

Report No: 2H1

Subject: "Inappropriate Use of Reasoned Justification"

Chapter: 4

Policy:

Para: 4.1.2

Other:

No. of Objections: 2132

ISSUES RAISED

GONW feels that para 4.1.2 "engages in debate" and this is entirely inappropriate in the context.

RESPONSE

The paragraph is part of the introduction to the Housing Chapter. Obviously the housing requirement is a major item to deal with and this paragraph introduces the issues which the Council feels have a bearing on the targets set by the RPG/JSP context. Fundamentally the Council does not feel that the regional/sub-regional treatment is nearly as sensitive as it should be to the West Cumbria situation. The need for special treatment has now been recognised by government (chiefly by DTI) in the establishment of a multi-agency taskforce to energise the regeneration strategies. The Council argues that there is risk that these would be jeopardised if housing policies in the Local Plan were to follow the annual requirement and exact recycling targets set by RPG/JSP.

Inclusion of these points in the introduction is still felt to be reasonable given the more detailed treatment of the issues being introduced here in the following sections of Chapter 4, though particularly 4.2 and 4.3.

PROPOSED CHANGES

No change.

Report No: 2H2
Subject: "Housing Requirements"
Chapter: 4
Policy:
Para: 4.2.2
Other:

No. of Objections: 2083

ISSUES RAISED

The County Council is likely to accept the JSP Examination Panel's recommendation that the housing requirements in the County need not to be depressed for the period 2002-2006. The annual figure for Copeland will therefore be 190 dwellings throughout the JSP period 2002 – 2016.

RESPONSE

The point needs acknowledging but in the Local Plan we are arguing that the annual requirement in the early years should be 400 (2002-2004) and 200 (2004-2006).

PROPOSED CHANGES

The final version of the Local Plan will include reference to the JSP's final figure in any event.

Report No: 2H3
Subject: Housing Requirements
Chapter: 4
Policy:
Para: 4.2.5
Other: Table HS2

No. of Objections: 2081, 2136, 2094

ISSUES RAISED

- Frontloading Housing Requirement: GONW, the Regional Assembly and the County Council raise the point that 2nd Deposit's scale of housing provision is too high in the early years. Recent guidance introduced the idea of housing trajectories which do not have wide fluctuations as indicated in 2nd Deposit's Table HS2. The part justification for this, referred to in para 4.2.5, is the effect of Housing Market Renewal and this link is felt to be rather confusing:

The County Council (2081) suggest that the Local Plan approach should be tied more explicitly to a Local Housing Assessment (how many/what type/where/timescale) and to relate this to the clearance/remodelling plans of the Renewal initiative. All three objectors recommend more even distribution and it is suggested that this would be achieved if the replacements through renewal activity were brought into the equation at the latter end of the plan period. Also frontloading using the easier to develop sites (greenfield sites, and rural areas) goes against the logic of and could risk undermining the whole process of renewal, particularly as it gives by the opportunity to developers and prospective residents to avoid getting to grips with the constraints in existing urban areas in need of regeneration.

RESPONSE

There is some logic in these arguments if there was an average spread of accommodation in Copeland's housing markets but there is not. The Council sees a need for action on both fronts ie ensuring that there are better, more attractive housing sites now at the early stage of the plan in just a few locations in the Key Service and Local Centres and then later in the renewal area of west Whitehaven (and there is only likely to be the one area and even then, this is subject to government decision. The resources for West Cumbria and Furness could all go to Barrow or to Barrow and Workington. We do not yet know). At this stage the Council does not yet

have a Housing Needs Assessment which provides the sort of information referred to. The one completed in 2003 is not entirely up to the standard now required but in any event it was based on a survey of existing residents – there was no assessment of need for likely in-migrants (eg the effects of the NDA being set up at Westlakes) and the future housing requirements associated with the strategies to rebuild the local economy.

