

APPENDIX 1 Draft Consultation Response Allithwaite and Cartmel Pre-Submission Draft Neighbourhood Plan

General comments – throughout

All	The document would benefit from a thorough proof read and tidying up of formatting, including ensuring sentences and bullet points/bullet pointed paragraphs are finished with semicolons and full stops (as appropriate), and that all paragraphs are given a paragraph number, as this would aid the readability of the document. Sentence structure needs checking as well, example Criterion D of Draft Policy AC8 requires a full stop in the middle of the first sentence. Acronyms where first used need to be preceded with the full title/name to aid readability and cross referencing.
All	The Neighbourhood Plan needs future proofing in context of being able to respond to changes in future Local Plan policy direction/adoption. For instance, reference to current Local Plan policies will be superseded by the new Local Plan and therefore will become out of date within the lifetime of the neighbourhood Plan. Suggest a covering statement at the beginning of Section 2 of the Neighbourhood Plan, to emphasise this point, making clear where specific policies are referenced these may be superseded during the lifetime of the Plan by new adopted relevant policies in the South Lakeland Local Plan.
All	References to consultation feedback/community plan questionnaire feedback. This may need updating in light of consultation feedback from Regulation 14 consultation. May be more preferable to put comments into context for example paragraph 2.2.1, possibly re-phrase to say open spaces are greatly valued along with the quality of the surrounding countryside.
All	References to the National Planning Policy Framework, these need checking and updating where necessary to reflect latest changes in the 2021 updated version, including Appendix 1.
All	References to time period of Neighbourhood Plan – ensure consistency, example Chapter 2 references 2025.
Timespan of Plan	The Timespan of the Plan is 2021-2029, 8 years. Normally we would expect a Plan to cover a minimum period of 10 years, as stipulated in guidance. National Planning Guidance Paragraph 003 Reference ID 41-003-20190509 https://www.gov.uk/guidance/neighbourhood-planning--2
Meeting Request	South Lakeland requests a meeting is held with the Parish and their consultants to help address key issues highlighted in this response below (those in black bold text in particular) before the draft Neighbourhood Plan moves on to the next stage of preparation.

Specific comments

Section	Comments
1.1	Clarity required, which consultations? – Emerging Draft Plan 2019 Consultations? Suggest this is clarified in the text.
1.6	Which supporting document is being referred to? Photographs would be better located in the Consultation Statement.
1.9	Cross reference needed to 2021 NPPF updated version.

Section	Comments
1.12	Does the vision not also reflect consultation feedback in 2016, 2019?
1.24 Page 11	Reference to candidates for a Local List – note no Local List has been published at the point in time the Draft Neighbourhood Plan was published for consultation – it is inappropriate for the Draft Neighbourhood Plan to make any direct reference to any potential candidates in this respect.
Chapter 2	Phrasing - Reference to South Lakeland Development Plan Documents – suggest say South Lakeland Local Plan.
Draft Policy AC1 Criterion A	<p>It may help to confirm how proposals should take account of the Design Code, through Design and Access Statements? <i>Note weight given to local design codes as set out in NPPF 2021, the Neighbourhood Plan may wish to emphasise this more strongly.</i></p> <p>Helpful to aid application and implementation of the policy, that the Design Code is to be applied to whole of the Parish – consistent with reference on page 6 of the Design Code.</p>
2.1.11	Is this necessary to include?
2.1.12	Second sentence should be deleted, not necessary to refer to early draft as this has not been published.
2.1.14	Reference to ‘during work on the CAMP’ this is unnecessary to include, traffic congestion is identified as a general issue, not something only observed as the draft CAMP being prepared. Delete text accordingly.
Draft Policy AC2	<p>Reference to development not harming significant views of Cartmel Conservation Area and its setting. It is unclear which views are being referred to. To aid application of the policy and provide necessary clarification, it is recommended the Policy wording includes a direct cross reference to the views it is referring to – assuming these are those identified in paragraph 2.1.16? – these could be denoted in Figure 3 clearly to make clear their location.</p> <p>Clause 2- reference to a design brief for the racecourse stables site, further explanation in the supporting text to the Policy setting out what this should comprise would be helpful to aid understanding and application of policy. Also a cross reference to the site as identified in the Land Allocations DPD would be helpful (LA1.3 Stables, Cartmel Racecourse).</p> <p>Clause 5 – reference to the Local List (note no List has been published for South Lakeland Local Plan area at the point in time the Draft Plan was published).</p> <p>The last paragraph refers to ‘fields separating the east and west parts of the village’. It is not clear which ‘fields’ are being referred to. To aid application of the policy and provide necessary clarification, more specific reference is needed. This could be included through a list naming the parcels of land in question – defining boundaries, and on a map. It appears these may be areas of land currently designated as open space in the South Lakeland Local Plan, and therefore currently have some form of protection already against development.</p>

