

Copeland Local Development Framework Publication Document

CORE STRATEGY DPD

DEVELOPMENT MANAGEMENT POLICIES DPD

Accessibility and Transport Policies

Environmental Protection and Enhancement Policies

for Consideration by the LDF Working Party

September 2011



Proud of our past. Energised for our future.

Introduction

This paper is a working draft of Chapters 6 and 7 of the final Core Strategy and associated Development Management Policies. It comprises:

- Accessibility and Transport Policies
- Environmental Protection and Enhancement Policies

It should be noted that the different members of the team have drafted different parts of the text and there may be areas of overlap or duplication. We intend to edit the document as a whole once all of the different chapters have been updated.

6 Accessibility and Transport

6.1 Introduction

- 6.1.1 Many issues relating to transport are regulated outside the realm of land-use planning, and local projects are planned through the Cumbria Local Transport Plan produced by Cumbria County Council. However, the LDF has an important role to play in supporting delivery of the Local Transport Plan. It can allocate or safeguard land necessary for providing new transport infrastructure and ensure that new development is located where, and in such a way that, opportunities for supporting public transport, walking and cycling are maximised. New development can also deliver transport improvements that address its impact, via planning obligations.
- 6.1.2 Improvements to the current transport network and innovative approaches to working to promote more sustainable travel patterns are vital. Sustainable transport access at the key out of town employment sites in the Borough, namely the Westlakes Science and Technology Park and the Sellafield site should be explicitly encouraged. The Sellafield site in particular generates significant transport movements which can cause congestion during peak times, the proposed new nuclear power station will add further pressure to the existing network and it is therefore imperative that sustainable transport solutions are realised. Through a package of transport improvements and the relocation of non-essential staff off the site to town centres sustainable travel will be encouraged, congestion reduced and site safety and security improved.
- 6.1.3 The Borough's relative geographic isolation must be countered by ensuring that the latest facilities for communications and access to information are available for all our communities.

6.2 Improving Accessibility and Transport

- 6.2.1 The Spatial Development Principles (ST1) rely on new development being in the most sustainable locations, in transport terms. They also requires the transport system to respond in a way which increases choice. Both strands of planning must seek to make walking, cycling and using public transport easier, and to make the car less necessary as a mode of transport, especially for journeys to work and within and between neighbouring settlements.

Policy T1 – Improving Accessibility and Transport

The Council will support transport improvements that maximise accessibility for all modes but particularly by foot, cycle and public transport.

- A Priority will be given to improving the accessibility of the Borough's key development and regeneration sites, town and village centres, service, employment and transport hubs, and rural areas**
- B Where appropriate land will be allocated or safeguarded to facilitate the following transport priorities for the Borough:**

- i) **Whitehaven Town Centre Transport Interchange**
- ii) **Whitehaven Town Centre Enhancements Scheme**
- iii) **Pow Beck spine road**
- iv) **A595 Whitehaven Eastern Relief Road / Bypass**
- v) **A595 capacity improvements**
- vi) **Improvements to the A5086**
- vii) **Maintaining and improving the stations, infrastructure and services on the Cumbria Coastal Railway**
- viii) **Improvements and enhancements of the footpath and cycle network to improve accessibility by these modes**

The Council will support schemes which improve transport including park and ride facilities for areas of employment and new development sites, freight transfer facilities and other rail-related improvements.

C Better connections will be sought outside the Borough to:

- i) **Key employment sites, service centres and transport hubs, including Lillyhall Business Park, Workington, Barrow in Furness and Carlisle**
- ii) **Regional and national transport links including the A66, M6, A595, A5092, A590 and West Coast Main Line**

D Planning obligations for developments at all major new development sites will be sought to maximise their accessibility, especially by supporting improvements to rail and public transport access through Travel Plans. Contributions will also be co-ordinated to assist with the delivery of the wider transport priorities for the Borough.

E Transport system improvements must include measures to upgrade the environment, safety and convenience of the system and its setting.

F A Parking Strategy will be developed to set out guidance for incorporating car parking in new developments with appropriate parking standards and for managing parking in the Borough.

Detailed requirements for all transport developments are set out in Preferred Policy DM22.

6.2.3 In order to address the transport-related issues facing the Borough and strike a good balance in improving accessibility to meet economic, social and environmental objectives, Policy T1 includes a combination of improvements.

6.2.4 **Accessibility to key sites:** given the focus of development and regeneration in the Borough's key towns, where accessibility by foot, cycle and public transport is greatest, priority needs to be given to improving links to key sites by sustainable modes. Sustainable travel should be actively

promoted through travel planning at the key employment sites at the Westlakes Science and Technology Park and Sellafield .