We do need to do more work on this whole business of re-balancing housing markets in the Borough. The problem of course is time and resources but for the moment there is a need to concentrate on what can be produced as information feeding into the Local Plan Inquiry and it is the intention to produce a position paper on the subject as a basis for a round-table discussion during the early part of the Inquiry. This will also deal with the linked subjects of recycling targets and densities. This will for the most part be based on the paper “Housing Provision” considered by the Local Plan Working Party in August last year which was the basis for the alterations incorporated in 2nd Deposit’s treatment of housing requirements.

PROPOSED CHANGES

None

Report No: 2H4
Subject: Housing Sites Recycling Requirements
Chapter: Chapter 4
Policy: Policy (HSG2) HSG3
Para: 4.2.10/11
Other: Tables HS7 and HS8

No. of Objections: 2082, 2095, 2133, 2135

ISSUES RAISED

The recycling figures set out in 4.2.10 and 11 do not accord with the JSP. GONW says that “it is not acceptable to aspire to fail the JSP brownfield development target” and the County Council’s view is that any allowance for Copeland would have to be added on to other districts in the County to compensate. The opportunity for this (at the JSP Examination) has passed. NWRA also note that Policy UR4 of the Regional Spatial Strategy may also be undermined.

They advise a clearer explanation of how Policy DEV 4 is to be implemented so as to ensure that brownfield allocations will be brought forward over greenfield. This would have avoided the need for detailed amendments on how plan, monitor and manage will be applied throughout all the housing policies. NWRA merely suggest that explicit reference to Policy DEV4 is included in para 4.2.10 to highlight the Council’s commitment to the sequential approach.

GONW wonders whether we have reviewed our previous greenfield allocations as rigorously as suggested by PPG3, specifically asking why the Highlands extension at Whitehaven (HA1) has not been deleted or phased over a longer period. Others mentioned are Lowther Road extension at Millom – a new greenfield allocation and outside the settlement boundary – and retention of other greenfield sites at Ennerdale Bridge and Beckermeth with densities likely to deliver further suburban-style development in village edge locations.

A similar review of greenfield allocations should be built into the phasing programme described in Tables HS7 and 8 to allow for possible postponements or deletions if sufficient brownfield windfall sites come forward to fulfil the supply. This is seen as a way of maximising the brownfield contribution.

RESPONSE

The Council did explain its problems with the JSP requirement of a 70% brownfield target at the Examination last year. There appeared to be some sympathy for our arguments but the basic problem was that any acceptance would have meant other Cumbrian districts would have had to increase their proportion of brownfield to accommodate a change for Copeland. We could never see why there had to be such an approach which failed to provide any sensitivity to our situation.

- a) We are not a single urban area like Barrow and Carlisle. We do not have the supply of brownfield sites readily available to achieve the targets.
- b) A housing supply of 70% brownfield (central urban areas) sites is not what is required in the first instance to help balance housing markets and assist economic regeneration strategies.
- c) The building industry locally must have adequate time to build up their portfolios of brownfield sites and deal with constraints (and the extra investment required). It is not fair to expect them to instantly achieve 70% brownfield – we believe a progressive approach is more appropriate. (The target was actually post dated, too, from 2002 which doesn't help!)

However, there is a conflict in 2nd Deposit with Policy DEV4 saying that we intend to give priority to brownfield sites over greenfield within settlement boundaries but the allocations are actually made-up of more greenfield capacity than brownfield. There is also a much higher proportion of greenfield building provided for in the short and medium terms (2002-2011) by the phasing programme outlined in Tables HS7 and 8. The whole phasing programme relies on a compensation supply of brownfield windfall sites being brought forward but there is no mechanism built in to deal with a situation where the windfall sites might exceed targets and there becomes a need to postpone some greenfield allocations.

There does need to be a clearer explanation of the approach and it is the Council's intention to include this in a paper to be submitted to the Inquiry fairly shortly. This will be based on the item on Housing Provision considered by the Local Plan Working Party last August. The issues can be developed further in the course of a roundtable discussion on housing matters. These will include the justification for the housing sites based, again, on previous papers submitted to the Local Plan Working Party. Additional evidence will be prepared including an updated Urban Potential Study.

