

Report No: 2HS1
Subject: HA3 Woodhouse Road
Chapter: 4 (2D)
Policy: HSG 2
Para:
Other: Table HS6

No. of Objections: 2413

ISSUES RAISED

Proposed deletion of site HA3 is not consistent with expressed objectives in the Plan re:

1. preventing extension of building outward in key centres
2. use of previously used land in key centres ahead of greenfield sites.

In addition the site is immediately available for development within built up area of the town in an area requiring comprehensive regeneration. Housing is clearly the most appropriate use as borne out by original allocation in 1st Deposit

RESPONSE

A number of sites had to be deleted from the original allocation because the overall total of new build allowed for did not accord with the RPG/JSP target. In fact the required total of dwellings on allocated sites fell from 1577 in 1st Deposit to 996 in 2nd Deposit, (a reduction of 581 or 37%). Site HA3 was one of the sites chosen to be deleted because:

1. The adjoining site (H9 Table HS5 in 2nd Deposit) already had planning permission for 80 dwellings so from the point of view of locational balance in the town, more new housing here was not considered as imperative.
2. Moreover, site H9 is brownfield and the subject land is greenfield.
3. As the objector points out this is generally an older part of the town in need of regeneration. In fact a Housing Market Renewal submission is currently being prepared which includes Greenbank/Woodhouse areas. This will include proposals to demolish some of the existing housing as well as to remodel and refurbish parts of the large public sector estates immediately to the

Report No: 2HS2
Subject: HA4 Galemire/Summergrove
Chapter: 4
Policy:
Para:
Other: Table HS6
No. of Objections: 2134, 2142, 2143, 2277, 2328, 2329, 2337, (7)
No of Supporters: 2336(1)

ISSUES RAISED

Objectors

- 2134 Diversity/Design : The Low density requirement is inappropriate in terms of PPG3. "Executive" homes could be provided successfully at higher densities whilst the requirement for high standards of design/finishes could imply that the Council is not seeking such objectives elsewhere.
- 2142 Density : The Council is contradicting itself by seeking low density yet halves the allocated site here and doubles the total. Objector advises us to wait until after 2016 and give residents a rest from the 10/15 years of development.
- 2143 Coalescence : Use of the deleted half of the original allocation would better project the settlements from coalescence. This was an issue raised by a number of 1st Deposit objectors relating to previous planning applications and an appeal. (see below).
- 2277/
2328/2329 The proposal remains unacceptable because:
1. Coalescence – will join 3 hamlets together which goes against apparent planning policy over the last 25 years.
 2. Safety issues associated with traffic (in relation to suitability of roads and poor drainage)
 3. Density - similar points to objection 2142
 4. Urban fringe : maintain that site cannot be described as "urban fringe" as it is part of an agricultural landscape
 5. Sustainability : there is no need to use such greenfield sites when there are plenty of brownfield alternatives in the vicinity some of which are specifically identified.
- 2337 Objection to deletion of half of the site because in its original form it offers sustainable housing options close to major employment sites eg Westlakes Park.

2336 Support – but would expect to see the specified density of 20 dwellings per Ha on this site of 2H a yield 40 not 35 dwellings.

RESPONSE

Many of the issues now raised are similar to the objections to the 1st Deposit version – please see Report No. HS3. (copy appended)

An allocation was retained here in 2nd Deposit because it is felt that a fairly modest allowance for further “executive” housing is appropriate given:

1. the need for some urban fringe, greenfield development to balance the overall housing offer in the Whitehaven area to 2011
2. The fact that similar developments have been assimilated over the last 20 years or so in this area close to the Westlakes complex without significant problems.
3. Additional housing near the cross roads will provide an opportunity to help improve highway conditions by condition/agreement.

Density : The approach in 2nd Deposit was to try and meet the sort of point raised by GONW ie a doubling from 10 to 20 dwellings per Ha which is actually higher than the surrounding areas of housing

Design : The requirement as regards quality was one of emphasis ie that there that there should be special regard taken in developing this sensitive site on the rural/urban boundary not that such concerns should be entirely lacking elsewhere.

Coalescence : New development always involves change and can alter the individuality of settlements. Villages grow to towns and hamlets grow to villages. The important thing is to manage the change carefully, minimising the threat to character and safety and protecting open areas of countryside.

It is felt that the revised allocation represents an acceptable form of consolidation at the Galemire/Summergrove Cross roads in an area of existing linear forms of development. It does involve a greenfield site but the proposed changes in 2D to reduce the area and increase the density (still to a relatively low figure of 20 per Ha) is designed to ease its assimilation and reduce impact.

CONCLUSION

The allocation should be retained as per 2nd Deposit changes

west and south of the subject site. The proposals will involve a replacement building programme within the existing housing areas. There would not seem to be a pressing need to allocate further housing land whilst site H9 is seen as sufficient to provide for decanting options close to the clearance/redevelopment operations.

4. In addition to Site H9 the 2nd Deposit Version of Plan includes two other brownfield options in the south western portion of Whitehaven. Site H43 the former laundry now has planning permission for 28 dwellings (allocated in 1st Deposit as HA6) and the former Kells School for 77 dwellings (HA5).
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CONCLUSION

There are clearly alternative brownfield sites in this area of the town sufficient to deal with the overall balance of housing required in Whitehaven generally and in relation to future renewal area activity.

