

Local Plan

Development Management Policies

(For South Lakeland District outside the Lake District and Yorkshire Dales National Parks)

Adopted Version

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1 Introduction

1.1 Introduction

What is this document?

- 1.1.1 This document contains a set of development management policies for the local planning authority area of South Lakeland. When a planning application is submitted, the Council uses development management policies (planning policies) alongside other policies in the Development Plan to help it assess whether or not the application should be granted planning permission.
- 1.1.2 This Development Management policies Development Plan Document (DPD) has been prepared to review, update and replace existing Local Plan policies where necessary and to provide new policies to address some current gaps. The DPD:
- Fills in any gaps in policy, particularly since the publication of the National Planning Policy Framework (NPPF - 2012 edition) and more recent national Planning Practice Guidance.
 - Updates existing Local Plan policies that are out of date.
 - Supplements a number of Core Strategy policies to provide additional detail for decision making on planning applications.
 - Replaces a number of the 'saved' policies of the South Lakeland Local Plan 2006.
- 1.1.3 This document applies in the local planning authority area of South Lakeland, which excludes the National Parks, as shown in Figure 1.



Figure 1: Area covered by the Development Management Policies DPD

1.2 South Lakeland Local Plan

- 1.2.1 The South Lakeland Local Plan shapes and guides development and is made up of a number of different documents which form part of the statutory development plan. The Core Strategy was adopted in October 2010 and the Land Allocations Development Plan Document (DPD) in December 2013. These set out strategic planning policies and determine the amount and distribution of development in South Lakeland outside of the Lake District and Yorkshire Dales National Parks.
- 1.2.2 Within the **local planning authority area of South Lakeland** the following adopted Local Plan documents apply, until replaced by the single South Lakeland Local Plan for the period 2016-36:
- Core Strategy
 - Land Allocations DPD
 - Development Management Policies DPD
- 1.2.3 Within the **extended areas of the National Parks** (as extended in August 2016) the following adopted South Lakeland Local Plan documents apply, until replaced by Lake District or Yorkshire Dales National Park Local Plans:
- Core Strategy
 - Land Allocations DPD
 - Saved policies within the 'old' South Lakeland Local Plan 2006
- 1.2.4 Within the part of South Lakeland district within the **Arnside & Silverdale Area of Outstanding Natural Beauty (AONB)** the following adopted Local Plan documents apply:
- Core Strategy
 - Land Allocations DPD
 - Development Management Policies DPD
 - Arnside & Silverdale AONB DPD (prepared jointly with Lancaster City Council)
- 1.2.5 For clarity general policies in the DMDPD will come first, and are written to cover the whole district. The AONB DPD policies will then be considered and a Development Management Officer would take account of both together in considering a planning application. The AONB DPD forms part of both South Lakeland and Lancaster City Council Local Plans, once adopted.
- 1.2.6 Adopted Neighbourhood Plans also form part of the statutory development plan for South Lakeland. A Neighbourhood Plan has been adopted for Heversham and Hincaster parishes and also for Grange-over-Sands. Neighbourhood Plans are currently being prepared for Lower Allithwaite. Adopted Neighbourhood Plans may contain Development Management policies that need to be applied as appropriate to any proposals within the neighbourhood plan areas, alongside the policies in other South Lakeland Local Plan documents.

1.3 Role of Sustainability Appraisal and Habitats Regulations Assessment

Sustainability Appraisal

- 1.3.1 All new Local Plan documents must be assessed using a Sustainability Appraisal (SA) to ensure that they are contributing to sustainable development¹. This is required by the Strategic Environmental Assessment (SEA) Directive². The SA informs plan making throughout the process.
- 1.3.2 The Sustainability Appraisal process has been an integral part of the preparation of the Development Management Policies DPD. It has been used to inform the consideration of options, alternatives and outcomes and the draft and final policies. A draft SA Scoping Report was produced and consulted on alongside the Development Management Policies DPD Issues and Options Discussion Paper. The draft SA Scoping Report set out the approach to SA and the methodology used for the appraisal, as well as the timetable and how the SA fits in with the preparation of the Development Management Policies DPD. It specified the objectives in the Sustainability Appraisal Framework that were used to appraise the options and draft policies.
- 1.3.3 Alongside the Draft Development Management Policies DPD, we consulted on an Interim SA report of the draft policies. The Interim SA report set out the results of the SA of Issues and Options and Preferred Options and included an SA of the draft Development Management policies. The policies were further refined based on the outcome of the SA and its recommendations.

Habitats Regulations

- 1.3.4 All Local Plan documents must also be subject to a Habitats Regulations Assessment (HRA) process under the Habitats Directive³. The HRA is a recognised step by step process which considers the implications of a plan or project for European Sites⁴ in terms of any possible harm to the wildlife interest that forms a qualifying feature of the sites, which could occur as a result of the plan or project.

¹ Sustainable development is development that meets the needs of the present without comprising the ability of future generations to meet their own needs (Brundtland Report Definition).

² Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment.

³ European Union Directive adopted in 1992 in relation to wildlife and nature conservation.

⁴ This includes European sites designated under the Habitats Directive (Special Areas of Conservation), classified under the Birds Directive (Special Protection Areas), and as a matter of policy includes wetland sites listed under the international Ramsar Convention, sites formally proposed as European sites and those formally providing compensation for site loss.

- 1.3.5 The DPD has been subject to appropriate HRA. This has been used to identify the potential for any likely significant effects on European sites and has guided the content of the policies as HRA is an iterative process.

1.4 Viability Considerations

- 1.4.1 A full plan level viability study has been prepared alongside the Development Management Policies DPD to ensure that the policy requirements do not individually, or cumulatively with other policies and requirements threaten the viability of development in the district.

1.5 Structure of Document

- 1.5.1 Chapters 2 – 6 present a suite of development management policies under the topic areas of ‘Sustainable Development’, ‘Sustainable Travel’, ‘Housing’, ‘Types of Development’ and ‘Enforcement’. Policies are presented in boxes, and are followed by supporting text which explains the background around the policy and how it will be applied in practice.
- 1.5.2 Chapter 7 sets out a proposed monitoring and implementation framework.
- 1.5.3 Appendix 1 identifies a list of measures that support and enhance habitat creation, urban greening and respond to the effects of climate change.
- 1.5.4 Appendix 2 shows Kendal Canal Head Area designations which appear on the Local Plan Policies Map.
- 1.5.5 Appendix 3 sets out which saved local plan policies are replaced by the DPD.

1.6 Application of Policies

- 1.6.1 The policies will be applied depending on the type and location of proposal being considered. It is recognised that every development proposal is unique by virtue of its location, scale and type. Consequently policies will be applied as relevant to the proposal under consideration. In applying policy DM1 and DM2, the principles, requirements and criteria contained within these policies can be applied to many different forms of development across many different settings, whilst acknowledging they may not all be relevant to all scenarios and places. The Strategic policies of the current Local Plan 2003-2025 comprise of each of the policies in the Core Strategy and will be applied in conjunction with the DMDPD policies until replaced by subsequent adopted South Lakeland Local Plan policies.
- 1.6.2 The policies will also be applied in accordance with [Permitted Development Rights](#). These allow changes of use to be made to a building and/or land without the need to apply to the Local Planning Authority for planning permission.

2 Sustainable Development

2.1 General Requirements for all development

Policy DM1 – General Requirements for all development

Purpose: To maintain, protect and promote the district's environmental, economic, social, and historic qualities, safeguard local amenity and ensure its sustainability.

Subject to other policies within the development plan, development will be acceptable provided it:

1. ensures the delivery of acceptable levels of amenity, privacy and overshadowing for existing, neighbouring and future users and occupants through:
 - provision of adequate spatial separation distances between existing and proposed properties and buildings; and
 - retention and/or provision of adequate public, private and shared spaces and landscaping; and
2. ensures it responds appropriately to the proposal site's **locational context, local and settlement character and distinctiveness**; and
3. ensures the provision of necessary **infrastructure** needs it may generate for example all the major services (including electricity/gas, surface and foul water disposal), in a sustainable and viable manner; and
4. ensures adequate and safe movement of **pedestrians, cyclists and motor vehicles**, and provision of parking / servicing; and
5. ensures a **safe, secure and healthy environment**, both on and off-site, by protecting public and environmental health interests with regard to matters such as pollution and ensuring effective flood risk management; and
6. ensures the protection and enhancement of existing **ecological networks**, and **biodiversity and geological assets**⁵, securing adequate measures to avoid and mitigate for any potential impacts and building in net gains for biodiversity as an integral part of development. Harm to these assets will only be allowed as a last resort, and where it has been demonstrated that any residual impacts have been fully compensated for; and

⁵ Ecological networks and biodiversity and geodiversity assets include locally designated wildlife and geological sites, priority habitats and species, habitats that provide a function for wildlife to disperse or connects wildlife sites together, and any area of land or water holding biodiversity or geodiversity of local importance.

7. ensures the **protection and maintains designated wildlife sites**⁶, securing adequate measures to avoid and mitigate for any potential impacts. Harm to the integrity of such designated sites will not be allowed except where it has been established by the competent authority that there are no alternative solutions that would have a lesser effect on the integrity of the site and there are Imperative Reasons of Over-riding Public Interest (IROPI) and that all necessary compensatory measures are taken to ensure the overall coherence of the network of the designated sites as a whole is protected; and
8. ensures the protection and enhancement of the District's **natural, built and historic environment qualities** and its distinctive landscapes and townscapes, including their public visual amenities through good design; and
9. ensures the conservation and enhancement of the special qualities and settings of the **Lake District** and **Yorkshire Dales National Parks** and the **Arnside and Silverdale Area of Outstanding Natural Beauty**, including views into and out of these designated landscapes, by supporting proposals only where it is demonstrated through a proportionate landscape assessment there would be no significant adverse effect upon their landscape character and visual amenity taking account of:
 - the AONB Landscape and Seascape Character Assessment, and Cumbria Landscape Character Assessment & Toolkit
 - the coastline and its particular sensitivities and character (seascape)
 - cumulative and incremental impacts of development having regard to the effects of existing developments and the likely further impacts of the proposal in this respect.

- 2.1.1 All development should be of a satisfactory standard in terms of securing high quality sustainable design, providing acceptable levels of amenity for existing and new occupants and users of any development, as well as neighbouring and future occupants. Amenity could be described as the overall pleasantness of any environment taking account of factors such as levels of light, privacy, noise and other nuisances. Development should seek to enhance its surroundings, create sustainable, safe and healthy environments and provide for the necessary essential infrastructure needs it may generate. By doing so, new developments will help maintain, protect and promote the district's environmental, economic, historic and social qualities.

⁶ International sites include Special Protection Areas (SPAs). Special Areas of Conservation (SACs), Ramsar sites, and sites formally identified for designation or compensatory provision. National sites include Sites of Special Scientific Interest (SSSIs), notified for biodiversity or geodiversity importance.

- 2.1.2 In applying the principles, requirements and criteria contained within the policy these can be applied to many different forms of development across many different settings, whilst acknowledging they may not all be relevant to all scenarios and places. This policy will therefore be applied to all new developments as relevant to the proposal under consideration in a way that is appropriate to local circumstances, utilising existing and forthcoming guidelines, and in engagement with other bodies for example the Highways Authority.

