Development Management Policies Development Plan Document (DPD)

Draft Plan Consultation

Consultation Response Form

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Your Comments

Please make your comments in the box below making it clear which policy your response relates to using the policy reference number or paragraph number.

Policy DM1 - General Requirements for all development states:

Purpose: To maintain, protect and promote the amenity, sustainability of the district's communities and their environmental, economic social and historic qualities

Comments

If this policy is implemented as stated it provides an excellent basis for identifying sustainable development land and as a bench mark for deciding whether or not planning applications are sustainable.

But, it will only be successful in its objectives if the methodology used to apply this policy is of robust and mandatory. For instance a major flaw in the sustainability assessments used to identify potential development sites in *SLDC*'s *Local Plan* 2013 was a reliance on desk assessments that would not have been not confirmed as sustainable if they had been checked by 'on the ground' assessments. For example policy DM1 point 5 states:

"...*Maintain existing and creating new* ***safe and adequate pedestrian, cycle and vehicle movements, connectivity*** *with the surrounding area and parking / servicing, in a manner that doesn't cause unacceptable traffic generation, disturbances or highways safety issues in the locality*..."

Case study 1: Site RN79# for Jack Hill, Allithwaite

SLDC's sustainability assessment for site RN79# for Jack Hill, Allithwaite states correctly that there is a primary school 1 km from this site and a secondary school 3 km from this site but the lack of a safe pedestrian route to both these schools and to amenities in Allithwaite village is not mentioned. Presumably this part of the site sustainability assessment was completed as a desk study. If the assessor had taken time to walk from the Jack Hill site to the village of Allithwaite they would have realised that the pedestrian and cycling routes from the Jack Hill site to Allithwaite primary school and to Cartmel Priory secondary school were not safe or adequate for pedestrians or cyclists and did not meet sustainability requirements in the *National Planning Policy Framework* 2012 (*NPPF*,2012).

This omission was then used by the developer to support their planning application. The introduction to *MPSL*'s *Design and Access Statement* for *residential development off Jack Hill, Allithwaite* says:

"...*The development site is within easy reach of local schools namely, Allithwaite Church of England Primary School and Cartmel Priory Church of England Secondary School*..."

This incorrectly implies that their proposals comply with *SLDC*'s *Core Strategy* policies and the *NPPF*, 2012. They failed to mention that there is no safe pedestrian or cycling route from the Jack Hill site to either of these schools. That:

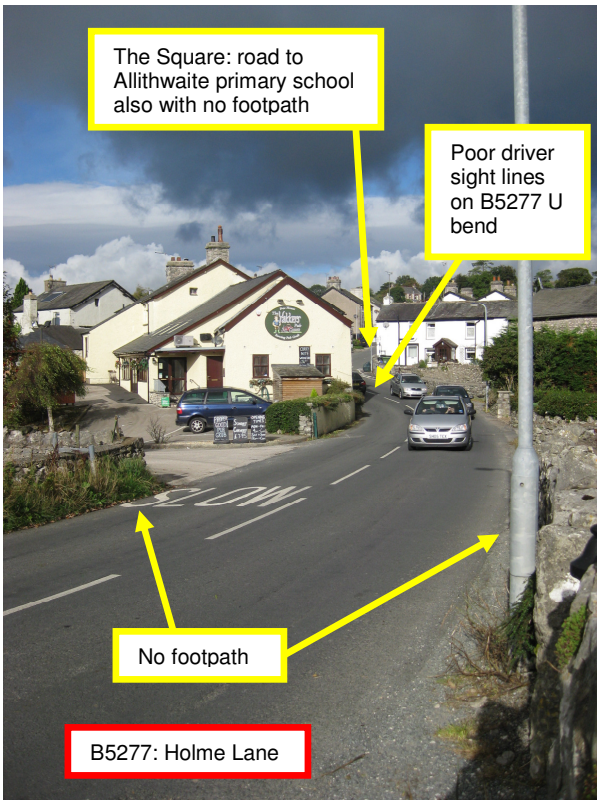
i. About 250 metres from the Jack Hill site the pedestrian routes to Allithwaite Primary School and Cartmel Secondary School involve negotiating a busy section of the B5277 (Holme Lane), the only through route from Cark, Flookburgh and Allithwaite to Grange-over-Sands, the A590 and the M6. This part of the route has no pavement or alternative safe pedestrian pathway.

ii. There is no footpath for pedestrians when they turn off the B5277 into the Square and the southern end of Church Road.

iii. Driver site lines on the u-bend adjacent to Yakker pub are poor, particularly for cyclists, and drivers who need to turn into the Square en route to the school, the shop, the church and the community centre.

