

Representations on behalf of Pure Leisure Group Ltd

SOUTH LAKELAND LAND ALLOCATIONS DPD - PROPOSED  
SUBMISSION (MARCH 2012)

EPP reference: REPS1-8786-RG-bp

April 2012

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## **1. INTRODUCTION**

- 1.1 Emery Planning Partnership is instructed by Pure Leisure Group Ltd to submit representations to the South Lakeland Land Allocations DPD - Proposed Submission Edition (March 2012).
- 1.2 Our client has a number of interests in South Lakeland as follows:
- Fell End Caravan Park, Hale, Milnthorpe, LA7 7BS;
  - Hall More Caravan Park, Hale, Milnthorpe, LA7 7BP; and
  - Former Ulverston Abattoir, North Lonsdale Road, LA12 9AU
- 1.3 Site location plans are attached as Appendix EPP1.
- 1.4 These submissions relate to the established leisure uses on site in respect of Fell End and Hall More and to the potential redevelopment opportunities of the Former Abattoir site. In respect of this latter site our submissions centre on the potential for residential or mixed uses which we consider offer the most suitable basis for bringing the redevelopment of this site forward.

## **2. PLANNING POLICY CONTEXT**

- 2.1 The current development plan comprises:
- the Regional Spatial Strategy for the North West (September 2008);
  - the South Lakeland Core Strategy (October 2010);
  - the saved policies of the Joint Cumbria and Lake District Structure Plan (April 2006); and
  - the saved policies of the South Lakeland Local Plan (September 1999).
- 2.2 The following documents are material considerations:
- Ulverston Canal Head Masterplan (2005)

### **National Planning Policy**

- 2.3 The National Planning Policy Framework (NPPF) was published on 27<sup>th</sup> March 2012. It supersedes all previous Planning Policy Guidance notes (PPGs) and Planning Policy Statements (PPSs).
- 2.4 Paragraph 14 confirms that at the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. For plan-making, this means that:
- local planning authorities should positively seek opportunities to meet the development needs of their area; and

- local plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change.
- 2.5 Paragraph 47 states that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20%. Specific, developable sites or broad locations for growth should be identified for years 6-10 and, where possible, for years 11-15.
- 2.6 Paragraph 159 states that Local Planning authorities should have a clear understanding of housing needs in their area. They should prepare a Strategic Housing Market Assessment (SHMA) to assess their full housing needs, working with neighbouring authorities where housing market areas cross administrative boundaries. The SHMA should identify the scale and mix of housing and the range of tenures that the local population is likely to need over the plan period, which:
- meets household and population projections, taking account of migration and demographic change;
  - addresses the need for all types of housing, including affordable housing and the needs of different groups in the community; and
  - caters for housing demand and the scale of housing supply necessary to meet this demand.
- 2.7 Local Planning authorities should also prepare a Strategic Housing Land Availability Assessment (SHLAA) to establish realistic assumptions about the availability, suitability and likely economic viability of land to meet the identified need for housing over the plan period.

### **3. PLAN PERIOD**

- 3.1 We note that paragraph 1.19 of the consultation document states the Council expects the Land Allocations DPD to be adopted in autumn 2012. However, the consultation document only sets out housing allocations to 2025. Even if the Land Allocations DPD is adopted in 2012, this would mean that land would only be allocated for a maximum 13 years at best if what we consider to be an optimistic timetable is adhered to.
- 3.2 As set out above, paragraph 47 of the NPPF states that local planning authorities should identify specific deliverable sites sufficient to provide five years worth of housing against their housing requirements. Specific, developable sites or broad locations for growth should be identified for years 6-10 and, where possible, for years 11-15.

3.3 Paragraph 157 of the NPPF states that crucially, local plans should 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.

3.4 The Land Allocations DPD should plan for a 15 year period from adoption. As the Core Strategy sets out the requirements for South Lakeland to 2025, these requirements should be rolled forward to allow the Land Allocations DPD to plan for a 15 year period.