Infrastructure Provision

- 2.1.3 Developments must be supported by adequate infrastructure required to support the needs it may generate. Such infrastructure will most likely include major services such as electricity and water supply, and may include others such as roads, school and health facilities, and this must be provided where existing infrastructure does not have adequate capacity to support needs generated by the development. In some cases the cumulative impacts of other needs generated by planned development may need to be taken into account in determining the scale of infrastructure required and how it may be delivered. It may also be necessary to co-ordinate the timing for the delivery of development with the timing for the delivery of new or improved infrastructure. Applications for developments on sites which are part of a wider development will be expected to demonstrate how the infrastructure for the site relates to a wider holistic infrastructure strategy for the entire site to ensure provision of adequate services is secured, this is especially important when development is likely to come forward in stages on a site. Any infrastructure in early phases of development should have regard to future interconnecting development phases.
- 2.1.4 The authority will seek the advice of service providers to determine the likely scale of such impacts and requirements. Developer contributions can play a vital role in funding infrastructure provision needed to support the delivery of a development subject to the Community Infrastructure Levy (CIL) Regulation tests and any future other form of government legislation determining how these can be secured. Other sources of funding including the Community Infrastructure Levy can be used to support wider strategic infrastructure needs which may be required to support specific developments and their cumulative impacts.

European protected sites

- 2.1.5 With regard to requirement 7, the decision on whether mitigation or compensation may be required with respect to effects on European protected sites is determined through application of relevant legislation which includes Conservation of Habitats and Species Regulations 2010, as amended, and the Wildlife and Countryside Act 1981 as amended by the Countryside and Rights of Way Act 2000. Where a Habitat Regulations Assessment is required this must be carried out by the competent authority for any new site plan or project which may affect the designated interest features of a European Protected Site.

Setting of Arnside and Silverdale AONB, and Lake District and Yorkshire Dales National Parks

- 2.1.6 The AONB is set within a wider landscape that is highly visible from within the AONB; this surrounding landscape provides the 'setting' to the AONB. The landscape setting is an important aspect of the AONB it contributes to how the AONB is experienced, understood and appreciated, including views into and out of it. Development within the setting of the AONB has the potential to adversely affect the landscape, character and natural beauty of the AONB. Included in the setting of the AONB is part of Morecambe Bay and areas which are included in the forthcoming North West Marine Plan. Proposals for such development will be considered very carefully by the Council in the context of the policies of this DPD, the AONB DPD and landscape character evidence/guidance.
- 2.1.7 Likewise, parts of the Yorkshire Dales National Park (YDNPA) and the Lake District National Park (LDNPA) (World Heritage Site) are set within a wider landscape that is highly visible from within parts of them; this surrounding landscape provides the 'setting' to the Parks. The landscape setting is an important aspect of their distinctive landscape qualities. Proposals for development within their settings including consideration of views into and out of them will be considered very carefully in this regard. The special qualities of the National Parks include particular characteristics that for the LDNPA are currently set out in the Lake District National Park Management Plan and for the YDNPA within the Yorkshire Dales Local Plan 2015-2030.
- 2.1.8 A landscape assessment will be required as part of the submission of any proposal that may be considered to have a potential impact on the setting of the AONB or the Yorkshire Dales and the Lake District National Parks. In the case of larger and otherwise more sensitive schemes a Landscape and Visual Impact Assessment of a proportionate scale will be required. In all cases, assessments should be proportionate to the scale of the proposal and level of impact of the proposed development on the landscape, in some cases this may be achieved through the Design and Access Statement, for example where it is a more minor application and/or has limited impacts. In addition to guidance specifically referred to in the policy, proposals should have regard to other available landscape character guidance and evidence that may be of relevance.

2.2 Quality Design

Policy DM2 – Achieving Sustainable High Quality Design

Purpose: To provide a set of design principles in order to ensure the district's characteristics and qualities are maintained and enhanced.

The following design principles will be taken into account and applied where relevant. Where they are applicable development will be supported provided they are met.

1. Development proposals should respond appropriately to **local and settlement character** and reinforce and promote **local distinctiveness** by:
 - making a positive contribution to the overall sense of place of the locality; informed by the uses and activities around the proposal, the historic context of the site, historic street patterns, plot boundaries, grain/massing, height and materials of nearby existing development and features; and
 - ensuring that the use of contemporary innovative styles of development complement the site's surroundings.
2. Development proposals should respond appropriately to **local context, landscape and built and natural environment setting** by:
 - identification of existing built and natural features that create a positive contribution to the locality and sense of place; seeking to incorporate these in the design; and
 - ensuring development creates a positive relationship with surrounding uses; and
 - including a high standard of landscaping and boundary treatment that retains and enhances the existing landscape and built characteristics of the locality and is considered as part of any green and blue infrastructure framework; and
 - designing schemes so they conserve important local public vantage point views; and
 - ensuring development is located sympathetically within the built and natural landscape, by avoiding locating buildings and other features on the top of slopes, ridges or other positions that would be unduly prominent; and
 - ensuring features that make up the roofscape respect that of the area in form, colour, height, size, shape, scale and materials; and
 - ensuring development located at the edge of settlement locations presents a sympathetic transition between built up areas and the countryside, sensitive to its local setting.
3. Development proposals should deliver inclusive design and layouts that meets existing needs, are sustainable; satisfactory in terms of means of access for all and promote mixed and well integrated communities by:
 - ensuring all potential users needs have been considered in terms of the design and layout; and

- ensuring connectivity with neighbouring uses, spaces and streets, and the creation of cohesive forms of development that promote physical integration; and
 - creating designs and layouts that are easy to navigate, with convenient movement patterns for all users, promoting active travel (walking and cycling) over other modes of transport; and
 - distributing housing types and tenures throughout a site ensuring they are tenure-blind in appearance. Affordable rental housing should be distributed in small clusters where justified (for example for management purposes in respect to social housing provider schemes)⁷
4. Development proposals should create and maintain **safe and secure** environments through designing out crime and designing in community safety by:
- ensuring public and communal spaces, buildings, streets and paths are directly overlooked through natural surveillance; and
 - ensuring there is clear and obvious demarcation between public and private spaces utilising appropriate physical boundary treatments or landscaping elements and ensuring buildings directly address streets and routes by avoiding presentation of blank frontages or gables.
5. New development should deliver **variety, diversity** and **interest** by:
- avoiding bland monotonous forms of development that promote little interest and variety; and
 - ensuring large residential developments contain distinctive areas that create a sense of place taking reference from local context and character.
6. New development should provide sufficient **space** by:
- creating adequate separation distances between existing and proposed dwellings/buildings, public and private spaces, and any heritage or biodiversity assets taking into account local character and characteristics.
7. New development should be **well proportioned, positioned and in scale** with its surroundings taking into account topographical features by:
- ensuring the topography of the site informs the orientation, height, siting of buildings and features, as well as the space between these; and
 - avoiding the creation of dominant or incongruous extensions and alterations to existing buildings.
8. New development should ensure appropriate consideration has been given to the selection and choice of **materials and finish** by:

⁷ It is recognised this will not always be achievable where a scheme is for 100% affordable non-private housing.

- demonstrating regard has been given to those that prevail in the local area and ensure the choice is sympathetic to landscape characteristics and setting; and
- exploring opportunities to add interesting details, ornamentation and expressions of local craftsmanship, while avoiding excessive and inappropriate clutter.

9. New development should incorporate measures that support and enhance **habitat creation and urban greening** ensuring that provision reflects the local biodiversity evidence base and reduces the factors contributing to, and responds to the effects of **climate change**⁸.

10. New development that requires external **lighting should** as appropriate:

- use the minimum illumination required to undertake the task; and
- minimise harm to the local amenity, wildlife, public and wider views through use of appropriate landscaping measures and sensitive forms of design; and
- be designed in a manner that avoids glare and erosion of tranquility and dark skies.

- 2.2.1 The design of new development has a strong influence on the character and qualities of the district and its various settlements. Proposals should safeguard and where possible enhance local characteristics and distinctiveness. This policy seeks to ensure the character and qualities of the district as a whole and its various settlements is maintained and protected by requiring new developments to demonstrate where relevant they are in accordance with the set of design principles. New developments should promote designs and layouts that consider the needs of all who may use and be affected by the development, one that works for all that everyone can use and doesn't prejudice the needs of one individual over another.
- 2.2.2 A forthcoming Design Supplementary Planning Document (SPD) will provide guidance to help inform how to consider proposals for various types of development and locations against these principles. Existing other published local design guides and guidelines including the Cumbria Development Design Guide will be used to help inform planning decisions in relation to the extent to which proposals meet these principles. The District Council's 'Shopfront Design Toolkit' non-statutory guidance, will continue to be applied.
- 2.2.3 The Council may seek appropriate conditions attached to planning permission (for example with regard to landscaping) to secure satisfactory levels of compliance with the policy. It will use Landscape and visual impact assessments and Design and Access Statements where required as set out in the Council's Planning Application Validation Checklist to help inform the degree to which proposals comply with the policy.

⁸ Measures that seek to reduce need to travel and provide for sustainable transport, provide opportunities for renewable and low carbon energy technologies, promote low carbon design approaches, promote water and energy conservation, support management of waste in a sustainable manner, manage and reduce risk of flooding, and provide multi-functional green infrastructure. Appendix 1 includes a list of measures that should be considered.

2.3 Historic Environment

Policy DM3 – Historic Environment

Purpose: To protect and enhance the valuable Historic Environment of the District, including all designated and non-designated heritage assets.

Development proposals will safeguard and, where appropriate, enhance all heritage assets and their settings, in a manner that is appropriate to their particular significance.

Assessing Significance and Impact

Proposals affecting a designated or non-designated heritage asset, including its setting, will be assessed taking into account its significance, as derived from the relative value of its architectural, historic, artistic or archaeological interest; and the impact that the proposals would have upon that significance, including whether it causes any harm. Development proposals must be supported by a Statement of Significance and Impact which should:

1. demonstrate a clear understanding of the asset's significance, including all those parts that would be affected by the proposal, as well as the contribution made by its setting; and which is proportionate to whether it is a non-designated or designated asset, and the amount of any change involved; and
2. explain how the asset and its setting will be affected by the proposed development, and demonstrate how any harm would be minimised or averted, including any mitigation methods; and
3. present a justification for the proposal that explains why any resulting harm is considered to be necessary or desirable; and
4. identify what public benefits might arise from the proposal.

Listed Buildings

Development proposals will be expected to conserve, enhance and where appropriate better reveal the significance of listed buildings and their settings. Applications relating to listed buildings will be expected to demonstrate how they would:

5. preserve and better reveal the internal or external significance of the heritage asset and its setting, as well as secure any opportunities for enhancement; and
6. take into account its special architectural or historic interest; and
7. ensure its continued use and longer term viability; and
8. where appropriate, result in the securing of any public benefits; and
9. maximise opportunities for promotion, enjoyment, understanding and interpretation.

Proposals that cause substantial loss or harm to the significance of listed buildings will be refused unless it can be clearly and convincingly demonstrated that such harm or loss is necessary to achieve corresponding substantial public benefits that outweigh that harm or loss. Less than substantial harm must be clearly and convincingly justified, and this harm weighed against the public benefits of the proposal, including securing its optimum viable use.

Archaeology

Development proposals that cause substantial loss or harm to the significance of a scheduled monument will be refused unless it can be clearly and convincingly demonstrated that such harm or loss is necessary to achieve corresponding substantial public benefits that outweigh that harm or loss. Less than substantial harm must be clearly and convincingly justified, and this harm weighed against the public benefits of the proposal, including securing its optimum viable use.

Any proposals that affect a non-designated archaeological asset (whether known or on sites where there are reasonable grounds for the potential of unknown assets) will be determined according to its significance and the level of harm that would result from the proposal.

The level of information required to support an application will be proportionate to its significance and the scale of the proposal's impact. Where necessary to enable an application to be determined, a desk-based archaeological assessment and/or a field evaluation should be provided.

All applications will be expected to demonstrate:

10. an understanding of the asset's significance and the contribution made to this by its setting; and
11. how the proposal will impact on the asset including any excavations, structures or new features; and
12. the identification of any harm, whether this is necessary and how this will be mitigated; and
13. the extent to which any proposed works would result in public benefits.

