CABINET

Meeting date: 22 October 2015

From: Corporate Director – Environment & Community Services

YORKSHIRE DALES NATIONAL PARK AUTHORITY LOCAL PLAN

1.0 **EXECUTIVE SUMMARY**

1.1 This report is to inform Cabinet of the consultation on the Yorkshire Dales National Park Authority (YDNPA) Draft Local Plan 2015-2030 (Local Plan). Members are asked to consider the issues outlined in the report and agree that the full responses set out in Appendices A and B and are forwarded to YDNPA.

1.2 The Local Plan has a positive approach to development and growth, whilst recognising and protecting the special qualities of the National Park. From the Council’s perspective, the plan:

- accords with the Council’s overall vision and priorities
- will support more development and local economic growth
- will secure the necessary infrastructure to support development.

1.3 Notwithstanding the positive aspects of the Local Plan detailed in paragraph 1.2, in order to deliver the best outcomes a few areas for improvement have been identified, which are set out in the report.

2.0 **STRATEGIC PLANNING AND EQUALITY IMPLICATIONS**

2.1 It is considered that the proposed Local Plan policies broadly reflect the Local Transport Plan and the Cumbria LEP’s Strategic Economic Plan. This is important as the Local Plan will set the spatial strategy and key development opportunities within the Yorkshire Dales until 2030.

2.2 The Local Plan will be the main policy basis for spatial planning in this part of Cumbria. Its implementation will contribute to delivery of the Council’s vision “For the people of Cumbria to benefit from sustainable economic growth and an enhanced quality of life” and priorities in the Council Plan (2014-17).
2.3 In relation to equality, Local Plan preparation follows detailed procedures for public engagement that the YDNPA must adhere to. Various media are used to advertise opportunities for consultation and documents are available in various formats as there are a wide range of consultees involved, crossing all equality strands. It is also important to note that there could be differing views expressed at all levels of engagement throughout the consultation due to the potential impacts on individuals and groups.

3.0 **RECOMMENDATION**

3.1 It is recommended that Cabinet endorses the strategic response outlined in this Report and agree that the technical response contained in Appendices A and B and are forwarded to the Yorkshire Dales National Park Authority.

**ADVICE OF CORPORATE DIRECTOR – ENVIRONMENT & COMMUNITY SERVICES**

4.0 **BACKGROUND**

4.1 The planning system in England is ‘plan led’, whereby it is a duty for Local Planning Authorities to prepare a land-use ‘Development Plan’. The Development Plan should seek to guide decision making in relation to planning applications as well as to guide investment decisions for infrastructure provision.

4.2 YDNPA is preparing its new Development Plan (called the Local Plan) that will replace the current Yorkshire Dales Local Plan 2006 and the saved policies of the Yorkshire Dales Minerals and Waste Local Plan 1998. The new Local Plan will identify the key development sites and policy framework for the determination of planning applications to 2030 within the Yorkshire Dales National Park. This stage is the formal publication of the Local Plan prior to formal submission to the Planning Inspectorate.

4.3 A small part of south-east Cumbria lies within the National Park, including the town of Sedbergh and the rural areas of Garsdale and Dentdale. The area that is within Cumbria amounts to 12% of the total National Park.

4.4 The Government requires that YDNPA works with neighbouring authorities including the Council during the development of their Local Plan as part of the “Duty to Cooperate”. This close co-operation is essential for both authorities, and should ensure that the Council’s interests as the highway authority and service provider are considered in the emerging Local Plan. There is a strong incentive for the YDNPA to properly liaise with the Council over the preparation of their Local Plan and Infrastructure Delivery Plan, as a failure to do so could result in the plan being found to be ‘unsound’, at the Examination stage.
4.5 Officers of the two authorities have met to discuss joint issues, and the Council has provided informal officer comments at earlier non-statutory stages in the preparation of the Local Plan:

- Issues Consultation – November 2012
- Options Consultation – September 2013
- Call for Sites – January 2014
- Preferred Options – June 2014
- Housing & Infrastructure (Informal Consultation) – May 2015

4.6 It is considered that the comments previously made have largely been taken into account and reflected in the policies of the Publication Version Draft Local Plan. This report highlights the issues of key interest and the suggested Council response.

4.7 Appendix A provides the responses to key issues relevant to the Council interests. Appendix B provides the detailed response to Policies in the current Local Plan consultation, which updated comments made at the previous consultation stage in June 2014. The analysis of policy within this response has been contributed to by various Council departments. The response is also informed by guidance and policy such as the Cumbria Local Transport Plan, the Cumbria LEP Strategic Economic Plan, the Cumbria Minerals and Waste Local Plan and the Area Plan for South Lakeland. Appendix C provides comments from affected County Council Elected Members.

