



## COPELAND BOROUGH COUNCIL

MOD 1

**RESPONSE TO OBJECTIONS TO PROPOSED MODIFICATIONS MAY 2006**

**Subject:** Cleator Mills  
**Policy:** EMP 1  
**Paragraph:**  
**Modification ref:** R5.4.1

**Name:** Hampton Trust  
**Agent:** MJN Assocs 3003

Issue raised by Objector

- The allocated site should be adjusted to include land to compensate for land lost to United Utilities for a new waste water separation plant.

Response

- Not new issue – considered in Report no. 2R4 by Inspector.

**Policy:** EMP 1  
**Table:** Table EM2  
**Mod Ref:** R5.2.1

**Name:** Hampton Trust  
**Agent:** MJN Assocs 3004

Issue raised by Objector

- Modified Table EM2 leads to shortfall of local employment sites as against JSP targets
- The Cleator Mills site should not be reduced in size given need for regeneration opportunities in Cleator Moor area
- As they stand the site boundaries are “illogical, expensive and liable to flood risk .. a readjustment is requested”

Response

- Not new issues – all covered in Report no 2R4 by Inspector. Site area for employment/leisure/tourism related development is same as

originally i.e. 3.74Ha and boundaries can be reassessed at planning application stage when exact land requirement for UU improvement is known.

**Policy:** EMP 1

**Mod. Ref:** R5.4.1

**Name:** Environment Agency 3119

Issue raised by Objector

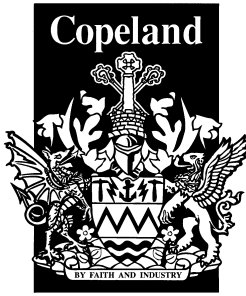
- Site is within High Risk Flood Zone 3

Response

- Not new issue – covered in Report nos 2R4 and 2HS12 when the housing element was removed.

**RECOMMENDATION:**

**No further modification**



## COPELAND BOROUGH COUNCIL

MOD 2

**RESPONSE TO OBJECTIONS TO PROPOSED MODIFICATIONS MAY 2006**

**Subject:** Housing site HA19, Rowrah Goods Yard  
**Policy:** HSG 2  
**Paragraph:**  
**Mod ref:** R4.31.1

**Name:** Messrs Corlett & sons 3015  
**Agent:** Mr & Mrs S Corlett

Issues raised by objector

- Allocation does not take into account proximity of existing haulage business operating 24 hrs and using same access as proposed for housing development
- Plan has increased the area for building
- Redevelopment of the haulage site for housing has been refused so there is no case for an alternative site like this

Response

- A late objection – the point should have been made when 1D published. In any event housing here originally allocated on one side of bridge before the haulage centre approved
- Not new issue – covered in Report no HS13 and Inspector increased density
- Not a material issue – the haulage site is outside the settlement boundary in any event

**Name:** Mr P Holman & Miss S Farnell 3078  
Mr L Garside 3104  
Mrs M Simpson 3122  
Mr & Mrs G Benn 3126  
Mr I Dale 3127

Issues raised by objectors

- Higher density will destroy views and devalue properties facing site along Rowrah road; will increase traffic problems along this road and for users of cycleway (including children and families)

- Adequate parking for cycleway users should be incorporated to prevent them using up residents' spaces
- Potential overloading of sewerage system
- Contamination and presence of invasive weeds/new plant species which are protected
- Strong local objection/not enough prior consultation with local community re justification, local interests and general pros and cons. A "Residents' Group" was formed in response to previous Local Plan proposals here (1994) which agreed to around 20 low rise dwellings – any increase is opposed

### Response

- Apart from density not new issues – all covered in report HS13.
- The increased density was a recommendation from the Inspector

Nb some objectors have quoted 50 or 70 dwellings but the total allocation in the Proposed Modifications is 35 dwellings.