Section	Comments
	<p>The policy seeks to restrict <u>any</u> development on the ‘fields’ in question. This is a very restrictive policy – a blanket no development approach. Any policy that seeks to prevent all forms of new development is contrary to national and current local plan policy (Policies CS1.2, DM14, DM15) which allow for specific types of development dependent on local circumstances subject to meeting relevant planning policies. Current adopted Local Plan policy allows for sustainable development in these locations subject to meeting specific relevant Local Plan policies, for example – exception sites for affordable housing (Policy DM14), essential dwellings for workers in the Countryside (Policy DM15), where it has an essential need for a rural location (CS1.2), development in open spaces (LA1.10).</p> <p>Some of the ‘fields’ in question appear to be areas of land currently designated as public open space and amenity open space with no public access in the South Lakeland Local Plan. Under the provisions of Policy LA1.10 some forms of development may still be appropriate in such locations subject to meeting relevant criteria. Without knowing which fields are being referred to, those on the approach to the village in the foreground of the significant views may include land currently classified as open countryside in the South Lakeland Local Plan.</p> <p>Whilst the policy wording appears to preclude any development on the ‘fields’ in question, the supporting policy text appears to suggest some form of development in locations with significant views would be appropriate – ‘developments should take into consideration any adverse impacts on these views through landscape appraisals and impact studies’. In context of the above it is unclear therefore whether the Policy intent is to preclude inappropriate forms of development in locations that may harm the character and setting of the Conservation Area, whilst acknowledging some form of development may be necessary and appropriate in this context. If this is the case, this should be made clear. The policy should be reviewed and revised in this respect.</p> <p>The Steering Group may consider identifying the ‘fields’ in question as Local Green Space, if it is considered this would meet the relevant criteria and result in the level of protection they feel is required to protect the character and setting of the Conservation Area.</p>
Map 2	Delete words last part of sentence text underneath the map, instead say please contact South Lakeland District Council.
Map 3	This needs accompanying with a key – which is available on the SLDC website towncentre-features-key.pdf (southlakeland.gov.uk)

Section	Comments
Draft Policy AC3	<p>Reference to 'sheltered sites below the skyline', further clarity/definition would help assist how this element of the policy can be applied.</p> <p>The current policy wording covers some aspects of building design (B) which although partly relevant to a policy focussing on protecting landscape character, may be better included in Draft Policy AC1.</p>
Photos 1 – 4 Page 24- 25	The significant views illustrated appear to correlate with some of the views listed in Draft Policy AC3, but not wholly, example view from Hampsfell to Cartmel.
2.2.7	Reference now contained in NPPF paragraphs 101-103, update accordingly.
2.2.12	May be helpful to explain the role and purpose of the local green space assessment. It may be more appropriate to include in the supporting text of the Neighbourhood Plan the conclusions of the Local Green Space Assessment currently contained in a separate document – to help provide justification for why they have been proposed.
Draft Policy AC4	<p>Allithwaite Quarry - Part of the site is designated part of Wartbarrow SSSI – see NPPG guidance which suggests if the land is already designated then need to consider whether there would be any additional benefit gained by designation as Local Green Space.</p> <p>Note NPPF 2021 paragraph 103 specifies 'Policies for managing development within a Local Green Space should be consistent with those for Green Belts'. It may be appropriate to include additional text to the policy along the lines of the provisions of paragraph 103.</p>
Draft Policy AC5	In recognition development proposals are unique by virtue of their location, scale and type, it may not be appropriate to require all the measures identified in the policy to be incorporated. It is suggested the policy includes wording 'as relevant to the proposal under consideration', this applies to other policies where requirements are specified. This would ensure it is clear when to apply policies and when not, taking account of the nature of the development proposal at hand. A covering statement at the outset of the Plan would be beneficial in this regard to aid understanding on when and how policies may be applied.
Draft Policy AC5 Criterion B	This does not flow coherently, full stop required in the first sentence.
Draft Policy AC5 Criterion C	A reference to achieving net gains for biodiversity would be helpful and relevant.
2.3.2	Reference to a P4C, suggest the Plan defines what a P4C is.
Draft Policy AC7 Point B	Reference to potential new routes, are these pedestrian or pedestrian and cycle routes? The Neighbourhood Plan could explain further how these will be defined.
2.4.4	This paragraph may be better placed in the supporting text section relating to Draft Policy AC7.
Draft Policy AC8 – Application of Policy	It is unclear whether the intent of the policy is to support housing development only within the current settlement development boundaries of Allithwaite and Cartmel, and resist any housing

