

Copeland Local Plan 2013-2028: Core Strategy and Development Management Policies for Adoption

EXECUTIVE MEMBER: Councillor George Clements

LEAD OFFICER: John Groves

REPORT AUTHOR: Chris Bamber/Chris Hoban

PURPOSE OF REPORT

To inform members of the conclusions of the Inspector's examination of the Core Strategy and Development Management Policies Development Plan Document, and to propose that the amended document be referred to Full Council for adoption.

RECOMMENDATION

That Members

1. note the Inspector's report, and accept its conclusions.
2. recommend the adoption of the Core Strategy and Development Management Policies to Full Council.

1. INTRODUCTION

- 1.1 Members may recall that this exercise, to review the Local Plan adopted in 2006, has been going on since the initial 'Issues and Options' consultation in 2009. Having undergone a number of consultation stages during its production and then a public examination the new Core Strategy and Development Management Policies document has now been finalised ready for adoption by the Council.

1.2 This report is intended to remind Members of the production process to date and also inform Members of the outcome of the Public Examination so you are in a position to recommend the document's adoption to Full Council on 5th December 2013.

2. THE CORE STRATEGY AND DEVELOPMENT MANAGEMENT POLICIES

2.1 The Core Strategy provides the strategic framework for development in Copeland over the next fifteen years. It is the Borough Council's development strategy, and thus one of the Council's main strategy documents. It is supported by the Development Management Policies, which express the strategic principles in terms appropriate to dealing with planning documents, and are thus a key operational document in carrying out the Council's statutory planning duties.

2.2 The key features of the document as submitted are:

- a concentration of most development in the towns, with development in the smaller settlements generally at a level to keep them viable and sustainable;
- a stress on regeneration, with policies designed to offer support to the existing and potential nuclear sector while also providing good quality land for inward investors, and support for tourism-related development;
- vibrant communities in the rural areas, with services maintained in villages as well as in towns;
- maintenance of a high quality environment.

3. PRODUCING THE CORE STRATEGY AND DEVELOPMENT MANAGEMENT POLICIES

3.1 The document has gone through three iterations, beginning with an Issues and Options paper (May 2009), then the Preferred Options (May 2010) and finally the Pre-Submission Draft (May 2012). All of these documents were the subject of public consultation, which helped inform the development of each subsequent document.

3.2 The Pre-Submission Draft document represented the Council's final draft of the Core Strategy and Development Management Policies. A number of representations were made during the public consultation on the document between May and July 2012.

3.3 These representations identified some proposed minor modifications, that were considered by the LDF Working Party and Full Council. A number of minor modifications were approved for submission to the Secretary of State for Examination. The minor modifications were mostly designed to bolster the plan's

consistency with the then recently-published National Planning Policy Framework, along with some clarifications. They did not significantly alter the strategy and policies as originally approved by the Council.

- 3.4 The Pre-Submission Draft of the Core Strategy and Development Management Policies was submitted to the Secretary of State, together with the schedule of minor modifications and other evidence base and background documents on 1st November 2013.

4. EXAMINATION OF THE CORE STRATEGY AND DEVELOPMENT MANAGEMENT POLICIES

- 4.1. Following submission the plan has been subject to public examination by a Planning Inspector. At the Examination public hearing the Inspector took the proposed modifications on board and suggested a small number of additional changes that were drawn together as Main Modifications. The Inspector's additional changes were mainly around representing supporting text as policy, and others being small textual changes to reflect more closely national planning policy.
- 4.2 The Main Modifications were then consulted upon, during May and June 2013 (Note that these were officially the Inspector's modifications, and were therefore not subject to Council approval at that stage. They were, however, mostly the same as those approved by Council in October 2012). The Main Modifications attracted very few comments, which suggests that they were broadly supported.
- 4.3 The wide degree of consensus over its strategy and policies is evidenced by the fact that the public hearing was over in two short days, compared to the normal four to six days. We believe this may be the shortest Core Strategy hearing on record, representing a significant cost saving.
- 4.4 Unfortunately, however, the Inspector's Report was delayed due to pressure of work on the other plans he was dealing with, the Planning Inspectorate being short staffed, and an additional short consultation that was required to consider any potential impacts of CLG Guidance on Renewable Energy developments on our plan.
- 4.5 The Public Examination ended with the receipt of the Inspector's Report on 27th September 2013, where he found the plan to be sound, subject to a number of recommended modifications. These modifications are largely as was suggested and agreed during the Examination.
- 4.6 The Inspector's Report is binding upon the Council, and a copy of the Inspector's Report can be found in the Members Room.

- 4.7 A schedule of all modifications (both the minor modifications and Inspector's Main Modifications) to be made to the Core Strategy and Development Management Policies is attached to this report as Appendix 1. As can be seen in Appendix 1, the vast majority of the modifications have already been approved by the LDF Working Party and Full Council prior to submission.
- 4.8 The modifications that emerged during the examination, and which have not already been approved by LDF Working party/Full Council, are:
- MM2
 - MM3
 - MM6
 - MM16
 - MM17
 - MM18
- 4.9 These modifications were also drafted by Council officers during the examination process and do not, collectively or individually, alter the intent or general effect of any policy. Thus, we can proceed to adopt a plan which is in every important respect the same as that approved by Council last year.

