

COUNTY COUNCIL LOCAL COMMITTEE FOR SOUTH LAKELAND
Meeting date: 4 April 2011
From: Corporate Director – Environment

SOUTH LAKELAND LAND ALLOCATIONS EMERGING OPTIONS CONSULTATION

1.0 EXECUTIVE SUMMARY

- 1.1 *South Lakeland District Council (SLDC) has published for consultation the Emerging Options for their Land Allocations Development Plan Document (DPD). The Emerging Options identifies sites that SLDC believe are most suitable to be allocated for development in the final Land Allocations DPD. A report is to be discussed at Cabinet on the 28 April 2011, which highlights aspects of the Emerging Options which are supported by the County Council policy and those which the Council may wish to raise concern.*

2.0 STRATEGIC PLANNING AND EQUALITY IMPLICATIONS

- 2.1 *The County Council's policy on spatial matters is set out in the Cumbria Strategic Partnership's Sub Regional Spatial Strategy 2008-2028 and those policies of the Cumbria and Lake District Joint Structure Plan which have been extended and not replaced by the North West of England Regional Spatial Strategy (September 2008). It is important that LDF documents link to the Cumbria Sub Regional Spatial Strategy as they provide an up to date framework to deliver sustainable communities and ensure development is coordinated in Cumbria.*
- 2.2 *The South Lakeland Emerging Options Land Allocation Document is an important document for future spatial planning in Cumbria, and has links to the Themes wealthier, healthier, happier and greener of the Council Plan. The issues outlined below reflect the key priorities within these themes.*
- 2.3 *The South Lakeland Emerging Options Land Allocations Document has no direct implications equality impact for Cumbria. Although the*

quantum type and location of development could have an impact on local communities and specific groups in society.

3.0 RECOMMENDATION

- 3.1 *It is recommended that Local Committee members note matters raised in the report and advise Cabinet of their views, which will be considered by Cabinet on the 28 April 2011.***

4.0 BACKGROUND

- 4.1** The planning system in England follows a 'plan led' system, i.e. it is a statutory duty to prepare a 'Development Plan'. The Development Plan is an important document as it guides and informs day to day decisions as to whether or not planning permission should be granted. It also helps to guide investment decisions for important infrastructure provision. The Development Plan is no longer a traditional land use planning document as it brings together and integrates policies and programs from a variety of agencies and organisations that influence the nature of places and how they function.
- 4.2** In September 2004 the Government introduced legislation to change the way the Development Plan is produced. The system of Structure Plans and Local Plans was replaced with Regional Spatial Strategies (RSS) which for Cumbria is the North West of England Plan (published by the Government Office for the North West) and Local Development Frameworks (LDFs) which are produced by all Local Planning Authorities in Cumbria. Subsequently in April 2010 part of the Local Democracy, Economic Development and Construction Act 2009 came into force, it amalgamated Regional Spatial Strategies (RSS) and Regional Economic Strategies (RES) to form Regional Strategies (RS).
- 4.3** Since coming into power the Coalition Government through the Localism Bill has stated its intention to revoke the Regional Strategy. This will take place once the Localism Bill is enacted and until this happens the Regional Strategy and saved Joint Structure Plan Policies still form part of the Development Plan, as well as LDF's.
- 4.4** South Lakeland District Council (SLDC) is at an advanced stage with the production of their LDF. SLDC adopted and published their Core Strategy in August 2010. South Lakeland Local Committee has previously considered South Lakeland District Council's Core Strategy and made recommendations to Cabinet on the 3 November 2009 to inform their response.
- 4.5** The Core Strategy establishes the development strategy for South Lakeland outside of the National Park upto 2025. The Core Strategy sets out that 8800 new dwellings should will be built between 2003-2025 and that around 4 hectares of new employment land are needed per annum between 2010-2025. The proportion of development is set out in the table below:-

Settlements	Approximate Amount of Development
Principle Service Centres	
Kendal	35%
Ulverston	20%
Key Service Centres	
Milnthorpe Kirkby Lonsdale Grange-over-Sands	13%
Local Service Centres	21%
Smaller Villages & Hamlets	11%