Section	Comments
	<p>development outside these areas, or simply to influence development within these locations. Justification for the rationale as to why the policy should only be applied to such locations would aid understanding of the intent/purpose of the policy.</p> <p>Existing Local Plan policies CS6.2 and DM11 referenced in the policy apply to all housing developments across the South Lakeland Local Plan area for example.</p>
<p>Draft Policy AC8 Criterion A</p>	<p>Clarification required, need to refer to South Lakeland Local Plan policy requirements, to make clear which Local Plan is being applied.</p>
<p>Draft Policy AC8 Criterion B</p>	<p>This would benefit from splitting out to cover the three different elements it refers to:</p> <ul style="list-style-type: none"> • amenity consideration • small scale • relating well to traditional layouts and have maximised solar gain. <p>With reference to ‘small scale’, it is unclear what the Plan is seeking to achieve in this respect. If the intention is to prevent all housing development outside of settlement boundaries, this would be contrary to current Local Plan policy which allows for housing development outside of settlement development boundaries in a few exceptional cases; including policy DM14, Rural Exception Sites and policy DM15, Essential Dwellings for Workers in the Countryside. More generally such a policy approach raises potentially significant concerns for opportunities to meet future housing needs (delivery of affordable housing and other types of housing) in locations both within and outside of the existing settlement boundary. Is the intention of the policy to influence the future scale and amount of development within the Parish, by seeking to constrain future potential site allocations in reviews of the South Lakeland Local Plan and amounts of development allowed under the current Local Plan? And restricting development only within the settlement development boundary?</p> <p>Under current Local Plan policy no thresholds are set for ‘windfall’ developments that may come forward within settlement boundaries, and indicative potential capacity figures are given for current site allocations. Restricting proposals to small scale may make it difficult to meet affordable housing needs on account of viability constraints, or enable specific types of housing meeting other needs such as older persons housing to come forward if these are required to meet needs which might result in a scale of development not considered ‘small scale’. Reference is made to 1-3 dwellings in 2.4.1, if this threshold is to be adopted, the Council raises significant concerns in this context. The Plan should clarify what it is seeking to achieve in this respect, and how ‘small scale’ should be defined.</p>

Section	Comments
	<p>Reference to developments relating well to traditional layouts and maximising solar gain – it may not be easy to achieve both at the same time. The orientation of buildings is influenced by site context, and in some cases this may not lend itself to traditional layouts and maximising solar gain. It is unclear what is meant by ‘traditional layouts’, this needs clarifying.</p>
<p>Draft Policy AC8 Criterion C</p>	<p>Future proof policy – reference to current Local Plan policies, see comments about reference to current policies being superseded by future Local Plan policies during lifetime of the Neighbourhood Plan. It is recommended the cross reference to Policy CS6.2 and DM11 is included in a footnote.</p>
<p>2.4.5/2.4.6</p>	<p>It would be helpful to include figures for Allithwaite and Cartmel separately based on most up to date data. Also helpful to include second homes figures for other parts of South Lakeland both within and outside of the Lake District and Yorkshire Dales National Parks, to compare and contrast. It would also be helpful to include figures for other parts of England where Principal Residence Policies have been adopted (see further comments below). For example the St Ives Neighbourhood Plan specifies in 2011 25% dwellings in the Neighbourhood Plan area were not occupied by a resident household, and the Thurlestone Plan area specifies 39% of properties were holiday homes/second homes in 2011.</p> <p>South Lakeland Local Plan Review Housing Topic Paper contains information for each parish in South Lakeland and includes a figure of 8.85% 2nd homes for Allithwaite and Cartmel putting it in third place in terms of parishes in Local Plan area. This does not tally with the ‘over 10%’ referenced in the Neighbourhood Plan. Housing Topic Paper (southlakeland.gov.uk) see Table 24. Our analysis was based on October 2020 data taken from Council Tax. It would be helpful to confirm the source of the data used in the Neighbourhood Plan.</p>
<p>2.4.13</p>	<p>Repetition in part with wording in Paragraph 2.4.10.</p>
<p>Draft Policy AC9</p>	<p>The policy should clarify its geographic scope – is it intended to apply to the whole Parish or Cartmel? There is reference in paragraph 2.4.9 to supporting provision of full time principal residence housing in the Cartmel Electoral Division; this covers part of the Lake District National Park and also includes Flookburgh but omits Allithwaite. The Neighbourhood Plan includes second home /holiday let figures for Cartmel only.</p> <p>There is a need to provide robust evidence to justify the policy – see St Ives NP and others with similar policies (useful guidance provided by other authorities is included below). As stated it is suggested more detailed information on % second homes and holiday lets for Allithwaite and Cartmel is included separately – not as one figure - and compare this to the % of these in other parts of</p>

