1.0 EXPECTED OUTCOME

1.1 The expected outcome is resolution from Cabinet recommending Council to publish the Development Management Policies Development Plan Document (DPD) (Appendix 1) for formal representations before submitting the document to the Planning Inspectorate for Examination in Public. This will ensure that the relevant regulations are followed and will enable residents and other stakeholders to have a final say on the DPD.

1.2 It will enable the delivery of sustainable forms of new development that support the needs of South Lakeland’s communities (outside of the National Parks); contributing to the protection and enhancement of the district’s environmental qualities.

2.0 RECOMMENDATION

2.1 It is recommended that Cabinet recommend to Full Council that it:-

(1) Resolves to publish the Development Management Policies Development Plan Document (DMDPD) for final representations, followed by Submission of the document to the Planning Inspectorate for Examination.

(2) Authorises officers, in consultation with the Portfolio Holder, to make any non-substantive changes required to the DMDPD prior to the publication period and between the publication period and Submission.

3.0 BACKGROUND AND PROPOSALS

3.1 Following the adoption of the South Lakeland Core Strategy in 2010 and the Land Allocations DPD in 2013, the Council is preparing a Development Management Policies DPD. This document will form part of the Council’s Local Plan and will result in the replacement of the current Local Plan (2006). It will be used for development
management purposes, in guiding the determination of applications for planning permission outside of the Lake District and Yorkshire Dales National Parks. The current Local Plan documents, including the Council’s ‘saved’ policies from the Local Plan (2006), will continue to apply in the extended areas of the National Parks in South Lakeland until replaced by future National Park Local Plans.

3.2 The DMDPD will provide the Council with a suite of up-to-date policies, taking into account the National Planning Policy Framework (NPPF) and other relevant changes in national policy and guidance. It also builds on and provides more detail to the strategic planning policies in the Core Strategy. When adopted, the DMDPD will form part of the statutory development plan. Planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise.

3.3 The DMDPD sets out policies on the following topics:
- General Requirements for all development
- Quality Design
- Historic Environment
- Open Space and Recreation
- Historic Environment
- Green & Blue Infrastructure and Open Space
- Rights of Way, and other routes providing pedestrian and cycle access
- Sustainable Drainage Systems
- Pollution, Contamination and Water Quality
- Broadband provision in new developments
- Parking Provision
- Safeguarding Land for Future Transport Infrastructure Improvements
- Housing Optional Technical Standards
- Self-Build and Custom Build Housing
- Housing Development in Small Villages and Hamlets
- Rural Exceptions Sites
- Essential Dwellings for Workers in the Countryside
- Gypsies and Travellers Sites
- Conversion of Buildings in Rural Areas
- Retention of Community Facilities
- Tourist Accommodation – caravans, chalets, log cabins, camping and new purpose built self-catering accommodation
- Equestrian Related Development
- Advertisements, Signs and Shopfronts
- Renewable and Low Carbon Energy
- Hot Food Takeaways
- Retail Uses Outside of Town Centres
- Kendal Town Centre and Canal Head
- Agricultural Buildings
- Enforcement

3.4 Each policy is supported by a reasoned justification, setting out the context of and rationale for the policy and how it will be applied. A Consultation Statement, viability evidence, topic-based evidence papers, a Sustainability Appraisal and a Habitats Regulations Assessment sit alongside the DMDPD. These documents set out evidence that has informed the preparation of the DMDPD. The consultation Statement and other key evidence documents are available as background documents. Viability Reports are still being finalised. Initial findings do not identify any significant issues for the DMDPD, but final results will be available prior to
4.0 CONSULTATION

4.1 Three stages of public consultation have informed the preparation of the DMDPD. These included:

- an Issues and Options consultation from 6 November 2015 to 8 January 2016 seeking views on policy areas to be covered in the DPD and the scope and likely content the policies;
- a Preferred Options consultation from 10 November 2016 to 5 January 2017 (extended for 2 weeks) seeking views on draft policies;
- a pre-submission consultation from 19 June 2017 to 17 July 2017 on main changes proposed based on feedback to the Preferred Options consultation.

4.2 The Consultation Statement provides more detail on the comments made at each stage and how these informed the preparation of the DPD.

4.3 Comments on the Preferred Options and on the suggested changes have informed the DMDPD, which it is now proposed to publish for a final, formal 6-week representations period, as required under Regulations 18-19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. Following this period, the DPD will be submitted to the Planning Inspectorate for Examination in Public, along with any representations made. Subject to successful Examination, the DPD can be considered by full Council for adoption.

4.4 These steps are expected to take place to the following timetable:

- November 2017: Publication of the DPD
- January 2018: Submission of the DPD
- Early Spring 2018: Examination of the DPD
- Late Spring 2018: Adoption of the DPD

5.0 ALTERNATIVE OPTIONS

5.1 One alternative is to refuse to allow the Publication of the DMDPD to go ahead. This would mean that progress toward adopting the DPD would cease, contrary to the Council’s commitment to prepare the document, as set out in the Local Development Scheme. Effort and resource expenditure to date could be wasted. To allow Publication but not Submission would have the same implications.

