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

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

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Dear Sirs

Consultation Response

Arnside & Silverdale Area of Outstanding Natural Beauty (AONB) Development Plan Document (DPD) Issues & Options Discussion Paper November 2015

Firstly, thank you for providing the opportunity for us to comment upon the above document. This letter is written on behalf of my client, Russell Armer Limited, who has a number of interests in the Arnside area. The letter covers the introduction to the document, the general background and evidence base, and then goes on to consider the individual sites that have been put forward for housing or open space allocation as part of the Call for Sites and DPD process.

1. Introduction to DPD

With regard to Part 1 of the document and paragraph 1.1 which covers "What is a Development Plan Document?" I would comment that this paragraph should also identify the fact that the DPD will be used to aid delivery of whatever the policies and allocations decide to deliver as part of the overall strategy for the area.

With regard to paragraph 1.6 and the bullet points as set out we would support the key principle of identifying appropriate sites for the delivery of housing to meet local community need demonstrated by the existing Housing Needs Survey. However, the existing Housing Needs Survey for the Arnside Parish considers both local affordable need and market housing need and this should be recognised in the principles set out under paragraph 1.6. The emphasis on brown field sites generally follows guidance contained within the National Planning Policy Framework (NPPF). However, it must be recognised that the Arnside & Silverdale area, because of its rural and sparsely populated nature, will contain only a limited number of brown field sites and it is anticipated that delivery of housing to meet need will have to go well beyond this.

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A further bullet point refers to supporting the development and retention of local services and facilities and advocates the need for local services to support community life as well as the local tourism industry. In response to this I would simply point out that a continued level of services and facilities, as well as the future level, is dependent on delivering the housing that is required to ensure that the area remains economically active. As with many rural places given the demographics of the AONB it will be important that the housing needs of younger and middle-aged people are catered for to ensure that economic activity continues within the area.

2. Background

With regard to paragraph 2.8 referring to the AONB Management Plan it is noted that objective 10 of the Management Plan is to implement a development planning approach that delivers services, infrastructure and affordable housing to meet local community need while conserving and enhancing landscape character and the special qualities of the AONB.

Paragraph 2.9 goes on to note that while the Management Plan itself is not part of the statutory Local Plan for the area it is a material consideration. I would point out in relation to this that we have concerns that a local occupancy approach to housing is being introduced here without it being made absolutely explicit. This is not something that has previously been consulted upon and it is not a principle contained within the Core Strategy for the South Lakeland District Council area, the context of which this document must sit within.

We would have deep concerns about any approach that restricted development to local occupancy housing. This is something that has been happening in a number of English National Parks and most recently has been found to be failing within the Yorkshire Dales National Park because it is not delivering housing for local need or any other need. Because of this the Yorkshire Dales National Park Authority are consulting on a strategy that would allow some level of open market housing in the area. Limiting housing to local occupancy only would in our view have significant implications for the population demographic of the area and for the provision of services within that area.

With regard to paragraph 2.17 and the box below it there is a reference to planning permission normally being refused for major developments in designated areas except in exceptional circumstances and where it can be demonstrated that they are in the public interest. With regard to this the AONB still forms part of the five year housing land supply for both Lancaster City Council and South Lakeland District Council areas. Our primary interest in this instance relates to Arnside, where South Lakeland District Council consider that they currently hold a housing land supply in excess of five years. However, some delivery within the AONB is being relied upon and as previously expressed on a number of planning applications we note that the five year housing land supply calculation for South Lakeland is based on the Liverpool Method as opposed to the Sedgfield Method which has received a greater level of acceptance from Planning Inspectors in recent times. In our view if using the Sedgfield Method South Lakeland District Council do not currently have a five year housing land supply and in this context the lack of a five year housing land supply is one of those exceptional circumstances referred to in the box below paragraph 2.17. It is also important to recognize the importance that the Government and the LEP with South Lakeland District Council place on the provision of housing as a key element underpinning the economy.

Paragraphs 2.18 and 2.19 consider whether there should be a definition of what constitutes major development within the AONB. We are very strongly of the view that this should be

considered on a case by case basis. To set a presumption that any development involving 10 or more houses equates to a major application which should normally be refused is, in our view, potentially damaging for the overall strategy of providing housing in sustainable locations. It is clear that some of the sites being put forward through the process could accommodate 10 or more houses and some of the sites are in good sustainable locations. It would seem absurd to counter a number of what may be sustainable sites with a presumption against, simply because they equate to 10 or more dwellings in one place. You may also be aware that one of our clients has received permission for a significant number of houses in excess of 10 in the form of an outline planning permission at Millhead within the AONB and the same client has again more recently received permission at Warton, again for a site in excess of 10 houses. The commentary on this section is also correct to point out that a number of developments for well in excess of 10 houses have been found acceptable in other AONBs, including the Malvern Hills and the Cotswolds.