PROPOSED CHANGES

A clearer explanation of the Council's approach will be incorporated in a paper to be submitted to the Inquiry on housing issues.

Report No: 2H5
Subject: Existing Planning Permissions
Chapter: 4
Policy: HSG1
Para:
Other:

No. of Supporters: 2163

ISSUES RAISED

Support addition of “other local plan policies” as additional criteria for judging proposals to renew consent.

RESPONSE

Support noted

PROPOSED CHANGE

No Change

Report No: 2H6
Subject: Flood Risk Assessment
Chapter: 4
Policy: HSG2
Para: 4.2.22
Other: Table HS6

No. of Objections: 2164

ISSUES RAISED

Identifies reference to table HS4 in para 4.2.22 which should read HS6

RESPONSE

Agree – this is a mistake which needs to be rectified

PROPOSED CHANGES

Amend reference to Table HS6

Report No: 2H7
Subject: Housing within settlement boundaries
Chapter: 4
Policy: HSG4
Para: 4.3.5
Other:

No. of Objections: 2050

No. of Supporters: 2171, 2172

ISSUES RAISED

- Objection: Restricting windfall development to 10 or less dwellings is arbitrary and would prevent use of appropriate and sustainability located brownfield sites. All sites should be considered on merit against Policy DEV4 and other policy requirements.
 - Supporters: Support reference to Policies DEV7 and HSG8 at the end of para 4.3.5 and to “other plan policies” at the end of Policy HSG4.
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RESPONSE

- Objection: Para 4.3.5 actually refers to windfall development being “usually” of ten or less dwellings, there is scope for larger proposals in exceptional circumstances to be considered on merits – but in relation to the sequential tests of Policy DEV4 in accordance with Policy HSG3 as regards monitor/manage requirements
 - Support: Noted
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PROPOSED CHARGES

None

Report No: 2H8
Subject: Housing in smaller settlements and the open country side
Chapter: 4
Policy: HSG5
Para:
Other: Para 4.4.1

No. of Objections: 2280

No. of Supporters: 2173

ISSUES RAISED

- Objections: Local Plan Objective No15 (section 2.8) commits the Council to encouraging diversification of the rural economy (as well as urban). This objective (and other environmental objectives) would be better served by a reference to farm diversification in the housing exceptions discussed in para 4.4.1.
 - Support: Support references to Policies DEV7 and HSG8 at the end of para 4.4.1
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RESPONSE

- Objection: The issues raised would appear to be covered by para 4.4.2 and Policies HSG and 11.
 - Support: Noted
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PROPOSED CHANGES

None

Report No: 2H9

Subject: Sequential test for housing and provision of affordable housing

Chapter: 4

Policy: HSG5 and 11

Para:

Other:

No. of Objections: 2282, 2283

No. of Support: 2176 (just HSG 11)

ISSUES RAISED

- Objection: Feel there is lack of clarity between the housing policies HSG5 and 11 and the requirement of Policy DEV4. The provision of more affordable homes in rural areas could be a positive encouragement to diversifying the rural economy. However, the requirement to follow the sequential test of Policy DEV4 could involve excessive costs (eg the conversion of a traditional building) and thereby operate against what is trying to be achieved.
 - Support: Support reference to “other plan policies” in criterion 3 of HSG11.
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RESPONSE

- Objection: The provisions for “small exceptions” are a fair balance between on the one hand the needs of rural enterprise or rural communities and on the other such environmental considerations as the protection of open countryside and village character. The sequential test of DEV4 has to apply to this type of development as to any other.
 - Support: Noted
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PROPOSED CHANGE

None

Report No: 2H10
Subject: Housing Design Standards
Chapter: 4
Policy: HSG8
Para:
Other:

No. of Supporters: 2175

ISSUES RAISED

Support new reference to free draining in criterion 3 of HSG8 (this meets an objection to 1st Deposit which is therefore withdrawn).