### **RECOMMENDATION:**

**No further modification**

**COPELAND BOROUGH COUNCIL**

MOD 3

**RESPONSE TO OBJECTIONS TO PROPOSED MODIFICATIONS MAY 2006**

**Subject:** Housing Sites HA12 & 13 Egremont North  
**Policy:** HSG 2  
**Paragraph:**  
**Mod ref:** R4.25.1 - 3

**Name:** Egremont Estates  
**Agent:** Smiths Gore 3036

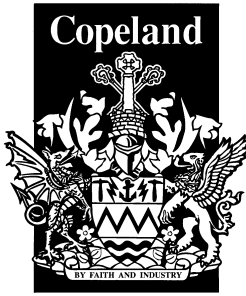
Issues raised by objector

- Does not agree with the Proposed Mod which is to reduce the HA12 (greenfield) allocation to 35 dwellings during the plan period and for this to be phased in same time period as HA13 (brownfield/contaminated) i.e.2011 – 2016. Feel that it will not assist in delivering orderly, co-ordinated development.

Response

- This was a recommendation by the Inspector based on full assessment of all the housing sites and report no HS9. No new evidence has actually been presented by the objector.

**RECOMMENDATION;****No further modification**



## COPELAND BOROUGH COUNCIL

MOD 4

**RESPONSE TO OBJECTIONS TO PROPOSED MODIFICATIONS MAY 2006**

**Subject:** Housing allocation at Cleator  
**Policy:** HSG 2  
**Paragraph:**  
**Mod refs:** R4.39/40/41/42/43

**Name:** Mr R Mulholland  
**Agent:** Ward Hadaway 3038

Issues raised by objector

- Objector feels that “Omission Site E” at Cleator which was allocated as a Proposed Modification (R4.43.1) should be dropped because it is:
  - a) really greenfield being previously agricultural
  - b) is not/has never been part of the Ennerdale CH Hotel
  - c) partly within the Ehen floodplain
  - d) cannot be adequately/safely accessed (the highway authority has not been asked to comment before allocation): there are covenants restricting use of adjoining land for access purposes and it is therefore incapable of being developed
- Objector feels that “Omission Sites B, C and D are unsuitable alternatives for the allocation because of landscape/townscape impact or flood risk
- Objector feels that “Omission Site A” which he owns is best placed to accommodate 30 dwellings because it is:
  - a) in a sustainable location
  - b) not constrained by flooding issues
  - c) can be accessed to standard
  - d) can accommodate a range of types inc affordable to help maintain local services
  - e) well screened with additional scope for controlled off-site planting

Response

All these issues were examined in some detail at the Inquiry and there was extensive coverage in both the Council’s reports (HS19, 2HS12 and FWE467/274) and the Inspector’s Report (pages 70 – 72). The Inspector agreed that there was a case for general housing in the village and that on

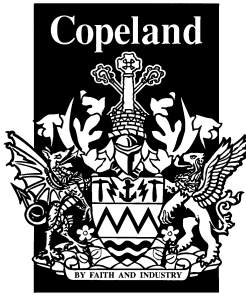
balance, looking at all the sites suggested, Site E was best placed to accommodate such a development. However, he did make an assumption that the existing buildings on site meant that it should be treated as brownfield whereas, since their last use was agricultural, it must be regarded as greenfield. It is nevertheless physically better related to existing village form than Site A, has some conversion potential and was included in the Proposed Modifications (as greenfield) in line with the Inspector's recommendation.

The only issue where additional comment has been submitted is access. Site E was originally allocated in the current Local Plan (1997) as part of a larger site which included Hawthorne Fields. Access from that direction would now be difficult but there are options and these need to be explored in detail by a developer. If there is no solution forthcoming the Council can reassess the situation as part of the new Housing Allocations DPD in the next few years.

Overall, though, there is insufficient new argument to go against the Inspector's recommendation.

**RECOMMENDATION:**

**No further modification**

**COPELAND BOROUGH COUNCIL**

MOD 5

**RESPONSE TO OBJECTIONS TO PROPOSED MODIFICATIONS MAY 2006**

**Subject:** Housing Site HA20 Croft House Farm, Beckermat  
**Policy:** HSG 2  
**Paragraph:**  
**Mod ref:** R4.32.1/2

**Name:** E Jenkinson  
**Agent:** L Cockcroft

Issues raised by objector

- Although he accepts the reduction in housing numbers to 5 dwellings the objector feels that the site boundaries prescribed will need to be adjusted to accommodate this new build in addition to the existing farmhouse. Access would also probably have to be made from a point outside the settlement boundary.
- Further justification for a larger development is implied: that this would allow a more viable amalgamation of the objector's farming interests in a wider area.

