

Section 1 – Introduction

Paragraph numbers 1.2, 1.4, 1.6, 1.7, 1.9 and 1.11

Sites referred to: W84, W85, W87, W88, W89, W92, W93

Questions referred to : N/A

Paragraph numbers below refer to the paragraph numbers in Section 1 – Introduction – of the Discussion Paper

Comment on paragraph 1.2

As the Introduction points out, any land designated as being within an Area of Outstanding Natural Beauty means that it has been identified by the Government as being of **national importance**. That being the case, the whole concept of consulting as to which parts of not only an AONB, but, as the Discussion Paper makes clear, a **unique** AONB, should be used for housing development seems fundamentally flawed. The obvious answer is that none of it should be used for housing.

There may be a national need for housing but throughout the country there must be countless Brown Field Sites and non-AONB sites which, in principle, must be more suitable.

Comment on paragraph 1.4

As the Introduction points out, the District Councils have a statutory duty under S.85 of the Countryside and Rights of Way Act 2000 to have regard to the statutory purposes of AONBs in carrying out their functions. Within the AONB, Government policy requires that "Councils give great weight to conserving landscape and scenic beauty". The requirement to give "great weight" is, according to my understanding, one of the most stringent legal tests that can be applied under Planning Law. It seems illogical, therefore, to require the District Councils to consider any of the proposed developments, i.e. it will cause them to breach the most stringent legal test applicable under Planning Law. Logically, only if the country has run out of potential areas for development which do not impinge on AONBs, Green Belt and other protected sites, should there be any suggestion that a District Council needs to consider sacrificing its legal obligation to conserve landscape and scenic beauty.

Comment on paragraph 1.6

The background set out in this paragraph of the Discussion Paper reinforces the 2 points made above. The Management Plan sets out key principles for the Development Plan Document which repeat the above points such as the AONB being of national importance and the need to prioritise Brown Field Sites and the need to protect the setting of, and view out of, from and into the AONB.

On that basis, it is surprising that the Warton sites have been picked at all. I am not familiar with the sites listed for the other "settlements" as described in the Discussion Paper and I have not had time to visit them but, where appropriate, the same principles would, of course, apply.

As far as the Warton sites are concerned, sites W87, W88 and W89 represent sites with a view flowing directly from the Conservation Area which is the Crag. It seems quite clear that any development on those sites will have an overall adverse impact on receptors to the north. Remembering that these areas are of national importance, and not just important to the residents of Warton, it is hard to see how development on any of those sites could be justified within the criteria that govern sites of AONB.

Similar considerations apply to site W84 although this is slightly more remote from the Conservation Area but in any event, this site seems heavily affected by flooding, as does site W85.

Several of the sites, notably sites W92 and W93 would require considerable increase of traffic onto Sand Lane which, as all those who experience the increased traffic flow caused by the stock car racing meetings will know, is simply not viable. Sand Lane is simply too narrow and also suffers from a blind rise. The chances of motor vehicle accidents would be greatly increased.

Speaking generally, nearly all of the sites would increase traffic flow through Main Street which again should simply not be acceptable from a highways safety viewpoint. There are narrow pinch points all the way along Main Street and when residents are at home with their cars parked on the road the situation is currently difficult enough to negotiate a safe passage through. Even a minimal increase in that traffic flow, which necessarily has to include buses and public utility vehicles, would simply be unacceptable.

Comment on paragraph 1.7

As is set out in the fifth bullet point to paragraph 1.7, policies and decisions need to be consistent across the whole of the AONB and given that this is to be the first AONB Development Plan Document in England, it is of critical importance not to allow any erosion of the AONB principles and therefore not to allow development on the sites put forward.

Comment on paragraph 1.9

Sites W87, W88 and W89 and possibly W83 would each seem to be suitable candidates for being maintained as open space.

Comment on paragraph 1.11

It is stated that Government regulation requires collecting the evidence for infrastructure and making an assessment of a site's suitability. As can be seen from table 2 on page 28 of the Discussion Paper, Warton has no shop to meet day-to-day needs and no health service facility. As can be seen from table 1 in section 6 on page 27, Lancaster District's Core Strategy requires access to a local shop and health service facilities. Logically, this means, therefore, that Warton is not suitable for development given its AONB status.

Whilst I am not familiar with the other settlements listed in table 2, page 28, it is evident that most of the other settlements are also unsuitable based on this criteria.

As I have already mentioned, any increase in traffic to Warton Village would be a hazard and it is difficult to see how the road infrastructure could be improved.