



Proud of our past. Energised for our future.

Copeland

Local Development Framework

**Core Strategy and
Development Management Policies**

**Representations made
in response to
the published plan**

July 2012

CONSOLIDATED LIST OF REPRESENTORS

The responses are listed in the database by respondent ID, as follows. In Annexes 3 and 4, responses are listed by policy theme as far as possible.

Respondent ID number	Organisation	Issues and Options rep. nos.	Preferred Options rep. nos.	Reg. 20 rep. nos
01	Ministry of Justice	I01		
02	National Offender Management Service	I02		
03	CABE	I03		
04	Friends, Families and Travellers	I04	P001	
05	Cllr John Jackson	I05		
06	St Bees Parish Council	I06		
07	The Coal Authority	I07	P002-P006	
08	Cumbria Tourism	I08	P007-P015, P430-P431	S126
09	Regen NE Copeland	I09	P372-P389	
10	Mobile Operators Association	I10		S101
11	NWDA	I11	P016-P030	
12	Cumbria Constabulary	I12		
13	Environment Agency	I13	P355-P370, P425	S059
14	Moresby Parish Council	I14	P250-P254	
15	Age Concern North West Cumbria	I15		
16	Allerdale Borough Council	I16	P263-P265	S060-S066
17	Mr & Mrs Martin (through Gough's Solicitors)	I17		
18	Cllr M A McVeigh	I18		
19	Taylor & Hardy Ltd	I19	P352-P354	
20	Natural England	I20	P435-P452	S056
21	Tesco Stores Ltd	I21		S057-S058
22	Ennerdale and Kinniside Parish Council	I22		S077
23	Egremont Town Council	I23		S125
24	CGP	I24		
25	English Heritage	I25	P031-P050	
26	Highways Agency	I26	P051-P073	
27	Mr R Mullholland	I27	P394-P412	S087-S09
28	Cleator Moor & District Chamber of Trade and Commerce	I28		S080-S086
29	Theatres Trust	I29	P074-P078	S100

Respondent ID number	Organisation	Issues and Options rep. nos.	Preferred Options rep. nos.	Reg. 20 rep. nos
30	Warner Estates (Space North West)	I30		
31	4NW	I31	P079 -P095	
32	Cumbria Wildlife Trust	I32	P096-P115	
33	RSPB	I33	P266	
34	United Utilities	I34	P371	S095-S099
35	Egremont Estate (through Smiths Gore)	I35		
36	Millom Without Parish Council			S102-S122
37	Sainsbury's Supermarkets Ltd	I37		S030-S037
38	Cumbria County Council	I38	P189-P247	S139-S148
39	The National Trust	I39	P315-P351	S010-S029
40	Story Group	I40	P116-P120	
41	Clr W Skillicorn	I41		
42	Lamplugh Parish Council	I42		
43	Gosforth Parish Council	I43		
44	Dr Clive Narrainen	I44		S002
45	Sport England		P121-P141	S051-S053
46	GONW		P142-P154, P428-P429, P433	
47	Mr G Garrett		P155-P156, P426-P427	
48	Ponsonby Parish Council		P157-P158	
49	Rhodia UK Ltd		P159-P162	
50	Mr A Millie		P163	
51	Sellafield Ltd		P164-P168	
52	Mr Powe		P169	
53	Lorna and Mark Ritchie		P170	
54	Mark Sarrington		P171-P172	
55	Mr D Jordan		P173	
56	Mr Kevin Jordan		P174	
57	Elaine Jordan		P175	
58	Applied Management		P176	
59	Paul Skelton		P177	
60	R L Barlow		P178	
61	Port Millom		P179	
62	Invest in Cumbria		P180	S087
63	Mr R Curwen		P181-187	
64	Clr D Wilson		P189	
65	Haile and Wilton Parish Council			S001
66	Friends of the Lake District		P248-P249	

Respondent ID number	Organisation	Issues and Options rep. nos.	Preferred Options rep. nos.	Reg. 20 rep. nos
67	Parton Parish Council		P255-P260	
68	Howgate Distington Partnership		P261	
69	F J McLean		P262	
70	RWE npower		P267-P283	
71	Cleator Moor Town Council		P284-P293	
72	Cllr J Hully		P294-P304	
73	Leconfield Estate		P305-P314, P434	S067-S076
74	West Cumbria Land LLP		P390-P393	
75	Copeland Flood and Coastal Defence Engineer		P413-P419	S123
76	Bob Riley		P420-P424	
77	Ramblers Association		P432	
78	Renewable UK			S003-S009
79	REG Windpower			S038-S048
80	NuGeneration Limited			S049-S050
81	Northumbria Healthcare NHS Foundation Trust/North Cumbria University Hospitals NHS Trust.			S054
82	The Woodland Trust			S055
83	Harwood Real Estate (through R Metcalfe, MJN Associates)			S078
84	Whicham Parish Council			S079
85	Banks Group			S124
86	National Grid			S129
87	Marine Management Organisation			S130
88	Seascale Parish Council			S131-138



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LOCAL DEVELOPMENT FRAMEWORK

Core Strategy and Development Management Policies Pre-submission Consultation

Representation Form

Please use this form to indicate which part(s) of the Core Strategy and Development Management Policies Development Plan Document you either support or object to, together with any amendments/additions you would like to see:

Please use a separate form for each expression of support or objection.

Please complete and return this form **no later than 4.00 pm on the 13th July 2012** to:

Planning Policy Team
 Copeland Borough Council
 The Copeland Centre
 Catherine Street
 Whitehaven
 Cumbria CA28 7SJ

For internal use:	
Resp. No.	65
Rep. No.	35001
Date Rec.	16/7/12

Or email: ldf@copeland.gov.uk

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Haule & Wilton Parish Council	
Position	Parish Council	
Organisation		
Address	Winderlea Wilton Egremont Cumbria	
Postcode	824332	
Telephone	01946 823262	
Email	Winderlea@talktalk.net	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

Paragraph

8.5.18

Sustainability
Appraisal

Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

For further information please consult the Planning Inspectorate's Soundness Guidance at http://www.planningportal.gov.uk/uploads/pins/ldf_dpd_soundness_guide.pdf

Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

We do have concerns regarding Copeland BC ability to deliver the Strategy, as their track record for delivering on previous Local Development Framework Plans is poor to say the least!

We felt that there was nothing particularly new in the document ~~that~~ on and above what has been published previously.

Please indicate what change(s) you consider necessary to make it sound.

Haile & Wilton have updated its parish plan in 2010/11 so the section 8-5.18 need updated to reflect this.

A copy of the feedback/^{new plan} is available on the Haile & Wilton parish Council website.

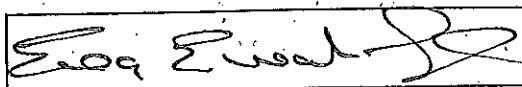
Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

- submission of the plan for public examination by an independent Planning Inspector,
- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:



Date:

9/7/12

Please use a separate form for each comment in support or objecting and return this form no later than 13th July 2012.

Thank you for completing this form

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Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

Or email: ldf@copeland.gov.uk

For internal use:

Resp. No. 14

Rep. No. SO02

Date Rec.

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	MR C NARRAINEN	
Position		
Organisation		
Address		
Postcode		
Telephone		
Email		

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

ST 1

Paragraph

Sustainability
Appraisal

**Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?**

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation. The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

PROTECT/ENHANCE AREAS, SITE, SPECIES AND FEATURES OF
BIODIVERSITY VALUE, LANDSCAPES AND THE UNDEVELOPED COAST

Please indicate what change(s) you consider necessary to make it sound.

NONE

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

- submission of the plan for public examination by an independent Planning Inspector,
- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:

[Redacted Signature]

Date:

29/6/2012

Please use a separate form for each comment in support or objecting and return this form no later than 13th July 2012.

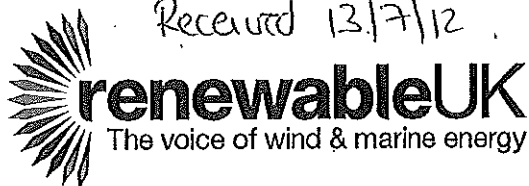
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Respondent No: 78

Response IDs - 5008 - 5009

Received 13/7/12



RenewableUK
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Fax: +44 (0)20 7901 3001

Web: www.RenewableUK.com
Email: info@RenewableUK.com

Planning Policy
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven CA28 7SJ

Via Email: ldf@copeland.gov.uk

13 July 2012

Dear Madam or Sir,

**Copeland Core Strategy and Development Management Policies – Pre-submission Draft -
Comments by RenewableUK**

This document outlines RenewableUK's comments on the pre-submission draft Copeland Core Strategy and Development Management Policies document.

RenewableUK is the trade and professional body for the UK wind and marine renewables industries. Formed in 1978, and with over 700 corporate members, RenewableUK is the leading renewable energy trade association in the UK. Wind has been the world's fastest growing renewable energy source for the last seven years, and this trend is expected to continue with falling costs of wind energy and the urgent international need to tackle CO₂ emissions to prevent climate change.

Please feel free to contact me on 020 7901 3024, or at Yana.Bosseva@RenewableUK.com should you require any additional information.

Yours sincerely

Yana Bosseva
Planning Advisor,
RenewableUK

Copeland Core Strategy and Development Management Policies – Pre-Submission Draft - Comments by RenewableUK

Introduction

RenewableUK welcomes the publication of the Copeland Core Strategy and Development Management Policies – Pre-Submission Draft. We are pleased to provide this response on behalf of the UK wind, wave and tidal energy industry.

RenewableUK welcomes the provisions for renewable energy contained in the pre-submission draft document. Below we outline the Core Strategy provisions which are supported by RenewableUK and sought to be retained in the final document. We also include an outline of renewable energy's contribution to the security of energy supply and stable electricity prices, as well as to job creation and the green economy. We are concerned that these benefits of renewable energy are not reflected in the Core Strategy, and seek that they be adequately addressed.

Renewable Energy in Context

All areas of the UK will need to significantly increase their levels of renewable energy generation. In addition, given the large number of power stations which will close and require replacement over the next fifteen years, it is essential that we take this opportunity to rebuild our energy infrastructure – at a local as well as national scale – using renewable and low carbon technologies wherever possible. The contribution of renewable energy to carbon reduction and climate change objectives; job creation and other local benefits; and the stabilising of energy prices should therefore be recognised, together with the need to meet our energy needs and preserve the environment. This is in line with the national policy context.

RenewableUK wishes to emphasise the important role that local authority decision making can have in the wider deployment of renewable energy and therefore in contributing to:

- Reaching the UK's renewable energy generation targets;
- Ensuring the security of energy supply;
- Stabilising energy prices to the customer and reducing fossil fuel dependence; and
- Job creation and other local benefits.

The Core Strategy should reflect these benefits.

Energy Prices

Given the large number of power stations which will be decommissioned in the next 15 years, the UK needs to build new capacity to keep the lights on. Now is the time to take a positive step towards a renewable energy future and develop a mix of energy sources. Energy bills are already rising due to rising fuel costs – Ofgem has indicated that gas prices are 40% higher this year than they were last year. When carbon capture technology is introduced, reflecting the true cost of fossil fuels, they will become even more costly. There are also many uncertainties in the supply of fossil fuels – they are often sourced from unstable regions of the world, thus there is no security of supply. The Fukushima nuclear disaster, for example, dramatically increased gas demand on the world markets, highlighting our dependence and vulnerability to global fossil fuel supply fluctuations.

Investing in renewable energy, which is indigenous and uses free fuel, will help us keep energy prices stable, and provide us with a green, low-carbon energy future. For example, Germany and Denmark have already found that wind generated power has brought down the cost of wholesale electricity.

Comments on Issues for Core Strategy and Development Management Policies

Core Strategy

- **Vision for Copeland** – in RenewableUK's view renewable energy and environmental sustainability are closely interconnected under the umbrella of sustainable development. Renewable energy is an overarching element of sustainable development and should not be categorised under economic sustainability only (as currently drafted). It should be recognised as key prerequisite for economic, environmental and social responsibility.
- **Strategic Objective 1** – Economic Opportunity and Regeneration. RenewableUK supports the provision for renewable energy in this SO but in our view this objective should be more aligned with national policy, and the NPPF in particular, which says that local authorities should have a 'positive strategy' for renewable energy.
- **Policy ST1** – Strategic Development Principles. As commented above, renewable energy is a key element of sustainable development and needs to be explicitly referred to in the Strategic Development Principles.
- **Policy ST2** – Spatial Development Strategy. We support the provisions in C)ii) on support for renewable energy and seek that these be retained in the final version of the document.
- **Policy ER2** – Planning for the Renewable Energy Sector – is supported by RenewableUK. In our view however, it should be expanded to include the benefits of renewable energy, as outlined above.

Development management policies

- **Policy DM 2 – Renewable Energy in the Borough** – in RenewableUK's view the criteria here should be expanded to include renewable energy's contribution to meeting climate change objectives, reductions in carbon emissions, economic benefits, contribution to the security of electricity supply and the stability of energy prices.
- **Policy DM 11 – Sustainable Development Standards** – is supported and should be retained in the final version of the document.

Summary

RenewableUK welcomes the provisions for renewable energy contained in the Preferred Options document. Above we have outlined the benefits renewable energy has for the economy and the security and stable prices of electricity supply. We seek that they be referred to in the Core Strategy. We have expressed support for a number of draft policies and have also suggested some changes above, including that sustainable development and renewable energy be included in the vision and strategic objectives for the Borough.



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LOCAL DEVELOPMENT FRAMEWORK

Core Strategy and Development Management Policies Pre-submission Consultation

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Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

Or email: ldf@copeland.gov.uk

For internal use:

Resp. No. 39
Rep. No. 3010
Date Rec. 13/7/12

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Alan Hubbard	N/A
Position	Planning Adviser	
Organisation	National Trust	
Address	National Trust 61 Oxford Street MANCHESTER	
Postcode	M1 6EQ	
Telephone	0161 234 9983	
Email	alan.hubbard@nationaltrust.org.uk	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

ER3

Paragraph

Sustainability
Appraisal

Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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The wording of this Policy is considered to be incomplete as it does not take into account the full range of likely environmental impacts in Section A. Specifically there is no reference to heritage assets and their settings, whether designated or of local importance. Energy infrastructure can have a range of impacts upon the historic environment, including below ground archaeology (e.g. when laying cables) or on the settings of heritage assets (e.g. siting of infrastructure within designed vistas that form part of an historic landscape).

The historic environment is identified in the NPPF as a key component of sustainable development and its protection, and where possible enhancement, needs to be built into this policy.

Please indicate what change(s) you consider necessary to make it sound.

Amend Section A of Policy ER3 to read:

"Ensure that any new energy transmission infrastructure minimises potential impacts upon the Borough's landscape, natural environment, heritage assets and their settings, and on the health and amenity of its residents and visitors."

(A complementary statement needs to be added to the supporting text (at paras 4.3.11 - 4.3.16.)

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

- submission of the plan for public examination by an independent Planning Inspector,
- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:

Alan Hubbard

Date:

13th July 2012

Please use a separate form for each comment in support or objecting and return this form no later than 13th July 2012.

Thank you for completing this form

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Planning Policy Team
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

For internal use:

Resp. No. ...39.....

Rep. No. ...5011.....

Date Rec. ...13/7/12.....

Or email: ldf@copeland.gov.uk

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Alan Hubbard	N/A
Position	Planning Adviser	
Organisation	National Trust	
Address	National Trust 61 Oxford Street MANCHESTER	
Postcode	M1 6EQ	
Telephone	0161 234 9983	
Email	alan.hubbard@nationaltrust.org.uk	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

ER6

Paragraph

Sustainability
Appraisal

Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

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Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

In most respects National Trust is content with this Policy and its detailed wording. However, it is most concerned that the bullet points in part B make no specific reference to heritage considerations. This is a key matter in the assessment of the sustainable development credentials of new development, as confirmed by the NPPF, and needs to be incorporated into the criteria applicable to this Policy.

Please indicate what change(s) you consider necessary to make it sound.

Amend the final bullet point of Part B of the Policy so that it reads:

" - impact on landscape character, settlement character, heritage assets (including their settings) and biodiversity"

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

- submission of the plan for public examination by an independent Planning Inspector,
 the publication of the Inspectors' recommendations
 the adoption of the plan.

Signature:

Alan Hubbard

Date:

13th July 2012

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Whitehaven
Cumbria CA28 7SJ

For internal use:

Resp. No. 39

Rep. No. 5012

Date Rec. 13/7/12

Or email: ldf@copeland.gov.uk

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Alan Hubbard	N/A
Position	Planning Adviser	
Organisation	National Trust	
Address	National Trust 61 Oxford Street MANCHESTER	
Postcode	M1 6EQ	
Telephone	0161 234 9983	
Email	alan.hubbard@nationaltrust.org.uk	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

ER7

Paragraph

Sustainability
Appraisal

Do you consider the Core Strategy and Development Management Policies
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(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

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Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

The Policy is generally supported but is considered to be deficient in its assessment of the assets in Whitehaven that make it an important tourist and visitor destination. Elsewhere the DPD notes and supports the Colourful Coast initiative (e.g. Policy ER8 at Part E, para 4.10.7, Policy EV2) which is based upon the attractiveness of the coastal area linking Whitehaven Harbour to St Bees Heritage Coast. It is considered that part B of the proposed Policy should be supplemented to recognise this strong link.

Please indicate what change(s) you consider necessary to make it sound.

Amend part B of the Policy to read:

"Support Whitehaven's role as a tourist and visitor destination linked to its unique heritage, independent and specialist retailers, and the Colourful Coast"

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

submission of the plan for public examination by an independent Planning Inspector,

the publication of the Inspectors' recommendations

the adoption of the plan.

Signature:

Alan Hubbard

Date:

13th July 2012

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Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

Or email: ldf@copeland.gov.uk

For internal use:

Resp. No. 301

Rep. No. 8013

Date Rec. 13/7/12

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
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Telephone	0161 234 9983	
Email	alan.hubbard@nationaltrust.org.uk	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

Paragraph

Sustainability
Appraisal

Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

For further information please consult the Planning Inspectorate's Soundness Guidance at http://www.planningportal.gov.uk/uploads/pins/ldf_dpd_soundness_guide.pdf

Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

Firstly, National Trust does wish to acknowledge that significant improvements have been made to the wording of this Policy in response to previous representations.

However, the Trust does still have a concern about the detailed wording of Part C, in particular in the context of the Colourful Coast (part iii - Whitehaven Coastal Fringe). The change that has been made specifically refers to 'the character of the surrounding area' but makes no reference to the character of the identified sites themselves. In the case of the Colourful Coast where the Trust has particular knowledge it is in large measure the character of the site itself rather than of the areas that surround it that is of particular landscape quality, rarity and attractiveness. This concern can be picked up by a straightforward amendment as suggested below.

Please indicate what change(s) you consider necessary to make it sound.

Amend the text at C in Policy ER10 to read:

"Support appropriate tourism development which accords with the principles of sustainable development and does not compromise the special qualities and character of allocated Tourism Opportunity Sites or the areas that surround them, or public access thereto in the following locations:..."

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

- submission of the plan for public examination by an independent Planning Inspector,
- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:

Alan Hubbard

Date:

13th July 2012

Please use a separate form for each comment in support or objecting and return this form no later than 13th July 2012.

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LOCAL DEVELOPMENT FRAMEWORK

Core Strategy and Development Management Policies Pre-submission Consultation

Representation Form

Please use this form to indicate which part(s) of the Core Strategy and Development Management Policies Development Plan Document you either support or object to, together with any amendments/additions you would like to see.

Please use a separate form for each expression of support or objection.

Please complete and return this form no later than 4.00 pm on the 13th July 2012 to:

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Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

Or email: ldf@copeland.gov.uk

For internal use:

Resp. No. 39

Rep. No. 5014

Date Rec. 13/7/12

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Alan Hubbard	N/A
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Address	National Trust 61 Oxford Street MANCHESTER	
Postcode	M1 6EQ	
Telephone	0161 234 9983	
Email	alan.hubbard@nationaltrust.org.uk	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy Paragraph Sustainability Appraisal

Do you consider the Core Strategy and Development Management Policies Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes No

If 'no', on what grounds do you consider the document to be unsound?

Not justified Not effective
Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

National Trust remains supportive of the majority of this Policy but continues to have concerns about Section Cii - in particular the lack of a well reasoned justification for the significant number of road improvements sought and the inability for the Council to deliver these as they are outside its jurisdiction.

It is also apparent that the approach has not had regard to other relevant considerations relating to sustainable development - including not only the social and environmental implications but also the economic ones in terms of opportunity costs [i.e. would a better return be achieved by alternative investment proposals].

Para 6.25 provides a very limited justification for this part of the Policy - it is unclear that perceptions of the geographic remoteness of Copeland would be changed by such works, or indeed that any significant difference in actual remoteness would be achieved.

Please indicate what change(s) you consider necessary to make it sound.

It is requested that Section C of Policy T1 is deleted.

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

- submission of the plan for public examination by an independent Planning Inspector,
 the publication of the Inspectors' recommendations
 the adoption of the plan.

Signature:

Alan Hubbard

Date:

13th July 2012

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LOCAL DEVELOPMENT FRAMEWORK

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 Whitehaven
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Or email: ldf@copeland.gov.uk

For internal use:	
Resp. No.	39
Rep. No.	5015
Date Rec.	13/7/12

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
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Email	alan.hubbard@nationaltrust.org.uk	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy Whitehaven locality Paragraph Section 8.3 and Spatial Portrait Sustainability Appraisal

Do you consider the Core Strategy and Development Management Policies Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes No

If 'no', on what grounds do you consider the document to be unsound?

Not justified Not effective
Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

National Trust's particular interest remains the Colourful Coast initiative and how this transforming work can be extended and enhanced through the DPD. The majority of the approach set out and the detailed text is supported. However, it is considered that the related plan is confusing in how it deals with this locality and that references to new built development require some qualification.

The depiction of the West Whitehaven 'Key Regeneration Site' is confusing as its diagrammatic boundary includes not only part of the sea but also areas for coastal protection and enhancement. A change to the extent of the area identified and re-labelling it to show the main intent, i.e. "Colourful Coast initiative" or "improved access, biodiversity enhancement and interpretation" is needed.

The reference to 'a small high quality business park for offices and craft workshops' is not objected to, but it is important that this is appropriately located away from the high quality coastal landscape. It is suggested that the text is supplemented with the words "...located on brownfield land within or immediately adjacent to an existing built up area".

The intention to produce a development brief for this locality is noted and supported.

Please indicate what change(s) you consider necessary to make it sound.

See detailed suggestions as set out above.

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

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- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:

Alan Hubbard

Date:

13th July 2012

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LOCAL DEVELOPMENT FRAMEWORK

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Representation Form

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Cumbria CA28 7SJ

Or email: ldf@copeland.gov.uk

For internal use:

Resp. No. ~~5016~~ 39

Rep. No. 5016

Date Rec. 13/7/12

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
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2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

ENV2

Paragraph

Sustainability
Appraisal

**Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?**

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

National Trust is a little reluctant to submit an objection to this Policy as many improvements have been made to it from the previous version and it wishes to support these.

However, the Trust remains concerned about the unqualified support for 'tourism' in the undeveloped coast (Part B)...potentially there is a wide range of tourism uses and activities (especially those involving built development and changes of use to provide holiday accommodation) that would be extremely damaging to the qualities of the undeveloped coast, in particular its landscape character, bio-diversity and cultural heritage.

It is considered that tourism related development in the undeveloped coast needs to be appropriate to its siting and a minor change as suggested below can achieve this.

Please indicate what change(s) you consider necessary to make it sound.

Amend Part B to read as follows:

"Maximise the opportunities along the undeveloped coast for outdoor recreation and appropriate tourism development through support for the North West Coastal Trail and Colourful Coast projects"

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

- submission of the plan for public examination by an independent Planning Inspector,
 the publication of the Inspectors' recommendations
 the adoption of the plan.

Signature:

Alan Hubbard

Date:

13th July 2012

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LOCAL DEVELOPMENT FRAMEWORK

Core Strategy and Development Management Policies Pre-submission Consultation

Representation Form

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The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

Or email: ldf@copeland.gov.uk

For internal use:

Resp. No. 39

Rep. No. S017

Date Rec. 13/7/12

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

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Email	alan.hubbard@nationaltrust.org.uk	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

Paragraph

3.3.25 Strategic
Objectives 14-20

Sustainability
Appraisal

**Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?**

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

It is considered that through previous consultations and relevant early engagement a sound set of Strategic Objectives for Environmental Protection and Enhancement that are relevant to the circumstances of Copeland has been developed. It is also considered that they continue to be consistent with national planning policy advice as now set out in the National Planning Policy Framework.

Accordingly National Trust is pleased to support this set of Strategic Objectives.

Please indicate what change(s) you consider necessary to make it sound.

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

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- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:

Date:

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Representation Form

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Planning Policy Team
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

For internal use:

Resp. No.39.....

Rep. No.5018.....

Date Rec.13/7/12.....

Or email: ldf@copeland.gov.uk

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
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Position	Planning Adviser	
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Postcode	M1 6EQ	
Telephone	0161 234 9983	
Email	alan.hubbard@nationaltrust.org.uk	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

ENV4

Paragraph

Sustainability
Appraisal

Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

This Policy relating to Heritage Assets has been carefully honed from the initial wording and in particular to reflect firstly the planning policy changes introduced by PPS5 and more recently in the NPPF. The current approach is considered to both consistent with the NPPF and appropriate to Copeland and National Trust is pleased to support it.

Please indicate what change(s) you consider necessary to make it sound.

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

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- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:

Date:

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Copeland Borough Council
The Copeland Centre
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Cumbria CA28 7SJ

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Resp. No.39.....
Rep. No.SOP1.....
Date Rec.13/7/12.....

Or email: ldf@copeland.gov.uk

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
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2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

Paragraph

3.3.24 -
Strategic
Objective 13

Sustainability
Appraisal

**Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?**

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

National Trust remains concerned about the approach suggested by Strategic Objective 13 and the implicit intention to promote the development of new road improvements including, but not limited to, connections to the A66 and the M6. As previously argued it is considered that such an approach is inconsistent with other objectives (such as those relating to climate change and the importance of landscapes to tourism) as well not reflecting national planning policy or the reality of deliverability within the timescale of the plan.

Please indicate what change(s) you consider necessary to make it sound.

It is considered that a more appropriate and realistic alternative would be:

"Maintain safe, efficient, high quality, modern and integrated transport networks with good internal links and connections to key routes."

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

- submission of the plan for public examination by an independent Planning Inspector,
- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:

Alan Hubbard

Date:

13th July 2012

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For internal use:

Resp. No. 39

Rep. No. 6020

Date Rec. 13/7/12

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
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Email	alan.hubbard@nationaltrust.org.uk	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

ST1

Paragraph

Sustainability
Appraisal

Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

This is arguably the key Policy in the Core Strategy and it has been the subject of close scrutiny and careful review during the consultation processes undertaken to date.

National Trust considers that the Policy is now well founded in principle, that the detailed wording is appropriate, and that the approach is consistent with the core planning principles and more detailed advice in the National Planning Policy Framework.

Accordingly the Trust welcomes Policy ST1 and its detailed wording and is pleased to support it.

Please indicate what change(s) you consider necessary to make it sound.

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

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Resp. No.39.....
Rep. No.5021.....
Date Rec.13/7/12.....

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
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Telephone	0161 234 9983	
Email	alan.hubbard@nationaltrust.org.uk	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

Paragraph

8.7.6

Sustainability
Appraisal

Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

For further information please consult the Planning Inspectorate's Soundness Guidance at http://www.planningportal.gov.uk/uploads/pins/ldf_dpd_soundness_guide.pdf

Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

National Trust is pleased to support this paragraph and in particular the recognition of the special environmental qualities around the Duddon Estuary. There is already tourism activity associated with the Duddon and indeed potential to expand this having regard to the environmental assets of this location - not least its water and coastal land/sea-scape and related bio-diversity and geo-diversity.

Please indicate what change(s) you consider necessary to make it sound.

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

- submission of the plan for public examination by an independent Planning Inspector,
- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:

Date:

Please use a separate form for each comment in support or objecting and return this form no later than 13th July 2012.

Thank you for completing this form

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LOCAL DEVELOPMENT FRAMEWORK

Core Strategy and Development Management Policies Pre-submission Consultation

Representation Form

Please use this form to indicate which part(s) of the Core Strategy and Development Management Policies Development Plan Document you either support or object to, together with any amendments/additions you would like to see.

Please use a separate form for each expression of support or objection.

Please complete and return this form no later than 4.00 pm on the 13th July 2012 to:

Planning Policy Team
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

Or email: ldf@copeland.gov.uk

For internal use:

Resp. No. 39

Rep. No. 8022

Date Rec. 13/7/12

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Alan Hubbard	N/A
Position	Planning Adviser	
Organisation	National Trust	
Address	National Trust 61 Oxford Street MANCHESTER	
Postcode	M1 6EQ	
Telephone	0161 234 9983	
Email	alan.hubbard@nationaltrust.org.uk	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

DM27

Paragraph

Sustainability
Appraisal

Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

The changes that have been made to this Policy are noted, including to ensure consistency with national planning policy and in particular the approach to non-designated heritage assets. It is considered that the proposed wording is appropriate, fit for purpose and relevant to the circumstances of Copeland. Accordingly it is supported.

Please indicate what change(s) you consider necessary to make it sound.

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

- submission of the plan for public examination by an independent Planning Inspector,
- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:

Alan Hubbard

Date:

13th July 2012

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Thank you for completing this form

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LOCAL DEVELOPMENT FRAMEWORK

Core Strategy and Development Management Policies Pre-submission Consultation

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Please use a separate form for each expression of support or objection.

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Catherine Street
Whitehaven
Cumbria CA28 7SJ

Or email: ldf@copeland.gov.uk

For internal use:

Resp. No. 39

Rep. No. S023

Date Rec. 13/7/12

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Alan Hubbard	N/A
Position	Planning Adviser	
Organisation	National Trust	
Address	National Trust 61 Oxford Street MANCHESTER	
Postcode	M1 6EQ	
Telephone	0161 234 9983	
Email	alan.hubbard@nationaltrust.org.uk	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy Paragraph Sustainability Appraisal

Do you consider the Core Strategy and Development Management Policies Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes No

If 'no', on what grounds do you consider the document to be unsound?

Not justified Not effective
Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

Overall the approach to landscapes and landscape character is supported.

It is a little disappointing that the more detailed landscape character assessment work referred to at para 7.6.3 is not yet available and it is to be hoped that this will be ready before the DPD is adopted.

Pending the availability of (and a commitment to use) that more detailed landscape character assessment it would be helpful if para 7.6.3 was less passive in its reference to the Cumbria LCA Guidance and Toolkit 2011 and promoted its use as a relevant tool in reviewing landscape impacts, e.g.:

"Cumbria County Council has undertaken a Historic Landscape Characterisation Programme (2009) and also published a Landscape Character Assessment Guidance and Toolkit (2011) both of which provide relevant advice to protect the intrinsic qualities of the County's landscapes and will be used to assess and inform decisions on planning proposals."

Please indicate what change(s) you consider necessary to make it sound.

Do you wish to take part or be represented in the public hearing?

Yes No

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LOCAL DEVELOPMENT FRAMEWORK

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Planning Policy Team
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

Or email: ldf@copeland.gov.uk

For internal use:	
Resp. No.	39
Rep. No.	5024
Date Rec.	13/7/12

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Alan Hubbard	N/A
Position	Planning Adviser	
Organisation	National Trust	
Address	National Trust 61 Oxford Street MANCHESTER	
Postcode	M1 6EQ	
Telephone	0161 234 9983	
Email	alan.hubbard@nationaltrust.org.uk	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy Paragraph Sustainability Appraisal

Do you consider the Core Strategy and Development Management Policies Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes No

If 'no', on what grounds do you consider the document to be unsound?

Not justified Not effective
Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

National Trust is pleased to welcome and support the proposed approach to bio-diversity and geo-diversity considerations.

The link between the two is also of key importance and in that context the text at para 7.4.2 is particularly appropriate.

Please indicate what change(s) you consider necessary to make it sound.

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

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Date:

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LOCAL DEVELOPMENT FRAMEWORK

Core Strategy and Development Management Policies Pre-submission Consultation

Representation Form

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Cumbria CA28 7SJ

Or email: ldf@copeland.gov.uk

For internal use:

Resp. No. 39

Rep. No. 5025

Date Rec. 13/7/12

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Alan Hubbard	N/A
Position	Planning Adviser	
Organisation	National Trust	
Address	National Trust 61 Oxford Street MANCHESTER	
Postcode	M1 6EQ	
Telephone	0161 234 9983	
Email	alan.hubbard@nationaltrust.org.uk	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

ENV6

Paragraph

Sustainability
Appraisal

Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

National Trust continues to welcome the inclusion of this Policy and remains content with the detailed wording. It is essential to ensure that everyone has access to the countryside and coast in Copeland including for refreshment and health benefits.

Please indicate what change(s) you consider necessary to make it sound.

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

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- the adoption of the plan.

Signature:

Date:

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LOCAL DEVELOPMENT FRAMEWORK

Core Strategy and Development Management Policies Pre-submission Consultation

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The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

Or email: ldf@copeland.gov.uk

For internal use:

Resp. No. 39

Rep. No. 8026

Date Rec. 13/7/12

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Alan Hubbard	N/A
Position	Planning Adviser	
Organisation	National Trust	
Address	National Trust 61 Oxford Street MANCHESTER	
Postcode	M1 6EQ	
Telephone	0161 234 9983	
Email	alan.hubbard@nationaltrust.org.uk	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy Paragraph Sustainability Appraisal

Do you consider the Core Strategy and Development Management Policies Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes No

If 'no', on what grounds do you consider the document to be unsound?

Not justified Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

National Trust's specific interest in this locality relates to the St Bees Head area.

In the context of that specific interest the Trust has no objections to this part of the Core Strategy. The Trust particularly supports the statements relating to a) controlling chalet development in the vicinity of St Bees (under Policy ER10); b) conservation of the undeveloped coast (under Policy ENV2).

Please indicate what change(s) you consider necessary to make it sound.

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

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- the adoption of the plan.

Signature:

Date:

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LOCAL DEVELOPMENT FRAMEWORK

Core Strategy and Development Management Policies Pre-submission Consultation

Representation Form

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Please complete and return this form no later than 4.00 pm on the 13th July 2012 to:

Planning Policy Team
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

For internal use:

Resp. No. ...29.....
Rep. No. ...S027.....
Date Rec. ...13/7/12.....

Or email: ldf@copeland.gov.uk

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Alan Hubbard	N/A
Position	Planning Adviser	
Organisation	National Trust	
Address	National Trust 61 Oxford Street MANCHESTER	
Postcode	M1 6EQ	
Telephone	0161 234 9983	
Email	alan.hubbard@nationaltrust.org.uk	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

Paragraph

Fig 9.1 -
monitoring
+ outputs

Sustainability
Appraisal

Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

In respect of the Monitoring Framework and Outputs (Fig 9.1) the references in respect of Objectives 14 and 16 to working with partners/in cooperation with, inter alia, National Trust is noted. The Trust is pleased to confirm its willingness to contribute to this work, in particular through its continuing close involvement with the Colourful Coast initiative.

Please indicate what change(s) you consider necessary to make it sound.

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

- submission of the plan for public examination by an independent Planning Inspector,
- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:

Date:

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LOCAL DEVELOPMENT FRAMEWORK

Core Strategy and Development Management Policies Pre-submission Consultation

Representation Form

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Please use a separate form for each expression of support or objection.

Please complete and return this form **no later than 4.00 pm on the 13th July 2012** to:

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Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

Or email: ldf@copeland.gov.uk

For internal use:

Resp. No. 39
Rep. No. 5028
Date Rec. 13/7/12

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Alan Hubbard	N/A
Position	Planning Adviser	
Organisation	National Trust	
Address	National Trust 61 Oxford Street MANCHESTER	
Postcode	M1 6EQ	
Telephone	0161 234 9983	
Email	alan.hubbard@nationaltrust.org.uk	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

DM26

Paragraph

Sustainability
Appraisal

Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

The changes that have been made to this Policy are noted. It is considered that the proposed wording is appropriate, fit for purpose and relevant to the circumstances of Copeland. Accordingly it is supported.

Please indicate what change(s) you consider necessary to make it sound.

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

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- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:

Alan Hubbard

Date:

13th July 2012

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Core Strategy and Development Management Policies Pre-submission Consultation

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The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

For internal use:

Resp. No.39.....
Rep. No.5029.....
Date Rec.13(7).12.....

Or email: ldf@copeland.gov.uk

1. Your Details

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	Your details	Agent's details
Name	Alan Hubbard	N/A
Position	Planning Adviser	
Organisation	National Trust	
Address	National Trust 61 Oxford Street MANCHESTER	
Postcode	M1 6EQ	
Telephone	0161 234 9983	
Email	alan.hubbard@nationaltrust.org.uk	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

DM25

Paragraph

Sustainability
Appraisal

Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

The changes that have been made to this Policy are noted. It is considered that the proposed wording is appropriate, fit for purpose and relevant to the circumstances of Copeland. Accordingly it is supported.

Please indicate what change(s) you consider necessary to make it sound.

Do you wish to take part or be represented in the public hearing?

Yes No

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TURLEYASSOCIATES

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13th July 2012

Delivered by Post

Planning Policy team
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria

Our ref: SAIM0010
Your ref: CORE STRATEGY PRE-
SUBMISSION CONSULTATION
E: drichardson@turleyassociates.co.uk

Dear Sirs

CORE STRATEGY AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION CONSULTATION REPRESENTATIONS

On behalf of our client, Sainsbury's Supermarkets Ltd ("Sainsbury's"), we have reviewed the Pre-submission draft of the Core Strategy and Development Management Policies Development Plan Document (DPD) and would like to take this opportunity to comment on the document with regards to its 'soundness', specifically in relation to its conformity with the National Planning Policy Framework (NPPF).

As required, we have completed a representation form for each of the policies that Sainsbury's wish to make representations on. In addition, we would like to take this opportunity to set out what we consider to be the key issues that currently render the Core Strategy 'unsound' and present a reasonable alternative for your consideration.

Presumption in Favour of Sustainable Development

The NPPF sets out the Government's approach to 'positive growth' with the central theme of 'a presumption in favour of sustainable development' underpinning the Framework. Sainsbury's do not consider the Core Strategy to reflect either the 'presumption in favour of sustainable development' or that it encourages 'positive growth'. As such, Sainsbury's consider the Core Strategy in its current form to be un-sound due to non-compliance with national policy.

In order for the Core Strategy to fully reflect the presumption in favour of sustainable development and for the plan to reflect the 'positive growth' message set out in the NPPF, Sainsbury's suggest that the Planning Inspectorate's 'model policy', with regards to the presumption in favour of sustainable development, be incorporated within their Local Plan.

Compliance with National Policy

The Core Strategy appears to have been affected by the timing of the NPPF with many of the policies still referring to PPS's and the NPPF merely mentioned in the form of bullet points. More importantly, we do not consider the policies have been thoroughly reviewed and revised to reflect the guidance set out in the NPPF. Many of the policies (specific references are made within our representation forms) are overly restrictive. They do not incorporate sufficient flexibility and do not encourage or support economic growth. As such, Sainsbury's consider the document to be unsound.

In order to address this issue, our client recommends a thorough review of ALL policies, specifically those relating to retail and employment land, is carried out to ensure that they fully reflect the NPPF by ensuring that a pro development approach is integrated into the Core Strategy and Development Management Policies and that the presumption in favour of sustainable development runs through the whole of the Core Strategy. Any reference to PPS's and the guidance within them should be removed and the policies revised.

I trust that the comments raised in this letter and on the accompanying representation forms, will be fully considered and that this Development Plan Document will be amended accordingly prior to its submission.

Please do not hesitate to contact me if you have any queries.

Yours sincerely

Diana Richardson
Assistant Planner

CC:

Jo
Hawley
(SSL)
Sue
Smales
(SSL)



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LOCAL DEVELOPMENT FRAMEWORK

Core Strategy and Development Management Policies Pre-submission Consultation

Representation Form

Please use this form to indicate which part(s) of the Core Strategy and Development Management Policies Development Plan Document you either support or object to, together with any amendments/additions you would like to see.

Please use a separate form for each expression of support or objection.

Please complete and return this form no later than 4.00 pm on the 13th July 2012 to:

Planning Policy Team
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

For internal use:

Resp. No. ...37.....
Rep. No. ...S030.....
Date Rec. ...13/7/12.....

Or email: ldf@copeland.gov.uk

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name		DIANA RICHARDSON
Position		
Organisation	SAINSBURY'S SUPERMARKET LTD	TURLEY ASSOCIATES
Address	C/O/ AGENT	1 NEW YORK STREET MANCHESTER
Postcode		M1 4HD
Telephone		0161 233 7676
Email		drichardson@turleyassociates.co.uk

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

Paragraph

Sustainability
Appraisal

Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

For further information please consult the Planning Inspectorate's Soundness Guidance at http://www.planningportal.gov.uk/uploads/pins/ldf_dpd_soundness_guide.pdf

Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

The NPPF sets out the Government's approach to 'positive growth' with the central theme of 'a presumption in favour of sustainable development' under pinning the Framework. Sainsbury's do not consider the Core Strategy to reflect either the 'presumption in favour of sustainable development' or that it encourages 'positive growth'. As such, Sainsbury's consider the Core Strategy to be un-sound due to non-compliance with national policy.

Please indicate what change(s) you consider necessary to make it sound.

Policy ST1 should include an explicit reference to the Council adopting a presumption in favour of sustainable development and that the Council will plan for 'positive growth' as per the NPPF. The Planning Inspectorate have produced a 'model wording' which, if included in a draft Local Plan, is considered to be an appropriate way of meeting the expectation to allow for a presumption in favour of sustainable development. It is recommended that the Council incorporate this model working within their Local Plan.

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

- submission of the plan for public examination by an independent Planning Inspector,
- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:

D RICHARDSON

Date:

13/07/2012

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Thank you for completing this form

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LOCAL DEVELOPMENT FRAMEWORK

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Representation Form

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Whitehaven
Cumbria CA28 7SJ

Or email: ldf@copeland.gov.uk

For internal use:

Resp. No. 37
Rep. No. 5031
Date Rec. 13/7/12

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

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Telephone		0161 233 7676
Email		drichardson@turleyassociates.co.uk

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

Paragraph

Sustainability
Appraisal

Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Policy ER7, ER8, & ER9 - the NPPF states that LPAs should use their evidence base to identify the "need for land or floorspace for economic development, including both the quantitative and qualitative needs for all foreseeable types of economic activity over the plan period, including for retail and leisure development". As the Core Strategy does not identify the quantitative or qualitative need for additional retail floorspace, or any other form of development, as required by the NPPF, the Core Strategy is considered un-sound.

Please indicate what change(s) you consider necessary to make it sound.

Although this DPD isn't a site allocations document, in line with the NPPF (para 22), details of the scale and location of future retail development should be identified. As required by the NPPF policies should be realistic and flexible enough to accommodate needs not anticipated in the plan; as such there should also be an express acknowledgment that any changes to the evidence base over the plan period will be reflected in policy. In addition, within Policy ER7 the Core Strategy should also include a policy that sets out the threshold for the need for a Retail Impact Assessment as required by the NPPF. It is recommended that the Council should adopt the default figure of 2,500 sq m of additional retail floorspace.

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

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LOCAL DEVELOPMENT FRAMEWORK

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Rep. No. 5032.....
Date Rec. 13/7/12.....

Or email: ldf@copeland.gov.uk

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
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Telephone		0161 233 7676
Email		drichardson@turleyassociates.co.uk

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

Paragraph

Sustainability
Appraisal

Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Sainsbury's support Policy DM3 (Part C) preference for the re-use of allocated employment land for uses which provide employment opportunities over single-use residential development. However, they feel that the policy should be expanded to reflect NPPF (para 22) and not to restrict the release of employment land for which there is no likely demand over the plan period. It also fails to acknowledge of provide criteria against which the benefits associated with alternative uses could be assessed. For example, retail can often "enable" a wider mix of uses for which there is a local need that would otherwise not be viable, particularly on those site with for example high remediation costs. such sites would often lie vacant making little of no contribution to the growth of the economy. Further, derelict or vacant sites can directly influence negative perceptions of an area deterring investment.

Please indicate what change(s) you consider necessary to make it sound.

Sainsbury's suggest the Council expands the Policy text of justification to acknowledge the role of retail as an employment generating use under Part C. In addition, the policy should be amended so as to specifically encourage alternative uses on employment land for which there is not likely demand over the plan period. It should acknowledge that other uses such as retail can "enable" development and achieve plan objectives. In addition, specific reference should be made to the fact that retail uses can act as a buffer between traditional employment and residential area to help overcome issues that could impact residential amenity.

Do you wish to take part or be represented in the public hearing?

Yes No

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- the adoption of the plan.

Signature:

D RICHARDSON

Date:

13/07/2012

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LOCAL DEVELOPMENT FRAMEWORK

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Catherine Street
Whitehaven
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Or email: ldf@copeland.gov.uk

For internal use:

Resp. No.37.....
Rep. No.S083.....
Date Rec.13/7/12.....

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
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Postcode		M1 4HD
Telephone		0161 233 7676
Email		drichardson@turleyassociates.co.uk

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

Paragraph

Sustainability
Appraisal

Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

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Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

The Core Strategy appears to have been affected by the timing of the NPPF with many of the policies still referring to PPS's and the NPPF merely mentioned in the form of bullet points. More importantly, we do not consider the policies have been thoroughly reviewed and revised to reflect the guidance set out in the NPPF. Many of the policies (specific references are made below) are overly restrictive. They do not incorporate sufficient flexibility and do not encourage or support economic growth. As such consider the document to be unsound.

Please indicate what change(s) you consider necessary to make it sound.

Our client recommends a thorough review of ALL policies, specifically those relating to retail and employment land, is carried out to ensure that they fully reflect the NPPF by ensuring that a pro development approach is integrated into the Core Strategy and Development Management Policies and that the presumption in favour of sustainable development runs through the whole of the Core Strategy. Any reference to PPS's and the guidance within them should be removed and the policies revised.

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

- submission of the plan for public examination by an independent Planning Inspector,
- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:

D RICHARDSON

Date:

13/07/2012

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LOCAL DEVELOPMENT FRAMEWORK

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Representation Form

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The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

Or email: ldf@copeland.gov.uk

For internal use:

Resp. No. 37

Rep. No. 8034

Date Rec. 13/7/12

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

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Email		drichardson@turleyassociates.co.uk

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

Paragraph

Sustainability
Appraisal

**Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?**

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

It is considered that Policy ER9 restricts future growth and development in Local Centres and smaller centres that could provide local communities with vital services and amenities (including shops). This is contrary to the pro development message set out in the NPPF.

Please indicate what change(s) you consider necessary to make it sound.

It is suggested that Policy ER9 be re-worded as follows:

"in the Local Centres and smaller centres:

The provision of shops and services will be maintained and where appropriate enhanced to ensure they continue to serve their small catchment areas with basic goods and services".

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

- submission of the plan for public examination by an independent Planning Inspector,
- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:

D RICHARDSON

Date:

13/07/2012

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LOCAL DEVELOPMENT FRAMEWORK

Core Strategy and Development Management Policies Pre-submission Consultation

Representation Form

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Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

Or email: ldf@copeland.gov.uk

For internal use:

Resp. No. 37.....
Rep. No. 2035.....
Date Rec. 13/7/12.....

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
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Email		drichardson@turleyassociates.co.uk

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy Paragraph Sustainability Appraisal

Do you consider the Core Strategy and Development Management Policies Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes No

If 'no', on what grounds do you consider the document to be unsound?

Not justified Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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The NPPF clearly sets out that plans should be realistic and flexible enough to accommodate needs not anticipated in the plan and that development should reflect the community's needs (para 7). On this basis SS1 in its current form is at odds with the guidance set out in the NPPF.

Please indicate what change(s) you consider necessary to make it sound.

Whilst Sainsbury's support the focus of housing growth within Whitehaven, to ensure the Core Strategy is sound, pro-growth and that it is suitable flexible to allow for currently unidentified needs, Sainsbury's request that Policy SS1 is expanded to acknowledge the need for local scale shops and services as part of housing developments in order to create sustainable communities. This approach is acknowledged in Policy SS4 which states that the range of services and facilities serving local communities will be protected by:

"Allowing the expansion and/or enhancement of existing community facilities to assist continuing viability, particularly in area where new development will increase the demand for facilities".

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

- submission of the plan for public examination by an independent Planning Inspector,
- the publication of the Inspectors' recommendations.
- the adoption of the plan.

Signature:

D RICHARDSON

Date:

13/07/2012

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LOCAL DEVELOPMENT FRAMEWORK

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Catherine Street
Whitehaven
Cumbria CA28 7SJ

Or email: ldf@copeland.gov.uk

For internal use:

Resp. No. ~~5035~~ 37

Rep. No. 3036

Date Rec. 13/7/12

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

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Email		drichardson@turleyassociates.co.uk

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

Paragraph

Sustainability
Appraisal

Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

Sainsbury's support the proposed settlement hierarchy as set out in Policy ST2 as it seeks to ensure that the pattern and scale of new development is appropriate and sustainable by directing future retail development to existing centres, as set out in the NPPF. However, the Core Strategy fails to make specific reference to how proposals for main town centre uses in edge/out of centre locations would be assessed. In addition, there is no reference to the threshold which would trigger the need for Retail Impact Assessment as required by the NPPF.

Please indicate what change(s) you consider necessary to make it sound.