- 6.2.5 **Land for transport priorities:** Policy T1 establishes the principle for safeguarding or allocating land to deliver the key transport priorities that have been identified for the Borough. Details of the land and boundaries will be set out in the Site Allocations document.
 - 6.2.6 **Connections outside the Borough:** good access to employment locations, service centres, transport hubs outside the Borough is essential to enable the people of Copeland to have a choice of sources of work and services – which may not be available in the Borough. Better links to regional and national links such as the A66, M6 and West Coast Main Line are essential components in reducing perceptions of the Borough's remoteness.
 - 6.2.7 **Development and transport improvements:** planning obligations will have a key role in securing improvements to transport infrastructure, especially improvements that will improve and encourage the use of public transport and rail infrastructure. The Council will seek to ensure that any major new development, especially the delivery of new energy schemes in the national interest, will be accompanied by major investment in transport improvements. Where possible, developer contributions will also be co-ordinated to help deliver the transport priorities for the Borough, and to ensure that such improvements deliver long term benefits to communities in Copeland. Travel Plans will be used to ensure that travel demands arising from any major new development - at Sellafield and other sites throughout the Borough - will make the best use of existing and new public transport infrastructure. The Council will also expect improved transport safety and attention to traffic environments to feature in all new development proposals.
 - 6.2.8 Further details with regard to assessing the transport impact of development and requiring transport improvements are set out in ER1 and Policy DM22, and will be developed further in the Planning Contributions Framework SPD.
 - 6.2.9 **Parking strategy:** Policy T1 also proposes the development of a parking strategy, to set out details on how car parking should be provided in new developments. The strategy will also focus on the management of parking in the Borough. Such a strategy will be linked to applying the proposed Development Management Policy DM22, as to how developments should meet parking standards. In the interim, standards set out in RSS will be used as a guide.
-
- 9.4.1 Policy T1 sets out the strategic principles for Improving Accessibility and Transport. This complementary Development Management policy sets out the Council's approach towards managing development which has implications for the Borough's transport network.

Development Management Policy DM22 – Accessible Developments

The Council will require development proposals to be accessible to all users and accord with the following principles:

- A The layout of the development responds positively to existing movement patterns in the area by providing or contributing towards:**
 - i) Permeable and legible layouts which are convenient for access into and through the site for pedestrians, cyclists and disabled people**
 - ii) Access for public transport**
 - iii) Access for emergency and service vehicles**
- B Incorporate innovative approaches to managing vehicular access and parking with:**
 - i) Standards incorporated into the design of the development which manage traffic access and speeds without excessive engineering measures**
 - ii) Incorporate car parking, through a variety of on street and off street arrangements which avoid vehicles dominating the street scene, whilst meeting adopted car parking standards which reflect the needs of the Borough in its rural context**

Where necessary the potential transport implications of development will be required to be supported by a Transport Assessment and a Travel Plan to manage any significant transport implications.

- 9.4.2 This policy supports urban design principles for accessibility, parking, travel demand and travel planning.
- 9.4.3 Good design is necessary to ensure accessible and permeable developments particularly for pedestrians, cyclists and disabled people. It is also important for ensuring that vehicle access and parking are given proper consideration in new developments but do not dominate. This means a shift away from engineer-led, car-based developments to block patterns and developments with street frontages which can make walking and cycling more attractive options. It calls upon designers to be imaginative in integrating vehicular access in new developments.
- 9.4.4 The Council will produce a Parking Strategy for the Borough that will contain standards which reflect the local, more rural context of the Borough. Until this time the standards set out in RSS will be used as a guide.
- 9.4.5 The development thresholds that will trigger a Transport Assessment and Travel Plan are outlined in Appendix XX. (Please note that these thresholds are the same as were included in Appendix 4 of the Copeland Local Plan 2001-2016)

Key Policy Context/Framework/References

PPS1: Delivering Sustainable Development (2005)

PPG13: Transport (2001)

Manual for Streets (2007)

North West Regional Spatial Strategy (RSS) Policies RT2 & RT8 (2008)

Copeland Local Plan Policies DEV6, HSG8, TSP7 & TSP8 (2006)

Appendix XX

a) Transport Assessments

Transport Assessments are required by virtue of Policy TSP 7 in relation to the following:

1. residential development in excess of 100 units, or
2. employment uses in excess of 5,000 sq. m. gross floorspace, or
3. other developments in excess of 1,000 sq. m. gross floorspace, or
4. hotel developments in excess of 100 bedrooms, or
5. caravan or similar holiday sites in excess of 100 units, or
6. any development that either generates in excess of 100 heavy goods vehicles per day or 100 vehicle movements in any hour or
7. any development that materially adds to local congestion or,
8. any development that may impact on the trunk road network

b) Travel Plans

Also in accordance with Policy TSP 7 Travel Plans will be required for:

1. retail and indoor leisure facilities in excess of 1000 sq. m. gross
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.

6.3 Improving Information and Communication Technology

- 6.3.1 Improvements to communications technology and access to information are essential to counter the Borough's relative geographic isolation. Technologies can reduce the need to travel and the number of car journeys made, for example through the provision of services online, teleconferencing and home working. They are also essential for stimulating and supporting economic growth, providing opportunities for existing businesses and are vital to attracting new businesses to the Borough.

Policy T2 – Information and Communications Technology

Developments which seek to extend or improve connectivity through existing and emerging telecommunications in all parts of the Borough will be supported subject to appropriate safeguards.