The Council's preferred approach will be to seek to avoid unjustified damage to such remains through their preservation in situ. When in-situ preservation cannot be warranted, the developer will be required to make adequate provision for the excavation and recording of the asset, provide opportunities to promote this archaeological heritage (both above and below ground) and find ways to interpret and present this material to the public.

Historic Parks, Gardens and Landscapes

Proposals that cause substantial loss or harm to the significance of registered Parks and Gardens will be refused unless it can be clearly and convincingly demonstrated that such harm or loss is necessary to achieve corresponding substantial public benefits that outweigh that harm or loss. Less than substantial harm must be clearly and convincingly justified, and this harm weighed against the public benefits of the proposal, including securing its optimum viable use. Any proposals for development must ensure that they conserve and enhance the significance of relevant heritage assets and their settings including formal design, layout, character, appearance and any views or vistas to, from and within the asset. Opportunities to reinstate original features, increase public enjoyment and understanding, and provide interpretation will usually be supported.

Conservation Areas

Development proposals affecting, or within the setting of a Conservation Area will be expected to preserve or enhance its special character and appearance. Any proposals for development and alterations will need to demonstrate that they:

14. relate positively to the architectural or historic interest of its buildings, its spatial and broader townscape character, street pattern, any open spaces, important views within, into or out of the Area, and, where appropriate, its setting; and
15. take fully into account any identified significance that is contained in the Council's adopted Conservation Area Appraisal and Management Plan for the relevant designated area; and
16. seek to retain or introduce features which contribute positively to the spatial character and appearance of the area and its setting in terms of height, scale, physical massing, and the materials used in any design; and
17. explain how any harm to the conservation area will be avoided or appropriately mitigated; and
18. where relevant, establish how any identified harm is outweighed by the public benefits of the proposal.

Proposals that cause substantial loss or harm to the significance of a conservation area will be refused unless it can be clearly and convincingly demonstrated that such harm or loss is necessary to achieve corresponding substantial public benefits that outweigh that harm or loss. Less than substantial harm must be clearly and convincingly justified, and this harm weighed against the public benefits of the proposal, including securing its optimum viable use.

Non Designated Heritage Assets of Local Significance

The Council recognises the value of non-designated heritage assets such as buildings, archaeological sites or other features of local significance and their contribution to local visual and historic identity. The Council attaches importance to their protection, and where planning permission is required consideration will be given to appropriate level of preservation or enhancement.

There will be a presumption in favour of the retention of non-designated heritage assets of local significance that have been included in the Council's 'Local List'; or which are identified during the pre-application or application processes, using the Council's adopted selection criteria.

Where the significance of a non-designated heritage asset is affected by a development proposal, those elements that contribute to their significance should be retained and enhanced wherever possible.

In determining such applications the Council will make a balanced judgement that takes into account the scale of any harm against the degree and extent of any significance that the heritage asset possesses; any contribution it makes to the area, and the public benefits of the proposal.

When the loss of a non-designated heritage asset is permitted, the Council will require an appropriate level of survey and recording, which may also include archaeological investigations; the result of which should be deposited with the local Historic Environment Record (HER).

Heritage at Risk

The Council will encourage and look favourably at proposals that would secure the preservation of heritage assets on the 'Heritage at Risk' register managed by Historic England; as well as those assets defined as being at risk that have been identified by the Council, including those on its own 'Local List' of non-designated assets. In doing so, it will pay special regard to any public benefits that would result from the proposal, while seeking to ensure that the development would release the optimal viable use of the asset.

- 2.3.1 The historic environment plays a key role in shaping South Lakeland's character and in creating a sense of place in our towns and villages as well as attracting visitors and providing opportunities for education and enjoyment. This heritage is particularly widespread and distinctive with over 1500 listed buildings out with the two national parks; ten conservation areas, including three very large areas covering the historic centres of Kendal, Ulverston and Grange-Over-Sands; four Registered Historic Parks and Gardens, including internationally famous sites at Levens Hall and Holker Hall; and over 100 Scheduled Ancient Monuments covering periods from the Palaeolithic (11,000 years before present) to important C19th canal and railway infrastructure.

- 2.3.2 As well as a significant collection of classical and neo-classical buildings of all sizes, and many fine ecclesiastical buildings, the area also has a rich vernacular tradition of construction with a number of distinctive architectural features found only or principally in this area; while the spatial morphology of a number of settlements is based on medieval or earlier components that still survive to shape these areas today. The prevalence of exposed local limestone and sandstone for external walls, the use of roughcasts and renders to protect against a sometimes harsh maritime climate; and the local practice of laying slates in diminishing courses on roofs also helps to give the area a distinctive character and appearance.
- 2.3.3 Heritage Assets include nationally designated assets such as Listed Buildings, Scheduled Ancient Monuments, Historic Parks and Gardens, Battlefields, as well as conservation areas and non-designated archaeological sites, buildings or features of local significance, such as historic transport infrastructure, that might be identified and defined by the Local Planning Authority. Because of their age, the uniqueness or distinctiveness of their form or fabric, and the quality of their design such assets are usually irreplaceable; and for these reasons the impacts of new development on this range of heritage assets and features need to be given careful consideration.
- 2.3.4 The policy seeks to safeguard and enhance these assets, including their settings, and to ensure that new development is sympathetic to local historic character and cultural heritage, including the control of development affecting conservation areas, historic landscapes and sites of archaeological interest, as well as setting out actions for the wider management of the historic environment.
- 2.3.5 In determining applications affecting heritage assets the Council will take account of:
- the desirability of sustaining and enhancing the significance of heritage assets and their settings, and putting them to viable uses consistent with their conservation; and
 - the desirability of new development better revealing the significance of a heritage asset, or
 - making a positive contribution to local character and distinctiveness.
- 2.3.6 Many heritage assets can sustain some amount of change without losing what is special about them, but any assessment of the acceptability of a proposal will be judged against the level of an asset's significance, the extent and degree of impact that would occur, along with any wider public benefit contributions the development has to social, cultural, economic and environmental objectives. Proposals that clearly minimise any physical intervention, and which demonstrate appropriate design mitigation will be considered more favourably.

- 2.3.7 For these reasons development proposals affecting Heritage Assets must be supported by an assessment of the affected assets' significance, including all of those parts that would be affected by the proposal; and, where relevant, its particular setting. It is also usually prudent to explain why such changes are considered to be essential or sought after, and to clearly identify whether any public benefits might arise from the proposal. The amount of information needed should be "proportionate" to both the significance of the heritage asset, and the degree of change that the proposals would make to that significance. So, for example, substantial changes to a Grade I listed building would need far more information than minor changes to a more modest building in a conservation area.
- 2.3.8 In accordance with NPPF paragraph 135, the Council recognises that non-designated heritage assets such as buildings, archaeological sites or other features of local significance often play a critical role in determining local visual and historic identity; where they frequently act as a significant visual focus, contribute to environmental quality, and inspire urban and rural vitality; and so require an adequate degree of protection. The Council will identify and publicise such assets, as well as seek nominations from the public, and to that end a selection criteria to define such assets has been adopted by the Council, and is published on its webpages.
- 2.3.9 The NPPF places requirements on Local Plans that current policies do not cover adequately or at all (for example, the weight to be placed on the significance of an asset and consideration of non-designated assets). In addition, some aspects of the current policies are out of date due to changes in context or local circumstances over time.
- 2.3.10 Once any statutory tests and associated presumptions have been applied in assessing a development proposal affecting a heritage asset, the NPPF requires that attention also be given to whether any other material considerations should apply in determining the application. Sustainable development, as defined by the NPPF, requires the planning system to consider whether any public benefits would result from any development, including whether it would deliver appreciable economic, social or environmental progress that would outweigh the amount of harm that would occur to heritage assets, so long as such opportunities are pursued mutually and concurrently through the planning process; and without the privileging of any one role to the disadvantage of the others.
- 2.3.11 To that end, acceptable environmental gains and public benefits may include sustaining, enhancing or reducing/removing risks to a heritage asset; delivering a long-term optimal viable use for such assets; replacing bad design with good; or introducing discreet climate change mitigation measures. Social benefits might involve improving the surroundings in which people live, work or visit, and which reflect and support a community's health, social and cultural aspirations; while economic gains might be ones which support appropriate job creation, growth or innovation.

- 2.3.12 National and Core Strategy policy don't provide any specific criteria that can be used to determine applications for development affecting the historic environment or cultural heritage. Dealing with planning applications based on these policies alone could be difficult and potentially inconsistent. It would reduce certainty as to how developments would be considered and is not the approach taken by other authorities that have already adopted or submitted the Development Management policies element of their Local Plans.

2.4 Green and Blue Infrastructure and Open Space

Policy DM4 – Green and Blue Infrastructure, Open Space, Trees and Landscaping

Purpose: To ensure a comprehensive and holistic approach is taken to the protection and enhancement of the District's Green and Blue Infrastructure.

All development proposals should, unless it can be demonstrated that it is not possible, result in environmental net gains for biodiversity, green and blue infrastructure and demonstrate how the use of multifunctional green and blue infrastructure will deliver wider requirements and objectives.

These gains should be quantitative and should be clearly demonstrated as a net gain as a result of development. Quantitative gains can be sought through the provision of new assets, or the enhancement/increased functionality of existing assets. Measures could include habitat creation, improved management or restoration of existing habitat, living/green walls, roofs and roof gardens; nest boxes, hedgehog highways, swift bricks, bat boxes, wildflower areas, ponds, watercourses or wetland areas; fruit trees and innovative use of planting, species and space to provide, protect, enhance and connect green and blue infrastructure and maximise its functions and benefits.

Where there are specific opportunities or issues (such as for biodiversity enhancement or air quality), urban greening and green/blue corridors should be created or enhanced and gaps in ecological networks re-connected. Green and blue infrastructure provision may also be made where mitigation or compensation is required for loss of or harm to biodiversity or existing green or blue infrastructure features.

Trees

New development should positively incorporate new, and protect and enhance existing trees* unless there are clear and demonstrable reasons why their removal would aid delivery of a better development overall.

Proposals that would result in the loss or deterioration of trees or woodland that are subject to Tree Preservation Orders, are Ancient, Veteran or located within Conservation Areas, or that are otherwise significant, will only be permitted where:

1. an overriding need for the development and its benefits in that location clearly outweigh the loss or harm; and
2. compensatory planting at an appropriate ratio is provided.

Development that results in the removal of or damage to other trees* will be required to provide replacement trees* on-site at an appropriate ratio. Where this is demonstrably unviable or inappropriate, alternative soft landscaping that contributes to the wider green infrastructure framework or, exceptionally, off-site provision will be required.

New trees* and other vegetation planted as part of any replacement or wholly new planting must be appropriate to its location and intended purpose and function (including in terms of species, species' diversity, height and type and with a preference for native species).

In considering the location of buildings or planting of trees full account should be taken of BS5837.

* In this policy, 'trees' should be read to include single trees, tree groups, woodlands and hedgerows.

Open Space Requirements

New developments of over 10 dwellings⁹ will be required to provide new high quality on-site provision of open space as part of the overall green and blue infrastructure provision. The open space must be of a type and size appropriate to the site, its context and identified local needs.

The total amount required may include combining types of provision. This could mean taking into account factors such as topography, screening and landscaping; and opportunities to deliver new or enhance existing green and blue infrastructure functions such as Sustainable Drainage Systems and connecting or creating habitats.

Combining provision and delivering high quality, multi-benefit spaces is strongly encouraged in preference to delivering larger areas of function-limited, benefit-poor space. For example, an amenity greenspace could include a play area and a semi-natural area with a water feature that is part of a Sustainable Drainage System and green/living roofs/walls could provide some of the overall Green Infrastructure contribution.