Sainsbury's suggest that and explicit acknowledgment within the Core Strategy that it may not always be achievable for all proposals for main town centre uses to be accommodated within existing centres. There should a specific reference that the edge of centre of our of centre (in NPPF terms) sites make an important contribution to sustainable economic growth. Specific policies should be included against which proposals for "main town centre uses which cannot be accommodated in or adjacent to town centres" are to be considered as set out in the NPPF (i.e. sequential approach).

In addition, within Policy ER7 the Core Strategy should also include a policy that sets out the threshold for the need for Retail Impact Assessment as required by the NPPF. It is recommended that the Council should adopt the default figure of 2,500 sq m of additional retail floorspace.

Do you wish to take part or be represented in the public hearing?

Yes No

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Signature:

D RICHARDSON

Date:

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Resp. No.	37
Rep. No.	8037
Date Rec.	13/7/12

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**Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?**

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

Policy SS2 - Sainsbury's support the scale of housing development proposed as a baseline figure in this policy. However, the suggested provision for growth over and above the baseline figure of 30% is considered to be at odds with the pro-growth message set out in the NPPF, as such this policy is considered to be unsound due to its non-compliance with national policy.

Please indicate what change(s) you consider necessary to make it sound.

The policy currently allows for growth 30% above the baseline figure. This is helpful but could still be restrictive to future growth. For example if there was a period of economic uncertainty and a low number of net additional dwellings were delivered or conversely the population projections over the plan period were increased. Both scenarios would require an increase in the baseline figure. Therefore, it is suggested that to be compliant with the NPPF, the text should make clear that the baseline figure is not to be interpreted as a cap or maximum, to ensure future growth is not restricted. To reinforce this it is suggested that the policy should also include a line to allow for flexibility in either the level of net additional dwellings delivered or changes to a population projections over the plan period.

In all locations identified for residential growth in Policy ST2, an acknowledgement should be made that these areas may require additional service and amenities on a suitable scale (including retail), in order to meet the needs of local residents.

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

- submission of the plan for public examination by an independent Planning Inspector,
- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:

D RICHARDSON

Date:

13/07/2012

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LOCAL DEVELOPMENT FRAMEWORK

Core Strategy and Development Management Policies Pre-submission Consultation

Representation Form

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Please complete and return this form no later than 4.00 pm on the 13th July 2012 to:

Planning Policy Team
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

For internal use:

Resp. No. 79

Rep. No. S038

Date Rec. 13/7/12

Or email: ldf@copeland.gov.uk

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Matt Olley	Laurie Lane
Position	Development Manager	Senior Planner
Organisation	REG Windpower	Turley Associates
Address	The Coach House, Suite 2 Kelston Park Bath	10th Floor, 1 New York Street, Manchester,
Postcode	BA1 9AE	M1 4HD
Telephone	01225 928004	0161 233 7676
Email	mattolley@regwindpower.co.uk	llane@turleyassociates.co.uk

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

Miscellaneous

Paragraph

Sustainability
Appraisal

Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

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Please see accompanying letter.

Please indicate what change(s) you consider necessary to make it sound.

Please see accompanying letter.

Do you wish to take part or be represented in the public hearing?

Yes

No

Please tick in the relevant box(es) if you wish to be notified of

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- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:

L LANE

Date:

13/07/2012

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The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

For internal use:

Resp. No. 79
Rep. No. 8039
Date Rec. 13/7/12

Or email: ldf@copeland.gov.uk

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Matt Olley	Laurie Lane
Position	Development Manager	Senior Planner
Organisation	REG Windpower	Turley Associates
Address	The Coach House, Suite 2 Kelston Park Bath	10th Floor, 1 New York Street, Manchester,
Postcode	BA1 9AE	M1 4HD
Telephone	01225 928004	0161 233 7676
Email	mattolley@regwindpower.co.uk	llane@turleyassociates.co.uk

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

VISION

Paragraph

3.3.21

Sustainability
Appraisal

**Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?**

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

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Please see accompanying letter.

Please indicate what change(s) you consider necessary to make it sound.

Please see accompanying letter.

Do you wish to take part or be represented in the public hearing?

Yes

No



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- ✓ the publication of the Inspectors' recommendations
- ✓ the adoption of the plan.

Signature:

L LANE

Date:

13/07/2012

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Cumbria CA28 7SJ

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For internal use:

Resp. No. 79

Rep. No. S040

Date Rec. 13/7/12

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Matt Olley	Laurie Lane
Position	Development Manager	Senior Planner
Organisation	REG Windpower	Turley Associates
Address	The Coach House, Suite 2 Kelston Park Bath	10th Floor, 1 New York Street, Manchester,
Postcode	BA1 9AE	M1 4HD
Telephone	01225 928004	0161 233 7676
Email	mattolley@regwindpower.co.uk	llane@turleyassociates.co.uk

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

STRATEGIC
OBJECTIVE 1

Paragraph

Sustainability
Appraisal

**Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?**

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please see accompanying letter.

Please indicate what change(s) you consider necessary to make it sound.

Please see accompanying letter.

Do you wish to take part or be represented in the public hearing?

Yes

No



Please tick in the relevant box(es) if you wish to be notified of

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- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:

L LANE

Date:

13/07/2012

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Whitehaven
Cumbria CA28 7SJ

For internal use:

Resp. No. 79

Rep. No. S044

Date Rec. 13/7/12

Or email: ldf@copeland.gov.uk

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Matt Olley	Laurie Lane
Position	Development Manager	Senior Planner
Organisation	REG Windpower	Turley Associates
Address	The Coach House, Suite 2 Kelston Park Bath	10th Floor, 1 New York Street, Manchester,
Postcode	BA1 9AE	M1 4HD
Telephone	01225 928004	0161 233 7676
Email	mattolley@regwindpower.co.uk	llane@turleyassociates.co.uk

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

Paragraph

Sustainability
Appraisal

**Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?**

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please see accompanying letter.

Please indicate what change(s) you consider necessary to make it sound.

Please see accompanying letter.

Do you wish to take part or be represented in the public hearing?

Yes

No



Please tick in the relevant box(es) if you wish to be notified of

- ✓ submission of the plan for public examination by an independent Planning Inspector,
- ✓ the publication of the Inspectors' recommendations
- ✓ the adoption of the plan.

Signature:

L LANE

Date:

13/07/2012

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Catherine Street
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Cumbria CA28 7SJ

Or email: ldf@copeland.gov.uk

For internal use:

Resp. No. 79
Rep. No. S042
Date Rec. 13/7/12

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Matt Olley	Laurie Lane
Position	Development Manager	Senior Planner
Organisation	REG Windpower	Turley Associates
Address	The Coach House, Suite 2 Kelston Park Bath	10th Floor, 1 New York Street, Manchester,
Postcode	BA1 9AE	M1 4HD
Telephone	01225 928004	0161 233 7676
Email	mattolley@regwindpower.co.uk	llane@turleyassociates.co.uk

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

 STRATEGIC
 OBJECTIVE 2

Paragraph

Sustainability
Appraisal

**Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?**

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please see accompanying letter.

Please indicate what change(s) you consider necessary to make it sound.

Please see accompanying letter.

Do you wish to take part or be represented in the public hearing?

Yes

No

Please tick in the relevant box(es) if you wish to be notified of

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- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:

L LANE

Date:

13/07/2012

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Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

Or email: ldf@copeland.gov.uk

For internal use:

Resp. No. 791

Rep. No. 5043

Date Rec. 13/7/12

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Matt Olley	Laurie Lane
Position	Development Manager	Senior Planner
Organisation	REG Windpower	Turley Associates
Address	The Coach House, Suite 2 Kelston Park Bath	10th Floor, 1 New York Street, Manchester,
Postcode	BA1 9AE	M1 4HD
Telephone	01225 928004	0161 233 7676
Email	mattolley@regwindpower.co.uk	llane@turleyassociates.co.uk

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy Paragraph Sustainability Appraisal

Do you consider the Core Strategy and Development Management Policies Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes No

If 'no', on what grounds do you consider the document to be unsound?

Not justified Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please see accompanying letter.

Please indicate what change(s) you consider necessary to make it sound.

Please see accompanying letter.

Do you wish to take part or be represented in the public hearing?

Yes

No

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Signature:

L LANE

Date:

13/07/2012

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Or email: ldf@copeland.gov.uk

For internal use:

Resp. No. 79

Rep. No. S044

Date Rec. 13/7/12

1. Your Details

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	Your details	Agent's details
Name	Matt Olley	Laurie Lane
Position	Development Manager	Senior Planner
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Postcode	BA1 9AE	M1 4HD
Telephone	01225 928004	0161 233 7676
Email	mattolley@regwindpower.co.uk	llane@turleyassociates.co.uk

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

ER2

Paragraph

Sustainability
Appraisal

Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please see accompanying letter.

Please indicate what change(s) you consider necessary to make it sound.

Please see accompanying letter.

Do you wish to take part or be represented in the public hearing?

Yes

No

Please tick in the relevant box(es) if you wish to be notified of

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- the adoption of the plan.

Signature:

L LANE

Date:

13/07/2012

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Resp. No. 79
Rep. No. S045
Date Rec. 13/7/12

1. Your Details

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	Your details	Agent's details
Name	Matt Olley	Laurie Lane
Position	Development Manager	Senior Planner
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Postcode	BA1 9AE	M1 4HD
Telephone	01225 928004	0161 233 7676
Email	mattolley@regwindpower.co.uk	llane@turleyassociates.co.uk

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy Paragraph Sustainability Appraisal

Do you consider the Core Strategy and Development Management Policies Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes No

If 'no', on what grounds do you consider the document to be unsound?

Not justified Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please see accompanying letter.

Please indicate what change(s) you consider necessary to make it sound.

Please see accompanying letter.

Do you wish to take part or be represented in the public hearing?

Yes

No

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- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:

L LANE

Date:

13/07/2012

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Resp. No. 79
Rep. No. 5046
Date Rec. 13/7/12

Or email: ldf@copeland.gov.uk

1. Your Details

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Email	mattolley@regwindpower.co.uk	llane@turleyassociates.co.uk

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

SOUTH COPELAND LOCALITY

 Paragraph

8.7.1 - 8.7.15

 Sustainability Appraisal

--

Do you consider the Core Strategy and Development Management Policies Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes No

If 'no', on what grounds do you consider the document to be unsound?

Not justified Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please see accompanying letter.

Please indicate what change(s) you consider necessary to make it sound.

Please see accompanying letter.

Do you wish to take part or be represented in the public hearing?

Yes

No

Please tick in the relevant box(es) if you wish to be notified of

- submission of the plan for public examination by an independent Planning Inspector,
- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:

L LANE

Date:

13/07/2012

Please use a separate form for each comment in support or objecting and return this form no later than 13th July 2012.

Thank you for completing this form

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LOCAL DEVELOPMENT FRAMEWORK

Core Strategy and Development Management Policies Pre-submission Consultation

Representation Form

Please use this form to indicate which part(s) of the Core Strategy and Development Management Policies Development Plan Document you either support or object to, together with any amendments/additions you would like to see.

Please use a separate form for each expression of support or objection.

Please complete and return this form no later than 4.00 pm on the 13th July 2012 to:

Planning Policy Team
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

Or email: ldf@copeland.gov.uk

For internal use:

Resp. No. 79.....

Rep. No. 507.....

Date Rec. 13/7/12.....

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Matt Olley	Laurie Lane
Position	Development Manager	Senior Planner
Organisation	REG Windpower	Turley Associates
Address	The Coach House, Suite 2 Kelston Park Bath	10th Floor, 1 New York Street, Manchester,
Postcode	BA1 9AE	M1 4HD
Telephone	01225 928004	0161 233 7676
Email	mattolley@regwindpower.co.uk	llane@turleyassociates.co.uk

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

DM2

Paragraph

10.2.6

Sustainability
Appraisal

**Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?**

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

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Not effective

Not consistent with national planning policy

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Resp. No. 79.....
Rep. No. S048.....
Date Rec. 13/7/12.....

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Matt Olley	Laurie Lane
Position	Development Manager	Senior Planner
Organisation	REG Windpower	Turley Associates
Address	The Coach House, Suite 2 Kelston Park Bath	10th Floor, 1 New York Street, Manchester,
Postcode	BA1 9AE	M1 4HD
Telephone	01225 928004	0161 233 7676
Email	mattolley@regwindpower.co.uk	llane@turleyassociates.co.uk

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

DM27

Paragraph

10.5.10 -
10.5.11

Sustainability
Appraisal

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Respondent ID - 79
Representation Nos - S038 - S048

TURLEYASSOCIATES

13 July 2012

Delivered by Email & Post

Planning Policy
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
CA28 7SJ

No 1 New York Street

Manchester

M1 4HD

Our ref: REGM2005

Your ref:

E: llane@turleyassociates.co.uk

Dear Sir,

**COPELAND CORE STRATEGY AND DEVELOPMENT MANAGEMENT POLICIES REGULATION
19 CONSULTATION DRAFT: REPRESENTATIONS ON BEHALF OF REG WINDPOWER**

I am pleased to submit the following representations on behalf of REG Windpower, in respect of the Core Strategy Regulation 19 Consultation Draft.

Completed forms for each individual representation are enclosed.

In some instances we, and REG, consider policies to be unsound. In each instance we provide our reasoning and set out our requested amendments. These are shown in text boxes with new or amended text shown in *italic bold*.

REG Windpower

REG Windpower is a British company that develops, owns and operates wind farms in the UK. They were among the UK's original renewable energy companies, starting life as the Cornwall Light and Power Company back in 1989.

REG are now one of the country's leading developers and operators of small to medium-sized wind farms and in 2010 took on the name of REG Windpower to reflect the expanding nationwide business. REG operate 10 wind farms around the country in Cambridgeshire, Cornwall, Durham, Gwynedd, Yorkshire and also at Wigton in Cumbria. Three further schemes are under construction in 2012.

An application is currently being determined by Copeland for 6 wind turbines at Langthwaite Farm, near Millom in the south of the borough.

General Considerations

The Core Strategy currently does not include the model policy wording issued by the Planning Inspectorate accounting for the local application of the 'presumption in favour of sustainable development' at Paragraph 15 of the NPPF.

In order for the Core Strategy to be sound, the following model wording below should be included:

"When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- a) any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or*
- b) specific policies in that Framework indicate that development should be restricted."*

Insertion of this model wording will ensure that the presumption in favour of sustainable development is embodied in the Core Strategy. This effectively means applications for development can be fully determined in accordance with the development plan, removing the need to refer to the principle in the NPPF.

Draft Policies Considered Sound

The Draft Copeland Core Strategy adopts a largely positive stance on renewable energy, which is supportive of the direction of national guidance in the NPPF and associated National Policy Statements for Energy and Renewable Energy (EN-1 and EN-3, respectively). Paragraph 182 of the NPPF is clear that in order for Local Plans to be found to be sound, they should be consistent with policies of the NPPF and positively prepared, whereby they are based on a strategy which seeks to meet objectively assessed development and infrastructure requirements.

Key policies within the NPPF of relevance to the soundness of Local Plans from a renewable energy perspective include paragraph 93, which confirms that planning can play a key role in securing radical reductions in greenhouse gas emissions and supporting the delivery of renewable and low carbon energy and associated infrastructure. It states:

"This is central to the economic, social and environmental dimensions of sustainable development."

Further, Paragraph 97 advises that local authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources and they should have a positive strategy in place to promote energy from renewable or and low carbon sources.

It is against this national policy background that the soundness of the following statements and policies is considered:

Vision for Copeland

The approach advocated in national policy and summarised above is reflected in the 'Vision for Copeland' (paragraph 3.3.21). This seeks economic sustainability by, *inter alia*, building on, opportunities, "including those presented by the low-carbon and renewable energy sectors." In addition, the vision seeks environmental responsibility in Copeland through being, "a place that adapts to climate change and minimises its carbon footprint".

REG consider this approach to be consistent with the NPPF (i.e. it is justified) and the vision is therefore considered to be sound.

Strategic Objective 1

Strategic Objective 1 of the Draft Core Strategy builds on the Vision for Copeland by seeking to support future renewable energy and low carbon generating capacity in Copeland, in line with 'Britain's Energy Coast'.

The 'Britain's Energy Coast' initiative is of strategic importance both nationally and regionally. West Cumbria is identified as having a key role to play in delivering the critical elements of the national energy strategy that meets the priorities of both combating climate change and securing the nation's energy supply.

It is on this basis that seeking to encourage renewable energy development in line with the Energy Coast initiative is considered an appropriate and justified approach. REG therefore consider Strategic Objective 1 to be sound.

Strategic Development Principle ST1 (a) (i) and (b) (i)

Strategic Development Principle ST1 (a) (i) states support for the development of energy infrastructure. Principle (b) (i) also encourages development that minimises carbon emissions, maximises energy efficiency and helps us to adapt to the effects of climate change.

The introductory sentence to the policy confirms that it is these principles which underpin the Borough's planning policies and it is considered a reasonable approach, which is consistent with the messages set out in the NPPF (Paragraph 3.4.3 of the NPPF confirms these statements are "a local expression of national policies that are a requirement on all planning policies). On this basis, REG find these parts of draft Policy ST1 to be sound.

Draft Policies Considered Unsound

Strategic Objective 2

Strategic Objective 2 seeks to promote the diversification of the Borough's rural and urban economic base to enable a prosperous mixed economy, including the energy sector. Whilst REG agree with the main sentiment of this policy they are concerned that, as presently drafted, it could be misread as only offering support for the nuclear energy sector. This is because (in the context of energy) it only refers to "building on Copeland's nuclear skills base".

REG do not consider this to be appropriate, as the economic benefits of on-shore wind energy are well-established and could bring important regeneration benefits to urban and rural areas, such as Millom.

A report examining the economic benefits of onshore wind farms was published in May 2012 by BIGGAR Economics on behalf of the Department of Energy and Climate Change and RenewableUK. Some of the notable conclusions of the report include:

- 98% of expenditure on the designing and planning of wind farms up to the point of securing permission is retained in the UK;
- 45% of expenditure on the construction of the wind farms (manufacture and construction on site) is retained in the UK;
- 90% of expenditure on the operation and maintenance of wind farms is retained in the UK;
- It is estimated that in 2011 the onshore wind industry supported 8,600 jobs in the UK and generated £548 million in GVA across the UK.
- Based on the scenarios for the future deployment of onshore wind in the UK as set out in the UK Renewable Energy Strategy (2011) and the National Renewable Energy Action Plan (2010) it is estimated that the contribution of the onshore wind sector to the UK economy could increase (by 2020) to 8,700 jobs and £580million GVA (under lowest deployment scenario) to 17,900 jobs and £1,183 million GVA (under the highest deployment scenario).
- In addition, there is and could be a range of wider economic impacts. Spending by persons employed in the industry presently contributed a further £85million in GVA to the UK economy in 2011 and supported a further 2,400 jobs. This could increase to between £90 million / 2,500 jobs (lowest deployment) and £192million / 5,400 jobs (highest deployment).
- Further GVA and jobs up to £27million / 800 jobs could be created through the effects of employee expenditure during the construction phase of wind farms.
- Persons employed in the onshore wind industry contributed £94.3million in taxes to the exchequer in 2011. This could grow by up to £218million (under highest deployment and job creation scenario) by 2020.

- The onshore wind industry paid £12million in business rates from the operation of wind farms in 2011. This could increase to £52million by 2020 (under the highest deployment scenario)
- While the majority of wind turbine manufacturers are based overseas it is instructive to note that many of the components can and are being manufactured in the UK.

On this basis REG do not consider the policy to be justified, as it does not represent the most appropriate strategy when considered against this evidence. REG therefore considers Strategic Objective 2 to be **unsound** as currently drafted.

In order to make this policy sound, it is recommended that it be reworded to state:

"Promote the diversification of the Borough's rural and urban economic base to enable a prosperous mixed economy, including creative and knowledge based industries, specialist engineering and the energy sector. Copeland's nuclear skills base and existing / potential future additional renewable energy assets will assist in the delivery of this objective as will tourist and heritage attractions and the potential of the unspoilt coast and quiet western lakes."

This amended wording provides greater scope for the economic benefits of renewable energy schemes to be recognised.

Spatial Development Strategy ST2 (c) (ii)

Spatial Development Strategy ST2 (c) (ii) takes a similar approach to the existing adopted local plan, whereby development outside settlements is restricted to a specified range of acceptable uses. Acceptable uses include renewable energy developments which make best use of resources and minimise environmental and amenity impacts. For the avoidance of doubt, the inclusion of wind farms within the list of acceptable uses is affirmed in the supporting text at 3.5.19.

Whilst REG welcome the underlying objective of the policy, the detailed drafting of part (c) (ii) is considered to be **unsound**.

Restricting development to those which "minimise" environmental and amenity impacts is ambiguous and is not consistent with the provisions of the NPPF.

Paragraph 97 of the NPPF states that in order to increase the supply of renewable energy, local planning authorities should, *"design their policies to maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts."* Paragraph 98 goes on to state that when deciding applications, local planning authorities should, *"approve the application if its impacts are (or can be made) acceptable."* [emphasis added]

Put more simply, there is no requirement in the NPPF for environmental / amenity effects to be "minimised". The draft Core Strategy, by requiring effects to be "minimised", therefore introduces a higher policy test than is set out in the NPPF.

Therefore, it is recommended that in order for the policy to be consistent with NPPF it is amended so that emphasis is placed upon supporting renewable energy:

"...at sites which best maximise renewable resources and where impacts are (or can be made) acceptable."

ER2 – Planning for the Renewable Energy Sector

Policy ER2 is a high level statement on renewable energy, which confirms the Council will seek to maximise renewable resources and minimise environmental and amenity impacts. This is consistent with the Spatial Development Strategy described in Policy ST2 (c) (ii) and for the same reasons described above, it is considered draft Policy ER2 is presently **unsound** (i.e. in that it seeks to minimise impacts).

Whilst the supporting text to Policy ER2 expresses an aspiration to deliver 46MW of renewable energy over the plan period and confirms that this is not a ceiling to renewable energy development it is considered that such aspirations should appear in the main body of the policy in order for it to be more effective and to avoid ambiguity. It is considered that including an indicative target within the policy would accord with the pro-active stance of the NPPF and would allow the contribution which Copeland plays in meeting national objectives to be measured. Therefore, in order for the policy to be sound and more effective, it is recommended that it be reworded to state:

"The Council will seek to support and facilitate new renewable energy generation, at locations which best maximises renewable energy resources where impacts are (or can be made) acceptable. The Council will seek to deliver 46MW of energy from renewable sources by 2030, but this is not a ceiling to delivery within this timeframe..."

This accords with the approach advocated in national policy, which REG consider appropriate in light of the need for renewable energy development, which is in the nation's interest.

ENV5 – Protecting and Enhancing the Borough's Landscapes

Policy ENV5 seeks to protect and enhance the borough's landscapes. Part (b) of the policy and paragraph 7.6.4 are considered to be **unsound**.

This is because they seek to protect / enhance the borough's landscapes by ensuring that the impact of developments is "minimised".

As outlined above, the test of 'minimising' landscape harm is in conflict with the provisions of policies 97 and 98 of the NPPF where the approach is to permit developments where impacts are (or can be made) acceptable.

Accordingly it is recommended that Part B of Policy ENV5 be amended to read as follows:

"Where the benefits of the development outweigh the harm, ensuring that the impact of the development on the landscape is or can be made acceptable"

And paragraph 7.6.4 be amended to read as follows:

"In applying this policy the Council will seek to ensure that the potential development impacts on landscape character are, or can be made, acceptable"

8.7 – South Copeland Locality - Paragraphs 8.7.1 to 8.7.15 and Pages 121-122

Chapter eight of the draft Core Strategy sets out priorities for a number of 'localities'. Paragraphs 8.7.1 to 8.7.15 present a spatial, environmental and economic portrait of the South Copeland area. Whilst generally accurate, there are a number of notable omissions which REG request to be addressed through further amendments to the aforementioned paragraphs.

A key omission is the absence, in the description of the area, of any reference to the presence of onshore wind farm developments of which there are a number in South Copeland. Similarly, there is no reference to the locality being situated within the Core Area of the Energy Coast Masterplan or its obvious potential to accommodate further renewable energy developments. We therefore request that an additional paragraph is added in the context and background section (8.7.1 – 8.7.3) to state:

"South Copeland is an important location in the Borough for renewable energy generation. It is currently host to a number of windfarms including Haverigg, with the potential for other sites to come forward within the plan period which could add to sustainable energy supply."

The Economic Implications of the Core Strategy's Policies for South Copeland are presented at Pages 121-122. Currently the Council only expresses support in the Strategic Policies section (pg 121) to "new nuclear, off-shore wind and (potentially) tidal generation".

REG do not consider this reflects or lends the necessary support to on-shore wind generation in this locality. In the circumstances, they consider this part of Section 8.7 to be in conflict with the provisions of the NPPF and it is therefore **unsound**. As has been highlighted in relation to Strategic Objective 2 (see reference to the BIGGAR Economics report), there is significant evidence in support of the economic benefits brought about by onshore wind developments. REG consider that the potential economic benefits of further onshore wind development in the locality and the role which such benefits may play in the regeneration of the area are not recognised at Pages 121 / 122.

Accordingly text at page 121 within paragraph 8.7 should be amended to read:

"The Council will encourage related investment in South Copeland, including support functions for new nuclear, onshore and offshore wind and (potentially) tidal generation."

Through making this amendment, it confirms that onshore wind will be encouraged in sustainable and appropriate locations, such as South Copeland, which is in accordance with the Vision for Copeland and Strategic Objectives (as amended by representations within this letter).

DM2 – Renewable Energy Development in the Borough

This is the development control policy for renewable energy. It is very similar to existing policies EGY1 and 2 of the Local Plan, but is negative in its wording in that it asserts development proposals must satisfy a set of criteria. Therefore, it is not considered to be 'positively planned' (in accordance with the NPPF) and at present it also does not accord with the positive stance taken on renewable energy development by the rest of the Draft Core Strategy.

A number of the criteria also currently refer to "unacceptable impacts" or "no significant adverse effects." As highlighted throughout these representations, paragraphs 97 and 98 of the NPPF instructs local planning authorities to grant permission where impacts are (or can be) made acceptable.

It is also considered part E regarding heritage impacts is not in accordance with the NPPF. The NPPF states that in determining applications where heritage assets are affected, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be (paragraph 132). Where a development will lead to substantial harm to the significance of a designated heritage asset, permission should be refused, unless it is demonstrated the harm is necessary to achieve substantial public benefits, or a number of other criteria as listed apply (paragraph 133). Where less than substantial harm would be caused, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use (paragraph 134). The policy should therefore be amended to refer to 'substantial harm to the significance or features of heritage conservation importance and impacts on nature conservation should, in fact be a separate point.

In light of this REG consider the draft policy as currently drafted to be **unsound**.

In order to make the policy sound, it suggested it be re-worded to say:

"Renewable energy development will be encouraged and planning permission granted where:

A Proposals are developed with the Borough's community and key stakeholders in accordance with the Council's current adopted approach to stakeholder involvement

B Any adverse visual impacts are (or can be made) acceptable

C Any adverse impacts on landscape or townscape character and distinctiveness are (or can be made) acceptable

D Any adverse impacts on biodiversity or geodiversity are (or can be made) acceptable

E The proposals would not lead to substantial harm to the significance of a feature of heritage conservation importance

F Any adverse impacts on feature of nature conservation importance are (or can be made) acceptable

G Any adverse impacts arising from noise, odour, dust fumes, light or other nuisance that is likely to affect residents and adjoining land users are (or can be made) acceptable

H Any waste arising as a result of the development will be minimised and managed appropriately

I Provision is made in proposals for the removal and site restoration at the end of the operating life of the installation.

Adequate mitigation measures would be secured to ensure potential impacts of any renewable energy development proposal can be made acceptable and to deliver significant benefits to the community where the scheme is to be sited wherever possible. If necessary such measures would be secured through planning obligations."

In accordance with this approach, paragraph 10.2.6 should be amended to read:

"...As a result Policy DM2 is designed to ensure potential adverse effects of renewable energy schemes are within established acceptable limitations (which will vary according to relevant technical guidance on a particular issue). Impacts and issues that will be taken in to account include:

- Impacts on the character of an area, either on their own or cumulatively*
- Impacts on existing development, including noise, odour, vibration, (in the case of wind turbines, shadow flicker and electromagnetic interference)*
- Provision for the removal of all equipment and installations and site restoration at the end of the scheme's lifetime;*
- The siting and design of proposals having regard to the capacity / character of the landscape."*

DM27 – Built Heritage and Archaeology (and supporting paragraphs 10.5.10 – 10.5.11)

Part B of draft Policy DM27 asserts development proposals which "adversely affect" a scheduled ancient monument or its wider site or setting "will not be permitted".

Similarly, part D(III) of Policy DM27 indicates that developments which affect listed buildings or their settings "will only be permitted" where it does not have an "adverse" effect on the setting or important views of the building.

Both parts of the policy therefore essentially seek to resist all adverse impacts of whatever magnitude. In doing so they are in conflict with the provisions of the NPPF and are unsound.

Paragraph 132 of the NPPF makes clear that harm (both substantial and less than substantial) to the significance of heritage assets may be permissible subject to certain criteria being met including a weighing of the identified harm against the benefits of the proposal.

In order to bring the policy in line with NPPF, it is recommended that Part B is reworded to state:

"Development Proposals which would lead to the loss of, or result in harm to, the significance of a SAM will only be permitted where the identified degree of harm is outweighed by the public benefit of the proposed development or all of the following apply:

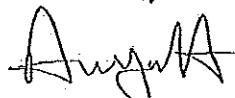
- *[Text contained within the four bullet points of paragraph 133 of the NPPF to be inserted]"*

And the Part D (iii) be amended to read:

"the public benefits of the proposed development outweigh the identified harm to the setting of or important views of affected listed buildings."

I trust the above comments will be taken into account and I would be grateful if you would confirm receipt of these representations in due course.

Yours sincerely



PP
Laurie Lane
Senior Planner

CC: Matt Olley - REG Windpower



Proud of our past. Energised for our future.

LOCAL DEVELOPMENT FRAMEWORK

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Address	The Coach House, Suite 2 Kelston Park Bath	10th Floor, 1 New York Street, Manchester,
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Email	mattolley@regwindpower.co.uk	llane@turleyassociates.co.uk

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Policy Miscellaneous Paragraph Sustainability Appraisal

Do you consider the Core Strategy and Development Management Policies Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes No

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Please tick in the relevant box(es) if you wish to be notified of

- submission of the plan for public examination by an independent Planning Inspector,
- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:

L LANE

Date:

13/07/2012

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LOCAL DEVELOPMENT FRAMEWORK

Core Strategy and Development Management Policies Pre-submission Consultation

Representation Form

Please use this form to indicate which part(s) of the Core Strategy and Development Management Policies Development Plan Document you either support or object to, together with any amendments/additions you would like to see.

Please use a separate form for each expression of support or objection.

Please complete and return this form **no later than 4.00 pm on the 13th July 2012** to:

Planning Policy Team
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

For internal use:

Resp. No. 29

Rep. No. 6039

Date Rec. 13/7/12

Or email: ldf@copeland.gov.uk

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Matt Olley	Laurie Lane
Position	Development Manager	Senior Planner
Organisation	REG Windpower	Turley Associates
Address	The Coach House, Suite 2 Kelston Park Bath	10th Floor, 1 New York Street, Manchester,
Postcode	BA1 9AE	M1 4HD
Telephone	01225 928004	0161 233 7676
Email	mattolley@regwindpower.co.uk	llane@turleyassociates.co.uk

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy Paragraph Sustainability Appraisal

Do you consider the Core Strategy and Development Management Policies Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes No

If 'no', on what grounds do you consider the document to be unsound?

Not justified Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please see accompanying letter.

Please indicate what change(s) you consider necessary to make it sound.

Please see accompanying letter.

Do you wish to take part or be represented in the public hearing?

Yes

No



Please tick in the relevant box(es) if you wish to be notified of

- ✓ submission of the plan for public examination by an independent Planning Inspector,
- ✓ the publication of the Inspectors' recommendations
- ✓ the adoption of the plan.

Signature:

L LANE

Date:

13/07/2012

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Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

For internal use:

Resp. No. 79
Rep. No. S040
Date Rec. 13/7/12

Or email: ldf@copeland.gov.uk

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Matt Olley	Laurie Lane
Position	Development Manager	Senior Planner
Organisation	REG Windpower	Turley Associates
Address	The Coach House, Suite 2 Kelston Park Bath	10th Floor, 1 New York Street, Manchester,
Postcode	BA1 9AE	M1 4HD
Telephone	01225 928004	0161 233 7676
Email	mattolley@regwindpower.co.uk	llane@turleyassociates.co.uk

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

STRATEGIC
OBJECTIVE 1

Paragraph

Sustainability
Appraisal

**Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?**

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please see accompanying letter.

Please indicate what change(s) you consider necessary to make it sound.

Please see accompanying letter.

Do you wish to take part or be represented in the public hearing?

Yes

No



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Signature:

L LANE

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The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

For internal use:

Resp. No. 79
Rep. No. 5041
Date Rec. 13/7/12

Or email: ldf@copeland.gov.uk

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Matt Olley	Laurie Lane
Position	Development Manager	Senior Planner
Organisation	REG Windpower	Turley Associates
Address	The Coach House, Suite 2 Kelston Park Bath	10th Floor, 1 New York Street, Manchester,
Postcode	BA1 9AE	M1 4HD
Telephone	01225 928004	0161 233 7676
Email	mattolley@regwindpower.co.uk	llane@turleyassociates.co.uk

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

ST1

Paragraph

(a) (i) &
(b) (i)

Sustainability
Appraisal

**Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?**

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please see accompanying letter.

Please indicate what change(s) you consider necessary to make it sound.

Please see accompanying letter.

Do you wish to take part or be represented in the public hearing?

Yes

No



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Signature:

L LANE

Date:

13/07/2012

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Catherine Street
Whitehaven
Cumbria CA28 7SJ

For internal use:

Resp. No. 79
Rep. No. 8042
Date Rec. 13/7/12

Or email: ldf@copeland.gov.uk

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Matt Olley	Laurie Lane
Position	Development Manager	Senior Planner
Organisation	REG Windpower	Turley Associates
Address	The Coach House, Suite 2 Kelston Park Bath	10th Floor, 1 New York Street, Manchester,
Postcode	BA1 9AE	M1 4HD
Telephone	01225 928004	0161 233 7676
Email	mattolley@regwindpower.co.uk	llane@turleyassociates.co.uk

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

STRATEGIC
OBJECTIVE 2

Paragraph

Sustainability
Appraisal

Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please see accompanying letter.

Please indicate what change(s) you consider necessary to make it sound.

Please see accompanying letter.

Do you wish to take part or be represented in the public hearing?

Yes

No

Please tick in the relevant box(es) if you wish to be notified of

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- the adoption of the plan.

Signature:

L LANE

Date:

13/07/2012

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Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

For internal use:

Resp. No. 79
Rep. No. 8043
Date Rec. 13/7/12

Or email: ldf@copeland.gov.uk

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Matt Olley	Laurie Lane
Position	Development Manager	Senior Planner
Organisation	REG Windpower	Turley Associates
Address	The Coach House, Suite 2 Kelston Park Bath	10th Floor, 1 New York Street, Manchester,
Postcode	BA1 9AE	M1 4HD
Telephone	01225 928004	0161 233 7676
Email	mattolley@regwindpower.co.uk	llane@turleyassociates.co.uk

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

ST2 (C) (ii)

Paragraph

3.5.19

Sustainability
Appraisal

**Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?**

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please see accompanying letter.

Please indicate what change(s) you consider necessary to make it sound.

Please see accompanying letter.

Do you wish to take part or be represented in the public hearing?

Yes

No

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- the adoption of the plan.

Signature:

L LANE

Date:

13/07/2012

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The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

Or email: ldf@copeland.gov.uk

For internal use:

Resp. No. 79

Rep. No. 8044

Date Rec. 13/7/12

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Matt Olley	Laurie Lane
Position	Development Manager	Senior Planner
Organisation	REG Windpower	Turley Associates
Address	The Coach House, Suite 2 Kelston Park Bath	10th Floor, 1 New York Street, Manchester,
Postcode	BA1 9AE	M1 4HD
Telephone	01225 928004	0161 233 7676
Email	mattolley@regwindpower.co.uk	llane@turleyassociates.co.uk

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

ER2

Paragraph

Sustainability
Appraisal

Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please see accompanying letter.

Please indicate what change(s) you consider necessary to make it sound.

Please see accompanying letter.

Do you wish to take part or be represented in the public hearing?

Yes

No

Please tick in the relevant box(es) if you wish to be notified of

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- the adoption of the plan.

Signature:

L LANE

Date:

13/07/2012

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Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

For internal use:

Resp. No. 99
Rep. No. 8045
Date Rec. 13/7/12

Or email: ldf@copeland.gov.uk

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Matt Olley	Laurie Lane
Position	Development Manager	Senior Planner
Organisation	REG Windpower	Turley Associates
Address	The Coach House, Suite 2 Kelston Park Bath	10th Floor, 1 New York Street, Manchester,
Postcode	BA1 9AE	M1 4HD
Telephone	01225 928004	0161 233 7676
Email	mattolley@regwindpower.co.uk	llane@turleyassociates.co.uk

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy Paragraph Sustainability Appraisal

Do you consider the Core Strategy and Development Management Policies Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes No

If 'no', on what grounds do you consider the document to be unsound?

Not justified Not effective

Not consistent with national planning policy

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Please see accompanying letter.

Do you wish to take part or be represented in the public hearing?

Yes No

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Signature:

L LANE

Date:

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Catherine Street
Whitehaven
Cumbria CA28 7SJ

Or email: ldf@copeland.gov.uk

For internal use:

Resp. No. 79.....

Rep. No. 8046.....

Date Rec. 13/7/12.....

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Matt Olley	Laurie Lane
Position	Development Manager	Senior Planner
Organisation	REG Windpower	Turley Associates
Address	The Coach House, Suite 2 Kelston Park Bath	10th Floor, 1 New York Street, Manchester,
Postcode	BA1 9AE	M1 4HD
Telephone	01225 928004	0161 233 7676
Email	mattolley@regwindpower.co.uk	llane@turleyassociates.co.uk

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

SOUTH COPELAND LOCALITY

Paragraph

8.7.1 - 8.7.15

Sustainability
Appraisal

--

**Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?**

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

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Please indicate what change(s) you consider necessary to make it sound.

Please see accompanying letter.

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Yes

No

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Signature:

L LANE

Date:

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Cumbria CA28 7SJ

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Resp. No. 79

Rep. No. 8047

Date Rec. 13/7/12

1. Your Details

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	Your details	Agent's details
Name	Matt Olley	Laurie Lane
Position	Development Manager	Senior Planner
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2. Your Comments

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Policy Paragraph Sustainability Appraisal

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(Please tick ✓ as appropriate)

Yes No

If 'no', on what grounds do you consider the document to be unsound?

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Please see accompanying letter.

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L LANE

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Representation Form

Please use this form to indicate which part(s) of the Core Strategy and Development Management Policies Development Plan Document you either support or object to, together with any amendments/additions you would like to see.

Please use a separate form for each expression of support or objection.

Please complete and return this form no later than 4.00 pm on the 13th July 2012 to:

Planning Policy Team
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

For internal use:

Resp. No. 79
Rep. No. S048
Date Rec. 13/7/12

Or email: ldf@copeland.gov.uk

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Matt Olley	Laurie Lane
Position	Development Manager	Senior Planner
Organisation	REG Windpower	Turley Associates
Address	The Coach House, Suite 2 Kelston Park Bath	10th Floor, 1 New York Street, Manchester,
Postcode	BA1 9AE	M1 4HD
Telephone	01225 928004	0161 233 7676
Email	mattolley@regwindpower.co.uk	llane@turleyassociates.co.uk

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

DM27

Paragraph

10.5.10 -
10.5.11

Sustainability
Appraisal

**Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?**

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

For further information please consult the Planning Inspectorate's Soundness Guidance at http://www.planningportal.gov.uk/uploads/pins/ldf_dpd_soundness_guide.pdf

Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

Please see accompanying letter.

Please indicate what change(s) you consider necessary to make it sound.

Please see accompanying letter.

Do you wish to take part or be represented in the public hearing?

Yes

No

Please tick in the relevant box(es) if you wish to be notified of

- submission of the plan for public examination by an independent Planning Inspector,
- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:

L LANE

Date:

13/07/2012

Please use a separate form for each comment in support or objecting and return this form no later than 13th July 2012.

Thank you for completing this form

NB Personal information collected on this form will be stored on computer by Copeland Borough Council for analysis of representations and for the purposes of the Public Examination. Representations are a matter of public record and may be made available for public inspection. Personal information stored on computer will not be shared by the Council for any other purpose, unless you have given consent or the Council is required to do so by law.

Respondent ID - 791.
Response ID - S038 - S048.

TURLEY ASSOCIATES

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13 July 2012

Delivered by Email & Post

Planning Policy
Copeland Borough Council
The Copeland Centre
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CA28 7SJ

CBC DEVELOPMENT STRATEGY	
RECEIVED	16 JUL 2012
PASSED TO	
REPLIED	

www.turleyassociates.co.uk

Our ref: REGM2005
You ref:
E: llane@turleyassociates.co.uk

Dear Sir,

COPELAND CORE STRATEGY AND DEVELOPMENT MANAGEMENT POLICIES REGULATION 19 CONSULTATION DRAFT: REPRESENTATIONS ON BEHALF OF REG WINDPOWER

I am pleased to submit the following representations on behalf of REG Windpower, in respect of the Core Strategy Regulation 19 Consultation Draft.

Completed forms for each individual representation are enclosed.

In some instances we, and REG, consider policies to be unsound. In each instance we provide our reasoning and set out our requested amendments. These are shown in text boxes with new or amended text shown in *italic bold*.

REG Windpower

REG Windpower is a British company that develops, owns and operates wind farms in the UK. They were among the UK's original renewable energy companies, starting life as the Cornwall Light and Power Company back in 1989.

REG are now one of the country's leading developers and operators of small to medium-sized wind farms and in 2010 took on the name of REG Windpower to reflect the expanding nationwide business. REG operate 10 wind farms around the country in Cambridgeshire, Cornwall, Durham, Gwynedd, Yorkshire and also at Wigton in Cumbria. Three further schemes are under construction in 2012.

An application is currently being determined by Copeland for 6 wind turbines at Langthwaite Farm, near Millom in the south of the borough.

General Considerations

The Core Strategy currently does not include the model policy wording issued by the Planning Inspectorate accounting for the local application of the 'presumption in favour of sustainable development' at Paragraph 15 of the NPPF.

S038
Form 1.

In order for the Core Strategy to be sound, the following model wording below should be included:

"When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- a) any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or*
- b) specific policies in that Framework indicate that development should be restricted."*

Insertion of this model wording will ensure that the presumption in favour of sustainable development is embodied in the Core Strategy. This effectively means applications for development can be fully determined in accordance with the development plan, removing the need to refer to the principle in the NPPF.

Draft Policies Considered Sound

The Draft Copeland Core Strategy adopts a largely positive stance on renewable energy, which is supportive of the direction of national guidance in the NPPF and associated National Policy Statements for Energy and Renewable Energy (EN-1 and EN-3, respectively). Paragraph 182 of the NPPF is clear that in order for Local Plans to be found to be sound, they should be consistent with policies of the NPPF and positively prepared, whereby they are based on a strategy which seeks to meet objectively assessed development and infrastructure requirements.

Key policies within the NPPF of relevance to the soundness of Local Plans from a renewable energy perspective include paragraph 93, which confirms that planning can play a key role in securing radical reductions in greenhouse gas emissions and supporting the delivery of renewable and low carbon energy and associated infrastructure. It states:

"This is central to the economic, social and environmental dimensions of sustainable development."

Further, Paragraph 97 advises that local authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources and they should have a positive strategy in place to promote energy from renewable or and low carbon sources.

It is against this national policy background that the soundness of the following statements and policies is considered:

S039
(2)

Vision for Copeland

The approach advocated in national policy and summarised above is reflected in the 'Vision for Copeland' (paragraph 3.3.21). This seeks economic sustainability by, *inter alia*, building on, opportunities, "including those presented by the low-carbon and renewable energy sectors." In addition, the vision seeks environmental responsibility in Copeland through being, "a place that adapts to climate change and minimises its carbon footprint".

REG consider this approach to be consistent with the NPPF (i.e. it is justified) and the vision is therefore considered to be sound.

S040
(3)

Strategic Objective 1

Strategic Objective 1 of the Draft Core Strategy builds on the Vision for Copeland by seeking to support future renewable energy and low carbon generating capacity in Copeland, in line with 'Britain's Energy Coast'.

The 'Britain's Energy Coast' initiative is of strategic importance both nationally and regionally. West Cumbria is identified as having a key role to play in delivering the critical elements of the national energy strategy that meets the priorities of both combating climate change and securing the nation's energy supply.

It is on this basis that seeking to encourage renewable energy development in line with the Energy Coast initiative is considered an appropriate and justified approach. REG therefore consider Strategic Objective 1 to be sound.

S041
(4)

Strategic Development Principle ST1 (a) (i) and (b) (i)

Strategic Development Principle ST1 (a) (i) states support for the development of energy infrastructure. Principle (b) (i) also encourages development that minimises carbon emissions, maximises energy efficiency and helps us to adapt to the effects of climate change.

The introductory sentence to the policy confirms that it is these principles which underpin the Borough's planning policies and it is considered a reasonable approach, which is consistent with the messages set out in the NPPF (Paragraph 3.4.3 of the NPPF confirms these statements are "a local expression of national policies that are a requirement on all planning policies). On this basis, REG find these parts of draft Policy ST1 to be sound.

Draft Policies Considered Unsound

Strategic Objective 2

So far
(6)

Strategic Objective 2 seeks to promote the diversification of the Borough's rural and urban economic base to enable a prosperous mixed economy, including the energy sector. Whilst REG agree with the main sentiment of this policy they are concerned that, as presently drafted, it could be misread as only offering support for the nuclear energy sector. This is because (in the context of energy) it only refers to "building on Copeland's nuclear skills base".

REG do not consider this to be appropriate, as the economic benefits of on-shore wind energy are well-established and could bring important regeneration benefits to urban and rural areas, such as Millom.

A report examining the economic benefits of onshore wind farms was published in May 2012 by BIGGAR Economics on behalf of the Department of Energy and Climate Change and RenewableUK. Some of the notable conclusions of the report include:

- 98% of expenditure on the designing and planning of wind farms up to the point of securing permission is retained in the UK;
- 45% of expenditure on the construction of the wind farms (manufacture and construction on site) is retained in the UK;
- 90% of expenditure on the operation and maintenance of wind farms is retained in the UK;
- It is estimated that in 2011 the onshore wind industry supported 8,600 jobs in the UK and generated £548 million in GVA across the UK.
- Based on the scenarios for the future deployment of onshore wind in the UK as set out in the UK Renewable Energy Strategy (2011) and the National Renewable Energy Action Plan (2010) it is estimated that the contribution of the onshore wind sector to the UK economy could increase (by 2020) to 8,700 jobs and £580million GVA (under lowest deployment scenario) to 17,900 jobs and £1,183 million GVA (under the highest deployment scenario).
- In addition, there is and could be a range of wider economic impacts. Spending by persons employed in the industry presently contributed a further £85million in GVA to the UK economy in 2011 and supported a further 2,400 jobs. This could increase to between £90 million / 2,500 jobs (lowest deployment) and £192million / 5,400 jobs (highest deployment).
- Further GVA and jobs up to £27million / 800 jobs could be created through the effects of employee expenditure during the construction phase of wind farms.
- Persons employed in the onshore wind industry contributed £94.3million in taxes to the exchequer in 2011. This could grow by up to £218million (under highest deployment and job creation scenario) by 2020.

- The onshore wind industry paid £12million in business rates from the operation of wind farms in 2011. This could increase to £52million by 2020 (under the highest deployment scenario)
- While the majority of wind turbine manufacturers are based overseas it is instructive to note that many of the components can and are being manufactured in the UK.

On this basis REG do not consider the policy to be justified, as it does not represent the most appropriate strategy when considered against this evidence. REG therefore considers Strategic Objective 2 to be **unsound** as currently drafted.

In order to make this policy sound, it is recommended that it be reworded to state:

"Promote the diversification of the Borough's rural and urban economic base to enable a prosperous mixed economy, including creative and knowledge based industries, specialist engineering and the energy sector. Copeland's nuclear skills base and existing / potential future additional renewable energy assets will assist in the delivery of this objective as will tourist and heritage attractions and the potential of the unspoilt coast and quiet western lakes."

This amended wording provides greater scope for the economic benefits of renewable energy schemes to be recognised.

Spatial Development Strategy ST2 (c) (ii)

Spatial Development Strategy ST2 (c) (ii) takes a similar approach to the existing adopted local plan, whereby development outside settlements is restricted to a specified range of acceptable uses. Acceptable uses include renewable energy developments which make best use of resources and minimise environmental and amenity impacts. For the avoidance of doubt, the inclusion of wind farms within the list of acceptable uses is affirmed in the supporting text at 3.5.19.

Whilst REG welcome the underlying objective of the policy, the detailed drafting of part (c) (ii) is considered to be **unsound**.

Restricting development to those which "minimise" environmental and amenity impacts is ambiguous and is not consistent with the provisions of the NPPF.

Paragraph 97 of the NPPF states that in order to increase the supply of renewable energy, local planning authorities should, *"design their policies to maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts."* Paragraph 98 goes on to state that when deciding applications, local planning authorities should, *"approve the application if its impacts are (or can be made) acceptable."* [emphasis added]

Put more simply, there is no requirement in the NPPF for environmental / amenity effects to be "minimised". The draft Core Strategy, by requiring effects to be "minimised", therefore introduces a higher policy test than is set out in the NPPF.