The pedestrian route to Allithwaite is not a safe environment for pedestrians, particularly if they are primary school children. mothers with prams, the elderly or disabled people (Pictures 1 and 2). In spite of this and other major sustainability problems (eg site access, drainage) the Jack Hill development site was deemed sustainable by *SLDC*.

Picture 1 This section of Holme Lane (B5277), has no footpath or alternative pedestrian or cycling route; it is **THE ONLY PEDESTRIAN ROUTE** from Jack Hill and the south of Allithwaite and Kents Bank to village amenities. It is not a safe pedestrian route.



Picture 2 Four primary school boys walking along Holme Lane on their way to Allithwaite playing fields. One of the boys is carrying football that he bounced periodically.

In addition there were also sustainability problems relating to the Jack Hill site access, drainage, employment opportunities, emergency hospital access, poor road links to the A590 an important ancient hedgerow and potential site links to the Bronze Age. In theory the site sustainability assessments should have identified these problems and ruled out development on this site. The flawed methodology used for the original sustainability assessments meant that this site was included in *SLDC*'s *Local Plan* 2013.

Another major flaw in the sustainability assessments used to identify potential development sites in *SLDC*'s *Local Plan* 2013 was a reliance on responses from utility providers that would not have been not confirmed as sustainable if they had been checked by 'on the ground' assessments including gathering evidence from local residents about local flooding problems during intensive or persistent rainfall. For example Policy DM1 point 4 states:

"...*Ensure the delivery of necessary* ***infrastructure*** *needs it may generate for example surface and foul water disposal, water supply, and other utilities in a sustainable and viable manner*..."

Case study 2: Site R89 for the land between Allithwaite Road and Carter Road, Grange-over-Sands, Cumbria

This development site is located on a limestone pasture at the top of a hill that slopes steeply from the site to the Morecambe Bay shore. After heavy or persistent rainfall land below this site regularly floods because the limestone hydrology of this area is poorly understood.

Local residents were concerned when planning permission was given for this site even though they submitted evidence that:

1. This site helped to mitigate against more intensive flooding of lower lying land in Kents Bank - the soil acted as a sponge and delayed the release of rainwater runoff into lower lying residential areas.
2. The proposed soakaway system for rainwater runoff is unsuitable for limestone areas because it is similar to soakaway systems that already regularly fail and overflow adding to flooding in lower areas of Kents Bank.
3. The potential impact of additional rainwater runoff on local flooding problems was not assessed adequately as required by the *National Planning Policy Framework*, paragraph 102 (*NPPF*, 2012) - the drains throughout Kents Bank regularly overflow during persistent and heavy rainfall (see Map 1 at end of document).
4. The data presented by the developer showed a poor understanding of local groundwater level fluctuations.
5. No consideration was given to the effect of the coastal railway line on local drainage patterns - it forms a dam for water flowing downhill towards Morecambe Bay.
6. A detailed hydrological survey of Kents Bank and Grange-over-Sands is needed so that *SLDC* and developers have a better understanding of local hydrogeological characteristics and constraints.
7. The Planning Inspector's report into the 'soundness' of *SLDC*'s *Land Allocation Plan*, paragraph 118, identified Grange-over-Sands as one of the areas with "...*a need for additional works to the waste water treatment and public sewer network, including upgrading and/or increasing the capacity*..." before development sites could be considered 'sound'.

In spite of several major sustainability problems, including the risk of flooding nearby land this site was identified as a sustainable site in *SLDC*'s *Local Plan* 2013 and subsequently gained planning permission.

Local residents still do not understand why *SLDC*'s sustainability assessments for Kents Bank development sites did not identify a need for capital investment in Kents Bank's drainage system, to alleviate current flooding problems (see Map 1 at end of document), before any development sites could be assessed as sustainable and granted planning permission.

Case study 3: Site R100 for the south of Allithwaite Road, Grange-over-Sands, Cumbria

Until December 2013, when *SLDC*'s Cabinet adopted their *Local Plan,* this land was protected as an '*Important Open Space*'. This happened in spite of strong opposition from Grange-over-Sands Town Council (*GTC*) and a large number of local residents. Paragraph 131 of *NPPF* places a requirement on *Local Planning Authorities* to ensure that any development in conservation areas is appropriate and will enhance historic character of the neighbourhood.