5. **WHAT HAPPENS NEXT**

- 5.1 The document now needs to be adopted, which requires LDF Working Party approval to take it to Full Council with the appropriate resolution.
- 5.2 Following that, the Council must advertise that it is minded to adopt the plan as modified, with a six week period to allow for challenge from any interests who might contest the lawfulness of the Inspector's conclusions.
- 5.3 Once adopted, the Core Strategy will form the critical strategic part of the Local Development Framework, and the foundation for the accompanying Development Management Policies, which will form the basis for development management decisions.
- 5.4 These policies will then replace most of the policies in the Local Plan 2001-2016, with the exception of those policies that relate to site allocations. As there will generally be no need now to refer to the policies of the 2006 Local Plan, Planning Panel reports should become a little shorter and simpler.
- 5.5 It is now approved practice to go back to calling the Local Development Framework (or at least, its statutory elements) the Local Plan, and the LDF will in future be 'badged' as the Local Plan 2013-2028. (In legal terms the Local Development

Framework still exists, because the 2004 Act has not been repealed). Our Supplementary Planning Documents and Annual Monitoring Report remain part of the LDF.

6. COMPLETING THE LOCAL PLAN 2013-2028

6.1 In future the Local Plan will be presented as a plan consisting of three parts;

- Core Strategy;
- Development Management Policies;
- Site Allocation plan

6.2 It now remains to produce the Site Allocation plan. We anticipate that this will be a much less arduous and expensive process than the Core Strategy – although it will still need to go through a public examination. This is because the LDF evidence base is still up to date, and also because this document has to conform with the Core Strategy as adopted, which cuts down the scope for arguing about policy.

6.3 An essential input to the Site Allocation plan is the Strategic Housing Land Availability Assessment or SHLAA. This was finished in draft for last year's Core Strategy submission, and demonstrated, to the Inspector's satisfaction, that the Borough has enough viable housing land to meet the needs indicated by the evidence base. We are now finalising that document.

6.4 In formal terms the production of the Site Allocation plan has already begun, with the submission of a draft Sustainability Appraisal Scoping Report to the environmental bodies (Natural England, the Environment Agency, and English Heritage). This is on the Site Allocation web page.

APPENDICES

Appendix 1 – Modifications made to the Pre-Submission Draft Core Strategy and Development Management Policies

BACKGROUND PAPERS

The Inspector's Report and the final Core Strategy and Development Management Policies document for adoption incorporating all of the modifications can both be found in the Member's Room

Modifications

A Schedule of proposed Minor Modifications was published when the Core Strategy and Development Management Policies were submitted in November 2012. Some of those, it was decided at the public hearing, were too significant to be regarded as ‘minor’ and should in fact be advertised for comment as Main Modifications, along with other modifications agreed at the hearing. This was done in May and June 2012. Main Modifications are referenced as ‘MM’ in the schedule below.

References ‘AM’ refer to submitted Minor Modifications which the Inspector agreed did not make material changes to the plan and did not require further public consultation. They are mostly small textual corrections to make the text of the plan more accurate and up-to-date.

The Main Modifications below are expressed either in the conventional form of strikethrough for deletions and underlining for additions of text, or by specifying the modification in words in italics. (Where Additional Modifications are small text corrections, the whole amended text is not included.)

The reasoning behind the modifications is contained in the Schedule of Additional Modifications (October 2012) and the Main Modifications (April 2013), which are on the Borough Council web site.

Note that the page numbers and paragraph numbering below here refer to the plan as submitted, and may be different from the adopted plan due to format changes and other minor editing.

Ref	Page	Policy/ Paragraph	Modification
AM1	6, 13, 29, 36, 126, 176.	Paras. 1.5, 3.3.14, 3.7.6, 4.4.1, 9.3.1, 10.2.3.	Update from ‘Major Infrastructure Planning Unit’ to ‘National Infrastructure Directorate’
MM1 (was AM2, 3 and 4)	14	New Paragraph 3.3.19	<u>Copeland needs development to modernise and diversify the economy and to provide a better range of housing and a better quality of life for our people, whilst respecting and nurturing our exceptional environment. The Borough Council believes in taking a positive approach and working proactively with applicants to enable development to be approved which will achieve this. This plan is pro-development and should be read as supporting the presumption in favour of sustainable development contained in the National Planning Policy Framework.</u>
	19	Policy ST1	Insert at end of policy: <u>Planning applications that accord with these principles and relevant Development Management policies, and do not undermine the Spatial Development Strategy, will be approved without unnecessary delay, unless material considerations indicate otherwise.</u>
	137	New paragraph	<u>Where there are no policies relevant to an application, or relevant policies are out of date at the time of making the decision, the application will be</u>