Therefore, it is recommended that in order for the policy to be consistent with NPPF it is amended so that emphasis is placed upon supporting renewable energy:

"...at sites which best maximise renewable resources and where impacts are (or can be made) acceptable."

ER2 – Planning for the Renewable Energy Sector

Policy ER2 is a high level statement on renewable energy, which confirms the Council will seek to maximise renewable resources and minimise environmental and amenity impacts. This is consistent with the Spatial Development Strategy described in Policy ST2 (c) (ii) and for the same reasons described above, it is considered draft Policy ER2 is presently **unsound** (i.e. in that it seeks to minimise impacts).

Whilst the supporting text to Policy ER2 expresses an aspiration to deliver 46MW of renewable energy over the plan period and confirms that this is not a ceiling to renewable energy development it is considered that such aspirations should appear in the main body of the policy in order for it to be more effective and to avoid ambiguity. It is considered that including an indicative target within the policy would accord with the pro-active stance of the NPPF and would allow the contribution which Copeland plays in meeting national objectives to be measured. Therefore, in order for the policy to be sound and more effective, it is recommended that it be reworded to state:

"The Council will seek to support and facilitate new renewable energy generation, at locations which best maximises renewable energy resources where impacts are (or can be made) acceptable. The Council will seek to deliver 46MW of energy from renewable sources by 2030, but this is not a ceiling to delivery within this timeframe..."

This accords with the approach advocated in national policy, which REG consider appropriate in light of the need for renewable energy development, which is in the nation's interest.

ENV5 – Protecting and Enhancing the Borough's Landscapes

Policy ENV5 seeks to protect and enhance the borough's landscapes. Part (b) of the policy and paragraph 7.6.4 are considered to be **unsound**.

This is because they seek to protect / enhance the borough's landscapes by ensuring that the impact of developments is "minimised".

As outlined above, the test of 'minimising' landscape harm is in conflict with the provisions of policies 97 and 98 of the NPPF where the approach is to permit developments where impacts are (or can be made) acceptable.

Accordingly it is recommended that Part B of Policy ENV5 be amended to read as follows:

"Where the benefits of the development outweigh the harm, ensuring that the impact of the development on the landscape is or can be made acceptable"

And paragraph 7.6.4 be amended to read as follows:

"In applying this policy the Council will seek to ensure that the potential development impacts on landscape character are, or can be made, acceptable"

8.7 – South Copeland Locality - Paragraphs 8.7.1 to 8.7.15 and Pages 121-122

Chapter eight of the draft Core Strategy sets out priorities for a number of 'localities'. Paragraphs 8.7.1 to 8.7.15 present a spatial, environmental and economic portrait of the South Copeland area. Whilst generally accurate, there are a number of notable omissions which REG request to be addressed through further amendments to the aforementioned paragraphs.

A key omission is the absence, in the description of the area, of any reference to the presence of onshore wind farm developments of which there are a number in South Copeland. Similarly, there is no reference to the locality being situated within the Core Area of the Energy Coast Masterplan or its obvious potential to accommodate further renewable energy developments. We therefore request that an additional paragraph is added in the context and background section (8.7.1 – 8.7.3) to state:

"South Copeland is an important location in the Borough for renewable energy generation. It is currently host to a number of windfarms including Haverigg, with the potential for other sites to come forward within the plan period which could add to sustainable energy supply."

The Economic Implications of the Core Strategy's Policies for South Copeland are presented at Pages 121-122. Currently the Council only expresses support in the Strategic Policies section (pg 121) to "new nuclear, off-shore wind and (potentially) tidal generation".

REG do not consider this reflects or lends the necessary support to on-shore wind generation in this locality. In the circumstances, they consider this part of Section 8.7 to be in conflict with the provisions of the NPPF and it is therefore unsound. As has been highlighted in relation to Strategic Objective 2 (see reference to the BiGGAR Economics report), there is significant evidence in support of the economic benefits brought about by onshore wind developments. REG consider that the potential economic benefits of further onshore wind development in the locality and the role which such benefits may play in the regeneration of the area are not recognised at Pages 121 / 122.

Accordingly text at page 121 within paragraph 8.7 should be amended to read:

"The Council will encourage related investment in South Copeland, including support functions for new nuclear, onshore and offshore wind and (potentially) tidal generation."

Through making this amendment, it confirms that onshore wind will be encouraged in sustainable and appropriate locations, such as South Copeland, which is in accordance with the Vision for Copeland and Strategic Objectives (as amended by representations within this letter).

DM2 – Renewable Energy Development in the Borough

SO47
(10)
This is the development control policy for renewable energy. It is very similar to existing policies EGY1 and 2 of the Local Plan, but is negative in its wording in that it asserts development proposals must satisfy a set of criteria. Therefore, it is not considered to be 'positively planned' (in accordance with the NPPF) and at present it also does not accord with the positive stance taken on renewable energy development by the rest of the Draft Core Strategy.

A number of the criteria also currently refer to "unacceptable impacts" or "no significant adverse effects." As highlighted throughout these representations, paragraphs 97 and 98 of the NPPF instructs local planning authorities to grant permission where impacts are (or can be) made acceptable.

It is also considered part E regarding heritage impacts is not in accordance with the NPPF. The NPPF states that in determining applications where heritage assets are affected, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be given (paragraph 132). Where a development will lead to substantial harm to the significance of a designated heritage asset, permission should be refused, unless it is demonstrated the harm is necessary to achieve substantial public benefits, or a number of other criteria as listed apply (paragraph 133). Where less than substantial harm would be caused, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use (paragraph 134). The policy should therefore be amended to refer to 'substantial harm to the significance or features of heritage conservation importance and impacts on nature conservation should, in fact be a separate point.

In light of this REG consider the draft policy as currently drafted to be unsound.

In order to make the policy sound, it suggested it be re-worded to say:

"Renewable energy development will be encouraged and planning permission granted where:

A Proposals are developed with the Borough's community and key stakeholders in accordance with the Council's current adopted approach to stakeholder involvement

B Any adverse visual impacts are (or can be made) acceptable

C Any adverse impacts on landscape or townscape character and distinctiveness are (or can be made) acceptable

D Any adverse impacts on biodiversity or geodiversity are (or can be made) acceptable

E The proposals would not lead to substantial harm to the significance of a feature of heritage conservation importance

F Any adverse impacts on feature of nature conservation importance are (or can be made) acceptable

G Any adverse impacts arising from noise, odour, dust fumes, light or other nuisance that is likely to affect residents and adjoining land users are (or can be made) acceptable

H Any waste arising as a result of the development will be minimised and managed appropriately

I Provision is made in proposals for the removal and site restoration at the end of the operating life of the installation.

Adequate mitigation measures would be secured to ensure potential impacts of any renewable energy development proposal can be made acceptable and to deliver significant benefits to the community where the scheme is to be sited wherever possible. If necessary such measures would be secured through planning obligations."

In accordance with this approach, paragraph 10.2.6 should be amended to read:

"...As a result Policy DM2 is designed to ensure potential adverse effects of renewable energy schemes are within established acceptable limitations (which will vary according to relevant technical guidance on a particular issue). Impacts and issues that will be taken in to account include:

- Impacts on the character of an area, either on their own or cumulatively*
- Impacts on existing development, including noise, odour, vibration, (in the case of wind turbines, shadow flicker and electromagnetic interference)*
- Provision for the removal of all equipment and installations and site restoration at the end of the scheme's lifetime;*
- The siting and design of proposals having regard to the capacity / character of the landscape."*

DM27 – Built Heritage and Archaeology (and supporting paragraphs 10.5.10 – 10.5.11)

Part B of draft Policy DM27 asserts development proposals which "adversely affect" a scheduled ancient monument or its wider site or setting "will not be permitted".

Similarly, part D(iii) of Policy DM27 indicates that developments which affect listed buildings or their settings "will only be permitted" where it does not have an "adverse" effect on the setting or important views of the building.

Both parts of the policy therefore essentially seek to resist all adverse impacts of whatever magnitude. In doing so they are in conflict with the provisions of the NPPF and are unsound.

Paragraph 132 of the NPPF makes clear that harm (both substantial and less than substantial) to the significance of heritage assets may be permissible subject to certain criteria being met including a weighing of the identified harm against the benefits of the proposal.

In order to bring the policy in line with NPPF, it is recommended that Part B is reworded to state:

"Development Proposals which would lead to the loss of, or result in harm to, the significance of a SAM will only be permitted where the identified degree of harm is outweighed by the public benefit of the proposed development or all of the following apply:

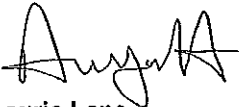
- *[Text contained within the four bullet points of paragraph 133 of the NPPF to be inserted]"*

And the Part D (iii) be amended to read:

"the public benefits of the proposed development outweigh the identified harm to the setting of or important views of affected listed buildings."

I trust the above comments will be taken into account and I would be grateful if you would confirm receipt of these representations in due course.

Yours sincerely



Laurie Lane
Senior Planner

CC: Matt Olley - REG Windpower

Respondent - 80
Rep Nos - S049 - S050

NU^oGEN

Planning Policy Team
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria, CA28 7SJ

13th July 2012

By post and by email ldf@copeland.gov.uk

Dear Sir/Madam

**NuGen's Moorside Project
Copeland Core Strategy and Development Management Policies Pre-
submission Consultation - Representations**

Thank you for consulting NuGeneration Limited (NuGen) on your recently published Core Strategy and Development Management Policies DPD Pre Submission Document.

We are grateful for the opportunity to be involved in the process and we are keen to engage with you closely going forward.

As you are aware, NuGen secured an option to purchase land for the development of a new nuclear power station (of up to 3.6 GW) near Sellafield in West Cumbria from the Nuclear Decommissioning Authority (NDA) in 2009. In July 2011, the UK government confirmed through its National Policy Statement for Nuclear Power Generation (EN-6), that this site is potentially suitable for a new nuclear power station. The development of a new nuclear power station is important for the Government's objective of delivering security of energy supply through low carbon sources of energy, such as new nuclear.

NuGeneration Limited
4th Floor, Cunard House, 15 Regent Street, London SW1Y 4LR T: +44 (0)20 3003 9330
Registered Office: Unit 16, Ingwell Hall, Westlakes Science & Technology Park, Moor Row, Cumbria CA24 3JZ T: +44 (0)1946 691 281
www.nugeneration.com

Registered in England and Wales under number 06829771

NU^oGEN

NuGen recognises the importance of the project (referred to as the Moorside Project) to West Cumbria and is looking forward to working with local partners to create a positive impact for the region from the project. With regard to the Core Strategy consultation, NuGen is keen to understand and engage with Copeland Borough Council with regard to local policy issues and matters and have made two representations on the attached completed representation forms. These relate to our broad support of the text contained in paragraph 1.5.1 and the alignment of your evidence base documents with the Core Strategy.

Yours faithfully



Alexandra de Keyser
Development Consent and Planning Manager
Safety & Licensing Department
For and on behalf of NuGeneration Limited

NuGeneration Limited

4th Floor, Cunard House, 15 Regent Street, London SW1Y 4LR T: +44 (0)20 3003 3330

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LOCAL DEVELOPMENT FRAMEWORK

Core Strategy and Development Management Policies Pre-submission Consultation

Representation Form

Please use this form to indicate which part(s) of the Core Strategy and Development Management Policies Development Plan Document you either support or object to, together with any amendments/additions you would like to see.

Please use a separate form for each expression of support or objection.

Please complete and return this form no later than 4.00 pm on the 13th July 2012 to:

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The Copeland Centre
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Whitehaven
Cumbria CA28 7SJ

For Internal use:

Resp. No. 80.....
Rep. No. 5049.....
Date Rec. 13/7/12.....

Or email: ldf@copeland.gov.uk

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Alexandra de Keyser	n/a
Position	Development Consent and Planning Manager, Safety & Licensing Department	n/a
Organisation	NuGeneration Limited	n/a
Address	Unit 16, Ingwell Hall Westlakes Science & Technology Park Moor Row Cumbria	
Postcode	CA24 3JZ	
Telephone	01946 691281	
Email	planning@nugeneration.com	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

Paragraph

1.5.1
(text in
box)

Sustainability
Appraisal

Do you consider the Core Strategy and Development Management Policies Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes

No

Subject to the final wording and the clarifications sought

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

For further information please consult the Planning Inspectorate's Soundness Guidance at http://www.planningportal.gov.uk/uploads/pins/ldf_dpd_soundness_guide.pdf

Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

We welcome the inclusion of the description of the regime for dealing with Nationally Significant Infrastructure Projects (NSIPs) by applying for consent for a Development Consent Order (DCO), on page 6 of your Core Strategy "The Approach to Nationally Significant Infrastructure Projects".

Overall, we support your general approach on page 6 of the Core Strategy which we would summarise as follows:

- National Policy Statements (NPSs) set out planning policy for NSIPs.
- NPSs are not part of the statutory development plan; however the Borough Council must have regard to them in preparing the Core Strategy and other documents in the Local Development Framework.
- NSIPs are subject to a separate planning process within the national planning regime.
- The Core Strategy does not have policy status for NSIP decision-making which is made by the Secretary of State.
- The Council will be an important statutory consultee when the DCO application is made.

- The Council will prepare a Local Impact Report, which the Secretary of State must have regard to.
- The Core Strategy, along with other relevant evidence and considerations, will inform the Local Impact Report and any other representations the Council makes to the Secretary of State.
- The Council will also seek a Statement of Common Ground with the developer before submission of the DCO.
- The Council would be the decision-maker for any elements of development associated with or ancillary to the NSIP development to the extent an application is made to the Council in respect of such matters under its powers as a Local Planning Authority rather than included as part of the DCO. Any such development will be considered by the Council against National Policy Statements and its Local Development Framework, including this Core Strategy.

This provides the clarity required to understand the approach that will be taken to NSIPs by the Planning Inspectorate and the relationship any NSIP scheme will have with Copeland Borough Council's LDF and Local Plan policies. It is therefore important that the final version of the Core Strategy reflects the above principles.

Please indicate what change(s) you consider necessary to make it sound.

Our representation is included above.

Do you wish to take part or be represented in the public hearing?

Potentially, pending the final wording and clarifications sought.

Yes No

Please tick in the relevant box(es) if you wish to be notified of

- submission of the plan for public examination by an independent Planning Inspector,
- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:

Adekeger

Date:

13/07/2012

Please use a separate form for each comment in support or objecting and return this form no later than 13th July 2012.

Thank you for completing this form

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LOCAL DEVELOPMENT FRAMEWORK

Core Strategy and Development Management Policies Pre-submission Consultation

Representation Form

Please use this form to indicate which part(s) of the Core Strategy and Development Management Policies Development Plan Document you either support or object to, together with any amendments/additions you would like to see.

Please use a separate form for each expression of support or objection.

Please complete and return this form no later than 4.00 pm on the 13th July 2012 to:

Planning Policy Team
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

For Internal use:

Resp. No.80.....

Rep. No.5050.....

Date Rec.13/7/12.....

Or email: ldf@copeland.gov.uk

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Alexandra de Keyser	n/a
Position	Development Consent and Planning Manager, Safety & Licensing Department	n/a
Organisation	NuGeneration Limited	n/a
Address	Unit 16, Ingwell Hall Westlakes Science & Technology Park Moor Row Cumbria	
Postcode	CA24 3JZ	
Telephone	01946 691281	
Email	planning@nugeneration.com	

2. Your Comments

Comment relates to evidence base

Please indicate the part of the document to which your comment relates.

Policy

Paragraph

Sustainability
Appraisal

**Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?**

(Please tick ✓ as appropriate)

Yes

No

Subject to the final wording and the clarifications sought

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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The Core Strategy provides a strategic framework and policy context for development management decisions, and has had regard to the evidence base that ought to precede its production. These evidence base documents support the Core Strategy and will accompany the Submission Core Strategy when it is submitted to the Secretary of State for the purposes of Public Examination. We consider further clarification is needed regarding a number of documents that form the evidence base and we would wish to see their full alignment with the content of the Core Strategy and DPD policies.

Please indicate what change(s) you consider necessary to make it sound.

It would be helpful to have further clarification regarding the background documents forming the evidence base to the Core Strategy. These include, in particular, the extent of consultation on the Infrastructure Deficit Plan, Infrastructure Strategy and Nuclear Topic Paper and the status and extent of consultation on the Strategic Housing Land Availability Assessment.

With regards to the Strategic Housing Land Availability Assessment, this is currently listed in the LDF Evidence Base. However, there is no report available to view as part of the public consultation.

We are interested to understand whether any of these documents classed as evidence base are likely to change further, or be up-dated, and if so when that is anticipated, and we would wish to be included in any discussions or consultations.

We would wish to see, for the purposes of consistency and a sound evidence base, the full alignment of these documents with the content of the Core Strategy and DPD policies, for example by clarifying that infrastructure improvement needs that are identified (in particular to the transport network) will be delivered in connection with a need caused by the project, or a need to mitigate the impacts of the project.

Do you wish to take part or be represented in the public hearing?

Potentially, pending the final wording and clarifications sought.

Yes

No

Please tick in the relevant box(es) if you wish to be notified of

- submission of the plan for public examination by an independent Planning Inspector,
- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:



Date:

13/07/2012

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NU^oGEN

Respondent ID - 80
Response ID - 5049-5050

Planning Policy Team
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria, CA28 7SJ

13th July 2012

By post and by email ldf@copeland.gov.uk

CBC DEVELOPMENT STRATEGY
RECEIVED 18 JUL 2012
PASSED TO
REPLIED

Dear Sir/Madam

**NuGen's Moorside Project
Copeland Core Strategy and Development Management Policies Pre-
submission Consultation - Representations**

Thank you for consulting NuGeneration Limited (NuGen) on your recently published Core Strategy and Development Management Policies DPD Pre Submission Document.

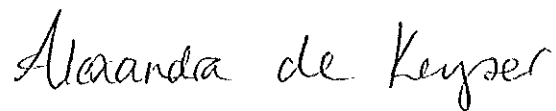
We are grateful for the opportunity to be involved in the process and we are keen to engage with you closely going forward.

As you are aware, NuGen secured an option to purchase land for the development of a new nuclear power station (of up to 3.6 GW) near Sellafield in West Cumbria from the Nuclear Decommissioning Authority (NDA) in 2009. In July 2011, the UK government confirmed through its National Policy Statement for Nuclear Power Generation (EN-6), that this site is potentially suitable for a new nuclear power station. The development of a new nuclear power station is important for the Government's objective of delivering security of energy supply through low carbon sources of energy, such as new nuclear.

NU'GEN

NuGen recognises the importance of the project (referred to as the Moorside Project) to West Cumbria and is looking forward to working with local partners to create a positive impact for the region from the project. With regard to the Core Strategy consultation, NuGen is keen to understand and engage with Copeland Borough Council with regard to local policy issues and matters and have made two representations on the attached completed representation forms. These relate to our broad support of the text contained in paragraph 1.5.1 and the alignment of your evidence base documents with the Core Strategy.

Yours faithfully



Alexandra de Keyser
Development Consent and Planning Manager
Safety & Licensing Department
For and on behalf of NuGeneration Limited

NuGeneration Limited

4th Floor, Cunard House, 15 Regent Street, London SW1Y 4LR T: +44 (0)20 3003 3330

Registered Office: Unit 16, Ingwell Hall, Westlakes Science & Technology Park, Moor Row, Cumbria CA24 3JZ T: +44 (0)1946 691 281

www.nugeneration.com

Registered in England and Wales under number 06927771



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LOCAL DEVELOPMENT FRAMEWORK

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Whitehaven
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For internal use:

Resp. No. 80
Rep. No. S049
Date Rec. 13/7/2012

Or email: ldf@copeland.gov.uk

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Alexandra de Keyser	n/a
Position	Development Consent and Planning Manager, Safety & Licensing Department	n/a
Organisation	NuGeneration Limited	n/a
Address	Unit 16, Ingwell Hall Westlakes Science & Technology Park Moor Row Cumbria	
Postcode	CA24 3JZ	
Telephone	01946 691281	
Email	planning@nugeneration.com	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

Paragraph

1.5.1
(text in
box)

Sustainability
Appraisal

Do you consider the Core Strategy and Development Management Policies Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes

No

Subject to the final wording and the clarifications sought

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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We welcome the inclusion of the description of the regime for dealing with Nationally Significant Infrastructure Projects (NSIPs) by applying for consent for a Development Consent Order (DCO), on page 6 of your Core Strategy "The Approach to Nationally Significant Infrastructure Projects".

Overall, we support your general approach on page 6 of the Core Strategy which we would summarise as follows:

- National Policy Statements (NPSs) set out planning policy for NSIPs.
- NPSs are not part of the statutory development plan; however the Borough Council must have regard to them in preparing the Core Strategy and other documents in the Local Development Framework.
- NSIPs are subject to a separate planning process within the national planning regime.
- The Core Strategy does not have policy status for NSIP decision-making which is made by the Secretary of State.
- The Council will be an important statutory consultee when the DCO application is made.

- The Council will prepare a Local Impact Report, which the Secretary of State must have regard to.
- The Core Strategy, along with other relevant evidence and considerations, will inform the Local Impact Report and any other representations the Council makes to the Secretary of State.
- The Council will also seek a Statement of Common Ground with the developer before submission of the DCO.
- The Council would be the decision-maker for any elements of development associated with or ancillary to the NSIP development to the extent an application is made to the Council in respect of such matters under its powers as a Local Planning Authority rather than included as part of the DCO. Any such development will be considered by the Council against National Policy Statements and its Local Development Framework, including this Core Strategy.

This provides the clarity required to understand the approach that will be taken to NSIPs by the Planning Inspectorate and the relationship any NSIP scheme will have with Copeland Borough Council's LDF and Local Plan policies. It is therefore important that the final version of the Core Strategy reflects the above principles.

Please indicate what change(s) you consider necessary to make it sound.

Our representation is included above.

Do you wish to take part or be represented in the public hearing?

Potentially, pending the final wording and clarifications sought.

Yes No

Please tick in the relevant box(es) if you wish to be notified of

- submission of the plan for public examination by an independent Planning Inspector,
- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:

Adekegfer

Date:

13/07/2012

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Thank you for completing this form

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LOCAL DEVELOPMENT FRAMEWORK

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 The Copeland Centre
 Catherine Street
 Whitehaven
 Cumbria CA28 7SJ

For internal use:	
Resp. No. 80
Rep. No. 8050
Date Rec. 13/7/12

Or email: ldf@copeland.gov.uk

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Alexandra de Keyser	n/a
Position	Development Consent and Planning Manager, Safety & Licensing Department	n/a
Organisation	NuGeneration Limited	n/a
Address	Unit 16, Ingwell Hall Westlakes Science & Technology Park Moor Row Cumbria	
Postcode	CA24 3JZ	
Telephone	01946 691281	
Email	planning@nugeneration.com	

2. Your Comments

Comment relates to evidence base

Please indicate the part of the document to which your comment relates.

Policy

Paragraph

Sustainability
Appraisal

Do you consider the Core Strategy and Development Management Policies Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes

No

Subject to the final wording and the clarifications sought

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

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Mercury Hooverside?

Do you wish to take part or be represented in the public hearing?

Potentially, pending the final wording and clarifications sought.

Yes

No

Please tick in the relevant box(es) if you wish to be notified of

- submission of the plan for public examination by an independent Planning Inspector,
- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:

Adeleupcar

Date:

13/07/2012

Please use a separate form for each comment in support or objecting and return this form **no later than 13th July 2012.**

Thank you for completing this form

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Planning Policy Team
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

For internal use:

Resp. No. 45

Rep. No. 5051

Date Rec. 13/7/12

Or email: ldf@copeland.gov.uk

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Paul Daly	
Position	Planning Manager	
Organisation	Sport England	
Address	Sport Park 3 Oakwood Drive Loughborough	
Postcode	LE11 3QF	
Telephone	020 7273 1777	
Email	planning.northwest@sportengland.org	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

ST4

Paragraph

Sustainability
Appraisal

Do you consider the Core Strategy and Development Management Policies Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes



No



If 'no', on what grounds do you consider the document to be unsound?

Not justified



Not effective



Not consistent with national planning policy



Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Sport England broadly supports Policy ST4 which seeks to ensure that the demands on infrastructure from developments are met.

The scope of the policy, as indicated by the infrastructure documents in the evidence base, includes indoor and outdoor sports facilities. This is important as development can create significant demand for sports facilities. Moreover, the strategy seeks to address qualitative issues as well as quantitative ones.

From our perspective, it is critically important that the evidence base addresses sport and recreation. In this case, it is welcome to note that the evidence base includes an open space, sport and recreation assessment; a playing pitch strategy and a sports facility strategy (although I should point out that due to resource it has not been possible to review these as yet). This evidence has been drawn upon by an infrastructure deficiency report, which in turn has informed the infrastructure strategy.

There is one concern with the policy though, and that relates to paragraph A. Paragraph A states that permission will be granted for a development that generates demand for infrastructure if the relevant infrastructure is already in place. However, the infrastructure strategy appears to recognise that development can create pressure on existing infrastructure, and that in some instances it will be enhancements to existing infrastructure

that might be needed. Paragraph C of policy ST4 also allows for developer contributions to be captured to mitigate the impact of a development. However, it is not explicit within Paragraph A that a development might not be permitted if it would create additional demand for existing infrastructure that the infrastructure could not cope with.

Please indicate what change(s) you consider necessary to make it sound.

Paragraph A should be amended to read:

Development that generates a demand for physical, social or environmental infrastructure will be permitted if the relevant infrastructure is in place and has the capacity to meet the additional demand, or there is a reliable mechanism in place to ensure that it will be provided when and where required.

Do you wish to take part or be represented in the public hearing?

Yes

No

Please tick in the relevant box(es) if you wish to be notified of

- ✓ submission of the plan for public examination by an independent Planning Inspector,
- ✓ the publication of the Inspectors' recommendations
- ✓ the adoption of the plan.

Signature:

PJ Daly

Date:

13/07/12

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The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

For internal use:

Resp. No.45.....
Rep. No.SOS2.....
Date Rec.13/7/12.....

Or email: ldf@copeland.gov.uk

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Paul Daly	
Position	Planning Manager	
Organisation	Sport England	
Address	Sport Park 3 Oakwood Drive Loughborough	
Postcode	LE11 3QF	
Telephone	020 7273 1777	
Email	planning.northwest@sportengland.org	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

SS4

Paragraph

Sustainability
Appraisal

Do you consider the Core Strategy and Development Management Policies Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes

No



If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective



Not consistent with national planning policy



Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

Sport England supports the principle of policy SS4 which seeks to protect community facilities and services, and also to provide for their improvement or their enlargement in relation to additional demand arising from a development.

However, the text supporting the policy contains a typographical error that makes the scope of the policy very difficult to determine. Paragraph 5.5.2 states that community facilities include:

Leisure facilities: playing fields and sports pitches, play areas, allotments and informal open space accessible to the public, (covered also by policy SS5, sports and leisure centres)

However, Policy SS5 is actually titled "Provision of Access to Open Space and Green Infrastructure". This leads me to conclude that the comma after SS5 (in para 5.5.2) should have been a closing parenthesis and that sports and leisure centres are covered by policy SS4.

The error in the policy wording makes it ineffective.

I also consider that policy SS4 is not consistent with national planning policy. The National

Planning Policy Framework (paragraph 74) states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless one of three specific criteria are met. In brief these are where the land and buildings have been demonstrated by an assessment to be surplus to requirements; where equivalent replacement provision is made; or where the development is for alternative sports / recreational provision (the need for which outweighs the loss).

Paragraph C of policy SS4, though, would appear to allow development of say a sports facility for another form of community use (say a library). This considerably weakens the protection given by the NPPF and could over time lead to a reduction of sports facilities.

Please indicate what change(s) you consider necessary to make it sound.

1. The typographical error in para 5.5.2 should be corrected to make the scope of the policy clear.
2. Bullet point i) of paragraph C should be amended to make clear that it does not apply to sports and recreational facilities.

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

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- ✓ the publication of the Inspectors' recommendations
- ✓ the adoption of the plan.

Signature:

PJ Daly

Date:

13/07/12

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Or email: ldf@copeland.gov.uk

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Paul Daly	
Position	Planning Manager	
Organisation	Sport England	
Address	Sport Park 3 Oakwood Drive Loughborough	
Postcode	LE11 3QF	
Telephone	020 7273 1777	
Email	planning.northwest@sportengland.org	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

SS5

Paragraph

Sustainability
Appraisal

**Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?**

(Please tick ✓ as appropriate)

Yes



No



If 'no', on what grounds do you consider the document to be unsound?

Not justified



Not effective



Not consistent with national planning policy



Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

Sport England supports the principle of Policy SS5 which seeks to protect and promote open space and green infrastructure (including playing fields) as these are important resources for sport and recreation.

Please indicate what change(s) you consider necessary to make it sound.

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

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- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:

PJ Daly

Date:

13/07/12

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Respondent ID - 81
Representation No - 5054

Alison Earnshaw

From: John Brooks/GBR/DTZ <John.Brooks@dtz.com>
Sent: 13 July 2012 10:20
To: ldf
Cc: Chris Hoban
Subject: Representation to Copeland Local Development Framework

Dear Sir/Madam

Further to a telephone conversation between John Brooks of DTZ and Chris Hoban Of Copeland Borough Council, please see below a representation to the Copeland Local Development Framework (LDF) Core Strategy and Development Management Policies Development Plan Document May 2012. The representation is submitted on behalf of Northumbria Healthcare NHS Foundation Trust in conjunction with North Cumbria University Hospitals NHS Trust. As you will note from below, DTZ looks forward to liaising further with Copeland Borough Council on the above and future LDF documents, and would welcome a meeting to discuss this further.

I should be grateful if you would confirm receipt of this representation.

Yours faithfully

John Brooks

**Copeland Local Development Framework (LDF) Core Strategy and Development Management Policies Development Plan Document May 2012
Representation by Northumbria Healthcare NHS Foundation Trust in conjunction with North Cumbria University Hospitals NHS Trust**

Background

The acquisition of North Cumbria University Hospitals NHS Trust by Northumbria Healthcare NHS Foundation Trust continues to move forward as both Trusts have now signed a 'Heads of Agreement', setting out the next stages of the transaction. Northumbria Healthcare NHS Foundation Trust is now formally the 'acquiring organisation'. The Trusts are currently working together to achieve a deadline to complete the acquisition process by 1 December 2012, although exact timescales will be influenced by a complex regulatory approval process.

Review Process

As part of the process of bringing the two Trusts together, the property assets of North Cumbria University Hospitals NHS Trust are being assessed. This review will consider the estate in the context of service provision to ensure that it is fit for purpose. The assessment is ongoing and therefore at present it is not possible to be definitive about the Trust's plans. Flexibility is therefore sought to allow future modernisation and development on the existing North Cumbria University Hospitals NHS Trust's sites where it is deemed necessary.

Copeland LDF

The Pre-Submission Draft Copeland LDF Core Strategy and Development Management Policies DPD makes reference to health facilities and services (ie primary care, acute services and the ambulance service) in Chapter 5.5 'Community Facilities and Services'. However, there is no reference to specific hospitals or infirmaries (eg West Cumberland Hospital, Whitehaven) in the Development Management Policies Section. Given the ongoing modernisation and improvements that are likely to take place in the health sector, it is considered to be beneficial that this is addressed, perhaps with a new Development Management Policy introduced. Alternatively, if a new Development Management Policy was not considered appropriate, it could be that individual sites are allocated in the forthcoming 'Site Allocations Document'. This should certainly include a policy for West Cumberland Hospital in Whitehaven, which is currently not an allocated site.

Experience in Northumbria

Ongoing changes in the health sector mean that Trusts are continually reviewing their property portfolio, resulting in ongoing changes to Hospital and Infirmery sites. This includes the following types of work:

- Internal improvement to hospital wards;
- Minor physical works to existing building;
- Improvements to on-site utilities;
- Demolition of out-dated buildings;
- Development of new healthcare buildings; and
- Disposal of surplus land for health and non-health uses/development.

This last point - at two of Northumbria Healthcare's sites - has involved submitting planning applications for alternative uses of surplus hospital land. The intention being that the land will be then sold and the proceeds re-invested in healthcare improvements.

Suggested Amendments

It is very likely that modernisation and improvements will be forthcoming at West Cumberland Hospital in the next few years. Therefore, it is considered that a new 'Development Management' policy should be introduced to deal specifically with healthcare facilities (or institutional uses, including healthcare facilities). This would state the Council's support for healthcare and how they will work positively with healthcare providers to seek improvements to healthcare facilities in the Borough of Copeland. The introduction of such a policy, perhaps further supported by a bespoke allocation in the forthcoming 'Site Allocations Document', would provide re-assurance to the Trusts in moving forward with forthcoming planning applications.

Alternatively, if it is considered that the currently worded Development Management policies are appropriate (eg Policy DM10 'Achieving Quality of Place'), then the Trust looks forward to working with Copeland Borough Council on a site allocation for West Cumberland Hospital in Whitehaven.

Conclusion

It is DTZ's experience that healthcare provision and the sites where such care is provided, is often given scant coverage in development plan documents. The result of this is that when proposals are made for improvements to such sites, generic development control policies are used to judge the application. Whilst these are based upon sound planning principles, they do not reflect the specific requirements of healthcare providers.

It is considered that the current wording of the Copeland LDF does not stress the importance of healthcare provision to the population of Copeland, nor the employment that the West Cumberland Hospital brings to the Borough. It is considered that this should be reflected in amendments to the wording of the Pre-submission Draft Copeland LDF and that a new development management policy introduced dealing with healthcare provision. It is, however, accepted that this proposal relates specifically to the West Cumberland Hospital site in Whitehaven and therefore a site allocation could be an alternative approach.

DTZ looks forward to liaising further with Copeland Borough Council on the above and would welcome a meeting to discuss the matter further.

John Brooks, Director of Planning, DTZ
(john.brooks@dtz.com)

John Brooks
Director of Planning

DTZ
St Paul's House, 23 Park Square South, Leeds, LS1 2ND
Tel: +44 (0)113 233 7466
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LOCAL DEVELOPMENT FRAMEWORK

Core Strategy and Development Management Policies Pre-submission Consultation

Representation Form

Please use this form to indicate which part(s) of the Core Strategy and Development Management Policies Development Plan Document you either support or object to, together with any amendments/additions you would like to see.

Please use a separate form for each expression of support or objection.

Please complete and return this form **no later than 4.00 pm on the 13th July 2012** to:

Planning Policy Team
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

For internal use:

Resp. No.82.....
Rep. No.S055.....
Date Rec.13/7/12.....

Or email: ldf@copeland.gov.uk

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Nick Sandford	
Position	Regional and Local Government Officer	
Organisation	The Woodland Trust	
Address	43 Odecroft Peterborough PE3 7LX	
Postcode	PE3 7LX	
Telephone	08452 935 564	
Email	nicksandford@woodlandtrust.org.uk	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

 DM25

Paragraph

Sustainability
Appraisal

Do you consider the Core Strategy and Development Management Policies Development Plan Document to be sound?

(Please tick ✓ as appropriate)

No no

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective yes

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

We welcome policy DM28 on the protection of trees and the commitment to increasing the amount of tree cover.

However, we are concerned that taking this in conjunction with the wording of Policy DM25 does not give adequate protection to ancient woodland. There is a reference to protection of habitats specified in the Cumbria Biodiversity Action Plan and in this document we note that the categories of woodland referred to are upland ash woodland, wet woodland and upland oak woodland. We do not have detailed knowledge of all the woods in Copeland district but we are concerned that there may be ancient or long established woods which fall outside these categories.

In section B of the policy there is reference to county wildlife sites and local nature reserves and it is possible that ancient woods could come under these categories. However, the policy gives a qualification to the protection to be afforded to these sites, saying that they may not be protected if "the benefits of the development outweigh the impacts on the features of the site..." or if mitigation measures are provided. In the case of ancient woodland, we believe that these qualifications could lead to the policy being ineffective and to many ancient woods being lost.

The key issue here is that ancient woodland has been in existence for many hundreds or even thousands of years with complex ecosystems created over this time and many rare species being found in the woods. Once they have been destroyed, such woods cannot be recreated: they are important havens of biodiversity and are irreplaceable.

Ancient woodland is still facing considerable threats – research from the Woodland Trust shows that in the last decade 100 square miles (26,000 hectares or 5% of the total amount of ancient woodland remaining in the UK) of ancient woodland in the UK has come under threat from destruction or degradation. Development threats associated with transport and infrastructure appeared to be the most significant (31% of cases), followed by amenity and leisure developments (14%), housing (10%), and quarrying and mineral extraction.

Please indicate what change(s) you consider necessary to make it sound.

We would like to see a statement either in Policy DM25 or in DM28 that ancient woodland and ancient and veteran trees will be given absolute protection from development so as to ensure that the irreplaceable habitats which they contain are not lost.

Do you wish to take part or be represented in the public hearing?

Yes No no

Please tick in the relevant box(es) if you wish to be notified of

yes submission of the plan for public examination by an independent Planning Inspector,

yes the publication of the Inspectors' recommendations

yes the adoption of the plan.

Signature:

N sandford

Date:

13/07/12

Please use a separate form for each comment in support or objecting and return this form **no later than 13th July 2012.**

Thank you for completing this form

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Date: 12 July 2012
Our ref: 53088

Respondent - 20
Ref No - S056
Received - 12/7/12



By e-mail: ldf@copeland.gov.uk

Natural England
Consultation Service
Hornbeam House
Electra Way
Crewe Business Park
CREWE
CW1 6GJ

T: 0300 060 4276

Dear Sir/Madam

Copeland Local Development Framework (LDF)

Public Consultation on Proposed Core Strategy and Development Management Policies Submission Document

Thank you for consulting us on the above which was received by Natural England on 31 May 2012.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

As we stated in our letter dated 3 April 2012, reference 47577 we are pleased that our comments at the Preferred Options stage have been comprehensively reported and specifically addressed in the council's responses, resulting in a number of helpful changes and improvements in the wording of the Core Strategy and Development Management Policies.

My colleague Zoe Buddle emailed Alison Earnshaw on 22 March 2012 with specific comments on the draft HRA which appear to have been incorporated.

If I can provide any further advice relating to this consultation, please do not hesitate to contact me. For all other correspondence, please contact the address above.

Yours sincerely

Kate Wheeler BSc (Hons) MRICS
Lead Adviser

Natural England
Foundry House
3 Millsands
Riverside Exchange
Sheffield S3 8NH

www.naturalengland.org.uk

Land Use Operations

kate.wheeler@naturalengland.org.uk

Respondent No :- 21 .
Response IDs - S057 + S058 .

Alison Earnshaw

From: Train, Ben <Ben.Train@uk.tesco.com>
Sent: 12 July 2012 19:19
To: ldf
Subject: Tesco - Copeland Core Strategy and Development Management Policies

Sir/Madam

Tesco Stores Limited is a major employer in the Copeland Borough Council area and provides quality retailing for the borough's residents. We remain committed to investing in the borough and welcome the opportunity to comment on Copeland Core Strategy and Development Management Policies. We have only two comments to make and these are set out below.

In Policy ER8 it states that it is the Council's intention to redraw Whitehaven Town Centre boundary to reflect the anticipated growth and development within the area. As you will appreciate Tesco has an existing store that abuts the current town centre boundary. We remain committed to investing in this location and consider that the store functions as a part of the town centre, supporting linked trips to shops and other services within the town centre. As such we would kindly request that the town centre boundary is redrawn to include the Tesco site - we can discuss in more detail the exact boundary when you are at the site specific stage.

In Policy ER9 A (i) the word 'needs' is used when referring to retail provision. We suggest some thought is given to redrafting this section of the plan to avoid any confusion with the needs test, which as you will appreciate is no longer a factor in the assessment of retail planning applications.

We trust the points raise above will be of assistance and would be happy to discuss them in more detail should this be required. Please acknowledge receipt of this email and keep me informed of progress with the document.

Yours sincerely
For and on behalf of
TESCO STORES LIMITED

Ben Train
Town Planning Manager
Tesco Stores Limited
Property Acquisitions
Carnegie Road
Livingston
EH54 8QX

Direct Line: 01506 529230
Mobile: 07515 196387

This is a confidential email. Tesco may monitor and record all emails. The views expressed in this email are those of the sender and not Tesco.

Tesco Stores Limited
Company Number: 519500
Registered in England
Registered Office: Tesco House, Delamare Road, Cheshunt, Hertfordshire EN8 9SL VAT Registration Number: GB 220 4302 31

Mr Chris Bamber
Copeland Borough Council
Planning Policy
The Copeland Centre Catherine Street
Whitehaven
Cumbria
CA28 7SJ

Our ref: NO/2007/100496/CS-02/SB1-L01

Date: 12 July 2012

Dear Sir/Madam

CORE STRATEGY AND DEVELOPMENT MANAGEMENT POLICIES DPD – PRE-SUBMISSION DRAFT (MAY 2012).

Thank you for referring the above document which also included copies of the Sustainability Appraisal of Pre-Submission Draft (May 2012) and Pre-Submission Draft Statement of Consultation. We have the following comments to make:-

We strongly support Policy DM11 – Sustainable Development Standards in particular point F which requires water saving technology, including grey water recycling to be incorporated in all developments.

Policy DM11 seems proportionate and suitable for the current situation in West Cumbria in relation to water resources. However if the proposed Nuclear New Build goes ahead in this area it is important to consider how this growth will effect the supply and demand balance. We are aware that Copeland are commissioning a Local Impact Report (LIR) to consider a rise in population, we feel that a commitment within the Core Strategy and Development Management Polices DPD should be made to ensure the findings from the LIR are incorporated.

Should you wish to discuss any of the above issues please do hesitate to contact me on the number below.

Yours faithfully

Rachel Welsby
Planning Liaison Officer

Direct dial 01772 714097
Direct fax 01772 697032
Direct e-mail nwnorthplanning@environment-agency.gov.uk



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LOCAL DEVELOPMENT FRAMEWORK

Core Strategy and Development Management Policies Pre-submission Consultation

Representation Form

Please use this form to indicate which part(s) of the Core Strategy and Development Management Policies Development Plan Document you either support or object to, together with any amendments/additions you would like to see.

Please use a separate form for each expression of support or objection.

Please complete and return this form **no later than 4.00 pm on the 13th July 2012** to:

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Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

For internal use:

Resp. No. 16
Rep. No. 3060
Date Rec. 12/2/12

Or email: ldf@copeland.gov.uk

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Julie Ward	
Position	Principal Planning Officer	
Organisation	Allerdale Borough Council	
Address	Allerdale House Workington	
Postcode	CA14 3YJ	
Telephone	01900 702767	
Email	Julie.ward@allerdale.gov.uk	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

ER3-
ER6

Paragraph

Sustainability
Appraisal

Do you consider the Core Strategy and Development Management Policies Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes



No



If 'no', on what grounds do you consider the document to be unsound?

Not justified



Not effective



Not consistent with national planning policy



Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

The approach outlined in policies ER3-6 mirrors the emerging Allerdale Core Strategy. The policy approach to provide a flexible high quality supply of land and premises for both existing businesses and emerging sectors is supported. These policies are based on a shared evidence base produced by the two authorities and support the delivery of the West Cumbria Blueprint.

Please indicate what change(s) you consider necessary to make it sound.

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

- submission of the plan for public examination by an independent Planning Inspector,
- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:

Julie ward

Date:

12/7/12

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Thank you for completing this form

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Catherine Street
Whitehaven
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Date Rec.12/7/12.....

Or email: ldf@copeland.gov.uk

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Julie Ward	
Position	Principal Planning Officer	
Organisation	Allerdale Borough Council	
Address	Allerdale House Workington	
Postcode	CA14 3YJ	
Telephone	01900 702767	
Email	Julie.ward@allerdale.gov.uk	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

ER7-9

Paragraph

Sustainability
Appraisal

Do you consider the Core Strategy and Development Management Policies Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes



No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

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Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

Support the complementary roles of Whitehaven and Workington as identified in the joint West Cumbria retail study and contained in policy ER7. Support the retail hierarchy in Copeland and the roles of Cleator Moor, Egremont and Millom.

ER8 helpfully defines Whitehaven's role. Overall the retail strategy complements the emerging approach in the Allerdale Core Strategy.

Please indicate what change(s) you consider necessary to make it sound.

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

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- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:

Julie ward

Date:

12/7/2012

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Planning Policy Team
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

For internal use:

Resp. No.16.....
Rep. No.5062.....
Date Rec.12/7/12.....

Or email: ldf@copeland.gov.uk

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Julie Ward	
Position	Principal Planning Officer	
Organisation	Allerdale Borough Council	
Address	Allerdale House Workington	
Postcode	CA14 3YJ	
Telephone	01900 702767	
Email	Julie.ward@allerdale.gov.uk	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

ST1-
ST3

Paragraph

Sustainability
Appraisal

Do you consider the Core Strategy and Development Management Policies Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

The strategic development principles, spatial development strategy, including the settlement hierarchy is a valid approach making the best use of existing infrastructure and focussing the majority development within the main towns that provide the best range of services. This approach has the added benefit of maximising the opportunity to deliver regeneration to the main towns. All three policies seek to place sustainability at the core of the strategy which is supported.

Please indicate what change(s) you consider necessary to make it sound.

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

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- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:

Julie ward

Date:

12/7/12

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Cumbria CA28 7SJ

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Rep. No.5063.....
Date Rec.12/7/12.....

Or email: ldf@copeland.gov.uk

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Julie Ward	
Position	Principal Planning Officer	
Organisation	Allerdale Borough Council	
Address	Allerdale House Workington	
Postcode	CA14 3YJ	
Telephone	01900 702767	
Email	Julie.ward@allerdale.gov.uk	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

Paragraph

Sustainability
Appraisal

**Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?**

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

Under paragraph C in policy T1 suggest that reference is made to connections to the Port of Workington. The role of the Port of Workington is an important part of the local transport infrastructure serving West Cumbria and its role is recognised as part of the West Cumbria Economic Blueprint.

Please indicate what change(s) you consider necessary to make it sound.

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

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- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:

Julie ward

Date:

12/7/12

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The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

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Resp. No.16.....
Rep. No.6264.....
Date Rec.12/7/12.....

Or email: ldf@copeland.gov.uk

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Julie Ward	
Position	Principal Planning Officer	
Organisation	Allerdale Borough Council	
Address	Allerdale House	
Postcode	CA14 3YJ	
Telephone	01900 702767	
Email	Julie.ward@allerdale.gov.uk	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

ER10

Paragraph

Sustainability
Appraisal

Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes



No



If 'no', on what grounds do you consider the document to be unsound?

Not justified



Not effective



Not consistent with national planning policy



Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

Support this policy in terms of providing a complementary offer to the Lake District and the location of major attractions and accommodation in the main towns.

Please indicate what change(s) you consider necessary to make it sound.

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

- submission of the plan for public examination by an independent Planning Inspector,
- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:

Julie ward

Date:

12/7/12

Please use a separate form for each comment in support or objecting and return this form no later than 13th July 2012.

Thank you for completing this form

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Proud of our past. Energised for our future.

LOCAL DEVELOPMENT FRAMEWORK

Core Strategy and Development Management Policies Pre-submission Consultation

Representation Form

Please use this form to indicate which part(s) of the Core Strategy and Development Management Policies Development Plan Document you either support or object to, together with any amendments/additions you would like to see.

Please use a separate form for each expression of support or objection.

Please complete and return this form **no later than 4.00 pm on the 13th July 2012** to:

Planning Policy Team
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

For internal use:

Resp. No. ...16.....
Rep. No. ...6065...
Date Rec. ...12/7/12....

Or email: ldf@copeland.gov.uk

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Julie Ward	
Position	Principal Planning Officer	
Organisation	Allerdale Local Plan	
Address	Allerdale House Workington	
Postcode	CA14 3YJ	
Telephone	01900 702767	
Email	Julie.ward@allerdale.gov.uk	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

ER11

Paragraph

Sustainability
Appraisal

**Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?**

(Please tick ✓ as appropriate)

Yes



No



If 'no', on what grounds do you consider the document to be unsound?

Not justified



Not effective



Not consistent with national planning policy



Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

Developing the local skills base to take maximum advantage of the opportunities emerging from the nuclear sector and associated businesses is a key element of the West Cumbria Economic Blueprint. Support the inclusion of this skills policy.

Please indicate what change(s) you consider necessary to make it sound.

Do you wish to take part or be represented in the public hearing?

Yes No

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Julie ward

Date:

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Resp. No. 16

Rep. No. 30660

Date Rec. 12/7/12

Or email: ldf@copeland.gov.uk

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(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Julie Ward	
Position	Principal Planning Officer	
Organisation	Allerdale Borough Council	
Address	Allerdale House Workington	
Postcode	CA14 3YJ	
Telephone	01900 702767	
Email	Julie.ward@allerdale.gov.uk	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

SS1-
SS3

Paragraph

Sustainability
Appraisal

Do you consider the Core Strategy and Development Management Policies Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes ✓

No

If 'no', on what grounds do you consider the document to be unsound?

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Not effective

Not consistent with national planning policy

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Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

Support the overall approach put forward by policies SS1-SS3. The strategy reflects the need to provide a greater mix and range of housing to support the aspirations in the local economy while recognising the need to address the existing housing stock which require renewal.

Please indicate what change(s) you consider necessary to make it sound.

Do you wish to take part or be represented in the public hearing?

Yes No

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Copeland Borough Council
Local Development Framework

Response to proposed Core Strategy and Development Management Policies
Submission Document on behalf of the Leconfield Estate (July 2012)

We act on behalf of the Leconfield Estate and have been instructed to prepare a response to the Copeland LDF Core Strategy and Development Management Policies Submission Document.

