add to Para 8.6.4: "As part of the scheduled Development Plan Document on open space and recreation the Council intends to identify all village greens or commons that merit protection and wherever appropriate to add these to the sites covered by Policy SVC 13." *(The Council does not hold this information and it has yet to be supplied with any detailed lists. A survey of all facilities is to be*

	<i>undertaken in any event as part of the open space and recreation DPD)</i>
R8.19.3	The Proposals Map will be revised to incorporate these sites when they have been identified as part of a comprehensive survey.
R8.19.4	No modification
R8.20.1	No modification
R8.21.1	In Para 8.6.5, 1 st sentence, delete reference to application of “Policy DEV 6...” and replace with “...Policy TCN 2 (and the provisions of section 5.3 of the Plan)...”
R8.21.2	No modification
R8.22.1	No modification

9. RENEWABLE ENERGY

R9.1.1 Modify by the addition of a new general, criteria based policy which is supportive of renewable energy and contains key criteria to be used to judge applications. *This follows but there are additional changes to the Reasoned Justification text which introduces and explains the new policy and the other EGY policies which follow on.*

Section “9.1 INTRODUCTION” retained with Paras 9.1.1 – 9.1.3 as written in 2D. Heading “9.2 RENEWABLE ENERGY SOURCES” deleted and Para 9.2.1 re-numbered as 9.1.4 and placed after 9.1.3. Para 9.1.4 as shown in 2D to be re-numbered 9.2.1 and placed as the 1st para of a new section, “9.2 RENEWABLE ENERGY POLICIES” with the addition of the following after “...appropriate safeguards.” to complete the last sentence: “...against any adverse impact, in line with the provisions of PPS 22 on Renewable Energy, Policy ER15 of RSS and Policy R44 of the JSP.” Then add two additional sentences: “The Council will therefore support development for renewable energy generation so long as the overall criteria of Policy EGY 1 are met along with any of the additional safeguards in Policies EGY 2 – 6 which relate to specific types of energy proposal. The following paragraphs 9.2.2 – 9.2.7 set out how the criteria in Policy EGY 1 are to be applied.”

Thereafter new paras to be added as follows:

“9.2.2 The landscape and visual effects of renewable energy proposals will vary according to the type of development, its location and the landscape or townscape setting. Adverse impacts can be minimized by attention to siting, design, scale, colour schemes and landscaping and the Council will expect developers to take such matters into account (including the

effects of any associated infrastructure such as network connections, sub stations, security fencing and access tracks and foundations) at an early stage in project development. They should ensure that their proposals do not adversely affect the special qualities of designated landscapes, particularly the St Bees Head Heritage Coast or those of the built heritage – in terms of Scheduled Ancient Monuments, Conservation Areas and Listed Buildings. In addition, sensitive handling will be required in the siting, design and scale of development in Landscapes of County Importance. The Council will take into account the likely cumulative effects of existing and proposed renewable energy schemes including linked apparatus and distribution lines and other utility infrastructure in its assessment of all proposals.

- 9.2.3 Effects on biodiversity are also important. Where development for renewable energy could have an adverse effect on a site of international importance such as a Special Protection Area, a Special Area for Conservation or a RAMSAR site (see 6.1.4 – 6.1.11 and Policy ENV 1) the Council will only consider granting planning permission a) if an assessment of the site has shown that its integrity would not be adversely affected or b) where adverse effect could be expected and with no alternative solution apparent, that there are imperative reasons of overriding public interest identified by the developer, including those of a social or economic nature. In cases of national designations like SSSIs, proposals will need to demonstrate that they would not compromise the objectives of the designation or that any adverse effects are clearly outweighed by the environmental, social or economic benefits. Elsewhere the Council will expect developers to explore all potential effects on wildlife habitat or species and make provision for mitigation, compensatory or enhancement measures.
- 9.2.4 Effects on general amenities will be taken into account. As noted in PPS 22, renewable technologies may generate small increases in noise levels and the Council will expect the location and design of renewable energy developments to minimize increases in ambient noise levels. Objectionable odours can be significant issue in handling some proposals e.g. for anaerobic digestion. The Council will not allow such plants to be located in close proximity to existing residential areas or those with planning permission or allocated for development in this Plan. Any other potential nuisance e.g. emissions and pollutants must be identified by the developer and appropriate mitigation measures designed into the

scheme to minimize their effects on neighbouring uses. Waste arisings can also be a source of potential nuisance and care will be required to in the first instance minimize the amounts of material involved and then to ensure that the most efficient, least harmful means of disposal is used, including attention issues involved in transportation from the site (e.g. type of vehicle and need for containment). Developers will also need to demonstrate that neither the operations or waste arisings will have an adverse effect on the hydrology of the site and surrounding area.