Where new open space is not required through other policies (i.e. where accessibility standards are met), planning obligations will be sought in order to achieve worthwhile improvements to local open spaces and other green and blue infrastructure having regard to the Council's current evidence of local needs at the time of the application, as well as relevant regulatory tests.

Maintenance and management arrangements for new open spaces and other blue or green infrastructure provision for the lifetime of the development will be secured by way of planning obligations.

⁹ In accordance with paragraph 31 of the NPPG and the Written Ministerial Statement of 28 November 28 2014, given legal effect by order of the Court of Appeal on May 13 2016.

- 2.4.1 Green and blue infrastructure incorporates open spaces, parks, playing fields, private gardens, allotments, green corridors, agricultural fields, hedges, trees, woodland, street planting, green roofs and walls, rivers, streams, ponds, wetlands and all other such features, regardless of their ownership, condition or size. Green and blue infrastructure is multifunctional and has a wide range of benefits including supporting: the provision of clean air and water; health and wellbeing; climate change mitigation and adaption and natural water and flood risk management. They also contribute to conserving and enhancing landscape character and visual amenity as well as having positive impacts on the economy. The provision of new, or improvements to blue and green infrastructure, including ensuring connectivity between the different elements, is an important part of delivering and maintaining high quality, sustainable communities. Conversely, the loss or compromise of elements of blue and green infrastructure can have negative impacts.
- 2.4.2 It is recognised the nature and scale of net gains that can be achieved from proposals will vary depending on the size, location and type of development under consideration. In this respect, policy requirements relating to net gain will be applied to all new developments as relevant to the proposal under consideration. The policy seeks to apply a pragmatic approach that contributes to delivering net gains for the natural environment. This reflects local, national and wider objectives to reverse declines in biodiversity and to increase the quality, extent and connectivity of green infrastructure in order to secure the benefits described above and develop a more resilient and healthy environment. The policy allows for appropriate new/replacement green infrastructure where the existing arrangement genuinely hinders the most appropriate use of the site, however the priority should be to retain and enhance existing green and blue infrastructure unless the proposed replacement schemes offer a net quantitative gain over the retention and enhancement approach.
- 2.4.3 There is scope for even small developments to provide a proportionate net gain and often using simple approaches, although more innovative approaches should also be considered wherever possible. Net gains should be quantified for the development, but can involve enhancement as well as expansion. For example, increasing habitat diversity or GI functionality as well as increasing the physical extent of habitat or GI. Options for smaller developments could include replacing traditional concrete with permeable paving or a grassed area with wildflower planting, small rain gardens, green roofs and walls, wall-integrated planters, pocket gardens/parks, trellis systems and wildflower planting but there are many examples available of the various ways in which net increases can be achieved. If a standard grass lawn is being built upon to create a house extension, car port or garage, could the extension/garage/car port incorporate some wall-integrated planters, a green roof or a trellis system for instance? Understanding the baseline is important for demonstrating a net gain. A development proposal should provide evidence to show gains in extent or functionality compared to the baseline. Where providing a net gain is demonstrably not possible, no net loss should be achieved. Net losses should be wholly exceptional and fully justified.

- 2.4.4 The Council will seek planning obligations from developments where it is considered appropriate and necessary to do so in line with policy requirements and relevant regulatory tests (including CIL tests or any subsequent replacement test). It will use evidence of needs arising from any green infrastructure strategy to inform decisions on when to seek obligations in this respect, as well as any relevant local guidance to determine the amount of monies sought and where these will be spent.
- 2.4.5 National and Core Strategy policy provide a clear steer about the importance of green infrastructure and that protection and enhancement are the primary objectives. There are many ways in which green and blue infrastructure can be enhanced for the benefit of wildlife and people. Different approaches will be needed for different types of development and in different locations in order to achieve net gains. Some of the possible measures are referenced in policy DM4 but there are many examples from the UK and beyond that demonstrate the wealth of measures that could be employed. Measures may be delivered as part of Sustainable Drainage System schemes, as part of wider open space provision or as individual features.
- 2.4.6 The policy allows for a comprehensive, innovative and integrated approach to be taken to green and blue infrastructure, supporting the Core Strategy policy and other policies and recognising the multi-functionality and many benefits of blue and green infrastructure. The policy requirements each contribute to the overall requirements for green and blue infrastructure and combining provision is encouraged (i.e. an amenity greenspace could include a play area, Sustainable Drainage System feature and/or semi-natural area and green/living roofs/walls, trellis planting or other innovative planting and landscaping could off-set some provision of natural/semi-natural green space).
- 2.4.7 This approach should allow for a 'factoring in' of additional/specific needs in developments where there is likely to be a higher than average household size/number of children or if there are likely to be significant numbers of older people or other societal groups for whom certain measures may be of greater benefit.

2.5 Rights of Way, and other routes providing pedestrian, cycle and equestrian access

Policy DM5 – Rights of Way and other routes providing pedestrian, cycle and equestrian access

Purpose: To maintain and protect the character of rights of way and provide a framework for protection, creation and enhancement of all forms of pedestrian and cycle routes in a safe, attractive and connected manner as part of the wider access and green infrastructure framework.

Safeguarding rights of way

New development affecting rights of way will be permitted where it:

1. maintains and protects their character and function including their public visual amenities, and prevents their loss or provides for a satisfactory diversion; and
2. ensures they remain safe, attractive and accessible to potential users.

Proposals should seek to provide pedestrian / cycle links to existing routes.

Other routes providing pedestrian, cycle and equestrian access (non-rights of way, non-definitive)

Proposals should seek to maintain, protect and enhance the character of other existing or proposed routes providing pedestrian and cycle access whether of an informal or formal nature.

Provision of new Pedestrian routes, Cycle routes and Green Corridors

New developments, should seek to support access to sustainable forms of transport and promote active travel. Developments must include safe pedestrian routes enabling access for all and where feasible cycle access proportionate to the scale of development proposed, this may include new walking and cycling routes connected to other routes, and key facilities, neighbouring areas and public open spaces and seek to be located on recognised pedestrian / cyclist desire lines. On new or improved multi-user routes there will be a requirement to take into account measures to ensure safety of pedestrians, cyclists and horse riders including appropriate signage and passing places.

Green corridors providing a walking and cycling accessibility function and part of wider green infrastructure networks will be encouraged especially in major developments.

- 2.5.1 Public rights of way, and other routes providing for safe, attractive pedestrian, cycle and equestrian access, facilitate sustainable patterns of movement between and within the open countryside and urban areas of the district. They are key to the promotion of active travel and contribute to the district's access and green infrastructure network. It is therefore important such routes are maintained and protected and where possible opportunities for their enhancement and additional links to them are realised.

- 2.5.2 National Policy seeks to protect public rights of way and make for the provision of safe pedestrian and cycle routes. The degree to which this policy will be applied will be dependent on the type and location of development proposed.
- 2.5.3 In considering how to apply this policy, the Council will exercise judgement on a case by case basis. It will seek advice from the Highways Authority with regard to any proposal that may affect such routes and the provision and detailed design of new routes within development. In exercising the application of this policy key factors will include:
- The degree to which an existing or new route does or could provide an important connection to existing or proposed key local facilities and services including service centres, employment areas and public transport provision,
 - The degree to which an existing or new route does or could provide an important connection within existing neighbourhoods and communities (example adjoining housing), and linkages with other neighbourhoods and communities close by as well as the open countryside,
 - The convenience and condition of an existing or new route, in terms of providing safe, attractive means of access for all, and the degree to which public visual amenity afforded to users of the route may be affected by new development, and
 - The degree to which the enhancement of an existing route or the provision of a new route could offer wider public and environment benefits such as improving local amenity, introducing biodiversity value, reinforcing green infrastructure linkages and contributing to the provision of sustainable urban drainage and thus constituting a green corridor function.
- 2.5.4 Transport Assessments and Design and Access Statements will be used to help inform and guide decisions in relation to application of the policy. Proposals for the development of land affecting Public Rights of Way will need to be considered against relevant up to date guidance (currently set out in Defra guidance in Rights of Way circular 1/09).

2.6 Flood Risk Management and Sustainable Drainage Systems

Policy DM6 – Flood Risk Management and Sustainable Drainage Systems

Purpose: To ensure existing and new development is not exposed to flood risk and to prioritise the promotion of Sustainable Drainage Systems; this will be achieved through appropriate management and treatment of surface and foul water and consideration of watercourses and flood defences. This will, contribute to reducing overall flood risk in the district.

Location of Development – Avoiding areas of Flood Risk

Inappropriate development¹⁰ in areas at risk of flooding should be avoided by directing development away from areas at highest risk (from all sources) taking account of climate change and vulnerability of future uses to flood risk, but where development is necessary, making it safe without increasing flood risk elsewhere. Where necessary a sequential test/ the exception test will be applied, in accordance with national planning policy.

Subject to outcome of the above, new development will be permitted provided it:

- ensures there is capacity within the development site to mimic natural drainage as closely as possible; and
- is designed so it is safe for its lifetime without increasing flood risk elsewhere; and
- ensures most vulnerable development is located in areas of lowest flood risk unless overriding reasons to prefer a different location; and
- does not compromise the implementation of any adopted flood risk strategy for the area.

Areas shown to be at risk of river, sea or surface water flooding will be regarded as land that is required for current and future flood management. Development should be avoided within these areas unless it is compatible with flooding and/or compensatory flood storage can be provided.

Surface Water disposal

Development proposals should include the use of appropriate sustainable drainage systems which are designed to control surface water run off close to where it falls and mimic natural drainage systems as closely as possible. They provide opportunities to:

- Reduce the causes and impacts of flooding;
- Remove pollutants from urban run-off at source; and

¹⁰ Defined in National Planning Policy and Technical Guidance.

- Combine water management with green space with benefits for amenity, recreation and wildlife.

Wherever possible runoff from developments should be managed on the surface. Any proposals for surface water infiltration techniques that bypass the soil layer or are above vulnerable aquifers should take account of groundwater conditions.

Surface water should be managed at the source, with reduced transfer and discharge elsewhere. The following hierarchy should be adhered to for discharge:

1. into the ground (infiltration at source);
2. to a surface water body;
3. to a surface water sewer, or other suitable surface water drainage system;
4. to a combined sewer.

The approach to surface water drainage should take into consideration existing watercourses, pre-development flows of surface water across the site, and existing drainage infrastructure. Water generated from off site that passes through the site must be managed so that it can continue to pass through the site without increasing flood risk. Proposals should be based on evidence of an assessment of ground conditions and any surface water discharge solution should reflect the non-statutory technical standards for sustainable drainage systems¹¹ or any subsequent replacement national standards. Measures intended to assist with surface water management should be made clear as part of any submission.

Where there is no alternative option but to discharge surface water to a combined sewer, applicants will need to demonstrate why there is no alternative and submit clear evidence that the discharge of surface water will be limited to an attenuated “greenfield runoff” rate, including an allowance for climate change and urban creep, agreed with the appropriate bodies.

An appropriate Flood Risk Assessment and Drainage Strategy should be provided with applications, taking into account current government guidelines and local guidelines¹².

Drainage requirements including detailed maintenance and management arrangements (utilising management companies) for the lifetime of the development will be secured by way of planning obligations or planning conditions agreed with the Local Planning Authority.

¹¹ Department for Environment, Food and Rural Affairs – Non-statutory Technical Standards for Sustainable Drainage Systems, March 2015.

¹² Cumbria Development Design Guide

Master Drainage Strategy

Applications for developments on sites which are part of a wider development proposal especially wider development plan allocations, will be expected to demonstrate how the drainage proposal for the site relates to a wider master drainage strategy for the entire site. Any drainage in early phases of development should have regard to future interconnecting development phases.