Response

- Some small adjustment of boundaries can be made at the detailed planning application stage along with the design of a safe access. The important thing is to retain the basic new-build area designated by the Inspector.
- This is not a material issue in terms of the development plan in any event. However, the objector has not pursued this argument.

**RECOMMENDATION:****No further modification**





## COPELAND BOROUGH COUNCIL

MOD6

**RESPONSE TO OBJECTIONS TO PROPOSED MODIFICATIONS MAY 2006****Subject:** HA31 Lowther Road, Millom**Policy:** HSG2 & HSG5**Paragraph:** (Table HS6)**Modification ref:** R4.29.1 - R4.29.3**Name:****Agent:**

No. of Objections: (33)

3046, 3047, 3048, 3049, 3050, 3051, 3052, 3053, 3054,  
3055, 3056, 3057, 3076, 3080, 3081, 3082, 3083, 3084,  
3085, 3086, 3087, 3088, 3089, 3090, 3091, 3092, 3094,  
3095, 3096, 3097, 3098, 3099, 3131

No. of Support: (56)

3005, 3006, 3007, 3009, 3010, 3011, 3012, 3013, 3014,  
3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024,  
3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033,  
3034, 3035, 3037, 3058, 3059, 3060, 3061, 3062, 3063,  
3064, 3065, 3066, 3067, 3068, 3069, 3070, 3071, 3072,  
3073, 3074, 3075, 3077, 3079, 3100, 3101, 3102, 3103,  
3105, 3117

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**ISSUES RAISED BY OBJECTORS**

Access/Traffic: Single access into existing estate. Road too narrow to cope with additional traffic. Currently, congestion is a problem for access off the estate due to the local infant school, this will be made worse with an increase in houses on the estate.

The two cul-de-sacs are not suitable for increase in traffic. Access for the cul-de-sacs is often poor due to cars parked outside people's homes on Lowther Road, which also obstruct view. Safety concerns were raised for children playing and for users of the popular public footpath across the boundary between the site and the adjoining field.

Suggestion that development should only be allowed if access is provided off Haverigg Road but also concerns if this was the case it would be used as a 'short-cut' into town.

Concerns were also noted for access across the railway crossing and in particular safety of children using this route to go to school.

Greenfield: Building on this site would merge Millom and Haverigg together which is against greenfield policy. Regarding policy HSG5 – Housing Outside Settlement Development Boundaries – objector's views that this allocation does not meet criteria of policies DEV4 and DEV6. Need to protect greenbelt.

Nature Conservation: The area allocated is home to a variety of wildlife eg: bats; barn owls; sparrow hawk; geese; hedgehogs and rabbits.

Flooding: Objectors claim that the site is prone to flooding. The site is low lying and the adjoining estate and run off problems are likely to worsen with more hard surfaces. A flood risk assessment and drainage strategy should be done before any building is done.

Affordability: The feeling is that the houses which would be built on this development would be out of the price range of local people and therefore of no benefit to local people.

Economy: Concerns that any development would not employ local people and thus not benefit the economy of the town.

Density & Phasing: The proposed higher density is inappropriate and would alter the character of the existing housing estate.

An overall supporter of the site objected to the phasing of the allocation stating that development should be phased alongside Devonshire Road development and not as recommended by the Inspector, "released and developed as a later phase" as it would give more choice of areas for people to live in.

Demand: Housing will not be required in Millom in volumes proposed, particularly with employment in decline and decrease in population. Terraced houses are needed, which if built would not be keeping with the estate. Many houses are for sale currently in the town. Another objector questions whether new development proposals are a) consistent with proposals to demolish some public sector dwellings and b) appropriate given 5% vacancy rate in public sector housing anyway.

Visual Impact: Loss of view is raised as an issue from residents bordering the allocation and privacy invasion from increase in traffic passing houses.

Alternative: Site HA17 Salthouse Road was suggested as an alternative to this site as it does not have a school opposite, the site is on the outskirts of the town, traffic would be less of an issue, and is less prone to flooding.

## ISSUES RAISED BY SUPPORTERS

Demand: The town is in need of more choice in the housing market. Specific areas of need were affordable housing for first time buyers and young people and family homes.