Ref	Page	Policy/ Paragraph	Modification
		10.1.2 (preface to Development Management policies)	<u>assessed against national planning policy contained in the National Planning Policy Framework. The Council will grant permission unless the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, or other material considerations (including policies in the Framework) indicate that development should be restricted.</u>
MM2	16	Strategic Objective 10	Support the increased sustainability of communities, <u>including measures to diversify and otherwise improve the viability of farming</u> , in rural environments varying from former mining settlements in the north and south, to the villages of mid Copeland.
AM5	19, 35, 66	Pp. 19 para. 3.4.3, 35 para. 4.3.1, 66 para. 7.2.3	Removal of references to Government Planning Policy Statements that are now cancelled.
MM3	20 34	Policy ST2C (ii) Policy ER2 and preface (para 4.3.1)	<p>C Restricting development outside the defined settlement boundaries to that which has a proven requirement for such a location, including:</p> <p>ii) Energy - renewable: support for renewable energy generating capacity <u>proposals at sites</u> which best maximise renewable resources and which minimise environmental and amenity impacts</p> <p>4.3.1 The Government has set a target to supply 15% of the UK's energy from renewable energy by 2020 (as set out in the 2009 Renewable Energy Directive). One way local authorities can help achieve this is by providing positive planning policies for renewable energy. In addition, national planning policy <u>requires local plans guidance, in the form of the current PPS22 and its likely replacement in the National Planning Policy Framework, also require Local Development Frameworks to include policies that support renewable energy. Policy ER2, read with Policy DM2, defines how applicants can demonstrate that the impacts of renewable energy developments are or can be made acceptable.</u></p> <p>ER2 - Planning for the Renewable Energy Sector</p> <p>The Council will seek to support and facilitate new renewable energy generation <u>proposals at locations</u> which best maximise renewable resources and minimise environmental and amenity impacts. <u>The Council in determining applications will have regard to targets agreed with partners, based on up-to-date research taking into account local circumstances,</u> Criteria on renewable energy development / generation are set out in Policy DM2.</p>
AM6	24	Figure 3.3	(1) Alter totals to make clear that individual figures do not add up exactly to Borough-wide sums; (2) Amend table footnote as follows: - figures may not exactly equal the total due to rounding. <u>do not exactly equal the total. This reflects the town allowances not being ceilings, and there being no allowance for 'windfall' (which would include, for example, rural 'exception' sites).</u>
MM4 (was AM7)	25	Para 3.5.14	As decisions are taken during the site allocation process, it will become clear whether any settlement boundaries need to be changed. The Council will review these boundaries. The outcome of any review will thus be subject to public consultation as part of the preparation of the Site Allocation Plan

Ref	Page	Policy/ Paragraph	Modification
and 8)		Para 3.5.15	<p>Development Plan Document. The review will take into consideration the following factors</p> <p>At present the Council considers <u>Sites identified in the SHLAA as being suitable for housing purposes suggest</u> that the following areas should be considered for boundary reviews: Whitehaven (north and south), Egremont (to the south and south west), Millom (to the south west) Cleator (north side), Moor Row (west and south), and small changes at Arlecdon, Beckermeth, Bigrigg, Ennerdale Bridge and Seascale. The land which may be involved is identified in the SHLAA <u>maps</u>.</p>
MM5 (was AM9)	27	Policy ST3 para 3.6.2	<p>The sites in Whitehaven are carried forward from the 2006 Local Plan. Their retention as priorities is consistent with objectives of the West Cumbria Economic Blueprint, notably 'A Commercial Kick Start Project' (the proposed offices at Albion Square) and 'A Harbour and Coastal Development Programme'. These are taken forward in more detail in the Whitehaven Town Centre and Harbourside SPD. The Coastal Fringe, predominantly the site of the former Marchon works, will be taken forward in the West Whitehaven SPD. The South Whitehaven area will also be taken forward via a SPD, which will include a development brief for major new housing development between Wilson Pit and St Bees Roads.</p> <p>Renumber paras. 3.6.2 – 3.6.4 to 3.6.3 – 3.6.5.</p> <p>And additional 'bullet point' to reference box: - West Cumbria Economic Blueprint 'Sites and Premises'</p>
AM10	28	Policy ST4A	<p>Add: and has the capacity to meet the additional demand,</p>
AM11	28	Policy ST4B	<p>Deletion of 'mitigatory'</p>
MM6	28	Policy ST4C	<p>C The Council will, until a Community Infrastructure Levy is adopted, apply the following principles in securing developer contributions:</p> <p>i) Development proposals should provide, or contribute to the provision of facilities, infrastructure, services, and other environmental and social requirements either on or off site, as is reasonable and necessary to support and mitigate the impact of the development</p> <p>ii) The nature and scale of any planning requirements sought for this purpose should be related to the type of development, its potential impact upon the surrounding area and, in the case of residential proposals, the need for developer contributions to <u>for</u> the provision of affordable housing (see Policy SS3). <u>The Council will not seek contributions which would prejudice the viability of a development, beyond those which would be necessary to make it acceptable.</u></p> <p>iii) Contributions for the initial running costs of services and facilities to secure their medium and long-term viability will be agreed through appropriate conditions or obligations, where such costs cannot be sustained in the short term</p>