- 9.2.5 Traffic impacts must be borne in mind, particularly the match between the standard and condition of highway(s) serving the site and the size of vehicles and frequency of trips generated by the particular type of development. The site access, traffic management and parking arrangements must be designed in accordance with Policy TSP 6 requirements.
- 9.2.6 Care must be taken in or adjoining areas designated for community recreation purposes (by virtue of Policy SVC 13) and routes serving them. Developers must ensure that no safety or security risks are created by the form, siting or type of development proposed.
- 9.2.7 Most large scale renewable energy proposals are likely to require a full Environmental Impact Assessment which will assist all parties in meeting the Policy EGY 1 criteria or in establishing the need to consider alternative sites (Policy DEV 9 will also apply). In all cases, however, the Council will expect developers to actively consult local communities at an early stage in the development process and will expect significant benefits to be delivered to the community where a scheme is to be sited, where possible. The Council will also expect that such issues as effects from electro-magnetic interference, effects on radar and aviation and separation distances from powerlines, roads and railways will have been addressed before it considers applications for planning permission. Additional guidance is being compiled by the County Council in partnership with the Cumbrian District Authorities. This will be incorporated in Supplementary Planning Documents to be published shortly on Wind Energy Development and Landscape Character and both will assist in the handling of new development proposals.”

The new, replacement Policy EGY 1 is as follows:

POLICY EGY 1: Renewable Energy

Proposals for any form of renewable energy development must satisfy the following criteria:

1. That there would be no significant adverse visual effects
2. That there would be no significant adverse effects on landscape or townscape character and distinctiveness
3. That there would be no adverse impact on biodiversity
4. That proposals would not cause unacceptable harm to features of local, national and international importance for nature or heritage conservation
5. That measures are taken to mitigate any noise, smell, dust, fumes or other nuisance likely to affect nearby residents or other adjoining land users
6. That adequate provision can be made for access, parking and any potentially adverse impacts on the highway network
7. That any waste arising as a result of the development would be minimized and dealt with using a suitable means of disposal
8. There would be no adverse unacceptable conflict with any existing recreational facilities and their access routes
9. That they would not give rise to any unacceptable cumulative effects when considered against any previous extant planning approvals for renewable energy development or other existing/approved utility infrastructure in the vicinity.

Developers are expected to actively consult with local communities in developing their proposals and to deliver significant benefits to the community where the scheme is to be sited wherever possible.”

R9.1.2 Modify EGY 1 as written in 2D to become:
“Policy EGY 2: Wind Energy

Proposals for wind energy developments will be considered against the criteria of Policy EGY 1 with the additional requirement that:

There would be a scheme for the removal of turbines and associated structures and the restoration of the site to agriculture when the turbines become redundant.” (see R9.4.1 for modifications to supporting text and R 9.5.1 re last sentence of policy)

Modify Policy EGY 2 as written in 2D to become:
“Policy EGY 3: Solar Energy” with further modification in accordance with R9.6.2 below.

Modify Policy EGY 3 as written in 2D to become:

“Policy EGY 4: Hydro Electric Schemes

Proposals for Hydro Electric schemes will be considered against the criteria of Policy EGY 1 and other Plan policies.”

Modify Policy EGY 4 as written in 2D to become:
“Policy EGY 5: Tidal Energy” with further modifications in accordance with R9.8.1 below.

Modify Policy EGY 5 as written in 2D to become:
“Policy EGY 6: Waste and Bio-fuels

Proposals for the generation of energy or heat from commercial, domestic and agricultural waste or bio-fuels will be considered against the criteria of Policy EGY 1 with the additional requirements that:

1. wherever possible the scheme should be sited on existing industrial/employment sites or previously used land that is well related to the resource catchment
2. wherever practicable measures to transport fuel and waste by rail or water are made and
3. proposals involving agricultural waste within existing farm units or involving sewage sludge should be well related to the activity, scale and character of the business or enterprise and its setting.”