RESPONSE

Noted

PROPOSED CHANGES

None

Report No: 2H11

Subject: Affordable Housing in Key Service and Local Centres

Chapter: 4

Policy: HSG10

Para: 4.7.6/4.7.7

Other:

No. of Supporters: 2381

ISSUES RAISED

Support the addition of "Key Service and Local Centres" in Policy title and note additions to paras 4.7.6 and 4.7.7

RESPONSE

Noted

PROPOSED CHANGE

None

Report No: 2H12
Subject: Conversion to dwellings in Rural Areas
Chapter: 4
Policy: HSG17
Para:
Other:

No. of Objections: 2285
No. of Support: 2177, 2284

ISSUES RAISED

- Objection: The additional criterion no 2 relating to buildings used/last used for agriculture could be more positively expressed to encourage farm diversification.
 - Support: Specific support for the additional criterion no 1 and addition to criterion no 7 re “other plan policies”.
-

RESPONSE

- Objection: The policy criterion is in accordance with PPG3, PPS5 and RPG/JSP required. Current or just use for agriculture is classed as greenfield and the DEV4 must apply and the policy is designed to prevent unnecessary development in rural areas (Bona fide rural enterprise is protected by criterion 1)
 - Support: None
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PROPOSED CHANGE

None

Report No: 2H13
Subject: Individual Caravans
Chapter: 4
Policy: HSG23 / HSG6
Para:
Other:

No. of Supporters: 2287 , 2281, 2174

ISSUES RAISED

Supports change from (merely) “agricultural” to “rural” enterprise (2287, 2281)

Support reference to ‘other plan policies’ at the end of HSG6 (2174)

RESPONSE

Noted

PROPOSED CHANGE

None

Report No: 2H14

Subject: Non residential development in rural area

Chapter: 4

Policy: HSG25

Para:

Other:

No. of Supporters: 2178

ISSUES RAISED

Support reference to "other policies" in criterion 3

RESPONSE

Noted

PROPOSED CHANGE

None

Report No: 2H15
Subject: Gypsy Caravan Sites
Chapter: 4
Policy: HSG26
Para:
Other:

No. of Objections: 2179, 2323

ISSUES RAISED

2179: Makes no reference to the need to be in accordance with other plan policies.

2323: Feel that if Landscapes of County Importance are worthy of specific exclusion so should the following:

1. Areas close to the National Park boundary
2. Heritage Coast
3. Nature Conservation designations
4. Historic conservation designations and their settings including Listed Buildings, Conservation Areas, Registered Historic Parks and Gardens, Schedule Ancient Monuments.

Even if a reference to having to be in accordance with other plan policies was added the Objector feels this list of designations should be included.

RESPONSE

2179: It would be consistent to add reference the other plan policies

2323: One of the tasks involved in the Local Plan Review was to improve types of policy wording to achieve greater consistency, clarity and brevity. We are still not quite achieving this and policies will tend to get longer through compromises at this stage in the adoption process. But it has to be said that the suggested designations are just as worthy of mention as County Landscape Importance and they have already been listed in other plan policies such as Policy SVC7. The one exception is the area close to the National Park boundary which is not a formally defined area of significance. Also there are no Registered Historic Parks or Gardens in the plan area.

PROPOSED CHANGES

The Policy should be altered to:

“... to be acceptable proposals for such sites must:

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 Sites of Wildlife Importance
 - Conservation Areas or in the vicinity of Listed Buildings or Scheduled Ancient Monuments”

Report No: 2H16

Subject: Accommodating Travelling Showpeople

Chapter: 4

Policy: HSG27

Para:

Other:

No. of Objections: 2324

ISSUES RAISED

Same as 2323 – see Report No 2H15

RESPONSE

Same as Report No. 2H15

PROPOSED CHANGES

Same as Report no 2H15