Introduction

The Leconfield Estate have significant landholdings around the settlement of Egremont (please refer to attached plan for further information) and we are currently exploring opportunities for housing growth in line with the Council's Housing Strategy, SHMA (2011) and the West Cumbria Economic Blueprint (updated 2012).

The settlement of Egremont sits in a strategic position in West Cumbria, within the West Cumbria Innovation Zone and some 6 miles from the economic hub of Sellafield (the key employer in the region). The settlement will play an important role over the plan period in delivering the necessary amount of housing land to meet the demand of both existing household aspirations and economically active in-migrants (particularly those linked to the energy and coast economy – SHMA 2011).

Underpinning the economic aspirations contained within the West Cumbria Economic Blueprint is the need to create and maintain a competitive advantage through attracting and retaining the best people. This requires a flexible and progressive planning framework to provide the necessary social infrastructure. The Blueprint advocates using land and property assets intelligently, i.e. providing the right type of housing in the right location to ensure growth, improve the overall housing offer and meet the identified need (SHMA 2011) for 'Executive' and high quality housing.

The 2011 GVA Copeland Housing Viability Study identifies the Parish of Egremont as a 'low' value market area and with a proportionally large amount of social housing (SHMA 2011). There is an identified shortfall in the level of high end, family housing in the settlement. Recent retail studies have also identified a decline in the retail and service sectors within the town centre. Given the strategic position of the settlement to both new and existing major employment hubs, the need to support the vitality of town centre and improve the overall housing offer, Egremont is considered to be a key area for high quality new housing.

The sites in the ownership of the Leconfield Estate are all considered to be deliverable, developable and attractive to the housing market. We will respond in more detail on the location of the most appropriate sites for housing in the forthcoming Site Allocation DPD and seek to discuss this in more detail with the Council in due course but our response to the Core Strategy is largely two-fold. We support and welcome the general approach of the document. On the whole the Plan is ambitious and sufficiently flexible to respond appropriately to the anticipated economic changes within the Borough. We would, however, strongly oppose the suggested approach to housing distribution across the principle and key service towns. The changing nuclear programme in the Borough has significant implications for the long term growth of Egremont. The settlement will have a major role to play in attracting and retaining key people and delivering an appropriate housing offer at the right time.

Spatial Approach

The Leconfield Estate welcomes the overall spatial approach, particularly the recognition of Egremont as one of the Borough's main service towns, where new development will be targeted.

Such service towns are acknowledged within the Plan as the most sustainable location to support population and economic growth through a settlement-focused growth strategy subject to a detailed boundary review.

5/12

Housing Growth and Household Change

The Core Strategy correctly draws upon the 'Blueprint' Scenarios, identifying a housing demand of between 109 and 161 dwellings per year. However, the Council then go on to base their housing figures (paragraph 3.3.12) on what the 'market has proved itself capable of producing' (up to 200 units per annum). We welcome this more realistic and positive approach to housing delivery in line with the general focus of the NPPF.

To allow for more choice and competition in the market and a realistic prospect of achieving the planned supply should the economic delivery targets be met, 300 units is an appropriate starting point. We would suggest that some additional provision be built in however should the 'nuclear investment' scenario become a realistic prospect. Paragraph 5.3.5 of the Core Strategy identifies a demand for 600 homes per year across West Cumbria. Additional provision must be built in to ensure successful cross boundary working.

Strategic Objectives for Sustainable Development

The Leconfield Estate welcome Strategic Objective 6 although we would question whether reference to 'complementary' development is required. The scale and function of the key service centres of Egremont, Cleator Moor and Millom indicate that they have distinctly separate requirements from new housing and service provision. Development within the service towns are not required to be 'complementary' to Whitehaven and we would seek that this reference be removed to ensure adequate flexibility to allow each of the major towns to meet the needs and aspirations of the housing market in line with Policy ST1.

The level of additional development must also be in line with the growth scenarios and in response to market demand. We suggest that Objective 6 be reworded as follows:

"Focus major development in Whitehaven, and encourage additional development in Cleator Moor, Millom and Egremont and in local centres where opportunities exist, in line with strategic infrastructure provision and where it supports economic growth scenarios and response to market demands".

Strategic Development Principles (Policy ST1)

Policy ST1 is supported where it seeks to create an appropriate residential offer to meet the needs and aspirations of the housing market.

It is clear from the SHMA, that the Egremont Housing Market Area needs to increase housing provision to provide a wider housing 'offer' in appropriate sites and we welcome Policy ST1.

Spatial Development Strategy (Policy ST2)

The Estate support the general approach contained within Policy ST2, in particular paragraph (a). We cautiously welcome the council's position outlined in paragraph (b) seeking settlement focused development. However, reference needs to be made to the need for a review of settlement boundaries to ensure all growth scenarios can be adequately met over the plan period.

We disagree with the wording of Figure 3.2: Settlement Hierarchy/Key Service Centre/Housing and would seek the removal of the reference to 'moderate' allocations and 'general' needs. This is a particularly negative approach to allocations within the Key Service Centres and disproportionate to the rest of the plan in this respect. We do not agree with the conclusion of the Housing Topic Paper that 'house building elsewhere [other than Whitehaven] should be focused on maintaining the viability of local service centres'. The key service centres have a far more important role to play in meeting housing needs and supporting economic growth. As identified previously, Egremont will play a central role in meeting the housing needs of economic migrants, providing a wider housing 'offer' and supporting the vitality of the town centre in line with the SHMA. The settlement has sufficient suitable land to do so. The thrust of the NPPF (particularly at paragraph 14) is to positively plan for economic growth, positively seek opportunities to meet the development needs of the area and provide sufficient flexibility to adapt to rapid change.

Although the Estate do not support an unconstrained level of growth over the plan period, we would seek a significant boundary review as part of the Allocations DPD to allow for market choice and in order to provide a rapid response to the changing economic scenarios and subsequent level of housing demand. We would suggest rewording the paragraph as follows:

"Allocations in the form of extensions to the towns to meet identified housing needs and facilitate the right supply of new homes in the right location".

Housing Distribution

Paragraph 3.5.7 of the Core Strategy allocates 45% of the Borough's development requirements to Whitehaven, 10% each at least to Cleator Moor, Egremont and Millom and not more than 20% to the Local Centres.

While we accept the spatial approach of settlement focused growth, there is little evidence to support a 45% share of development at Whitehaven and a 20% total across the Local Centres. Indeed, the document acknowledges that the Local Centres are unlikely to be able to accommodate 20% of new development. This creates a degree of uncertainty and we would seek that the 20% total within the local centres is reduced to a more achievable level.

We note that significant number of the sites proposed in Whitehaven within the SHLAA are brownfield sites. The position to ensure as much brownfield development as possible is welcomed but a degree of realism needs to be applied to the level of deliverable brownfield sites in Whitehaven given the current economic climate and the drive to deliver new development as soon as possible. It is likely that the delivery of a number of brownfield sites will be subject to considerable delay and alternative sites will need to be sought. We consider that a 45% allocation is too high given the type of land available within Whitehaven and the availability of alternative sites across the other key settlements.

We acknowledge that the figures set are not ceiling figures (Paragraph 3.5.10 and Housing Topic Paper January 2012) but we would seek a revision of the targets to better reflect the deliverability of some of the sites and put a greater focus on the other main towns to ensure the Core Strategy 'fits' with the Economic Blueprint. The Blueprint seeks economic growth in a number of strategic locations around the Borough. The focus for growth is not centred upon Whitehaven but is spread throughout the Borough, including around Sellafield. It will be important to ensure that the Core Strategy does not restrain necessary housing growth relevant to economic centres.

A proposed 30 dwelling per annum target for Egremont will fail to deliver the necessary level of housing demand in a comprehensive and planned way, will not help support local services and infrastructure and will be contrary to the main principles of Core Strategy Policies ST1, ST3 and ER9. Paragraph 4.9.2 of the document identifies a shrinking retail sector in the town with high vacancy rates and a low level of service and leisure provision. There is an underlying need to enhance the vitality and viability of the existing key service centres, in particular at Egremont.

We suggest a more realistic distribution of the targets as follows:

- Whitehaven at least 35%
- Egremont at least 25%
- Millom at least 15%
- Cleator Moor at least 15%
- Local Centres not more than 10% in combination

The Core Strategy recognises that Egremont has significant available and deliverable land in comparison to the other key service centres and is strategically positioned in close proximity to Sellafield and the proposed nuclear power station at Moorside. The document acknowledges that Egremont could accommodate a larger share of the house building. We seek that the distribution targets are amended accordingly. The suitable and available sites are easily

accessible, of low environmental value and would represent a natural rounding off of the settlement. Large scale housing development in Egremont would help support the vitality of a declining town centre, boost tourism assets, meet an identified need for both affordable and high end housing and provide a better housing 'offer' to existing and new residents. The proposed revision of the distribution targets would reflect this.

Settlement Boundaries

The Estate welcomes the proposed review of the settlement boundaries as part of the forthcoming Site Allocations DPD and in light of the Core Strategy distribution targets. Notwithstanding the comments made above, the distribution targets are flexible and form part of the changing economic position of West Cumbria. The NPPF (paragraph 14) seeks sufficient flexibility within local plans to adapt to rapid change. We would welcome further discussion with the council in due course regarding the boundary review.

Sustainable Settlements

It is noted that paragraph 5.1.1 and Policy SS1 of the Core Strategy seeks to deliver 'executive' quality and 'aspirational' housing and that the current lack of such accommodation is potentially a disincentive to inward investment. The Estate support the overall approach to create a better and more balanced house offer through the allocation of housing sites to meet local needs in locations attractive to house builders. This approach needs to be reflected throughout the Core Strategy.

Sustainable Housing Growth

The Estate fully supports the approach to 'deliver as much brownfield land as is feasible'. This provides adequate flexibility to ensure a focus on brownfield sites but also guarantees that where such sites are unviable and undeliverable within the plan period, alternative sites can come forward. In accordance with this approach, we seek that Policy SS2 (d) be reworded to remove the reference to "seeking to achieve 50% of new housing development on previously developed 'brownfield' sites". The SHLAA and Viability Assessment indicate that 25 - 35% brownfield development is more realistic. It would be more appropriate to 'seek to achieve as much brownfield land as is feasible'.

Housing Needs, Mix and Affordability (Policy SS3)

As referenced above, the Estate fully support Copeland's vision for a mix of high quality housing to meet people's needs and aspirations, reverse outward migration and increase the resident population. The SHMA particularly identifies a general lack of choice in the housing stock, in particular high quality family accommodation.

An overall limitation of 30 units per annum in Egremont will fail to deliver sufficient housing choice in the market and an adequate level of affordable and special needs housing. In order to meet policy SS3, sufficient land allocations will be required within all of the main settlements in order to successfully meet existing and future housing aspirations.

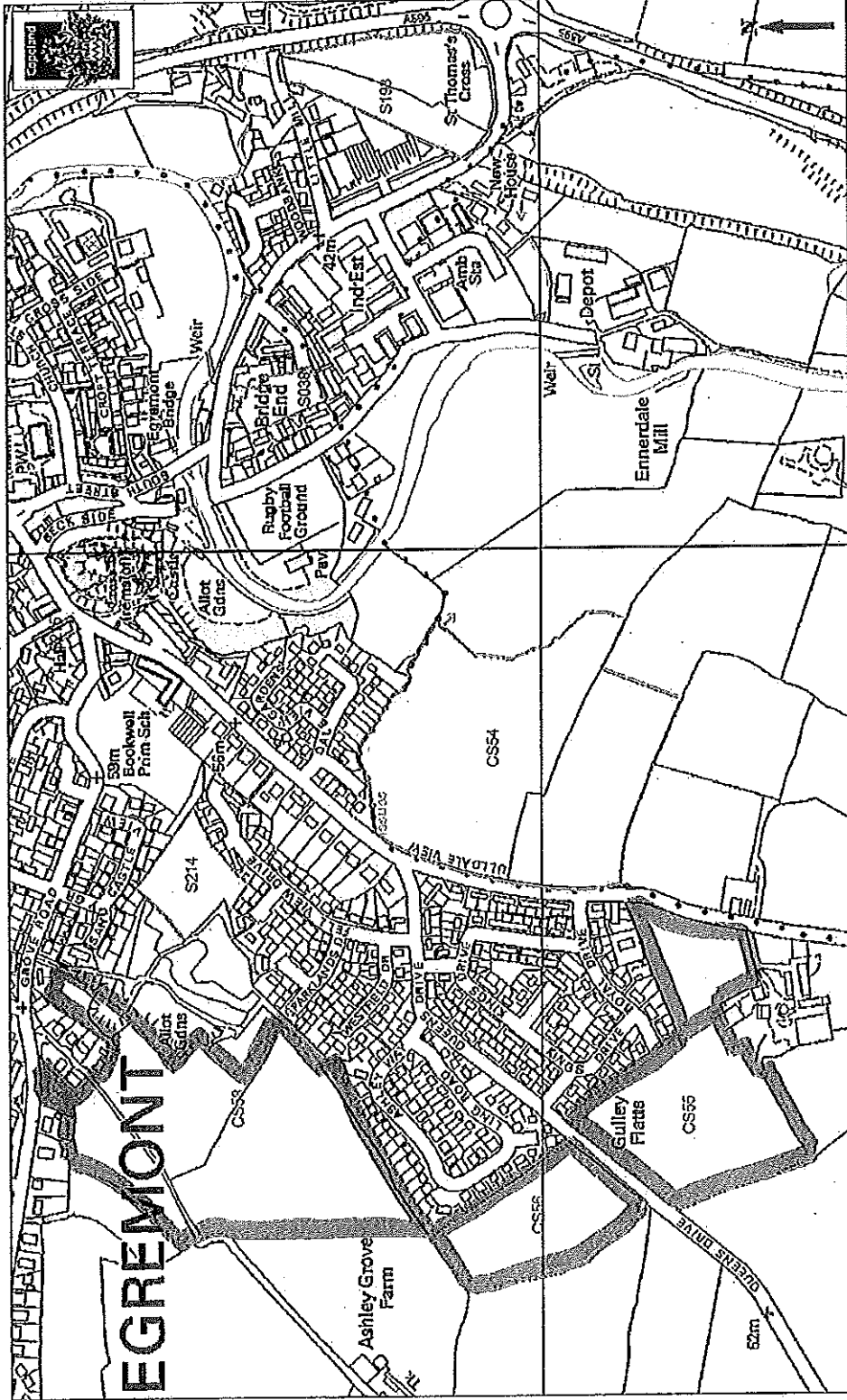
The proposal for 15 - 25% affordable housing, subject to development viability and consideration of local housing markets is supported.

Spatial Portrait: West Copeland

In general, the Leconfield Estate agree with the approach in Chapter 8.5. The document identifies Egremont as the main service centre with good road links but a settlement which faces economic and educational challenges. The town centre is in decline with a large proportion of social rented housing. A new nuclear power station is proposed adjacent to Sellafield. The approval of this will be a significant boost to the local economy of Egremont and bring about both substantial benefits and additional housing pressures.

We strongly disagree with the allocation of a 10% development target. The approach seems contrary to many of the other aspirations of the plan. The available land at Egremont is available, deliverable and achievable. A 25% target is deemed to be more appropriate for the settlement.

July 2012



SHLAA Sites Being Assessed - Egremont South

Date: 25/05/2011

Scale 1:5,500

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Alison Earnshaw

From: Muir Lachlan [REDACTED]
Sent: 12 July 2012 13:09
To: ldf
Cc: Judith Oakley; Chris Ayling; David Wood; Lynne Atkinson; RICHARD TAYLOR; Ian Topping; Smith, Dave L.
Subject: LDF Core Strategy & Development Management Policies - Representation Form
Attachments: LDF Response P1-120712.jpg; LDF Response P2-120712.jpg; LDF Response P3-120712.jpg

Dear Policy Planning Team,

Please find attached completed Representation Form from Ennerdale & Kinniside Parish Council.

Do you require me to send the original of the completed form by post?

Please will you also alter your mail addressbook for our Parish Clerk.

Our new Parish Clerk is Mr. D L Smith, Ivy Cottage, Blennerhasset, Cumbria, CA7 3QR. Tel; 01697 323296 - email davidsmith@tinyworld.co.uk Regards, W M Lachlan



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LOCAL DEVELOPMENT FRAMEWORK

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For internal use:

Resp. No. 27
Rep. No. 8077
Date Rec. 12/7/12

Or email: ldf@copeland.gov.uk

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	W. M. LACHLAN	
Position	CHAIR	
Organisation	ENNERDALE & KINNISIDE PARISH COUNCIL	
Address	16 VICARAGE LANE ENNERDALE BRIDGE CLEATOR CUMBRIA	
Postcode	CA.23 3 BE	
Telephone	01946 862237	
Email	Amix.lachlan@btinternet.com	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy ST 2
ST 3 Paragraph 8.4.9-8.4.10
5.4.8 Sustainability Appraisal SA
SS4

Do you consider the Core Strategy and Development Management Policies Development Plan Document to be sound?

(Please tick as appropriate)

Yes No

If 'no', on what grounds do you consider the document to be unsound?

Not justified Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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1. ALTHOUGH THE 2010/2011 LDNPA HOUSING NEEDS SURVEY IDENTIFIED ENNERDALE BRIDGE AS A VILLAGE SUITABLE FOR AFFORDABLE HOUSING, IT FOUND THAT A NEED FOR SUCH HOUSING WAS NOT EVIDENT. SEE CURRENT LDNPA CORE STRATEGY. LIKEWISE COPELAND BE 2010/2011 STRATEGIC HOUSING MARKET AND NEEDS ASSESSMENT FOUND NO NEED ENNERDALE & KINNISIDE PC AT TODAY'S DATE CONSIDERS THAT THERE IS NO NEED TO PROVIDE AFFORDABLE HOUSING IN THE VILLAGE OF ENNERDALE BRIDGE.
2. ENNERDALE & KINNISIDE PC DOES NOT AGREE THAT "THE LOCALITY AS A WHOLE IS DEFICIENT IN PARKS GARDENS AND AMENITY SPACES" - SEE PARA 8.4.15 ON PAGE 97. THIS STATEMENT ~~AND~~ IS INCORRECT AND "ENNERDALE WARD" DELETED THEREFROM TOGETHER WITH PROPOSALS FOR CORRECTIVE ACTION.
3. ENNERDALE & KINNISIDE PC DOES NOT SUPPORT THE VIEW THAT THERE IS A NEED FOR A SMALL GYPSY AND TRAVELLER TRANSIT SITE WITHIN COPELAND - SEE P 56 PARA 5.4.8 AND P 91 PARA 553 - NOR DOES THIS PARISH COUNCIL AGREE THAT THERE IS AN OPPORTUNITY TO LOCATE SUCH IN CREATOR MOOR - P 100 553.

Please indicate what change(s) you consider necessary to make it sound.

- 1 DELETE "ENNERDALE" FROM P97, PARA 8.4.15
- 2 DELETE "KIRKLAND/ENNERDALE BRIDGE" BULLET POINT FROM IMPLICATIONS TABLE P98 - ST2
- 3 DELETE LAST PARAGRAPH FROM ST2 IMPLICATIONS TABLE ON P98, FROM "IT SHOULD BE NOTEDTO.....HOUSING", OR INSERT QUALIFICATION TO SAY "SUBJECT TO THERE BEING A LOCAL NEED FOR SUCH HOUSING"
- 4 ON PAGE 56, PARA 5.4.8 DELETE THE SUGGESTION OF A NEED FOR RESIDENTIAL PITCHES AND TRANSIT SITES FOR GYPSIES AND TRAVELLERS IN COPELAND BOROUGH UNTIL A REVIEW HAS BEEN COMPLETED
- 5 DELETE LAST PARA ON "IMPLICATIONS" TABLE ON P.91, POLICY REF 553
- 6 DELETE LAST PARA ON "IMPLICATIONS" TABLE ON P100, POLICY REF 553

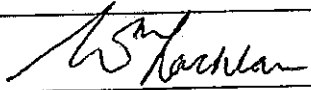
Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

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- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:



Date:

12/07/2012

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 Cumbria CA28 7SJ

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Rep. No. 5077

Date Rec. 12/7/12

Or email: ldf@copeland.gov.uk

1. Your Details

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	Your details	Agent's details
Name	W. M. LACHLAN	
Position	CHAIR	
Organisation	ENNERDALE & KINNISIDE PARISH COUNCIL	
Address	16 VICARAGE LANE ENNERDALE BRIDGE CLEATOR CUMBRIA	
Postcode	CA.23 3 BE	
Telephone	01946 862237	
Email	Annix.lachlan@btinternet.com	

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Policy

ST 2
ST 3

Paragraph

8.4.9-8.4.10
5.4.8

Sustainability
Appraisal

SA
554

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(Please tick ✓ as appropriate)

Yes

No

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3. ENNERDALE & KINNISIDE PC DOES NOT SUPPORT THE VIEW THAT THERE IS A NEED FOR A SMALL GYPSY AND TRAVELLER TRANSIT SITE WITHIN COPELAND - SEE P 56 PARA 5.4.8 AND P 91 PARA 553 - NOR DOES THIS PARISH COUNCIL AGREE THAT THERE IS AN OPPORTUNITY TO LOCATE SUCH IN CREATOR MOOR - P 100 553.

Please indicate what change(s) you consider necessary to make it sound.

- 1 DELETE "ENNERDALE" FROM P97, PARA 8.4.15
- 2 DELETE "KIRKLAND/ENNERDALE BRIDGE" BULLET POINT FROM IMPLICATIONS TABLE P 98 - ST2
- 3 DELETE LAST PARAGRAPH FROM ST2 IMPLICATIONS TABLE ON P98, FROM "IT SHOULD BE NOTED.....TO.....HOUSING" OR INSERT QUALIFICATION TO SAY "SUBJECT TO THERE BEING A LOCAL NEED FOR SUCH HOUSING"
- 4 ON PAGE 56, PARA 5.4.8 DELETE THE SUGGESTION OF A NEED FOR RESIDENTIAL PITCHES AND TRANSIT SITES FOR GYPSIES AND TRAVELLERS IN COPELAND BOROUGH UNTIL A REVIEW HAS BEEN COMPLETED
- 5 DELETE LAST PARA ON "IMPLICATIONS" TABLE ON P.91, POLICY REF 553
- 6 DELETE LAST PARA ON "IMPLICATIONS" TABLE ON P100, POLICY REF 553

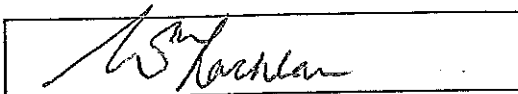
Do you wish to take part or be represented in the public hearing?

Yes No

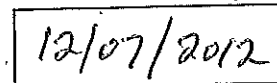
Please tick in the relevant box(es) if you wish to be notified of

- submission of the plan for public examination by an independent Planning Inspector,
- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:



Date:



Please use a separate form for each comment in support or objecting and return this form no later than 13th July 2012.

Thank you for completing this form

NB Personal information collected on this form will be stored on computer by Copeland Borough Council for analysis of representations and for the purposes of the Public Examination. Representations are a matter of public record and may be made available for public inspection. Personal information stored on computer will not be shared by the Council for any other purpose, unless you have given consent or the Council is required to do so by law.

Respondent ID-22
Response ID - 507A

W. M. Lachlan F.R.I.C.S.

CBC DEVELOPMENT STRATEGY	Waterfoot House 16 Vicarage Lane Ennerdale Bridge Cleator Cumbria CA23 3BE 01946 862237 wm.lachlan@btopenworld.com
RECEIVED 12 JUL 2012	
PASSED TO	
REPLIED	

12th July, 2012

Planning Policy Team
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria
CA28 7SJ

Dear Sirs,

Local Development Framework - Core Strategy and Development Management Policies - Pre-submission Consultation - Representation Form

Further to your letter dated 31st May, 2012, which was addressed and delivered to our former Parish Clerk, Mr. Chas Coley, enclosing copies of the above and seeking the views of Ennerdale & Kinniside Parish Council's thereto, please find enclosed our responses.

I have also sent these by e-mail to the e-address given on the Form.

For the sake of good order, and future communications with Ennerdale & Kinniside Parish Council, would you please correct your address book. The correct name of our Parish Clerk is Mr. D. L Smith. His address is Ivy Cottage, Blennerhasset, Cumbria, CA7 3QR. Tel; 01697 323296. E-mail; davidsmith@tinyworld.co.uk.

Thank you,



WM Lachlan
Chair.



Pride of our past. Energised for our future.

LOCAL DEVELOPMENT FRAMEWORK

Core Strategy and Development Management Policies Pre-submission Consultation

Representation Form

Please use this form to indicate which part(s) of the Core Strategy and Development Management Policies Development Plan Document you either support or object to, together with any amendments/additions you would like to see.

Please use a separate form for each expression of support or objection.

Please complete and return this form no later than 4.00 pm on the 13th July 2012 to:

Planning Policy Team
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

Or email: ldf@copeland.gov.uk

For internal use:

Resp. No. 83
Rep. No. SO78
Date Rec. 11/7/12

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

Your details		Agent's details
Name		R Metcalfe
Organisation	Harwood Real Estate Ltd	MJN Associates
Address	Ground Floor, Ryder Court, 14 Ryder Street, London	Red How Lodge Lamplugh, Workington
Postcode	SW1Y 6QB	CA14 4RN
Telephone		01946 861835
E mail		rjcalf@aol.com

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy Paragraph Sustainability Appraisal

Do you consider the Core Strategy and Development Management Policies Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes No

If 'no', on what grounds do you consider the document to be unsound?

Not justified Not effective
Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: *justified* (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), *effective* (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and *consistent with national policy*.

For further information please consult the Planning Inspectorate's Soundness Guidance at http://www.planningportal.gov.uk/uploads/pins/ldf_dpd_soundness_guide.pdf

Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

This paragraph indicates the intent to review the development boundary on the north side of Cleator in an allocations document. This is unjustified as:

- There is adequate land within the existing development boundary to facilitate development of the likely required housing numbers for the centre principally on the Cleator Mills site.
- This site is deliverable and sustainable as shown in documents, including a Development Appraisal and an FRA submitted to the Council. This includes proposals for housing development utilising brownfield land and leaves sufficient land for employment use as per current policy.
- Alternative sites as considered in the SHLAA process lie outside the current settlement boundaries and comprise solely green field locations or sites constrained by access and TPO (land adjacent to Ennerdale Country House Hotel).
- The settlement boundaries at Cleator Mills were extended at the last Local Plan review to include all brownfield land here, particularly at the southern end of the site. It would be illogical to now reconsider the boundary in any new document.

Please indicate what change(s) you consider necessary to make it sound.

A statement that the development boundaries in this area will not be subject to change

Do you wish to take part or be represented in the public hearing?

Yes ✓

Please tick in the relevant box(es) if you wish to be notified of

- ✓ submission of the plan for public examination by an independent Planning Inspector,
- ✓ the publication of the Inspectors' recommendations
- ✓ the adoption of the plan

Signature R J Metcalfe

Date 11/07/2012

Please use a separate form for each comment in support or objecting and return this form **no**
later than 13th July 2012

Thank you for completing this form

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KOSFOVUORU HJ - 84
Representation ID - 507A

Alison Earnshaw

From: Sid Brighton [REDACTED]
Sent: 12 July 2012 11:21
To: ldf
Subject: Copeland LDF

Whicham Parish Council have briefly considered this consultation document but in view of the size and complexity of the Pre submission draft and the supporting/background documents do not feel able to form at this stage an expression of support or objection. Perhaps the one proposal it would make is that the framework provides for the content of local Parish Plans to be given appropriate weight as regards Parish matters including planning.

The Council would wish to be kept informed of developments.

Regards

l Brighton

Clerk to the Whicham Parish Council.

Respondent ID - 28
Representation IDs - 8080 - 8086

Alison Earnshaw

From: Richard Mulholland <[REDACTED]>
Sent: 11 July 2012 16:49
To: ldf
Subject: Cleator Moor & District Chamber of Trade, objection to: CBC Core Strategy and Development Management Policies DPD Pre-Submission Draft document

Dear Sir/Madam

We submit the following objections to the above draft document.
Please inform me if you require the return in a more formal format.

Return from: R W Mulholland, [REDACTED]
On behalf of: Cleator Moor & District Chamber of Trade
Contact details: t [REDACTED]

Please contact author for any clarification.

Suggested alterations to Core Strategy and Development Management Policies DPD Pre-Submission Draft document shown underlined or struckout with red text

3.3.22

Strategic Objective 1

Support low visual impact future renewable and low carbon energy generating capacity in Copeland in line with Britain's Energy Coast: A Masterplan for West Cumbria. (N.B. to CBC: future developments must avoid a negative impact on tourism)

Strategic Objective 3

Provide a wide range of modern, high-quality employment sites and premises throughout the area and promote the creation of a high-end knowledge based employment cluster at Westlakes Science and Technology Park. (N.B. to CBC: encourage high quality employment in the smaller settlements)

Strategic Objective 4

Promote the vitality and viability of all towns and Local Centres, taking advantage of the built heritage that exists in Copeland's towns and villages (~~notably Whitehaven and Egremont~~) to enhance the shopping experience for residents and visitors. (N.B. to CBC: the spend on Whitehaven & Egremont has not assisted such as Millom, Cleator Moor and other centres; a new wider ranging strategy needs to be adopted)

Policy ST1 A Economic and Social Sustainability

iv) Support development that protects the landscape and provides or contributes to the Borough's social and community infrastructure enabling everyone to have good access to jobs, shops, services and recreational and sports facilities

Environmental Sustainability

ii) Focus development on sites that are at least risk from flooding and where development in areas of flood risk is unavoidable, ensure that the risk is minimised or mitigated through appropriate design which is to be funded and maintained throughout development life by developer and in the case of residential development/s external flood disaster cover provided to householder free of charge (N.B. to CBC. flood insurance for householders on flood risk area is becoming a national & local major problem)

Policy ST2 - Spatial Development Strategy

B Concentration: development will be located in the Borough's settlements at an appropriate scale, within defined settlement boundaries or suitable extension, in accordance with the Borough's settlement hierarchy as set out in Figure 3.2:

.....
Policy ERI - Planning for the Nuclear Sector

F Work with Sellafield Ltd and companies operating at Sellafield to optimise the number of functions and jobs that do not have to be based on site and can be located at, or relocated to, sustainable locations in the Borough 's-towns.

.....
Policy ER2 - Planning for the Renewable Energy Sector

The Council will seek to support and facilitate new renewable energy generation, at locations which best maximise renewable resources and minimise environmental, landscape and amenity impacts. Criteria on renewable energy development / generation are set out in Policy DM2.

.....
Policy ER9 - The Key Service Centres, Local Centres and other smaller centres

B In the Local Centres and smaller centres:

The provision of shops and services will be maintained and improved to ensure they continue to serve their small catchment areas with basic goods and services. (N.B. to CBC: maintaining existing does not cover for recent losses)

.....
N.B. to CBC: Page 69 Sites of Special Scientific Interest: River Ehen (Ennerdale Water) to Keekle confluence is not shown in SSSI listing.
.....



Proud of our past. Energised for our future.

LOCAL DEVELOPMENT FRAMEWORK

Core Strategy and Development Management Policies Pre-submission Consultation

Representation Form

Please use this form to indicate which part(s) of the Core Strategy and Development Management Policies Development Plan Document you either support or object to, together with any amendments/additions you would like to see.

Please use a separate form for each expression of support or objection.

Please complete and return this form no later than 4.00 pm on the 13th July 2012 to:

Planning Policy Team
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

For internal use:

Resp. No. 62

Rep. No. S087

Date Rec. 11/7/12

Or email: ldf@copeland.gov.uk

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Graham McWilliam	
Position	Inward Investment Manager	
Organisation	Invest in Cumbria	
Address	Redhills Penrith Cumbria	
Postcode	CA11 0DT	
Telephone	01768 895350	
Email	grahamm@investincumbria.co.uk	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

Paragraph

Sustainability
Appraisal

Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

In the Economic Opportunity and Regeneration section (4), there needs to be reference to the recently published West Cumbria Economic Blueprint which to some extent replaces the Economic Masterplan which was produced, in 2007. Invest in Cumbria welcomes the policies that Copeland BC is putting in place to encourage Economic Development, in the Borough. We look forward to continuing to work as a key partner to the Council in attracting Inward Investment projects, in the future.

Please indicate what change(s) you consider necessary to make it sound.

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

- submission of the plan for public examination by an independent Planning Inspector,
- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:

G.D McWilliam

Date:

11/07/2012

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Thank you for completing this form

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Respondent ID - 27
Representation ID - 8088 - 8094

Alison Earnshaw

From: Richard Mulholland [REDACTED]
Sent: 11 July 2012 16:44
To: ldf
Subject: Objection by R W & E Mulholland to: CBC Core Strategy and Development Management Policies DPD Pre-Submission Draft document

Dear Sir/Madam

I submit the following objections to the above draft document.
Please inform me if you require the return in a more formal format.

.....
Return from: R W Mulholland, [REDACTED]
On behalf of: R W & E Mulholland
Contact details: [REDACTED]

Please contact author for any clarification.

Suggested alterations to Core Strategy and Development Management Policies DPD Pre-Submission Draft document shown underlined or struckout with red text

.....
3.3.22

Strategic Objective 1

Support low visual impact future renewable and low carbon energy generating capacity in Copeland in line with Britain's Energy Coast: A Masterplan for West Cumbria. (N.B. to CBC: future developments must avoid a negative impact on tourism)

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.....
Strategic Objective 4

Promote the vitality and viability of all towns and Local Centres, taking advantage of the built heritage that exists in Copeland's towns and villages (~~notably Whitehaven and Egremont~~) to enhance the shopping experience for residents and visitors. (N.B. to CBC: the spend on Whitehaven & Egremont has not assisted such as Millom, Cleator Moor and other centres; a new wider ranging strategy needs to be adopted)

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.....
Environmental Sustainability

ii) Focus development on sites that are at least risk from flooding and where development in areas of flood risk is unavoidable, ensure that the risk is minimised or mitigated through appropriate design which is to be funded and maintained throughout development life by developer and in the case of residential development/s external flood disaster cover provided to householder free of charge (N.B. to CBC. flood insurance for householders on flood risk area is becoming a national & local major problem)

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.....
N.B. to CBC: Page 69 Sites of Special Scientific Interest: River Ehen (Ennerdale Water) to Keekle confluence is not shown in SSSI listing.
.....

Respondent ID . 34

Representation ID - 8095 - 8099

Alison Earnshaw

From: Sherratt, David <David.Sherratt@uuplc.co.uk>
Sent: 11 July 2012 15:47
To: ldf
Subject: Copeland BC - Core Strategy & Development Management DPD [DC/12/2366]
Attachments: DC_12_2366.zip

Dear Sir or Madam

Thank you for your consultation and seeking the views of United Utilities PLC in this process.

Below is summary of United Utilities PLC's response; the Council must read the specific comments in conjunction with the attached covering letter and historical consultation responses and must not extract/use the specific and/or summary comments in isolation.

Historical consultation:

- Copeland Core Strategy - Infrastructure plan - Additional Information [DC/11/4205]
- Copeland BC ~ Whitehaven Town Centre and Harbourside SPD [DC/11/4381]
- Copeland BC ~ Whitehaven Town Centre Regeneration plans [DC/12/1743]

Summary

Water and wastewater services are vital for the future health and well-being of your community and the protection of the environment. When developing your Local Development Framework [LDF] and future policies LPA should consider the impacts on the health and well-being its community, environment and ensure infrastructure capacity is available. If infrastructure deficiencies cannot be addressed, an alternative location and/or timescale should be sought where infrastructure capacity is available and it meets the LPA development needs.

Recent flooding and drought events should highlight to the Council the importance of managing flood risk and water resources; and their long-term impacts on the community; its health; well-being and its prosperity.

Several water companies have announced drought measures highlighting the need to manage water resources effectively, given increasing pressure on water supply because of population increase, changing household usage patterns and by climate change. All this despite the UK having a reputation as being a rainy country, we may face a future with less rainfall and less certainty about when that rain will fall.

Inappropriate development could result in the closing of a major facility [hospital and/or school etc.], due to the inappropriate development siphoning off the historical water or wastewater infrastructure capacity; no water supply for washing and catering facilities and/or sewerage flooding of the property/highway.

United Utilities PLC would seek the support of the Council in the LDF and planning application processes to protect/secure land for infrastructure use. Failure could mean United Utilities PLC cannot provide the additional capacity required to support your growth plans therefore a failed and/or undeliverable development plan.

In considering any application for planning permission, the LPA and/or the applicant must demonstrate that infrastructure capacity is available to serve the proposal. If capacity is not available, the application should not be approved

3.7 Providing Infrastructure

D The Council will expect utility and other infrastructure providers to rectify as soon as possible any network shortcomings which risk preventing or delaying development

United Utilities PLC response

United Utilities PLC will need specific development locations as soon as possible to determine if the infrastructure could accommodate the builds

There are issues in West Cumbria from a large scale supply and demand [growth] perspective due to the habitats directives; with further constraints from the fluoridation programme which is only being allowed in certain parts of the region.

Investment programme and funding mechanism

Every 5 years United Utilities PLC and other water and sewerage companies [WaSC] assemble and a submit business case to Ofwat for approval; this process is known as the Price Review.

Within the Price Review process, Ofwat will set the price limits that each WaSC can charge their customers.

The outcome of the Price Review process will define what, where and when capital investment is undertaken over the next 5 years; set the serviceability limits and measures to meet new regulatory standards and any additional enhanced levels of service.

The Price Review process includes a five year capital investment programme known as the Asset Management Plan [AMP]; there have been five AMPs since privatisation and the current AMP is AMP5 [1 April 2010 – 31 March 2015].

The AMP has a number of defined funding areas; the area covering capital investment for growth is 'supply and demand'.

There are a number of funding mechanisms for supply and demand; the main funding process involves the identification of defined outputs to meet growth needs; this funding is ring fenced and cannot be used to support growth elsewhere.

The Price Review is the only wastewater supply and demand funding mechanism available to WaSC.

United Utilities PLC is currently producing detailed plans [Integrated Asset Plans – (IAP)] for each wastewater catchment and water supply demand zone to identify their future requirements and therefore capital investment needs.

The IAP process will review and identify future supply and demand needs across the North West.

The output from the IAP will support and inform United Utilities PLC's Price Review business case submission to Ofwat for AMP6 [2015-2020] and beyond.

It is essential that neighbourhood groups; LPA and developers support United Utilities PLC in this process, to ensure the correct sustainable solutions are delivered.

Unfortunately, United Utilities PLC cannot guarantee Ofwat will support and/or approval United Utilities PLC's Price Review submission and/or any of the identified supply and demand projects.

National Planning Policy Framework [NPPF]

The presumption in favour of sustainable development

LPA should adopt proactive strategy priorities in their Local Plan. This should include strategic policies to deliver:

- the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
- the provision of health, security, community and cultural infrastructure and other local facilities; and
- climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.

Crucially, Local Plans should:

- plan positively for the development and infrastructure required in the area to meet the objectives, principles and policies of the NPPF;
- be drawn up over an appropriate time scale, preferably a 15-year time horizon, take account of longer term requirements, and be kept up to date;

- be based on co-operation with neighbouring authorities, public, voluntary and private sector organisations;
- indicate broad locations for strategic development on a key diagram and land-use designations on a proposals map;
- allocate sites to promote development and flexible use of land, bringing forward new land where necessary, and provide detail on form, scale, access and quantum of development where appropriate;
- identify areas where it may be necessary to limit freedom to change the uses of buildings, and support such restrictions with a clear explanation;
- identify land where development would be inappropriate, for instance because of its environmental or historic significance; and
- contain a clear strategy for enhancing the natural, built and historic environment, and supporting Nature Improvement Areas where they have been identified.

Infrastructure

NPPF 162. Local planning authorities should work with other authorities and providers to:

- assess the quality and capacity of infrastructure for transport, water supply, wastewater and its treatment, energy (including heat), telecommunications, utilities, waste, health, social care, education, flood risk and coastal change management, and its ability to meet forecast demands; and
- take account of the need for strategic infrastructure including nationally significant infrastructure within their areas.

To ensure key sites and strategic locations are deemed sustainable, plan-led and co-ordinated, strategic solutions should be developed and defined for supporting infrastructure.

An example would be the development of a joint working group [lead by the LPA] that identifies a strategic drainage solution/s for each key site and/or strategic location.

The joint working group will include the LPA; EA; infrastructure providers; developers; landowners and any other key stakeholders such as Natural England etc.

The aim of the joint working group will be to develop a sustainable strategic drainage solution that:

- protects the existing customer and maintains their service and quality of life;
- protects the environment;
- is a robust and deliverable;
- proactively not reactively delivered;
- meets the needs of the not only the key sites/strategic locations but also the neighbouring LPA; and
- is conditional for future developments within the key site and/or strategic location.

Future development must be sustainable; prevents environmental damage and preserves the quality of life for the existing and future generations; therefore, developments should not be permitted until infrastructure capacity is available.

United Utilities PLC cannot confirm if capacity is available until the connection point/s, flows and completion dates are available.

If additional supporting infrastructure is required then the LPA should work closely with United Utilities PLC [and other utility providers] to ensure a sustainable cross-boundary solution is identified and approved by the appropriate Regulators bodies before granting planning approval; failure may result in the deterioration of the community's quality of life and/or environmental damage.

The scale and type of development needs to be defined so the appropriate infrastructure is in place to ensure growth is sustainable.

United Utilities PLC has a number of recent examples where infrastructure has been provided based on identified growth, but not delivered; this has resulted in major operational issues; the treatment process is under loaded; it is failing to operate because it cannot reach its operational capacity.

Additional temporary engineer solutions are in place; this represents a significant risk to the existing customers; the environment and United Utilities PLC; not forgetting the additional financial burden on United Utilities PLC's customers.

The Council has a number of capacity issues; any additional developments in these and/or adjoining areas without firstly ensuring infrastructure solutions are implemented could result in an increased number and frequency of sewer flooding incidents.

The Council should also consider the constraints [are not limited to, but include] that are outside the control of United Utilities PLC and may influence the timely delivery of supporting infrastructure:

- Regulatory approval
- Environmental constraints
 - Does the receiving watercourse/environment have the capacity to accept additional flows without causing environmental damage?
 - Small river : large development
- Environmental consents and permits
 - Timescales involved in the construction/delivery of new processes to meet new consents and/or permits
- Planning approval
 - The LDF process has not highlighted and/or specified land for infrastructure use, therefore future planning applications for future supporting utilities infrastructure may be thwarted or a prolonged process
 - Historical local resistance to the expansion of utilities assets
 - Planning application approval restrictions/conditions delay implementation of supporting infrastructure assets
- Land acquisition
 - Timescales involved in the purchased land needs
 - Land may not be available for expansion due to the encroachment of development
- Access into the highway
 - Limitations from the highway departments for road works
- Environmental restrictions
 - bird breeding and/or nesting seasons; great crested newts; badgers etc.
- Implementation and commissioning restrictions
 - Planning application approval conditions; working hours etc.
 - Environmental consents/permits conditions
 - Its psychical delivery

[Reason: Ensure timely delivery of development and infrastructure to protect the good quality of life and the environment]

5.3.7 Housing Density

United Utilities PLC response

The density of new housing can have a major impact on water and wastewater resources and its supporting infrastructure; United Utilities PLC, uses the RSS density data to determine the capacity needs for development.

It is essential that any deviation from RSS [30 unit per ha] is defined and therefore ensure the supporting infrastructure needs are correctly assessed and provided.

5.6 Green Infrastructure

United Utilities PLC response

The Council should seek opportunities to use developer financial and/or resources contributions to meet common objectives.

Use green and open spaces, sports and recreation facilities to address surfacewater and climate change issues.

Building green infrastructure assets such as ponds, swales and wetlands will not only meet the Council's Green Space needs but also their local existing and/or future surface water/ climate change issues.

Artificial pitches; cycle paths; play areas multi-use games areas and skate parks can be used to local underground civil engineering SuDS solutions.

SuDS solutions that incorporate irrigation systems will help support and maintain the Council's allotments, parks and garden areas.

The Council's should identify opportunities for the installation retro fitting SuDS.

[Reason: To ensure that the development is sustainable, properly drained; prevents flooding and environmental damage]

7.2 Flood Risk

United Utilities PLC response to surfacewater comments.

Site drainage should be a major consideration for LPA and developers when selecting possible development sites; ground conditions; local flooding issues; development layout; design and planning policy.

The treatment and processing of surface water [storm water; rainwater] is a not a sustainable solution; the sites' current natural discharge solution should be continued and/or mimicked; if the existing surface water does not have an existing natural solution, United Utilities PLC questions the development of a flooded site.

Surfacewater should be managed at source and not transferred; if not this will only transfer the issue to another location; generally to a single pinch point, generating further problems in that location.

Developments must drain on a separate sewerage system, with only foul drainage connected into the foul sewerage network.

Every option should be investigated before discharging surface water into a public sewerage network.

Connecting surfacewater to the public sewerage network is not a sustainable solution and LPA should discourage this practice.

The priority options for the management of surface water discharges are:

- Continue and/or mimic the site's current natural discharge process
- Store for later use
- Discharge into infiltration systems located in porous sub soils
- Attenuate flows into green engineering solutions such as ponds; swales or other open water features for gradual release to a watercourse and/or porous sub soils
- Attenuate by storing in tanks or sealed systems for gradual release to a watercourse
- Direct discharge to a watercourse
- Direct discharge to a surface water sewer
- Controlled discharge into the combined sewerage network ~ this option is a last resort when all other options have been discounted.

Development on greenfield sites shall not discharge surface water into the public combined sewerage network and shall not increase the rate of run-off into the public surface water network ~ this statement does not replace the priority options for surface water management above.

On previously developed land, a reduction of at least 30% will be sought, rising to a minimum of 50% in critical drainage areas ~ this statement does not replace the priority options for surface water management above

Any discharge to the public sewerage system must be via approved SuDS and will require an approved discharge rate.

Consideration should be given for green infrastructure, low carbon, soft engineering SuDS solutions, such as ponds; swales; wet land areas and detention basins etc.

<http://www.ciria.com/suds/index.html>

A discharge to groundwater or watercourse may require the consent of the Environment Agency.

[Reason: To ensure that the surface water is properly discharged to prevent flooding or the overloading of the public sewerage network]

Policy DM24 – Development Proposals and Flood Risk

United Utilities PLC response

Text and references such as 'unacceptable'; should be replaced with measures that are specific, measurable, achievable, realistic and timely.

See also United Utilities PLC response to 7.2 Flood Risk above

Caveat on comments

Assessment are based the following specific requirements, any deviation from these requirements will invalidate the assessment:

- This is only a high level assessment, which does not guarantee capacity availability and/or deliverability of future supporting infrastructure;
- United Utilities PLC's assets have a finite ability to accommodate growth;
- United Utilities PLC cannot confirm if capacity is available until the connection point/s, flows and completion dates are available;
- United Utilities PLC will determine all water supply connection points and flow rates;
- United Utilities PLC will determine all sewerage discharge points and flow rates;
- No surface water to be discharged into the public combined and/or foul sewerage networks [see follow the Surface Water comments below];
- The assessment is based on a single development only; the cumulative effect has not been assessed; and
- These comments should be included within your future policies and planning application conditions.

If you require any further information, please do not hesitate in contacting me.

Regards

Dave Sherratt
Local Development Framework Lead
Developer Services & Planning
United Utilities PLC

Tele: 01925 678310 [78310]
E-mail: planning.liaison@uuplc.co.uk

'1.4 million Children die every year from diarrhoea caused by unclean water and poor sanitation - 4,000 child deaths a day or one child every 20 seconds. This equates to 160 infant school classrooms lost every single day to an entirely preventable public health crisis' [WHO/WaterAid]

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Respondent ID - 29
Representation ID - S100

Alison Earnshaw

From: Rose Freeman <rose.freeman@theatretrust.org.uk>
Sent: 11 July 2012 12:10
To: ldf
Subject: Core Strategy Pre Submission

Our Ref.: RF/4328

Core Strategy Pre Submission

Thank you for your letter of 31 May consulting The Theatres Trust on the pre-submission stage of the Core Strategy DPD.

As the response form is a pdf it is not possible to complete it electronically so we are using the headings, as below.

2. Your Comments

Our comments relate to Policy SS4 and DM21 – community facilities
We do not consider the Core Strategy to be sound
It is not effective and is not consistent with the NPPF

It is unsound because Policy SS4 does not include the word 'cultural' and Policy DM21 is inadequate in protecting your cultural facilities as it also does not include the word 'cultural'. The Key Policy Context box at the foot of page 58 of the Core Strategy refers to NPPF para.s 28 and 70 but does not include the word 'cultural' which is quite clearly used in the NPPF.

One of the recommendations in Item 28 on page 9 of the NPPF for a prosperous rural economy is to promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.

Item 70 in the NPPF on page 17 states that to deliver the social, recreational and cultural facilities and services that the community needs, planning policies and decisions should plan for the use of shared space and guard against unnecessary loss of valued facilities. Also to ensure that established facilities and services are retained and able to develop for the benefit of the community.

For clarity and greater certainty of intended outcomes, and so that guidelines are clear and consistent, we strongly recommend a description for the term 'community facilities' is included in the Glossary.