R9.1.3

Modify by the addition of a new section 9.3:
“9.3 Energy Conservation and Efficiency

9.3.1 As noted earlier in 3.2.7 the Council recognizes the importance of energy efficiency in new development. The siting, layout, design and choice of materials can help reduce energy consumption and thereby reduce the amount of harmful greenhouse gas emissions. Orientation can help maximize solar gain and daylighting and when coupled with high levels of insulation and small-scale sources of renewable energy like solar panels and photovoltaic cells can significantly reduce heating costs. Consideration should also be given to the use of recycled materials and waste minimization and recycling measures, especially of heat and water. Higher densities of development, the re-use of existing buildings and use of environmentally sustainable building materials can all have wider benefits whilst energy-efficient buildings can significantly reduce mortality risks by providing warmer housing in winter.

9.3.2 The Council is mindful of the government’s call to have a proportion of new residential, commercial or industrial

development's energy needs to come from on-site renewable energy developments (PPS 22 Para 8). It will be consulting stakeholders and local communities on the most appropriate form of policy to achieve this as part of work on the Local Development Framework. In the meantime it will expect developers to observe the requirements of Policy EGY 7 in this regard where the scale and design of such schemes must be able to be assimilated in accordance with Policy EGY 1 criteria, particularly minimizing any threat to local amenity.

Policy EGY 7 Energy Conservation and Efficiency

All development proposals should take into account the need to maximize energy conservation and efficiency. The design, layout and choice of materials should incorporate measures which help reduce energy consumption and waste and increase the potential for recycling. Developers should also make provision for energy production on-site from renewable sources and such schemes must be designed and of a scale appropriate to the form of development, its character and the wider setting”.

- R9.1.4 No modification
- R9.2.1 No modification
- R9.3.1 No modification
- R9.4.1 Modify Para 9.2.2 by renumbering as 9.2.8 and deleting the 2nd sentence and replacing it with: “These are sensitive locations where the application of Policy EGY 1 (*as modified*) will be implemented with care and the proposed new SPDs on wind energy and landscape character will be especially useful in this regard. The St Bees Head Heritage Coast is particularly sensitive area and planning permission for wind energy development within or in close proximity to the Heritage Coast will only be given where it can be demonstrated that the objectives of its designation will not be compromised, and any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by the environmental, social and economic benefits. Elsewhere, in Landscapes of County Importance, schemes will need to demonstrate sensitivity to the distinctive character of the area.” In addition the sentence beginning “Landscape impact..” is deleted and a new last sentence added: “As required by JSP Policy 44 (4) measures will also be required to secure the removal of structures and related infrastructure from the development site once their operation ceases with appropriate remediation works to the site.”

- Para 9.2.3 is renumbered as 9.2.9. (*See R9.1.2 for Modified Policy EGY 2: Wind Energy*)
- R9.4.2 No modification
- R9.5.1 Modify Policy EGY 1 by deleting the last sentence.
No further modification – *It is felt that the effect of other modifications, particularly the new Policy EGY ,1 bring the treatment of issues in line with PPS 22 and JSP requirements.*
- R9.5.2 No modification
- R9.6.1 Modify Policy EGY 2 by deleting "...or Landscapes of County Importance" from criterion 1
[PC031]
- R9.6.2 Modify Policy EGY 2 by deleting criterion 2 and replacing it with:
"the installation does not unduly harm the character of the building and, where on a roof, is generally flush with the plane of the roof"
- R9.6.3 No modification
- R9.7.1 No modification
- R9.8.1 Amend Policy EGY 4 to read "The Council will not support proposals for a tidal barrage or other tidal energy scheme across the Duddon Estuary unless there are imperative reasons of overriding national interest which are sufficient to outweigh any damage to nature conservation and other interests. Proposals for all such development will be measured against Policies EGY 1 and DEV 9."
[PC032]
- R9.8.2 No modification
- R9.9.1 No modification – *though see R9.1.2 Modifications*
- R9.10.1 No modification – *though see R9.1.2 Modifications*
- R9.11.1 No modification

10. SELLAFIELD AND THE NUCLEAR INDUSTRY

- R10.1.1 No modification
- R10.2.1 No modification
- R10.3.1 No modification
- R10.4.1 No modification

R10.5.1 No modification

R10.6.1 No modification