#### 4. SECTION 2 – LAND ALLOCATIONS

4.1 Tables 1A and 1B of the Land Allocations DPD set out the overall housing requirement and allocation phasing.

4.2 In line with Core Strategy Policy CS6.1, table 1A sets out the number of dwellings required to meet the requirement of 8,800 dwellings between 2003 and 2025. This is summarised as follows:

Completions 2003-2011	1,690
Permitted 2011	1,042
Identified small sites	289
Phase 1 requirement (2012-17)	2,103
Phase 2 requirement (2017-22)	2,402
Phase 3 requirement (2022-25)	1,273
<b>Total</b>	<b>8,799</b>

4.3 Table 1B sets out a summary of the housing allocations between 2012 and 2025. This is summarised as follows:

Phase 1 allocations (2012-17)	1,473
Phase 2 allocations (2017-22)	2,242
Phase 3 allocations (2022-25)	2,366
<b>Total</b>	<b>6,081</b>

#### Completions

4.4 We note that 1,690 dwellings (net) have been completed between April 2003 and March 2011. This is summarised as follows:

	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	Total
Requirement	400	400	400	400	400	400	400	400	3,200
Completions	221	232	303	238	156	155	282	103	1,690

4.5 As the above table demonstrates, the Council has failed to meet its annual requirement every year since 2003.

### **Planning permissions**

- 4.6 It is unclear where the figure of 1,042 dwellings with planning permission in table 1A is taken from. Footnote 7 explains that the source for this is the Council's Annual Monitoring Report (AMR, 2010), but the table reference is not given. The AMR 2010 is based on the Housing Land Position Statement 2010, which stated that at 1<sup>st</sup> April 2010, there were 940 dwellings with planning permission.
- 4.7 Table 1A needs to be updated to reflect the latest evidence. Unfortunately, the Council does not appear to have published its AMR for the period April 2010 to March 2011. However, the Housing Land Position Statement 2011 was published in September 2011. Appendix 3 of this document states that at 1<sup>st</sup> April 2011, there were 1,003 dwellings with planning permission comprising 445 units under construction and 558 dwellings not started.
- 4.8 Footnote 7 of table 1A also notes that a deduction of 20% should be applied to cover permissions not implemented on small sites. We therefore question whether the number of dwellings with planning permission should actually be 800 (i.e. 1,003 dwellings with planning permission minus 20%) rather than either 1,042 or 1,003.

### **Identified small sites**

- 4.9 Footnote 8 states that these sites are those identified in the SHLAA, adjusted to exclude permissions and completions with the balance adjusted by 80% to account for sites not implemented.

### **Phase 1 requirements and allocations**

- 4.10 We are concerned that the consultation document does not allocate enough dwellings in phase 1 to meet the requirement set out in Core Strategy policy CS6.1 (of 400 dwellings per annum).
- 4.11 Firstly, the shortfall in housing delivered since 2003 (of 1,510 dwellings) means that the annual requirement has increased for the remainder of the plan period.
- 4.12 We note that appendix 4 of the consultation document sets out the housing trajectory and anticipates that just 275 dwellings will be delivered between 2011-12. This means that the shortfall would increase to 1,635 by 2012.
- 4.13 If the shortfall were to be split over the remaining 13 years of the plan period, this would equate to an annual requirement of 551 dwellings (2012 to 2025). This would equate to a five year requirement of 2,755 dwellings.