The changes we suggest are

- that the word 'cultural' is included within the text of Policy SS4 to reflect the NPPF at C and D – community and cultural facilities;
- that the word cultural is included in the text of the Policy DM21 to read ... an existing social, cultural, community or sports facility
- Also that the term 'community facilities' is explained in the Glossary as - *community facilities provide for the health and wellbeing, social, educational, spiritual, recreational, leisure and cultural needs of the community*. This will then reflect one of the NPPF's three dimensions to support economic development, being a social role to support communities' health, social and cultural well-being.
- Para.5.5.2 gives many examples of community buildings, but is not comprehensive as it would be impossible to list every type of facility – we therefore recommend the description as above.

Paragraph 5.5.2 does not include the word 'theatre'. Your website states that your only theatre is 'unique and charming'. If it is unique, it should be mentioned. It is unfortunate that theatres do not easily fit under any exact planning guidance heading – they can be a main town centre use, an element in a town's evening economy, a heritage asset, a tourist attraction, a business unit, a leisure facility, a cultural component or a community facility. They have been included within all these headings in various local authority LDF planning policy documents over the last seven years. But they

are definitely a cultural facility and as there is only one in Copeland, the word 'cultural' should be included in Policies SS4 and DM21.

Public Hearing participation - no

Please notify us of:

- submission to Secretary of State
- publication of Inspector's Report
- adoption of the Core Strategy

Rose Freeman
 Planning Policy Officer
 The Theatres Trust
 22 Charing Cross Road
 London WC2H 0QL
 Tel: 020 7836 8591
 Fax: 020 7836 3302

planning@theatrestrust.org.uk

Learn more about theatres with our online resource '[Exploring Theatres](#)'
 Check out your local theatre on The Theatres Trust '[Theatres database](#)'

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You should be aware that all electronic mail from, to and within The Theatres Trust may be subject to public disclosure under the Freedom of Information Act 2000, and the confidentiality of this email and any replies cannot be guaranteed. Unless otherwise specified, the opinions expressed herein do not necessarily represent those of The Theatres Trust or The Theatres Trust Charitable Fund.

 Save energy and paper.

Respondent ID - 10
Representation ID - 8101



Forward Planning Team Manager
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria
CA28 7SJ

MONO CONSULTANTS LIMITED
48 ST VINCENT STREET
GLASGOW G2 5TS
t. 44 (0)141 566 6660 f. 44 (0)141 566 6661
www.monoconsultants.com

Date: 12th July 2012
Our Ref: cw/dpm

Dear Sir or Madam

**COPELAND LOCAL DEVELOPMENT FRAMEWORK: CORE STRATEGY & DEVELOPMENT
MANAGEMENT POLICIES SUBMISSION DOCUMENT CONSULTATION.**

Thank you for your recent consultation on the above.

We would like to offer our support to the inclusion of Policy DM23 Information and Communications Technology, within the Submission version of the Core Strategy & Development Management Policies DPD. We welcome the inclusion of this policy within the LDF to facilitate telecommunications development and support its provisions which we find to be in accordance with the guidance within the recently published National Planning Policy Framework (NPPF) relating to both development planning and to support for communications infrastructure.

We trust you find the above comments of assistance. Please do not hesitate to contact me should you wish to discuss this further or wish to arrange a meeting.

Yours faithfully

A handwritten signature in black ink, appearing to read "Carolyn Wilson".

Carolyn Wilson MRTPI
SENIOR PLANNER

direct dial: 0141 270 2736
e-mail: carolyn.wilson@monoconsultants.com



Forward Planning Team Manager
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria
CA28 7SJ

Date: 12th July 2012

Dear Sir or Madam

COPELAND LOCAL DEVELOPMENT FRAMEWORK: CORE STRATEGY & DEVELOPMENT MANAGEMENT POLICIES SUBMISSION DOCUMENT CONSULTATION.

The Mobile Operators Association (MOA) represents the four UK mobile network operators – 3, O2, Everything, Everywhere (formerly Orange & T-Mobile) and Vodafone – on radio frequency health and safety and associated town planning issues.

The MOA has commissioned MONO Consultants Ltd to monitor all emerging development plan policies and supplementary planning guidance relating to telecommunications development on its behalf.

Please find attached a response to the current consultation documents prepared by MONO Consultants Ltd on behalf of the MOA.

Yours faithfully,

John Cooke
Executive Director

MILLOM WITHOUT PARISH COUNCIL

Clerk: Mr. S. Brighton (To whom all correspondence should be directed)
Calobra, By Dunningwell, The Green, Millom, Cumbria. LA18 5JT
Email: sidbrighton@btinternet.com


12th July 2012

Dear Madam or Sir,

Consultation: Development Management Policies – Pre-Submission

I enclose this Council's response to the above consultation document. The Council has done its best in the very short time available.

Yours faithfully,

 (Chairman)

For Mr. S. Brighton (Clerk)

Core Strategy and Development Management Policies Pre-submission Consultation

Representation Form

Please use this form to indicate which part(s) of the Core Strategy and Development Management Policies Development Plan Document you either support or object to, together with any amendments/additions you would like to see.

Please use a separate form for each expression of support or objection.

Please complete and return this form no later than 4.00 pm on the 13th July 2012 to:

Planning Policy Team
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

For internal use:	
Resp. No.	36
Rep. No.	S102-S122
Date Rec.	13/7/12

Or email: ldf@copeland.gov.uk

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Mr. S. Brighton	None at this time
Position	Clerk to the Council	
Organisation	Millom Without Parish Council	
Address	Calobra By Dunningwell The Green Millom Cumbria	
Postcode	LA18 5JT	
Telephone	01229 776847	
Email	sidbrighton@btinternet.com	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy	<input type="checkbox"/> See following sheets	Paragraph	<input type="checkbox"/> As detailed over	Sustainability Appraisal	<input type="checkbox"/> Not specifically addressed
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Do you consider the Core Strategy and Development Management Policies Development Plan Document to be sound?

(Please tick ✓ as appropriate)

See covering statement – we believe that the strategy, while an excellent document, as far as it goes, does not always reflect well the concerns of our rural community.

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

For further information please consult the Planning Inspectorate's Soundness Guidance at http://www.planningportal.gov.uk/uploads/pins/ldf_dpd_soundness_guide.pdf

Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

The Millom Without Parish Council's concern is, in the light of the new circumstances relating to the Localism Act. 2011, that your consultation procedure does not give adequate scope for the expression of local concerns

The Council's observations are appended on the following pages

Please indicate what change(s) you consider necessary to make it sound.

Paragraphs 3.3.23 to 25

The draft LDF does not, we believe, differentiate sufficiently between the needs of the urban centres of population and the rural areas. In this respect we would question whether it meets the spirit or even the letter of the Localism Act. It is appreciated that the Localism Act apparently imposes huge demands on the principal authorities. However, the Millom Without Parish Council is drafting its own Neighbourhood Plan and no doubt other Parish Councils have, or will do, the same. It is felt that the relevant policies and concerns from the Millom Without and other Parish Councils should be acknowledged and reflected in the Copeland LDF and the concerns of Millom Without are set out below:

1. **Maintenance of the Rural nature of the Area.** The rural nature of the area ought to be respected and the individuality of the small communities preserved. Settlement boundaries are under pressure and at The Green and The Hill and these have been considerably extended. The number of dwellings at The Green, for example, has increased by in excess of 400% since the early 1950's. Throughout the same period there has been a major decline in local opportunities for employment. Therefore, rural development has had the effect of increasing the travel to work distances and road traffic with all the consequential costs both environmental and economic. It is feared that the area may come under pressure for further inappropriate development on an even larger scale.
2. **Development.** The MWPC supports limited development of a sympathetic nature which would be appropriate to community needs. For example, affordable, environmentally friendly homes (especially starter homes) for local people, bearing in mind the nature of the area and need for well designed houses sympathetic to the vernacular architecture. There are already sufficient, or even too many, large new 'executive style' homes, some with very inappropriate architecture. Design excellence should be encouraged and all developments should be based on sustainable principles.

Any development which may disturb the habitat of protected species should only be considered if adequate provision is made for the protection of such species. If planning permission is granted conditions should be imposed to ensure their continued protection.

3. **Infrastructure.** (Rail & Road, Transport, Drains, etc.) Where development impacts on the infrastructure, or is likely to have unavoidable adverse effects on the environment appropriate planning conditions should be imposed to mitigate any adverse effects of the proposed development.

The use of rail transport should be strongly supported for both personal and industrial use (In particular quarry products from Ghyll Scuar quarry).

Character of the Area - Section 3

Major Development – Millom Without Parish

Major development is not appropriate in the Parish and should not be permitted except in exceptional circumstances.

Proposals for major development should be subject to the most rigorous examination and must clearly demonstrate that they are in the public interest.

The examination of such proposals should include an assessment of the criteria below:

- i) The need for the development at a national level and the impacts on the local economy.
- ii) The cost and scope of developing outside the Parish or for meeting the need in some other way. Applicants will be required to demonstrate that alternative solutions have been fully examined and no suitable alternative site is available.
- iii) The impacts on the environment and the landscape, and the extent to which it should be moderated. Any construction or restoration must be carried out to high environmental standards.
- iv) No development should be permitted which has a tendency to merge existing distinct and separate settlements.

Character of the Area - Section 3 particularly Paragraphs 3.5.8 and 3.5.16

The MWPC is particularly concerned about the propensity of developers to opt for, and be granted, planning consent for executive style homes in the villages.

Maintenance of the Rural nature of the Area. The rural nature of the area ought to be respected and the individuality of the small communities preserved. Settlement boundaries are under pressure and at The Green and The Hill these have been considerably extended. The number of dwellings at The Green and The Hill have increased in size considerably since the early 1950's. In the case of The Green this increase has been excess of 400%. Throughout the same period there has been a major decline in local opportunities for employment. Therefore, development has had the effect of increasing the travel to work distances and road traffic with all the consequential costs both environmental and economic. In some cases very long distances are being travelled to and from work every day. It is feared that the area may come under pressure for further inappropriate development on an even larger scale.

Development in Protected or Sensitive Areas.

Development should not be permitted on sites such as:

- iii) designated or proposed sites of special scientific interest (SSSIs);
- iv) RAMSAR areas and those areas closely adjacent;
- v) other important nature conservation or geology sites;
- vi) conservation areas;
- vii) important archaeological or historical sites;

Possible Exceptions - Affordable Housing.

Small-scale housing schemes may be considered on land or through the conversion of buildings adjoining the defined housing development boundaries of settlements, where it is clearly demonstrated that there is a proven local need for affordable housing that cannot reasonably be provided within a development boundary. Additionally the criteria below should be met:

- i) All dwellings will be, and will remain, available for people with a local housing need, at an affordable cost to rent or shared ownership. An obligation should be sought from the developer that the scheme will be managed by a housing association or trust. It should be a condition of any such planning permission that a binding legal obligation will be put in place, to ensure that the above restrictions will apply to the property in perpetuity.
- ii) The development must respect the character and appearance of the settlement and its setting in the countryside.

Development in Areas liable to Flooding – see also page 19

Development should not be allowed in any circumstances on areas of floodplain designated by the environment agency or other relevant authority with a greater flood risk than 1 in 200 years.

It is particularly important not to allow development on any land subject to flooding where properties already exist and where further development may exacerbate the situation or increase the flood risk.

Economic Opportunity and Regeneration – Section 4.5

Nuclear Repository

Summary: The Parish Council does not support the current proposals for the following reasons:

- i) the present consultation to identify a suitable site is too narrowly focussed, offers no geographic comparisons and gives priority to community acceptance in the areas volunteered by principal councils rather than geological suitability and secure containment,
- ii) the extreme longevity of this project and nature of the elements to be stored makes the utmost caution essential,
- iii) the opportunity for the Parish Council's views to be influential may be lost when decision making defaults to principal councils, perhaps before the extended consultation period ends,
- iv) remaining mineral deposits (e.g. iron ore which was previously mined in the Millom and Furness areas up to 1968) may be made unrecoverable in future centuries by the proximity of a nuclear repository.

Argument:

1. The Parish Council recognises the national importance of the proper disposal and storage of nuclear waste. It is also aware of the time-scales involved both in building and storage. On the one hand urgent action is necessary because of the unsatisfactory nature of the present storage arrangements. On the other hand the essential longevity of storage makes, for example, the eight-and-a-half thousand years since the land-bridge to Europe was lost (due to rising sea levels) seem as yesterday compared with the expected duration of this programme.

2. In view of the above, the Parish Council is of the opinion that it is the duty of the government and the nuclear industry to investigate widely and give principal weight to criteria based upon geological considerations in the most rigorous sense. Therefore, the search for a site should not to be confined to the areas of those principal councils which have, at present, expressed an interest, thus excluding a truly wide and impartial study which offers a range of choice.

3. It is in the national interest that:

- First, the proposed site should be determined by a wide examination of suitable areas and that the final selection should be made only from among those sites which best satisfy scientific and geological requirements.
- Secondly, South Copeland and the, nearby, Furness peninsula are potentially rich sources of mineral deposits. For example, iron ore (which was extensively mined from the mid-nineteenth century until 1968) may again become economically viable to extract in the future. The cessation of mining in the Millom area was due to the ingress of water and the cost of pumping rather than exhaustion of deposits. It is understood that the possible future availability of mineral deposits has led to other areas being excluded from consideration as suitable sites.

4. It is tempting for the Parish Council to take the suggested process forward as indicated in the public consultation documents ('Geological disposal of radioactive waste in West Cumbria') due to its urgency and importance and thus agree to await more information at a later date. The Council is of the opinion that this is an unsatisfactory way to address the matter,

- First, because it is wrong in principle as the criteria of selection is too restrictive and does not best serve the national interest (see paragraphs 2 & 3).
- Secondly, in waiting for more information the opportunity to decline to become further involved may pass from small councils and the decision making power default to the principal councils whose views will not necessarily reflect the views of this or other Parish Councils.

5. For the reasons given above this Parish Council does not give its assent to the present proposals.

Comment

6. A long-term project such as this should be sited at an optimum location and be inherently as flexible as possible. It is very likely, that in the time-scale envisaged the methods of disposal, processing or containment of nuclear waste will be modified or improved. It is of fundamental importance, therefore, that flexibility should be built into the system and allow for future developments at a safe and secure site.

Renewable Energy – Section 4 and Policies ER2 and ER3

The Parish Council is aware of the need for renewable energy generation and broadly supports this. However the proliferation of very large wind generation turbines both at sea (possibly set to become the largest such project in Europe) and on land is causing concern.

The increasing height of such turbines and their number is of major concern. Millom Without has common borders with South Lakeland and Barrow-in-Furness both of which have wind turbine 'farms' on sights which have unobstructed visibility from Millom, Millom Without and Whicham and the National Park. The massive, and expanding, wind generation facility in the Irish sea is also clearly visible. Applications are already in the pipe-line for additional, very large, turbines on local land to the north of Haverigg; the Council now feels, on the grounds of cumulative impact, that 'enough is enough'. However, it may be that some small scale facility of purely local importance may be reasonable and, therefore, the following is proposed:

Renewable energy developments

Small-scale renewable energy developments to meet local energy needs should be considered if all the following criteria are met:

- i) It will not adversely affect the character of the landscape, settlements or buildings either individually or as a consequence of a cumulative impact.
- ii) It does not adversely affect the natural environment and wildlife or, in the case of rivers or streams, aquatic life.
- iii) It does not adversely affect the archaeological interest, residential or recreational amenity of the surrounding area.

Small-scale renewable energy schemes that result in local environmental benefits for example the removal or avoidance of the use of overhead wires could be considered.

Large scale renewable energy developments of more than local importance should not be considered unless it can be demonstrated that the development will not have any significant adverse effect on the qualities of the area and its infrastructure..

In the case of wind energy, development a ground to hub height of 25 metres (82ft) or more should not be considered.

Utility service lines

In the case of new overhead utility service lines these should, as far as possible, be placed underground.

Section 5 – Sustainable Settlements 5.2 Improving the Housing Offer

General design. The Parish Council considers that development in its area should only be considered if all the following criteria are met:

- i) It is of a kind, scale, siting, density and detailed design which is sympathetic to or enhances the landscape character, special qualities and local distinctiveness of the surrounding area.
- ii) It uses materials that are appropriate to the local character and distinctiveness of the surrounding buildings and wider landscape.
- iii) It must be located within or adjoining an existing group of buildings already having a residential content and enjoying basic services.
- iv) It does not have an unacceptable impact on neighbouring amenity and ensures an adequate level of amenity for the future occupants of the development, in relation to nearby uses.
- v) It respects the existing natural, built and historical features in and around the site.
- vi) It minimises the use of energy and other natural resources, uses sustainable materials and is designed for long life.
- vii) In the case of applications for the conversion of barns or other buildings into dwellings.
 - a. Applications should be considered sympathetically providing the provisions, above, of this policy are met.
 - b. Appropriate conditions are imposed to safeguard and maintain any population of owls, bats, swallows, swifts, or endangered species within or affected by the development.
- viii) See also the Councils representations concerning Section 7 – Flood Risk, page 19

Accessibility and Safety - Development proposals should clearly demonstrate that the overall design of the scheme has taken into account the security, safety and access needs of all potential users and residents.

All aspects of the development should be acceptable in terms of their impact on the special qualities of the surrounding area. Particular attention should be given to the site layout and the relationship between buildings, garden areas, car parking spaces and vehicular access.

N.B. - No dwellings may be certified for occupation, or occupied until all access roads are completed and surfaced to an acceptable standard to meet the requirements and standards for adoption by the highways authority.

Landscape Enhancement - Development proposals that would have an impact on the characteristic landscape of the Parish should require the inclusion of a landscape enhancement scheme in order to ensure that it blends well with character of the surrounding area.

Development should only be permitted where the landscape enhancement scheme meets the following criteria:

- ii) It forms an integral part of the proposal.
- iii) It incorporates measures for the protection, enhancement and creation of habitats using indigenous species appropriate to the locality.
- iv) It respects the ecological, geological/geomorphological, archaeological and historic character and the amenity of the surrounding area.
- v) It provides, where possible, links between sites of nature conservation importance to help contribute to the development of habitat networks.
- vi) It retains and incorporates the important natural, built and historic features of the area.

Continued on page 9 ...

Continued from page 8

Location of Employment - Section 4.6

Existing employment sites

The expansion of existing premises in existing communities should only be considered if both the following criteria are met.

- i) Any new buildings are appropriate in scale and design to their surrounding area.
- ii) Any change in, or increased, activity does not unacceptably affect the residential amenity or the environment of the surrounding area.

Development that would lead to the loss of existing employment land or buildings should not be permitted unless paragraphs (iii) or (iv) below apply and conditions (i) and (ii) above are met:

- iii) the continuation of employment use on the site would be environmentally unacceptable, or incapable of being made acceptable; or
- iv) the business commenced less than three years ago on a site not then used for employment purposes.

Where a case is made that an employment use is no longer viable evidence will be required that the employment potential of the site has been advertised on the market for at least six months.

Conversion of traditional buildings to employment uses - The conversion of traditional buildings to employment uses should be considered if it accords with other policies in the document and if both the following criteria are met:

- i) There is sufficient land attached to provide for the functional needs of the proposal, and service and storage space can be provided without adversely affecting the character or appearance of the setting of the building and the local landscape.
- ii) The proposal is unlikely to generate a level and type of traffic that would be prejudicial to highway safety, or require highway improvements, or access requirements, that would have a detrimental affect on the character of the area.

Re-use of modern buildings

The conversion or re-use of modern buildings to employment uses should be considered if all the following criteria are met:

- i) The building is situated within or adjacent to an established settlement or is within a group of buildings.
- ii) The building is structurally sound. Structural survey will be required of the building where the condition of the building is in doubt or dispute.
- iii) The building and related service infrastructure can be acceptable in terms of its impact on its surroundings and on residential amenity.
- iv) All employment activities and storage are contained wholly within the building or are otherwise visually contained.
- v) The proposal is unlikely to generate a level and type of traffic that would be prejudicial to highway safety, or require highway improvements, or access requirements that would have a detrimental affect on the character of the area.
- vi) The proposal should not give rise to demand for the visually intrusive provision, renewal or extension of public utility services or place an unnecessary burden on social, community or emergency services.
- vii) The proposal is in conformity with Policy 1 above.

Where appropriate, a landscape enhancement scheme should be required as part of a proposal.

Home-based working - Development related to home-based businesses should only be considered where there would be no adverse effect on the special qualities of the surrounding area or residential amenity or the immediate neighbours.

Section 5 – Sustainable Settlements 5.2 Improving the Housing Offer

Also 5.3 Sustainable Housing Growth

Affordable Housing – throughout the Parish

Small-scale housing schemes should be considered on land or through the conversion of buildings adjoining the defined housing development boundaries of settlements, where it is clearly demonstrated that there is a proven local need for affordable housing that cannot reasonably be provided within a development boundary. Additionally the criteria below should be met:

- i) All dwellings should be, and should remain, available for people with a local housing need, at an affordable cost to rent or shared ownership. An obligation should normally be sought from the developer that the scheme will be managed by a housing association or trust. It should be a condition of any such planning permission that a binding legal obligation will be put in place, to ensure that the above restrictions will apply to the property in perpetuity.
- ii) The development must respect the character and appearance of the settlement and its setting in the countryside.

Sub-division of existing houses - The sub-division of an existing house to form two or more dwellings should be considered if it does not have an adverse effect on the amenity of neighbours or the character of the area.

Outside of the housing boundaries of the existing settlements all additional dwelling units created through such sub-division should be restricted to meet local needs where it is clearly demonstrated that there is a proven local need for affordable housing that cannot reasonably be provided within a development boundary.

Replacement dwellings - The construction of a replacement dwelling in the countryside outside a settlement should only be permitted where:

- i) residential use has not been abandoned;
- ii) it is demonstrated that the repair of the existing building is not economically feasible or that the replacement building would bring about an environmental improvement in terms of its impact on its surroundings and the landscape surroundings;
- iii) the building is in a location where replacement would not cause unacceptable harm to the landscape; and
- iv) the new building will be in the same position as that which exists and will be of a similar size and scale with a suitable residential curtilage.

Any extensions that would increase the size of the replacement dwelling to the detriment of the locality, should not be permitted.

Settlement Historic Arrangement - Within a settlement, development should not be permitted that would result in the loss of or obscure building layout and plot patterns, where these provide evidence of the historic development of the settlement, and contribute to its character.

Building design - All new buildings must be in sympathy with their surroundings in terms of siting, scale, form and design meeting the requirements stated above. The use of external materials consistent with local building traditions should be required to maintain the character of the area.

Development within barns and other buildings - Development involving the total or substantial destruction of a traditional barn or other building should not be considered if the barn or building is:

- i) sound and substantially complete and important to the landscape, or
- ii) of architectural or historic interest.

Demolition of modern ancillary elements of a barn or building could be acceptable where this would help to secure the long-term integrity of the main structure.

Continued on page 11 ...

... Continued from page 10

Conversion of traditional buildings - The conversion of buildings of traditional design and materials in accordance with other agreed policies should only be considered where:

- i) the building is large enough to accommodate the uses proposed without the need for alterations to the roof line or significant extension.
- ii) the building is capable of conversion to the proposed use without such change to its external appearance as to detract significantly from its contribution to the character of the area.
- iii) the building is capable of conversion without the need for substantial rebuilding and the external walls are structurally sound. The developer should, if requested, provide a full structural survey where the condition of the building is in doubt or dispute.
- iv) the proposal includes the retention of all existing external features which contribute significantly to the building's character including any surviving original openings or roofing materials.
- v) the original roofing material, if absent, or in need of replacement, should be replaced with a material and in a manner consistent with its age and location.
- vi) the proposal does not detract from the vernacular architecture of the building, nor adversely affect the contribution of its character to the local scene through the insertion, attachment, or erection of additional openings, accoutrements, or buildings which are other than essential to the proposed use. Planning permission granted for conversion of traditional buildings should be conditional upon the withdrawal of permitted development rights relating to such ancillary development.
- vii) the proposal does not result in any unacceptable loss of amenity for occupiers of neighbouring properties.

Where conversion of a traditional building is likely to result in the loss or obscurity of historical evidence important to an understanding of the development or the vernacular architectural traditions of the area, the developer will be required to provide an appropriate level of recording of the building in advance of works commencing, or during the period of development.

Extensions and alterations to buildings - Development involving the extension or alteration of a building that is not listed should be considered if the proposal accords with other Council Policies (e.g. Building design, etc.) and would not:

- i) be seen in to dominate the existing building in terms of shape, height, materials or windows.
- ii) result in any unacceptable loss of amenity for occupiers of neighbouring properties.
- iii) result in a loss of curtilage, including parking provision, leaving insufficient space to meet the needs of the property as altered or extended.

Any extension should respect the architectural integrity of the existing building and its setting in terms of design and use of materials.

Re-occupation of former houses

The re-occupation of former houses within or outside settlements should be considered provided that:

- i) the building is of such architectural or historic interest that its restoration in the landscape or village is justified.
- ii) the re-occupation can take place without the need for substantial rebuilding in that external walls of the buildings are structurally sound. The planning authority should reserve the right to require a full structural survey where the condition of the building is in doubt or dispute.
- iii) the re-occupation of the building does not give rise to the requirement for an additional curtilage or car parks which would adversely affect the character of the building or its setting.

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Listed buildings or buildings of historic and/or architectural merit.

- i) The demolition, or substantial destruction, of a listed building or structure should not be considered unless a very strong case is made as to why the building or structure, or part thereof, cannot be retained or is not worthy of retention.
- ii) External alterations, internal alterations, or extensions to a listed building or structure, or to a building attached to, or within the curtilage of a listed building or structure, should only be permitted if the development is in keeping with the character of the building, or structure and does not detract from or prejudice its special interest. Materials, components and finishes must be appropriate in all respects to the retention of the character of the building.
- iii) The attachment of incongruous features should not be permitted where they would materially detract from the appearance or character of the listed building or structure.
- iv) The change of use of a listed building or structure should only be permitted where it would increase the likelihood of the survival of the building and where the consequent alterations can be achieved without harm to its character or special interest.
- v) Works affecting a listed building or structure should be accompanied by a detailed survey and proposal drawings of sufficient detail and accuracy as to enable an assessment of every proposed change to the structure and fittings of the building or structure to be made.

Any development or renovation proposal that affects the setting of such a building or structure should fully take into account the architectural and historic interest of the building. Applications for such development should include full proposal details.

Development which would adversely affect the setting of such a building should not be permitted.

No part of this, or any other policies, shall be taken as exempting a developer from compliance with Government regulations or other requirements in respect of listed buildings.

Historic landscapes

Development that would cause loss or damage to the integrity of historic landscapes or introduce incongruous elements into such landscapes should only be considered if the following criteria apply:

- i) The benefits of the proposal clearly outweigh the negative impacts.
- ii) Any negative impacts are minimised.

Development in Protected or Sensitive Areas.

Development should not be permitted on or near sites such as:

- i) Designated or proposed sites of special scientific interest (SSSIs);
- ii) RAMSAR areas and those areas closely adjacent;
- iii) Other important nature conservation or geology sites;
- iv) Conservation areas;
- v) Important archaeological or historical sites;
- vi) Areas of floodplain designated by the environment agency or other relevant authority with a greater flood risk than 1 in 200 years
- vii) Open spaces or areas of woodland which are public assets.

Section 5 – Green Infrastructure

International sites of nature conservation importance - Development that is likely to have an adverse effect, directly or indirectly, on the integrity of a designated or proposed Ramsar site, special protection area (SPA) or special area of conservation (SAC) should not be considered. Development affecting internationally protected sites will require a thorough evaluation. The applicant should be required to provide such relevant information as required by any regulations for the time being in force for such areas before any application can be determined. The provision of such information will be at the applicant's cost.

Protection of species - Development that is likely to affect internationally or nationally protected species adversely will not be considered unless all the following criteria are met.

- i) It is demonstrated that there is essential need for the development that is sufficient to override nature conservation considerations.
- ii) There is no alternative solution for the development that would lessen the impact.
- iii) measures to protect the threatened species are included in the planning conditions.

Development affecting protected species will require a thorough evaluation at the cost of the applicant before any application can be determined.

Preventing habitat fragmentation and species isolation - Development that is likely to impact on the movement of species along wildlife corridors or are likely to result in the fragmentation of habitats will only be considered if it can be demonstrated that the corridor or habitat is not adversely affected.

Trees, woodlands and hedgerows - Development that would lead to the loss of, or damage to, trees, woodlands or hedgerows should only be granted in exceptional circumstances and subject to the planting of replacement trees wherever possible.

Protecting trees at risk from development - Development in close proximity to existing healthy trees should only be considered if both the following criteria are met.

- i) Adequate space has been left around existing healthy trees so as not to lead to future loss or damage.
- ii) The developer has specified how the trees will be protected in the course of development.

The planning authority should require a detailed tree survey to be submitted with a planning application.

New or improved habitats - As part of an acceptable development proposal, the restoration and enhancement and conservation of existing sites and for the creation of new areas of nature conservation interest should be required.

Historic landscapes - Development that would cause loss or damage to the integrity of historic landscapes or introduce incongruous elements into such landscapes should only be considered if the following criteria apply:

- i) The benefits of the proposal clearly outweigh the negative impacts.
- ii) Any negative impacts are minimised.

Scheduled ancient monuments or buildings of historic interest and other nationally important archaeological sites – Development that would remove damage or obscure a scheduled ancient monument, historic building or other nationally important archaeological sites or their setting should not be permitted except in exceptional circumstances. A thorough archaeological field evaluation of the impact of the proposal must be submitted before the consideration of any planning application affecting a scheduled ancient monument, historic building or other nationally important archaeological or historic site. Planning permission will not be considered without full account being taken of the nature, extent and significance of the said buildings or sites and the degree to which the proposed development is likely to affect them. The developer will be required to provide an evaluation at his or her expense in accordance with the requirements of the Parish Council. Where appropriate, protective and mitigation measures will be required by condition or legal agreement.

Continued on page 14 ...

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Open spaces - Development should not be permitted in those areas identified as open spaces, or elsewhere where development would result in loss to or would significantly harm the character of open space which:

- i) provides a recreational resource to the local community; or
- ii) allows important public views; or
- iii) are of historical significance in contributing to an understanding of the development of the building pattern of the settlement, or is recognised as representing an important archaeological resource; or
- iv) contributes to the setting of an important buildings, or are important to the character or setting of the area.

Settlement Historic Arrangement - Within a settlement, development will not be permitted that would result in the loss of or obscure building layout and plot patterns, where these provide evidence of the historic development of the settlement, and contribute to its character.

Building design - All new buildings should be in sympathy with their surroundings in terms of siting, scale, form and design. The use of external materials consistent with local building traditions will be required where to maintain the character of the area.

Development within barns and other buildings - Development involving the total or substantial destruction of a traditional barn or other building will not be considered if the barn or building is:

- i) sound and substantially complete and important to the landscape, or
- ii) of architectural or historic interest.

Demolition of modern ancillary elements of a barn or building may be acceptable where this would help to secure the long-term integrity of the main structure.

Changing land to domestic use - Development involving the change of use of land to form domestic gardens and amenity space will be considered if it can be achieved without adverse effect on the special qualities of the area.

Where permission is granted it will be conditional upon the withdrawal of permitted development rights in respect of ancillary development within the curtilages of dwelling houses, and to the erection of means of enclosure compatible with the character of the area.

Permanent Signs and Advertisements - Fascia and hanging advertisement signs will only be permitted if both the following criteria are met:

- i) They are designed to be sympathetic in appearance to traditional signs and use simple lettering and colours appropriate to the character of the area.
- ii) They are not unduly large or out of proportion to the building on which they are to be displayed, and not so positioned on the building as to detract from its appearance or from its contribution to the landscape.

Internally illuminated signs or fixed projecting canopies will not be considered.

Any national or regional regulations pertaining to temporary signs, for example 'For Sale' or 'To Let' notices and other advertising or information signs must be complied with.

Advance Signs and Advertisements - Advance signs and advertisements beyond the premises to which they relate will only be considered if all the following criteria are met:

- i) There would be no material harm to the landscape.
- ii) There is no prejudice to road safety.
- iii) It would be impractical for the facility being advertised to be included on a composite sign for other facilities in the immediate area, whether or not such a sign is currently in existence.

Any national or regional regulations pertaining to temporary signs, for example 'For Sale' or 'To Let' notices and other advertising or information signs must be complied with.

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Protecting the environment

Development should not be considered where it would result in an unacceptable impact on either:

- i) the quality or quantity, or flow of surface or ground water; or
- ii) the quality of the air, land or soil; or
- iii) the level of noise, dust, vibration or light; or
- iv) the health and safety of the public

Contaminated and unstable land

Development on or near to land known or suspected of being contaminated or unstable should only be considered where the site has been fully assessed and it has been demonstrated that any proposed development of the site will not result in a risk to human health or the environment (air, land or water).

Provision of community sport and recreation facilities

New, or improvements to existing community sport and recreation facilities should be considered if all the following criteria are met.

- i) There is a proven local community need for the facility.
- ii) It is appropriately located within or adjacent to settlements or school to serve the needs of the local community.
- iii) It will not adversely affect the character of the surrounding area or residential amenity.

Protection of existing community sport and recreation facilities.

Development that would result in the loss of, or will unacceptably affect the use of, existing community sport and recreation facilities, or recreational open spaces, should only be considered if either:

- i) an up-to-date recreational needs assessment clearly shows the existing facilities to be surplus to requirements; or
- ii) an alternative facility has been secured within or adjacent to the settlement and is of at least equivalent size, quality, accessibility, usefulness and attractiveness, to serve the needs of the local community.

Noisy sports

Noisy sports and recreational activities should only be considered if all the following criteria are met:

- i) There would be no adverse effect upon the peace and quiet of remote or tranquil areas.
- ii) No significant harm would be caused to the amenity of residents and visitors to the area.
- iii) The special qualities of the area, including nature conservation and archaeology, would not be adversely affected.
- iv) The proposed new facility is capable of sustaining the proposed level of use.
- v) The traffic generated on the local and minor roads would not be excessive.

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Private equestrian developments

The erection of a stable or loosebox, or other associated development for horses kept for private recreational use, should only be considered if it is located within or adjacent to an established settlement or a residential curtilage and where it can be demonstrated that the conversion or re-use of an existing building cannot accommodate the need.

In all cases, a proposal will only be considered if all the following criteria are met.

- i) Its scale, character and location would not adversely affect the special qualities of the surrounding area.
- ii) It will not adversely affect residential amenity.
- iii) It accords with the Policies on Building design set out in this document.

Tented camp sites

The use of land as a tented camp site may be considered provided that:

- i) The site is located so that it has a minimal impact on the landscape and is appropriately screened at the time of application.
- ii) It is located close to a group of buildings with residential content.
- iii) It does not require the provision of new or improved vehicular access, new buildings or overground utility services.
- iv) It will not result in detrimentally intrusive parking provision.
- v) It will not have a significant adverse effect on residential amenity or on the special qualities of the area.
- vi) It is a temporary facility for a limited period and will be specified as such in any planning consent.

Sites for touring caravans

The establishment of sites for touring caravans in the Millom Without area will not normally be considered. Short-term small scale parking may be considered if:

- i) The site is located so that it has a minimal impact on the landscape and is appropriately screened at the time of application.
- ii) It is located close to a group of buildings with residential content.
- iii) It does not require the provision of new or improved vehicular access, new buildings or overground utility services.
- iv) It will not result in detrimentally intrusive parking provision.
- v) It will not have a significant adverse effect on residential amenity or on the special qualities of the area.

Sites for static holiday caravans

Sites for permanent static caravans, for multiple or single units, should not be considered.

Residential caravans, mobile homes and other, non-residential structures.

The siting of caravans or mobile homes should not be permitted for use as permanent dwellings. Temporary permission may be given during construction or other site works. Structures such as shipping containers used as site offices or for storage purposes must be removed when the principal work is completed, in no circumstances can they become permanent.

Section 6 – Accessibility, Transport and Communications

Protection of public rights of way and access opportunities.

Any proposed planning application which will cause obstruction, damage or lead to an unacceptable use of a public right of way should not be considered unless a suitable alternative route is available or provided and has been included in the planning application. All steps to approve such diversion must be agreed by the proper authorities.

Any work will be subject to a condition that it does not commence until the alternative route has been provided.

New or improved public rights of way or access.

Proposed developments should:

- i) not inhibit or obstruct existing and potential public access routes;
- ii) be linked to the public access network; and
- iii) enhance, where appropriate, the extension or improvement of the public access networks including footpaths, cycle and equestrian ways and provision for people with disabilities.

N.B. A missing link of the Cumbrian coastal way needs to be activated on the Duddon Estuary embankment section between the railway viaduct at Lady Hall to Duddon Bridge. A short length of about 25 m is inaccessible where it crosses farm land on the river embankment adjacent to Duddon Bridge. This can only be used at present by applying for permission to the farmer who keeps the gate locked.

Pedestrians, cyclists and equestrians

The design and layout of development proposals will where appropriate be required to include measures that address the needs of pedestrians, cyclists, equestrians and people with disabilities, including acceptable means of access to and within the development.

Applicants must consider the needs of public transport users and include appropriate facilities in their scheme to improve the quality and accessibility of public transport for both residents and visitors.

Public access and transport facilities

Development should be considered for facilities that would help to maintain or improve the public transport network subject to all the following criteria being met:

- i) is fully integrated with the public rights of way network.
- ii) would not significantly affect residential amenity of the surrounding area.
- iii) reflects the special qualities of the surrounding area.
- iv) is fully integrated with the transport and public access network of the area.
- v) Bus and Train services should be coordinated to complement each other. Buses should be linked to railway stations to deliver and collect passengers. Through ticketing is recommended.
- vi) The train service north of Millom should be improved, particularly in the evenings. A service should be provided on Sundays.

Journey generating developments

Developments that would either individually or cumulatively generate significant numbers of journeys should only be considered if both the following criteria are met.

- i) It is adequately served by public transport.
- ii) It is accessed from the public rights of way network.

Provision of off road parking

Any new dwelling or converted dwelling should have sufficient off-road parking or garage space within the curtilage of the dwelling for a minimum of two cars. In the case of larger dwellings more parking space will be required as appropriate.

Broadband and Telecommunication links – Many areas in South Copeland have poor electronic communication links. Some areas are not able to receive Broadband internet connections and in general Broadband speeds are very slow (a recent survey has shown most speeds to be below 1Mb/s and one as slow as 0.18 Mb/s, in addition many dwellings have very poor or zero cell phone connectivity. Every effort should be made to improve this situation. It is very difficult operate any modern business under these conditions (e.g. tourism, hospitality, farming, brewing, etc.).

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Telecommunications

Telecommunications development, including masts, structures and associated development should only be considered if:

- i) the applicant can demonstrate that the proposal is part of a telecommunication code operator's network strategy for the provision of telecommunications within the Parish.
- ii) the applicant can demonstrate that the needs of network coverage and capacity cannot be provided through solutions which are less environmentally harmful, sharing existing telecommunications masts or sites, or by using existing buildings or structures.
- iii) the siting, size and design of all elements of the proposal are such as to minimise the impact on the landscape and the wider environment of the Parish.
- iv) The design of any new mast is such that reasonable provision can be made for future sharing if appropriate.

Where appropriate a planning condition will be imposed to ensure that the mast or site would be available for sharing. When permission is granted it will be subject to a condition requiring the removal of the apparatus or structure as soon as reasonably practical after it is no longer required for telecommunications purposes.

The precautionary principle in relation to health effects of mobile phone base stations should be employed. In considering proposals that include the development of base stations, applicants will be required to include with their application a statement confirming that the apparatus when operational will meet the International Commission on Non-Ionising Radiation Protection (ICNIPR) guidelines for public exposure.

Section 7 – Environmental Protection and Enhancement

Flood Risk – Much of Millom Town and all of the estuarial boundary of Millom Without Parish (approximately 8 km) is at risk of flooding from the sea and/or rivers. These areas are the largest tidal 'at risk' areas in Copeland.

The Environment Agency, at a series of public meetings, and in consultation papers, has indicated that it is considering reducing its efforts in defence of the coast. A plan covering the next hundred years has postulated the abandonment of embankment maintenance in about twenty-five years time. Though this is not a firm position at this stage it is being seriously discussed.

A significant number of dwellings in Millom Without are situated on the flood plain. When properties are purchased an environmental report is required which includes an assessment of flood risk. Many properties lie in an area of risk (from the sea and or mountain streams) of 1:100 (one in a hundred year risk) and some are at this risk from both sea and streams. There are dwellings at greater risk.

Having regard for climate change and sea level rise the following should be addressed:

Flood Risk

Within areas of flood risk, as shown on the flood zone maps prepared by the Environment Agency, development will not be considered in areas at predicted risk of flooding at intervals more frequent than 1 in 200 years (1:200) and where the appropriate minimum standard of flood defence cannot be, or is unlikely to be, maintained for the lifetime of the development.

In areas of flood risk it should be a requirement of any planning application that the following conditions are met:

- i) adequate flood precautions are taken, and/or surface water storage features are incorporated to protect against flooding; and
- ii) there will be no adverse effect upon the flood storage capacity of the flood plain (minimised concreted and tar-sealed areas); and
- iii) there will be no consequent significant risk of flooding elsewhere; and
- iv) all necessary flood defence and surface drainage works are secured in phase with the development.

Where flood prevention measures are required an agreement ('Section 106 agreement') may be sought to ensure that the developer carries out the necessary works and that future maintenance commitments are met.

Where sites are suspected of being at risk from flooding and flood risk information is not available applicants will be required to carry out a detailed technical investigation to evaluate the risk of flooding.

Development will not be considered unless any proposed drainage systems and protection schemes are sustainable.

Sewers and Drains –

Foul and surface water drainage

Development that would increase the demands on off-site sewerage infrastructure, such as surface water drainage, foul water drainage and waste water treatment, should only be considered if:

- i) adequate capacity already exists (the Council may require an independent inspection and assessment of sewage provision to be made); or
- ii) satisfactory improvements can be provided to serve the development without adverse impacts on the environment or residential amenity.

Where off-site infrastructure (sewer) improvements are programmed, commencement of development will be controlled through the imposition of conditions.

In villages (such as The Green and The Hill) which have grown in size considerably and there are no mains sewers further development which involves septic tank provision is to be discouraged.

Development by water and sewage undertakings

Development that will enable water and sewerage undertakers to meet their statutory obligations and to comply with the relevant national and European standards, will be encouraged subject to a high quality of design and no significantly adverse impact on amenity, landscape, nature conservation or historic interest.

Farming

Introduction - Farmers have always played an essential role in forming and managing the landscape of this area and maintaining the quality of the environment. The farming industry, however, is becoming increasingly difficult to sustain and its future remains uncertain. Farming is not only important for land management but also remains central to the cultural heritage of this area.

Significant changes have taken place in agriculture and further pressure for change is likely to arise as the emphasis in agricultural support continues to shift from maximising production to embracing environmental objectives. Some new development in the countryside is necessary to enable farmers to continue to farm effectively and to respond to changing circumstances. The role of this document to ensure such development is carried out in a way that minimises the impact on the special qualities of the Parish.

Objectives - The farming objectives for this document are:

- to support the growth and diversification of the farming economy where this is in accordance with the special qualities of the area;
- to ensure the sensitive siting and design of new farm buildings and associated structures; and
- to prevent the loss of important agricultural land.

Agricultural buildings and structures - Agricultural and forestry buildings and structures should be considered if all the following criteria are met:

- i) It is necessary in that location and its proposed function cannot be achieved by the appropriate and economically viable adaptation of an existing traditional building.
- ii) In terms of siting and external appearance, it will not detract significantly from the surrounding landscape, including any wildlife, archaeological or building conservation interest.
- iii) It will not adversely affect residential amenity or the use of any public right of way.
- v) It will not create significant traffic problems on access or approach roads.

Where necessary in the granting of approval, an agreed landscape enhancement scheme will be required meeting the requirements of Policy 3 above.

Buildings and structures granted planning permission under this policy will be required to be dismantled and removed from the site when no longer in agricultural use, unless permission is given for change of use.

Farm diversification - Farm diversification activities will be considered if all the following criteria are met.

- i) Its location, scale and character will not adversely affect the special qualities of the surrounding area.
- ii) It assists viability and does not prejudice the farming enterprise.
- iii) It will not adversely affect the residential amenity of neighbouring properties.
- iv) It will not result in unacceptable traffic levels.

Development involving new buildings should only be considered where it can be demonstrated that the conversion or re-use of a suitable existing building cannot accommodate the proposed activity.

Residential lets and self-catering holiday accommodation. The conversion of traditional buildings to provide residential lets or short-stay, self-catering accommodation should be considered if the following criteria are met.

- i) It is part of an established agricultural business.
- ii) The buildings are part of the core of the agricultural holding and located within existing groups of buildings that have a close physical and visual relationship to each other and have a residential content.
- iii) Parking provision will not be detrimentally intrusive in the landscape.
- iv) In the case of residential use occupancy will be restricted to those categories of local need set out under 'Affordable Housing' above and tenure will be restricted to letting only.

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- v) Secure arrangements by way of a legal agreement will be required relating to only so much of the agricultural holding as is necessary to ensure the accommodation will remain as part of the agricultural business.
- vi) The development accords with Policy (1) above.

Important agricultural land

Development involving the loss of agricultural land should only be considered if it can be demonstrated that the development cannot be accommodated on previously developed land or on land within a settlement. If the use of agricultural land is unavoidable the development should be accommodated on land of lower quality.

Millom Without Parish Council – Representations

Do you wish to take part or be represented in the public hearing?

Yes No

Yes, at this stage we wish to reserve the right to take part.

Please tick in the relevant box(es) if you wish to be notified of

- submission of the plan for public examination by an independent Planning Inspector,
- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:

Mr. S. Brighton
(Clerk to the Council)

Date:

12th July 2012

Please use a separate form for each comment in support or objecting and return this form **no later than 13th July 2012.**

Thank you for completing this form

Core Strategy and Development Management Policies Pre-submission Consultation

Representation Form

Please use this form to indicate which part(s) of the Core Strategy and Development Management Policies Development Plan Document you either support or object to, together with any amendments/additions you would like to see.

Please use a separate form for each expression of support or objection.

Please complete and return this form **no later than 4.00 pm on the 13th July 2012** to:

Planning Policy Team
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

For internal use:

Resp. No. 36
Rep. No. S102-S122
Date Rec. 13/7/12

Or email: ldf@copeland.gov.uk

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Mr. S. Brighton	None at this time
Position	Clerk to the Council	
Organisation	Millom Without Parish Council	
Address	Calobra By Dunningwell The Green Millom Cumbria	
Postcode	LA18 5JT	
Telephone	01229 776847	
Email	sidbrighton@btinternet.com	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

See
following
sheets

Paragraph

As
detailed
over

Sustainability
Appraisal

Not
specifically
addressed

Do you consider the Core Strategy and Development Management Policies Development Plan Document to be sound?

(Please tick ✓ as appropriate)

See covering statement – we believe that the strategy, while an excellent document, as far as it goes, does not always reflect well the concerns of our rural community.

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

For further information please consult the Planning Inspectorate's Soundness Guidance at http://www.planningportal.gov.uk/uploads/pins/ldf_dpd_soundness_guide.pdf

Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

The Millom Without Parish Council's concern is, in the light of the new circumstances relating to the Localism Act. 2011, that your consultation procedure does not give adequate scope for the expression of local concerns

The Council's observations are appended on the following pages

3102

Please indicate what change(s) you consider necessary to make it sound.

Paragraphs 3.3.23 to 25

S102
The draft LDF does not, we believe, differentiate sufficiently between the needs of the urban centres of population and the rural areas. In this respect we would question whether it meets the spirit or even the letter of the Localism Act. It is appreciated that the Localism Act apparently imposes huge demands on the principal authorities. However; the Millom Without Parish Council is drafting its own Neighbourhood Plan and no doubt other Parish Councils have, or will do, the same. It is felt that the relevant policies and concerns from the Millom Without and other Parish Councils should be acknowledged and reflected in the Copeland LDF and the concerns of Millom Without are set out below:

- S103
1. **Maintenance of the Rural nature of the Area.** The rural nature of the area ought to be respected and the individuality of the small communities preserved. Settlement boundaries are under pressure and at The Green and The Hill and these have been considerably extended. The number of dwellings at The Green, for example, has increased by in excess of 400% since the early 1950's. Throughout the same period there has been a major decline in local opportunities for employment. Therefore, rural development has had the effect of increasing the travel to work distances and road traffic with all the consequential costs both environmental and economic. It is feared that the area may come under pressure for further inappropriate development on an even larger scale.
 2. **Development.** The MWPC supports limited development of a sympathetic nature which would be appropriate to community needs. For example, affordable, environmentally friendly homes (especially starter homes) for local people, bearing in mind the nature of the area and need for well designed houses sympathetic to the vernacular architecture. There are already sufficient, or even too many, large new 'executive style' homes, some with very inappropriate architecture. Design excellence should be encouraged and all developments should be based on sustainable principles.

S104
Any development which may disturb the habitat of protected species should only be considered if adequate provision is made for the protection of such species. If planning permission is granted conditions should be imposed to ensure their continued protection.

- S105
3. **Infrastructure.** (Rail & Road, Transport, Drains, etc.) Where development impacts on the infrastructure, or is likely to have unavoidable adverse effects on the environment appropriate planning conditions should be imposed to mitigate any adverse effects of the proposed development.

The use of rail transport should be strongly supported for both personal and industrial use (In particular quarry products from Ghyll Scuar quarry).

Character of the Area - Section 3

Major Development – Millom Without Parish

5106 Major development is not appropriate in the Parish and should not be permitted except in exceptional circumstances.

Proposals for major development should be subject to the most rigorous examination and must clearly demonstrate that they are in the public interest.