Report No: 2HS3
Subject: HA7 former Brickworks, Whitehaven
Chapter: 4
Policy: HSG2
Para:
Other: Table HS6
No. of Objections: 2414

ISSUES/ RESPONSE

This objection is based on the same argument put forward by the same objector referred to in Report No. 2HS1. Site HA7 was taken out of the allocation in 2nd Deposit for the reasons set out in that report, re alternative sites nearby and the renewal issues.

In addition the site is not immediately available for redevelopment being occupied by a viable business.

CONCLUSION

That the site remains unallocated.

Report No: 2HS4
Subject: HA8 Birks Road, Cleator Moor
Chapter: 4
Policy: HSG2
Para:
Other: Table HS6

No. of Objections: 2240

ISSUES RAISED

This site has previously been allocated for housing purposes with all services readily available. It is well within the urban boundary and development for housing would improve the aspect in this part of the town.

RESPONSE

There is no doubt that this is a suitable site for housing but it has previously been allocated in two local plans without attracting interest from builders. Other sites have now been put forward in the new Plan which it is felt are more appropriate to current markets and likely to be successfully developed.

The number of dwellings overall in 1st Deposit's allocations had to be reduced to accord with RPG/JSP targets and sites like HA8 therefore had to be reconsidered.

CONCLUSION

To omit this site from the specific allocations list.

Report No: 2HS5
Subject: HA9/10 Mill Hill, Cleator Moor
Chapter: 4
Policy: HSG 2
Para:
Other: Table HS6

No. of Objections: 2070, 2165 (2)
No. of Support: 2241(1)

OBJECTION

- 2070 Not an objection to housing development per se. This is a request for additional wording in the comments column in Table HS6 relating to possible transfer of contamination from HA10 to the sewerage network. The suggestion is for the following:
“The treatment programme to be completed to the satisfaction of the Council, the Environment Agency and if appropriate United Utilities” (underlined section is proposed addition).
- 2165 Again a request for additional wording in Table HS6 comments to include reference to a risk assessment and the treatment programme being carried out in accordance with new DEFRA guidance.

SUPPORT

- 2241 Support comments in Table HS6.

RESPONSE

- 2070 Accept this is something which could be accommodated but by the addition of “... in consultation with appropriate service providers” rather than that proposed by objector.
- 2165 To accept the proposed new wording as “1. A full study of contamination will be required as part of this work together with a risk assessment and schedule of comprehensive treatment to make safe. The treatment programme to be completed to the satisfaction of the Council and Environment Agency shall follow DEFRA guidance in CLR11 “
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CONCLUSION

It would be reasonable to make the changes as indicated.

Report No: 2HS6
Subject: HA14 Gillfoot Mansion, Egremont
Chapter: 4
Policy: HSG2
Para:
Other: Table HS6

No. of Support: 2166

ISSUES RAISED

Support reference to opening up culverted section section of Skirting Beck as requirement of development

RESPONSE

CONCLUSION

To note support.

Report No: 2HS7
Subject: HA17 Salthouse Road, Millom
Chapter: 4
Policy: HSG2
Para:
Other: Table HS6

No. of Objections: (10) principal: 2271 Other: 2125, 2140, 2141, 2235, 2276, 2293, 2301, 2304, 2331
No. of Support: (40) 2002, 2005, 2006, 2008, 2013, 2015, 2017, 2018, 2020, 2022, 2024, 2026, 2028, 2030, 2032, 2034, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2044, 2045, 2047, 2049, 2167 2333, 2384, 2386, 2388, 2389, 2391, 2394, 2396, 2398, 2399, 2401, 2402

INTRODUCTION

1. Following the response to 1st Deposit, The Working Party deliberated long and hard over whether to remove this site from the housing allocations. Report no. HS11 refers a copy of which forms Appendix 1 to this report. Then the main issues were Flood risk, use of greenfield land, access/traffic implications and nature conservation although other arguments were raised.
2. In the event, the site was removed from the allocated list and replaced by two new sites. HA30 Devonshire Road and HA31 Lowther Road extension.
3. A total of 50 submissions have now been received which relate to site HA17 although some are linked to separate objections to sites HA30 and HA31 (and one is linked to separate objections in respect of HA30 and E11, the Millom Pier employment land allocation)
4. One of objections is on behalf of the site owners and is a fairly substantial document incorporating a Transport Assessment. It also refers to a separate Flood Risk Assessment carried out on the site but this has not been submitted with the Objection. Much of this material has been prepared in support of a planning application for residential development submitted in April 2005 which is yet to be determined. Planning permission was refused in April 2004 for a similar proposal and a copy of the Planning Panel report on the latter is also appended here (Appendix 2). Unusually, one of the supporters of the proposed deletion of HA17 also submitted a Flood

Risk Assessment to the Council as part of his objection to the planning application refused last April

ISSUES RAISED BY OBJECTORS

1. Access HA17 has better access than any of the alternatives. Visibility is good, traffic impact from 100 or so dwellings is not likely to be significant on the approach roads and walking and access to public transport are no different than other Millom sites. There is a big advantage in not being dependent on the single bridge over the railway in Millom which is regarded as a bottleneck and creator of congestion. The two other sites, HA30 and HA31 are seen as likely to add to this congestion and add to potential for accidents/pollution in the town centre. One objector points to the site being an opportunity for people to live nearer their employment and cut down commuting whilst another sees an advantage of being on the north side of town for those travelling to work in Ulverston and Barrow.
2. Visual Impact Developing HA17 would not create an intrusion whereas using the alternative site a HA30 will “force” the use of Millom Pier for employment use (E11) creating a serious intrusion along the estuary - an area which is more suited to tourism/recreation provision than industrial units. Two objectors claim that housing development here would positively improve the northern entrance to the town.
3. Flooding A Flood Risk Assessment of HA17 has been carried out for the owners indicating it is at no greater flood risk than the remainder of the town including the alternative housing sites. Alleviation measures have been identified and can be carried out on site leaving plenty left for development, whereas the alternatives would require off-site, probably “third party” measures because they are much smaller. HA17 should not be replaced by the alternative sites if they have not been subject to the same Assessment process (incorporating the latest 1 in 200 years criteria).