- 6.3.1 **Communications/information technology:** The Council will support the development of new technologies and where possible assist with extensions or upgrading of telecommunications, broadband etc however appropriate safeguards are necessary to protect sensitive sites. Policy DM23 provides further detail
- 9.4.6 Policy T2 sets out the strategic principles for improving Information and Communications Technology. This policy sets out requirements for assessing proposals for information and communications technology development.

Policy DM23 - Information and Communications Technology

In considering proposals for information and communications technology development the following factors will be taken into account:

- 1. the need generally to avoid high quality landscapes and particularly visually prominent locations and to protect areas of natural and man-made conservation importance including Conservation Areas and Listed Buildings and their settings**
- 2. the need to site and design equipment in such a way as to minimise its impact on the surrounding area, including adjacent or nearby residential areas**
- 3. in the case of masts, the availability of alternative sites or the possibility of sharing facilities with other operators. New masts will only be permitted if it can be demonstrated that mast-sharing is impractical.**

All major new developments will be required to be enabled for Next Generation Access (NGA) Broadband

9.4.7 Advances in communications and information technology have resulted in a fast growing telecommunications industry. Whilst the Council is supportive of facilitating the growth of new and existing systems this will not be at the expense of damage to sensitive areas like high quality landscapes, important wildlife sites or Conservation Areas which will continue to be protected. Generally the Council will seek to minimise the amount of infrastructure required to carry new technologies e.g. by encouraging mast-sharing for aerials, antennae and dishes.

Key Policy Context/Framework/References

- PPG13: Transport (2001)
- North West Regional Spatial Strategy (RSS) Policies RT1, RT2, RT10 & CNL1 (2008)
- Cumbria Local Transport Plan (LTP2) 2006-2011 (2006) and emerging LTP3 (ongoing)
- Cumbria and the Lake District Joint Structure Plan Policy T29 (2006)
- Sustainable Community Strategy for **West Cumbria** (2007)
- Britain's Energy Coast: A Masterplan for West Cumbria (2007)
- Copeland Local Plan Policies TSP4-TSP10 (2006)

7 Environmental Protection and Enhancement

7.1 Introduction

One of the most important roles of the planning system is the protection and enhancement of the environment. The Council is expected by Government to develop policies for a wide range of environmental topics, which are dealt with in turn below.

- Flood Risk (Policy ENV1)
- Coastal Management (Policy ENV2)
- Biodiversity and Geodiversity (Policy ENV3)
- Built Environment and Heritage (Policy ENV4)
- Landscape (Policy ENV5)
- Access to the Countryside (Policy ENV6)

7.2 Flood Risk

Policy ENV1 develops the strategic approach towards flood risk and flood management introduced in policy ST1A(ii) and addresses any flood risk associated with development.

Policy ENV1 – Flood Risk and Risk Management

The Council will ensure that development in the borough is not prejudiced by flood risk through:

- A Permitting new build development only on sites located outside areas at risk of flooding, with the exception of some key sites in Whitehaven**
- B Ensuring that developments on important regeneration sites in Whitehaven Town Centre and Harbourside and Pow Beck Valley are designed to address the existing levels of flood risk without increasing flood risk elsewhere**
- C Ensuring that new development does not contribute to increased surface water run-off through measures such as sustainable drainage systems, where these are practical. Where they are not this should be achieved by improvements to drainage capacity**
- D Supporting measures to address the constraints of existing drainage infrastructure capacity and avoiding development in areas where the existing drainage infrastructure is inadequate.**
- E Support for new flood defence measures to protect against both tidal and fluvial flooding in the borough, including appropriate land management as part of a catchment wide approach.**

Individual development proposals will be assessed with regard to Development and Flood Risk under Preferred Policy DM23.

- 7.2.1 The Copeland Strategic Flood Risk Assessment (2007) indicates the areas that are at risk from flooding in the borough. More recent flood risk maps are available on the Environment Agency website and these are updated on a quarterly basis. Flood risk areas are generally tidal areas of the coast and stretches of rivers and becks in the borough. However, there are also areas that are at risk as a result of rapid surface-water run-off, restricted sewer capacity, poor drainage maintenance and culverts.
- 7.2.2 New development will only be permitted where flood risk is minimal. Exceptions to this rule will be some key sites in Whitehaven Town Centre and Harbourside and Pow Beck Valley. These sites are important to the overall regeneration of Whitehaven and are likely to pass the Exceptions Test as described in PPS25 (paragraphs 18-20), provided that design features sufficiently address levels of flood risk. Such features include raised floor levels, sufficient means of escape and refuge areas.
- 7.2.3 The Council wishes to ensure that new developments, where appropriate, incorporate sustainable drainage measures to minimise surface run-off. Improvements to drainage capacity, whether delivered through developer obligations or through general infrastructure improvements, will be supported, as will proposals for new sustainable flood defence measures.
- 7.2.4 In addition to engineered solutions the Council want to encourage appropriate land management techniques to prevent and control flooding. An example of this would be planting trees that would help to create a physical barrier to water, supporting the soil structure and soaking up water.
- 7.2.5 Responsibilities for flood risk have changed recently and whilst the Environment Agency is still responsible for coastal and fluvial flood risk, Cumbria County Council is now the lead Local Flood Authority with responsibility for surface water flooding. The County Council is therefore preparing a Surface Water Management Plan. The purpose of this is to understand the causes of surface water flooding and agree the most cost effective way of managing this risk. A Preliminary Flood Risk Assessment has been undertaken to identify and map properties and critical infrastructure at risk. Ultimately the County Council will prepare a Local Flood Risk Management Strategy that will seek to manage risk in the longer term. It is expected that this will be completed in the next 2 to 3 years.