- 4.6 South Lakeland District Council is now in the process of developing their Land Allocations Development Plan Document (DPD). The Land Allocations DPD is an important document as it should guide development to happen in the right place at the right time and in tandem with new infrastructure. The Land Allocations DPD also seeks to protect existing open spaces, outdoor sports facilities, employment land and green gaps where deemed necessary.
- 4.7 SLDC have reached a stage where they are consulting on 'Emerging Options'. Since 2005 SLDC have been collecting information on sites for future development. In total, approximately 900 sites have been suggested for consideration, of which approximately 300 were dismissed as they were considered too small to warrant an allocation. SLDC have put forward 152 'Emerging Options' for consideration.
- 4.8 The Council has been involved throughout the development of the Land Allocations. The 'Emerging Options' stage is a formal stage in the development of the DPD, hence it is appropriate for Cabinet to give a response on behalf of the Council.
- 4.9 It is important to note that because this is an 'Emerging Options' consultation final amounts of allocated land are not defined. Therefore, in some settlements, if all the suggested sites in this consultation were to be developed, it would result in more development than is required in the Core Strategy. However, it is important that SLDC ensure the final Site Allocation DPD will be able to deliver with the quantum of development which is set out in the adopted Core Strategy DPD.

Main Issues Raised

- 4.10 It is acknowledged that on the whole there is currently a shortage of available employment land and premises. The adopted Core Strategy sets a target of 60ha of new employment land to be developed between 2010 and 2025. To align with the Core Strategy a significant amount of employment land will need to be allocated in the Principle Service Centres of Kendal (21ha) and Ulverston (13ha). It is considered that there is an appropriate amount of land identified for Kendal (29.19ha) and Ulverston (15.79) through the 'Emerging Options', given that some site allocations maybe amended as a result of consultation (see in appendix 1). It is noted that the 'Emerging Options' would provide an under supply of new employment land in the Key Service Centres and Local Service Centres. However, it is acknowledged

that this under supply could be balanced out by the over supply in the Principle Service Centres where the need may be greater.

- 4.11 The allocation of employment sites in Kendal is welcomed, given the current deficit of supply and the need to support economic growth in Kendal and the wider area. The production of development briefs will be important for securing high quality design and appropriate landscaping from residential areas in these prominent locations. It is considered that these strategic sites should be required to make provision for Next Generation Access (NGA) fibre to the premises (FTTP). A significant amount of the demand within Kendal is for B2 and therefore the brief should not necessarily be overly prescriptive about the type of occupier i.e. high tech business.
- 4.12 The allocation of land at Kendal Fell for a household waste transfer recycling facility is supported, as it will help unlock Kendal Canal Head by relocating the HWRC to Kendal Fell.
- 4.13 In order for SLDC to predict the amount of housing land which needs to be allocated SLDC have taken into account completions from 2003-2010, current planning permissions, sites allocated in the Strategic Housing Land Availability Assessment (SHLAA) and made an assumption that 80% of permitted dwellings will be built. Appendix 2 shows the amount of dwellings that the 'Emerging Options' will deliver in relation to what is needed to meet the Core Strategy target. The table has split the area up using the Cumbria Strategic Housing Market Assessment (SHMA) Housing Market Areas. On the whole it is considered that there is an appropriate amount of land identified through the 'Emerging Options'. Even though there appears to be a short fall in the Local Service Centres and Small Settlements in Kendal Rural, it is important to acknowledge that there are sites which are below the 0.3ha in Local Service Centres and 0.1ha in Small Settlements thresholds which will also contribute to achieving the target. SLDC have also assessed sites which are in the open countryside, however none of these have been put forward as an 'Emerging Option'.
- 4.14 The County Council as Highway Authority is engaged in a number of discussions with South Lakeland District Council (SLDC) regarding developments in Kendal. There is also ongoing work to assess the cumulative impact of the development proposals in Kendal. There is limited scope for the highway network in Kendal to readily accommodate additional development traffic and due to space constraints in the town centre there is limited scope to upgrade existing junctions. A focus on sustainable transport improvements along with capacity improvements, where feasible, is likely to be necessary to allow any significant level of development within Kendal.
- 4.15 County Council officers will work with SLDC to identify more robustly the transport implications of development, so as to be able to provide developers and others with certainty in relation to requirements for enabling or mitigating highways and transport measures.
- 4.16 Site specific responses will be provided on the feasibility of individual development sites, the County Council would not wish these to pre-empt the outcomes of the additional works and outcomes.