This development is destroying magnificent open views of Morecambe Bay from *Grange-over-Sands Conservation Area 3* and does nothing to enhance the historic context or the tourist experience of our unique coastal town. Evidence in the *Grange-over-Sands Fact File* (*SLDC*, 2012) by *Cumbria County Council* (*CCC*) stated that this site:

> "... *should only be considered if strategic housing allocation is needed in the area. Could result in inappropriate extension into open countryside*..."

GTC, local residents and tourists agreed with this assessment. The magnificent views of Morecambe Bay from this part of Kents Bank Road was an important feature of the town that was particularly attractive to the tourists on whom the town depends for survival.

In addition Grange-over-Sands does not need any more open market housing especially if it is purchased as a 'second home'. Paragraph 5.11, *SLDC*'s *Core Strategy* (*SLDC*, 2010), highlights the second home problem:

> *"... Second home ownership is an issue affecting dwellings supply in the area*..."

GTC and the majority of local residents believed that this development site should have retained its status as an *Important Open Space* and do not consider that the development design is appropriate for such a dominant position in a unique coastal town that depends on tourism to survive. The proposed design does not comply with key requirements of the *NPPF* such as paragraphs 103 and 131. It does not comply with *SLDC*'s *Core Strategy* (*SLDC*, 2010). For instance paragraph 5.26 identifies the challenge of providing:

> "...*additional housing to meet the needs of local people without damaging the sensitive setting and character of the area..."* and of
>
> *"...Safeguarding and enhancing the area's historic assets..."* or of
>
> "...*Safeguarding and enhancing the environmental quality of the local area*..."

Local residents do not consider that this planning application fulfils any of these objectives.

In addition there were also sustainability problems relating to site access, drainage, employment opportunities, emergency hospital access and poor road links to the A590. In theory the site sustainability assessments should have identified these problems and ruled out development on this site until they had been resolved. The flawed methodology used for the original sustainability assessments meant that this site was included in *SLDC*'s *Local Plan* 2013.

Sustainability assessment methodology

The above case studies demonstrate that It is important that *SLDC*'s *Development Management Policy DM1* is accompanied by clear mandatory guidance about sustainability assessment methodology. For instance this should include a requirement that all desk study sustainability assessments are checked by 'on the ground' assessments including:

1. Walking pedestrian routes from proposed development sites to schools and other amenities that look sustainable on a map.
2. Checking with local residents about regular flooding problems near to proposed development sites.
3. Checking with local residents about regular gas leak problems near to proposed development sites.

4. Checking with local residents about regular power cut problems near to proposed development sites.
5. Checking that bus services in rural areas such as the Cartmel peninsula are adequate. For example that:
    i. They run in the evening so that local residents can use them to attend evening classes and other evening events.
    ii. They run services that will get local residents to and from their local medical centre at appropriate times.
    iii. They run services that will get local residents to and from their nearest hospital at appropriate times - there is no direct bus service to Kendal hospital (15 miles) from Grange-over-Sands and the bus service to Furness General Hospital (25 miles, 1 hour journey each way) only calls at Grange-over-Sands station with no link to a regular circular bus service.
6. Ensuring that the historical context of proposed developments is taken into account including early consultation with that the local Town Council to come to an agreement about suitable development design requirements for their Conservation Area(s).

In addition it is important that sustainability assessments do not rely heavily on consultant's reports (especially developers' consultants' reports).

The most effective way of ensuring that existing ecological networks and geological assets are protected is to consult with local historians and ecologists rather than relying on ecological surveys undertaken by ecological 'experts' with no knowledge or understanding of the local environment. A consultant's report based on brief site visits and a desk study by is no substitute for the cumulative knowledge and understanding of people belonging to local history and natural history societies.

Conclusion

SLDC's excellent *Development Management Policy DM1* needs to be accompanied by clear **mandatory guidance** about the methodology used when undertaking development site sustainability assessments so that they are accurate and reflect reality.

Are there any other topics that you wish to raise?

