

Lake District
National Park



Lake District Local Plan Review

Policies to be revised

February 2016

Introduction

A local planning authority should review the relevance of its Local Plan at regular intervals to assess whether some or all of it may need updating. Most Local Plans are likely to require updating in whole or in part at least every five years to remain effective. We are at the early stages of this review process.

Assessment criteria

A comprehensive assessment of each Local Plan policy has been undertaken to evaluate whether the policy needs to be revised. The assessment was informed by the following criteria:

- Do the policies have regard to the National Planning Policy Framework?
- Have there been any relevant Ministerial Statements and/or Government policy updates published in the last five years that are relevant?
- Are the policies achieving their objectives?
- Has there been any unintended development consequences as a result of the implementation of the policy?
- Are the policies meeting stated targets?
- Are the original objectives still relevant?
- Are there any relevant planning applications where the decision has been challenging?
- Are there any changes in local circumstances that we should be aware of?

Saved 1998 Local Plan policies

The Saved 1998 Local Plan policies will be deleted following the review of the Local Plan. If any areas of policy remain relevant they will be incorporated into the policies to be revised, or new policy will be developed.

The policies to be revised

The table below sets out the policies to be revised and the justification for their inclusion.

Policy	To be revised	Major review	Minor review	Justification
CS01: National significance and distinctive nature of the Lake District	✓		✓	The policy context remains relevant. Policy needs to be presented differently to provide sufficient clarity so that it is applied consistently and with confidence.
CS02: Achieving vibrant and sustainable settlements	✓	✓		Agreed targets or measures of performance are not being achieved and it is unlikely that this will be addressed without specific interventions. Need to consider if it is the targets and measures that are not appropriate or the strategy. People are accessing services differently to how they did 5 years ago; infrastructure and service

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				requirements have changed. Opportunity to rethink our development strategy.
CS03: Settlement form	✓		✓	Policy has met its objectives; only one application has been approved contrary to policy based on justification. Therefore, opportunity to consider editorial change to remove reference to delineating development boundaries. The trigger is 'where settlements experience greater pressures' – we have no current experience of this, and in any event, this policy and other policies within the Local Plan provide sufficient safeguards to deliver sustainable development.
CS04: North Distinctive Area	✓	✓		The policy context remains relevant. Should be less emphasis on aspirations for the area; be more specific on what we want to achieve, reflect any changes in local circumstances.
CS05: East Distinctive Area	✓	✓		The policy context remains relevant. Should be less emphasis on aspirations for the area; be more specific on what we want to achieve, reflect any changes in local circumstances.
CS06: West Distinctive Area	✓	✓		The policy context remains relevant. Should be less emphasis on aspirations for the area; be more specific on what we want to achieve, reflect any changes in local circumstances.
CS07: Central and South East Distinctive Area	✓	✓		The policy context remains relevant. Should be less emphasis on aspirations for the area; be more specific on what we want to achieve, reflect any changes in local circumstances.
CS08: Windermere Waterfront Programme	✓	✓		Site allocated in Allocations of Land (Local Plan Part Two) – last paragraph to be reworded.
CS09: South Distinctive Area	✓	✓		The policy context remains relevant. Should be less emphasis on aspirations for the area; be more specific on what we want to achieve, reflect any changes in local circumstances.
CS10: Achieving design excellence	✓	✓		Need to raise the profile of 'Securing good design'. Desirable outcomes of this policy need to be clearer. Opportunity to include Climate Change adaption/mitigation measures into design of buildings and places.
CS11: Sustainable development principles	✓		✓	Criteria to be revisited to reflect NPPF. Provide greater clarity to enable the policy to be applied consistently. Consider Ecosystem Service approach also.
CS12: Major	✓		✓	Policy essentially repeats Planning Practice

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developments				Guidance and National Parks Circular – therefore does it need to be repeated in Local Plan. May only need to outline examples of major development. Check this against the NPPF and Ministerial Statements on fracking. Minor textual amendments required.
CS13: Planning obligations	✓	✓		Consider whether an SPD is required and amend policy as appropriate. Consider whether CiL is appropriate and refer if necessary. Needs complete revisit, given a wider scope under the term developer contributions which may include planning obligations, CIL, conservation levys etc
CS14: Sustainable transport solutions	✓	✓		Car parking proposals have been approved as departures to policy, and parking standards have been amended; policy may need to reflect this. Policy will need to review parking provision and clarity provided regarding protection of disused railway lines. Have closer regard to NPPF 34.
CS15: Maximising energy efficiency	✓	✓		Ineffective policy as written at moment, achieves little other than requiring changes to the orientation of buildings in reality, therefore not being applied to all developments. Government has withdrawn the Code for Sustainable Homes, so Explanatory Text should be edited.
CS16: Generating renewable and low carbon energy	✓	✓		Reference may be required to World Heritage Site and its attributes to ensure schemes do not harm these. Building Regulations realigned. Onshore wind energy guidance published. Paris Agreement (2015)
CS17: Development and flood risk	✓	✓		In light of the severe flooding event in December 2015, we need to ensure we are applying best practice. Might need to consider greater emphasis on mitigation, resilience, and adaption.
CS18: Housing provision	✓	✓		New Strategic Housing Market Assessments produced; Extra care housing evidence released; Guidance on Traveller sites; Housing and Planning Act – Starter Homes; Financial contributions by small developers
CS19: Community, health and education facilities	✓		✓	Health and Wellbeing practice guidance. Policy has resulted in unintended consequences in having to demonstrate need for shops /café's in villages that may not strictly be needed by communities but are