- 4.17 As a general caveat it is important to note that comments made on an individual site basis and have not taken into account the cumulative effects on the highway network.
- 4.18 It is also important to note that larger sites will warrant more detailed assessments and require a Transport Assessment and Travel Plan as part of any planning application. The thresholds for these are defined in the DfT's guidance on Transport Assessments. The more detailed assessments may show further highways and transport constraints on development that have not been highlighted.
- 4.19 In relation to Biodiversity, there is a general concern that the degree of infill that would take place if all of these sites were to be developed could lead to the potential significant loss of general biodiversity. It is therefore recommended that the DPD seeks to incorporate significant enhancements at the next consultation stage, as this would help to ensure that beneficial biodiversity features and connected links are built in prior to the development control stage.
- 4.20 The biodiversity assessment appears to have undertaken in an ad hoc way, relying on the comments of consultees rather than carrying out their own assessment. The Consultation comments sections are sparse, and it should be noted that County Council comments were not specifically provided on a site by site basis. It is understood that Cumbria Wildlife Trust and others have made comments on a site by site basis, which could assist SLDC and these comments should be reflected in the final Land Allocations DPD document. It is recommended that along with Cumbria Wildlife Trust, County Council representatives should meet with SLDC to discuss how the potential lack of evidence and consistency regarding biodiversity can be addressed, as it is possible that the DPD could be found unsound.
- 4.21 In relation to Extra Care Housing joint working between SLDC and the County Council will allow independent demand estimates to be presented for South Lakeland by Strategic Housing Market Areas. This enables evidence of demand for such facilities to be embedded within the planning process. The independent needs analysis, provided by 'Planning4Care' (2009) identifies the need for 320 extra care housing units across SLDC area by 2019 (several schemes are already in operation which contribute towards this target). This is a recognised need, and the figures have been adopted and approved within the Commissioning Strategy for Older People and their Carers, agreed by Cumbria County Council in Feb 2010. This important evidence will need to be taken on board by SLDC in preparation of the housing land allocations document to ensure identified needs are met through adequate provision of land.
- 4.22 In relation to primary education it is possible to accurately project numbers upto 5 years ahead given that entrants within that timescale have been born. For secondary schools, the council is able to project 11 years ahead because those children are already 'in the system'. Many schools in South Lakeland, particularly primaries, are experiencing pressure on places. Likely pressure points are highlighted in appendix 3, the areas with most concern are Kendal and Milnthorpe.

4.23 The position of 'vulnerable' schools is continually monitored, but no schools have currently been identified for rationalisation. County Council officers will be discussing with school clusters over the coming months the specific issues they face, whether that be falling or growing numbers, the need for additional facilities (including community facilities), transport etc. Feedback on these discussions could be provided to SLDC to inform its own planning processes.

4.24 The County Council owns four sites which are identified as 'Emerging Options', three have been identified for residential, two are in Kendal RN69 (49 dwellings), RN117M (71 dwellings) and one in Heversham RN118M (56 dwellings). There is also one site Grange-over-Sands (R350M) for mixed residential (17 dwellings) and employment 1.26ha. Support is given to the inclusion of these sites in the 'Emerging Options'.

5.0 OPTIONS

5.1 Members can raise any aspect regarding the content of the report and raise additional comment.

6.0 RESOURCE AND VALUE FOR MONEY IMPLICATIONS

6.1 There are no direct financial implications for the Local Committee arising from the recommendations contained in this report.

7.0 LEGAL IMPLICATIONS

7.1 With regard to Bio - Diversity (see para 4.18) above the Council is under a statutory duty to promote Bio- Diversity objectives in accordance with it's Action Plan and appropriate action is in hand .

7.2 There would appear to be no other direct legal implications to this report , as lawful discretions are being exercised.

8.0 CONCLUSION

8.1 It is considered that the majority of the South Lakeland District Council Emerging Options should be supported as they reflect the adopted LDF Core Strategy. However Local Committee members may wish to express further views to Cabinet in advance of the meeting on 28 April 2011, at which it will agree a response to the consultation by SLDC on the Land Allocations DPD.

**Marie Fallon -
Corporate Director – Environment**

4 April 2011

Please ensure that every part of this section where there is an asterisk* is completed in accordance with the instructions before sending the report to Democratic Services, following which please delete this sentence.