5.2 The other alternative is to seek a delay to Publication and/or Submission. This would mean that progress toward adopting the DMDPD would suffer further slippage from the approved timetable in the Council’s Local Development Scheme, which indicates that formal publication should take place by December 2016. Delay could also mean a need to re-visit evidence work that had become out-of-date.

5.3 Both alternatives would leave the Council reliant on out-of-date policies for determining planning applications for longer than necessary.

5.4 In light of the above alternatives, the recommended approach is to resolve to publish the DMDPD as proposed and then to follow this by submitting the document and the representations made, to the Planning Inspectorate.
6.0 LINKS TO COUNCIL PRIORITIES

6.1 The production of the DPD will assist in the delivery of the Council’s long term ambitions for delivering housing and economic development, and also protecting and enhancing the district’s environment, and improving health and reducing health inequalities. It is therefore significant for the delivery of the 2014 – 2019 Council Plan (2017 Update).

6.2 In terms of housing the DPD will:
- support opportunities to develop and expand self-build houses,
- promote standards of high quality design and enabling homes to adapt to changing needs,
- provide policy for new homes in small rural settlements.

6.3 In terms of economy the DPD will:
- support the local economy by enabling sustainable development to take place that contributes to the vitality and viability of the district.

6.4 In terms of environment and improving health and reducing health inequalities the DPD will:
- ensure new development does not cause adverse environmental impacts (in terms of pollution, air quality, flood risk),
- facilitate the promotion of active travel, and provision of safer cycle and walking routes, including cycle access along the Lancaster Canal,
- encourage the highest standards for new development in terms of promotion of sustainable, safe and inclusive designs and layouts and
- facilitate the provision and enhancement of parks and open space.

7.0 IMPLICATIONS

7.1 Financial and Resources
7.1.1 The financial implications of the proposal will be met within existing budgets.

7.2 Human Resources
7.2.1 The human resource implications of the proposal will be met within existing staff resources.

7.3 Legal
7.3.1 These stages of DPD preparation are required under The Town and Country Planning (Local Planning) (England) Regulations 2012.

7.4 Health, Social, Economic and Environmental
7.4.1

| Have you completed and Health, Social, Economic and Environmental Impact Assessment? | Yes ☐ | No ☒ |
| If yes, please confirm that it is attached to the report in the appendices. | Yes ☐ | No ☐ |
If you have not completed an Impact Assessment, please explain your reasons.

Seeking representations on the publication version DMDPD will, in itself, have no health, socio-economic or environmental impacts. An assessment of the health, social, economic and environmental impacts of the DMDPD is conducted through the Sustainability Appraisal and Habitats Regulations Assessment processes that have taken place alongside DPD preparation (see background documents).

7.5 Equality and Diversity

7.5.1 Have you completed an Equality Impact Analysis? Yes ☒ No ☐

If yes, please confirm that it is attached to the report in the appendices. Yes ☒ No ☐

Summary of equality and diversity impacts. The EIA concludes that this proposal will have neutral equality and diversity impacts (see Appendix 2).

7.6 Risk

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<th>Consequence</th>
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<tr>
<td>Refusal to allow publication and submission to go ahead</td>
<td>Work undertaken to date on the preparation of the DMDPD would go to waste. The Council would have to use out-of-date policies until progress could be made.</td>
<td>Approve the proposal to publish the DMDPD for final, formal representations, to be followed by submission of the DMDPD and representations made to the Planning Inspectorate.</td>
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<td>Request to delay publication and submission</td>
<td>Progress toward adopting the DM DPD would suffer further slippage from the approved timetable in the Council's Local Development Scheme, which indicates that formal publication should take place by December 2016. Delay could also mean a need to re-visit evidence work that had become out-of-date. The Council would have to use out-of-date policies until progress could be made.</td>
<td>Approve the proposal to publish the DPD for final, formal representations, to be followed by submission of the DPD and representations made to the Planning Inspectorate.</td>
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CONTACT OFFICERS
Report Author - Lorayne Woodend, Development Strategy Delivery Officer, Development Plans, Tel: 01539 793383 Email: l.woodend@southlakeland.gov.uk

APPENDICES ATTACHED TO THIS REPORT

<table>
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<th>Appendix No.</th>
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<tr>
<td>1</td>
<td>Publication DM DPD</td>
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<td>Equalities Impact Analysis</td>
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BACKGROUND DOCUMENTS AVAILABLE
All the relevant documentation accompanies this report as appendices (see above).

<table>
<thead>
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<td>Sustainability Appraisal</td>
<td><a href="https://tinyurl.com/hfotl58">https://tinyurl.com/hfotl58</a></td>
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<td>Habitats Regulations Assessment</td>
<td><a href="https://tinyurl.com/hfotl58">https://tinyurl.com/hfotl58</a></td>
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<td>Viability Study (consultation documents and summary of initial appraisals)</td>
<td><a href="https://tinyurl.com/hfotl58">https://tinyurl.com/hfotl58</a></td>
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<td>Evidence Paper: Optional Housing Standards</td>
<td><a href="https://tinyurl.com/hfotl58">https://tinyurl.com/hfotl58</a></td>
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<td>Evidence Paper: High Speed Broadband in New Developments</td>
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TRACKING INFORMATION

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