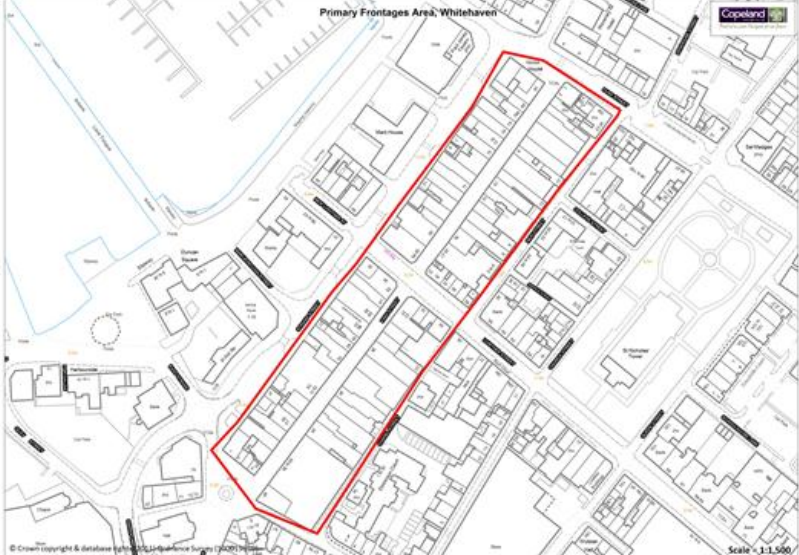
Ref	Page	Policy/ Paragraph	Modification
AM13		Para. 4.3.10	Insert 'contributor' in final sentence.
AM14		Paras. 4.4.3, 4.4.7, 4.4.9	Replace 'Spatial Implications' with 'Employment Land Review Update – ELR – 2012' in 4.4.3 and 'ELR' subsequently.
MM7 (was AM15)	38	Para 4.4.4	<p>Although this still represents an apparent 'surplus' of about 40 ha. the supply is dominated by land with particular potential for uses important to the achievement of the spatial development strategy:</p> <ul style="list-style-type: none"> • Westlakes Science and Technology Park (<u>27.96 ha. available</u>), which is a strategic site as indicated in Policy ER6 and elsewhere; • Whitehaven Commercial Park (<u>12.45 ha, available</u>), which should be reserved as a valuable resource for local businesses as other industrial estates become fully developed; and • a group of sites in Whitehaven (<u>previously identified in the Local Plan, almost 9 ha. in total</u>) representing the town's best opportunities for developing an office market, for which there is latent demand from the nuclear sector (although other suitable uses, particularly tourism-related including hotels, would be supported, particularly on harbourside sites).
MM8 (was AM16)	39	Para 4.4.7	<p>The <u>ELR 'Spatial Implications'</u> study confirms that this approach remains valid. Copeland needs to be able to respond to the needs of major infrastructure projects, especially the proposed nuclear power station and its associated development. We also need to make allowance for businesses that are likely to grow, or move into Copeland, as a result of nuclear-related development; and for the supply additionally to cater for other businesses diversifying the economy, as well as the needs of other local businesses. Thus maintaining an apparent surplus is important to retain capacity to accommodate extra demand. <u>However, this situation will be kept under review; it will be re-examined in the site allocation process and, if anticipated major developments do not come forward, the supply will be re-examined in an early review of the strategy.</u></p>
MM9 (was AM18)	43	Para 4.7.4	<p>No major change to the retail structure within the Borough is proposed in order to meet the existing and future need. Rather, the emphasis is on maintaining and enhancing the viability and vitality of the existing retail centres. Whitehaven has therefore retained its status as the Principal Town Centre, and Millom, Egremont and Cleator Moor continue as Key Service Centres. <u>However, it may be that there will be proposals for development of retail and other town centre uses not in an existing centre. Such applications will be dealt with in accordance with national planning policy (NPPF paragraphs 24-27); that is, applying the sequential test allowing out-of-centre development only when preferable centre or edge-of-centre sites are not available, and requiring impact assessments on developments over the default threshold of 2,500 m2.</u></p>
MM10 (was AM19)	45	Policy ER9A (i) and ER9B	<p>Policy ER9 – The Key Service Centres, Local Centres and other smaller centres Retail and service development which promotes the vitality and viability of Key Service Centres, Local Centres and other smaller centres, and is consistent with the spatial development strategy as defined in Policy ST2 and Figure 3.2, will be supported.</p> <p>A In Key Service Centres (Cleator Moor, Egremont and Millom):</p> <p>i) Appropriate retail and service sector provision will be actively encouraged within the defined boundaries of each Key Service Centre <u>to serve local communities meet the needs of local residents</u> and to facilitate</p>