What is a major development must be filtered through the particular character of any AONB designation. Arnside and Silverdale is a well populated area as are the Cotswolds and Malvern. If this question was being asked in the Forest of Bowland or Nidderdale AONBs I would agree that 10 houses may be considered a major development but the same is not true for Arnside.

3. Evidence Base

Under section 3 of the document, Housing Requirements, paragraph 3.3 of the Housing Needs Survey for the AONB identified a need for 72 affordable houses in the AONB between September 2014 and September 2019. It is noted that the DPD will need to plan for 15 years, so additional need will have to be factored in when considering a site for housing. In relation to affordable housing I would again stress that affordable housing isn't likely to be delivered as a stand-alone development and will need the provision of market housing to support it. The government's new initiative relating to starter homes should also be considered within the definition of affordable for the sake of this document.

The question on the evidence base asked whether Councils should identify housing requirements for the AONB area over the plan period. Clearly, this should be done but housing delivery within the AONB cannot be restricted to affordable and local occupancy only because such a strategy will fail to deliver housing within the AONB full stop and this is something that several National Park Authorities are starting to realise.

With regard to the need for additional evidence it is recommended that a number of stakeholder groups are consulted and in particular local Estate Agents would supply good up to date information on the type of need that they experience for housing within the AONB. We understand that there is preference by a number of existing residents for downsizing from larger houses to 2, 3 and 4 bedroom houses given the aging nature of the population.

4. Vision and Objectives

We would welcome the supplementary vision for the DPD set out under paragraph 4.3 as all appear to be laudable aims. However, there should be some recognition in the supplementary vision relating to community needs and the need to have a sustainable population moving forward to ensure that the area continues to function as a viable population within the area.

Under paragraph 4.4, Objectives, in objective 3 there is recognition to provide a sufficient supply, quality and mix of housing to meet local needs. However, again as pointed out earlier in this response, in our view the area will fail to function for the existing and future population if housing is strictly limited to local need. This is particularly the case given the aging demographic of the area.

5. Policy Issues

For the first time in the document paragraph 5.12 makes explicit the fact that consideration is being given to restricting occupancy of new housing to local people and/or those who are going to use the property for their sole or main occupancy. With regard to this it is our view that this policy has been adopted by a number of National Park Authorities and is failing. The demographic of the AONB shows a significant proportion of older and retired people and restricting occupancy would stifle the ability of new people to move into the area that would be economically active and actually essential to service the needs of the older population within the AONB.

With regard to Question 6 and whether the DPD should identify the proportion of affordable housing to be developed in the AONB, this matter has in effect been addressed by the Core Strategies for the South Lakeland District Council and Lancaster City Council, where it is set at 35% and 40% respectively. However, regardless of the proportion being set it is important that there is flexibility and that the viability of development is not threatened by a strict percentage target.

Question 7 asks whether the DPD should restrict new housing development to local people and those using the property for their sole or main occupancy. Our response to this is simply “no”, this policy is not working elsewhere and in many areas where it has been adopted they are now considering allowing open market housing.

With regard to Question 8 and how the DPD should promote the development of certain housing within the AONB to meet particular needs, this has to some extent been done by the SHLAA and also the Housing Needs Survey within a number of Parishes within the AONB. However, the need for open market housing to refresh the working age population of the area must be considered.

With regard to Question 11 on density, we are not of the view that the AONB DPD should add another layer beyond design policies within the respective Core Strategies and any supplementary planning guidance that can be provided. There are a larger number of constraints within the AONB and in our view flexibility needs to be retained with regard to the density of development of any particular site to ensure protection of landscape character.

With regard to Question 12, whether the AONB DPD should identify allocations of land for community infrastructure, we have concerns regarding this because the introduction of the Community Infrastructure Levy into the South Lakeland area is already making some sites difficult and in particular brown field sites and conversions, which elsewhere the DPD wishes to place an emphasis on for housing delivery. This would be a consideration that could mitigate against development coming forward.