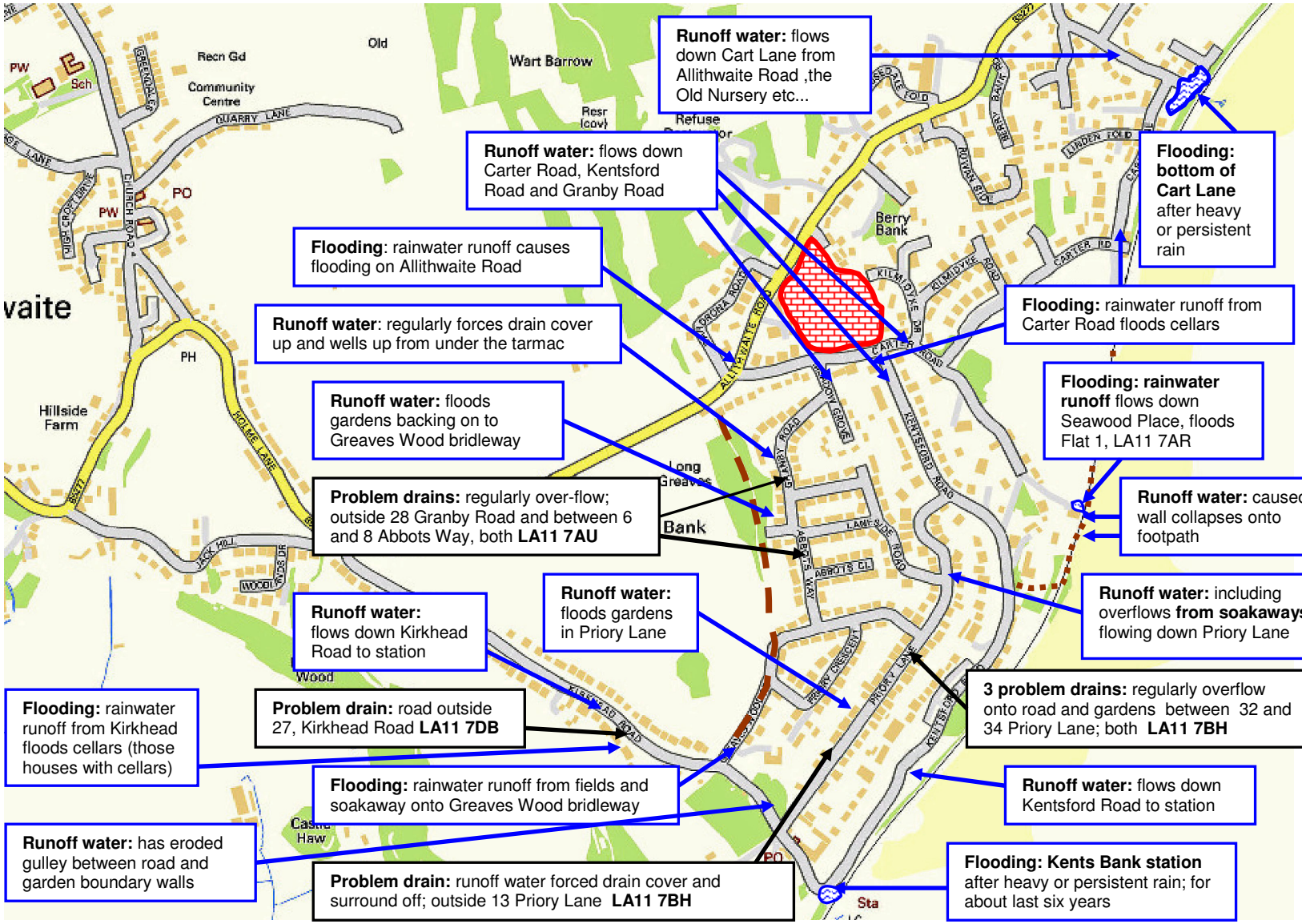
This consultation was scheduled in the run-up to Christmas and across Christmas and the New Year therefore those with an interest in submitting comments had many other competing commitments. This is very unsatisfactory for people who wish to make constructive comments and suggestions about policies that will have an impact on the wellbeing of their communities for many years.

Do you have any comments on the Interim Sustainability Appraisal Report or Draft Habitats Regulation Assessment associated with the Draft DPD?

Sustainability Appraisal Report - I have not had time to look at this in depth but would welcome a time extension to do this.

Draft Habitats Regulation Assessment - I have not had time to look at this in depth but would welcome a time extension to do this.

Do you have any comments on the evidence base documents supporting the Draft Development Management Policies including the Housing Standards Topic Paper?

I do not have the relevant technical knowledge to comment on this document.

Map 1 Showing Kents Bank problem drains, gullies and areas prone to flooding