Employment & Economy: Support for creation of employment from new building and the boost this would bring to the economy.

Visual Impact & Environment: Extension of existing housing estate, which would have least negative impact on environment.

## RESPONSE

Apart for objections to density and phasing, no new issues raised. All issues were examined at the Inquiry and there was coverage in the Council's reports (2HS11 and FWE275/2169, FWE534/2091, FWE556/2144, FWE579/2273, FWE589/2300, FWE594/2311, FWE597/2315, FWE599/2317, FWE532/2085) and the Inspector's Report (page 65).

Phasing the release of site HA31 after HA30 was a recommendation of the Inspector.

In relation to HA17 Salthouse Road (proposed housing site withdrawn at 1<sup>st</sup> Deposit Stage) and objector's opinions that this would be a suitable alternative for housing, the Inspector in his report states "While it is a greenfield site, I consider that it [HA31] would represent a much more limited use of such land than HA17, and relate better to the built up area."

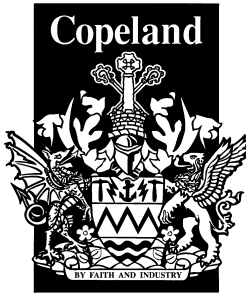
Considering the allocation on this site, the Inspector's Report states "I consider that this relatively small greenfield site is suitable for allocation for housing subject to a phased release that gives priority to the re-use of previously developed land within the town."

Overall, there is insufficient new argument to go against the Inspector's recommendation.

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## RECOMMENDATION:

**No further modification**

**COPELAND BOROUGH COUNCIL**

MOD 7

**RESPONSE TO OBJECTIONS TO PROPOSED MODIFICATIONS MAY 2006**

**Subject:** Site WEOS1 Former Dawnfresh site, Whitehaven  
**Policy:** EMP 3 (was TCN 8)  
**Paragraph:** 5.2.18  
**Mod ref:** R5.28.3

**Name:** Tesco Stores Ltd 3111  
**Agent:** J Williams of DPP

Issues raised by objector

Revised approach to Opportunity Development Sites now includes the former Dawnfresh site as an Employment Opportunity Site close to the town centre not within the town centre as previously. Objector feels that existence of a planning consent for part of the site for retail (July 2005) should be included in supporting text.

Response

Consents will be granted (and sometimes lapse) over time. It is not necessary to record each one in the Local Plan.

**RECOMMENDATION:****No further modification**

**COPELAND BOROUGH COUNCIL**

MOD 8

**RESPONSE TO OBJECTIONS TO PROPOSED MODIFICATIONS MAY 2006**

**Subject:** Site E12 Mainsgate Road, Millom  
**Policy:** EMP 1  
**Paragraph:**  
**Mod ref:** R5.7.1

**Name:** Environment Agency 3116  
**Agent:**

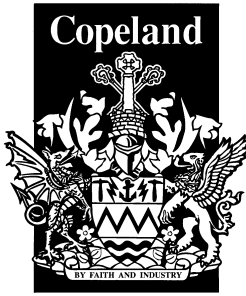
Issues raised by objector

The site area “has been reduced..(but)..despite this, the site remains within Flood Zone 3 (High Risk)” therefore EA wishes to maintain its objection.

Response

The site area was actually slightly increased from 1.58 to 2.34 Ha by the Inspector because he recognised that there needed to be a reasonable amount of expansion land for the existing business operating from the Mainsgate Road factories. The flood risk is acknowledged but as there are very few businesses in Millom operating as successfully as this one it did not seem sensible to create unnecessary difficulties for possible expansion. Design and use of any buildings will have to adopt precautions.

**RECOMMENDATION:****No further modifications**



**COPELAND BOROUGH COUNCIL**

MOD 9

**RESPONSE TO OBJECTIONS TO PROPOSED MODIFICATIONS MAY 2006**

**Subject:** Development near watercourses  
**Policy:** ENV 16  
**Paragraph:** 6.5.4  
**Mod ref:** R6.32.2

**Name:** Environment Agency 3120  
**Agent:**

Issue raised by objector

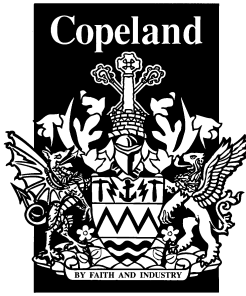
Wishes to maintain original objection requiring change to wording of para 6.5.4