Ref	Page	Policy/ Paragraph	Modification
			<p>small scale tourism. Evening entertainment and leisure uses will also be acceptable if they meet the criteria as set out in ER7 E above.</p> <p>ii) The town centre boundaries of the Key Service Centres will be reviewed and may be redrawn to reflect current circumstances</p> <p>iii) Further physical improvements in association with town centre management initiatives will be considered to attract more visitors and to reduce levels of vacancy</p> <p>v) Development should also accord with Policies DM6 and DM7</p> <p>B In the Local Centres and smaller centres:</p> <p>The provision of shops and services will be maintained to ensure they continue to serve their small catchment areas with basic goods and services. <u>Retail and service development which promotes the vitality and viability of rural settlements, without damaging their environment or amenity, will be supported.</u></p>
MM11 (was AM22)	47	Policy ER10C	<p>Support appropriate tourism development which accords with the principles of sustainable development and does not compromise the special qualities and character <u>of allocated Tourism Opportunity Sites, the area surrounding them of the surrounding area or public access thereto, on allocated tourism opportunity sites</u> in the following locations:</p> <ul style="list-style-type: none"> i) Hodbarrow ii) Ehen / Keekle Valleys iii) Whitehaven Coastal Fringe iv) Lowca Coastal Area
AM23	47/48	Policy ER10F	<p>Change 'Tourist Board' to 'Tourism' in ER10F and add the Tourism Strategy to the evidence box</p>
MM12 (was AM22)	Insert after Para 5.3.2	Insert housing trajectory	<p><u>Housing Trajectory</u></p> <p><u>Figure 5.1 illustrates the need for emerging site allocations over the Plan period.</u></p> <p><u>5.3.3 The 'base scenario' set by Policy SS2 and reflecting evidence summarised below, is for an average 230 dwellings per year, or 3450 over the plan period.</u></p> <p><u>5.3.4 The Government instructs that a 'buffer' of an additional 20% over the basic allowance of 230 homes per annum be brought forward to 'frontload' the supply in the first five years, leading to a reduction of 10% below the allowance for the remaining 10 years.</u></p> <p><u>5.3.5 Allowance also needs to be made for 'market uplift' of seventy dwellings per year in years 6 to 15 of the plan period, to respond to the demand that would arise from the anticipated construction of a nuclear power station. Thus the total amount of house building for which land will be made available including 'market uplift' is would be at 230 per year for 5 years, and 300 per year for 10 years – a total of 4150.</u></p>

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			<p>5.3.6 A more detailed comparison of the resulting alternative trajectory is provided in Appendix 5.</p> <p>Figure 5.1 Housing Trajectory; guide for allocations and phasing</p> <table border="1"> <caption>Data for Figure 5.1: Housing Trajectory</caption> <thead> <tr> <th>Year</th> <th>Base Allowance</th> <th>Buffer</th> <th>Allowance for Market Uplift (Nuclear New Build)</th> <th>Allowance for Market Uplift</th> <th>Total</th> </tr> </thead> <tbody> <tr><td>2013/14</td><td>230</td><td>46</td><td>0</td><td>0</td><td>276</td></tr> <tr><td>2014/15</td><td>230</td><td>46</td><td>0</td><td>0</td><td>276</td></tr> <tr><td>2015/16</td><td>230</td><td>46</td><td>0</td><td>0</td><td>276</td></tr> <tr><td>2016/17</td><td>230</td><td>46</td><td>0</td><td>0</td><td>276</td></tr> <tr><td>2017/18</td><td>230</td><td>46</td><td>0</td><td>0</td><td>276</td></tr> <tr><td>2018/19</td><td>230</td><td>46</td><td>0</td><td>0</td><td>276</td></tr> <tr><td>2019/20</td><td>230</td><td>0</td><td>70</td><td>0</td><td>300</td></tr> <tr><td>2020/21</td><td>230</td><td>0</td><td>70</td><td>0</td><td>300</td></tr> <tr><td>2021/22</td><td>230</td><td>0</td><td>70</td><td>0</td><td>300</td></tr> <tr><td>2022/23</td><td>230</td><td>0</td><td>70</td><td>0</td><td>300</td></tr> <tr><td>2023/24</td><td>230</td><td>0</td><td>0</td><td>70</td><td>300</td></tr> <tr><td>2024/25</td><td>210</td><td>0</td><td>0</td><td>90</td><td>300</td></tr> <tr><td>2025/26</td><td>210</td><td>0</td><td>0</td><td>90</td><td>300</td></tr> <tr><td>2026/27</td><td>210</td><td>0</td><td>0</td><td>90</td><td>300</td></tr> <tr><td>2027/28</td><td>210</td><td>0</td><td>0</td><td>90</td><td>300</td></tr> </tbody> </table>	Year	Base Allowance	Buffer	Allowance for Market Uplift (Nuclear New Build)	Allowance for Market Uplift	Total	2013/14	230	46	0	0	276	2014/15	230	46	0	0	276	2015/16	230	46	0	0	276	2016/17	230	46	0	0	276	2017/18	230	46	0	0	276	2018/19	230	46	0	0	276	2019/20	230	0	70	0	300	2020/21	230	0	70	0	300	2021/22	230	0	70	0	300	2022/23	230	0	70	0	300	2023/24	230	0	0	70	300	2024/25	210	0	0	90	300	2025/26	210	0	0	90	300	2026/27	210	0	0	90	300	2027/28	210	0	0	90	300
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MM13 (was AM24)	53	Para. 5.3.6	<p>However, current market conditions and infrastructure considerations (in particular, drainage and water supply) mean that allowance for such growth will have to be phased into the later stages of the Plan period. This will be considered in greater detail in the Site Allocations Development Plan Document. The current assumption is that, for at least the first five years of the Plan period, 230 per annum is the most that it is realistic to provide for. <u>However, in accordance with national planning policy, we will also ensure that an additional 20% is available in the first five years to allow the housing market to make up for its so-called ‘underperformance’ in recent years. Thus the supply will allow for up to 276 homes per annum.</u></p>																																																																																																
AM25	57/58 and 157	Para 5.5.2 Policy SS4, pp. 57/58; DM21 page 157.	<p>Add ‘theatres’ to list in 5.5.2 5th bullet point</p> <p>Add ‘and cultural’ in two relevant places in SS4 (title and SS4D).</p> <p>Delete ‘community’ in SS4C (to make the reference comprehensive)</p>																																																																																																
AM26	57	Para 5.5.2	Typographical correction to 7 th bullet point																																																																																																
MM14 (was AM27)	58	Para. 5.5.7	<p>Protection of Community Facilities and Services: There has been wide support for the principle of protecting socially useful facilities, in all locations, from development pressures. In particular, land or buildings belonging to or providing community facilities should be protected from pressure from competing uses unless there is no demand, or sufficient alternative provision exists.</p>																																																																																																