Designing Sustainable Drainage System measures

The design should be based on most up to date adopted local and national design guidance, and consider wider land drainage capacity of the area ensuring the following:

- allowances for urban creep and climate change are included when estimating surface water run off rates/volume from adjacent land;
- suitable ground exceedance or flood pathways are incorporated to manage the impacts of any exceeded Sustainable Drainage System feature, or excessive flows so they do not cause flooding of properties on or off site allowing for climate change and urban creep;
- where ever possible runoff from developments is managed on the surface to enable their performance to be more easily inspected and managed with pollution incidents and potential flood risk being visible by ensuring above ground features options are considered as a first resort before underground. These features could include wetlands, swales, ponds, detention basins, filter strips, infiltration basins, rain gardens, green roofs, rainwater harvesting, permeable surfacing and filter drains. Such features should be considered an integral part of the blue and green infrastructure framework of a site and contribute to a proposal sites amenity, recreational and biodiversity benefits where appropriate;
- the natural topography of a site is utilised to maximise its function as a Sustainable Drainage System feature, whilst recognising and preserving any pre-development flood storage on the site;
- encourage use of trees (single or multiple) and scrub planting as part of a scheme for water storage and treatment in recognition of their natural flood management function;
- seek to provide betterment, a lasting improvement that reduces flood risk downstream, especially in areas that are subject to flood risk.

Foul water disposal and treatment

The first presumption will be for new development to drain to the public sewerage system. Non-mains drainage systems will not be acceptable in sewered areas. Where alternative on-site treatment systems are proposed, it is for the developer to demonstrate that connection to the public sewerage system is not possible in terms of cost and/or practicality and provide details of the responsibility and means of operation and management of the system for its lifetime to ensure the risk to the environment is low.

Permission will only be granted provided such solutions comply with the requirements of the relevant bodies (Environment Agency).

Where there are concerns that inadequate foul water treatment and drainage infrastructure exists to serve proposed development, or where such provision cannot be made within the time constraints of planning permission, it is the responsibility of the developer to demonstrate how foul drainage from the site will be managed. In some circumstances, it may be necessary to co-ordinate the delivery of development with the delivery of infrastructure.

Points of connection will be secured by planning condition where necessary. Drainage proposals for sites will be expected to minimise a reliance on pumped foul drainage solutions as this is not in the interest of delivering sustainable development. Applicants should engage with the relevant sewerage utility provider as soon as possible where there is an intention to connect foul water to the public sewer.

Safeguarding Watercourses and flood defences

Proposals will be permitted provided:

1. the long term safeguarding, restoration, improvement and access for maintenance and improvement of watercourses, flood defences, river and coastal margins is secured; and
2. they avoid the extensive or unnecessary culverting of watercourses; and
3. they enhance watercourses through the retention of undeveloped buffer strips; and
4. any existing culverted watercourses should be 'daylighted' where possible.

New development on land used for water supply catchment purposes, should identify any risk of pollution to water supply and resources and associated mitigating measures.

There may be instances where some flood risk management measures are not necessary now but may be in the future. This is a 'managed adaptive approach', for example, setting a development away from a river so it is easier to improve flood defences in the future. Permission will only be granted provided such solutions comply with the requirements of the relevant bodies (Environment Agency).

- 2.6.1 Inappropriate development should be directed away from areas at highest risk of flooding from all sources¹³ in order to ensure it is not exposed to flood risk. Where necessary, applicants must apply the sequential test and exceptions test to new development in this regard in accord with National Planning Policy. Surface and foul water must be managed and treated in a sustainable manner in order to reduce the risk of flooding and prevent environmental impacts including pollution.

¹³ Including from rivers and seas, directly from rainfall on the ground surface and rising groundwater, overwhelmed sewers and drainage systems, reservoirs, canals and lakes and other artificial sources- National Planning Practice Guidance Flood Risk and Coastal Change Paragraph 002 Reference ID-7-002-20140306.

- 2.6.2 In line with this policy, proposals should clearly demonstrate with evidence, how they have applied the surface water drainage hierarchy. The use of Sustainable Drainage Systems should be considered as a priority during the early stages in the preparation of a design solution, in conjunction with any landscaping and open space scheme. The degree to which any solution may be considered appropriate will depend on its impacts on wider land drainage interests and strategies to address water disposal management and flood risk. Other factors to consider are existing natural and built features and systems such as watercourses, sewage treatment plants and flood defences that have a role to play in managing water disposal and preventing flood risk. Regard must also be had for relevant sites of biodiversity importance (Natura 2000 sites) and linked pathways ensuring no adverse effects on their integrity. When acquiring sites applicants are advised to consider the costs associated with drainage including the need to acquire the right to discharge to a watercourse if this represents the most sustainable drainage option available.
- 2.6.3 Surface water drainage discharge should reflect the non-statutory technical standards for sustainable drainage systems, March 2015 and any subsequent standards. On previously developed land, applicants should target a reduction of discharge in accord with these standards and in demonstrating so, should include clear evidence of existing positive connections from the site with associated calculations on rates of discharge.
- 2.6.4 Applicants at the earliest opportunities should engage with the local sewerage provider to ensure the effective disposal and treatment of foul water. A foul sewerage assessment will need to be submitted where development involves either the provision of new non-mains drainage or the use of existing non-mains drainage.
- 2.6.5 Planning Conditions and planning obligations will be imposed by the authority in order to secure the maintenance, management of Sustainable Drainage Systems and may be imposed in order to provide for adequate foul water disposal and treatment.
- 2.6.6 In accordance with national policy, the Council will work with the Local Lead Flood Authority (Cumbria County Council) and the Environment Agency seeking their advice on the risk of flooding from any proposed development and the suitability of a more sustainable drainage approach to the disposal of surface water. The Council's Planning Application Validation Checklist sets out requirements for documentation submission in support of various stages of a planning application. These relate to information to support submission of drainage strategy details. Local Guidance including the Cumbria Development Design Guide and National Guidance will be used to help inform and guide decisions in relation to application of the policy. The Cumbria Development Design Guide, which includes a drainage checklist and any subsequent local guidance, will be taken into account in determining the required information that a developer should consider providing when submitting a planning application.

2.7 Pollution, Contamination and Water Quality

Policy DM7 – Addressing Pollution, Contamination Impact, and Water Quality

Purpose: To ensure the protection of the district's environment and public health.

Location of development

As a principle, new development should be located in areas where there is no pollution or where exposure to pollution and contamination is adequately remediated or removed to acceptable levels.

Pollution

Development will be permitted, where the direct, indirect and cumulative effects of pollution (including, but not restricted to air, noise, light, dust, odour, smoke, fumes, gases, steam, smell, vibration and water) will not have a negative impact on health, the environment (including wildlife and tranquillity) and general amenity of existing or future occupiers and users or any sensitive receptor. Sources of pollution may include forms of transport, industry, agricultural land management, construction and building activities, energy developments, waste water, run-off, chemicals and pesticides and contaminated land.

To comply with the above, developers must be able to show as part of their proposal that any impacts are at or below acceptable levels, if necessary by use of appropriate and proportionate mitigating measures and application of limiting conditions to permissions to control impacts (both on and off-site).

Applicants may be required to submit detailed assessments to the Council for approval to determine compliance with the above.

Air Quality

All development must be at least air quality neutral in terms of effects at receptors. Where developments are likely to have an impact on, or be impacted by, air quality, the Council will work with developers to look at ways of making sure the development has a positive and beneficial impact on the environment utilising national and local guidance. Developers will be required to submit Air Quality Assessments in support of applications dependent on the location and type and scale of the proposal. The assessments will be used to identify the nature of any required mitigation measures, which may include contributing to targets set out within any published Air Quality Management Area Action Plan, for agreement with the Council in order to ensure all development is air quality neutral.

Within designated Air Quality Management Areas (AQMA)¹⁴ the Council will promote measures to improve air quality and ensure development proposals do not introduce any new exposure to pollution or any additional sources of air pollution or have a net negative effect on air quality.

Contaminated Land and exposure to contamination

On a precautionary basis, the possibility of contamination should be considered when determining individual planning applications in relation to all land subject to or adjacent to previous industrial use and also where uses are proposed that are particularly sensitive to contamination – e.g. housing, schools, hospitals, children's play areas, open space and highly sensitive groundwater used for potable supply.

Where development is proposed on such land or includes such uses a land contamination assessment will be required to establish the nature and extent of the contamination. It is the developer's responsibility to secure safe development and provide the necessary information. The minimum information that should be provided by an applicant is the report of a Preliminary Investigation (desk study, site reconnaissance and preliminary risk assessment). The findings of this will determine if further investigation is needed.

Where contamination issues are identified, development proposals for the site should incorporate appropriate remediation and subsequent management measures to remove unacceptable risks to human health, groundwater and the wider environment identified in the assessment process, as appropriate for the uses proposed. The full implementation of approved remediation measures will normally be required prior to the occupation of the proposed development.

Water Quality

The supply of clean water to a new development is a critical factor. Developments will be permitted provided existing water supplies are adequate or can be augmented to serve the development without adversely affecting the water environment and groundwater systems.

The possibility of contamination from former uses on any proposal site and its effects on the water environment and human health needs to be considered and remediated where it is present.

Any proposals for new development within Groundwater Source Protection Zones must reflect Environment Agency guidance set out in its groundwater protection guides, or any subsequent iteration of the guidance.

Proposals will be required to apply and reference the relevant Water Framework Directive, taking account of relevant River Basin Management Plans' requirements.

¹⁴ The District currently has one Air Quality Management Area (AQMA) in Kendal covering parts of the town centre.

- 2.7.1 New development can give rise to pollution if uncontrolled and ineffectively managed. Development may also potentially be exposed to the effects of contamination. The type, location, layout and design of new development all have a bearing on the degree to which proposals may lead to, generate, or be exposed to pollution (air, noise, light, vibration, smell, water, smoke and fumes, soot, ash, dust, odour, steam or grit) or contamination which has a damaging effect on the environment and the public's enjoyment, health or amenity.
- 2.7.2 The policy will be applied in conjunction with pollution control regimes which are governed by legislation outside the planning process¹⁵.
- 2.7.3 As a guiding principle new sensitive receptors such as residential development should be located away from existing operational activities which may generate sources of pollution, unless adequate mitigation and remediation can be provided.
- 2.7.4 The Council's Planning Application Validation Checklist identifies when applicants will be required to submit various assessments (air quality, noise impact, land contamination, lighting, biomass, ventilation and extraction, private water supplies and non mains foul drainage) as part of a planning application. The Council will use the findings of these assessments to determine the degree to which pollution and contamination may be an issue.
- 2.7.5 All new development must be at least air quality neutral. Potential developers should contact the Council for advice and guidance in the early stages of the process. The District currently has one Air Quality Management Area (AQMA) in Kendal covering parts of the town centre. Proposals must not have a negative impact on air quality within the AQMA, mitigation measures may need to be incorporated within specific proposals to ensure any potential negative impacts do not arise in this respect. Such measures should help to meet targets set out within the supporting Air Quality Action Plan. Required measures to mitigate negative air quality impact will largely be determined by specific issues arising from traffic flow generation but not exclusively so. Local published guidance and national guidance will be used to help inform decisions relating to assessment of impact of a development on air quality.
- 2.7.6 Contaminated land issues that arise through planning applications will be controlled through the planning regime as opposed to Part IIA of the Environmental Protection Act 1990. It is the responsibility of the developer to ensure that a site can and will be made suitable for its proposed future use and that there are no unacceptable risks to human health, the environment, property and/or controlled waters. The developer must carry out a site investigation and remediation works as necessary, and the Council will impose planning conditions to this effect. Local published guidelines will be used to help inform decisions on proposals that may raise contamination issues.

¹⁵ The Environmental Protection Act 1990, The Clean Air Act 1993 and the Environmental Permitting Regulations 2010.

