

Southern Boundary Partnership meeting: 18:30 on 20th March 2019 at Grizebeck Community Hall

1. Welcome and Introductions

David McGowan, Head of Development Management, Lake District National Park was introduced to speak on the Planning Process within the National Park

Actions of last meeting

- Transport, Housing Policy and Community Conversations fact sheets had been drawn up, all should have received by email. The 5th will be Planning Aspects.
- Proposed boundary - the review from Alison Falmer to be discussed at a later date

2. Friends of the Lake District (FLD) Update

Douglas Chalmers informed the group that Alison Falmer, The landscape consultant has finished and work is on schedule and is hopeful the final report will be ready in April showing the proposed Boundary which will then be submitted to Natural England in May.

Friends of the Lake District are continuing with their own review, which is on track, a large document which will be submitted to Natural England.

Information will be shared with the local community on the implications of a boundary change.

Friends of the Lake District are continuing to focus their efforts on speaking with the Glover Review Team.

Douglas Chalmers referred to an Executive Summary Report that was produced for the Eastern extension and found to be a very useful overview for members of the public and others. A similar report will hopefully be prepared for the Southern Boundary extension.

3. Planning Process

David McGowan, Head of Development Management, presented information on Planning in the Lake District National Park (LDNP)

Why Carry Out Planning

The Local Planning Authority is a statutory function that works to the Town and Country Planning Act

Planning help work towards the Vision adopted by the Lake District National Park Partnership (LDNPP)

The Lake District National Park Partnership (LDNPP) developed and agreed the Vision and it is a key force for action. There are currently 25 organisations involved in the LDNPP. It is made up of representatives from the public, private, community and voluntary sectors.

The Vision is - "The Lake District National Park will be an inspirational example of sustainable development in action. A place where its prosperous economy, world

class visitor experiences and vibrant communities all come together to sustain the spectacular landscape, its wildlife and cultural heritage”.

What Planning do and who they are?

There are six Area Planners, six Planners, all are generalist planners, so mixed skills including conservation and woodland management. All are given a geographical area One Trees and Woodlands Adviser, Nearly five Support staff, One Head and one Assistant Head.

Most decisions are taken under delegated powers.

A Development Control Committee (Members of the Authority) decide a small number of significant and/or contentious applications.

- They prepare a Local Plan, policies must be in line with the National Planning Policy Framework and approved by a Government appointed Inspector, public consultation must be completed before submitting to inspector. The Planning Team will then implement the agreed policies. The Local Plan would cover housing and the infrastructure within communities etc. All would be consulted on and reviewed from time to time.
- They provide advice and offer informal free telephone calls. Anything more than a call, charges are made to cover costs.
- They deal with applications, a full range of types, subject matter and location. Each year typically they have 1100-1200 applications, of which 93-94% approved. Current speed of decision performance: 92%major, 77% Minor, 86% other, 82% Time extended in time.
Comparative national targets are 60%major, 65%minor, 80% other
An example of a major planning application is for proposals that involve the creation of at least 10 residential units. A minor application is for less than 10 units.
Example of an ‘other’ application is for proposals that involve change of use, for householder development, listed building, conservation area consents, lawful development certificates and agricultural and telecommunications notifications. Appeals vary a lot – maybe 20% of which 75%-80-% is dismissed.
- They deal with Compliance - investigations, resolutions, enforce action when necessary – 250-300 investigations, around 80% do not involve a breach of control, do not warrant action or are resolved voluntarily and 20 enforcement notices issued.

What is Different to Normal Planning routes?

For National Park purposes the Environment Act, National Park and World Heritage Site landscape and heritage designations.

Small number of national permitted development rights does not apply or are more limited

The adopted policies - some are similar, some are different

Questions and responses

Who covers the conservation aspects?

This is covered by the planners, they are all generalist which means all the planners have a good skill mix, including conservation and woodland management.

There is a conservation officer that sits within the Strategy and Partnership Department, not part of this Department.

Can you give more of an idea of what is different within the National Park from normal planning, what is different about the national park and what is its importance?

We try to give a decision guided by policy and based on evidence.

Policies are different within and out of the Park because of **Designation**, this is a very important word and drives a higher standard of consideration.

The National Park falls under legislative statute, it has a National Designation for a protected landscape, and this is the one of the highest along with World Heritage Site status which is a Significant Designation.

An example of 'permitted development' if you were in the national park it would be more restrictive.

Some 'changes of use' are also more restrictive within the national park example if you wanted to change an outdoor building into a house you would have to put in an application. You may not have to do this outside of the Park, however if you were next to the park you may have to put in an application to protect the landscape next door to you.

An example was given of how something next to the National Park can be detrimental to the beauty of a landscape, i.e. the pylons issue, all the cables for the electricity are underground in the National Park as soon as the network reaches an area that is not national park but right next door to the National park the pylons appear, which then affects the landscape overall.

The differences between in or out of the National Park is a big issue for Grange, as there is no buffer zone for applying and interpreting different policy, the developers are moving in with a target for housing of 25% increase, so how could being within the Park make a difference?

The National Park does not have some of the targets, housing development is permitted but on a more limited scale and within environmental capacity of settlements, the means of providing and maintaining social, physical and environmental infrastructure to support growth in an area - the landscape consideration would increase, to protect the area.

Example of Brigsteer, under a development proposal had a refusal due to it being designated within the National Park.

If a vast housing estate was to be suggested, the National Park would look for alternatives on a much smaller scale. They do have housing development within their Local Plan to address a need, for example a site at Keswick, for affordable housing and local occupancy housing, but would look at the size of the development.

How can local occupancy housing be protected. There was a development in Broughton that was meant to have a 1/3 of its properties for local occupancy, why was it not more, how can these areas be protected it means there will be less and less for younger and local people to afford?