Four objectors make the point that it is no less low lying than many areas of the town and two make the point that it only floods in “freak” situations after heavy rain and when the weir gate is blocked. A Councillor notes that on the last such occasion many other sites in the town were flooded which have never been previously affected. Another objector claims that flood attenuation measures required as part of the development would improve conditions for existing

adjoining residents. Two objectors maintain that they have not seen evidence of any serious flooding.

4. Brownfield Development The principal objection includes acknowledgement that HA17 is a greenfield site but notes that the presumption for a concentration of development on brownfield sites is not so overriding in 2nd Deposit as it was in the 1st Deposit. The fact that 40% allowance for greenfield development is included in the plan means HA17 (and HA31) would not be exceptional whilst para 4.2.16 is seen to suggest that further relaxation to allow for mixed uses may be made. One objector also claims an advantage in that it is cheaper and easier to develop greenfield land than that previously used for industry.
5. Demand One objector feels that there may well have been an increase in demand since 2001 and HA17 offers further capacity outside the area for flood attenuation measures which the other alternatives do not. Another claims Millom needs a modern housing estate designed for car use (compared to older terraced housing) which HA17 can provide for. The town has a growing population and needs a larger allowance for new housing and economy of scale available on HA17 will deliver affordable options suitable for local needs. One large development is seen to be an advantage than several small ones. Another feels that it would be wrong to de-allocate the site now that a developer has actually come forward with a serious interest.
6. The Alternatives Arguments favouring HA17 generally also involve points made against the alternatives:
 - HA30 is noted as a long-time employment allocation (E14 in 1st Deposit) owned by NWDA whose charter and the leasehold arrangements for the site preclude sell-off for alternative uses. It is also claimed that there is an interested party for the site and also that contamination would make housing redevelopment very costly. As part of the strategic industrial allocation it must be regarded as essential for regeneration policy. Absence of flood risk assessment is noted and that it is lower lying than HA17 with no space for attenuation measures.
 - The principal objector claims that site E11, Millom Pier, has been introduced as a “quick fix” to replace the loss of H30 (ie E14) as an employment site. The agents claim that it is not adequately serviced and that it would be a visual intrusion on the estuary compared to more appropriate tourist/recreation related uses. This “gateway” image would be especially important if an Askam-Millom link were to be built. They also feel it is perverse to reallocate E14 as housing and claim the virtue of it as brownfield whilst allocating a greenfield element within the Millom Pier site

to make up for the loss of E14. National policy is to retain the stock of employment land unless there is a radical change in requirement. They feel this has not happened between 1st and 2nd Deposit. Also that the large allocation of greenfield land at Westlakes, Whitehaven, undermines a proper balance of green and brownfield sites for employment in the Borough.

- HA31 is seen by the objectors as a much poorer option re access – one refers to it being at the end of a “labyrinth” of estate roads. It is low lying and no FRA has been undertaken – there is insufficient space for an attenuation on site and it would in any event be affected by flooding on the adjoining areas of housing since it is seen as the lowest point.

ISSUES RAISED BY SUPPORTERS

Most of the expressions of support cite previous arguments made in relation to:

1. Added flood risk
2. Access difficulties
3. Does not comply with local housing need/allocation
4. Does not comply with current housing policy ie brownfield site development over greenfield
5. Detrimental affect on wildlife and protected species

Two objectors amplify these points as follows:

1. Flood risk : The lower fields act as a holding area for water for the town particularly after heavy/prolonged rainfall, high tides and river levels, and strong winds when the water table is high. This helps prevent flooding of nearby property, the A5093 road and a wider area draining to the estuary.

Building on flood plains is not sustainable and this is an area with a long history of inundation hence reference to “Salhouse”. No “SUDS” drainage scheme could compensate for its loss given present volumes to deal with and new development would involve larger areas of hard surfaces and more runoff. The objector also questions the extent of the flood risk area marked on the “Flood Map” on the current planning application file (ref 4/05/2253/001). He feels this does not accord with the observed floods which include the A5093 and nearby gardens being submerged on more than one occasion in the last 5 years.

2. Access High speeds/acceleration on the A5093 at this point plus a dangerous bend make this a hazard.

3. Recycling Balance A hundred or more dwellings here would be totally out of proportion in the required balance of greenfield and brownfield sites. Also the length of time to build would have to hold back progress on bringing forward other more sustainable brownfield sites.
4. Nature Conservation Again reference is made to over 60 species being supported by the site including boundary walls/hedges. The attributes which assist wildlife – open skies, less artificial lighting are also (together with the wildlife) seen as important for people, including tourists.