The examination of such proposals should include an assessment of the criteria below:

- i) The need for the development at a national level and the impacts on the local economy.
- ii) The cost and scope of developing outside the Parish or for meeting the need in some other way. Applicants will be required to demonstrate that alternative solutions have been fully examined and no suitable alternative site is available.
- iii) The impacts on the environment and the landscape, and the extent to which it should be moderated. Any construction or restoration must be carried out to high environmental standards.
- iv) No development should be permitted which has a tendency to merge existing distinct and separate settlements.

Character of the Area - Section 3 particularly Paragraphs 3.5.8 and 3.5.16

The MWPC is particularly concerned about the propensity of developers to opt for, and be granted, planning consent for executive style homes in the villages.

5109 **Maintenance of the Rural nature of the Area.** The rural nature of the area ought to be respected and the individuality of the small communities preserved. Settlement boundaries are under pressure and at The Green and The Hill these have been considerably extended. The number of dwellings at The Green and The Hill have increased in size considerably since the early 1950's. In the case of The Green this increase has been excess of 400%. Throughout the same period there has been a major decline in local opportunities for employment. Therefore, development has had the effect of increasing the travel to work distances and road traffic with all the consequential costs both environmental and economic. In some cases very long distances are being travelled to and from work every day. It is feared that the area may come under pressure for further inappropriate development on an even larger scale.

Development in Protected or Sensitive Areas.

Development should not be permitted on sites such as:

- iii) designated or proposed sites of special scientific interest (SSSIs);
- iv) RAMSAR areas and those areas closely adjacent;
- v) other important nature conservation or geology sites;
- vi) conservation areas;
- vii) important archaeological or historical sites;

Possible Exceptions - Affordable Housing.

Small-scale housing schemes may be considered on land or through the conversion of buildings adjoining the defined housing development boundaries of settlements, where it is clearly demonstrated that there is a proven local need for affordable housing that cannot reasonably be provided within a development boundary. Additionally the criteria below should be met:

- i) All dwellings will be, and will remain, available for people with a local housing need, at an affordable cost to rent or shared ownership. An obligation should be sought from the developer that the scheme will be managed by a housing association or trust. It should be a condition of any such planning permission that a binding legal obligation will be put in place, to ensure that the above restrictions will apply to the property in perpetuity.
- ii) The development must respect the character and appearance of the settlement and its setting in the countryside.

Development in Areas liable to Flooding – see also page 19

Development should not be allowed in any circumstances on areas of floodplain designated by the environment agency or other relevant authority with a greater flood risk than 1 in 200 years.

It is particularly important not to allow development on any land subject to flooding where properties already exist and where further development may exacerbate the situation or increase the flood risk.

Economic Opportunity and Regeneration – Section 4.5

Nuclear Repository

Summary: The Parish Council does not support the current proposals for the following reasons:

- 5108
- i) the present consultation to identify a suitable site is too narrowly focussed, offers no geographic comparisons and gives priority to community acceptance in the areas volunteered by principal councils rather than geological suitability and secure containment,
 - ii) the extreme longevity of this project and nature of the elements to be stored makes the utmost caution essential,
 - iii) the opportunity for the Parish Council's views to be influential may be lost when decision making defaults to principal councils, perhaps before the extended consultation period ends,
 - iv) remaining mineral deposits (e.g. iron ore which was previously mined in the Millom and Furness areas up to 1968) may be made unrecoverable in future centuries by the proximity of a nuclear repository.

Argument:

1. The Parish Council recognises the national importance of the proper disposal and storage of nuclear waste. It is also aware of the time-scales involved both in building and storage. On the one hand urgent action is necessary because of the unsatisfactory nature of the present storage arrangements. On the other hand the essential longevity of storage makes, for example, the eight-and-a-half thousand years since the land-bridge to Europe was lost (due to rising sea levels) seem as yesterday compared with the expected duration of this programme.
2. In view of the above, the Parish Council is of the opinion that it is the duty of the government and the nuclear industry to investigate widely and give principal weight to criteria based upon geological considerations in the most rigorous sense. Therefore, the search for a site should not be confined to the areas of those principal councils which have, at present, expressed an interest, thus excluding a truly wide and impartial study which offers a range of choice.
3. It is in the national interest that:
 - First, the proposed site should be determined by a wide examination of suitable areas and that the final selection should be made only from among those sites which best satisfy scientific and geological requirements.
 - Secondly, South Copeland and the, nearby, Furness peninsula are potentially rich sources of mineral deposits. For example, iron ore (which was extensively mined from the mid-nineteenth century until 1968) may again become economically viable to extract in the future. The cessation of mining in the Millom area was due to the ingress of water and the cost of pumping rather than exhaustion of deposits. It is understood that the possible future availability of mineral deposits has led to other areas being excluded from consideration as suitable sites.
4. It is tempting for the Parish Council to take the suggested process forward as indicated in the public consultation documents ('Geological disposal of radioactive waste in West Cumbria') due to its urgency and importance and thus agree to await more information at a later date. The Council is of the opinion that this is an unsatisfactory way to address the matter,
 - First, because it is wrong in principle as the criteria of selection is too restrictive and does not best serve the national interest (see paragraphs 2 & 3).
 - Secondly, in waiting for more information the opportunity to decline to become further involved may pass from small councils and the decision making power default to the principal councils whose views will not necessarily reflect the views of this or other Parish Councils.
5. For the reasons given above this Parish Council does not give its assent to the present proposals.

Comment

6. A long-term project such as this should be sited at an optimum location and be inherently as flexible as possible. It is very likely, that in the time-scale envisaged the methods of disposal, processing or containment of nuclear waste will be modified or improved. It is of fundamental importance, therefore, that flexibility should be built into the system and allow for future developments at a safe and secure site.

Renewable Energy – Section 4 and Policies ER2 and ER3

SUS9

The Parish Council is aware of the need for renewable energy generation and broadly supports this. However the proliferation of very large wind generation turbines both at sea (possibly set to become the largest such project in Europe) and on land is causing concern.

The increasing height of such turbines and their number is of major concern. Millom Without has common borders with South Lakeland and Barrow-in-Furness both of which have wind turbine 'farms' on sights which have unobstructed visibility from Millom, Millom Without and Whicham and the National Park. The massive, and expanding, wind generation facility in the Irish sea is also clearly visible. Applications are already in the pipe-line for additional, very large, turbines on local land to the north of Haverigg; the Council now feels, on the grounds of cumulative impact, that 'enough is enough'. However, it may be that some small scale facility of purely local importance may be reasonable and, therefore, the following is proposed:

Renewable energy developments

Small-scale renewable energy developments to meet local energy needs should be considered if all the following criteria are met:

- i) It will not adversely affect the character of the landscape, settlements or buildings either individually or as a consequence of a cumulative impact.
- ii) It does not adversely affect the natural environment and wildlife or, in the case of rivers or streams, aquatic life.
- iii) It does not adversely affect the archaeological interest, residential or recreational amenity of the surrounding area.

Small-scale renewable energy schemes that result in local environmental benefits for example the removal or avoidance of the use of overhead wires could be considered.

Large scale renewable energy developments of more than local importance should not be considered unless it can be demonstrated that the development will not have any significant adverse effect on the qualities of the area and its infrastructure..

In the case of wind energy, development a ground to hub height of 25 metres (82ft) or more should not be considered.

Utility service lines

In the case of new overhead utility service lines these should, as far as possible, be placed underground.

Section 5 – Sustainable Settlements 5.2 Improving the Housing Offer

S110

General design. The Parish Council considers that development in its area should only be considered if all the following criteria are met:

- i) It is of a kind, scale, siting, density and detailed design which is sympathetic to or enhances the landscape character, special qualities and local distinctiveness of the surrounding area.
- ii) It uses materials that are appropriate to the local character and distinctiveness of the surrounding buildings and wider landscape.
- iii) It must be located within or adjoining an existing group of buildings already having a residential content and enjoying basic services.
- iv) It does not have an unacceptable impact on neighbouring amenity and ensures an adequate level of amenity for the future occupants of the development, in relation to nearby uses.
- v) It respects the existing natural, built and historical features in and around the site.
- vi) It minimises the use of energy and other natural resources, uses sustainable materials and is designed for long life.
- vii) In the case of applications for the conversion of barns or other buildings into dwellings.
 - a. Applications should be considered sympathetically providing the provisions, above, of this policy are met.
 - b. Appropriate conditions are imposed to safeguard and maintain any population of owls, bats, swallows, swifts, or endangered species within or affected by the development.
- viii) See also the Councils representations concerning Section 7 – Flood Risk, page 19

Accessibility and Safety - Development proposals should clearly demonstrate that the overall design of the scheme has taken into account the security, safety and access needs of all potential users and residents.

All aspects of the development should be acceptable in terms of their impact on the special qualities of the surrounding area. Particular attention should be given to the site layout and the relationship between buildings, garden areas, car parking spaces and vehicular access.

N.B. - No dwellings may be certified for occupation, or occupied until all access roads are completed and surfaced to an acceptable standard to meet the requirements and standards for adoption by the highways authority.

Landscape Enhancement - Development proposals that would have an impact on the characteristic landscape of the Parish should require the inclusion of a landscape enhancement scheme in order to ensure that it blends well with character of the surrounding area.

Development should only be permitted where the landscape enhancement scheme meets the following criteria:

- ii) It forms an integral part of the proposal.
- iii) It incorporates measures for the protection, enhancement and creation of habitats using indigenous species appropriate to the locality.
- iv) It respects the ecological, geological/geomorphological, archaeological and historic character and the amenity of the surrounding area.
- v) It provides, where possible, links between sites of nature conservation importance to help contribute to the development of habitat networks.
- vi) It retains and incorporates the important natural, built and historic features of the area.

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Location of Employment - Section 4.6

Existing employment sites

5111 The expansion of existing premises in existing communities should only be considered if both the following criteria are met.

- i) Any new buildings are appropriate in scale and design to their surrounding area.
- ii) Any change in, or increased, activity does not unacceptably affect the residential amenity or the environment of the surrounding area.

Development that would lead to the loss of existing employment land or buildings should not be permitted unless paragraphs (iii) or (iv) below apply and conditions (i) and (ii) above are met:

- iii) the continuation of employment use on the site would be environmentally unacceptable, or incapable of being made acceptable; or
- iv) the business commenced less than three years ago on a site not then used for employment purposes.

Where a case is made that an employment use is no longer viable evidence will be required that the employment potential of the site has been advertised on the market for at least six months.

Conversion of traditional buildings to employment uses - The conversion of traditional buildings to employment uses should be considered if it accords with other policies in the document and if both the following criteria are met:

- i) There is sufficient land attached to provide for the functional needs of the proposal, and service and storage space can be provided without adversely affecting the character or appearance of the setting of the building and the local landscape.
- ii) The proposal is unlikely to generate a level and type of traffic that would be prejudicial to highway safety, or require highway improvements, or access requirements, that would have a detrimental affect on the character of the area.

Re-use of modern buildings

The conversion or re-use of modern buildings to employment uses should be considered if all the following criteria are met:

- i) The building is situated within or adjacent to an established settlement or is within a group of buildings.
- ii) The building is structurally sound. Structural survey will be required of the building where the condition of the building is in doubt or dispute.
- iii) The building and related service infrastructure can be acceptable in terms of its impact on its surroundings and on residential amenity.
- iv) All employment activities and storage are contained wholly within the building or are otherwise visually contained.
- v) The proposal is unlikely to generate a level and type of traffic that would be prejudicial to highway safety, or require highway improvements, or access requirements that would have a detrimental affect on the character of the area.
- vi) The proposal should not give rise to demand for the visually intrusive provision, renewal or extension of public utility services or place an unnecessary burden on social, community or emergency services.
- vii) The proposal is in conformity with Policy 1 above.

Where appropriate, a landscape enhancement scheme should be required as part of a proposal.

Home-based working - Development related to home-based businesses should only be considered where there would be no adverse effect on the special qualities of the surrounding area or residential amenity or the immediate neighbours.

Section 5 – Sustainable Settlements 5.2 Improving the Housing Offer
Also 5.3 Sustainable Housing Growth

S112

Affordable Housing – throughout the Parish

Small-scale housing schemes should be considered on land or through the conversion of buildings adjoining the defined housing development boundaries of settlements, where it is clearly demonstrated that there is a proven local need for affordable housing that cannot reasonably be provided within a development boundary. Additionally the criteria below should be met:

- i) All dwellings should be, and should remain, available for people with a local housing need, at an affordable cost to rent or shared ownership. An obligation should normally be sought from the developer that the scheme will be managed by a housing association or trust. It should be a condition of any such planning permission that a binding legal obligation will be put in place, to ensure that the above restrictions will apply to the property in perpetuity.
- ii) The development must respect the character and appearance of the settlement and its setting in the countryside.

Sub-division of existing houses - The sub-division of an existing house to form two or more dwellings should be considered if it does not have an adverse effect on the amenity of neighbours or the character of the area.

Outside of the housing boundaries of the existing settlements all additional dwelling units created through such sub-division should be restricted to meet local needs where it is clearly demonstrated that there is a proven local need for affordable housing that cannot reasonably be provided within a development boundary.

Replacement dwellings - The construction of a replacement dwelling in the countryside outside a settlement should only be permitted where:

- i) residential use has not been abandoned;
- ii) it is demonstrated that the repair of the existing building is not economically feasible or that the replacement building would bring about an environmental improvement in terms of its impact on its surroundings and the landscape surroundings;
- iii) the building is in a location where replacement would not cause unacceptable harm to the landscape; and
- iv) the new building will be in the same position as that which exists and will be of a similar size and scale with a suitable residential curtilage.

Any extensions that would increase the size of the replacement dwelling to the detriment of the locality, should not be permitted.

Settlement Historic Arrangement - Within a settlement, development should not be permitted that would result in the loss of or obscure building layout and plot patterns, where these provide evidence of the historic development of the settlement, and contribute to its character.

Building design - All new buildings must be in sympathy with their surroundings in terms of siting, scale, form and design meeting the requirements stated above. The use of external materials consistent with local building traditions should be required to maintain the character of the area.

Development within barns and other buildings - Development involving the total or substantial destruction of a traditional barn or other building should not be considered if the barn or building is:

- i) sound and substantially complete and important to the landscape, or
- ii) of architectural or historic interest.

Demolition of modern ancillary elements of a barn or building could be acceptable where this would help to secure the long-term integrity of the main structure.

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Conversion of traditional buildings - The conversion of buildings of traditional design and materials in accordance with other agreed policies should only be considered where:

- i) the building is large enough to accommodate the uses proposed without the need for alterations to the roof line or significant extension.
- ii) the building is capable of conversion to the proposed use without such change to its external appearance as to detract significantly from its contribution to the character of the area.
- iii) the building is capable of conversion without the need for substantial rebuilding and the external walls are structurally sound. The developer should, if requested, provide a full structural survey where the condition of the building is in doubt or dispute.
- iv) the proposal includes the retention of all existing external features which contribute significantly to the building's character including any surviving original openings or roofing materials.
- v) the original roofing material, if absent, or in need of replacement, should be replaced with a material and in a manner consistent with its age and location.
- vi) the proposal does not detract from the vernacular architecture of the building, nor adversely affect the contribution of its character to the local scene through the insertion, attachment, or erection of additional openings, accoutrements, or buildings which are other than essential to the proposed use. Planning permission granted for conversion of traditional buildings should be conditional upon the withdrawal of permitted development rights relating to such ancillary development.
- vii) the proposal does not result in any unacceptable loss of amenity for occupiers of neighbouring properties.

Where conversion of a traditional building is likely to result in the loss or obscurity of historical evidence important to an understanding of the development or the vernacular architectural traditions of the area, the developer will be required to provide an appropriate level of recording of the building in advance of works commencing, or during the period of development.

Extensions and alterations to buildings - Development involving the extension or alteration of a building that is not listed should be considered if the proposal accords with other Council Policies (e.g. Building design, etc.) and would not:

- i) be seen in to dominate the existing building in terms of shape, height, materials or windows.
- ii) result in any unacceptable loss of amenity for occupiers of neighbouring properties.
- iii) result in a loss of curtilage, including parking provision, leaving insufficient space to meet the needs of the property as altered or extended.

Any extension should respect the architectural integrity of the existing building and its setting in terms of design and use of materials.

Re-occupation of former houses

The re-occupation of former houses within or outside settlements should be considered provided that:

- i) the building is of such architectural or historic interest that its restoration in the landscape or village is justified.
- ii) the re-occupation can take place without the need for substantial rebuilding in that external walls of the buildings are structurally sound. The planning authority should reserve the right to require a full structural survey where the condition of the building is in doubt or dispute.
- iii) the re-occupation of the building does not give rise to the requirement for an additional curtilage or car parks which would adversely affect the character of the building or its setting.

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S13

Listed buildings or buildings of historic and/or architectural merit.

- i) The demolition, or substantial destruction, of a listed building or structure should not be considered unless a very strong case is made as to why the building or structure, or part thereof, cannot be retained or is not worthy of retention.
- ii) External alterations, internal alterations, or extensions to a listed building or structure, or to a building attached to, or within the curtilage of a listed building or structure, should only be permitted if the development is in keeping with the character of the building, or structure and does not detract from or prejudice its special interest. Materials, components and finishes must be appropriate in all respects to the retention of the character of the building.
- iii) The attachment of incongruous features should not be permitted where they would materially detract from the appearance or character of the listed building or structure.
- iv) The change of use of a listed building or structure should only be permitted where it would increase the likelihood of the survival of the building and where the consequent alterations can be achieved without harm to its character or special interest.
- v) Works affecting a listed building or structure should be accompanied by a detailed survey and proposal drawings of sufficient detail and accuracy as to enable an assessment of every proposed change to the structure and fittings of the building or structure to be made.

Any development or renovation proposal that affects the setting of such a building or structure should fully take into account the architectural and historic interest of the building. Applications for such development should include full proposal details.

Development which would adversely affect the setting of such a building should not be permitted.

No part of this, or any other policies, shall be taken as exempting a developer from compliance with Government regulations or other requirements in respect of listed buildings.

Historic landscapes

Development that would cause loss or damage to the integrity of historic landscapes or introduce incongruous elements into such landscapes should only be considered if the following criteria apply:

- i) The benefits of the proposal clearly outweigh the negative impacts.
- ii) Any negative impacts are minimised.

Development in Protected or Sensitive Areas.

Development should not be permitted on or near sites such as:

- i) Designated or proposed sites of special scientific interest (SSSIs);
- ii) RAMSAR areas and those areas closely adjacent;
- iii) Other important nature conservation or geology sites;
- iv) Conservation areas;
- v) Important archaeological or historical sites;
- vi) Areas of floodplain designated by the environment agency or other relevant authority with a greater flood risk than 1 in 200 years
- vii) Open spaces or areas of woodland which are public assets.

Section 5 – Green Infrastructure

0114

International sites of nature conservation importance - Development that is likely to have an adverse effect, directly or indirectly, on the integrity of a designated or proposed Ramsar site, special protection area (SPA) or special area of conservation (SAC) should not be considered. Development affecting internationally protected sites will require a thorough evaluation. The applicant should be required to provide such relevant information as required by any regulations for the time being in force for such areas before any application can be determined. The provision of such information will be at the applicant's cost.

Protection of species - Development that is likely to affect internationally or nationally protected species adversely will not be considered unless all the following criteria are met.

- i) It is demonstrated that there is essential need for the development that is sufficient to override nature conservation considerations.
- ii) There is no alternative solution for the development that would lessen the impact.
- iii) measures to protect the threatened species are included in the planning conditions.

Development affecting protected species will require a thorough evaluation at the cost of the applicant before any application can be determined.

Preventing habitat fragmentation and species isolation - Development that is likely to impact on the movement of species along wildlife corridors or are likely to result in the fragmentation of habitats will only be considered if it can be demonstrated that the corridor or habitat is not adversely affected.

Trees, woodlands and hedgerows - Development that would lead to the loss of, or damage to, trees, woodlands or hedgerows should only be granted in exceptional circumstances and subject to the planting of replacement trees wherever possible.

Protecting trees at risk from development - Development in close proximity to existing healthy trees should only be considered if both the following criteria are met.

- i) Adequate space has been left around existing healthy trees so as not to lead to future loss or damage.
- ii) The developer has specified how the trees will be protected in the course of development.

The planning authority should require a detailed tree survey to be submitted with a planning application.

New or improved habitats - As part of an acceptable development proposal, the restoration and enhancement and conservation of existing sites and for the creation of new areas of nature conservation interest should be required.

Historic landscapes - Development that would cause loss or damage to the integrity of historic landscapes or introduce incongruous elements into such landscapes should only be considered if the following criteria apply:

- i) The benefits of the proposal clearly outweigh the negative impacts.
- ii) Any negative impacts are minimised.

Scheduled ancient monuments or buildings of historic interest and other nationally important archaeological sites – Development that would remove damage or obscure a scheduled ancient monument, historic building or other nationally important archaeological sites or their setting should not be permitted except in exceptional circumstances. A thorough archaeological field evaluation of the impact of the proposal must be submitted before the consideration of any planning application affecting a scheduled ancient monument, historic building or other nationally important archaeological or historic site. Planning permission will not be considered without full account being taken of the nature, extent and significance of the said buildings or sites and the degree to which the proposed development is likely to affect them. The developer will be required to provide an evaluation at his or her expense in accordance with the requirements of the Parish Council. Where appropriate, protective and mitigation measures will be required by condition or legal agreement.

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Open spaces - Development should not be permitted in those areas identified as open spaces, or elsewhere where development would result in loss to or would significantly harm the character of open space which:

- i) provides a recreational resource to the local community; or
- ii) allows important public views; or
- iii) are of historical significance in contributing to an understanding of the development of the building pattern of the settlement, or is recognised as representing an important archaeological resource; or
- iv) contributes to the setting of an important buildings, or are important to the character or setting of the area.

Settlement Historic Arrangement - Within a settlement, development will not be permitted that would result in the loss of or obscure building layout and plot patterns, where these provide evidence of the historic development of the settlement, and contribute to its character.

Building design - All new buildings should be in sympathy with their surroundings in terms of siting, scale, form and design. The use of external materials consistent with local building traditions will be required where to maintain the character of the area.

Development within barns and other buildings - Development involving the total or substantial destruction of a traditional barn or other building will not be considered if the barn or building is:

- i) sound and substantially complete and important to the landscape, or
- ii) of architectural or historic interest.

Demolition of modern ancillary elements of a barn or building may be acceptable where this would help to secure the long-term integrity of the main structure.

Changing land to domestic use - Development involving the change of use of land to form domestic gardens and amenity space will be considered if it can be achieved without adverse effect on the special qualities of the area.

Where permission is granted it will be conditional upon the withdrawal of permitted development rights in respect of ancillary development within the curtilages of dwelling houses, and to the erection of means of enclosure compatible with the character of the area.

Permanent Signs and Advertisements - Fascia and hanging advertisement signs will only be permitted if both the following criteria are met:

- i) They are designed to be sympathetic in appearance to traditional signs and use simple lettering and colours appropriate to the character of the area.
- ii) They are not unduly large or out of proportion to the building on which they are to be displayed, and not so positioned on the building as to detract from its appearance or from its contribution to the landscape.

Internally illuminated signs or fixed projecting canopies will not be considered.

Any national or regional regulations pertaining to temporary signs, for example 'For Sale' or 'To Let' notices and other advertising or information signs must be complied with.

Advance Signs and Advertisements - Advance signs and advertisements beyond the premises to which they relate will only be considered if all the following criteria are met:

- i) There would be no material harm to the landscape.
- ii) There is no prejudice to road safety.
- iii) It would be impractical for the facility being advertised to be included on a composite sign for other facilities in the immediate area, whether or not such a sign is currently in existence.

Any national or regional regulations pertaining to temporary signs, for example 'For Sale' or 'To Let' notices and other advertising or information signs must be complied with.

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Protecting the environment

S116

Development should not be considered where it would result in an unacceptable impact on either:

- i) the quality or quantity, or flow of surface or ground water; or
- ii) the quality of the air, land or soil; or
- iii) the level of noise, dust, vibration or light; or
- iv) the health and safety of the public

Contaminated and unstable land

Development on or near to land known or suspected of being contaminated or unstable should only be considered where the site has been fully assessed and it has been demonstrated that any proposed development of the site will not result in a risk to human health or the environment (air, land or water).

Provision of community sport and recreation facilities

S. 1

New, or improvements to existing community sport and recreation facilities should be considered if all the following criteria are met.

- i) There is a proven local community need for the facility.
- ii) It is appropriately located within or adjacent to settlements or school to serve the needs of the local community.
- iii) It will not adversely affect the character of the surrounding area or residential amenity.

Protection of existing community sport and recreation facilities.

Development that would result in the loss of, or will unacceptably affect the use of, existing community sport and recreation facilities, or recreational open spaces, should only be considered if either:

- i) an up-to-date recreational needs assessment clearly shows the existing facilities to be surplus to requirements; or
- ii) an alternative facility has been secured within or adjacent to the settlement and is of at least equivalent size, quality, accessibility, usefulness and attractiveness, to serve the needs of the local community.

Noisy sports

Noisy sports and recreational activities should only be considered if all the following criteria are met:

- i) There would be no adverse effect upon the peace and quiet of remote or tranquil areas.
- ii) No significant harm would be caused to the amenity of residents and visitors to the area.
- iii) The special qualities of the area, including nature conservation and archaeology, would not be adversely affected.
- iv) The proposed new facility is capable of sustaining the proposed level of use.
- v) The traffic generated on the local and minor roads would not be excessive.

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S118. **Private equestrian developments**

The erection of a stable or loosebox, or other associated development for horses kept for private recreational use, should only be considered if it is located within or adjacent to an established settlement or a residential curtilage and where it can be demonstrated that the conversion or re-use of an existing building cannot accommodate the need.

In all cases, a proposal will only be considered if all the following criteria are met.

- i) Its scale, character and location would not adversely affect the special qualities of the surrounding area.
- ii) It will not adversely affect residential amenity.
- iii) It accords with the Policies on Building design set out in this document.

S119. **Tented camp sites**

The use of land as a tented camp site may be considered provided that:

- i) The site is located so that it has a minimal impact on the landscape and is appropriately screened at the time of application.
- ii) It is located close to a group of buildings with residential content.
- iii) It does not require the provision of new or improved vehicular access, new buildings or overground utility services.
- iv) It will not result in detrimentally intrusive parking provision.
- v) It will not have a significant adverse effect on residential amenity or on the special qualities of the area.
- vi) It is a temporary facility for a limited period and will be specified as such in any planning consent.

Sites for touring caravans

The establishment of sites for touring caravans in the Millom Without area will not normally be considered. Short-term small scale parking may be considered if:

- i) The site is located so that it has a minimal impact on the landscape and is appropriately screened at the time of application.
- ii) It is located close to a group of buildings with residential content.
- iii) It does not require the provision of new or improved vehicular access, new buildings or overground utility services.
- iv) It will not result in detrimentally intrusive parking provision.
- v) It will not have a significant adverse effect on residential amenity or on the special qualities of the area.

Sites for static holiday caravans

Sites for permanent static caravans, for multiple or single units, should not be considered.

Residential caravans, mobile homes and other, non-residential structures.

The siting of caravans or mobile homes should not be permitted for use as permanent dwellings. Temporary permission may be given during construction or other site works. Structures such as shipping containers used as site offices or for storage purposes must be removed when the principal work is completed, in no circumstances can they become permanent.

Section 6 – Accessibility, Transport and Communications

Protection of public rights of way and access opportunities.

Any proposed planning application which will cause obstruction, damage or lead to an unacceptable use of a public right of way should not be considered unless a suitable alternative route is available or provided and has been included in the planning application. All steps to approve such diversion must be agreed by the proper authorities.

Any work will be subject to a condition that it does not commence until the alternative route has been provided.

New or improved public rights of way or access.

Proposed developments should:

- i) not inhibit or obstruct existing and potential public access routes;
- ii) be linked to the public access network; and
- iii) enhance, where appropriate, the extension or improvement of the public access networks including footpaths, cycle and equestrian ways and provision for people with disabilities.

N.B. A missing link of the Cumbrian coastal way needs to be activated on the Duddon Estuary embankment section between the railway viaduct at Lady Hall to Duddon Bridge. A short length of about 25 m is inaccessible where it crosses farm land on the river embankment adjacent to Duddon Bridge. This can only be used at present by applying for permission to the farmer who keeps the gate locked.

Pedestrians, cyclists and equestrians

The design and layout of development proposals will where appropriate be required to include measures that address the needs of pedestrians, cyclists, equestrians and people with disabilities, including acceptable means of access to and within the development.

Applicants must consider the needs of public transport users and include appropriate facilities in their scheme to improve the quality and accessibility of public transport for both residents and visitors.

Public access and transport facilities

Development should be considered for facilities that would help to maintain or improve the public transport network subject to all the following criteria being met:

- i) is fully integrated with the public rights of way network.
- ii) would not significantly affect residential amenity of the surrounding area.
- iii) reflects the special qualities of the surrounding area.
- iv) is fully integrated with the transport and public access network of the area.
- v) Bus and Train services should be coordinated to complement each other. Buses should be linked to railway stations to deliver and collect passengers. Through ticketing is recommended.
- vi) The train service north of Millom should be improved, particularly in the evenings. A service should be provided on Sundays.

Journey generating developments

Developments that would either individually or cumulatively generate significant numbers of journeys should only be considered if both the following criteria are met.

- i) It is adequately served by public transport.
- ii) It is accessed from the public rights of way network.

Provision of off road parking

Any new dwelling or converted dwelling should have sufficient off-road parking or garage space within the curtilage of the dwelling for a minimum of two cars. In the case of larger dwellings more parking space will be required as appropriate.

Broadband and Telecommunication links – Many areas in South Copeland have poor electronic communication links. Some areas are not able to receive Broadband internet connections and in general Broadband speeds are very slow (a recent survey has shown most speeds to be below 1Mb/s and one as slow as 0.18 Mb/s, in addition many dwellings have very poor or zero cell phone connectivity. Every effort should be made to improve this situation. It is very difficult operate any modern business under these conditions (e.g. tourism, hospitality, farming, brewing, etc.).

Continued on page 18 ...

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Telecommunications

Telecommunications development, including masts, structures and associated development should only be considered if:

- i) the applicant can demonstrate that the proposal is part of a telecommunication code operator's network strategy for the provision of telecommunications within the Parish.
- ii) the applicant can demonstrate that the needs of network coverage and capacity cannot be provided through solutions which are less environmentally harmful, sharing existing telecommunications masts or sites, or by using existing buildings or structures.
- iii) the siting, size and design of all elements of the proposal are such as to minimise the impact on the landscape and the wider environment of the Parish.
- iv) The design of any new mast is such that reasonable provision can be made for future sharing if appropriate.

Where appropriate a planning condition will be imposed to ensure that the mast or site would be available for sharing. When permission is granted it will be subject to a condition requiring the removal of the apparatus or structure as soon as reasonably practical after it is no longer required for telecommunications purposes.

The precautionary principle in relation to health effects of mobile phone base stations should be employed. In considering proposals that include the development of base stations, applicants will be required to include with their application a statement confirming that the apparatus when operational will meet the International Commission on Non-Ionising Radiation Protection (ICNIPR) guidelines for public exposure.

Section 7 – Environmental Protection and Enhancement

S121

Flood Risk – Much of Millom Town and all of the estuarial boundary of Millom Without Parish (approximately 8 km) is at risk of flooding from the sea and/or rivers. These areas are the largest tidal 'at risk' areas in Copeland.

The Environment Agency, at a series of public meetings, and in consultation papers, has indicated that it is considering reducing its efforts in defence of the coast. A plan covering the next hundred years has postulated the abandonment of embankment maintenance in about twenty-five years time. Though this is not a firm position at this stage it is being seriously discussed.

A significant number of dwellings in Millom Without are situated on the flood plain. When properties are purchased an environmental report is required which includes an assessment of flood risk. Many properties lie in an area of risk (from the sea and or mountain streams) of 1:100 (one in a hundred year risk) and some are at this risk from both sea and streams. There are dwellings at greater risk.

Having regard for climate change and sea level rise the following should be addressed:

Flood Risk

Within areas of flood risk, as shown on the flood zone maps prepared by the Environment Agency, development will not be considered in areas at predicted risk of flooding at intervals more frequent than 1 in 200 years (1:200) and where the appropriate minimum standard of flood defence cannot be, or is unlikely to be, maintained for the lifetime of the development.

In areas of flood risk it should be a requirement of any planning application that the following conditions are met:

- i) adequate flood precautions are taken, and/or surface water storage features are incorporated to protect against flooding; and
- ii) there will be no adverse effect upon the flood storage capacity of the flood plain (minimised concreted and tar-sealed areas); and
- iii) there will be no consequent significant risk of flooding elsewhere; and
- iv) all necessary flood defence and surface drainage works are secured in phase with the development.

Where flood prevention measures are required an agreement ('Section 106 agreement') may be sought to ensure that the developer carries out the necessary works and that future maintenance commitments are met.

Where sites are suspected of being at risk from flooding and flood risk information is not available applicants will be required to carry out a detailed technical investigation to evaluate the risk of flooding.

Development will not be considered unless any proposed drainage systems and protection schemes are sustainable.

Sewers and Drains –

Foul and surface water drainage

Development that would increase the demands on off-site sewerage infrastructure, such as surface water drainage, foul water drainage and waste water treatment, should only be considered if:

- i) adequate capacity already exists (the Council may require an independent inspection and assessment of sewage provision to be made); or
- ii) satisfactory improvements can be provided to serve the development without adverse impacts on the environment or residential amenity.

Where off-site infrastructure (sewer) improvements are programmed, commencement of development will be controlled through the imposition of conditions.

In villages (such as The Green and The Hill) which have grown in size considerably and there are no mains sewers further development which involves septic tank provision is to be discouraged.

Development by water and sewage undertakings

Development that will enable water and sewerage undertakers to meet their statutory obligations and to comply with the relevant national and European standards, will be encouraged subject to a high quality of design and no significantly adverse impact on amenity, landscape, nature conservation or historic interest.

Farming

5122 **Introduction** - Farmers have always played an essential role in forming and managing the landscape of this area and maintaining the quality of the environment. The farming industry, however, is becoming increasingly difficult to sustain and its future remains uncertain. Farming is not only important for land management but also remains central to the cultural heritage of this area.

Significant changes have taken place in agriculture and further pressure for change is likely to arise as the emphasis in agricultural support continues to shift from maximising production to embracing environmental objectives. Some new development in the countryside is necessary to enable farmers to continue to farm effectively and to respond to changing circumstances. The role of this document to ensure such development is carried out in a way that minimises the impact on the special qualities of the Parish.

Objectives - The farming objectives for this document are:

- to support the growth and diversification of the farming economy where this is in accordance with the special qualities of the area;
- to ensure the sensitive siting and design of new farm buildings and associated structures; and
- to prevent the loss of important agricultural land.

Agricultural buildings and structures - Agricultural and forestry buildings and structures should be considered if all the following criteria are met:

- i) It is necessary in that location and its proposed function cannot be achieved by the appropriate and economically viable adaptation of an existing traditional building.
- ii) In terms of siting and external appearance, it will not detract significantly from the surrounding landscape, including any wildlife, archaeological or building conservation interest.
- iii) It will not adversely affect residential amenity or the use of any public right of way.
- v) It will not create significant traffic problems on access or approach roads.

Where necessary in the granting of approval, an agreed landscape enhancement scheme will be required meeting the requirements of Policy 3 above.

Buildings and structures granted planning permission under this policy will be required to be dismantled and removed from the site when no longer in agricultural use, unless permission is given for change of use.

Farm diversification - Farm diversification activities will be considered if all the following criteria are met.

- i) Its location, scale and character will not adversely affect the special qualities of the surrounding area.
- ii) It assists viability and does not prejudice the farming enterprise.
- iii) It will not adversely affect the residential amenity of neighbouring properties.
- iv) It will not result in unacceptable traffic levels.

Development involving new buildings should only be considered where it can be demonstrated that the conversion or re-use of a suitable existing building cannot accommodate the proposed activity.

Residential lets and self-catering holiday accommodation. The conversion of traditional buildings to provide residential lets or short-stay, self-catering accommodation should be considered if the following criteria are met.

- i) It is part of an established agricultural business.
- ii) The buildings are part of the core of the agricultural holding and located within existing groups of buildings that have a close physical and visual relationship to each other and have a residential content.
- iii) Parking provision will not be detrimentally intrusive in the landscape.
- iv) In the case of residential use occupancy will be restricted to those categories of local need set out under 'Affordable Housing' above and tenure will be restricted to letting only.

Continued on page 21 ...

... Continued from page 21

- v) Secure arrangements by way of a legal agreement will be required relating to only so much of the agricultural holding as is necessary to ensure the accommodation will remain as part of the agricultural business.
- vi) The development accords with Policy (1) above.

Important agricultural land

Development involving the loss of agricultural land should only be considered if it can be demonstrated that the development cannot be accommodated on previously developed land or on land within a settlement. If the use of agricultural land is unavoidable the development should be accommodated on land of lower quality.



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LOCAL DEVELOPMENT FRAMEWORK

Core Strategy and Development Management Policies Pre-submission Consultation

Representation Form

Please use this form to indicate which part(s) of the Core Strategy and Development Management Policies Development Plan Document you either support or object to, together with any amendments/additions you would like to see.

Please use a separate form for each expression of support or objection.

Please complete and return this form **no later than 4.00 pm on the 13th July 2012** to:

Planning Policy Team
 Copeland Borough Council
 The Copeland Centre
 Catherine Street
 Whitehaven
 Cumbria CA28 7SJ

For internal use:	
Resp. No.75.....
Rep. No.S123-.....
Date Rec.10/7/12.....

Or email: ldf@copeland.gov.uk

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	David Bechelli	
Position	Flood and Coastal Defence Engineer	
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Postcode		
Telephone	01946 593048	
Email	David.Bechelli@copeland.gov.uk	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

Paragraph

Sustainability
Appraisal

Do you consider the Core Strategy and Development Management Policies Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

For further information please consult the Planning Inspectorate's Soundness Guidance at http://www.planningportal.gov.uk/uploads/pins/ldf_dpdp_soundness_guide.pdf

Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

Policy ENV1 – Flood Risk and Risk Management

I have concerns that key sites within Whitehaven will permit new build development. PPS25 did allow certain types of development in areas of flood risk, depending upon their vulnerability classification. Has the sequential test been taken out for these sites? What measures are included for mitigation of flooding? New build properties after 2012 will not be taken into account in funding bids for flood and coastal erosion defences, meaning that these developments should have protection included within the scope of the scheme.

The Sustainability Assessment for Policy ENV1 – Flood Risk and Risk Management

The following could be included within the "5 Flood Risk" section:

Embracing the principals of PPS25, development, even in areas of low flood risk can have a positive influence on flood risk elsewhere, if the proper controls are put in place.

The Sustainability Assessment for Policy ENV2 – Coastal Management

Some sections which may be misleading. The principles behind these need amended along the lines of:

1 Biodiversity: and 2 Landscape and Conservation: "The use of the word protection could possibly be misinterpreted, as protection in coastal terms means coastal erosion defences.

3 Water Resources: The main factor affecting bathing water quality and hence the cleanliness of coastal waters is heavy rainfall, which there is no control over. Other influencing factors are obviously sewer cross connections and overflows, agricultural land run off and also the use of the beaches by animals and vehicles.

Please indicate what change(s) you consider necessary to make it sound.

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

- submission of the plan for public examination by an independent Planning Inspector,
- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:

Date:

Please use a separate form for each comment in support or objecting and return this form no later than 13th July 2012.

Thank you for completing this form

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Planning Policy Team
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

For internal use:

Resp. No.85.....
Rep. No.S124.....
Date Rec.09/07/12.....

Or email: ldf@copeland.gov.uk

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
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2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

DM2

Paragraph

Sustainability
Appraisal

Do you consider the Core Strategy and Development Management Policies Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

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Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

Policy DM2 is the main development management policy which will be applied to all renewable energy development proposals in the district. The policy sets down a series of criteria which, as worded, it appears development "must satisfy" in their entirety i.e. the full list from A to H.

The policy test set down in criteria B and C which relate specifically to landscape and visual effects is that developments must have "no significant adverse effects". This is in contrast to the policy tests in relation to "ecological effects" (criteria D and E) or technical effects (criteria F) which refer to unacceptable effects.

"modern onshore wind turbines that are used in commercial wind farms are large structures and there will always be significant landscape and visual effects from their construction and operation for a number of kilometres around the site" (extract from National Policy Statement for Renewable Energy Infrastructure EN-3)

It is clear policy DM2, as worded, is open to be interpreted in such a manner as to effectively constitute a policy ban on all on shore wind energy development. Such an approach departs from national policy NPPF paragraph 97 and National Policy Statement for Renewable Energy Infrastructure EN -1 and EN-3.

Please indicate what change(s) you consider necessary to make it sound.

Amend criteria B and C of policy DM2 to reflect the policy test as set down in national planning policy i.e. development not to have a "unacceptable" landscape and/or visual effects. Such an assessment to be based on the landscape character and capacity baseline assessments reported in the Cumbria Wind Energy SPD (2007). The policy would benefit from a specific reference to this document. Alternatively, the text at paragraph 10.2.7 of the plan should be amended to make it clear that the criteria of policy DM2 will be interpreted in light of the findings of the SPD.

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

- submission of the plan for public examination by an independent Planning Inspector,
- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:

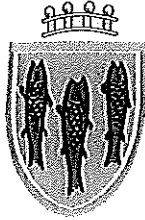
Date:

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TEL: 01946 820254/821185
WWW: markethalloffice@btconnect.com



EGREMONT TOWN COUNCIL

Respondent ID -
Rep. No - S125

Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

COPELAND BOROUGH COUNCIL
CORPORATE DIRECTOR
29 JUN 2012
PASSED TO: John Hughes
ACTION/INFO:

22-Jun-12


Dear Mrs Graham

CBC
DEVELOPMENT STRATEGY
RECEIVED 04 JUL 2012
PASSED TO
REPLIED

Re: Copeland Local Development Framework
Public Consultation on proposed Core Strategy & Development Management Policies
Submission Document

Egremont Town Council discussed the above pre-submission draft and Councillors think it is an excellent piece of work. Members have noted the general principle for sustainable development and await with interest the site allocation document to follow.

Yours faithfully


Mrs M Woodburn
Town Clerk





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LOCAL DEVELOPMENT FRAMEWORK

Core Strategy and Development Management Policies Pre-submission Consultation

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Please use a separate form for each expression of support or objection.

Please complete and return this form no later than 4.00 pm on the 13th July 2012 to:

Planning Policy Team
 Copeland Borough Council
 The Copeland Centre
 Catherine Street
 Whitehaven
 Cumbria CA28 7SJ

For internal use:	
Resp. No.	8
Rep. No.	S126
Date Rec.	5/7/12

Or email: ldf@copeland.gov.uk

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Richard Greenwood	
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2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy Paragraph and Sustainability Appraisal

Do you consider the Core Strategy and Development Management Policies Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

Cumbria Tourism broadly supports this policy ER10 'Renaissance through Tourism' Two minor suggested amendments

para E. Add importance of connections to visitor infrastructure such as car parks, toilets and signage in addition to transport connections.

para F replace 'Cumbria Tourist Board' with 'Cumbria Tourism'

in Key Policy Context (after para 4.10.8) add 'Tourism Strategy for Cumbria 2008-18'

Please indicate what change(s) you consider necessary to make it sound.

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

- submission of the plan for public examination by an independent Planning Inspector,
- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature: R. Greenwood

Date: 3/7/12

Please use a separate form for each comment in support or objecting and return this form no later than 13th July 2012.

Thank you for completing this form

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Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

Or email: ldf@copeland.gov.uk

For internal use:	
Resp. No.7.....
Rep. No.S127.....
Date Rec.2/7/12.....

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Anthony B Northcote	
Position	Planning Advisor to the Coal Authority	
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2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

Paragraph

Sustainability
Appraisal

**Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?**

(Please tick ✓ as appropriate)

Yes ✓

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

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Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

BACKGROUND ON THE COAL AUTHORITY

The Coal Authority is a Non-Departmental Public Body sponsored by the Department of Energy and Climate Change (DECC). The Coal Authority was established by Parliament in 1994 to undertake specific statutory responsibilities associated with the licensing of coal mining operations in Britain; handle subsidence claims which are not the responsibility of licensed coalmine operators; deal with property and historic liability issues; and provide information on coal mining.

The Coal Authority re-engaged with the three planning systems across England, Scotland and Wales. The main areas of planning interest to The Coal Authority in terms of policy making relate to:

- the safeguarding of coal as a mineral in accordance with the advice contained in the National Planning Policy Framework, paragraphs 143 and 144; and
- ensuring that future development is undertaken safely and reduces the future liability on the tax payer for subsidence and other mining related hazards claims arising from the legacy of coal mining in accordance with the advice in the National Planning Policy Framework, paragraphs 109, 120, 121 and 166.

BACKGROUND TO COAL RELATED ISSUES IN COPELAND

Surface Coal Resources and Prior Extraction

Although it is acknowledged that the Copeland DPD does not cover minerals specifically as this is contained within the Cumbria Minerals and Waste documents, you will be aware that the northern part of Copeland, from St Bees northwards contains coal resources which are capable of extraction by surface mining operations.

The current Energy White Paper, published in May 2007, estimated that *"by 2020 fossil fuels are expected to supply the great majority of UK energy needs and 14% of primary energy demand will be met by coal."*

In March 2008, the Rt Hon. John Hutton MP, Secretary of State for Business Enterprise and Regulatory Reform stated that *"...Fossil fuels will continue to play an important role in ensuring that flexibility of the electricity generation system as well. Electricity demand fluctuates continually, but the fluctuations can be very pronounced during winter, requiring rapid short term increases in production. Neither wind nor nuclear can fulfil that role. We therefore will continue to need this back up from fossil fuels, with coal a key source of that flexibility...."*

The UK Low Carbon Transition Plan White Paper, which builds on the 2007 White Paper and was published in July 2009 to set out the national strategy for climate and energy, suggests that by 2020 clean coal will contribute 22% to the overall energy mix (this is actually an increase on the level predicted in the 2007 Energy White Paper). The 2009 White Paper re-confirms that *"coal and gas will remain important to ensure our electricity supply is reliable and secure as we move towards greater dependence on intermittent sources like wind...The UK needs to maintain security of supplies of fossil fuels, which will remain an essential input to our electricity supplies for many years to come. Around a third of this is supplied by the UK coal industry."*

In February 2010, Lord Hunt reiterated the role for coal within the UK's future energy mix and stated that: *"Take the 3 week cold spell after Christmas and over New Year as an example, coal generation accounted for a weekly average of nearly 40% and a daily average of 36% [of the UK's total electricity supply]. ... Coal has been fundamental to UK energy needs for more than two centuries, and will continue to be so. Providing that its carbon by-products can be managed. Fossil fuels are abundant and relatively cheap, are able to respond flexibly to variations in demand, and are likely to remain an important part of our energy supply for some time to come."*

In March 2011, Rt Hon Chris Huhne MP, Secretary of State for Energy and Climate Change confirmed that the Blueprint for our energy future rests on three pillars: renewable energy; nuclear energy without public subsidy; and clean coal and gas delivered by carbon capture and storage.

The Coal Authority is keen to ensure that coal resources are not unduly sterilised by new development. In cases where this may be the case, The Coal Authority would be seeking prior extraction of the coal. Prior extraction of coal also has the benefit of removing any potential land instability problems in the process. Contact details for individual operators that may be able to assist with coal extraction in advance of development can be obtained from the Confederation of Coal Producers' website at www.coalpro.co.uk/members.shtml.

As The Coal Authority owns the coal on behalf of the state, if a development is to intersect the ground then specific written permission of the Coal Authority may be required.

Coal Mining Legacy

As you will be aware, the northern part of Copeland has been subjected to coal mining which will have left a legacy. Whilst most past mining is generally benign in nature, potential public safety and stability problems can be triggered and uncovered by development activities.

Problems can include collapses of mine entries and shallow coal mine workings, emissions of mine gases, incidents of spontaneous combustion, and the discharge of water from abandoned coal mines. These surface hazards can be found in any coal mining area, particularly where coal exists

near to the surface, including existing residential areas. The Planning Department at the Coal Authority was created in 2008 to lead the work on defining areas where these legacy issues may occur.

The Coal Authority has records of over 171,000 coal mine entries across the coalfields, although there are thought to be many more unrecorded. Shallow coal which is present near the surface can give rise to stability, gas and potential spontaneous combustion problems. Even in areas where coal mining was deep, in some geological conditions cracks or fissures can appear at the surface. It is estimated that as many as 2 million of the 7.7 million properties across the coalfields may lie in areas with the potential to be affected by these problems. In our view, the planning processes in coalfield areas need to take account of these coal mining legacy issues.

Within Copeland there are approximately 611 recorded mine entries and around 17 other coal mining related hazards. Mine entries may be located in built up areas, often under buildings where the owners and occupiers have no knowledge of their presence unless they have received a mining report during the property transaction. Mine entries can also be present in open space and areas of green infrastructure, potentially just under the surface of grassed areas. Mine entries and mining legacy matters should be considered by the Local Planning Authority to ensure that site allocations and other policies and programmes will not lead to future public safety hazards.

Although mining legacy occurs as a result of mineral workings it is important that new development delivered through the Local Plans/Local Development Framework recognises the problems and how they can be positively addressed. Land instability and mining legacy is not a complete constraint on the new development; rather it can be argued that because mining legacy matters have been addressed the new development is safe, stable and sustainable.