- 2.7.7 Though there are no current Groundwater Protection Zones in the District should any be required during the lifetime of the plan as a principle new development sites should be more appropriately located away from locations which are identified as Groundwater Source Protection Zones. Within Source Protection Zone 1, pipework and site design will be required to adhere to a high specification to ensure that leakage from sewerage systems is avoided. New development in such zone will be expected to include masterplanning, a quantitative and qualitative risk assessment and mitigation strategy to manage risk of pollution and a management plan.
- 2.7.8 The current River Basin Management Plan (the North West River Basin Management Plan) requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. Any development should safeguard these important water resources and protect and improve water quality with an overall aim of getting water bodies to 'good' status as defined by the Water Framework Directive.

2.8 Telecommunications and Broadband

Policy DM8 – High Speed Broadband for New Developments

Purpose: To ensure new development makes appropriate provision for high-speed¹⁶ broadband connectivity.

Proposals for new residential (sites of 2 dwellings or more) and commercial development must demonstrate how they will provide future occupiers with sufficient broadband connectivity.

Development proposals must therefore:

1. demonstrate early engagement with infrastructure providers; and
2. be accompanied by a 'Broadband Statement' that explains the current internet connectivity in the site's locality and the potential for the site to be provided with high speed broadband, including an assessment of the feasibility of providing fibre to the premises (FTTP) infrastructure; and
3. make provision for new premises to be provided with high speed (superfast) broadband, or if this is not feasible at the time of the application, undertake all reasonable actions to enable a superfast connection at a future date.

The Council will strongly encourage the provision of Fibre to the Premises (FTTP) infrastructure in all new development, and will generally expect it to be provided on major development sites unless it can be demonstrated through the broadband statement that it is not feasible. The level of detail required in the Broadband Statement should be proportionate to the scale of the development proposal.

¹⁶ High speed or 'superfast' broadband is currently (at the time of this document's publication) defined by the UK Government as 24Mbps, and by Ofcom as 30Mbps. The definition of superfast is likely to evolve over the time period of this Local Plan, and a consideration of an up to date definition of 'superfast' will be made at the time of a planning application based on Government/Industry guidance.

- 2.8.1 New build development too frequently suffers from delays in the installation of internet infrastructure, and poor, unreliable or low speed connectivity. At a time when home working is increasing in popularity and enabling more sustainable travel behaviours, as well as the growing importance of high quality digital infrastructure for economic growth, it is vital that new development in South Lakeland is properly connected to the digital world. Recent survey work undertaken by the Council has revealed the importance of high speed broadband connections to people buying new homes, with a general expectation that new homes should be provided with superfast broadband.
- 2.8.2 The National Planning Policy Framework is clear in its expectation that local planning authorities should support the expansion of high speed broadband in their areas, and in a more rural area like South Lakeland where average internet speeds lag behind national averages it is important that the Council takes a proactive approach to ensuring the best possible provision in new developments.
- 2.8.3 This policy is designed to ensure that digital connectivity is given due attention at the earliest possible opportunity in development proposals to maximise the chances of new properties being connected to the high speed broadband network. It aims to achieve this by requiring developers to engage early with network providers, and specifically to take up Openreach's¹⁷ free service¹⁸ of providing a connectivity assessment prior to submitting a planning application. Openreach's connectivity assessment service is an optional service and therefore it is considered necessary to introduce a local policy that requires developers take up this service in South Lakeland. On sites less likely to be served by an adequate Openreach fibre network developers will also be expected to investigate a range of alternative broadband provision solutions such as satellite broadband or community-led schemes as part of their assessment.
- 2.8.4 Applicants will be required to submit a Broadband Statement with their planning application which summarises the outcome of their early engagement with network providers and explains how they intend to ensure satisfactory broadband provision in light of the findings. More information on the requirements for the Broadband Statement will be included in the Council's planning application validation checklist.

¹⁷ Or successor/alternative scheme, service or provider.

¹⁸ Following an agreement with the UK Government in February 2016 Openreach offers a free service that allows developers to receive an upfront assessment of the anticipated broadband speeds and connectivity to a site. Developers are required to provide basic information about the site and are recommended to apply for a connectivity assessment at least nine months before the first occupancy of the site otherwise provision will default to copper connectivity. The connectivity assessment will show: 1) if the development will be covered by the existing fibre broadband infrastructure, 2) if a developer contribution charge is applicable, and how much, 3) the forecasted range of ADSL (copper broadband) speed irrespective of Superfast fibre infrastructure availability, 4) the lead-time to deliver fibre infrastructure if greater than nine months but this will only be in exceptional cases.

- 2.8.5 It is accepted that South Lakeland does not yet benefit from universal high speed broadband coverage and that in some cases new build developments may be located in areas without high speed coverage. Development proposals will be considered on a case by case basis, giving consideration to the site's location, current local broadband connectivity, planned investments in the network, through for example 'Connecting Cumbria', and the likely costs and viability implications of providing new developments with high speed broadband connectivity. The Council will not require the provision of superfast broadband where the costs would be disproportionate in relation to the development proposal. It may be in some cases that ducting or other equipment could be provided to make properties 'ready' for future improvements to the network if it is cost prohibitive for improvements to be made at the time of the planning application.
- 2.8.6 This policy will support and work in connection with the new Building Regulations ([Part R – Electronic Communications](#)) that came into effect in January 2017. The new regulations require in-building physical infrastructure to enable copper or fibre-optic cables or wireless devices capable of delivering broadband speeds greater than 30Mbps to be installed in new dwellings.

3 Sustainable Travel

3.1 Parking Provision

Policy DM9 – Parking Provision, new and loss of car parks

Purpose: To ensure the provision of adequate parking to support needs of new development.

Parking

All developments should have acceptable levels of car, motorcycle and bicycle parking having regard to relevant appropriate guidance¹⁹. Levels of parking provision for any development will be considered on a case by case basis in consultation with the Highways Authority using the relevant guidance which will be applied flexibly taking into account the following factors:

1. type, mix and use of development;
2. location;
3. accessibility of development;
4. availability of and opportunities for public transport;
5. local car ownership levels;
6. dominant effect of the car on the appearance and function of a development including visual impact;
7. availability and number of parking permits within the locality;
8. availability of public car parking space in the vicinity;
9. encouraging the use of alternative means of travel;
10. impact on the road network;
11. extent of on-street parking in the vicinity; and
12. encouragement of the use of low emission vehicles.

In areas suffering from significant on-street parking problems, greater levels of provision above those set out in relevant guidance will be sought. Where not relevant or considered unachievable alternative measures to address the issue will be required.

New and loss of Car Parks

The Council will take into account the above factors when assessing proposals for the creation of new car parks or loss of car parks and will expect developers to have regard to the Cumbria Development Design Guide when considering parking design or any subsequent relevant guidance, including incorporation of measures such as permeable surfaces, and sustainable drainage systems.

¹⁹ This is currently set out in the Cumbria Development Design Guide.

- 3.1.1 The level of parking demand rising from new developments will depend on a range of factors, including the type, scale and function of the end use, and its location. A balance must be struck between providing over provision and not enough particularly in areas of congestion. Planning decisions must be considered in context of promoting sustainable transport choice.
- 3.1.2 National policy now makes clear that parking standards should be determined at the local level in response to local circumstances. No parking standards are currently adopted instead relevant guidance will be applied in order to inform decisions relating to parking provision within new developments. Current local guidance is contained within the Cumbria Development Design Guide and this will be applied flexibly to inform decisions on the level of parking for new development as well as design. The Council will seek the advice of the Local Highways Authority in its application of this policy, and guidance and any decisions relating to car parking provision and design.

3.2 Safeguarding Land for Future Transport Infrastructure Improvements

Policy DM10 – Safeguarding land for future transport infrastructure improvements

Purpose: To maintain and protect transport routes offering opportunities for future infrastructure improvements and sustainable travel.

Developments will be permitted provided they safeguard opportunities for future transport infrastructure improvements in relation to:

Lancaster Canal

Development must protect the line of the Lancaster Canal. Proposals that support and enhance its wider economic, social, cultural, recreational and historic value will be encouraged, particularly its walking and cycling green corridor potential.

Development will be permitted provided it does not prevent or impair opportunities for its restoration, or result in the loss of any buildings, locks or other structures associated with it, or harm its visual amenity.

Development adjacent to the route should seek to create pedestrian / cycle access to it.

Disused railway lines

Development will be permitted provided it does not prevent or impair opportunities for existing disused railway lines and their embankments to be converted for walking, cycling, equestrian or rail use. Proposals that support and enhance their economic, social, cultural, recreational and historic value will be encouraged.

Other transport routes

Development will be permitted provided it does not prevent the delivery of any road, rail or cycle schemes under formal consideration.

- 3.2.1 Existing disused railway lines, and the Lancaster Canal provide opportunities for new and enhanced sustainable forms of transport access and recreational and leisure opportunities. Such opportunities may be affected by new proposals, and it is important to continue to seek their protection in this regard. New developments should also seek to ensure they do not compromise the delivery of any proposed transport scheme such as a new road, railway or cycle route.
- 3.2.2 Proposals that may enhance social, economic, cultural and historic value of the Canal and disused railway lines will be encouraged. Development which would be likely to prevent, or adversely affect the development of transport infrastructure proposed in a safeguarded scheme will not be permitted.

- 3.2.3 The application of this policy will depend on the location of any proposal, and the status of any proposed new road / rail or cycle scheme alongside other projects and initiatives associated with the Canal and disused railway lines. Such schemes, projects and initiatives are identified in the South Lakeland Infrastructure Delivery Plan. Under formal consideration means where serious thought has been given and public views have been sought.

4 Housing

4.1 Housing Optional Technical Standards

Policy DM11 – Accessible and Adaptable Homes

Purpose: To ensure that new homes are accessible and can be easily adapted as people's needs change throughout their lifetime.

New homes must be designed and constructed in a way that enables them to be adapted to meet the changing needs of their occupants over their lifetime.

The Council will require all new homes to meet the optional Building Regulations Requirement M4(2): Category 2 – Accessible and Adaptable Dwellings²⁰.

Additionally the Council will also require a proportion of wheelchair adaptable homes (Category M4(3)²¹) on large development sites in suitable locations. Current evidence supports a requirement for 5% of dwellings on sites of over 40 units to be wheelchair adaptable dwellings. If evidence at the time of a planning application indicates a different level of need then this element of the policy will be applied flexibly.

The Council will only consider exemptions to these requirements where the applicant can provide evidence to robustly demonstrate that any of the following specific circumstances apply:

1. it is not practically achievable given the physical characteristics of the site, or
2. it would significantly harm the financial viability of the scheme, or
3. site specific factors mean that step-free access to the dwelling cannot be achieved, or
4. the dwellings are located on the first floor or above of a non-lift serviced multi-storey development.

Where exemptions are justified on viability or practicality grounds, the minimum number of units necessary will be exempted from the requirements.

²⁰ Or any subsequent national equivalent standard should the Building Regulations be reviewed in future.

²¹ Or any subsequent national equivalent standard should the Building Regulations be reviewed in future.