- **Key Policy Context/Framework/References**
- PPS1: Delivering Sustainable Development (2005)
- PPS25: Development and Flood Risk (2010)
- Copeland Level 1 Strategic Flood Risk Assessment (2007)
- Shoreline Management Plan 2 (2011)
- Environment Agency Management Plans (2009)
- Cumbria Surface Water Management Plan (2011)

9.5.2 Policy ENV1 aims to ensure that new development is located outside areas at risk from flooding and that development does not contribute to an increased risk of flooding elsewhere. Policy DM24 supplements that approach to provide clarity for development proposals in areas which are considered to be at risk of flooding or for those where development is likely to increase the risk of flooding elsewhere.

Policy DM24 – Development Proposals and Flood Risk

Where a proposed development is likely to be at risk from flooding or increases risk of flooding elsewhere, a Stage 2 Flood Risk Assessment (FRA) will be required to be submitted as part of the planning application.

Development will not be permitted where it is found that:

- A There is an unacceptable risk of flooding; or**
- B The development would increase the risk of flooding elsewhere; or**
- C The development would cause interference with or loss of access to a watercourse**

and the benefits of the development do not outweigh the risks of flooding. The only sites that are likely to meet an Exceptions Test, as described in PPS25, are key regeneration sites e.g. in Whitehaven town centre.

Where a development requires the provision of additional flood defence and mitigation works, any costs, including maintenance, should be met by the developer.

9.5.3 As with Policy ENV1, this policy statement is based on ensuring that new development is located outside areas at risk of flooding (see paragraph 7.2.2 in the Core Strategy DPD) or designed to minimise flood related damage by incorporating flood resistance measures. It reinforces the focus of protecting development against flood risk.

7.3 Coastal Management

- 7.3.1 The complexity of the coast and its ecology requires integrated planning and management, and coordination between the Local Development Framework and the wide range of plans and strategies such as the Shoreline Management Plan, Marine Conservation Zones, Colourful Coast, and tourism strategies. The coast can act as a stimulus for regeneration through opportunities for growth in coastal tourism and developing and diversifying the maritime economy. However, considerable lengths of our coastline remain undeveloped or even remote, and require planning and managing sensitively to retain their character.

Preferred Options Policy ENV2 – Coastal Management

To reinforce the Coastal Zone's assets and opportunities the Council will:

- A Promote the developed coast as a destination for leisure, culture and tourism, with strong links to Whitehaven Harbour / town centre in the north and to Millom in the south**
- B Maximise opportunities along the undeveloped coast for sensitively managed tourism and outdoor recreation through support for the North West Coastal Trail and Colourful Coast projects**
- C Support the management of more of the undeveloped coast for biodiversity**
- D Support energy generating developments that require a coastal location along the undeveloped coast, provided that the potential impacts on biodiversity, landscape and heritage assets are carefully assessed against the benefits. Where negative impacts are likely these must be mitigated against and/or compensated for**
- E Protect the intrinsic qualities of the St Bees Head Heritage Coast in terms of development proposals within or affecting views from the designation. At the same time encourage schemes which assist appropriate access to and interpretation of the Heritage Coast area**
- F Work with partners to manage the risks associated with coastal erosion and flooding and ensure that all new development is located outside areas at risk**

Balance of coastal development: **Copeland's coastline consists of:**

- Developed coast, which includes Whitehaven Harbour, Sellafield, Seascale and Millom and Haverigg
- Undeveloped coast, which includes some of Cumbria's best bathing beaches, a significant number of nature conservation and wildlife sites, and high quality landscapes. Much of it is edged by the Cumbrian Coast Railway

- 7.3.2 ENV2 retains the current balance of developed and undeveloped coast, whilst allowing for energy generating development i.e. nuclear, renewables etc. which require a coastal location.
- 7.3.3 The **developed coast** is where the majority of coast-related tourism, leisure and cultural development should be focussed, particularly in Whitehaven and Millom.
- 7.3.4 Along the **undeveloped coast** it is important to conserve and enhance biodiversity, the landscape and historic assets, and enable opportunities for an appropriate level of outdoor recreation and tourism. There is also potential for renewable energy generation. Whilst there will be general restriction on the undeveloped coast, nuclear and renewable energy development proposals will be supported provided that their environmental impacts are carefully assessed against the benefits and appropriate packages of protection, mitigation and/or compensation are adopted. These will usually be via a formal agreement with the Council.
- 7.3.5 Managing more of the undeveloped coast for biodiversity is a priority. There are some coastal species and habitats present that are nationally important and they have a significant role to play in attracting visitors to Copeland.
- 7.3.6 **St Bees Head Heritage Coast:** Heritage Coasts are a national designation of landscape quality and the headland at St Bees is the only Heritage Coast in North West England. It is very important as a bird habitat and hosts an SSSI and RSPB Reserve along the sandstone cliffs. A management plan for this area is currently in preparation.
- 7.3.7 **Copeland Coastal Design Guide:** The Council are currently preparing a design guide for the borough's beaches.