APPENDICES

Appendix 1 – Amount of Employment Land Identified in Emerging Options

Appendix 2 – Amount of Housing Identified in Emerging Options

Appendix 3 – School Organisation Likely Pressure Points

Electoral Division(s): All in South Lakeland

** Please remove whichever option is not applicable*

Executive Decision	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Key Decision	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If a Key Decision, is the proposal published in the current Forward Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is the decision exempt from call-in on grounds of urgency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If exempt from call-in, has the agreement of the Chair of the relevant Overview and Scrutiny Committee been sought or obtained?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Has this matter been considered by Overview and Scrutiny? If so, give details below.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Has an environmental or sustainability impact assessment been undertaken?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Has an equality impact assessment been undertaken?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

N.B. *If an executive decision is made, then a decision cannot be implemented until the expiry of the eighth working day after the date of the meeting – unless the decision is urgent and exempt from call-in and necessary approvals have been obtained.*

PREVIOUS RELEVANT COUNCIL OR EXECUTIVE DECISIONS **[including Local Committees]**

Cabinet 3 November 2009

South Lakeland Proposed Submission Core Strategy – Approved Officers Recommendation

South Lakeland Local Committee 21 October 2009

South Lakeland Proposed Submission Core Strategy – Made comments on draft Cabinet report for consideration by Cabinet

CONSIDERATION BY OVERVIEW AND SCRUTINY

Not considered by Overview and Scrutiny

BACKGROUND PAPERS

South Lakeland District Council Land Allocation Development Plan Consultation Documents

<http://www.southlakeland.gov.uk/dirlist.asp?subfolder=%2FLocal+Development+Framework%2FLand+Allocations+Emerging+Options+for+Consultation>

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APPENDIX 1**AMOUNT OF EMPLOYMENT LAND IDENTIFIED IN EMERGING OPTIONS**

Settlement	Core Strategy	Emerging Options
Principle Service Centres		
Kendal		
Strategic Employment	9	18
Business / Science Park	9	6.52
Local Employment Site	3	4.67
Total	21	29.19
Ulverston		
Strategic Employment	6	6.42
Business / Science Park	6	3.99
Local Employment Site	1	5.38
Total	13	15.79
Key Service Centres	9	7.74
Grange-over-Sands		3.94
Milnthorpe		1.45
Kirkby Lonsdale		2.35
Local Service Centres	12	8.9

APPENDIX 2**AMOUNT OF HOUSING IDENTIFIED IN EMERGING OPTIONS**

Settlement	Core Ambition	Strategy	Balance to be Found	Emerging Options
Kendal (including Oxenholme)	3080		2120	2624
Kendal Rural				
Kirkby Lonsdale	232		118	295
Milnthorpe	239		186	399
Local Service Centers	1114		1044	915
Small Settlements	622		499	241
Furness				
Ulverston	1760		1264	1477
Local Service Centers	421		90	293
Small Settlements	262		-11	31
Grange / Cartmel				
Grange	673		501	627 (includes outstanding planning permissions)
Local Service Centers	313		179	163
Small Settlements	84		67	31

'Balance to be found' takes into account completions from 2003-2010, current planning permissions, sites allocated in the Strategic Housing Land Availability Assessment (SHLAA) and made an assumption that 80% of permitted dwellings will be built.

APPENDIX 3

SCHOOL ORGANISATION – LIKELY PRESSURE POINTS 11/03/11

Settlement	Comment
Burton in Kendal	Burton Morewood Primary School is full to capacity and expected to remain so. Additional housing may put pressure on places.
Endmoor	St Patrick's Primary School is operating below capacity and expected to continue to do so. This is a small school, however, and additional housing may put pressure on places.
Flookburgh	Flookburgh Primary School is operating near capacity and that is projected to continue. Any additional housing is likely to put pressure on places.
Grange	Primary numbers are projected to fall by 2016 and there is considerable capacity available in Grange Primary School. The potential scale of development in the area may, however, put pressure on places
Holme	The primary school is expected to continue operating close to capacity. Any development is likely to put pressure on places.
Kendal (and Oxenholme)	Primary numbers already exceed capacity in some schools, and are projected to increase further to 2016. Any development will almost certainly require the provision of additional primary school places.
Milnthorpe	The primary school is already operating over capacity and this is projected to continue. Any development is likely to require additional places.
Kirkby Lonsdale	Secondary numbers are projected to fall slightly, but will still exceed capacity by 2022.
Ulverston	Much of the potential development is in the Croftlands catchment area. Whilst there is currently sufficient capacity available, this may come under some pressure depending on the scale of development.

It is important to note that this table does not prejudice the County Council from making future comment on School Organisation in South Lakeland at a subsequent date.