Another objector (2233) distils things down to “development of the site (HA17) would have significant landscape impacts and it has known flood risks. There are adequate sites elsewhere in Millom to meet identified housing needs”

RESPONSES

1. Road access to HA17 is available in reasonable form via the A5093 and current standards can be achieved in terms of a 100 + dwellings estate system. As borne out in the Transport Assessment submitted with Objection No. 2271 there are no other transport/access issues.

The road bridge over the railway at the Junction of St George’s Road and Station Road is the only access to the eastern side of the town. This is the larger portion of Millom and includes the town centre and principal employment areas. However, few people would regard there being problems of congestion including the highway authority and the relative merits of HA17 over HA30 and HA31 from this point of view is slight.

2. Visual Intrusion : Development of HA17 would have no wide impact on views of the town given its low lying situation. Sites HA30 and HA31 would equally fit into the general form of the urban area. The Millom Pier employment allocation, E11, is more open to views but was for many years previously used for industrial storage uses associated with commercial use of the Pier. It also adjoins the towns sewage works, an area used to store scrap and a workshop. It was allocated in 1st Deposit as an “Employment Opportunity Site” with the aim of encouraging uses associated with the Pier (The Council has several times tried to negotiate a satisfactory long term solution to its occasional use for ship- dismantling). The 2nd Deposit allocation as an employment site is therefore not really creating an addition to the list of sites and, as noted in 5.2.16, there is a

requirement for an Environmental Impact Assessment which would include visual impact.

3. Flood Risk : The flood issue was a principal reason for the proposed deletion of HA17 from the housing allocations. A fair proportion of the site falls within the medium and high risk zones (zones 2 and 3) on the Flood Map for the area and a good deal of evidence was submitted by objectors to the planning application made in December 2003 to show that the risk is very real. This included a Flood Risk Assessment on behalf of an objector to the planning application which highlighted the complex nature of the problem involving both surface water run-off and tidal effects plus off-site culverting and a flap-valve to the estuary. Attenuation measures on-site would necessarily mean that any development would have to be set back quite some distance from Salthouse Road making assimilation within the urban form more difficult. The extra costs of attenuation and road-building here contrast with what is necessary to bring sites HA30 and HA31 into development. (It also has to be pointed out that even with attenuation measures on site, sufficient to accommodate the additional run-off from new site development, their usefulness is still dependant on a drainage system involving other landowners, a variety of off-site culverts and water courses, the tidal flap etc. PPG25 set the issue higher on the planning agenda and events in North Cumbria in January 2005 have shown how seriously we have to take the flood risk issues. Together with the greenfield issue there is now too much argument against HA17. A copy of EA's response to consultation on the latest planning application forms Appendix 3 to this report. It should also be noted that neither the HA30 or HA31 are within flood risk areas (see reports 2HS10 and 2HS11)
4. Greenfield v Brownfield HA17 was originally allocated when there was no policy issue with greenfield development. The target set now is to achieve about 63% of new development on previously used land. It would not seem very sustainable therefore, to allocate HA17 as the only new development site in South Copeland.
5. Demand The Plan's allocations are proportioned out according to the population share of the three market areas of North, Mid and South Copeland with all general housing needs in South Copeland to be accommodated in Millom and Haverigg. The use of HA30 and HA31 instead of HA17 increases the requirement for windfall sites to be found to help meet needs (a difference of $90 - 120 = 30$ dwellings) but this is no bad thing since it increases the brownfield proportion overall and there has been notable success in identifying and bringing forward brownfield sites in South Copeland in recent years.

6. The Alternatives

- HA30 has been available for employment use for nearly 20 years without serious interest. Re-evaluation of such sites for housing is encouraged by government and its use for housing would not rob the town of opportunities for workshop development. There are other sites nearby, notably the NWDA's industrial estate on the other side of Devonshire Road (E14) Sites E11 and E12 are also nearby. Devonshire Road is a mixed area of uses but tending more to residential from HA30 westwards. HA30 also borders the Local Nature Reserve and housing would be a potentially less threatening neighbour than industry. HA30 is not shown within the flood risk area on the Flood Map. (see Report 2HS10)
- E11 : as noted in Response 2. above this was not intended as a "quick fix" replacement for E14 but a firming up of options previously discussed with the owners over many years based on the existence of the Pier and its previous uses. Some improved access is required but it is reasonably serviced and it is brownfield. It is however, misleading to link it in any way with the Westlakes site at Whitehaven. Given the geography and totally different markets for Science and Technology Park and Pier – related uses there is no value in comparison. (Westlakes is based on an original conversion/redevelopment scheme and whilst development there is now all greenfield status it is where it is and is an essential part of the Borough's bid to rebuild the local economy. E11 broadens the offer of sites in the town for different employment options.
- HA31 is a logical rounding off of the existing Lowther Road estate involving the extension of 2 culs-de-sac directly off the Lowther Road spine road itself. This is not "labyrinthine" in any sense. It is also not within the flood risk areas indicated on the latest Flood Map (See Report SHS11)

CONCLUSION

Unfortunately for the prospective developer we cannot now turn back the clock 10 years to the original policy context for building on HA17. For a number of reasons it made sense then to establish a new direction of growth for the town in the lea of Pannatt Hill.

The two issues of greenfield development and flood risk are now higher on the planning agenda. When there are reasonably located alternatives at this stage which are free of such constraints and can provide for a range of modern housing for all sectors of the local community then we have to respond accordingly.