Section	Comments
	<p>South Lakeland (within and outside of the National Parks) and other NP areas where a similar requirement has been introduced in adopted NPs e.g. St Ives (policy H2), Lyn Plan (policy H3), Thurlestone (policy TP6). For awareness, there are examples of Neighbourhood Plans considering Second home restriction policies but Steering Groups have decided not to include them, concluding the evidence does not support the sort of policy adopted by St Ives, because the numbers are not so acute (example Rye Neighbourhood Plan). There are also cases of some examiners in the case of Stogumber in Somerset stating the evidence provided by the neighbourhood plan promoters was not justification for the imposition of second home restrictive conditions (only 8.8% of homes in the parish were identified as having “no usual residents”), this is on a par with figures for Allithwaite and Cartmel Parish as a whole (See article : https://www.planningresource.co.uk/article/1489382/communities-using-neighbourhood-plans-block-second-homes).</p> <p>In light of the evidence currently available to hand, it is the District Council’s view there is insufficient justification for applying a Principal Residence Policy in the Parish based on the number of second homes/holiday homes alone, but there may be sufficient justification for applying the policy in Cartmel village given the higher levels.</p> <p>Careful consideration needs to be given to the potential impact such policy requirements may have for delivery of housing to meet all housing needs. To what extent may it affect the viability of affordable housing development, where open market housing can aid its delivery? Is concern for the future sustainability of Cartmel and Allithwaite a reason for the need for this policy?.</p> <p>The introduction of the policy may have implications for accessing the finance to deliver new homes subject to Principal Residence conditions, which may affect the viability of new housing schemes. We advise the parish review the evidence base supporting the policy in light of the above.</p> <p>It is queried why the Policy does not apply to replacement dwellings?</p> <p>Background sources:</p> <p>For reference see the examiner’s report to the St Ives – Neighbourhood Plan:</p> <p>https://stivesnplan.files.wordpress.com/2013/08/final-independent-examiners-report-on-the-st.pdf</p> <p><u>Lyn Plan:</u></p>

Section	Comments
	<p>https://www.exmoor-nationalpark.gov.uk/data/assets/pdf_file/0022/285610/Lyn-Plan-FINAL.pdf</p> <p>Thurlestone Plan:</p> <p>https://www.thurlestoneparish.co.uk/uploads/4/8/9/6/48967079/tpnp_final_plan_made_version.pdf</p> <p><u>For reference see useful guidance produced by other authorities should be taken into account:</u></p> <p>https://www.cornwall.gov.uk/media/nt5c5jcl/principal-residence-policies.pdf</p> <p>https://www.north-norfolk.gov.uk/media/5590/npg5-housing.pdf</p>
Draft Policy AC10	<p>Clause A refers to schemes needing to be well contained within the landscape, the Neighbourhood Plan would benefit from defining how a scheme can achieve this. Clause B refers to effective screening through planting as a means of containing proposals within a landscape form. It may be helpful to join clause A and B together in this regard.</p> <p>Clause C – this does not read particularly clearly. What is a rigid pattern?</p>
2.5.4	<p>Not clear why developments in villages cumulatively would not deliver any facilities, assuming meaning play facilities? Is this saying on-site facilities? This needs explaining more clearly if the case. Is this on the expectation that the scale of any new development will be very limited, and not of a scale that would warrant on-site new provision? Is reference to urban areas, meaning towns only?</p>
2.5.5	<p>With reference to a sum of £200 per bedroom to provide improvements and maintenance to existing playgrounds, it is assumed this is to be sought through S106 contributions. Or is the Parish setting out how they would use CIL monies to help fund improvements and maintenance?. Under current practice, contributions are negotiated with developers based on extent of evidenced needs in consultation with South Lakeland District Council. Amounts requested are subject to change and the mix of housing proposed. Any setting of developer contributions would need to be subject to Viability testing. It is inappropriate for the Neighbourhood Plan to set such requirements, and reference should be deleted.</p>
Appendix 3 Evidence Base	<p>Some of the documents listed are rather historic, and it is suggested the Appendices is updated to reflect most up to date position. For example the most recent SLDC's Strategic Housing Market Assessment was updated in 2017, SLDC's latest Infrastructure Delivery Plan is the 2017 version. Cumbria County</p>

Section	Comments
	Council Parking Guidelines in Cumbria 2002 is out of date superseded by Cumbria Design Guide.