Question 14 asks which types of energy technology should policies in the AONB DPD cover. In recent times we have noted that most Planning Authorities have moved away from this

approach with the only Authority in the area left requiring renewable energy generation from housing being the Lake District National Park Authority. In addition we would consider that the existing Development Plan Policies within the area already cover this issue. The Building Regulations include high energy efficiency ratings and in our view this is where such initiatives should sit with them and not be duplicated in the planning system. With regard to any wider renewable energy developments these must be seen in the context of the statutory purpose of conserving and enhancing the natural beauty of the area.

With regard to transport and services and paragraph 5.21 relating to concerns about car parking in Arnside my client, Russell Armer Limited, has interests in a site adjacent to the railway line at Arnside and if the site is allocated it is understood that the owners will be willing to release some land for parking as part of the wider development of this site. This will help to resolve the situation and the restricted access along the railway line at Arnside because of the parking on one side of the road.

With regard to open space and Questions 18 to 20, my client has an interest in the site at Redhills Road, Arnside and would simply comment that given the context of the site and surrounding development it would be much more suitable for housing than open space.

With regard to Question 21 we are a little unsure what it relates to but would comment that the assessment of proposals on the particular features would take place on a case by case basis, based upon the policies contained within the DPD leading from the statutory purposes of the designation.

Again, with Question 22 in terms of the protection or enhancement of biodiversity and geodiversity, it is assumed that this would be covered by a general policy within the DPD and those policies contained within the Core Strategy for each area.

With regard to Question 23 on the implications for development in places without mains drainage or mains sewerage systems, this is a normal consideration in the processing of planning applications throughout the area and we see no need for a specific approach this within the AONB that differs in technical terms from any other area.

Again with Question 25 to some extent it is imagined that this would stem from the Core Strategy policies and we would question what particular design features the question seeks to protect. With regard to design required for new development in the area it is assumed that a combination of the Core Strategies and a general design policy within the DPD would address this.

6. Options for meeting the objectives and delivery the vision

With regard to Table 2, Key Public Services and Facilities within the AONB Settlements, we have no particular comment but in sustainability terms would support the general approach. The same can be said for Table 3, Settlement Hierarchy.

With regard to Table 4 and the Spatial Development Strategy Options, in our view both options 1 and 2 would be appropriate in the context of the AONB.

With regard to development boundaries and in particular Table 5 at the end of this section, on balance we feel that not including a development boundary would be the better option. The

larger settlements within the AONB are not particularly compact in form and in our view each case must be dealt with on its own merits and allowing flexibility to encourage the use of brown field sites which may not necessarily be within a development boundary.

Delivery of development

With regard to this section and in particular paragraph 7.3 and the bullet points below it, we would have concerns about a brown field first strategy because:

- there is not guarantee that such land would come forward;
- it is our view that there is limited brown field land within the AONB;
- the viability of brown field sites can at times be marginal at best;
- this would impact on the delivery of affordable housing if significant resources have to be put into decontamination and restoration of sites;
- such a strategy would be compounded to fail in tandem with CIL; and
- the NPPF does not sponsor this approach. While it places an emphasis on brown field it does not set a sequential test which this approach is hinting at. In our view such an approach would run contrary to the NPPF.

With regard to Question 30 on phasing, we are of the view that the AONB DPD should not phase development during the time horizon of the plan because given the smaller sites that are likely to be allocated this approach is considered to be too detailed and is effectively micro-management of the housing supply.

7. Sites put forward through AONB Call for Sites within Arnside

With regard to the sites put forward through the Call for Sites within Arnside we would make the following comments, which are ordered in the way in which they appear in the AONB Call for Sites list.

Site A2, Arnside Edge, Far Arnside

We note that this site has been put forward for development but currently lies in open countryside and is in our view a sensitive site which in part appears to take in the beach, which itself may raise concerns in terms of coastal flooding.

Site A5, Crossfield House, Redhill Road, Arnside

We note that this site has been put forward for residential development but also note that the topography on the site is particularly steep. The site already has an active land use and it appears that the vast majority of the site would be difficult to access without removing existing buildings.

Site A6, Garages off Queens Drive, Arnside

We note that this site could be considered to be within the settlement but would assume that there is still a level of demand for the garages from local residents. The site would also appear difficult to access.

Site A8, Hollins Lane, Arnside

It appears that this site has been put forward for open space or for development and we understand that it is owned by a neighbouring property who may seek to ensure that a significant amount of the site is protected. Consequently, we are unsure as to how much of the site will actually be deliverable for housing.