Key Policy Context/Framework/References

PPS1: Delivering Sustainable Development (2005)
North West Regional Spatial Strategy (RSS) Policy RDF3 (2008)
Copeland Level 1 Strategic Flood Risk Assessment (2007)
Shoreline Management Plan 1 & 2 (Ongoing)

7.4 Biodiversity and Geodiversity

- 7.4.1 Habitats and wildlife are important in their own right, and also provide an attractive and healthy environment for the borough's residents and visitors. The Council recognises that maintaining a healthy ecosystem brings economic benefits in terms of ecosystem services and that striking a balance between protection and the enjoyment of Copeland's natural assets is a key concern.
- 7.4.2 Many geodiversity sites coincide with sites of biodiversity importance and often it is the geology and geomorphology of an area that helps to support important species and habitats. The Council appreciates this relationship and is committed to protecting all of these features through the operation of policy ENV3.

Policy ENV3 – Biodiversity & Geodiversity

The Council will contribute to the implementation of the Cumbria Biodiversity Action Plan within the plan area by seeking to:

- A Improve the condition of internationally, nationally and locally designated sites;**
- B Ensure that development incorporates measures to protect, enhance and build on any biodiversity interest;**
- C Enhance, extend and restore priority habitats and look for opportunities to create new habitat;**
- D Protect and strengthen populations of priority or other protected species**
- E Boost the biodiversity value of existing wildlife corridors and create new corridors to develop a functional Ecological Network**
- F Restrict access and usage where appropriate and necessary in order to conserve an area's biodiversity value**

Policy DM24 supports this policy, setting out the detailed approach towards managing development proposals that are likely to have an effect on nature conservation sites, habitats and protected species.

- 7.4.4 This policy sets out a comprehensive and proactive approach to protecting and enhancing designated sites, wildlife corridors and protected species in the borough. There are a number of designated sites in the Copeland plan area, ranging from European sites of international importance to locally important County Wildlife Sites. A full list of the designated sites within the Copeland plan area is shown in the table below (*this will be incorporated into the Localities chapter in due course*). The locations of nationally and internationally important sites will be shown on the Proposals Map.
- 7.4.5 The Cumbria Biodiversity Action Plan (BAP) contains action plans to boost habitats and species in Cumbria. It sets out objectives for the protection

and enhancement of biodiversity, which are reflected in the Council's preferred policy outlined above.

7.4.6 Policy ENV3C is a commitment to extend, restore and create new areas of priority habitat. In association with biodiversity partners the Council will look at ways of increasing awareness of these opportunities.

Table ??? – Designated sites of biodiversity importance within the Copeland plan area

Site Type	Designation Type	Site Name
Special Protection Areas	European	Duddon Estuary
Special Areas of Conservation	European	Drigg Coast Duddon Mosses Morecambe Bay
Sites of Special Scientific Interest	National	St Bees Head Clint's Quarry Florence Mine Black Moss Haile Great Wood Low Church Moss Silver Tarn, Hollas and Harnsey Mosses High Leys Yeathouse Quarry Hallsenna Moor Drigg Coast Drigg Holme Duddon Mosses Duddon Estuary
Ramsar Sites	International	Duddon Estuary
National Nature Reserves	National	Hallsenna Moor High Leys
Local Nature Reserves	Local	Millom Iron Works
County Wildlife Sites	Local	High Park (nr Arlecdon) Gilgarran Plantation Studfold Willow Patch Sandbeds Meadow Low Leys Meadow Hunterhow Mire High Leys Meadow Rowrah Hall Quarry Salter Wood Yeathouse Quarry Parkside Pond Birkhouse Pond Rheda South Park Dub Beck Moresby Moss Bonnywood Redness Point Andrews Gill Cunning Point and Cat Gill Castle Park Wood Midgey Gill Woodhouse Quarry

		<p> Roska Park and Bellhouse Gill Wood Stanley Pond Rottington Common Brown Bank Mire Longlands Lake River Ehen Pond Fish Hatcheries Oxenriggs Pond Carlton Moor Wood Gibb Tarn Braystones Coast Starling Castle Sellafield Tarn Terrace Bank Wood Ponsonby Tarn Seascale Dunes and Foreshore Bleawath Bog Gaitskell Wood Brownbank Moss Silver How Bog Panope Bog Seascale River Irt Grassland Kirksanton Moss Brocklebank Wood Bleamoss (Dunningwell) High Boghouse Woods Fox's Wood Lowscapes Bank Hole House Wood Sheephouse Wood Nicle Wood Beck Wood (Millom) Butts Foot Wood Millom Marsh High Brow Meadows (The Hill) Raylands Wood </p>
RelGS	Local	<p> Saw Mill Quarry, Colingate, Distington Countess Pit, Parton Lamb Hill Bransty Quarries and Parton Cliffs Arrowthwaite Snebra Ghyll Kelton Fell Top Kelton Head Quarry Stockhow Hall Quarry Yeathouse East and Agnes Old Pit Frizington Park Quarry Birkhams Quarry, St Bees head Uldale Bottom (Nanny Catch Gorge) Orebank House Quarry (Bigrigg) St Bees Beach and Golf course cliffs Winder Lane Mousegill Quarry Nethertown (The Knoll) River Calder Banks Newton Sand Pit, Gosforth Seascale Beach Peel Place Sand and Gravel Pit </p>