- 4.1.1 Accessible and adaptable homes that meet the M4(2) Building Regulations are designed and built to a standard that meets the needs of occupants with differing needs, including some older or disabled people. They must also allow adaptation to meet the changing needs of occupants over time. These homes are broadly equivalent to, and replace the former Lifetime Homes standards, which the Council encouraged through its Core Strategy Policy CS6.2. Homes built to this standard are more flexible and readily adaptable as people's needs change, for example if they have children and require easy access for pushchairs, if they have a temporary or permanent disability or health issue, or as they gradually age and their mobility decreases.
- 4.1.2 As well as being practical homes for all sectors of the population, M4(2) standard homes are particularly suitable for older people. Given South Lakeland's older population structure, it is important that the supply of accessible and adaptable homes is significantly increased. South Lakeland is in the top 5% of local authorities in terms of the proportion of its population aged 65 and over²², and this ageing trend is set to continue. By 2039 there will be an additional 10,200 over 65s and 7,000 over 80's in the district compared to 2015. People's housing needs change as they get older, and homes designed in a way that makes them more easily accessible and adaptable allows people to stay in their own homes for longer, as adaptations are easier and cheaper to undertake. With public health and social care strategies placing more emphasis on supporting people in their own homes rather than moving to residential care it is important that we ensure that more adaptable and accessible homes are provided in the district. This is particularly important given that South Lakeland has a higher proportion of older housing stock than regional and national averages, and national studies have shown that older properties are generally less accessible, and harder to adapt.

²² Office for National Statistics (2016) 'How the population of England is projected to change' Available at: <https://tinyurl.com/y9vhr3yZ>.

- 4.1.3 The Council will also require a proportion of wheelchair adaptable²³ homes (Category M4(3) Wheelchair user dwellings) on larger housing developments in suitable locations. National research has indicated that approximately 3% of households have a wheelchair accessible housing need, and that there is a current unmet need for wheelchair adaptable dwellings equivalent to 3.5 per 1,000 households²⁴. Applying these national findings to local household statistics and future household projections indicates a potential need for 243-355 wheelchair adapted homes in South Lakeland over the period 2016-2036 which equates to between 12 and 17 homes per year²⁵. This represents 3-4% of the units of the Council's Core Strategy annual housing target and therefore a requirement of 5% of dwellings on larger sites is justified and logical. The Category M4(3) requirement of policy DM11 will be applied flexibly with regard to current evidence at the time of the planning application (for example the Council's Strategic Housing Market Assessment, local housing needs surveys, the Housing Register or other relevant sources). It is acknowledged that disability prevalence is generally greater in affordable housing tenures than owner occupation and it would therefore be logical for the new provision of wheelchair user dwellings to be focussed in this tenure. However, given the small percentages and numbers being proposed it is considered that it would be more practical to determine the split between affordable and open market properties on a case by case basis based on local evidence of need at the time of a planning application.
- 4.1.4 The new standards will be applied through planning conditions attached to planning permissions which will require all or an agreed number of units to be constructed to the optional building regulations. Information will therefore need to be provided at the planning application validation stage to enable the planning officer to determine whether the proposed dwelling designs are compatible with the optional standards.
- 4.1.5 The policy allows for an element of flexibility in recognition of the practicalities of delivering these standards, in particular given the challenges that may arise given the topography of many sites in the district, where access within the gradients specified in the Building Regulations Approved Document may not be achievable. Where step free access to dwellings cannot feasibly be achieved due to site specific factors, the optional standards will not be required for the dwellings affected. Where multi storey flats or apartments are being developed without lift provision, dwellings on the first floor or above will not be required to meet the M4(2) or M4(3) standards. Ground floor flats in multi storey developments will still be required to meet the optional standards. Where lifts are provided the standards will be applied in accordance with the policy.

²³ Planning Practice Guidance and Building Regulations Approved Document Part M clearly differentiate between wheelchair *accessible* and wheelchair *adaptable* dwellings – this policy requires wheelchair adaptable homes.

²⁴ <https://www.habinteg.org.uk/mindthestep>.

²⁵ South Lakeland Strategic Housing Market Assessment 2017.

- 4.1.6 Where developers can demonstrate that the M4(2) or M4(3) requirements cannot be achieved on either practicality grounds (for example site topography, flood risk issues etc.) or viability grounds the Council will consider exemptions on a case by case basis. Any requests for exemptions must be clearly evidenced and justified. Where exemptions are sought on viability grounds, applicants must submit a viability appraisal to the Council and pay an additional fee that the Council will use to obtain an independent assessment of the appraisal.

4.2 Self-Build and Custom Build Housing

Policy DM12 – Self-Build and Custom Build Housing

Purpose: To encourage and provide a positive framework for self-build and custom build housing.

The Council will actively support proposals for the sustainable development of self-build and custom build homes.

The following locations are considered appropriate in principle for self-build and custom build housing and will be considered positively in determining applications:

- within Principal , Key or Local Service Centres;
- within or on the edge of small villages and hamlets in accordance with policy DM13 (Housing Development in Small Villages and Hamlets);
- on rural exception sites in accordance with policy DM14 (Rural Exception Sites).

The Council's self-build register will be used as a source of evidence of the demand for self-build and custom build housing locally, and the level of demand will be considered in determining proposals.

In areas where the Council has evidence of strong local demand for self-build and custom build housing it will encourage developers to consider whether an element of self-build plots can be incorporated into development schemes as part of the housing mix.

Affordable self-build plots will be considered and encouraged as a suitable product within the affordable housing requirement on larger sites.

- 4.2.1 Self-build and custom build housing can be defined as homes built or commissioned by individuals or groups of individuals for their own use. South Lakeland District Council's Housing Strategy contains a target for the Council to enable the development of 500 self-build homes by 2025.
- 4.2.2 There is a strong push at a national level to increase self-build activity and a number of requirements have been placed on local councils:
- The National Planning Policy Framework (paragraphs 50 and 159) requires local planning authorities to clearly understand need, and plan for a mix of housing, including for people wishing to build their own homes.
 - The Self-Build and Custom Housebuilding Act 2015 places a duty on local authorities to keep a register of those seeking to acquire a plot for self-building and to have regard to the register in carrying out their planning, housing, land disposal and regeneration functions.

- The Housing and Planning Act introduced a duty on local authorities to “*give suitable development permission in respect of enough serviced plots of land to meet the demand for self-build and custom housebuilding in the authority’s area arising in each base period*”. The Act defines ‘demand’ as evidenced by the number of entries added to the register during the relevant period.

4.2.3 Councils clearly need to adopt a proactive and positive approach to encouraging and supporting self-build. The Council has been operating its self-build register since November 2014. The number of entries on the register at present is relatively low but increasing, and it is considered that it is unlikely to provide a full picture of the demand in the district. The number of new homes granted exemptions from the Community Infrastructure Levy due to their self/custom build status also indicates that there is considerable self-build activity in the district.

4.2.4 The Council will encourage and facilitate self-build and custom build housing, including promotion of the self-build register, further engagement with local self-build groups and consideration of Council owned land opportunities. The Council’s Housing strategy team is also developing a self-build policy to support this type of house building. This development management policy will therefore form just one part of a wider package of measures intended to promote and facilitate self-build and custom build housing development in the district.

4.3 Housing Development in Small Villages and Hamlets

Policy DM13 – Housing Development in Small Villages and Hamlets outside the Arnside and Silverdale AONB

Purpose: To set policy and criteria for the scale and form of new housing development in small villages and hamlets.

New small-scale housing development on sites within or on the edge of small villages and hamlets (without development boundaries) will be acceptable provided that:

1. the scale and design of the proposed development is appropriate to the scale, form and character of the existing settlement, including taking account of the cumulative impact of incremental development; and
2. the scale and nature of the development will maintain or enhance the vitality of the rural community within the settlement where the housing is proposed; and
3. the site is well contained within existing landscape features, is physically connected, and integrates with, the settlement, and does not lead to an unacceptable intrusion into open countryside; and
4. there are either services in the settlement where the housing is being proposed, or there is good access to one or more other settlements with services, or to larger service centres; and
5. the small village or hamlet comprises a recognised settlement of normally 10 or more dwellings, in contiguous clusters and without significant open areas between buildings, but excluding groups of houses arising solely or mainly from the conversion of farms in isolation.

Proposals for self-build or custom build dwellings will be encouraged, taking account of evidence of need on the Council's self-build register.

- 4.3.1 Housing development in small villages, hamlets and the open countryside forms an important part of the district's housing land supply as set out in Core Strategy CS1.2. It is therefore important that planning policy is clear on the scale and form of housing development which is acceptable in small villages and hamlets and also provide guidance as to which small settlements are considered to comprise small villages and hamlets.
- 4.3.2 Policy DM13 supersedes that part of Core Strategy policy CS1.2 and supporting paragraph 2.25 relating to small scale 'infilling and rounding off' housing development on the edge of the district's small villages and hamlets with no development boundaries. The policy sets out a revised approach to small scale development on the edge of small villages and hamlets, based on a series of criteria to ensure new development is appropriate to the form of the village, enhances or maintains the vitality of the rural settlement and does not result in an unacceptable intrusion into open countryside.

- 4.3.3 The policy also provides more clarity on the definition of which settlements are considered to comprise 'small villages and hamlets' for the purposes of this policy and Core Strategy CS1.2. The policy also promotes the opportunity for self-build and custom build housing on the edge of small villages and hamlets.

4.4 Rural Exceptions Sites

Policy DM14 – Rural Exceptions Sites

Purpose: To update Core Strategy Policy CS6.4 to take account of legislation and national policy on the role of market housing on rural exceptions sites.

Housing development proposals outside of development boundaries in the Service Centres, and outside of Local Plan policy for development on the edge of small villages and hamlets will only be considered where they provide 100% affordable housing under the following exception site criteria:

1. there is clear and robust evidence of housing need; and
2. the housing will be affordable in perpetuity and for people with a local connection; and
3. the scheme is of a scale and style appropriate to its immediate surroundings; and
4. there is clear evidence of the viability of the scheme; and
5. the site is very close to or adjoins a settlement which provides a range of local services and facilities, or has good public transport links to a larger settlement with a range of services and facilities.

In the following exceptional circumstances a small element of open market housing may be allowed on rural exception sites, subject to clear evidence on viability:

- excessive development costs due to site constraints; and
- the applicant can demonstrate that the additional revenue created by the development of open market housing is essential to enable the delivery of affordable housing on the site; and
- the amount of open market housing is the minimum required to achieve site viability and remains significantly less than the level of affordable housing proposed.

The financial appraisal will be subject to independent review by the Council.

The provision of open market or affordable housing for self-build or custom build on rural exceptions sites will be encouraged, within the provisions of this policy.

- 4.4.1 Policy DM14 comprises a revision to Core Strategy policy CS6.4 to take account of national policy in paragraph 54 of the NPPF and the Housing and Planning Act 2016. The policy makes clear that a small proportion of market housing may be acceptable, where justified by independent evidence, to enable a viable scheme to deliver a significant proportion of affordable housing. The revised policy also requires rural exception sites to meet the principles of sustainable development in Core Strategy CS 1.1 by being located in proximity to a settlement with local services and facilities, or a settlement with good public transport links to a larger settlement with services and facilities. The policy will be applied across the whole district including the Arnside and Silverdale AONB.

- 4.4.2 The revised policy also encourages the provision of both market and affordable housing as self-build or custom build housing on rural exception sites. A fee will be sought through the planning application validation process to be used by the Council to obtain an independent assessment of the financial appraisal.

4.5 Essential Dwellings for Workers in the Countryside

Policy DM15 – Essential Dwellings for Workers in the Countryside

Purpose: To provide a policy framework to guide when a new dwelling may be acceptable in the open countryside to meet the needs of agriculture and rural businesses.

Proposals for dwellings in the open countryside for those working in agriculture or rural businesses who need to live at or near their place of work will be supported where there is a demonstrable essential need in relation to the following criteria:

1. that an appraisal is submitted with the application which clearly establishes that there is an existing functional need for the proposed dwelling and the approximate size of the dwelling; and
2. the need relates to a permanent full time or equivalent worker; and
3. the business or agricultural activity has been established for at least three years, has been profitable for at least one of them, is currently financially sound and can demonstrate a clear prospect of remaining so; and
4. the functional need could not be fulfilled by an existing dwelling on the unit or any other accommodation in the area which is suitable and available for occupation or conversion by those concerned; and
5. the applicant can show that within three years prior to the application no dwelling has been sold, transferred or made unavailable, including the removal of a relevant occupancy condition relating to the holding or business; and
6. a dwelling cannot reasonably be provided at the location by other means including the conversion of an existing suitable, underused or redundant building, except where the use of that building already contributes to the viability of the business; and
7. the proposed dwelling is normally located within or adjacent to the existing farm or business.