Local Green Space Assessment

Section of report	Comments
General	Update accordingly as appropriate – references to NPPF 2021
1.2	Was the assessment not also informed by feedback from the consultation undertaken in 2019?
1.7 / 3.2	SLDC did not apply a Local Green Space methodology to produce the Core Strategy and Land Allocation DPD. It is unclear what is being referred to here. Delete reference to such a methodology.
3.3	Further information is referenced, however, it is not clear where this can be found on the website. What is being referred to here? Suggest citing source of further information to aid usability.
Assessment Methodology	<p>The methodology used as part of the assessment is not clear. There is reference to Tests being applied, how do the Tests relate to the criteria in NPPF Paragraph 102?. Criterion A proximity and C extensive tract of land are referred to in the assessment, but it would help if these were included in the wording next to where it says Test.. with a cross reference to the NPPF criteria. This will help to explain how the criteria has been used to inform the assessment.</p> <p>Would be helpful to indicate level of community support identified through consultation for each of the proposed designations. There is reference in Appendix 3 to consultation feedback on the proposed Local Green Spaces, but it is not clear which spaces received support. There is reference in the Assessment to sites having been put forward through Community Consultation, does this imply the sites were suggested by the community and not the Neighbourhood Plan Steering Group?</p>

Section of report	Comments
	<p>A cross reference to NPPG guidance on Local Green Space Designation could be beneficial.</p> <p>https://www.gov.uk/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space</p>
Allithwaite Quarry	<p>Repeat previous comments made above. Part of the site is designated part of Wartbarrow SSSI – see NPPG guidance which suggests if the land is already designated then need to consider whether there would be any additional benefit gained by designation as Local Green Space. Proximity is also an issue, how accessible is the space to the community? (distance, ease of access, walking and cycling, safe access?) NPPG states for example, if public access is a key factor, then the site would normally be within easy walking distance of the community served.</p>
Land ownership	<p>Has contact been made with landowners of each of the proposed local green spaces?</p> <p>A Local Green Space does not need to be in public ownership. However, the local planning authority (in the case of local plan making) or the qualifying body (in the case of neighbourhood plan making) should contact landowners at an early stage about proposals to designate any part of their land as Local Green Space. Landowners will have opportunities to make representations in respect of proposals in a draft plan.</p>

Local Design Code

Section	Comments
General	<p>Reference to July 2020 date – should this not be September 2021?</p> <p>Timespan of the plan – check these refer to 2029.. page 6 reference to 2026.</p>

Section	Comments
	A proof read is required, checking typos for example Page 23 'circuitous' needs amending.
National Planning Policy	Ensure references as appropriate reflect updated NPPF 2021. Ensure Sections 12 and 16 are included.
Figure 6	<p>The map requires changes to ensure it is accurate in its cross reference to the current Local Plan policies map. It is requested the designations shown in the accompanying key to the Local Plan policies map are included on the map and referenced accordingly in the key, and a clearer distinction made between the colours used to denote the proposed Local Green Spaces and those for other green spaces, The Quarry for example appears to be an outdoor sport facility or public open space – colour is not clear, and it is neither.</p> <p>Area to the north of Jack Hill and west of Holme Lane and East of Church Road all shows as Amenity Open Space should be covered by Amenity Open Space with no public access designation.</p> <p>Area to the north of Primary School and St Marys Church should be shown as Amenity Open Space with no public access</p> <p>Area to the west of Allithwaite Community Orchard should be shown as Amenity Open Space with no public access</p> <p>Omission – include area if land to the west of St Marys Church as amenity open space with no public access.</p>
Figure 7	<p>The map requires changes to ensure it is accurate in its cross reference to the current Local Plan policies map. It is requested the designations shown in the accompanying key to the Local Plan policies map are included on the map and referenced accordingly in the key:</p> <p>Omission – land to the south of the cemetery needs to be shown as public open space.</p>

Section	Comments
	Reference to Amenity Space in the key should say Amenity Open Space with no public access
Figure 8/9	Helpful to include source of information and date, caveat as information at a point in time.
Figure 41 Land South of Green Lane	Land South of Green Lane – this has planning permission, suggest this is deleted.