		Pothouse Ghyll Scaur Quarry Waterblean Hill and Quarry High Brow Sulphur Mine Hodbarrow Point Rigs
--	--	--

Key Policy Context/Framework/References

- PPS7: Sustainable Development in Rural Area (2004)
- PPS9: Biodiversity and Geological Conservation (2005)
- PPS5: Planning for the Historic Environment (2010)
- Planning for Biodiversity and Geological Conservation: A Guide to Good Practice (2006)
- Government Circular ODPM 6/2005: Biodiversity and Geological Conservation (2006)
- UK Biodiversity Action Plan (2007)
- North West Regional Spatial Strategy (RSS) Policy EM1 (2008)
- Cumbria Sustainability Framework (Ref)
- Cumbria Biodiversity Action Plan (2001)
- The Cumbria Biodiversity Evidence Base for Cumbria Authorities (2008)
- Cumbria Landscape Strategy (1998)
- Community Strategy District Biodiversity profiles?
- Cumbria and the Lake District Joint Structure Plan Policies E37 & E38 (2006)
- Copeland Local Plan Policies DEV1-6 & ENV1-10 (2006)

9.5.4 This policy sets out the detailed approach towards managing development proposals which are likely to have an effect on nature conservation sites, habitats and protected species. It supports the Core Strategy approach to Biodiversity and Geodiversity in Policies ST1 and ENV3.

Policy DM25 – Protecting Nature Conservation Sites, Habitats and Protected Species

- A All development proposals should:**
- i) Protect the biodiversity value of land and buildings;**
 - ii) Minimise fragmentation of habitats;**
 - iii) Maximise opportunities for conservation, restoration, enhancement and connection of natural habitats and creation of habitats for species listed in UK and Cumbria Biodiversity Action Plans. Special consideration should also be given to those European habitats that lie outside the boundaries of European designated sites;**
- B Development proposals that would cause a direct or indirect adverse effect on locally recognised sites of biodiversity and geodiversity importance, including County Wildlife Sites, Local Nature Reserves and Regionally Important Geological/Geomorphological Sites or protected species will not be permitted unless:**

- i) The benefits of the development clearly outweigh the impacts on the features of the site and the wider network of natural habitats, and;
 - ii) Prevention, mitigation and/or compensation measures are provided. An appropriate long-term management plan will be sought and arrangements to provide adequate funding will be made in accordance with a formal planning agreement or obligation.
- C** Where compensatory habitat is created, it should be of equal or greater size than the area lost as a result of the development.
- D** Development proposals where the principal objective is to conserve or enhance biodiversity or geodiversity interests will be supported in principle.
- E** Where there is evidence to suspect the presence of protected species any planning application should be accompanied by a survey assessing their presence and, if present, the proposal must be sensitive to, and make provision for, their needs.
- F** All development proposals must take into account any likely significant effects on the internationally important sites both within the borough and within a 20km radius of the borough boundary as well as those that are hydrologically linked to the development plan area.

9.5.5 The protection and management of internationally designated sites are achieved through a combination of the provisions in the Habitats Regulations and section 28 of the Wildlife and Countryside Act 1981, as amended by the Countryside and Rights of Way Act 2000. Areas and features designated as being of international or national nature conservation importance are afforded protection in law and therefore are not mentioned in policy DM24. However, it is important to note that in dealing with European sites in particular, a Habitats Regulations Assessment must be undertaken, not only by Planning Authorities when preparing planning documents, but also by developers when they are preparing any proposal that may affect the integrity of relevant European sites, either on its own or in combination with other plans. Guidance on these matters is provided by Natural England.

9.5.6 Occasionally, development proposals may involve land or buildings which have been colonised by protected species that are not within an otherwise protected site. Bat roosts and barn owls in buildings are examples. Developers are encouraged to approach the Cumbria Ecological Records Centre to check whether these species are present on the proposed site as part of the planning application process.

Key Policy Context/Framework/References

PPS9: Biodiversity and Geological Conservation (2005)

North West Regional Spatial Strategy (RSS) Policy EM1 (2008)

Cumbria Biodiversity Action Plan (2001)

Cumbria and the Lake District Joint Structure Plan Policy E35 (2006)

Copeland Local Plan Policies ENV1-5 (2006)

7.5 Built Environment & Heritage

- 7.5.1 The Copeland plan area contains nearly 600 listed buildings and features, and part of the Hadrian's Wall World Heritage Site, a roman fort at Moresby. In addition to this there are eight conservation areas in the borough. The Council wants to ensure that these features are conserved and enhanced where possible, and that they contribute to heritage led regeneration within the main settlements.
- 7.5.2 ENV4 sets out the Council's approach to enhancing the quality of the borough's built environment and heritage assets. It is linked to the strategic principle in Policy ST1C.