Report No: 2HS8
Subject: HA18 Arlecdon Road, Arlecdon
Chapter: 4
Policy: HSG2
Other Table HS6
Para:

No. of Objections: 2152

ISSUES RAISED

The site was previously allocated in both 1st Deposit and the currently Adopted Local Plan. A planning application submitted in 2003 was considered to be satisfactory but was withdrawn on the “insistence” of the Local Planning Authority as premature.

It would be the only housing site in the village and key to sustaining local services (school, shop etc). The only alternative in the area is a site at Rowrah with serious infrastructure problems.

RESPONSE

The site is greenfield and has drainage problems. In view of the proximity of the less prominent brownfield site at Rowrah it was considered appropriate to delete the Arlecdon Road site given the need for an overall reduction in housing numbers as part of the change from 1st Deposit to 2nd Deposit.

The Rowrah site is more difficult to develop because of the bridge access but is a better candidate in terms of village form and in providing better access and parking facilities for users of the cyclepath network. (It also has to be noted that proceeds of land sale here are by an existing agreement to be used for cyclepath maintenance).

Arlecdon/Rowrah is a Local Centre rather than a Key Service Centre and the 20 dwellings allocated on the Rowrah site is considered adequate allowance for the settlement.

The owner of HA18 was “advised” to withdraw the planning application on the grounds of prematurity in advance of the Local Plan Inquiry. At no time did Council officers indicate that it was otherwise considered to be “satisfactory”.

CONCLUSION

Maintain 2nd Deposit's deletion

Report No: 2HS9
Subject: HA29 Adjacent Mill Park, The Green
Chapter: 4
Policy: HSG2
Para:
Other: Table HS6

No. of Objections: 0
No. of Support: 2088, 2089, 2137, 2149, 2243, 2245, 2247,
2249, 2251, 2253, 2255, 2257, 2259, 2261,
2262, 2266, 2267, 2275, 2404, 2407, 2408 (19)

ISSUES RAISED

Support for the Council's decision to delete this site (and The Green as a Local Centre) because:

- It would have a detrimental affect on the character of the village
- It is unnecessary and intrusive
- There is a lack of local infrastructure to support growth
- It would not be acceptable with a negative impact and spoil views

CONCLUSION

Note support – and no objections. Maintain 2nd Deposit's deletion of site

Report No: 2HS10

Subject: HA30 Devonshire Road, Millom

Chapter: 4

Policy: HSG2

Para:

Other: Table HS6

No. of Objections: (13) 2058, 2064, 2123, 2168, 2268, 2272, 2274, 2003, 2302, 2306, 2313, 2314, 2316

No. of Support: (31) 2003, 2004, 2007, 2009, 2010, 2011, 2012, 2014, 2016, 2019, 2021, 2023, 2025, 2027, 2029, 2031, 2033, 2035, 2043, 2046, 2048, 2383, 2385, 2387, 2390, 2392, 2393, 2395, 2397, 2400, 2403

Additional: 2139

ISSUES RAISED

Objectors:

Traffic: More traffic using the bridge over the railway. Also increased volume on Devonshire Road – a disturbance, would damage surface and a safety issue especially with on-street parking so prevalent. Street lighting seen as inadequate.

Loss of Employment Site: Many of the same points raised as in Report No 2HS7. That it was a site purchased specifically for industry and held by NWDA for that purpose – and some objectors maintain that the NWDA Charter prevents its use for housing. Important for Millom not to lose employment sites when regeneration is needed – without jobs there would be no need for new housing in any event. An existing firm expanding or a new business could be lost because the site is not available. There is also reference to master planning work recently undertaken by consultants as part of the Market Towns Initiative. It is felt that this justifies retention of the employment allocation to assist regeneration. There are also objectors who value this part of the town as traditionally a base for industry where there is less likely to be disturbance to residential areas. Another feels that other employment allocations are better suited to a change to housing – but does not specify which.

Nature Conservation: Use for residential development is more likely to threaten the integrity of the adjoining Local Nature Reserve eg proximity will inevitably lead to LNR becoming children's playground and dog exercise area. Such effects will also have an adverse impact on an area of

peace and tranquillity. Another objector feels that employment use has “less negative eco-impact” than housing

Other:

- Potentially reduces value of existing dwellings in the area
- Detrimental effect on local tourism businesses
- Sewerage problems suggested in relation to housing but not specified
- The site has been serviced in advance of industrial units and this is an unfair benefit to a housing developer coming out of the public purse – meanwhile new employment land will require new service investment.

- Site is more suited to recreation use
- One objector suggests the site lies in a high/medium flood risk zone like the rest of the town and the Environment Agency considers that a Flood Risk Assessment and drainage strategy is required
- There is a suggestion that the site is contaminated and is therefore unsuitable for housing

2139 is also dealt with as an objection although it indicates “no preference between industry and housing” for site development. The writer points out that it is part of a large SSSI and adjoins the LNR. It is host to a number of interesting plants and could provide further habitat for the natterjack toad. Currently it provides useful access into the LNR and opportunity to park. Any development proposal needs to be accompanied by a full Environmental Impact Assessment with access to the LNR guaranteed as part of a management agreement and a buffer zone to the LNR incorporated. Developers should also be made to contribute to LNR maintenance.