- 4.14 We note however that as set out in table 4.1 of the Housing Land Position Statement 2011, the Council is seeking to meet the shortfall in the first five years. This means that the annual housing requirement for the first five years (i.e. 2012 to 2017) is 727 dwellings, equating to 3,635 dwellings over the five year period. Under this scenario, the requirement for the remainder of the plan period (i.e. 2017 to 2025) would drop to 400 dwellings per annum.
- 4.15 Table 1B shows that for phase 1 (2012-17), 1,473 dwellings have been allocated. Consequently, assuming the 1,042 dwellings with planning permission and the 289 identified small sites are delivered as set out in table 1A, this means that in the five year period between 2012 and 2017, the Council is planning to deliver 2,529 dwellings, which falls short of the requirement under both scenarios set out above.
- 4.16 In addition, paragraph 47 of the NPPF is clear that where there has been a record of persistent under delivery of housing against their requirement, local planning authorities should identify an additional 20% of sites, moved from later in the plan period and add this to the five year supply.
- 4.17 There has been a persistent under delivery of housing in South Lakeland since the beginning of the RSS / Core Strategy plan period in 2003. As set out above, the Council has failed to meet the annual requirement of 400 net dwellings in every year since 2003. Consequently, to accord with national policy, South Lakeland must identify an additional 20% of supply in the first five years (i.e. phase 1). This will have implications in relation to phases 2 and 3 of the plan as some of the supply for these phases will need to be brought forward to the first five years.
- 4.18 The following table summarises this position:

	<b>Requirement</b>	<b>Scenario 1 – Shortfall made up over period to 2025</b>	<b>Scenario 2 – Shortfall made up over first five years</b>
A	Requirement April 2003 to March 2025 (400 dwellings per annum)	8,800	8,800
B	Completions April 2003 to March 2011	1,690	1,690
C	Anticipated completions April 2011 to March 2012	275	275
D	Total completions April 2003 – March 2012	1,965	1,965
E	Shortfall in delivery April 2003 – March 2012	1,635	1,635
F	Residual requirement 2012-25 (A-D)	6,835	6,835
G	Requirement April 2012 to March 2017	2,630	3,635
H	Annual requirement April 2012 to March 2017 (G/5)	526	727
I	Plus additional buffer (G+20%)	3,156	4,362
	<b>Supply</b>		

	<b>Requirement</b>	<b>Scenario 1 – Shortfall made up over period to 2025</b>	<b>Scenario 2 – Shortfall made up over first five years</b>
J	Supply - April 2011 to March 2017 <ul style="list-style-type: none"> <li>• Permitted sites (1,042)</li> <li>• Identified small sites (289)</li> <li>• Allocated sites (1,473)</li> <li>• Estimated completions 2011-12 (-275)</li> </ul>	2,529	2,529
K	Shortfall in allocation (I-G)	-101	-1,106
L	Shortfall in allocation including 20% buffer (I-H)	-627	-1,833

## 5. SECTION 3 – LAND ALLOCATIONS – KENDAL AND SURROUNDING AREA

5.1 As set out above, our client has two sites in Hale, to the south of Milnthorpe:

- Fell End Caravan Park, Hale, Milnthorpe, LA7 7BS;
- Hall More Caravan Park, Hale, Milnthorpe, LA7 7BP; and

5.2 These sites are located within the Arnside and Silverdale Area of Natural Beauty (AONB).

5.3 Paragraphs 3.74 to 3.88 of the consultation document discuss the AONB within the context of Core Strategy policy CS8.2, which seeks to protect and enhance the Arnside and Silverdale Area of Natural Beauty.

5.4 The Land Allocations DPD needs to recognise the importance of tourist accommodation on sites within the AONB such as the two caravan parks at Fell End and Hall More. This means allowing the flexibility to expand whilst seeking to protect the AONB. This should be within the context of Core Strategy policies CS7.6 and CS5, which seek to maintain and enhance the strength of tourism.

## 6. SECTION 5 – LAND ALLOCATIONS – ULVERSTON AND FURNESS

6.1 Our client's site at the Ulverston Abattoir falls within the land allocated for mixed use development at Ulverston Canal Head as shown on the proposals map 2.3 (site ref: M28). Paragraphs 5.43 to 5.45 of the consultation document discuss the Canal Head Mixed Use Site.

6.2 Policy 5.3 – Mixed Use Allocation, Ulverston Canal Head of the consultation document explains that the allocation is for a mix of housing (with an estimated capacity of 86 dwellings), heritage, leisure and tourism development. This policy continues to state that



1.93 ha of the site would be used for residential use and 2 ha for heritage, leisure and tourism. The policy considers that the 86 dwellings at the site would be delivered in phase 3 (i.e. 2022-25).