Policy ENV4 – Heritage Assets

The Council's policy is to maximise the value of the borough's heritage assets by:

- A Protecting listed buildings, conservation areas and other townscape and rural features considered to be of historic, archaeological or cultural value**
- B Supporting proposals for heritage led regeneration, ensuring that any listed buildings or other heritage assets are put to an appropriate, viable and sustainable use**
- C Strengthening the distinctive character of the borough's settlements, through the application of high quality urban design and architecture that respects this character and enhances the settings of listed buildings**

Policy DM26 supports this policy, setting out the Council's approach to development which affects built heritage and archaeology.

- 7.5.3 This policy stresses the twin need to both protect assets of established heritage value, and to draw upon that heritage to create places of quality and character. Not all listed structures are buildings. There are listed features such as doorways, piers, lighthouses etc which, if well maintained, can contribute significantly to a sense of place.
- 7.5.4 There are also areas of archaeological significance that should be preserved for their potential to provide the enjoyment of discovery and the associated educational value of this, not just for ourselves but for future generations.
- 7.5.5 The main risk to our heritage assets, especially the many listed buildings is that they fall into disuse, become derelict and have to be demolished. The Council is keen to avoid situations like this and therefore will be supportive of any proposal that can bring a vacant listed building back into use, where that use is viable, sustainable and appropriate to its particular location. The Council will be actively pursuing potential heritage led regeneration schemes such as Townscape Heritage Initiatives to combine conservation and economic development objectives.

Key Policy Context/Framework/References

- PPS5: Planning for the Historic Environment (2010)
- PPS7: Sustainable Development in Rural Areas (2004)
- North West Regional Spatial Strategy (RSS) Policy EM1 (2008)
- Copeland Local Plan Policies DEV1-6 & ENV25-37; plus Conservation Area policies (2006)

9.5.10 DM27 sets out the approach towards development which affects the heritage assets and archaeology of the plan area. It supports the strategic approach set out in Preferred Options Policies ST1 and ENV4.

Policy DM27 – Built Heritage and Archaeology

- A** Development proposals which protect, conserve and where possible enhance the historic, cultural and architectural character of the borough's historic sites and their settings will be supported. This will be particularly relevant in the case of:
- i) Scheduled Ancient Monuments
 - ii) Conservation Areas
 - iii) Listed Buildings and structures
 - (iv) Non-listed buildings and structures or landscape features of local heritage and archaeological value
 - v) Surface and below ground archaeological deposits
- B** Development proposals which adversely affect a Scheduled Ancient Monument or its wider site or setting will not be permitted
- C** Development within conservation areas will only be permitted where it preserves or enhances the character or appearance of the area and, where appropriate, views in and out of the area. The Council will pay particular attention to:
- i) How new development respects the character of existing architecture and any historical associations, landscape features, open spaces, trees, walls and quality of townscape
 - ii) The impact of any proposed works to trees with regard to policy DM28
 - iii) The design of any proposals for new or altered shopfronts and / or signage, which should be an integral part of the design and avoid the use of internally illuminated signage
- D** Development which affects Listed Buildings or their setting will only be permitted where it:

- 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 an 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**

E Any development proposal which is considered to affect an existing or potential site of archaeological importance will be required to be accompanied by an archaeological assessment. Where archaeological deposits are evident, below ground or on the surface, evidence should be recorded and where possible preserved in-situ. Proposals for development where archaeological interest has been established will not be approved until evidence has been provided that the risk of archaeological disturbance has been adequately investigated and has been minimised. Planning permission will not be granted if the impact on potential archaeology is unacceptable.

9.5.11 In the context of managing development, the policy approach is to assess the implications of new development on features of historic value, including historic buildings, as part of the planning application process.

9.5.12 The policy covers not only designated heritage assets but those considered to be important by local communities but with no official designation i.e. landmark structures and landscape features. There is no official list of these assets but their existence will become apparent as development proposals are brought forward as part of the application process and local residents comment on these applications. Therefore, it is important that developers making applications are aware of any features in the vicinity of their sites which could be considered to be local landmarks and take account of the impact that their developments might have on these features and their settings. Pre-application advice should be sought on these matters where there is any uncertainty.

Key Policy Context/Framework/References

PPS7: Sustainable Development in Rural Areas (2004)

PPS5: Planning for the Historic Environment (2010)

North West Regional Spatial Strategy (RSS) Policy EM1

Copeland Local Plan Policies DEV1-6 & ENV 25-37 (2006)

7.6 Landscape

- 7.6.1 Copeland contains some of the most spectacular and famous landscapes in England and ensuring that these are protected and enhanced is one of the Council's top priorities. Strategic policy ST1C states that one of the Council's development principles is to protect the borough's valued assets, including its landscapes. Policy ENV5 develops this principle, providing a more detailed approach.