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				positive and welcome.
CS20: Vibrant settlement centres	✓	✓		Objectives should be considered in relation to the NPPF and government expectation for economic growth. As such we need to seek to expand central shopping areas to accommodate growth where this does not harm vitality. Consider our own objectives for town centres. Reference and local thresholds for retail impact assessments needed. A review of Central Shopping Areas boundaries is also necessary.
CS21: Open space and recreation	✓		✓	Textual amendments to reflect NPPF language and adoption of Allocations of Land. Minor amendments only unless communities identify significant deficiencies.
CS22: Employment	✓	✓		Need to review the demand for employment land and types of premises sought. To consider wider range of uses that supports the economy and creates jobs rather than just B use classes. Review and consider the impact of changes resulting from permitted development changes enabling the loss of B use space. Greater flexibility on the use of B8 units may be required now we have undertaken allocations process. Revisit work/live units and be clear on implementation.
CS22a: Reuse of buildings for holiday letting accommodation	✓		✓	Should this have a strong economic angle? Diversifying the local economy? Review the tensions between CS02, CS24, and CS22a – holiday letting in open countryside. Clarification regarding re-use of buildings (traditional or more modern buildings).
CS23: Farm diversification	✓		✓	To include reference to new build proposals currently lacking from the policy. And other tourism developments. Caravan and camping as part of diversification – (saved local plan 1998 policy T9, T16, T17) needs to be considered. Link better with CS24.
CS24: Delivering sustainable tourism	✓	✓		In order to fulfil the LDNPA's vision for Lake District to be a world class visitor destination the policy needs to be reviewed to see if it can be more liberal, it will also need to consider the Showcase Areas identified in the Partnership's Plan. Should it consider staff accommodation? Policy will need to consider caravan and camping if Local Plan policies

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				are to be replaced. Encouragement for year round industry.
CS25: Protecting the spectacular landscape	✓	✓		Need to consider if this policy needs to incorporate the cultural landscape as well as natural. Is there a Dark night skies policy gap that needs addressing? Is Tranquillity adequately addressed in light of the Partnership's Plan? Does the LCA - SPD need updating.
CS26: Geodiversity and biodiversity	✓		✓	RIGs have changed name to Locally Geological Sites; Consider how to include Ecosystems service approach; Consider the role of Local Nature Partnerships.
CS27: The acclaimed historic environment	✓	✓		Will need to consider WHS (or the information gathered in the Nomination Dossier at the very least). Consider if there are opportunities for delivery mechanisms like Yorkshire dales propose (conservation levy secured via S106). Other elements of policy are largely ok
CS28: Lakeshore development	✓		✓	Consider reference to Strategic locations around Ullswater Lake and other corridor planning areas; Consider Partnership's Plan - water quality strategy
CS29: Mineral extraction	✓	✓		Policy CS29 covers minor mineral developments, but now that Mineral Planning Statement 1 has been revoked, does the policy need a rewrite or will we rely on NPPF/PPG for major mineral developments. Refer to CS12?
CS30: Safeguarding mineral resources	✓		✓	This policy may be obsolete now that the Local Plan Part 3 (Mineral Safeguarding Areas) has been adopted.
CS31: Waste management	✓		✓	Reference to Kendal Fell Quarry as a waste facility should be removed, as the land and mineral owners have other plans for the quarry floor (which falls within the National Park boundary).
AL1: NPPF – Presumption in favour of	✓		✓	To consider how this policy can be integrated into the Local Plan refresh – presentational issue.

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sustainable development				
AL2: Site-specific opportunities, issues and constraints	✓		✓	To consider how this policy can be integrated into the Local Plan refresh – presentational issue.
MSA1: Minerals Safeguarding Areas	✓		✓	To consider how this policy can be integrated into the Local Plan refresh – presentational issue.

Next steps

All the policies in the current Local Plan need revising to varying degrees, ranging from simple presentational issues to a more complex rewrite reflecting changes in circumstances and desired outcomes. This next stage in the process - known as Phase Two, will commence in April 2016 and will follow a rigorous process of policy formulation, engagement and scrutiny as set out in Regulation. Stakeholder engagement in the process will be guided by our Statement of Community Involvement (SCI) and the Phase Two Project Plan timeline is expressed in our Local Development Scheme.