6.3 Policy 5.4 – Land at Ulverston Canal Head – Development Brief explains that a development brief will be prepared to guide the development of the two sites at the Canal Head in Ulverston (i.e. the mixed use site described above and a strategic employment site). In terms of the mixed use site at the canal head, this policy states that development must make provision for the following:

- achievement of a 'sense of place';
- a sympathetic setting for grade II listed buildings at Sunderland Terrace;
- the opening up of views to the canal and basin;
- the retention and improvement of the canal as a public amenity;
- the provision of strong pedestrian and cycle connectivity between the different parts of the canal head site, the strategic employment site, the rest of the canal corridor and the town centre;
- the provision of any necessary flood risk mitigation / attenuation measures;
- the provision of mitigation measures to offset impact of the existing highway network;
- the mitigation of any biodiversity impacts;
- and any necessary works required to the canal itself and arrangements for maintenance; and
- a scheme for canal side landscaping.

6.4 In general, we welcome the inclusion of our client's site in the Land Allocations DPD and the recognition by the Council that this site could be delivered within the plan period. The proposed allocation would be in accordance with Core Strategy policy CS3.2

6.5 We do however have some concerns in relation to the proposed allocation as set out below.

#### **Timetable for the preparation of the development brief**

6.6 Paragraph 2.66 of the consultation document states that the development of major and complex sites will be guided by development briefs. This paragraph confirms that the development briefs will be Supplementary Planning Documents. Paragraph 2.67 of the consultation document lists some 18 sites where development briefs are to be prepared in the plan period. The footnotes to table 1B are also relevant as they state that in terms of the delivery of sites, the following timescales are assumed:

- a maximum annual yield of 30 dwellings per site;

- up to 1 year is anticipated to prepare a development brief (if required); and
- up to 2 years is anticipated for design and consents on sites of more than 40 dwellings.

6.7 Consequently, on those sites where a development brief is to be prepared, the very latest year in which a development brief could begin so that there would be some delivery in the plan period would be 2021 (i.e. 1 year for the development brief, 2 years for the design and consents and 1 year to deliver a maximum of 30 units). This means that according to the consultation document, 18 development briefs are to be prepared and adopted within the first nine years of the plan period (2012-21). This could extend to 18 development briefs in an eight year period should the Land Allocations DPD not be adopted until 2013. We question whether this ambition is realistic or whether it accords with the stated aims of the NPPF which is to promote the development of sites without undue delay and to promote growth.

6.8 We also note that the 86 dwellings to be delivered at the site are to be delivered in phase 3 (i.e. 2022-25). We question whether given the importance of the site, the fact that an existing masterplan has already been prepared and the need to identify an additional 20% of deliverable sites in the first five years in accordance with NPPF as set out above the development brief could be prioritised and the allocation brought forward earlier in the plan period than phase 3.

### **Preparation of the development brief**

6.9 Core Strategy policy CS3.2 states that the specific land allocations for the Ulverston Canal Head and Corridor will be pursued through the Land Allocations DPD, informed by the Ulverston Canal Head Masterplan and any subsequent review of its contents. Paragraph 5.45 of the consultation document confirms that the allocation is in line with the masterplan.

6.10 This document, prepared in 2005 identifies our client's site as 'Site C'. Section 11 states:

*"A prerequisite of the redevelopment at Canal Head will be the reorganisation of the Auction Mart to create available land. This will require the acquisition of the adjacent vacant abattoir site to provide alternative servicing areas for the mart. It would be possible to provide an experience for visitors, to view the animals and see auctions taking place. This could be a popular attraction for families and, with interpretation, could help to improve awareness and understanding of South Lakeland's farming industry and local food products. The Auction Mart Company has indicated that their car parking area could be made available to the public on non auction days."*

6.11 It is important to note that the masterplan dates back to 2005, and is now seven years old. Consequently, the proposed development brief should provide the opportunity to update the proposals for the area with a view to precipitating development quickly on a

site which has been subject to delayed redevelopment proposals since the 1990s. In particular, the location of housing within the site allocation should be on sites that are deliverable within the plan period.