**Summary of Key Issues**

4.8 The technical response at Appendix A supports the Local Plan focus for new development in the main settlements, farms and rural estates and the four sites identified in the Local Plan for small scale employment development within existing settlements.

4.9 The Local Plan also proposes a more flexible approach to the development of rural land and buildings to support farming and rural land based businesses. Sedbergh is identified as a Local Service Centre where there is scope to increase footfall in the town centre by encouraging more visitor use. The range of policies in the Local Plan, which provide opportunities for economic growth, including allocation of employment land, diversification of rural enterprises, the re-use of buildings, and development of visitor facilities (see comments on Policies BE1, BE2, BE3, BE4 and BE5) are all welcomed.

4.10 Appendix B to this report provides advice about relevant highways matters affecting the proposed development sites identified within the Local Plan and the broader policy framework proposed within the Plan. It is suggested that consideration should be given to including the requirement for a Travel Plan to be provided in support of those applications which would generate substantial movements (see comments on Policy SP4).
4.11 The small scale nature of development in the National Park means that there are unlikely to be significant infrastructure implications for the Council. The County Council welcomes Policy C12 *Infrastructure needed to support development* policy which is intended to secure the necessary infrastructure for developments to proceed. It is acknowledged that the YDNPA have carefully considered if the use of the Community Infrastructure Levy (CIL) would be an appropriate mechanism for delivering infrastructure within the National Park. The YDNPA have demonstrated that taking into account planning approvals over a 5 year period (2009-2014) 84% of all developments would not be liable to pay CIL due to the exemptions that apply to CIL and only a small fraction of the remaining 16% would trigger a CIL payment. It is therefore considered that CIL is not an appropriate mechanism for delivering infrastructure within the Yorkshire Dales National Park and S106 / S278 agreements can be used to address infrastructure needs arising from specific developments.

*Local Member Feedback*

4.12 In developing this response, affected County Council Local Members were asked for their comments or observations.

4.13 Local Member comments are reported at paragraph 1.41 of Appendix A. This Local Member feedback has helped to inform the technical response now being considered by Members of Cabinet and will be forwarded to YDNPA.

5.0 **OPTIONS**

5.1 **Option 1:** to endorse the response outlined in this Report and agree that the technical response contained in Appendix A is forwarded to the YDNPA to inform the development of their Local Plan.

5.2 **Option 2:** to review the response, and add further comments.

5.3 **Option 3:** not to respond. However, it is considered this would undermine any opportunities to influence the drafting of the Local Plan and Infrastructure Delivery Plan. There would also be a reputational risk to the County Council by failing the “duty to co-operate”.

6.0 **RESOURCE AND VALUE FOR MONEY IMPLICATIONS**

6.1 There are no direct resource or value for money implications arising from the recommendations contained within this report.

7.0 **LEGAL IMPLICATIONS**

7.1 The Council is a statutory consultee and its views or comments would not hold any direct legal implications for the Council.
8.0 **CONCLUSION**

8.1 The proposed Local Plan is welcomed, including the ambition for more flexibility to support economic growth. There are a few areas where it is considered that the proposed policies could be improved or strengthened, as set out in the technical appendices.

8.2 Cabinet is requested to endorse this response and agree that it be forwarded to YDNPA.

Dominic Donnini  
Corporate Director Environment & Community Services  

*October 2015*

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**APPENDICES**

*Appendix A – Summary of Issues  
Appendix B – Specific Policy and Site Comments*

Electoral Division(s): Sedburgh and Kirkby Lonsdale

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<td>Has an environmental or sustainability impact assessment been undertaken?</td>
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<td>Has an equality impact assessment been undertaken?</td>
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**PREVIOUS RELEVANT COUNCIL OR EXECUTIVE DECISIONS**  
[including Local Committees]

*Cabinet: 25 September 2014*  
*Yorkshire Dales National Park Authority Draft Local Plan Preferred Options Consultation – Supported officer recommendation to endorse the strategic response outlined in this Report and agree that the technical response contained in Appendices A and B and the Local Member feedback contained in Appendix C are forwarded to YDNPA to assist the ongoing development of their Local Plan.*
CONSIDERATION BY OVERVIEW AND SCRUTINY

*Not considered by Overview and Scrutiny*

BACKGROUND PAPERS

*No background papers*

RESPONSIBLE CABINET MEMBER

*Cllr John McCreesh – Cabinet Member for Environment*

REPORT AUTHOR

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