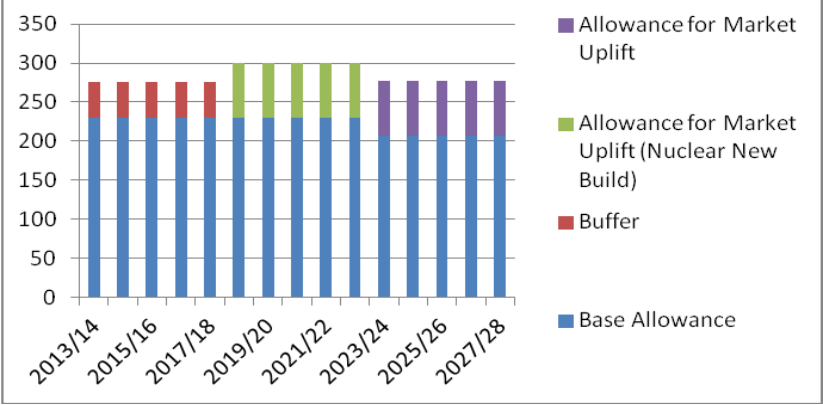
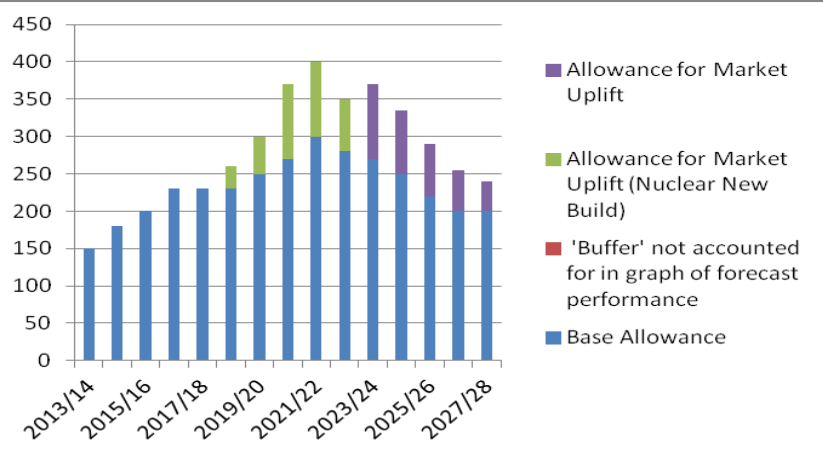
Ref	Page	Policy/ Paragraph	Modification
			<p><u>For open space, sports and recreational buildings and land, including school playing fields, the criteria of NPPF paragraph 74 will apply:</u></p> <ul style="list-style-type: none"> <u>an assessment must be undertaken to show that they are surplus to requirements; or</u> <u>the loss would be replaced by equivalent or better provision in a suitable location; or</u> <u>the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.</u>
MM15 (was AM28, AM29)	60	Para. 5.6.6.	<p>Policy SS5 will support the protection of existing facilities such as sports pitches, parks, play areas and allotments, which will be designated in the Site Allocations DPD and Policies Proposals Map. <u>The policy covers any relevant facility referred to in the audit. The Council will endeavour to preserve and enhance the Borough's green infrastructure as far as budgets permit, and will expect that new development plays its part in improving the extent, quality and accessibility of green space. This approach is complementary to that relating to other community facilities in Policy SS4. The Council's proposed requirements for open space and landscaping are set out in Policy DM12 and DM26 respectively. This will be achieved via the negotiation of planning obligations or use of Community Infrastructure Levy if adopted.</u></p>
AM30	62	Policy T1B	<p>Alteration to bullet point in T1: A595 capacity improvements to the A595</p>
AM31	62	Policy T1C	<p>Refer to Port of Workington. Response: add (to be more precise) 'employment zones in and Port of' before the name of the town.</p>
AM32	63	Para 6.2.6	Delete 'mitigatory', insert 'appropriate'
MM16	67	Policy ENV2F	<p>Policy ENV2 – Coastal Management F Work with partners to manage the risks associated with coastal erosion and flooding and ensure that all new development is located outside areas <u>identified as being at risk either now or in future phases of the Shoreline Management Plan.</u></p>
AM33	68	Policy ENV3	<p>Insert 'UK and' before 'Cumbria' in first sentence; Insert 'and enhance' and delete 'and build on' in ENV3B; Add 'and stepping stones' to ENV3E.</p>
AM34	69	Table 6.1	Add River Ehen (Ennerdale Water) to Keekle confluence to list of SSSIs
AM36	72	Table 6.1	Add reference to Cumbria Biodiversity Evidence Base
AM37	74	Para. 7.6.3	Add <u>'It is expected that this work will be completed in 2013. The characterisation will be depicted on the Proposals Map as revised following adoption of the site allocation document.'</u>
AM38	110 /116	Paras. 8.5.18/8.6.13	Move reference to Seascale Community Plan from 8.5.18 to 8.6.13
AM39	110	Para. 8.5.18	Correct date of Parish Plan to 2011

