

AT/LWJ/2846-12/LPA

17 January, 2017

Please reply to our office in: **Kendal**

Transmission by email only to: developmentplans@southlakeland.gov.uk

Development Plans Team
South Lakeland District Council
South Lakeland House
Lowther Street
Kendal
LA9 4DQ

Dear Sirs

Site: B78 – land north of Nuns Avenue, Storth
Arnsdale Silverdale AONB Development Plan Document Draft for Consultation November 2016

I am writing on behalf of my clients, Mrs Bland and Mr Pearson, in relation to the above site. While fully realising that the consultation process has closed we felt it was important just to let you know that my clients are still interested and that the site is available for development, should it be required.

The site has ultimately not been allocated for housing in the draft Plan but we would like to say that the site is still available and is one that we think is appropriate for development given the character of Nuns Avenue.

There are concerns about landscape but any development would result in some landscape change and it must be appreciated that this site is already faced with development on two sides and neither could it be developed in such a way because of the constraints that would lead to further land being developed.

All in all what this represents is effectively a small in-fill site between properties bounding on two sides of the site and would effectively round off Nuns Avenue and provide a couple of modest houses towards the housing supply.

You will be aware that I have made other representations on behalf of other clients with regard to the size of the AONB and the relatively high population in combination with a restrictive approach. This brings a situation whereby to maintain the viability of the population and make sure that

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Arnside & Silverdale is a thriving area from an aspect of human occupation, then there must be some room for growth.

In the light of this we would question the relationship between the relevant Core Strategies for each district and the housing supply requirements with the approach of the DPD for what is a well populated rural area for its size. We would question whether the few sites put forward in the document really meet the needs of the area at all in terms of any growth and also whether they are likely to result in any new housing being brought forward given the constraints associated with them, some of which are derived from policies within the DPD document, such as the affordable housing targets.

Since the DPD has been published it has also come to light that part of the site to be developed at Station Yard has been withdrawn by the landowner. This site is very constrained to start with but with the removal of part of the site in our view it is unlikely that development of any real scale would come forward given the amount of constraints affecting it.

In general terms we have particular concerns with regard to how the plan responds to paragraph 14 of the National Planning Policy Framework (NPPF) under plan making, which states that:

- Local Planning Authorities should positively seek opportunities to meet the development needs of their area.
- Local Plans should meet objectively assessed needs with sufficient flexibility to adapt to rapid change.

Below this the NPPF states that the above bullet points apply unless specific policies in the framework indicate that development should be restricted. In our view this should be seen in terms of how such policies affect a particular area, and this is why the point is made about the small size of the AONB by comparison with the functioning population located within it. The reference to specific policies in our view does not in effect mean an embargo on development but that in the context of the specific area, in this case the AONB, reference should be made to paragraph 115 which states that great weight should be given to conserving the landscape and scenic beauty in AONBs in recognition of their high status of protection. This is not the same, in our view, as applying the specific policy test underneath to the first two bullet points of paragraph 14 when using this approach to restrict development across the AONB because this is not positive in context of paragraph 14.

In our view the DPD document forms part of the plan for a specific geographic area and this means that the plan has to meet objectively assessed needs of that area, which in this case is geographically small but with a significant population.

In the light of the above it would be appreciated if the site can be kept in mind during the process because given the relatively small number of sites brought forward and the viability issues it is considered that the needs of the area are not being met by the Plan.

Yours faithfully

A black rectangular box redacting the signature of Andrew Tait.

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Email: 

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