ISSUES RAISE BY SUPPORTERS:

- Has the benefit of being brownfield and therefore cuts down on the need for further greenfield options
- Is an appropriate “use of the site given suitable screening/blending into the LNR”
- It is outside the area of high floodrisk unlike HA17
- There is excellent access to the site

RESPONSE

Traffic: The effect of 60 more dwellings being served by Devonshire Road is minimal. It is in as good a condition as any other Local Distributor Road and the railway bridge access to this part of the town is not regarded as problem area by the highway authority.

Loss of Employment Site: We would have to accept that the site was prepared and serviced for employment use. Indeed, it was the Council who undertook this when it owned the site as part of the reclamation work on the former Ironworks. Nevertheless it has remained un-let for nearly 20 years and in the meantime the slag-bank area adjoining has been designated as a Local Nature Reserve. There are a number of other sites available for employment use in the town (which are less suited to alternative residential development) and which have space for further expansion unlike E14. It therefore, seemed appropriate to re-evaluate the future of E14. It is at the junction of mainly residential use to the west and mainly industrial use to the east and it appears reasonable to alter the allocation to residential development on this brownfield site once the larger HA17 greenfield allocation is proposed for deletion.

Nature Conservation: On balance it is less likely to cause serious or permanent damage to the LNR than employment uses. More properties overlooking the LNR would also assist security and good order.

Other:

- Residential development is more likely to have a positive impact on general values than industrial development, but this is not really a material issue
- There would seem to be little difference in potential effects on tourism between residential and employment use of the site. (see comments above re nature conservation and protecting integrity of the LNR)
- There are no particular drainage problems here for either use
- The site has benefitted from investment in preparation but this will be reflected in its price – obviously higher anyway than employment valuation and it would be useful if the site owner was to use the proceeds of sale to improve and extend its other estate in the town.
- Additional recreation space is not really required and the site has been prepared/serviced for development already
- The site is not shown in a flood risk zone on the EA's Flood Map but the EA's comments re Assessment and drainage strategy (although only made now) can be accommodated in the "comments" section of Table HS6
- It is thought that previous reclamation work removed most contaminants from the site but again a prior study/remediation programme can be made a formal requirement to be added to Table HS6

2139 Comments: The site has not been designated as part of the LNR although it is part of the large Estuary SSSI. There has been a long lasting allocation for development which has been accepted by conservation bodies (grudgingly perhaps) and a combination of frontage feature planting/cut grass on the site generally does not provide exceptional habitat potential. The access/parking for LNR users is not a formal

arrangement but future access could be incorporated into site layout requirements along with any necessary conservation requirements eg the “toad fence” previously incorporated. Involving site developers in the LNR Management Plan is an option but it is probably better to secure design solutions before consent is granted than to depend on future relations.

CONCLUSION

There are good reasons to retain the allocation for housing on HA30 but it would seem sensible to extend the requirements of the development brief to incorporate issues raised by objectors.

The “comments” section in Table HS6 might therefore read:

Two phases and brief also to require the following:

- **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 Flood Risk Assessment and Drainage Strategy**

Report No: 2HS11
Subject: HA31 Lowther Road, Millom
Chapter: 4
Policy: HSG2
Para:
Other: Table HS6

No. of Objections: (22)
2085, 2086, 2091, 2124, 2144, 2169, 2270,
2073, 2075, 2078, 2091, 2092, 2300, 2005,
2010, 2011, 2015, 2017, 2027, 2030, 2051,
2169, 2415

No. of Support: (36)
2051, 2052, 2053, 2054, 2055, 2056, 2057,
2060, 2061, 2063, 2126, 2232, 2234, 2236,
2237, 2238, 2239, 2357, 2358, 2359, 2360,
2361, 2362, 2363, 2364, 2365, 2366, 2367,
2368, 2369, 2370, 2371, 2409, 2410, 2411, 2412

ISSUES RAISED

Objectors

Traffic: Only a single access into existing estate. Lowther Road is too narrow to deal with additional traffic – poor visibility and seen as a “labyrinth” by one objector.

The two cul-de-sac to be extended are also regarded as too narrow and not equipped to deal with further development. The safety of children playing and of users of the popular footpath across the boundary between the site and the adjoining field are questioned. There is reference again to the additional traffic encouraged at the Station Road/St George’s Road junction – the single railway crossing into this part of the town. One objector feels that development should only be allowed here if a new, second estate access was made onto the Haverigg Road to the south west. Another sees this link as a potential “rat run” which development here may well encourage in the future and which should never be sanctioned.

Footpath: The adjoining footpath is felt to be threatened by the development and should not be removed.

Greenfield: The Council should not sanction use of greenfield land whilst there are still brownfield alternatives. One objector recalls that the land was to be always “greenbelt” . Another points out that the phasing

proposals (10 dwellings by 2006 and remaining 20 dwellings between 2006-11) are too early discouraging developers to deal with constraints on brownfield alternatives. A third objector feels that this allocation should be deleted in favour of two brownfield sites in Whitehaven.

Flooding/drainage: Many of the objectors claim that the site itself, adjoining fields and the footpath are prone to flooding, especially in winter months. The site is lower lying than the adjoining estate and run off problems are likely to worsen with more hard surfaces. The existing pipework in the estate is at its design capacity and cannot cope with more development whilst there is little scope for attenuation against flooding on such a small site. The flood events are getting worse here and problems with foundations were observed with some of the latest building on the estate. EA is recommending both a Flood Risk Assessment and drainage strategy to be made a requirement before development is sanctioned.

Density: The proposed higher density of development is inappropriate and would alter the character of the estate.