Ref	Page	Policy/ Paragraph	Modification
AM40	113	Paragraph 8.6.8	Insert references to Drigg and Sellafeld stations.
MM17	139	Policy DM2 B & C	<p>Policy DM2 – Renewable Energy Development in the Borough</p> <p>Proposals for renewable energy development in the Borough <u>will be supported where they must</u> satisfy the following criteria:</p> <p>B There would be no <u>unacceptable significant</u> adverse visual effects</p> <p>C There would be no <u>unacceptable significant</u> adverse effects on landscape or townscape character and distinctiveness</p>
MM18		<p>New Policy DM6B (words taken from supporting text)</p> <p>New supporting paragraphs</p>	<p>Policy DM6B – Primary Retail Frontages</p> <p>King Street in Whitehaven is designated as Primary Frontage Area consisting of four separate frontage lengths (that is, the north west and south east sides of King Street, on each side of Lowther Street), including corner properties facing respectively the Market Place, Lowther Street or Duke Street. Each frontage length is regarded as a distinct Primary Retail Frontage where retail (Class A1) should be the predominant use, and where continuous retail frontages will be supported.</p> <p>Where a unit has been vacant and evidence can be provided showing that it has been marketed for A1 retail use at reasonable price and for at least 6 months, the Council will consider permitting change of use to financial and professional services (Class A2) or restaurants and cafes (Class A3). No more than two consecutive non-retail uses will be permitted within any Primary Retail Frontage and non-retail ground floor frontages will not be permitted to exceed 25% of the length of any Primary Retail Frontage. Special consideration will also be given to minimising the impact on the character of the street of waste storage and ventilation systems associated with A3 uses.</p> <p>10.2.20 Whitehaven and the Key Service Centres of Cleator Moor, Egremont and Millom all contain defined town centres which are the focus for retail development for both convenience and comparison shopping.</p> <p>10.2.21 Whitehaven contains a defined Primary Frontages Area, covering the most intensive area of shopping along King Street, between Market Place and Duke Street. <u>The Primary Frontages Area is shown on the Proposals Policies map (see extract below).</u> The concentration of continuous shopping frontages is a major attraction to shoppers in Whitehaven and the Council will generally seek to maintain this provision by resisting non-retail development at ground floor level of these premises. At the same time, however, it is clear that the economics of retailing have been changing rapidly in recent years with increasing vacancies apparent on town centre “pitches”. Understandably these have begun to cause concern amongst local business and community groups as well as with the Council. Accordingly, the Council is prepared to relax its policy stance and to allow a certain amount of non-retail, town-centre related uses into the Primary Frontages Area but subject to certain safeguards. These relate to types of use and minimising the potential cumulative impact of change over time. In this way, where a unit has been vacant and evidence can be provided showing that it has been marketed for A1 retail use at reasonable price and for at least 6 months, the Council will consider permitting change of use to financial and professional services (Class A2) or restaurants and cafes (Class A3). The Council would expect that no more than two consecutive non retail uses are permitted within this Primary Frontages area and that non retail uses make up no more than 25% of the</p>

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			<p>frontage lengths of King Street in each of its two lengths, either side of Lowther Street. Special consideration will also be given to minimising the impact of the waste storage and ventilation systems associated with A3 uses on the character of King Street.</p>  <p>10.2.22 The approach otherwise is to protect and enhance the role of all the town centres by ensuring that services and facilities are concentrated within town centre boundaries. All town centres should provide a diverse offer, and this must be balanced to ensure that vitality and viability are protected. Therefore the policy seeks to regulate non-retail uses in defined town centres, whilst recognising the important role that leisure and food and drink activities have in the tourism and night time economies.</p> <p>10.2.23 The test of 'over concentration' will generally be when three consecutive premises or more are likely to fall into non-retail use.</p>
AM41	161	Policy DM25	Alterations to policy to make it clear that it applies to priority as well as statutorily protected species
AM42	162	Para. 10.5.6	Delete word 'occasionally'
MM19 (was AM43)	163	Policy DM27 B & D	<p>B Development proposals which adversely affect <u>have a significant adverse effect on</u> a Scheduled Ancient Monument or its wider site or setting will not be permitted</p> <p>D Development which affects Listed Buildings or their setting will only be permitted where it:</p> <ul style="list-style-type: none"> i) Respects the architectural and historic character of the building ii) Avoids any substantial or total demolition, or any demolition that is not related to proposed development affecting the building iii) Does not have a <u>significant</u> adverse effect on the setting or important views of the building iv) Involves a change of use to all or part of the listed building which contributes to the conservation and overall economic viability of the building, and where the use can be implemented without any adverse alterations to the building