Site A11, Land North of Briery Bank 1, Arnside

We note that this site has been put forward for development and while it may have some potential, in visual terms the eastern edge of the site is highly visible in landscape terms.

Site A14, Land North West of Briery Bank 1, Arnside

We note that the site could be considered within the settlement and has the potential to deliver housing, although this would be limited given the configuration of the site.

Site A15, The Common, Red Hills Road 1, Arnside

This site is located within the settlement and has been put forward for development previously by our client. Its location with housing at least in part on four sides would in our view make it ideal for the provision of additional residential development and the provision of a significant number of houses at this site would mitigate against allocating what may be more difficult sites in landscape terms. With regard to this site I attach my colleague's statement supporting its allocation which was sent to you as part of the Call for Sites.

Site A17, Land adjoining Cemetery 2, Arnside

We have a number of concerns with this particular site in that it could compromise the setting of the cemetery as well as potential further expansion. The site has a relatively awkward access and appears poorly related to the settlement.

Site A18, Land West of Saltcotes Hall, Station Road 1, Arnside

We note that this site has been submitted for housing development and also note that it is a hill site which is highly visible from the east on the approach to Arnside, which may raise particular concerns with regard to the AONB statutory purposes of conserving and enhancing the landscape.

Site A19, Land West of Saltcotes Hall, Station Road 2, Arnside

Again, similar concerns relate to this site as they do to Site A18 above.

Site A24, Station Fields, Station Road 2, Arnside

Again, this was a site put forward by our client for housing but has also been put forward as open space. We are strongly of the view that this is a very sustainable site located close to the station and the facilities within Arnside itself. We strongly support the inclusion of this site in any Allocations Document and to reinforce this point again attach our original submission from my colleague, Brian Barden. If allocated our client would be in a position to release additional land for car parking. Any proposal would also include significant elements of landscaped open space.

Site A25, Station House, Sandside Road, Arnside

Again we view this as a relatively sustainable site and would support its inclusion within any DPD allocation document.

Site A26, Station Yard, Sandside Road 1, Arnside

We understand that this site has been put forward for development but we understand that there are likely to be a range of concerns including flood zone issues, access issues and the fact that there is no footpath/cycle path to Arnside. It is our understanding that there is little interest from developers.

Site A27, Station Yard, Sandside Road 2, Arnside

This has been put forward for open space but, as mentioned above, in our view it is a sustainable site for development given the proximity of services and the railway station.

Site A28, Telephone Exchange, Briery Bank, Arnside

We understand that this site has been put forward for development but note that it is an existing telephone exchange and are not aware whether it is redundant or not. The site is small and can only accommodate a limited number of dwellings which could come forward under the general policies of the DPD in any case.

Site A29, Trafalgar Garage, Ashleigh Road, Arnside

We note that this site has been put forward for development but it is a small site and its viability must be questioned given its brownfield nature. In our view it would be unlikely to be capable of delivering any affordable housing.

Site A106, Land West of Black Dyke Road, Arnside

This site has been put forward for development and is located between the road and the railway line. The railway line and any landscape buffer required may mitigate against the amount of the site that is developable. We also note that in effect Black Dyke Road does form a defensible boundary for the settlement whether or not it is actually marked as the development boundary and the allocation of this site for housing would in effect breach this existing natural boundary and potentially encourage the site further to the north to also come forward for development, with its consequent landscape impact.

In light of the above the sites put forward by our client, Russell Armer Limited, are considered to be two of the best sites within Arnside and with strong developer interest they are likely to be deliverable. With regard to the site on Redhills Road in particular we note that under site A30 the woodland is indicated as being put forward for open space. However, we are of the view that generally the site that my client has put forward for housing immediately to the north of this would be best considered in an holistic manner with Site A30, which has been put forward as open space, so that an integrated approach can be made to the combination of housing development and landscaping on the site.

On a minor technical matter the maps of all of the sites put forward within the AONB area, at least being broken down into the three or four sections would have been of assistance and it would be of assistance if this was included in any finalised Land Allocations Document.

I hope the above is of assistance in your consideration of the AONB DPD moving forward. Should you have any queries or need any clarification about the above please do not hesitate to contact me.

Yours sincerely

A black rectangular redaction box covering the signature of Andrew Tait.

Andrew Tait

Email: 

Encs:

- Call for Sites Submission Site A15
- Call for Sites Submission Site A24.