Nature Conservation: The site, particularly the hedgerows offer habitat to a wide variety of birds, amphibians and bats which would be threatened by new building.

Demand: There is less need for new housing in Millom – there is no employment in the town and opportunities otherwise at Sellafield, Ulverston and Barrow are in serious decline. Population levels will fall as a result. Another objector questions whether new development proposals are a) consistent with proposals to demolish some public sector dwellings locally and b) appropriate given 5% vacancy rate in public sector housing anyway.

Amenities/Services: Some objectors question whether this part of the town is properly equipped with shops and services, particularly as regards play areas. Distance to existing play areas seen as excessive.

Visual Impact: Some objectors cite loss of view and general impact.

Devalue Property: Cul-de-sac owners especially concerned at effect on their property from extending the development.

Alternative: A “better” alternative is suggested nearby adjoining New Hall Farm.

ISSUES RAISED BY SUPPORTERS

Demand: The town needs more affordable houses for first time buyers and for those on higher rungs on property ladder to free-up existing properties for first time buyers. Only this way will young people be encouraged to stay in the area.

Employment: There is general encouragement for employment from new building and of course specifically for local building trades and suppliers.

Infrastructure: Utilises existing infrastructure in existing “safe, neighbourhood feel”.

Visual Impact: Modest – acceptable landscape and visual impact. Its use avoids having to open up a new area which would potentially create more problems.

RESPONSE

Traffic: The Highway Authority has given its view that the existing estate road system is adequate to deal with the proposed extension.

The two culs-de-sac will have to accommodate increases of 10 dwellings and 20 dwellings respectively which is not too great an imposition. The Highways Authority does not consider the railway bridge at Station Road/St Georges Road to be an issue. A link from the Lowther Road estate to the Haverigg Road is not considered to be in the best interest of the estate since it would introduce through-traffic and is not required for the additional 30 dwellings.

Footpath: It is not the Council’s intention for the footpath to be removed. It should be incorporated into the site layout and improved as per the comments in Table HS6.

Greenfield: There has to be a choice of housing land in the town and a greenfield element is allowed for generally at around 35/37% in the Plan. The HA30 allocation and windfall allowance add up to about 90 dwellings compared to the 30 dwellings allocated here so we are talking about 25% greenfield in Millom. There has never been any “greenbelt” protection in Millom. As to the phasing arrangement it has to be stressed that this is one site with a fairly restricted number of dwellings so it is unlikely to put other developers off dealing with other sites. Development in Millom has no link with the Whitehaven housing market.

Flooding/Drainage: Despite claims by the objectors the site is not in the flood risk zones shown on the latest Flood Map for the town (Appendix) and no special precautions against flooding have needed to be taken in the building of the adjoining estate. The need for attenuation measures on site is unlikely but a flood risk assessment and drainage strategy as advised by EA would provide clarity and can be added to the requirements of the development brief.

Density: The standard urban density of 30 dwellings per Ha is proposed here although GONW suggests that we should be trying to achieve something closer to 50 dwellings per Ha. The objection here illustrates that the 30 dwelling figure is perhaps a reasonable compromise.

Nature Conservation: There are no formal designations as regards wildlife on site. Any protected species will, of course, have to be treated in an appropriate way. It would seem sensible to add a requirement to the comments column in Table HS6 for a wildlife survey to be undertaken with proposals for protection and enhancement measures to be advised.

Demand: The size of the allocation is relatively small but in any event the local housing market needs to be broadened to achieve a better balance. In this way we are better equipped to encourage inward investment and business expansion. To restrict development opportunities entirely is to accept that the town has no future. There are no formal plans to demolish property in the town at this time. The vacancy rate varies overtime but 5% is not unusual in the local public sector stock.

Amenities/Services: The site is very close to the town's main Park and all town centre facilities.

Visual Impact: Of all the sites discussed this has least visual impact.

Devalue Property: This could be a short term effect on culs-de-sac properties but cannot be accepted as a material consideration.

Alternative: The alternative suggested further along Mainsgate Road involves opening up a new area of development. HA31 is the better option in the first instance.

CONCLUSION

It would seem sensible to retain this allocation for 30 dwellings but to add items to be covered by the development brief ie:

- nature conservation study with protection/enhancement measures to be incorporated in layout
- flood risk assessment and drainage strategy

It should also be made clear that the existing footpath running along the north eastern boundary of the site layout with improved surfacing and lighting as previously indicated.

Report No: 2HS12
Subject: HA32 Cleator Mills
Chapter: 4
Policy: HSG2
Para:
Other: Table HS6

No. of Objections: (16) 2093, 2108, 2110 2111. 2114. 2116, 2118, 2119, 2122, 2129, 2147, 2069, 2070, 2296, 2295, 2312

ISSUES RAISED

1. Loss of employment land: Use as a mixed site for housing will reduce the amount available for employment development – not a good thing to be doing in relation to the area’s economic well-being (especially since the overall stock of employment sites has been reduced in the Plan between 1st Deposit and 2nd Deposit anyway).
2. Potential conflict with Tourism/Leisure: The site is close to TOS 2 – a Tourism Opportunity Site along the Ehen/Keekle river valleys – Policy TSM 2. Objectors feel that the site should be within TOS2 but in any event there is an opportunity for development on the site for leisure or other uses relative to TOS2 and they cite the example of previous approval for the Leisure/retail “village” development when Kangol operated from here (though this was never implemented). Again it is felt that housing will cut down the space available for such development and undermine its viability. Encouragement for Tourism is a Council priority and the tourism/leisure/employment combination is a viable mix well supported by the local community and business.
3. Alternative Housing Site: All the objectors point to the alternative site on the opposite side of the A5086 at Flosh Meadows as being more suitable for housing. Its advantages are seen as:
 - it is more easily developable extending from an existing cul-de-sac with all services available
 - it is not visually obtrusive and is bounded by natural features
 - housing here will retain all the land at Cleator Mills for employment use
 - there is a shortage of opportunities for self-build groups in the area and the site owner is willing to enter into a legally binding agreement to restrict the disposal of plots only to self-builders