This really depends on policy at that time of build, but the National Park Authority do enforce their policy on local occupancy.

What do you do if villages have problems like fly tipping or derelict housing?

The responsibility would be split between District Authorities and the National Park Authority. Planning powers would be applied to those authorities for action, both have their different rules. Fly tipping would be the District Councils responsibility

Do you have an enforcement budget for those that don't stick to planning rules?

Planners have skills mix backgrounds so would cover some enforcement. There is a dedicated budget for direct action, each within the establishment budget. If more is needed for taking through the legal system they can apply to a central budget.

How long should one expect to wait for a decision from planning where residents have complained about a proposed development?

Most planning departments have a high workload, there would be 300 on the books at any one time in the LDNP. Though there will be some waiting time, the LDNP will take action through to a conclusion, and of course compliance application takes time.

Does one have to use local materials to build within the Park?

Planners may want to have details of colours and timber but not necessarily impose the use of a type of timber.

If in a remote village and spread out, if one had an elderly relative they wanted to accommodate would an extension on a house be acceptable?

Planners would not be anti an extension, most planning authorities would look at each case on an individual basis linked into limited development and the capacity of that environment

Can one call for general advice for free if an objection?

If you don't have an application in and it's general it would be free.

If you have an application submitted you would have been charged the appropriate application fees.

If a person has built onto a house a few times over a number of years is it liable for planning?

If the building has been like this for over 4 years it would have 'Immunity from Enforcement' which means nothing can be done and would not have to have planning. This would evidence to show that it had been like this for the period of four years.

Do you have experience in Common Law and Common Land?

Common Law is nothing to do with LDNP but all have experience in Common Land, it sits alongside the Planning Act.

You can get planning on a Common but not be able to do the build as would need a Government decision.

If someone applies for retrospective planning and doesn't get it how long does enforcement take?

This may can take some time due to staff availability and the impact of the issues raised in the enforcement action but eventually the required action will be taken.

In Millom there are 90 empty homes, if Millom was to be in the National Park what could be done about this?

The LDNP covers Planning and Rights of Way only, it couldn't do much at all as it's the District Councils responsibility to address empty housing issues.

In Haverigg 80+ homes are to be built on the old Ironworks, could this mean it may not get into the National Park boundary, planning has already been granted for this?

Not necessarily so, if the build is carried out in a considerate aesthetic way in keeping with the environment.

A planning permission cannot be revoked once granted whether in the National Park or not.

How would an application to build a huge cow shed with lighting constantly on and Cows kept in be viewed by the LDNP?

If designation of National Park, would have to look at what is special about each area and its sensitivity to change, guidelines to manage change and inform assessment. A judgement would have to be made on the impact this could have on the environment, animals and local people.

FLD stated it could have an impact as no grazing cows and cutting of the grass could change the vegetation/fields.

Problem with farm up a small track, and the farm wanting to convert barns to housing, is there any legislation to restrict this?

LDNP would look at this but via the application process the impact on the environment, landscape and local people would all have to be considered.

How can 2nd homeowners be stopped from extending their small houses to accommodate even more holiday makers and making the houses too expensive for local/younger people to buy?

There is no legislation to stop this yet. Both FLD and LDNP have tried via various routes to change this without getting anywhere. It may be time to try again

David Savage thanked David McGowan for his presentation and answering questions, and highlighted that Planning Policies are there to manage what is a special and designated landscape – therefore planning will have differences if we are protect the landscape for the long term.

4. Community Conversations

“Community Conversations” was circulated prior to the meeting and this will launch the next key phase by taking this issue to our residents.

David emphasized that this is NOT a consultation and it is a culmination of all meetings. This key important information will be shared with our communities by way of a number of drop-in sessions, and we will use all our materials such as the five fact sheets and a map of the proposed boundary
Representatives from LDNP and FLD will be available to answer questions, on those drop in session days

5. The actions on Parish Councils are to confirm:

1. The date of your local event as set out in the community Conversation summary
2. Who will act as the single point of contact for the SBP Project Team to liaise with?
3. Where PCs are joined up on one event - this will be supported by your PC?
4. The venue of your event?
5. Any deadline dates to meet your local publications / parish magazines etc?
- 6.

The SBP Project Team will:

1. Prepare the advertising material (articles/ posters) for issue in your local area
liaise with your single point of contact to ensure the event is set up
2. Will prepare the material (handouts / maps etc) and bring to your event

6. Meeting conclusion

Please note we have cancelled the meeting to be held on 17th April and have set up the next session to be held on 7th May 19 at 6.30pm - Grizebeck Hall. This meeting will focus primarily on the outcome of the landscape review.

The meeting concluded at 20:40

Attendees

Diana	Rutherford	Blawith and Subberthwaite
Gill	Wardle	Blawith and Subberthwaite
Jay	Sayers	Duddon
Douglas	Chalmers	Friends of the Lake District
John	Campbell	Friends of the Lake District
Joanne	Greenway	Grange Town Council
Martin	Ingle	Grange Town Council
William	Todd	Kirkby Ireleth
Dan	Hunt	LDNPA
David	McGowan	LDNPA
Graham	Sanderson	Lowick
Jo	Edmundson	Lowick
Angela	Dixon	Millom Town Council
Bob	Kelly	Millom Town Council
David	Savage	Millom Without
Ian	Lockwood	Millom Without
Adrienne	Calsy	Millom Without
Gaby	Napoletani	Millom Without
Anthea	Jones	Ulpha
Andrew	Fell	Whicham
Howard	Graves	Observer

Apologies

Mike	Lamb	Allithwaite
Jane	Micklethwaite	Millom Town Council
Graham	Pitts	Duddon

Copy to Lowick PC Clerk irene@jewell.me.uk