Response

The change required by EA was actually made as Modification ref R6.32.2 in accordance with the Inspector's recommendation

**RECOMMENDATION:**

**No further modification**

**COPELAND BOROUGH COUNCIL**

MOD 10

**RESPONSE TO OBJECTIONS TO PROPOSED MODIFICATIONS MAY 2006**

**Subject:** Local Centre designation for Bigrigg, Lowca and Moor Row  
**Policy:** DEV 3  
**Paragraph:** 3.1.29 - 30  
**Mod ref:** R3.11.1

**Name:** Friends of the Lake District 3121  
**Agent:**

Issues raised by objector

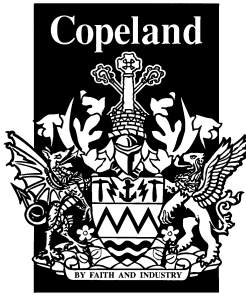
Support the Inspector's recommendation which was to delete these 3 settlements from the list of designated Local Centres. The reasons are:

- a) There are sufficient alternative development options in N. Copeland and
- b) Leaving reassessment of Local Centre designation to work on the LDF would put undue pressure on these settlements during intervening years

Response

Modification ref R3.11.1 fully explains the Council's reasons for not accepting the Inspector's recommendation. It would not be proper to delete three fairly large settlements – certainly the equal of most other Local Centres – without a comprehensive reassessment of all the Centres and this is to be carried out as part of the LDF. The other original objector, GONW, has indicated acceptance of the Council's view and no new arguments have been introduced.

**RECOMMENDATION:****No further modification**

**COPELAND BOROUGH COUNCIL**

MOD 11

**RESPONSE TO OBJECTIONS TO PROPOSED MODIFICATIONS MAY 2006**

**Subject:** Westlakes Science and Technology Park  
**Policy:** EMP 1 & 2  
**Paragraph:** 5.2.16 (now 5.2.15)  
**Mod ref:**

**Name:** North West Regional Development Agency 3128  
**Agent:**

Issues raised by objector

Notes that the earlier point they made relating to the Park being a “Strategic Regional Site” rather than, as written in the Plan, “Regional Investment Site” has not been acknowledged and the change made accordingly.

Response

Neither the Council nor the Inspector has picked this matter up previously. It is actually a factual point with no bearing on policy and the change can and will be incorporated as such without need for a formal Modification.

**RECOMMENDATION:****No further modification**





## COPELAND BOROUGH COUNCIL

MOD 12

**RESPONSE TO OBJECTIONS TO PROPOSED MODIFICATIONS MAY 2006****Subject:** Strategic transport improvements**Policy:****Section:** 7.2**Mod ref:**

<b>Name:</b>	North West Regional Assembly	3109
	North West Regional Devt Agency	3129

Issues raised by objectors

- The NWRA appears to be maintaining a previous objection in relation to paras 7.1.1, 7.1.4 and 7.2.1 but have not submitted arguments in support of this. Instead there are “comments for information” which include reference to the Regional Transport Strategy and West Cumbria Spatial Masterplan and suggest that the Local Plan should not put forward specific schemes to improve infrastructure but concentrate on what “outcomes” are considered necessary.
- The NWDA feels that the re-write of 7.2 on Strategic Improvements does not address a previous objection which was to the Council’s opinion of the worth of the “Access to Furness & West Cumbria Study”

Response

- The Inspector recommended no Modifications relating to paras 7.1.1 and 7.1.4 (R7.1.1 and R7.2.1). Para 7.2.1 was altered in accordance with the Inspector’s recommendation R7.3.1 involving a re-write of the section on Strategic Transport Improvements, explaining how they are delivered through RTS and what the Council sees as important in terms of lobbying. Reference is also made to the Spatial Masterplan for West Cumbria because this is going to examine all regeneration infrastructure and access needs. Supposedly it is signed up to by the NWRA, NWDA, the government and other partners thus it is worthy of mention in the Local Plan.
- The Council and other West Cumbria partners maintain their view about the “Access” study which did not recommend any significant infrastructure improvements. It is reasonable to have an opinion and to state it.

**RECOMMENDATION: No further modification**