Policy ENV5 – Protecting and Enhancing the Borough's Landscapes

The borough's landscapes will be protected and enhanced by:

- A Protecting all landscapes from inappropriate change by ensuring that development does not threaten or detract from the distinctive characteristics of that particular area.**
- B Where the benefits of the development outweigh the potential harm, ensuring that the impact of the development on the landscape is minimised through adequate mitigation, preferably on-site**
- C Supporting proposals which enhance the value of the borough's landscapes**

- 7.6.2 The issue of landscape protection in the borough is complex. Much of Copeland is, of course, within the Lake District National Park. There were a number of areas designated in the Copeland Local Plan 2001-16 as Landscapes of County Importance and the only other heritage landscape designation is the St Bees Heritage Coast (national designation). However, the accepted approach now is that, outside nationally protected areas, the character of all landscapes should be protected by sensitive development management based on landscape character assessment, rather than rigid designations.

- 7.6.3 Cumbria County Council undertook a Historic Landscape Characterisation Programme (published in 2009) and also published a Landscape Character Assessment Guidance and Toolkit in 2011 to help planners and developers protect the intrinsic qualities of the county's landscape assets. Pending a more detailed assessment, to be undertaken for the Copeland plan area, the Cumbria Toolkit will be used to inform Development Management decisions.

- 7.6.4 In applying this policy, the Council will seek to ensure that potential development impacts on landscape character are minimised via adequate mitigation measures. This will include requirements for development proposals to be submitted with landscaping schemes. Policy DM26 expands on this.

Key Policy Context/Framework/References

North West Regional Spatial Strategy (RSS) Policy EM1 (2008)

Copeland Local Plan Policy ENV9 (2006)

Cumbria Landscape Character Assessment Guidance and Toolkit (2011)

9.5.7 DM26 sets out a requirement for new developments to consider landscape features and improvements. It expands on the Core Strategy policy ENV5: Protecting and Enhancing the Borough's Landscapes.

Policy DM26 – Landscaping

All development proposals will be assessed in terms of their potential impact on the landscape. Developers should refer to the Cumbria Landscape Character Assessment and Cumbria Historic Landscape Characterisation documents for their particular character area and design their development to be congruent with that character.

Proposals will be assessed according to whether the proposed structures and associated landscaping relate well in terms of visual impact, scale, character, amenity value and local distinctiveness and the cumulative impact of developments will be taken into account as part of this assessment.

Development proposals, where necessary, will be required to include landscaping schemes that retain existing landscape features, reinforce local landscape character and mitigate against any adverse visual impact.

The Council will require landscaping schemes to be maintained for a minimum of five years.

9.5.8 A large amount of work has been done to characterise each of the different landscapes in the plan area with regards to, not only their natural features, but their present and historical land uses etc. Maintaining the wide variety of landscape characteristics is important for the social and economic health of the borough, contributing as they do to the amenity of borough's residents and visitors. This policy seeks to ensure that new development protects and enhances existing landscape features.

Key Policy Context/Framework/References

Copeland Local Plan (2006) Policy ENV12

Cumbria Landscape Character Assessment Guidance and Toolkit (2011)

Cumbria Historic Landscape Characterisation (2009)

7.7 Countryside Access

- 7.7.1 Copeland is very fortunate to contain some of the most beautiful areas of the Lake District National Park and large areas of pleasant open countryside with good access from the main centres of population. It is important to protect and enhance this for the borough's residents and visitors.

Policy ENV6 – Access to the Countryside

The Council's policy is to ensure access to the countryside for residents and visitors by:

- A Identifying opportunities to provide or improve access on routes and gateways from settlements and to secure the implementation of improvement measures with key partners and developers**
- B Investigating opportunities for reclaiming contaminated and derelict land for recreation purposes.**
- C Identifying potential for the development of a community forest, long distance walks or outdoor adventure activity centre**

- 7.7.2 Existing Public Rights of Way are protected in law and therefore do not need policy protection. The Countryside and Rights of Way Act 2000 introduced a statutory right of access on foot for open air recreation to mountain, moor, heath, down and registered common land. This policy seeks to help local people and visitors to exercise that right.

- 7.7.3 The Council is also keen to explore the concept of a community forest or similar major countryside resource which could combine some sustainable woodland energy contribution with opportunities for recreation and pursuits like forest trailing and outdoor adventure type activities. A broad location will be to be identified as a Tourism Opportunity Site in the Site Allocations DPD. This would most likely be located within the area to the south and west of Egremont, joining up existing areas of woodland and providing some landscaping for any new development taking place on the site immediately north of Sellafield. Agreement needs to be reached with landowners and other stakeholders before a definitive scheme is formalised.

Key Policy Context/Framework/References

- PPS9: Biodiversity and Geological Conservation (2005)
- North West Regional Spatial Strategy (RSS) Policy EM1 (2008)
- Cumbria Rights of Way Improvement Plan (2007)
- Copeland Local Plan Policies ENV13 & TSP5 (2006)
- Copeland Open Space Audit (anticipated 2010)