SPECIFIC COMMENTS ON THE COPELAND CORE STRATEGY AND DEVELOPMENT MANAGEMENT POLICIES (PRE-SUBMISSION CONSULTATION STAGE)

The comments and/or changes which The Coal Authority would like to make or see in relation to the above document are:

Strategic Objectives

Test of Soundness

Positively Prepared	Justified	Effective	Consistency to NPPF	Legal & Procedural Requirements Inc. Duty to Cooperate
Yes	Yes	Yes	Yes	Yes

Support – The Coal Authority supports Strategic Objective 19 which conforms with the relevant National Planning Policy in the NPPF in relation to mineral safeguarding and addressing mining legacy.

Please indicate what change(s) you consider necessary to make it sound.

N/A

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

- submission of the plan for public examination by an independent Planning Inspector,
- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:

Mr A. B. Northcote

Date:

2nd July 2012

Please use a separate form for each comment in support or objecting and return this form no later than 13th July 2012.

Thank you for completing this form

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LOCAL DEVELOPMENT FRAMEWORK

Core Strategy and Development Management Policies Pre-submission Consultation

Representation Form

Please use this form to indicate which part(s) of the Core Strategy and Development Management Policies Development Plan Document you either support or object to, together with any amendments/additions you would like to see.

Please use a separate form for each expression of support or objection.

Please complete and return this form **no later than 4.00 pm on the 13th July 2012** to:

Planning Policy Team
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

For internal use:

Resp. No. 7
Rep. No. S128
Date Rec. 2/7/12

Or email: ldf@copeland.gov.uk

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Anthony B Northcote	
Position	Planning Advisor to the Coal Authority	
Organisation	The Coal Authority	
Address	200 Lichfield Lane Berry Hill Mansfield Notts	
Postcode	NG 18 4RG	
Telephone	01623 637119	
Email	planningconsultation@coal.gov.uk	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy	<input type="checkbox"/> ST2 & ST3	Paragraph	<input type="checkbox"/>	Sustainability Appraisal	<input type="checkbox"/>
--------	------------------------------------	-----------	--------------------------	--------------------------	--------------------------

Do you consider the Core Strategy and Development Management Policies Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes No

If 'no', on what grounds do you consider the document to be unsound?

Not justified Not effective
 Not consistent with national planning policy ?

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

Policy ST2, Spatial Development Strategy & Policy ST3, Strategic Regeneration Priorities				
Test of Soundness				
Positively Prepared	Justified	Effective	Consistency to NPPF	Legal & Procedural Requirements Inc. Duty to Cooperate
Yes	Yes	Yes	?	Yes
<p>Comment – Whilst The Coal Authority has no preference as to how development should be distributed across the Borough, it is likely that major development if focussed on the larger settlements would fall within the coalfield area. This will raise issues of mineral safeguarding which will need to be addressed through the site allocation process in order to avoid the unnecessary sterilisation of the coal resource. The presence of coal resources need not prevent any chosen development strategy as options such as the prior extraction of surface mineral resources, including coal, where economically viable and appropriate in planning terms, can be built into the site allocation process. The prior extraction of surface coal resources can also assist in removing future public safety hazards from land which is to be developed.</p> <p>It is likely that major re-development and regeneration in Whitehaven will raise issues of needing to address mineral legacy issues, which need not prevent development taking place providing</p>				

adequate and appropriate remediation measures are undertaken.

Reason – To reflect the requirements of the NPPF in relation to preventing the unnecessary sterilisation of coal resources within the Borough of Copeland and to reflect the safeguarding principles set out in Policy CS14 of the Cumbria Minerals and Waste Core Strategy and Policy DC9 of the Cumbria Minerals and Waste Generic Development Control Policies DPD

CONCLUSION

The Coal Authority welcomes the opportunity to make these comments. We are, of course, willing to discuss the comments made above in further detail if desired and would be happy to negotiate alternative suitable wording to address any of our concerns. The Coal Authority also wishes to continue to be consulted both informally if required and formally on future stages. The Coal Authority would be happy to enter into discussions ahead of any examination hearing process to try and reach a negotiated position if this were considered helpful.

Please indicate what change(s) you consider necessary to make it sound.

N/A

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

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- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:

Mr A. B. Northcote

Date:

2nd July 2012

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Planning Policy
Copeland Borough Council,
The Copeland Centre,
Catherine Street,
Whitehaven
CA28 7SJ

Aidan Robson
Assistant Consultant Town Planner

Tel: 01183 543615
aidan.robson@amec.com

28 June 2012

Dear Sir / Madam

**Copeland Borough Council: Public Consultation on Core Strategy and Development Management Policies Submission Document
SUBMISSION ON BEHALF OF NATIONAL GRID**

National Grid has appointed AMEC to review and respond to development plan consultations on its behalf. We are instructed by our client to submit the following representation with regards to the current consultation on the above document.

Overview – National Grid

National Grid is a leading international energy infrastructure business. In the UK National Grid's business includes electricity and gas transmission networks and gas distribution networks as described below.

Electricity Transmission

National Grid, as the holder of a licence to transmit electricity under the Electricity Act 1989, has a statutory duty to develop and maintain an efficient, co-ordinated and economical transmission system of electricity and to facilitate competition in the supply and generation of electricity.

National Grid operates the national electricity transmission network across Great Britain and owns and maintains the network in England and Wales, providing electricity supplies from generating stations to local distribution companies. We do not distribute electricity to individual premises ourselves, but our role in the wholesale market is key to ensuring a reliable and quality supply to all. National Grid's high voltage electricity system, which operates at 400,000 and 275,000 volts, is made up of approximately 22,000 pylons with an overhead line route length of 4,500 miles, 420 miles of underground cable and 337 substations. Separate regional companies own and operate the electricity distribution networks that comprise overhead lines and cables at 132,000 volts and below. It is the role of these local distribution companies to distribute electricity to homes and businesses.

To facilitate competition in the supply and generation of electricity, National Grid must offer a connection to any proposed generator, major industry or distribution network operator who wishes to generate electricity or requires a high voltage electricity supply. Often proposals for new electricity projects involve transmission reinforcements remote from the generating site, such as new overhead lines or new development at substations. If there are significant demand increases across a local distribution electricity network area then the local network distribution operator may seek reinforcements at an existing substation or a new grid supply point. In addition National Grid may undertake development works at its existing substations to meet changing patterns of generation and supply.

Gas Transmission

National Grid owns and operates the high pressure gas transmission system in England, Scotland and Wales that consists of approximately 4,300 miles of pipelines and 26 compressor stations connecting to 8 distribution networks. National Grid has a duty to develop and maintain an efficient co-ordinated and economical transmission system for the conveyance of gas and respond to requests for new gas supplies in certain circumstances.

New gas transmission infrastructure developments (pipelines and associated installations) are periodically required to meet increases in demand and changes in patterns of supply. Developments to our network are as a result of specific connection requests e.g. power stations, and requests for additional capacity on our network from gas shippers. Generally network developments to provide supplies to the local gas distribution network are as a result of overall demand growth in a region rather than site specific developments.

Gas Distribution

National Grid also owns and operates approximately 82,000 miles of lower-pressure distribution gas main^o in the north west of England, the west Midlands, east of England and north London - almost half of Britain's gas distribution network, delivering gas to around 11 million homes, offices and factories. National Grid does not supply gas, but provides the networks through which it flows. Reinforcements and developments of our local distribution network generally are as a result of overall demand growth in a region rather than site specific developments. A competitive market operates for the connection of new developments.

National Grid and Local Development Plan Documents

The Energy White Paper makes clear that UK energy systems will undergo a significant change over the next 20 years. To meet the goals of the white paper it will be necessary to revise and update much of the UK's energy infrastructure during this period. There will be a requirement for:

- an expansion of national infrastructure (e.g. overhead power lines, underground cables, extending substations, new gas pipelines and associated installations); and
- new forms of infrastructure (e.g. smaller scale distributed generation, gas storage sites).

Our gas and electricity infrastructure is sited across the country and many stakeholders and communities have an interest in our activities. We believe our long-term success is based on having a constructive and sustainable relationship with our stakeholders. Our transmission pipelines and overhead lines were originally routed in consultation with local planning authorities and designed to avoid major development areas but since installation much development may have taken place near our routes.

We therefore wish to be involved in the preparation, alteration and review of Development Plan Documents (DPDs) which may affect our assets including policies and plans relating to the following issues:

- any policies relating to overhead transmission lines, underground cables or gas pipeline installations;
- site specific allocations/land use policies affecting sites crossed by overhead lines, underground cables or gas transmission pipelines;
- land use policies/development proposed adjacent to existing high voltage electricity substation sites and gas above ground installations;
- any policies relating to the diverting or undergrounding of overhead transmission lines;
- other policies relating to infrastructure or utility provision;
- policies relating to development in the countryside;
- landscape policies; and
- waste and mineral plans.

In addition, we also want to be consulted by developers and local authorities on planning applications, which may affect our assets and are happy to provide pre-application advice. Our aim in this is to ensure that the safe and secure transportation of electricity and gas is not compromised.

National Grid infrastructure within Copeland Borough Council's administrative area

Electricity Transmission

National Grid has no electricity transmission assets located within Copeland Borough Council's administrative area.

Gas Transmission

National Grid has the following gas transmission assets located within the administrative area of Copeland Borough Council:

Pipeline	Feeder Detail
1116	16 Feeder Pennington / Sellafield

National Grid has provided information in relation to gas transmission assets via the following internet link:

<http://www.nationalgrid.com/uk/LandandDevelopment/DDC/GasElectricNW>

Gas Distribution

National Grid Gas Distribution owns and operates the local gas distribution network in the Copeland Borough Council area. If you require site specific advice relating to our local gas distribution network then information should be sought from:

National Grid Plant Protection
National Grid, Block 1, Floor 2
Brick Kiln Street
Hinckley
LE10 0NA
plantprotection@uk.ngrid.com

Specific Comments

Infrastructure Capacity

The electricity and gas distribution companies in the area are United Utilities and National Grid Gas Distribution. It will be these suppliers who should be contacted for further information regarding constraints and opportunities that the distribution networks may have on growth in the area, and not the transmission network which operates at a much more strategic level.

Contact details for EDF United Utilities can be found on the Energy Networks website:
www.energynetworks.org

If you require site specific advice relating to our local gas distribution network then information should be sought from:

National Grid Plant Protection
National Grid, Block 1, Floor 2
Brick Kiln Street
Hinckley
LE10 0NA
plantprotection@uk.ngrid.com

Further Advice

National Grid is happy to provide advice and guidance to the Council concerning our networks. If we can be of any assistance to you in providing informal comments in confidence during your policy development,



please do not hesitate to contact us. In addition the following publications are available from the National Grid website or by contacting us at the address overleaf:

- National Grid's commitments when undertaking works in the UK - our stakeholder, community and amenity policy;
- specification for Safe Working in the Vicinity of National Grid High Pressure Gas Pipelines and Associated Installations - Requirements for Third Parties; and
- A sense of place - design guidelines for development near high voltage overhead lines.

Please remember to consult National Grid on any Development Plan Document (DPD) or site-specific proposals that could affect our infrastructure. We would be grateful if you could add our details shown below to your consultation database:

Aidan Robson
Assistant Consultant Town Planner

aidan.robson@amec.com

AMEC E&I UK
Gables House
Kenilworth Road
Leamington Spa
Warwickshire
CV32 6JX

I hope the above information is useful. If you require any further information please do not hesitate to contact me.

Yours sincerely,

[via email]
Aidan Robson
Assistant Consultant Town Planner

cc. Vicky Stirling, National Grid

Alison Earnshaw

From: Atkinson, Angela (MMO) <Angela.Atkinson@marinemanagement.org.uk>
Sent: 07 June 2012 15:44
To: ldf
Subject: Copeland Local Development Framework

Good Afternoon

Thank you for inviting the MMO to comment on the Copeland Local Development Framework proposed Core Strategy and Development Management Policies Submission Document. The MMO is not in a position to comment on the overall soundness of the document at this stage.

The MMO would welcome the opportunity to engage at an earlier stage in any future plan documents. If you would like any further information on the work of the MMO please visit our website www.marinemanagement.org.uk or get in touch via stakeholder@marinemanagement.org.uk

Kind regards

Angela

Angela Atkinson

Stakeholder & Networks Officer

Marine Management Organisation

PO Box 1275, Newcastle upon Tyne, NE99 5BN

Tel: 0191 376 2589

Web: www.marinemanagement.org.uk

The Marine Management Organisation (MMO)

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LOCAL DEVELOPMENT FRAMEWORK

Core Strategy and Development Management Policies Pre-submission Consultation

Representation Form

Please use this form to indicate which part(s) of the Core Strategy and Development Management Policies Development Plan Document you either support or object to, together with any amendments/additions you would like to see.

Please use a separate form for each expression of support or objection.

Please complete and return this form **no later than 4.00 pm on the 13th July 2012** to:

Planning Policy Team
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

For internal use:

Resp. No.88.....
Rep. No.531.....
Date Rec.13/7/12.....

Or email: ldf@copeland.gov.uk

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	SONIA BATTEN	
Position	CLERK	
Organisation	SEASCALE PARISH COUNCIL	
Address	6 THE CRESCENT SEASCALE CUMBRIA	
Postcode	CA20 1QA	
Telephone	019467 21332	
Email	SONIA.BATTEN@BTOPENWORLD.COM	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

Paragraph

Sustainability
Appraisal

Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

For further information please consult the Planning Inspectorate's Soundness Guidance at http://www.planningportal.gov.uk/uploads/pins/ldf_dpd_soundness_guide.pdf

Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

The Panel Council notes the poor quality of the maps in the core strategy document and the location of the Seascale Community Plan in the West Copeland rather than Mid Copeland section.

Please indicate what change(s) you consider necessary to make it sound.

Please see box on page 3 for requested changes.

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

- submission of the plan for public examination by an independent Planning Inspector,
- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:

Soma Bhatta

Date:

11.7.12

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Thank you for completing this form

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For internal use:

Resp. No.88.....
Rep. No.S132.....
Date Rec.13/7/12.....

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	SONIA BATTEN	
Position	CLERK	
Organisation	SEASCALE PARISH COUNCIL	
Address	6 THE CRESCENT SEASCALE CUMBRIA	
Postcode	CA20 1QA	
Telephone	019467 21332	
Email	SONIA.BATTEN@BTOPENWORLD.COM	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

Paragraph

Sustainability
Appraisal

Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

The Parish Council notes the flooding risk in the area of Cringley Stream.

Please indicate what change(s) you consider necessary to make it sound.

Please see box on page 3 for requested changes.

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

- submission of the plan for public examination by an independent Planning Inspector,
- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:

Soma Batten

Date:

11.7.12

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Position	CLERK	
Organisation	SEASCALE PARISH COUNCIL	
Address	6 THE CRESCENT SEASCALE CUMBRIA	
Postcode	CA20 1QA	
Telephone	019467 21332	
Email	SONIA.BATTEN@STOPENWORLD.COM	

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(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

The Parish Council notes the current poor quality of road and rail infrastructure especially in regard to a recently reported road traffic survey by Cumbria County Council in which c. 300 cars were recorded using the section of the B5344 at the junction of Seascote village and Cross Lanes.

Please indicate what change(s) you consider necessary to make it sound.

Please see box on page 3 for requested changes.

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

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- the adoption of the plan.

Signature:

Soma Batten

Date:

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No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

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Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

The Parish Council request that consideration be given to the capacity of Seascale Primary School.

Please indicate what change(s) you consider necessary to make it sound.

Please see box on page 3 for requested changes.

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

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Signature:

Soma Batta

Date:

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(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	SONIA BATTEN	
Position	CLERK	
Organisation	SEASCALE PARISH COUNCIL	
Address	6 THE CRESCENT SEASCALE CUMBRIA	
Postcode	CA20 1QA	
Telephone	019467 21332	
Email	SONIA.BATTEN@BTOPENWORLD.COM	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

Paragraph

Sustainability
Appraisal

Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Please give details as to why you consider the document to be unsound, or why you support it, continuing on a further sheet if necessary.

The Parish Council requests consideration of extra pressure on evacuation procedures and on the offsite Emergency Plan.

Please indicate what change(s) you consider necessary to make it sound.

Please see box on page 3 for requested changes.

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

- submission of the plan for public examination by an independent Planning Inspector,
- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:

Soma Batta

Date:

11.7.12

Please use a separate form for each comment in support or objecting and return this form no later than 13th July 2012.

Thank you for completing this form

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Proud of our past. Energised for our future.

LOCAL DEVELOPMENT FRAMEWORK

Core Strategy and Development Management Policies Pre-submission Consultation

Representation Form

Please use this form to indicate which part(s) of the Core Strategy and Development Management Policies Development Plan Document you either support or object to, together with any amendments/additions you would like to see.

Please use a separate form for each expression of support or objection.

Please complete and return this form **no later than 4.00 pm on the 13th July 2012** to:

Planning Policy Team
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

For internal use:

Resp. No.88.....
Rep. No.5136.....
Date Rec.13/7/12.....

Or email: ldf@copeland.gov.uk

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The Parish Council requests that the document is checked and found to be factually accurate.

Please indicate what change(s) you consider necessary to make it sound.

Please see box on page 3 for requested changes.

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Resp. No. 88
Rep. No. S137
Date Rec. 13/7/12

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- the publication of the Inspectors' recommendations
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Signature:

Soma Bhatia

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SEASCALE PARISH COUNCIL

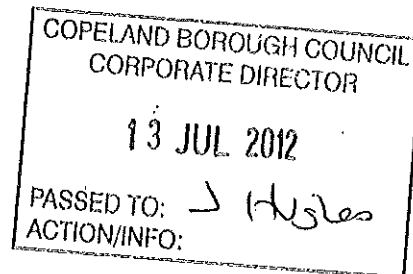
6 The Crescent, Seascale, Cumbria CA20 1QA

Telephone: 019467 21332

Email: sonia.batten@btopenworld.com

Pat Graham
Director of People and Places
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

11 July 2012



Dear Ms Graham

Public Consultation on Local Development Framework

On behalf of Seascale Parish Council I am pleased to return eight representation forms on the LDF, separately listing the council's comments.

I am also enclosing a copy of the minutes of the Planning Committee of Seascale Parish Council at which the core strategy document was discussed in detail.

Yours sincerely

A handwritten signature in cursive script that reads 'Sonia Batten'.

Sonia Batten
Clerk

Encs



SEASCALE PARISH COUNCIL
6 The Crescent, Seascale, Cumbria CA20 1QA

MINUTES OF A MEETING OF THE PLANNING COMMITTEE
HELD ON WEDNESDAY 27 JUNE 2012 AT 10.00 A.M.

Present	Chair	David Moore
	Parish Councillors	Ken Mawson Helen Pateman Andrew Woollass
	Clerk	Sonia Batten

1. Apologies

Apologies were received from Mrs Eastwood.

2. Minutes of the previous meeting, 23 May 2012

The minutes were agreed as a true and accurate record, proposed by Mrs Pateman and seconded by Mr Woollass.

3. Declarations of interest

There were none.

4. Actions arising

All actions had been completed.

5. Public participation

No members of the public were present.

6. Draft Local Development Framework

6.1 The consultation period for the core strategy document which was received by the Parish Council on 6 June 2012 ran from 31 May to 13 July 2012. It was on this document that the Planning Committee was making comments. Mr Moore explained that the Parish Council would have the opportunity of commenting separately on the Housing Allocation Survey which was not yet part of the core strategy document issued. He stated that the Parish Council was able to identify plots of land that it considered suitable for development and that there was no requirement to own the land.

6.2 It was noted that Seascale was the largest service centre in Mid Copeland. The application for development by Persimmon Homes highlighted the issue of service provision and it was agreed that Gosforth, Drigg and Eskdale Green all impacted on Seascale services. Mr Woollass asked that section 8.6.4 be further developed in terms of what services Seascale offers. He felt that the descriptions of provision within Mid Copeland were not consistent.

6.3 Mr Moore questioned how the Parish Council might see potential for development in Seascale. He raised the issue of 'sustainable settlement' (p. 115 of the document) and mooted whether the Parish Council might see Seascale as one of these settlements. The meeting discussed the sites around the village which currently had planning permission (land formerly owned by Seascale Primary School; adjacent to the Methodist Church; other infill sites) and agreed that there was current planning permission for between 20-30 homes. The question of listing St Cuthbert's Church Hall was briefly raised. The committee decided that this was an avenue it did not wish to progress and also recognised the real difficulties such a course of action would cause St Cuthbert's PCC.

6.4 Mr Woollass noted that mention of the railway stations at Sellafield and Drigg was omitted. Although Drigg was clearly within Mid Copeland, it was felt that Sellafield straddled the designated boundary between Mid and West Copeland as defined in the core strategy document.

6.5 Mr Moore raised the issue of evacuation procedures due to Seascale's proximity to Sellafield. In terms of the Offsite Emergency Plan only permanent homes were considered able to provide protection and this excluded caravans, park homes and other such structures. He noted that two of the authors of the ONR publication following the Japanese earthquake an tsunami, the Final Report of HM Inspector of Nuclear Installations, known as the Weightman Report had agreed to make a presentation in Whitehaven. Details would follow in due course. Mr Moore advocated expansion of Seascale to the right properties in the right areas, with which the meeting agreed. Mrs Pateman noted the need for affordable houses for

young people, and the meeting noted that St Bees Parish Council is establishing a housing plan.

6.6 Mr Woollass supported Mr Moore's advocacy of 'the right properties in the right areas', noting the constraints of the current transport infrastructure. He argued that if these problems could be solved, then further expansion of the village would be appropriate. He also felt that there was a need for a mix of housing and affordable housing. Mr Moore noted the proportion of an ageing population and that this would present challenges in the future. Mr Woollass pointed out that the document did not outline the population of Seascale although that of Gosforth was included. Mrs Pateman commented that this detail is contained in the community plan but within the core strategy this was unfortunately included under the West Copeland section. It was agreed that the Seascale Community Plan should be moved into the Mid Copeland section. Although the need for affordable housing was agreed, it was felt that developers might do little more than provide the statutory 13% affordable provision in their plans. There was no guarantee when this affordable quota would be built.

6.7 Once agreed at the end of the process by the Secretary of State, the LDF would be set in place for fifteen years. Mr Mawson was concerned about unnecessarily restricting future housing development. However, Mr Moore emphasised that if a proven need were to develop and where a willing developer and community support existed, then under the Localism Act a development could take place that was not outlined in the LDF.

6.8 The key points were agreed as:

- ✓ (i) Consideration of extra pressure on evacuation procedures and on the Offsite Emergency Plan.
- (ii) Capacity of Seascale Primary School.
- (iii) Current poor quality of road and rail infrastructure. See 6.9 below.
- (iv) Flooding risk in the area of Cringley Stream.
- (v) Poor quality of maps in the core strategy and the location of the Seascale Community Plan in the West Copeland section rather than the Mid Copeland section.
- ✓ (vi) A request that 8.6.2 in the document be developed more fully.
- ✓ (vii) A request that 8.6.4 in the document be clarified to reflect Seascale more effectively.
- ✓ (viii) A request that 8.6.8 in the document is checked and found to be factually accurate.

6.9 The meeting was informed of a recent road traffic survey undertaken by Cumbria County Council. Between the hours of 16:00 – 17:00 approximately 300 cars were recorded using the section of the B5344 at the junction of Seascale and Cross Lanes. It was anticipated that a similar volume of vehicles had been recorded making the opposite journey in the morning. The Clerk was asked to contact Kevin Cosgrove at Cumbria County Council to obtain the traffic survey data.

Action: Clerk

6.10 The Planning Committee recommended the core strategy LDF to the Parish Council at its meeting on 4 July. The consultation was due to end on 13 July and it was agreed to recommend a cut-off date for comments by parish councillors of Wednesday 11 July.

Action: Clerk

7. National Grid Consultation

7.1 The consultation ran until 19 July. The Clerk confirmed that she had registered the Parish Council on the consultation's website.

7.2 The committee discussed the various route corridors, chiefly comparing over land and undersea routes. Mr Moore felt that the undersea route was not viable; Mrs Pateman favoured a new road with underground cables and pipes. She regretted the apparent lack of 'joined-up thinking' and felt that combined sources of funding could result in a route corridor south of Ravenglass and across the Duddon Estuary. Mr Moore also welcomed a more strategic approach along these lines. He noted that the costs of undersea cables were not associated with installation but with the control rooms necessary. A key point of the discussion was that an integrated road with underground cables and pipes would represent a real opportunity of opening up West Cumbria. This was the key recommendation from the Planning Committee to the Parish Council at its meeting on 4 July.

Action: Clerk

8. Date of next meeting

This was confirmed as Wednesday 18 July at 10.00 a.m. in Seascale Fire Station.

The Chair thanked everyone for attending and closed the meeting at 11.29 a.m.

Cumbria County Council

Environment • Spatial Planning • The Courts
Carlisle • Cumbria • CA3 8NA
T: 01228 226599 • F: 01228 606060 • E: graeme.innes@cumbria.gov.uk

Chris Hoban
Planning Policy Team
Copeland Borough Council
The Copeland Centre
Whitehaven
Cumbria
CA28 7SJ

24 September 2012
Your reference: Pre-submission Consultation • Our reference: P0304

Dear Mr Hoban

Copeland Borough Council Core Strategy and Development Management Policies Pre-Submission Consultation

Thank you for inviting Cumbria County Council to participate in the consultation on the Core Strategy and Development Management Policies Pre-submission consultation.

The County Council recognises the importance of providing constructive comments to help develop the District's Local Development Frameworks / Local Plans and we seek to provide detailed comments at each stage of the process. As a consultee it is important that the County Council inform the production of development plan documents. In our responsibility for strategic planning, highways and transport, children's and adult services we seek to ensure that our comments can help to plan the services and facilities which the County Council look after and ensure these are fully considered at a local level.

Please find attached the County Council's response which was considered by Cabinet on the 15 September, I have also attached an extract from the minutes of the meeting where Cabinet :-

RESOLVED, that

- (1) consideration be given to the proposed strategic response to the consultation on the *Pre-submission Draft of the Copeland Core Strategy and Development Management Policies Document*, which is contained within paragraphs 4.14 to 4.39 of the report, and use this to resolve the Council's response;
- (2) the detailed comments contained in Appendix 1 of the report be forwarded to Copeland Borough Council to inform them in progressing the Local Plan.

I hope you find the comments constructive however, should you have any further queries regarding the response please do not hesitate to contact Graeme Innes, Planning Officer in the Spatial Planning Team (contact details can be found at the top of the page).

Yours faithfully

A handwritten signature in black ink, appearing to read 'Paul Feehily'. The signature is fluid and cursive, with a large initial 'P' and a long, sweeping underline.

Paul Feehily
Assistant Director – Planning and Sustainability

CABINET
Meeting date: 13 September 2012
From: Cabinet Member for Transport and Environment Corporate Director - Environment

COPELAND LOCAL PLAN – CORE STRATEGY AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DRAFT

PART A - RECOMMENDATION OF CABINET MEMBER

1.0 EXECUTIVE SUMMARY

- 1.1 *The current planning system in England is 'plan led', whereby it is a statutory duty for Local Planning Authorities to prepare a 'Development Plan'. The Development Plan should seek to guide decision making in relation to planning applications, as well as to guide investment decisions for infrastructure provision. Since September 2004, the system has comprised of Regional Spatial Strategies (RSSs) and Local Development Frameworks (LDFs) policies. The coalition Government had stated its intention to abolish RSSs. However, the Localism Act states that it will be to the discretion of the Secretary of State if the Regional Spatial Strategy for the North West remains part of the Development Plan, as well as the saved policies of the Cumbria and Lake District Joint Structure Plan.*
- 1.2 *Changes to the Localism Act and the National Planning Policy Framework do not alter the statutory requirement for Local Planning Authorities to prepare a Development Plan. Indeed it makes it all the more important given the presumption in favour of sustainable development.*
- 1.3 *The Cumbrian Local Planning Authorities are at different stages with their Development Plan production. Copeland Borough Council has published the Pre-Submission Draft of their Core Strategy and Development Management Policies (DPD) for consultation. The Core Strategy sets out strategic planning policy, land use requirements (i.e. housing numbers and employment land requirements) and identifies the broad locations for growth in Copeland up to 2027. The Core Strategy will address core planning areas including: the spatial distribution of growth;*

housing; the economy; and infrastructure. Alongside the Core Strategy, Copeland is consulting on their Development Management Development Plan Document. This supports the Core Strategy setting out Copeland's detailed policies for managing development in the Borough. The identification of sites is expected to follow in a separate Site Allocations Document, Copeland are intending to consult on their Preferred Options for this document in December 2012 / January 2013.

- 1.4 *As a consultee, it is important that the County Council informs the process of the preparation of all Development Plans. As we are the strategic planning, highways and transport, education and adult services authority, early dialogue with the Districts is important in order to successfully be involved in the development of their local planning policy.*
- 1.5 *The consultation document is a final draft and the responses to the consultation will be collated and submitted to the Secretary of State alongside the document for examination. As a consequence of the short timescales for responding to this consultation an officer response has already been sent to Copeland Borough Council as a holding response. Members are therefore asked to review and resolve the County Council's response set out in Appendix A. Overall it is considered that the Copeland Development Plan Document is legally compliant, effective and justified in accordance with the Government's Tests of Soundness.*

2.0 STRATEGIC PLANNING AND EQUALITY IMPLICATIONS

- 2.1 *The County Council's policy on spatial matters is set out in the Cumbria Strategic Partnership's Sub Regional Spatial Strategy 2008-2028 and those policies of the Cumbria and Lake District Joint Structure Plan, which have been extended and not replaced by the North West of England Regional Spatial Strategy (September 2008). It is important that Local Plan documents link to the Cumbria Sub Regional Spatial Strategy as it provides a framework to deliver sustainable communities and ensure development is coordinated in Cumbria. It is considered that the adopted Copeland Borough Council Core Strategy broadly reflects the Cumbria Sub Regional Spatial Strategy and the saved Joint Structure Plan policies. This is important as the Core Strategy sets the spatial strategy for the district and all other Development Plan Documents (including the Land Allocations document).*
- 2.2 *The Copeland Borough Council Local Plan is an important document for the future spatial planning in Cumbria. It has links to the aspirations for Cumbria of the Council Plan (2011-2014) – a thriving economy where we challenge poverty in all its forms; a place where you can live in a high quality and sustainable*

environment and you can move safely and easily around the county; a great place to be a child and grow up in; a place of opportunity where young people are able to live happy and productive lives; a place where young people will want to live and work in the future; a place to enjoy an independent and healthy life and to be safe from harm, with more control over your life and a say in the decisions which affect you.

- 2.3 *The Copeland Borough Council Local Plan has no direct implications for equality impact for the Council. However, it is recognised that the quantum type and location of development it affords could have an impact on the well being of local communities and specific groups in society.*

3.0 RECOMMENDATION.

- 3.1 *Cabinet consider the proposed strategic response to the consultation on the Pre-submission Draft of the Copeland Core Strategy and Development Management Policies Document, which is contained within Paragraphs 4.14 to 4.39 of this report, and use this to resolve the Council's response.*
- 3.2 *Agree for the detailed comments contained in Appendix 1 of this report to be forwarded to Copeland Borough Council to inform them in progressing the Local Plan.*

Tim Knowles, Portfolio Member for Transport and Environment.

Part B – Advice of Corporate Director – Environment

4.0 BACKGROUND

- 4.1 The current land-use planning system in England is 'plan led', whereby there is a statutory duty on Local Planning Authorities to prepare a 'Development Plan'. The Development Plan should seek to guide decision making in relation to planning applications as well as to guide investment decisions for new infrastructure provision. Although the Development Plan currently includes the policies of the North West of England Regional Spatial Strategy (RSS), the Localism Act enables the Government to abolish RSS and Government has expressed an intention to do so. However, until removed, the Regional Spatial Strategy for the North West remains part of the Development Plan together with the saved policies of the Cumbria and Lake District Joint Structure Plan.
- 4.2 Each Local Planning Authority in Cumbria must produce a Local Plan (formerly known as the Local Development Framework) which should set out the planning vision for their area. To satisfy the legislation of

the 2004 Planning and Compulsory Purchase Act and the National Planning Policy Framework (NPPF), the Local Plan should be in line with Government Policy.

- 4.3 The Copeland Local Plan will comprise of a portfolio of documents, including a Core Strategy document which will set out the strategic direction of growth, and a Development Management Policies document which will provide detailed policy to help inform decision making.
- 4.4 Following the production and subsequent adoption of these documents, Copeland Borough Council will seek to produce a separate allocations of land document through which specific development sites will be identified. Copeland intends to consult on Preferred Options on a Site Allocations Development Plan Document in December 2012 / January 2013.
- 4.5 Copeland is making progress with developing their Local Plan. This new Local Plan will replace the current Copeland Local Plan (2001-2016). It will set Copeland's vision and direction for land use planning for the next 15 years. It will ultimately provide the framework for determining planning applications. The Local Plan preparation process and the stage at which Copeland are is noted in Appendix 2. Cumbria County Council has responded to the previous stages of consultation which are detailed below.
 - Issues and Options (May 2009) – informal officer comments; and
 - Preferred Options (July 2010) – Cabinet endorsed response
- 4.7 The Localism Act 2011 established a statutory Duty to Cooperate. This requires that the Local Authority developing the plan co-operates with the County Council and other neighbouring authorities with respect to strategic planning matters. This requirement represents the mechanism through which the Government considers joined up strategic planning should take place in the absence of the non local planning policy which it intends to remove. The Duty to Cooperate will be an important consideration for the Government Inspector when the plans 'soundness' is being tested.
- 4.8 As a statutory consultee, the County Council's response will be informed by existing policy carried within the Saved Policy of the Cumbria and Lake District Joint Structure Plan, the Cumbria Sub-Regional Spatial Strategy and the Local Transport Plan amongst others. The response will also have regard to that policy set out with the National Planning Policy Framework (NPPF) and the response will be informed through close working with colleagues from across the County Council.
- 4.9 The current stage of the process is the Pre-Submission Draft. At this stage the documents should have built on feedback from the Preferred Options stage. Following the current period of consultation the

documents, along with the responses that Copeland has received, will be sent to the Secretary of State for Examination. The purpose of this stage of the consultation is to ensure that the documents are 'sound'. At the Examination, the Planning Inspector will use the tests of soundness, as defined in the National Planning Policy Framework (NPPF), to test the acceptability of the documents. The tests of soundness contained in the NPPF require that the Plan should be:

- **Positively prepared** – the Plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- **Justified** – the Plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- **Effective** – the Plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- **Consistent with national policy** – the Plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

4.10 At this stage, from the County Council's perspective, it is important to ensure that issues which have been raised by the County Council in previous consultations have been properly taken into account by Copeland Borough Council.

Copeland Local Committee

4.11 At the Preferred Options Stage a seminar was held with Members of the Copeland Local Committee to discuss the document, comments which were made at the meeting were included in the Cabinet report as representations from Local Committee. A similar approach had been taken to this consultation where an officer attended a Local Committee Working Group on the 29th June to brief Members about the consultation. A report was then presented to the Local Committee on the 27th July and following this presentation Copeland Local Committee

4.12 At the Local Committee meeting Members raised was concern that major housing development in Whitehaven would have implications on education and highways infrastructure; and that there should be specificity as to types of infrastructure fundable by developer contribution.

4.13 Members were also concerned that there should be sufficient development in Local Service Centres to provide employment for these small communities; and that access to utilities, and the potential for expansion of provision, should be taken into consideration. It was also

noted that there was work to be done on parish plans as some areas had not yet developed these.

Key Issues to be raised in County Council response

Housing

- 4.14 The proposed level of future new house building growth in the Borough is supported and welcomed. The Preferred Options offered a sliding scale of new house building, ranging from 230 to 299 dwellings per annum. The higher level of housing would be greater than currently set in the Regional Spatial Strategy for the North West (September 2008) (230 dwellings per annum for the Borough), although recent actual house completion rates have been lower at 192 dwellings per annum. Based on evidence published in the Interim Strategic Housing Market Assessments (SHMAs) for Copeland, the County Council recommended that an annualised dwelling requirement of 300 units per annum should be the minimum that should be achieved over the long-term. The approach taken in the Pre-Submission Draft is that land will be allocated in accordance with a baseline requirement derived from projected household growth, of 230 dwellings per year, with provision for growth 30% above that to 300 dwellings per year.
- 4.15 The reasoning behind setting the above target is outlined in Copeland Borough Council's 'Housing Topic Paper', which includes information from the final Strategic Housing Market Assessment which was published in February 2011; it is considered that this approach is justified.

Nuclear

- 4.16 At the Preferred Options stage, the County Council commented that the infrastructure implications, both temporary and permanent, needed further clarification in the Preferred Options, including for transport, housing and educational infrastructure requirements. However, it is recognised that these proposals are at an early stage, and more detailed work is required to fully understand the full implications of nuclear new build. It is considered that this has now been taken into account within Policy ER1. However, the County Council does have concern that the terms 'community benefit, compensation and mitigation' are not always used in the correct context.
- 4.17 It is considered that the document needs to be clear about how they will seek contributions in relation to nuclear new build (and other Nationally Significant Infrastructure Projects and indeed other developments which will serve the national interest).
- 4.18 Section 106 agreements and potentially the Community Infrastructure Levy (CIL) should be used to cover the infrastructure that is necessary to make the development acceptable in planning terms i.e. highways and transport infrastructure. (Policy ST4 covers infrastructure provision).

- 4.19 Community Benefit Contribution (CBC) is separate to and in addition to S106 and CIL. It is voluntary, and is 'above and beyond' any payment or fund agreed between the developer and host communities that are necessary to make a development acceptable in planning terms and/or offset any negative impacts. This is based on the principles being established by NNLAG (New Nuclear Local Authorities Group).
- 4.20 It is noted that the 'Nuclear New Build' section is contained within the Monitoring Framework and it is not included as a planning policy. It is important that appropriate arrangements are in place which separates the responsibilities for the planning process and Community Benefit Contribution (CBC). A decision about a particular planning proposal must be based on planning issues and not influenced by additional payments or contribution.
- 4.21 In relation to Community Benefit Contribution, it is considered that it should also be highlighted that further work is required to provide sound and clear evidence on the scale and scope appropriate for each development and identify principles to ensure an equitable distribution of packages.

Renewable Energy Protecting and Enhancing Landscapes

- 4.21 Core Strategy Policy ER2 and Development Management Policy DM2 refer to renewable energy. Policy DM2 highlights a range of considerations that regard should be given to during the consideration of renewable energy schemes. The approach is considered broadly appropriate and has appropriate safeguards to ensure amenity, visual impacts, residential proximity and cumulative impacts can be considered. It is also considered that it would be useful if Policy ER3 were to make reference to the potential benefits to the local economy and local community.
- 4.22 Policy ENV5 seeks to protect and enhance Copeland's landscapes and it is considered that the approach taken in this policy is appropriate and support is given to the reference to the Cumbria Landscape Character Assessment Guidance and Toolkit (2011).

Settlement Hierarchy

- 4.23 To guide development, the Borough Council has proposed settlement hierarchy to which development would be distributed in a sequential fashion, this is shown below.

Principal Town – Whitehaven.

Key Service Centres – Cleator Moor, Egremont and Millom.

Local Service Centres – Arlecdon/Rowrah, Beckermeth, Bigrigg, Cleator, Distington, Frizington, Haverigg, Kirkland, Ennerdale Bridge, Lowca/Parton, Moor Row, Moresby Parks, Seascale, St. Bees,

Thornhill.

Outside settlement boundaries – All other parts of the Borough, including small villages and settlements and open countryside.

- 4.24 Excluding nuclear-related development it is expected that development should be distributed broadly as follows:-
- Whitehaven – at least 45%
 - Cleator Moor – at least 10%
 - Egremont – at least 10%
 - Millom – at least 10%
 - Local Centres – not more than 20% (in combination)
- 4.25 With this in mind it is recommended that Copeland Borough Council and Allerdale Borough Council look at the scales of development for Whitehaven and Workington to ensure that they are complementary. At the Preferred Options stage, the County Council commented that the spatial distribution and the development emphasis identified under Policy ST2 (Spatial Development Strategy) is broadly consistent with the County Council's policies. However, it refers to focusing the 'largest scale' of development and regeneration in Whitehaven, supporting development 'reflecting the respective scale and functions' of Key Service Centres and permitting 'minor development' in defined Local Centres. This terminology was not considered compatible with the Cumbria Sub-Regional Spatial Strategy. Copeland has slightly amended ST2 and considers the current wording as a better basis for managing development.
- 4.26 It is now considered that the terminology is broadly compatible with the Cumbria Sub-Regional Spatial Strategy. However, it is still considered that the Policy could be strengthened to enable appropriate business development, such as plots for small-scale workshop, live work, manufacturing, and production uses to come forward in Local Centres in order to sustain local services particularly in rural areas, and meet local needs and support rural businesses. This would ensure that the Policy is in accordance with the Cumbria Sub Regional Spatial Strategy and better reflects the greater flexibility afforded by the NPPF.
- 4.27 The Cumbria Sub Regional Spatial Strategy highlights that development sites should be selected having regard to a sequential consideration of potential development sites, insofar as previously developed land (PDL) should be prioritised over greenfield. The NPPF has granted Local Planning Authorities flexibility about how PDL should be considered. This point should be reflected within the Core Strategy Development Management Policies document given the sustainability and potential regeneration benefit's associated with the prioritising of previously developed land.

Infrastructure and Developer Contributions

- 4.28 Cumbria County Council has responsibilities for delivering and managing significant areas of infrastructure. Where the needs of development cannot be accommodated within the capacity of infrastructure, it will be important that the developer provides the necessary infrastructure (e.g. via Section 106 agreement). At the Preferred Options stage the County Council raised concerns that within Policy ST4 there is a lack of specificity as to types of infrastructure fundable by developer contribution, notably school places, which could mean that the County Council may have difficulty in negotiation with developers. This will be particularly relevant in Whitehaven in relation to Highways and Transport and Education infrastructure as there is a significant amount of major development planned.
- 4.29 It is acknowledged that the County Council's areas of interest will be covered in Copeland's 'Strategy for Infrastructure' and the forthcoming 'Planning Obligations Supplementary Planning Document'. However, these are not statutory planning documents and would not be part of the adopted development plan policy. It is therefore the County Council's view that specific reference to types of infrastructure fundable by developer contribution should therefore be included in ST4. An example of a Core Strategy which does include reference to specific types of infrastructure fundable by developer contribution is Eden District Council's Policy CS6 '*Developer Contribution*', and it is recommended that this approach should also be adopted by Copeland Borough Council.
- 4.30 It would also be welcomed if reference in the supporting text was made to working with the County Council to ensure that high quality education is provided in the right locations, as part of achieving wider socio-economic regeneration and the creation of sustainable communities.
- 4.31 Cumbria County Council is currently advanced in the development of a consolidated policy with respect to planning obligations. It will be important that this is given significant weight in consideration of planning obligations and the development of other guidance around infrastructure.
- 4.32 The Core Strategy also highlights that provided that Copeland Borough Council are satisfied that development viability would not be compromised, CIL could be adopted in the Borough.
- 4.33 Should CIL be pursued, it will be essential that Cumbria County Council is fully engaged in its development given the range of strategic infrastructure and service that Cumbria County Council has responsibility for. To this end it is considered that formalised arrangements between authorities should be put in place for the development and implementation of CIL for example a memorandum of understanding.

Ecology

- 4.34 In relation to ecology it is considered that Copeland have largely included the majority of comments made at the Preferred Options stage. In relation to ENV3 the County Council does have some updated suggested alterations which are noted in Appendix 1.

Highways and Transport

- 4.35 In relation to Highways and Transport the County Council and Copeland Borough Council have engaged throughout the consultation process to discuss the Highways and Transport content of the Pre-Submission Draft. The County Council does not have any concerns in relation to the soundness of the document. However the County Council does have some detailed comments, which are detailed in Appendix A.
- 4.36 It is particularly important to note the County Council's position in relation to Policy T1 relating to the safeguarding of land for development of the Whitehaven Town Centre Transport Interchange. From a Highways Authority perspective 'Transport Interchanges' is now considered old terminology. The County Council are currently seeking to develop a programme of Transport 'hubs', with Corkickle being the focus for delivery in Whitehaven. The 'Hubs' will have less emphasis on the interchange between different passenger transport modes. 'Hubs' will be a combination of suitable levels of parking provision, improved passenger facilities/information and safe, attractive walking and cycling routes to the town centre and key residential areas. It is suggested that any reference to 'interchange' be changed to 'hub' within the document.

Economic Development

- 4.37 Previously the County Council raised concern that neither Policy ER4 or ER6 did not identify the amount of employment land in hectares necessary to support delivery of the economic objectives for each of the Key Service Centres and Local Centres, for example, by the use of targets.
- 4.38 The approach which Copeland has taken in the Pre-Submission Draft is to address the above issues in the supporting text with reference to supporting evidence base documents. This in turn allows the policy to be flexible in the current climate of economic uncertainty, but also allow for the Site Allocations Development Plan Document to bring forward a supply, which will be in excess of identified demand levels.
- 4.39 It is considered that the approach taken in the Core Strategy Pre-Submission Draft will allow for Copeland to identify enough supply to deliver against the needs of the Borough. It is also considered that the flexible approach will allow Copeland to respond to the needs of major infrastructure projects, which could have a significant impact upon the supply and demand of employment land in Cumbria.

5 OPTIONS

5.1 There are three options:

- a. Option 1: to endorse the strategic response set out within Paragraphs 4.14 to 4.39 of this report and agree for the detailed comments contained in Appendix 1 to this report to be forwarded to Copeland Borough Council.
- b. Option 2: to review the response, and add further comments;
- c. Option 3: not to respond. However, this would undermine any opportunities to influence the drafting of the Local Plan, to take account of the County Council's range of interests

5.2 It is considered that by responding robustly in the manner outlined above and in Appendix 1 it would offer an opportunity to achieve a better outcome for residents and communities in Copeland.

6 RESOURCE AND VALUE FOR MONEY IMPLICATIONS

6.1 There is no direct resource or value for money implication relating to the recommendation contained in this report. SB130812

7 LEGAL IMPLICATIONS

7.1 Paragraphs 214 and 215 of the National Planning Policy Framework provide that, in broad terms, local planning authorities have until March 2013 to ensure that they have up-to-date local plans (as plans adopted prior to 2004 will only be afforded limited weight in planning decisions after this date).

7.2 Section 110 Localism Act 2011 (inserting a new section 33A in the Planning and Compulsory Purchase Act 2004) places a duty on local authorities to cooperate when preparing development plan documents and/or other local development documents (or activities that can reasonably be considered to prepare the way for these or that support these documents).

7.3 Part 3 of the Constitution provides that one of Cabinet's main responsibilities is to agree responses to consultation papers where appropriate. BS

8 CONCLUSION

8.1 Overall, the Copeland Local Plan (Core Strategy) and Development Management Policies Pre-submission Draft consultation documents are considered largely consistent with Cumbria County Council's Policies.

8.2 It is considered that there are a number of detailed points that require strengthening, amendment and / or clarification which should

strengthen the soundness of the document, key aspects of which are set out above in the strategic response.

- 8.3 It is recommended that Cabinet therefore review and resolve the Council's strategic response made in this report, and agree for the detail set out in Appendix 1 to be forwarded to Copeland Borough Council to inform the preparation of the Local Plan. .

Jim Savege
Corporate Director – Environment

13 September 2012

APPENDICES

Appendix 1: Full response sent to Copeland Borough

Appendix 2: Flow Diagram Showing Stages of Local Plan Preparation

Electoral Division(s): All in Copeland

Executive Decision

Yes*	
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Key Decision

	No*
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If a Key Decision, is the proposal published in the current Forward Plan?

		N/A*
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Is the decision exempt from call-in on grounds of urgency?

	No*
--	-----

If exempt from call-in, has the agreement of the Chair of the relevant Overview and Scrutiny Committee been sought or obtained?

		N/A*
--	--	------

Has this matter been considered by Overview and Scrutiny?
If so, give details below.

	No*
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Has an environmental or sustainability impact assessment been undertaken?

		N/A*
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Has an equality impact assessment been undertaken?