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MM20 (was AM44)	165	Policy DM28B	B Any proposed works to Trees within Conservation Areas, or protected with Tree Preservation Orders, will be required to include an arboricultural survey to justify why works are necessary and that the works proposed will, where possible, not adversely affect the amenity value of the area. <u>Applicants for development that will result in the loss or deterioration of ancient woodland or veteran trees outside woodland should demonstrate that the need for and benefits of the development will clearly outweigh the loss.</u>
AM45	173-182	Glossary	Insert definition of green infrastructure
AM46	173-182	Glossary	Add 'greenspace' to definition of infrastructure and definition of 'stepping stones'
MM21 (was AM47)	184	Appendix 3	<p>a) Transport Assessments</p> <p>Transport Assessments are required by virtue of <u>Policies T1 and DM22 TSP7</u> in relation to the following:</p> <ol style="list-style-type: none"> 1. residential development in excess of 100 <u>80</u> units, or 2. employment uses in excess of 5,000 <u>4,000</u> sq. m. gross floorspace (<u>5,000 sq. m. in the case of Class B8 development</u>), or 3. hotel developments in excess of 100 bedrooms, or 4. caravan or similar holiday sites in excess of 100 units, or 5 any development that either generates in excess of 100 <u>two-way</u> heavy goods vehicles per day or <u>30 two-way</u> 100 vehicle movements in any hour or 6. any development that materially adds to local congestion or, 7. any development that may impact on the trunk road network <p>b) Travel Plans</p> <p>Also in accordance with <u>Policies T1 and DM22 TSP7</u> Travel Plans will be required for:</p> <ol style="list-style-type: none"> 1. retail development in excess of 800 sq. m. (food) and 1500 sq. m. (non-food) and 2. indoor leisure facilities in excess of 1,500 1000 sq. m. gross 3.2. office, employment, education health and services development in excess of 2500 sq. m. gross 3. new and expanded school facilities 4. development that would otherwise generate local traffic problems as identified through a transport assessment or an evaluation of a proposal. <p>And for other types of development in accordance with national guidance.</p> <p>The Borough Council will expect Transport Assessments and Travel Plans to</p>

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			be consistent with national guidance, currently Guidance on Transport Assessment and Good Practice Guidelines: Delivering Travel Plans through the Planning Process.
MM22 (was AM48)	Insert at end of plan	New Appendix 5	<p>Construction of a housing trajectory is complicated both by the macroeconomic situation and factors specific to Copeland:</p> <p>the housing market generally is depressed;</p> <p>in Copeland there is a further challenge caused by factors making it difficult to attract development (geographical peripherality and an image not encouraging to inward investment);</p> <p>potential future developments which should make a major difference, but which have not yet been confirmed.</p> <p>Trajectory 1 (see also the main body of the plan at paragraph 5.3.3) illustrates the need for emerging site allocations over the Plan period.</p> <p>The 'base scenario' is for an average 230 dwellings per year, or 3450 over the plan period.</p> <p>The Government instructs that a 'buffer' of an additional 20% over the basic allowance of 230 homes per annum be brought forward to 'frontload' the supply in the first five years, leading to a reduction of 10% below the allowance for the remaining 10 years.</p> <p>The trajectory also makes allowance for 'market uplift' of seventy dwellings per year in years 6 to 15 of the plan period. Years 6 to 10 coincide with the expected construction of a nuclear power station. The allowance of a total of 350 dwellings is expected to be enough to accommodate the proportion of the workforce (construction and permanent) who will be moving into the area and will seek permanent homes, and within that, the proportion who will seek housing within the Borough. In years 10 to 15 'uplift' will relate to other anticipated developments in the nuclear sector, along with supply chain and potentially other energy-related sectors.</p> <p>The total amount of house building for which land will be made available including 'market uplift' is thus at 230 per year for 5 years, and 300 per year for 10 years – a total of 4150.</p>

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			<p data-bbox="630 297 1134 327">Trajectory 1; guide for allocations and phasing</p>  <p data-bbox="630 871 1187 900">Trajectory 2. Forecast house building performance</p>  <p data-bbox="630 1453 1485 1615">NB the house building which would take place on land included in the 'buffer' allowance- that is, allocations brought forward into the first five years - in trajectory 1 is distributed within the base allowance in trajectory 2. This is because inclusion of a site in the 'buffer' is not considered likely to have an effect on the speed at which housing is delivered.</p> <p data-bbox="630 1624 1485 1686">Trajectory 2 is a forecast of market performance in building homes during the plan period. It is based on the following assumptions.</p> <ul data-bbox="630 1738 1485 2038" style="list-style-type: none"> • Performance will gradually pick up from a relatively low figure in 2013/14 (gross delivery in 2011/12 was 150 dwellings). • Starting in the later years of this decade, and peaking in the early 2020s, there will be a Moorside-related boost (green on the graph) as construction gathers pace, with some longer term staff buying homes in the Borough (or renting 'buy-to-let' dwellings) and the power station staff increasing in number as commissioning approaches. 'Base' demand (blue) will also continue to increase as the local economy grows. • Post 2023, other new developments, primarily nuclear-related, will

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			come on stream.