- 6.12 We note that policy 5.4 of the consultation document states that the Council will be responsible for preparing the development brief. The development brief should be developer led. Given the importance of our client's site in relation to the proposals set out in the masterplan, we request that our client is invited to be a partner in the preparation of the development brief. We would also add that in the absence of the development brief progressing, the council should look favourably on development proposals which do not undermine or prejudice the overall development of the allocation and accord with the general principles for development of the site.

## **7. APPENDIX 4 – HOUSING TRAJECTORY**

- 7.1 Appendix 4 of the consultation document provides the latest housing trajectory. No figures are given, but the chart suggests approximately the following will be delivered in the five year period 2011-16:

- 2011/12 – 275 dwellings
- 2012/13 – 525 dwellings
- 2013/14 – 525 dwellings
- 2014/15 – 525 dwellings
- 2015/16 – 525 dwellings

- 7.2 We question whether the housing trajectory is realistic – particularly in the years 2012/13 to 2015/16 as the Council has failed to deliver 525 dwellings in any of the previous years from 2003 to 2011.

## **8. SUMMARY AND CONCLUSIONS**

- 8.1 Emery Planning Partnership is instructed by Pure Leisure Group Ltd to submit representations to the South Lakeland Land Allocations DPD - Proposed Submission Edition (March 2012).

- 8.2 A summary of our representations is as follows:

- The Land Allocations DPD should be extended so that it provides allocations for at least a 15 year period in line with the guidance set out in the NPPF. At present, the consultation document is contrary to national planning policy as it only provides allocations for up to 2025, which means that only 12-13 years are planned for, depending on when the Land Allocations DPD is finally adopted.

- The Land Allocations DPD needs to allocate more land within the first phase (2012-17) for the following reasons:
  - firstly, it is not clear how many dwellings currently benefit from planning permission. The figure set out in the consultation document does not seem to correlate to the evidence base, which suggests a lower figure;
  - secondly, the NPPF requires that the Council should identify an additional 20% of supply in the first five years; and
  - finally, the housing trajectory for the first five years as set out in appendix 4 of the consultation draft is overly ambitious.
- The Land Allocations DPD should consider bringing forward sites from later phases to meet the requirement – including the Ulverston Canal Head site.
- The Land Allocations DPD should provide more flexibility for those sites which provide tourist accommodation in line with policies CS5 and CS7.6 of the Core Strategy. As it stands, these sites are not catered for in the consultation document.
- Whilst the allocation at the Ulverston Canal Head is broadly welcomed, we question whether the Council is being overly ambitious in preparing 18 development briefs across the borough and adopting them as SPDs within just 8/9 years. Given the importance of the site and the previous delays in securing its redevelopment, the development brief for the Ulverston Canal Head should be prioritised and brought forward to an earlier phase in the plan period.
- As the masterplan for the Ulverston Canal Head is now seven years old, it is now out of date. A developer led development brief team should be assembled to take forward the development brief for the site. Our client should be invited to join the development brief team.

8.3 This concludes our representations to the South Lakeland Land Allocations DPD - Proposed Submission Edition (March 2012).

## 9. APPENDICES

EPP1. Site location plans

**EPP 1**

Fell End Caravan Park, Hale, Minthorpe, LA7 7BS



Google earth

Eye alt 11.95 km

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54°11'45.70"N 2°46'15.18"W elev 37m

Imagery Date: 5/30/2009

437 m

Former Ulverston Abattoir, North Lonsdale Road, LA12 9AU



Former Ulverston Abattoir

Google earth

Imagery Date: 11/2004

54°11'47.61"N 3°04'51.13"W elev 9 m

Eye alt 573 m

Hall More Caravan Park, Hale, Milnthorpe, LA7 7BP

Hall More Caravan Park

Google earth

Eye alt 142 km

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54°11'11.98"N 2°45'56.93"W elev 27 m

300 m

Imagery Date: 5/30/2009

Thrang-Brow Ln