		N/A*
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PREVIOUS RELEVANT COUNCIL OR EXECUTIVE DECISIONS

Cabinet endorsed officer response to Copeland Borough Council's Local Development Framework Core Strategy and Development Management Process Preferred Options Consultation Document 13 July 2010

Copeland Local Committee 27 July 2012

CONSIDERATION BY OVERVIEW AND SCRUTINY

Not considered by Overview and Scrutiny

BACKGROUND PAPERS

Copeland Core Strategy and Development Management Policies
Development Plan Document

<http://www.copelandbc.gov.uk/Default.aspx?page=2498>

REPORT AUTHOR

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Appendix A

1.0 Policy SS2 - Sustainable Housing Growth & Policy SS3 – Housing Needs, Mix and Affordability

- 1.1 The proposed level of future new house building growth in the Borough is supported and welcomed. The Preferred Options offered a sliding scale of new house building, ranging from 230 to 299 dwellings per annum. The higher level of housing would be greater than currently set in the Regional Spatial Strategy for the North West (September 2008) (230 dwellings per annum for the Borough), although recent actual house completion rates have been lower at 192 dwellings per annum. At the time based on evidence published in the Interim Strategic Housing Market Assessments (SHMAs) for Copeland, the County Council recommended that an annualised dwelling requirement of 300 units per annum should be the minimum that should be achieved over the long-term.
- 1.2 The final version of the SHMA suggested that it would be reasonable to assume that an annual development target of 200-250 dwellings would be appropriate. The approach taken in the Pre-Submission Draft is that land will be allocated in accordance with a baseline requirement derived from projected household growth, of 230 dwellings per year, with provision for growth 30% above that to 300 dwellings per year.
- 1.3 The reasoning behind setting the above target is outlined in a 'Housing Topic Paper', which includes information from the final Strategic Housing Market Assessment which was published in February 2011; it is considered that this approach is justified and that the target of 230 dwellings per year is appropriate. The provision for growth (30%) above 230 to 300 dwellings per year is also supported and welcomed. Copeland Borough Council explain within the supporting text that due to the current market conditions and infrastructure restrictions (particularly relating to drainage and water supply) that allowance for additional growth up to 300 dwellings per year needs to be phased into the later period of the plan. It is also stated that this will be given greater consideration in the Site Allocations Development Plan Document. It is however considered that it would be helpful if Copeland Borough Council in the supporting text provide greater clarity in order to demonstrate the rationale for implementing the additional 30%, and possible scenarios where this may arise. It is considered that economic aspirations and viability along with past completion rates should be key factors in supporting the rationale for implementing the additional 30%.
- 1.4 It is acknowledged that whilst recent annual completion rates have been significantly lower than the annualised target of 230, the County Council supports the higher aspiration and considers that this level of housing is achievable, providing that the economy grows. It is also considered that having an annual target which is higher than current

and past completion rates, will provide a greater choice and flexibility of sites, and could in turn stimulate the housing market in Copeland. This will assist in delivering against the needs identified in the Strategic Housing Market Assessment (SHMA) (2011), which highlights that there is a general lack of choice within the current housing stock and particularly a shortage of family homes and there is a need for housing to accommodate the ageing population.

- 1.5 It is considered that Policy SS3 will assist in the delivering a balanced housing market by helping to deliver against the needs identified in the Strategic Housing Market Assessment (SHMA) (2011), which highlighted that there was a general lack of choice with the current housing stock, a shortage of family homes and the need for housing to accommodate the ageing population.

2.0 Policy ER1 - Planning for the Nuclear Section & Section 9.3 Monitoring Framework

- 2.1 At the Preferred Options stage, the County Council commented that the infrastructure implications of nuclear new build, both temporary and permanent, needed further clarification, including for transport, housing and educational infrastructure requirements. However, it is recognised that these proposals are at an early stage, and more detailed work is required to fully understand the full implications of nuclear new build. It is considered that this has now been taken into account, and Policy ER1 will allow Copeland Borough Council to successfully plan for nuclear related development within the Borough. However, the County Council remains concerned that throughout the document the terms 'community benefit, compensation and mitigation' are not always used in the correct context.
- 2.2 It is considered that the document needs to be clear about how contributions will be sought in relation to nuclear new build (and other Nationally Significant Infrastructure Projects). Section 106 agreements and the Community Infrastructure Levy (CIL) should be used to cover the provision of infrastructure that is necessary to make the development acceptable in planning terms i.e. highways and transport infrastructure. (Policy ST4 covers infrastructure provision).
- 2.3 Community Benefit Contribution (CBC) separate to and is in addition to S106 and CIL. It is voluntary, and is 'above and beyond' any payment or fund agreed between the developer and host communities that are necessary to make a development acceptable in planning terms and/or offset any negative impacts. This is based on the principles being established by NNLAG (New Nuclear Local Authorities Group).
- 2.4 It is noted that the 'Nuclear New Build' section is contained within the Monitoring Framework and it not included as a planning policy. It is important that appropriate arrangements are in place which separates the responsibilities for the planning process and Community Benefit Contribution (CBC). A decision about a particular planning proposal

must be based on planning issues and not influenced by additional payments or contribution.

- 2.5 In relation to Community Benefit Contribution, it is considered that it should also be highlighted that further work is required to provide sound and clear evidence on the scale and scope appropriate for each development, and identify principles to ensure an equitable distribution of packages.
- 3.0 Policy ER2 – Planning for Renewable Energy Sector & Policy DM2 Renewable Energy Development in the Borough**
- 3.1 Core Strategy Policy ER2 and Development Management Policy DM2 refer to renewable energy. Policy DM2 highlights a range of considerations that regard should be given to during the consideration of renewable energy schemes. The approach is considered broadly appropriate and has appropriate safeguards to ensure amenity, visual impacts, residential proximity and cumulative impacts can be considered. However, it is considered that it would be useful if Policy ER3 or the supporting text make reference to the potential benefits to the local economy and local community that renewable energy developments can bring.
- 4.0 Policy ENV5 – Protecting and Enhancing the Borough's Landscape**
- 4.1 It is considered that Policy ENV5 will protect and enhance Copeland's landscapes and it is noted that support is also given to the reference to the Cumbria Landscape Character Assessment Guidance and Toolkit (2011).
- 5.0 Policy ST1 – Strategic Development Principles & Policy ST2 Development Strategy**
- 5.1 To guide development, the Borough Council has proposed settlement hierarchy to which development would be distributed in a sequential fashion, this is shown below.

Principal Town – Whitehaven.

Key Service Centres – Cleator Moor, Egremont and Millom.

Local Service Centres – Arlecdon/Rowrah, Beckermeth, Bigrigg, Cleator, Distington, Frizington, Haverigg, Kirkland, Ennerdale Bridge, Lowca/Parton, Moor Row, Moresby Parks, Seascale, St. Bees, Thornhill.

Outside settlement boundaries – All other parts of the Borough, including small villages and settlements and open countryside.

- 5.2 Excluding nuclear-related development it is expected that development should be distributed broadly as follows:-
- Whitehaven – at least 45%
 - Cleator Moor – at least 10%
 - Egremont – at least 10%
 - Millom – at least 10%
 - Local Centres – not more than 20% (in combination)
- 5.3 With this in mind it is recommended that Copeland Borough Council and Allerdale Borough Council look at the scales of development for Whitehaven and Workington to ensure that they are complementary. At the Preferred Options stage, the County Council commented that the spatial distribution and the development emphasis identified under Policy ST2 (Spatial Development Strategy) is broadly consistent with the County Council's policies. However, it referred to focusing the 'largest scale' of development and regeneration in Whitehaven, supporting development 'reflecting the respective scale and functions' of Key Service Centres and permitting 'minor development' in defined Local Centres. This terminology was not considered compatible with the Cumbria Sub-Regional Spatial Strategy. Copeland have amended the policy, which now states "permitting appropriately scaled development in defined Local Centres which helps to sustain services and facilities for local communities".
- 5.4 It is now considered that the terminology is broadly compatible with the Cumbria Sub-Regional Spatial Strategy. However, it is still considered that the Policy could be strengthened to enable appropriate business development, such as plots for small-scale workshop, live work, manufacturing, and production uses to come forward in Local Centres in order to sustain local services particularly in rural areas, and meet local needs and support rural businesses. This would ensure that the Policy is in accordance with the Cumbria Sub Regional Spatial Strategy and better reflects the greater flexibility afforded by the NPPF.
- 5.5 The Cumbria Sub Regional Spatial Strategy highlights that development sites should be selected having regard to a sequential consideration of potential development sites, insofar as previously developed land (PDL) should be prioritised over greenfield. The NPPF has granted Local Planning Authorities flexibility about how PDL should be considered. This point should be reflected within the Core Strategy Development Management Policies document given the sustainability and potential regeneration benefits associated with the prioritising of previously developed land.
- 6.0 ENV3 Biodiversity and Geodiversity, ST1 Strategic Development Principles & DM25 Protecting Nature Conservation Sites, Habitats and Protected Species**

- 6.1 At the Preferred Options stage the County Council made a number of specific comments in relation to Biodiversity and it is considered that the majority of these have been taken into account. There are a number of areas to which the County Council considers that Copeland Borough Council could reasonably amend, and these are detailed below.
- 6.2 The Cumbria Biodiversity Evidence Base for Local Authorities is a series of documents and data. The link given is to the general Tullie House Museum front page, and so it is not apparent what documents have been used. The web page that holds the documents is <http://www.lakelandwildlife.co.uk/biodiversity/index.html>
- 6.3 It is recommended that the explanatory text should also make reference to the Cumbria Biodiversity Evidence Base, as this is the most up-to-date representation of current knowledge in Cumbria. Reference could also be made to www.cbdc.org.uk.
- 6.4 In relation to the glossary, it is considered that some updating would be beneficial to include the following:-
- Green Infrastructure definition to be included
 - The habitat definition is limited; it suggested that the definition should be extended to... *'The natural home or environment of a plant or animal, these areas can be small, such as a log, or small pond, or larger, such as woodland, moorland or flower-rich grassland habitat'*.
 - The infrastructure definition should also include reference to greenspace
- 6.5 Policy ST1 C – The County Council acknowledges that the policy has been amended as requested at the Preferred Options stage. However, it is considered that the policy could better define the biodiversity assets.
- 6.6 Policy ENV2 B – The increased emphasis on managing more of undeveloped coast for biodiversity is welcomed. However, the word 'more' is vague. It is suggested the following wording for ENV2 C is used:-
'Support the management and expansion of natural habitat of the undeveloped coast'.
- 6.7 Paragraph 7.4 - The document needs to better define the biodiversity assets that are covered by ENV3, to assist with policy delivery. Table 6.1 lists the designated sites, but it would appear to not identify other habitat and species assets.
- 6.8 Paragraph 7.4.1 - The role of ecosystem services is now included, however it is only mentioned in relation to economic benefits. It is suggested that this should be widened to include the value of a healthy and resilient environment for climate change adaptation and for other.

ecosystem services that are not only beneficial in economic terms, such as flood management.

6.9 It is considered ENV3 should read:-

'...priority and protected species.' since priority species aren't always protected species.

6.10 ENV3 E refers to wildlife corridors as referred to in the NPPF paragraph 117. It is suggested that 'stepping stones' as in paragraph 117 of the NPPF are included. It is suggested that ENV3 E is reworded to:-

'Boost the biodiversity value of existing wildlife corridors and create new corridors and stepping stones to develop a functional ecological network.'

6.11 It is considered that the Cumbria Biodiversity Action Plan should be made referenced. This could be dealt with by adding:-

'.....implementation of the UK and Cumbria Biodiversity Action Plans....'.

6.12 This would help to ensure that if the CBAP adds to the UK scene this will be picked up, and also if the CBAP is not updated to represent that national scene at the local level this will also be referred.

6.13 Table 6.1 lists the designated sites, but fails to identify other habitat and species assets, it is considered that the table is both too limited and too detailed (listing individual sites). It would be useful to include a list of the biodiversity assets which are detailed below:-

European sites

- Special Areas of Conservation
- Special Protection Areas
- Ramsar Sites

National sites and features

- National Nature Reserves
- SSSIs,
- Statutorily protected species)

Locally important sites and features

- Local Nature Reserves
- County Wildlife Sites
- Regionally Important Geological and Geomorphological Sites
- Species and habitats listed as of principal importance for the conservation of biodiversity in England (s41 NERC Act) (this list is the same as the UK priority species list but adds the Hen Harrier)
- UK list of priority habitats and species

- Cumbria Biodiversity Action Plan species in addition to UK list,
- Landscape features of major importance for wildlife that are essential for migration, dispersal and genetic exchange and part of the functional ecological network

- 6.14 Policy DM25 – It is suggested that where there is reference to protected species in the text (10.5.3) and policy (in the title to the policy). This should be changed from 'protected species' to 'species' in order to ensure that both protected and priority species are covered.
- 6.15 Policy DM25 C - It is considered that further guidance should be worked up in due course to clarify the multipliers for different assets.
- 6.16 Section 10.5.6 starts with 'Occasionally'. It is suggested that this word is un-necessary and that, in any case, this is often more than occasionally, as it depends on the site. The word 'may' is adequate in clarifying that this will not be in every case.

7.0 Policy ST4 - Providing Infrastructure

- 7.1 Cumbria County Council has responsibilities for delivering and managing significant areas of infrastructure. Where the needs of development cannot be accommodated within the capacity of infrastructure, it will be important that the developer provides the necessary infrastructure (e.g. via Section 106 agreement). At the Preferred Options stage the County Council raised concerns that within Policy ST4 there is a lack of specificity as to types of infrastructure fundable by developer contribution, notably school places, which could mean that the County Council may have difficulty in negotiation with developers.
- 7.2 It is acknowledged that the County Council's areas of interest will be covered in Copeland's 'Strategy for Infrastructure' and the forthcoming 'Planning Obligations Supplementary Planning Document'. However, these are not statutory planning documents and would not be part of the adopted development plan policy. It is therefore the County Council's view that specific reference to types of infrastructure fundable by developer contribution should therefore be included in ST4. An example of a Core Strategy which does include reference to specific types of infrastructure fundable by developer contribution is Eden District Council's Policy CS6 '*Developer Contribution*', and it is recommended that this approach should also be adopted by Copeland Borough Council.
- 7.3 It would also be welcomed if reference in the supporting text was made to working with the County Council to ensure that high quality education is provided in the right locations, as part of achieving wider socio-economic regeneration and the creation of sustainable communities.

- 7.4 Cumbria County Council is currently advanced in the development of a consolidated policy with respect to planning obligations. It will be important that this is given significant weight in consideration of planning obligations and the development of other guidance around infrastructure.
- 7.5 The Core Strategy also highlights that provided that Copeland Borough Council are satisfied that development viability would not be compromised, CIL could be adopted in the Borough.
- 7.6 Should CIL be pursued, it will be essential that Cumbria County Council is fully engaged in its development given the range of strategic infrastructure and service that Cumbria County Council has responsibility for. To this end it is considered that formalised arrangements between authorities could be put in place for the development and implementation of CIL.

8.0 Policy - T1 Improving Accessibility and Transport

- 8.1 It is particularly important to note the County Council's position in relation to Policy T1 relating to the safeguarding of land for development of the Whitehaven Town Centre Transport Interchange. From a Highways Authority perspective 'Transport Interchanges' is now considered old terminology. The County Council are now seeking to develop a programme of Transport 'hubs', with Corkickle being the focus for delivery in Whitehaven. The 'Hubs' will have less emphasis on the interchange between different passenger transport modes. 'Hubs' will be a combination of suitable levels of parking provision, improved passenger facilities/information and safe, attractive walking and cycling routes to the town centre and key residential areas. It is suggested that any reference to 'interchange' be changed to 'hub' within the document.
- 8.2 Policy T1 – In reference to '*A595 Capacity Improvements*' it is suggested that this is amended to '*A595 Improvements*' to allow for a range of measures to be considered. It is also considered that it would be worth including a reference to safeguarding land for a Calder Bridge diversion.
- 8.3 Accessibility and Transport Page 80 – Key transport priorities include the A595 Eastern Relief Road/Bypass: The Whitehaven Eastern Relief Road is on the list of potential major schemes being drawn up by the County Council and this list (of around 40+ schemes) will be prioritised shortly. However this scheme does not currently carry priority status from a Highways Authority perspective.
- 8.4 Accessibility and Transport Page 80 – It is considered that the phrasing:- '*The council will resist any changes to the management of traffic serving Sellafield which would be to the detriment of the locality*' could be portrayed as being negative. The role that Copeland Borough Council and Cumbria County Council are playing is much

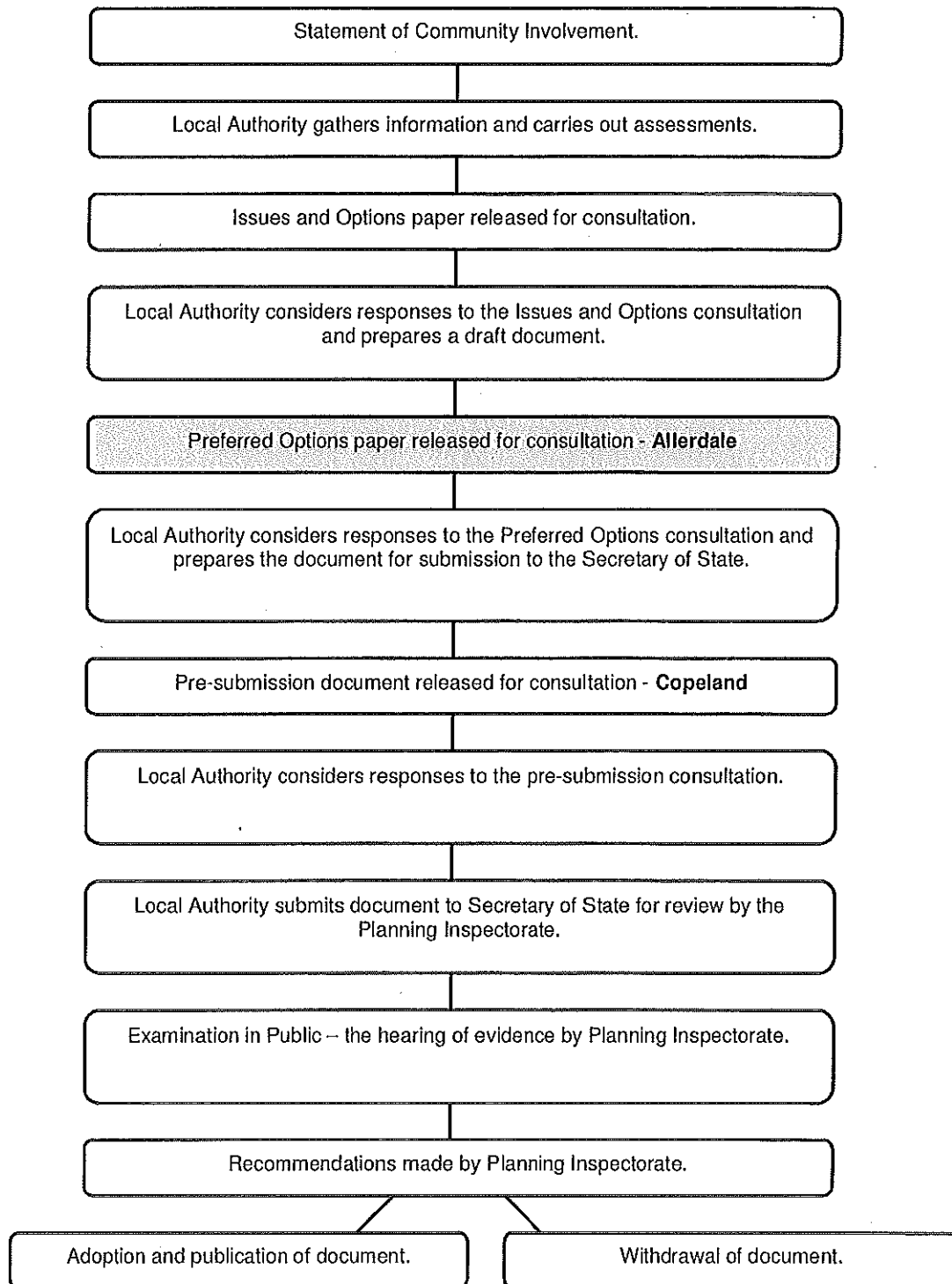
more pro-active and positive than this statement implies. It is considered that statement should reflect this more positive approach.

- 8.5 Appendix 3 – It is stated that the thresholds are in accordance with Policy TSP7, which is listed in Appendix 1 as being superseded by Policies T1 and DM22. In relation to the Travel Plan thresholds, the Appendix should make it clear that this is a general list of requirements, and not a definitive list of situations in which a Transport Assessment or Travel Plan will be required. The County Council would expect Transport Assessments and Travel Plans to be submitted in accordance with the thresholds set out in national guidance, in particular *Guidance on Transport Assessment and Good Practice Guidelines: Delivering Travel Plans through the Planning Process*.
- 8.6 It is considered that the Appendix should be amended to indicate that a Travel Plan will be required for residential developments greater than 80 units (this threshold is the same for Transport Assessments).
- 9 Policy ER4 – Land and Premises for Economic Development, Policy ER6 – Location of Employment Land**
- 9.1 Previously the County Council raised concern that neither Policy ER4 or ER6 identified the amount of employment land in hectares necessary to support delivery of the economic objectives for each of the Key Service Centres and Local Centres, for example, by the use of targets.
- 9.2 The justification for such an approach is that Saved JSP Policy EM13 (Employment Land Provision) sets out the amount of readily available land necessary for employment purposes in 5-year bands, disaggregated to each District/Borough in Cumbria within identified employment market sectors (i.e. regional investment site, strategic employment site, local employment site, and business/science park). It is considered that this planned approach to ensuring a sufficient supply and range of employment land, should be reflected at a local level in the Core Strategy. It is also easily measured, so that progress towards meeting specified goals can be established as part of the Monitoring and Implementation Framework.
- 9.3 The approach which Copeland has taken in the Pre-Submission Draft is to address the above issues in the supporting text with reference to supporting evidence base documents. This in turn allows the policy to be flexible in the current climate of economic uncertainty, but also allow for the Site Allocations Development Plan Document to bring forward a supply of, which will be in excess of identified demand levels.
- 9.4 The evidence base indicates that the need for the next 20 years (2011-2030) based on the 2005-2010 take up is for 24.84ha of business park (B1) and 8.28 ha of industrial (B2) land resulting in 33.12ha in total we note that the current supply is identified at 88ha. However, there has been an historic issue in Copeland over the retention of too many small allocated employment sites, where there has been no incentive to develop them, and they are effectively undevelopable. It is therefore

considered that it is appropriate for Copeland to review the sites which are included within the supply, and to de-allocate, or identify alternate uses as part of the Site Allocations process, this in turn will allow for the Site Allocations Development Plan Document to allocate suitable deliverable sites in accordance with the terms of the NPPF.

- 9.5 It is considered that the approach taken in the Core Strategy Pre-Submission Draft will allow for Copeland to identify enough supply to deliver against the needs of the Borough. It is also considered that the flexible approach will allow Copeland to respond to the needs of major infrastructure projects, which could have a significant impact upon the supply and demand of employment land in Cumbria.

Appendix 2 – Flow Diagram Showing Local Plan Preparation



**MINUTE EXTRACT FROM A MEETING OF CABINET HELD ON 13
SEPTEMBER 2012:-**

**85. COPELAND CORE STRATEGY AND DEVELOPMENT
MANAGEMENT POLICIES DEVELOPMENT PLAN
DOCUMENT - PRE SUBMISSION DRAFT**

The Cabinet Member for Transport and Environment presented a report on the Copeland Core Strategy and Development Management Policies Development Plan.

The current planning system in England is 'plan led', whereby it is a statutory duty for Local Planning Authorities to prepare a 'Development Plan'. The Development Plan should seek to guide decision making in relation to planning applications, as well as to guide investment decisions for infrastructure provision. Since September 2004, the system has comprised of Regional Spatial Strategies (RSSs) and Local Development Frameworks (LDFs) policies. The coalition Government had stated its intention to abolish RSSs, however, the Localism Act states that it will be at the discretion of the Secretary of State if the Regional Spatial Strategy for the North West remains part of the Development Plan, as well as the saved policies of the Cumbria and Lake District Joint Structure Plan.

Changes to the Localism Act and the National Planning Policy Framework do not alter the statutory requirement for Local Planning Authorities to prepare a Development Plan, it makes it all the more important given the presumption in favour of sustainable development.

The Cumbrian Local Planning Authorities are at different stages with their Development Plan production. Copeland Borough Council has published the Pre-Submission Draft of their Core Strategy and Development Management Policies (DPD) for consultation. The Core Strategy sets out strategic planning policy, land use requirements (ie housing numbers and employment land requirements) and identifies the broad locations for growth in Copeland up to 2027. The Core Strategy will address core planning areas including: the spatial distribution of growth; housing; the economy; and infrastructure. Alongside the Core Strategy, Copeland is consulting on their **Development Management Development Plan Document**. This supports the Core Strategy setting out Copeland's detailed policies for managing development in the Borough. The identification of sites is expected to follow in a separate Site Allocations Document, Copeland are intending to consult on their Preferred Options for this document in December 2012 / January 2013.

As a consultee, it is important that the County Council informs the process of the preparation of all Development Plans. As we are the strategic planning, highways and transport, education and adult services authority, early dialogue with the Districts is important in order to successfully be involved in the development of their local planning policy.

The consultation document is a final draft and the responses to the consultation will be collated and submitted to the Secretary of State alongside the document for examination. As a consequence of the short timescales for responding to this consultation an officer response has already been sent to Copeland Borough Council as a holding response. Members are therefore asked to review and resolve the County Council's response set out in Appendix A of the report. Overall it is considered that the Copeland Development Plan Document is legally compliant, effective and justified in accordance with the Government's Tests of Soundness.

Mr Fairbairn raised a similar point as at minute 87 on access to mains sewerage as a criterion for inclusion on the list of 'rural' villages. Members noted that the Corporate Director – Environment was to provide a written reply.

RESOLVED, that

- (1) consideration be given to the *proposed strategic response to the consultation on the Pre-submission Draft of the Copeland Core Strategy and Development Management Policies Document, which is contained within paragraphs 4.14 to 4.39 of the report, and use this to resolve the Council's response;*
- (2) the detailed comments contained in Appendix 1 of the report be forwarded to Copeland Borough Council to inform them in progressing the Local Plan.



Proud of our past. Energised for our future.

LOCAL DEVELOPMENT FRAMEWORK

Core Strategy and Development Management Policies Pre-submission Consultation

Representation Form

Please use this form to indicate which part(s) of the Core Strategy and Development Management Policies Development Plan Document you either support or object to, together with any amendments/additions you would like to see.

Please use a separate form for each expression of support or objection.

Please complete and return this form **no later than 4.00 pm on the 13th July 2012 to:**

Planning Policy Team
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

Or email: ldf@copeland.gov.uk

For internal use:

Resp. No. 38
Rep. No. S139
Date Rec. 6/9/12

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Graeme Innes	
Position	Planning Officer	
Organisation	Cumbria County Council	
Address	Environment Directorate Spatial Planning Lonsdale Building The Courts Carlisle	
Postcode	CA3 8NA	
Telephone	01228 226599	
Email	graeme.innes@cumbria.gov.uk	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy Paragraph Sustainability Appraisal

Do you consider the Core Strategy and Development Management Policies Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes No

If 'no', on what grounds do you consider the document to be unsound?

Not justified Not effective
Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Policy ENV5 – Protecting and Enhancing the Borough's Landscape

It is considered that Policy ENV5 will protect and enhance Copeland's landscapes and it is noted that support is also given to the reference to the Cumbria Landscape Character Assessment Guidance and Toolkit (2011).

Please indicate what change(s) you consider necessary to make it sound.

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

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- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:

Graeme Innes

Date:

06/09/12

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Please indicate the part of the document to which your comment relates.

Policy	<input type="checkbox"/> SS2 & SS3	Paragraph	<input type="checkbox"/>	Sustainability Appraisal	<input type="checkbox"/>
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Policy SS2 - Sustainable Housing Growth & Policy SS3 – Housing Needs, Mix and Affordability

The proposed level of future new house building growth in the Borough is supported and welcomed. The Preferred Options offered a sliding scale of new house building, ranging from 230 to 299 dwellings per annum. The higher level of housing would be greater than currently set in the Regional Spatial Strategy for the North West (September 2008) (230 dwellings per annum for the Borough), although recent actual house completion rates have been lower at 192 dwellings per annum. At the time based on evidence published in the Interim Strategic Housing Market Assessments (SHMAs) for Copeland, the County Council recommended that an annualised dwelling requirement of 300 units per annum should be the minimum that should be achieved over the long-term.

The final version of the SHMA suggested that it would be reasonable to assume that an annual development target of 200-250 dwellings would be appropriate. The approach taken in the Pre-Submission Draft is that land will be allocated in accordance with a baseline requirement derived from projected household growth, of 230 dwellings per year, with provision for growth 30% above that to 300 dwellings per year.

The reasoning behind setting the above target is outlined in a 'Housing Topic Paper', which includes information from the final Strategic Housing Market Assessment which was published in February 2011; it is considered that this approach is justified and that the target of 230 dwellings per year is appropriate. The provision for growth (30%) above 230 to 300 dwellings per year is also supported and welcomed. Copeland Borough Council explain within the supporting text that due to the current market conditions and infrastructure restrictions (particularly relating to drainage and water supply) that allowance for additional growth up to 300 dwellings per year needs to be phased into the later period of the plan. It is also stated that this will be given greater consideration in the Site Allocations Development Plan Document. It is however considered that it would be helpful if Copeland Borough Council in the supporting text provide greater clarity in order to demonstrate the rationale for implementing the additional 30%, and possible scenarios where this may arise. It is considered that economic aspirations and viability along with past completion rates should be key factors in supporting the rationale for implementing the additional 30%.

It is acknowledged that whilst recent annual completion rates have been significantly lower than the annualised target of 230, the County Council supports the higher aspiration and considers that this level of housing is achievable, providing that the economy grows. It is also considered that having an annual target which is higher than current and past completion rates, will provide a greater choice and flexibility of sites, and could in turn stimulate the housing market in Copeland. This will assist in delivering against the needs identified in the Strategic Housing Market Assessment (SHMA) (2011), which highlights that there is a general lack of choice within the current housing stock and particularly a shortage of family homes and there is a need for housing to accommodate the ageing population.

It is considered that Policy SS3 will assist in the delivering a balanced housing market by helping to deliver against the needs identified in the Strategic Housing Market Assessment (SHMA) (2011), which highlighted that there was a general lack of choice with the current housing stock, a shortage of family homes and the need for housing to accommodate the ageing population

Please indicate what change(s) you consider necessary to make it sound.

Do you wish to take part or be represented in the public hearing?

Yes No

Please tick in the relevant box(es) if you wish to be notified of

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- the adoption of the plan.

Signature:

Graeme Innes

Date:

06/09/12

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LOCAL DEVELOPMENT FRAMEWORK

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Address	Environment Directorate Spatial Planning Lonsdale Building The Courts Carlisle	
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Email	graeme.innes@cumbria.gov.uk	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

ST1 &
ST2

Paragraph

Sustainability
Appraisal

Do you consider the Core Strategy and Development Management Policies Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes



No



If 'no', on what grounds do you consider the document to be unsound?

Not justified



Not effective



Not consistent with national planning policy



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Policy ST1 – Strategic Development Principles & Policy ST2 Development Strategy

It is considered that policies ST1 and ST2 are sound, however, it is considered that the policies could be strengthened as detailed below, which would improve the soundness of the policies.

To guide development, the Borough Council has proposed settlement hierarchy to which development would be distributed in a sequential fashion, this is shown below.

Principal Town – Whitehaven.

Key Service Centres – Cleator Moor, Egremont and Millom.

Local Service Centres – Arlecdon/Rowrah, Beckermeth, Bigrigg, Cleator, Distington, Frizington, Haverigg, Kirkland, Ennerdale Bridge, Lowca/Parton, Moor Row, Moresby Parks, Seascale, St. Bees, Thornhill.

Outside settlement boundaries – All other parts of the Borough, including small villages and settlements and open countryside.

Excluding nuclear-related development it is expected that development should be distributed broadly as follows:-

- Whitehaven – at least 45%
- Cleator Moor – at least 10%
- Egremont – at least 10%
- Millom – at least 10%
- Local Centres – not more than 20% (in combination)

With this in mind it is recommended that Copeland Borough Council and Allerdale Borough Council look at the scales of development for Whitehaven and Workington to ensure that they are complementary. At the Preferred Options stage, the County Council commented that the spatial distribution and the development emphasis identified under Policy ST2 (Spatial Development Strategy) is broadly consistent with the County Council's policies. However, it referred to focusing the 'largest scale' of development and regeneration in Whitehaven, supporting development 'reflecting the respective scale and functions' of Key Service Centres and permitting 'minor development' in defined Local Centres. This terminology was not considered compatible with the Cumbria Sub-Regional Spatial Strategy. Copeland have amended the policy, which now states "permitting appropriately scaled development in defined Local Centres which helps to sustain services and facilities for local communities".

It is now considered that the terminology is broadly compatible with the Cumbria Sub-Regional Spatial Strategy. However, it is still considered that the Policy could be strengthened to enable appropriate business development, such as plots for small-scale workshop, live work, manufacturing, and production uses to come forward in Local Centres in order to sustain local services particularly in rural areas, and meet local needs and support rural businesses. This would ensure that the Policy is in accordance with the Cumbria Sub Regional Spatial Strategy and better reflects the greater flexibility afforded by the NPPF.

The Cumbria Sub Regional Spatial Strategy highlights that development sites should be selected having regard to a sequential consideration of potential development sites, insofar as previously developed land (PDL) should be prioritised over greenfield. The NPPF has granted Local Planning Authorities flexibility about how PDL should be considered. This point should be reflected within the Core Strategy Development Management Policies document given the sustainability and potential regeneration benefit's associated with the prioritising of previously developed land.

Please indicate what change(s) you consider necessary to make it sound.

Do you wish to take part or be represented in the public hearing?

Yes No

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Signature:

Graeme Innes

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2. Your Comments

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Policy Paragraph Sustainability Appraisal

Do you consider the Core Strategy and Development Management Policies Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes No

If 'no', on what grounds do you consider the document to be unsound?

Not justified Not effective
Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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It is considered that policy ST4 is sound, however, it is considered that the policy could be strengthened as detailed below, which would improve the soundness of the policy.

Policy ST4 - Providing Infrastructure

Cumbria County Council has responsibilities for delivering and managing significant areas of infrastructure. Where the needs of development cannot be accommodated within the capacity of infrastructure, it will be important that the developer provides the necessary infrastructure (e.g. via Section 106 agreement). At the Preferred Options stage the County Council raised concerns that within Policy ST4 there is a lack of specificity as to types of infrastructure fundable by developer contribution, notably school places, which could mean that the County Council may have difficulty in negotiation with developers.

It is acknowledged that the County Council's areas of interest will be covered in Copeland's 'Strategy for Infrastructure' and the forthcoming 'Planning Obligations Supplementary Planning Document'. However, these are not statutory planning documents and would not be part of the adopted development plan policy. It is therefore the County Council's view that specific reference to types of infrastructure fundable by developer contribution should therefore be included in ST4. An example of a Core Strategy which does include reference to specific types of infrastructure fundable by

developer contribution is Eden District Council's Policy CS6 '*Developer Contribution*', and it is recommended that this approach should also be adopted by Copeland Borough Council.

It would also be welcomed if reference in the supporting text was made to working with the County Council to ensure that high quality education is provided in the right locations, as part of achieving wider socio-economic regeneration and the creation of sustainable communities.

Cumbria County Council is currently advanced in the development of a consolidated policy with respect to planning obligations. It will be important that this is given significant weight in consideration of planning obligations and the development of other guidance around infrastructure.

The Core Strategy also highlights that provided that Copeland Borough Council are satisfied that development viability would not be compromised, CIL could be adopted in the Borough.

Should CIL be pursued, it will be essential that Cumbria County Council is fully engaged in its development given the range of strategic infrastructure and service that Cumbria County Council has responsibility for. To this end it is considered that formalised arrangements between authorities could be put in place for the development and implementation of CIL.

Please indicate what change(s) you consider necessary to make it sound.

Do you wish to take part or be represented in the public hearing?

Yes No

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Policy - T1 Improving Accessibility and Transport

It is considered that Policy T1 is sound, but would benefit from a number of clarifications which are detailed below.

It is particularly important to note the County Council's position in relation to Policy T1 relating to the safeguarding of land for development of the Whitehaven Town Centre Transport Interchange. From a Highways Authority perspective 'Transport Interchanges' is now considered old terminology. The County Council are now seeking to develop a programme of Transport 'hubs', with Corkickle being the focus for delivery in Whitehaven. The 'Hubs' will have less emphasis on the interchange between different passenger transport modes. 'Hubs' will be a combination of suitable levels of parking provision, improved passenger facilities/information and safe, attractive walking and cycling routes to the town centre and key residential areas. It is suggested that any reference to 'interchange' be changed to 'hub' within the document.

Policy T1 – In reference to 'A595 Capacity Improvements' it is suggested that this is amended to 'A595 Improvements' to allow for a range of measures to be considered. It is also considered that it would be worth including a reference to safeguarding land for a Calder Bridge diversion.

Accessibility and Transport Page 80 – Key transport priorities include the A595 Eastern Relief Road/Bypass: The Whitehaven Eastern Relief Road is on the list of potential major schemes being drawn up by the County Council and this list (of around 40+ schemes) will be prioritised shortly. However this scheme does not currently carry priority status from a Highways Authority perspective.

Accessibility and Transport Page 80 – It is considered that the phrasing;- ***'The council will resist any changes to the management of traffic serving Sellafield which would be to the detriment of the locality'*** could be portrayed as being negative. The role that Copeland Borough Council and Cumbria County Council are playing is much more proactive and positive than this statement implies. It is considered that statement should reflect this more positive approach.

Appendix 3 – It is stated that the thresholds are in accordance with Policy TSP7, which is listed in Appendix 1 as being superseded by Policies T1 and DM22. In relation to the Travel Plan thresholds, the Appendix should make it clear that this is a general list of requirements, and not a definitive list of situations in which a Transport Assessment or Travel Plan will be required. The County Council would expect Transport Assessments and Travel Plans to be submitted in accordance with the thresholds set out in national guidance, in particular *Guidance on Transport Assessment* and *Good Practice Guidelines: Delivering Travel Plans through the Planning Process*.

It is considered that the Appendix should be amended to indicate that a Travel Plan will be required for residential developments greater than 80 units (this threshold is the same for Transport Assessments).

Please indicate what change(s) you consider necessary to make it sound.

Do you wish to take part or be represented in the public hearing?

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- the publication of the Inspectors' recommendations
- the adoption of the plan.

Signature:

Graeme Innes

Date:

06/09/12

Please use a separate form for each comment in support or objecting and return this form no later than 13th July 2012.

Thank you for completing this form

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LOCAL DEVELOPMENT FRAMEWORK

Core Strategy and Development Management Policies Pre-submission Consultation

Representation Form

Please use this form to indicate which part(s) of the Core Strategy and Development Management Policies Development Plan Document you either support or object to, together with any amendments/additions you would like to see.

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Please complete and return this form **no later than 4.00 pm on the 13th July 2012** to:

Planning Policy Team
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

For internal use:

Resp. No. 38

Rep. No. 5114

Date Rec. 6/9/12

Or email: ldf@copeland.gov.uk

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Graeme Innes	
Position	Planning Officer	
Organisation	Cumbria County Council	
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Postcode	CA3 8NA	
Telephone	01228 226599	
Email	graeme.innes@cumbria.gov.uk	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

ER4 &
ER6

Paragraph

Sustainability
Appraisal

Do you consider the Core Strategy and Development Management Policies Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes

No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Policy ER4 – Land and Premises for Economic Development, Policy ER6 – Location of Employment Land

Previously the County Council raised concern that neither Policy ER4 or ER6 identified the amount of employment land in hectares necessary to support delivery of the economic objectives for each of the Key Service Centres and Local Centres, for example, by the use of targets.

The justification for such an approach is that Saved JSP Policy EM13 (Employment Land Provision) sets out the amount of readily available land necessary for employment purposes in 5-year bands, disaggregated to each District/Borough in Cumbria within identified employment market sectors (i.e. regional investment site, strategic employment site, local employment site, and business/science park). It is considered that this planned approach to ensuring a sufficient supply and range of employment land, should be reflected at a local level in the Core Strategy. It is also easily measured, so that progress towards meeting specified goals can be established as part of the Monitoring and Implementation Framework.

The approach which Copeland has taken in the Pre-Submission Draft is to address the

above issues in the supporting text with reference to supporting evidence base documents. This in turn allows the policy to be flexible in the current climate of economic uncertainty, but also allow for the Site Allocations Development Plan Document to bring forward a supply of, which will be in excess of identified demand levels.

The evidence base indicates that the need for the next 20 years (2011-2030) based on the 2005-2010 take up is for 24.84ha of business park (B1) and 8.28 ha of industrial (B2) land resulting in 33.12ha in total we note that the current supply is identified at 88ha. However, there has been an historic issue in Copeland over the retention of too many small allocated employment sites, where there has been no incentive to develop them, and they are effectively undevelopable. It is therefore considered that it is appropriate for Copeland to review the sites which are included within the supply, and to de-allocate, or identify alternate uses as part of the Site Allocations process, this in turn will allow for the Site Allocations Development Plan Document to allocate suitable deliverable sites in accordance with the terms of the NPPF.

It is considered that the approach taken in the Core Strategy Pre-Submission Draft will allow for Copeland to identify enough supply to deliver against the needs of the Borough. It is also considered that the flexible approach will allow Copeland to respond to the needs of major infrastructure projects, which could have a significant impact upon the supply and demand of employment land in Cumbria.

Please indicate what change(s) you consider necessary to make it sound.

Do you wish to take part or be represented in the public hearing?

Yes No

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Signature:

Graeme Innes

Date:

06/09/12

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 Copeland Borough Council
 The Copeland Centre
 Catherine Street
 Whitehaven
 Cumbria CA28 7SJ

For internal use:	
Resp. No.	38
Rep. No.	S145
Date Rec.	6/9/12

Or email: ldf@copeland.gov.uk

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
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Position	Planning Officer	
Organisation	Cumbria County Council	
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Postcode	CA3 8NA	
Telephone	01228 226599	
Email	graeme.innes@cumbria.gov.uk	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

ENV3,
ST1 &
DM25

Paragraph

Sustainability
Appraisal

Do you consider the Core Strategy and Development Management Policies Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes



No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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ENV3 Biodiversity and Geodiversity, ST1 Strategic Development Principles (In relation to Biodiversity) & DM25 Protecting Nature Conservation Sites, Habitats and Protected Species

At the Preferred Options stage the County Council made a number of specific comments in relation to Biodiversity and it is considered that the majority of these have been taken into account. There are a number of areas to which the County Council considers that Copeland Borough Council could reasonably amend, and these are detailed below.

The Cumbria Biodiversity Evidence Base for Local Authorities is a series of documents and data. The link given is to the general Tullie House Museum front page, and so it is not apparent what documents have been used. The web page that holds the documents is <http://www.lakelandwildlife.co.uk/biodiversity/index.html>

It is recommended that the explanatory text should also make reference to the Cumbria Biodiversity Evidence Base, as this is the most up-to-date representation of current knowledge in Cumbria. Reference could also be made to www.cbdc.org.uk.

In relation to the glossary, it is considered that some updating would be beneficial to include the following:-

- Green Infrastructure definition to be included
- The habitat definition is limited; it suggested that the definition should be extended to... *'The natural home or environment of a plant or animal, these areas can be small, such as a log, or small pond, or larger, such as woodland, moorland or flower-rich grassland habitat'*.
- The infrastructure definition should also include reference to greenspace

Policy ST1 C – The County Council acknowledges that the policy has been amended as requested at the Preferred Options stage. However, it is considered that the policy could better define the biodiversity assets.

Policy ENV2 B – The increased emphasis on managing more of undeveloped coast for biodiversity is welcomed. However, the word 'more' is vague. It is suggested the following wording for ENV2 C is used:-

'Support the management and expansion of natural habitat of the undeveloped coast'

Paragraph 7.4 - The document needs to better define the biodiversity assets that are covered by ENV3, to assist with policy delivery. Table 6.1 lists the designated sites, but it would appear to not identify other habitat and species assets.

Paragraph 7.4.1 - The role of ecosystem services is now included, however it is only mentioned in relation to economic benefits. It is suggested that this should be widened to include the value of a healthy and resilient environment for climate change adaptation and for other ecosystem services that are not only beneficial in economic terms, such as flood management.

It is considered ENV3 should read:-

'...priority and protected species.' since priority species aren't always

protected species.

ENV3 E refers to wildlife corridors as referred to in the NPPF paragraph 117. It is suggested that 'stepping stones' as in paragraph 117 of the NPPF are included. It is suggested that ENV3 E is re-worded to:-

'Boost the biodiversity value of existing wildlife corridors and create new corridors and stepping stones to develop a functional ecological network.'

It is considered that the Cumbria Biodiversity Action Plan should be made referenced. This could be dealt with by adding:-

'.....implementation of the UK and Cumbria Biodiversity Action Plans....'

This would help to ensure that if the CBAP adds to the UK scene this will be picked up, and also if the CBAP is not updated to represent that national scene at the local level this will also be referred.

Table 6.1 lists the designated sites, but fails to identify other habitat and species assets, it is considered that the table is both too limited and too detailed (listing individual sites). It would be useful to include a list of the biodiversity assets which are detailed below:-

European sites

- Special Areas of Conservation
- Special Protection Areas
- Ramsar Sites

National sites and features

- National Nature Reserves
- SSSIs,
- Statutorily protected species)

Locally important sites and features

- Local Nature Reserves
- County Wildlife Sites
- Regionally Important Geological and Geomorphological Sites
- Species and habitats listed as of principal importance for the conservation of biodiversity in England (s41 NERC Act) (this list is the same as the UK priority species list but adds the Hen Harrier)
 - UK list of priority habitats and species
 - Cumbria Biodiversity Action Plan species in addition to UK list,
 - Landscape features of major importance for wildlife that are essential for migration, dispersal and genetic exchange and part of the functional ecological network

Policy DM25 – It is suggested that where there is reference to protected species in the text (10.5.3) and policy (in the title to the policy). This should be changed from 'protected species' to 'species' in order to ensure that both protected and priority species are covered.

Policy DM25 C - It is considered that further guidance should be worked up in due course

to clarify the multipliers for different assets.

Section 10.5.6 starts with 'Occasionally'. It is suggested that this word is unnecessary and that, in any case, this is often more than occasionally, as it depends on the site. The word 'may' is adequate in clarifying that this will not be in every case.

Please indicate what change(s) you consider necessary to make it sound.

Do you wish to take part or be represented in the public hearing?

Yes No

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Graeme Innes

Date:

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For internal use:

Resp. No. 38
Rep. No. S146
Date Rec. 6/9/12

1. Your Details

(Where provided we will use your Agent's details as our primary contact)

	Your details	Agent's details
Name	Graeme Innes	
Position	Planning Officer	
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Address	Environment Directorate Spatial Planning Lonsdale Building The Courts Carlisle	
Postcode	CA3 8NA	
Telephone	01228 226599	
Email	graeme.innes@cumbria.gov.uk	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy	<input type="checkbox"/> ER2 & DM2	Paragraph	<input type="checkbox"/>	Sustainability Appraisal	<input type="checkbox"/>
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Do you consider the Core Strategy and Development Management Policies Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes No

If 'no', on what grounds do you consider the document to be unsound?

Not justified

Not effective

Not consistent with national planning policy

Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Policy ER2 – Planning for Renewable Energy Sector & Policy DM2 Renewable Energy Development in the Borough

Core Strategy Policy ER2 and Development Management Policy DM2 refer to renewable energy. Policy DM2 highlights a range of considerations that regard should be given to during the consideration of renewable energy schemes. The approach is considered broadly appropriate and has appropriate safeguards to ensure amenity, visual impacts, residential proximity and cumulative impacts can be considered. However, it is considered that it would be useful if Policy ER3 or the supporting text make reference to the potential benefits to the local economy and local community that renewable energy developments can bring.

Please indicate what change(s) you consider necessary to make it sound.

Do you wish to take part or be represented in the public hearing?

Yes No

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Resp. No.	38
Rep. No.	S147
Date Rec.	6/9/12

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Email	graeme.innes@cumbria.gov.uk	

2. Your Comments

Please indicate the part of the document to which your comment relates.

Policy

ER1

Paragraph

Sustainability
Appraisal

Do you consider the Core Strategy and Development Management Policies
Development Plan Document to be sound?

(Please tick ✓ as appropriate)

Yes



No



If 'no', on what grounds do you consider the document to be unsound?

Not justified



Not effective



Not consistent with national planning policy



Explanation The Inspector will examine the document against the three tests of 'soundness', which are that it should be: **justified** (founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives), **effective** (deliverable, having no regulatory or national planning barriers to delivery, coherent, flexible and able to be monitored), and **consistent with national policy**.

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Policy ER1 - Planning for the Nuclear Section & Section 9.3 Monitoring Framework

It is considered that Policy ER1 is sound, but would benefit from a number of clarifications which are detailed below.

At the Preferred Options stage, the County Council commented that the infrastructure implications of nuclear new build, both temporary and permanent, needed further clarification, including for transport, housing and educational infrastructure requirements. However, it is recognised that these proposals are at an early stage, and more detailed work is required to fully understand the full implications of nuclear new build. It is considered that this has now been taken into account, and Policy ER1 will allow Copeland Borough Council to successfully plan for nuclear related development within the Borough. However, the County Council remains concerned that throughout the document the terms 'community benefit, compensation and mitigation' are not always used in the correct context.

It is considered that the document needs to be clear about how contributions will be sought in relation to nuclear new build (and other Nationally Significant Infrastructure Projects). Section 106 agreements and the Community Infrastructure Levy (CIL) should be used to cover the provision of infrastructure that is necessary to make the development acceptable

in planning terms i.e. highways and transport infrastructure. (Policy ST4 covers infrastructure provision).

Community Benefit Contribution (CBC) separate to and is in addition to S106 and CIL. It is voluntary, and is 'above and beyond' any payment or fund agreed between the developer and host communities that are necessary to make a development acceptable in planning terms and/or offset any negative impacts. This is based on the principles being established by NNLAG (New Nuclear Local Authorities Group).

It is noted that the 'Nuclear New Build' section is contained within the Monitoring Framework and it not included as a planning policy. It is important that appropriate arrangements are in place which separates the responsibilities for the planning process and Community Benefit Contribution (CBC). A decision about a particular planning proposal must be based on planning issues and not influenced by additional payments or contribution.

In relation to Community Benefit Contribution, it is considered that it should also be highlighted that further work is required to provide sound and clear evidence on the scale and scope appropriate for each development, and identify principles to ensure an equitable distribution of packages.

Please indicate what change(s) you consider necessary to make it sound.

Do you wish to take part or be represented in the public hearing?

Yes No

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