- the addition of this site for self build will meet other plan objectives re widening housing choice, incorporating a greenfield element and maintaining a higher build-rate (other similar points drawn from the Plan are quoted).
4. Flood Risk: Most objectors point out that most of the site lies in a flood risk area (1 in 75 or 100 years quoted) and should therefore not be considered for development.
5. Objection No 2129: Although along similar lines to other objections this also questions whether the site is suitable for any development noting a number of constraints:

“

- access
- potential contamination
- landscape treatment including the retention of existing trees
- its location in an area subject to high flood risk
- the need to minimise impacts on the Ehen/Keekle Valley SSSI”

In this way the objector questions the validity of the description of the site in Table 16 of ID as being “unconstrained”.

The identified complaints could reduce the developable area considerably whilst incorporating a housing element could jeopardise the potential for employment/leisure uses or act as a significant inhibitor. The mixed use allocation involving housing should be deleted. Alternative housing sites are preferable

RESPONSE

1. Loss of Employment Land: There were objections to 1st Deposit from GONW and the County Council re the overprovision of employment land in the allocations compared to targets set through RPG/JSP. The further hectare “lost” here would bring us closer in line with strategic requirements. This is an area of land which has been available for employment use as part of the Cleator Mills Industrial Estate for many many years without interest and the government encourages planning authorities to reappraise such sites for housing potential and to accept mixed-use solutions.
2. Potential conflict with tourism/leisure
- Planning permission was granted a few years ago for a combined retail outlet and leisure attraction housed in the former Kangol factory with some additional building. (this was to be a retail-village

style affair, discounting brand-named outdoor goods together with a climbing wall and cycle course). Only a small area of the subject land was involved illustrating the fact that there is plenty of capacity on-site to accommodate a mix of uses including housing.

3. Alternative Housing Site: The principal issue we have with the Flish Meadows proposal is that it involves a greenfield site pushing into the open area of countryside between Cleator and Cleator Moor. Whether involving a self-build group or not it would still represent an unnecessary, harmful incursion which would encourage further similar development in later years.

It is far better to use land which has been part of a long term allocation for development and which is better related to the notion of consolidating village form.

4. Flood Risk: It has to be accepted that most of the site now falls within the high flood-risk zone on the latest Flood Map. This was not the case when the allocation was first introduced last year. The idea then was to incorporate housing along the A5086 road frontage which appeared for the most part, free of flood risk.
5. Objection no 2129: This cites reference in Table 16 of 1st Deposit to the Cleator Mills site as being “unconstrained”. Table 16 is actually included in the Adopted Local Plan, written in the mid 1990s when, indeed, there were no constraints to employment development as per the allocation therein.

However, it would appear now that in addition to change in flood-risk assessment there is also an uncertainty presented by a proposal by United Utilities to undertake a sewer improvement on part of the frontage land (ref Objection No 2332 referred to in Report 2R4). This is still at the design stage so the exact land-take and possible sterilisation effects are not yet available. Thus, out of all the “constraints” identified in 2129, the “need to avoid main sewers” is close to describing a real problem as is reference to flood-risk.

The other “constraints” are not considered to be important issues:

- Access: no problem is actually defined by the objector but the Highway Authority has accepted the allocation
- Contamination: Again the objector raises a point without providing explanation or evidence. There is nothing to indicate a problem of this kind.
- landscape treatment: this can be accommodated in the terms of the allocation/consent

- Impact on SSSI : The site has no characteristics which make it different from any other in this respect and again this is an issue which can be accommodated in the terms of allocation/consent.
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CONCLUSION

The flood risk issue is a major concern in relation to housing. The uncertainty over the sewerage improvement scheme means that we cannot be sure that there is a suitable amount of frontage land outside the flood risk zone to accommodate 30 dwellings. However, the likelihood is that there is not. Which means that it is no longer really viable to consider a mixed use on the site. It may be better, therefore, to **delete** the housing element but in view of the long-time allocation for employment use and the objectors comments re tourism/leisure to retain the employment designation broadened to include tourism/leisure related uses subject to design and uses being compatible with the level of flood-risk on site. (please see report no 2R4)

This would leave Cleator **without a specific allocation for housing** so there may be arguments to consider the Floss Meadows alternative. However, thirty dwellings would be an unacceptable incursion into open countryside and would encourage proposals for further similarly damaging development.

At the same time the former Kangol Factory in the Cleator Mills complex remains empty. It is know that there has been interest in its potential for conversion to residential use and as a subject for such a project there are advantages. It would retain what is quite an impressive handsome building (though not listed) and provide a different type of housing in the area overlooking the Ehen. The problem of flood-risk could be accommodated by restricting ground floor use to parking and non-habitable space. It illustrates the fact that **there are windfall opportunities locally to provide brownfield solutions to the housing requirement.**