For rural businesses established less than three years, the need for a dwelling should normally be met by temporary accommodation, to be removed if the business ceases to operate. The provisions of this policy also apply to applications for temporary dwellings.

The financial appraisal will be subject to independent review by the Council.

The provision of essential dwellings for workers in the countryside through self-build or custom build will be encouraged, within the provisions of this policy.

- 4.5.1 In exceptional cases workers in agriculture, forestry or other rural enterprises may require a new dwelling in close proximity to their rural business. New isolated dwellings in the countryside can have a negative impact on the openness and character of the countryside and are only supported under special circumstances such as when accommodation is required to enable agricultural, forestry and certain other full-time workers to live at, or in the immediate vicinity of their place of work.
- 4.5.2 The NPPF states that isolated homes in the countryside should be avoided unless there are special circumstances, including the essential need for a rural worker to live permanently at or near their place of work in the countryside. The Core Strategy sets out that exceptionally new development will be permitted in the open countryside where it is an essential requirement in a rural location or to sustain an existing business.
- 4.5.3 Policy DM15 provides updated local criteria to guide the appropriate location and type of new homes required to meet the needs of rural businesses. It introduces the new requirement that only temporary dwellings will be accepted for new businesses established less than three years. This is intended to reduce the risk of new permanent dwellings being constructed for new businesses which subsequently cease to operate. The policy would allow a new permanent dwelling for established, financially sound businesses, which meet all the other criteria within the policy. A fee will be sought through the planning application validation process to be used by the Council to obtain an independent assessment of the financial appraisal.

5 Types of Development

5.1 Conversion of Buildings in Rural Areas

Policy DM16 – Conversion of Buildings in Rural Areas

Purpose: To set policy and criteria to indicate how and when traditional buildings in rural areas may be converted to other uses.

The conversion and re-use of buildings in the open countryside* for housing, employment, tourism, recreation and community uses will be supported where:

1. the building is of traditional materials and construction, of a traditional design and constructed in a permanent and substantial manner; and
2. the building is capable of conversion without the need for extension, significant alteration or reconstruction; and
3. for residential use the building is redundant or disused, adjacent to or in close proximity to an existing habitable dwelling, and the number of dwellings proposed is appropriate to the surroundings; and
4. safe road access is in place or can be created without damaging the rural character of the surrounding area; and
5. the proposal does not create additional demands for new agricultural buildings; and
6. the building can be serviced by utilities which are, or can be made, readily available; and
7. the design:
 - a. does not result in significantly different external eaves and ridge heights; and
 - b. for residential use, restricts domestic curtilage provision to a level consistent with adjoining buildings and landscape or settlement character; and
 - c. uses original or matching stone or other material in any rebuilding of external walls.

When granting permission under this policy the Council will remove permitted development rights where necessary to protect landscape or settlement character which would normally apply to the building and its curtilage.

*outside Service Centres and the scope of policy DM13 on Development in Small villages and Hamlets.

- 5.1.1 The plan area contains a large number of agricultural and other rural buildings, many of which could be converted to other uses. The NPPF urges local planning authorities bring empty buildings into residential uses. For development in rural areas the NPPF states that planning authorities should avoid new isolated homes in the countryside unless development would re-use redundant or disused buildings and enhance their immediate setting.

- 5.1.2 Not all proposals to convert buildings to other uses require planning permission. The 2015 General Development Order permits change of use of agricultural buildings to residential use, subject to prior approval on a number of matters. Policy DM16 sets out criteria to guide the Council's assessment of proposals to convert traditional buildings in rural areas to other uses, where planning permission is needed or where prior approval is required on matters where schemes comprise permitted development.

5.2 Retention of Community Facilities

Policy DM17 – Retention of Community Facilities

Purpose: To support the sustainability of the district's communities and protection of community facilities.

All efforts to retain existing community facilities such as local shops, public houses and village halls must be taken.

Outside of the town centres as defined on the Policies Map, the loss of community facilities such as local shops, public houses and village halls will only be permitted where it can be demonstrated that:

1. there is adequate accessible provision of such facilities within the locality that serves needs; or
2. replacement is secured by a suitable site or premises within the locality; or
3. it is no longer economically viable to provide the facility, evidence needs to be provided to show this is the case i.e. the site has been marketed for sale in its current use for at least nine months.

The financial appraisal will be subject to independent review by the Council.

Development proposals involving premises last used for such purposes should accord with the following approach:

1. first, re-use for an alternative community purpose ensuring the premises stays entirely in community use;
2. second, re-use in part for community purposes and in part for other use(s) (such as housing, commercial/business);
3. third, re-use for other use (such as housing) or another form of use resulting in the premises having no community facility function.

All applications proposing the loss of such facilities will be expected to provide evidence of the degree to which the facility fulfils a need in the locality.

- 5.2.1 Community facilities are vital in delivering sustainable communities. They are defined as village halls, places of worship, community centres, local shops, public houses, education establishments, libraries, indoor/outdoor sports buildings, cultural and health buildings. The loss of such facilities particularly in rural communities can result in reducing a community's ability to meet its day-to-day needs. This can result in people travelling larger distances to such facilities disadvantaging the less mobile in particular and overall community wellbeing. National Planning Policy recognises the need for plans to safeguard against the loss of valued community facilities.

- 5.2.2 The Council will require any application involving the loss of any community facility outside of the defined town centres to be supported by written evidence and applicants should contact the Council at the earliest stage to discuss the details. The level of detail will depend upon the nature of the proposals but could be expected to include evidence such as:
1. in the case of a business, the current and projected trading performance;
 2. in the case of a community facility, the current and projected patterns of use;
 3. the nature and condition of the building or site and the cost of repairs, renovations or improvements needed to allow the facility to continue in operation;
 4. the nature and location of comparable facilities;
 5. the potential to relocate the use into other premises or to another site in the area; or to retain the premises for an alternative community use, or in part community use and in part for other use(s);
 6. evidence that the premises has been actively marketed for a period of not less than nine months at a realistic commercial rent (or sale price) that reflects current market conditions by an appropriate agent with no interest being shown from potential occupiers. Evidence might include sales literature, details of approaches, and details of offers. (It should be noted that any evidence of a commercially sensitive nature or which breaches commercial confidentiality would not be made publicly available);
 7. evidence of the extent to which the facility fulfils a need in the locality.
- 5.2.3 Applicants proposing to redevelop or convert facilities resulting in their loss will be expected to engage with local communities at an early stage in the planning process about the relative importance of the facility to its users in order to demonstrate the degree to which the facility fulfils a need in the locality. A fee will be sought through the planning application validation process to be used by the Council to obtain an independent assessment of the financial appraisal.
- 5.2.4 In applying this policy, adequate accessible provision is defined as the presence of another facility that provides the same types of services or facility within the locality readily accessible by public transport, and safe walking and cycling routes. The definition of locality will vary across the district, but should generally be taken to mean the area to which an identifiable local population is served by the facility or service in question.

- 5.2.5 Operating alongside this policy is the Community Right to Bid. This right was introduced through the Localism Act and gives community groups the right to prepare and bid to buy community buildings and facilities that are important to them including, for example, shops, pubs and community centres if made available for sale. The Council maintains a Community Asset Register to hold all of these 'assets of community value'. If an owner of a listed asset wants to sell it they have to notify the local authority. The local authority then, in turn, has to notify any interested parties. If local groups are interested in buying the asset they have six months to prepare a bid to buy it before the asset can be sold. This initiative is governed by separate regulations out-with the planning process.

5.3 Tourist Accommodation – caravans, chalets, log cabins, camping and new purpose built self-catering accommodation

Policy DM18 – Tourist accommodation – caravans, chalets, log cabins, camping and new purpose built self-catering accommodation (outside the Arnside and Silverdale AONB)

Purpose: To support proposals for tourist accommodation that are located in appropriate locations and that are of an appropriate scale and design, to ensure that proposals will not have a detrimental impact on their surroundings.

Caravans²⁶ and Camping – New Sites

Proposals for new static, touring caravan, and camping sites (including tent-pitches, yurts, camping pods and similar structures), which primarily provide accommodation in temporary and mobile units will be supported where:

1. the site is sustainably located within or adjoining Principal, Key, or Local Service Centres. In the first instance, priority will be given to the re-use of previously developed sites, provided these are not of high environmental value. Where greenfield sites are identified, it should be demonstrated that there are no alternative, suitable brownfield sites in the locality; or
2. in other locations where the proposal is to support the diversification of agricultural or other land-based rural business, and it is demonstrated that the development makes an ongoing contribution to sustain the long term future of the business that is diversifying. The Council will use a planning obligation or planning conditions to ensure that the proposal continues to sustain the business that is diversifying.

Caravans and Camping – Extensions and intensifications on existing sites

Proposals for intensifications within, or extensions to existing caravan or camping sites, as defined above, will be supported subject to meeting criteria a) to h) set out below.

All Proposals:

All proposals for both new sites and extensions to, and intensifications within existing sites, shall:

- a) be of a scale and design appropriate to the locality; and
- b) not have an adverse impact (individually or cumulatively) on the countryside or coast, in terms of landscape, character and visual amenity; and

²⁶ Please refer to the legal definition of a caravan: Caravan Sites and Control of Development Act, 1960 (as amended), Part 1, Section.29 (1). Additional provisions also relate to twin-unit caravans. Please refer to Section 13 (1) of the Caravan Sites Act, 1968.

- c) be capable of being effectively screened by existing landform, trees or planting. Additional effective landscaping may be needed to supplement existing landscaping; and
- d) not have an adverse impact on surrounding residential amenity; and
- e) not give rise to unacceptable impacts on the local road network, either through traffic generation from the site itself, or through cumulative impacts alongside other sites; and
- f) protect and enhance biodiversity assets; and
- g) be constructed of appropriate external materials and colours that are sympathetic to its locality; and
- h) demonstrate the delivery of tangible local economic benefits.

Where proposals for new sites, extensions or intensifications to existing sites affect the setting of the Arnside and Silverdale AONB or National Parks, development will only be permitted where it is demonstrated that such proposals will not have an adverse impact on conserving the landscape and natural beauty of the area.

New purpose built self-catering tourist accommodation outside development boundaries

Proposals for new build purpose built self-catering accommodation (excluding development classed as caravans and camping) outside development boundaries, will normally only be permitted in exceptional circumstances.

Occupancy of holiday accommodation – such as caravans (or other year round stationed units) and new purpose built holiday accommodation

The Council will control occupancy to ensure that the proposed accommodation is only used as holiday accommodation and not as a primary or main residence. This may require the provision of a register of occupants. The exceptional use of holiday accommodation as a primary or main residence for a site owner or manager will be considered under Policy DM15.

In order to minimise any environmental or landscape impacts, the Council will consider the need to impose planning conditions to:

1. restrict the opening period(s) for proposed touring caravan pitches;
2. control the storage of caravans over the winter period.

- 5.3.1 Although the pattern of demand for camping and camping holidays has fluctuated over the past two decades, there are an increasing number of caravans in use, both static and touring. The last decade has also seen new forms of development as the tourism market has responded to demand by widening the range/type of development and increasing the quality of the offer; such as chalets, log cabins, camping pods and yurts. There is particular development pressure for extensions to existing sites and in some instances, to replace static caravans with chalets or log cabins.

- 5.3.2 Policy DM18 will not apply within the boundary of the Arnside and Silverdale AONB. Within the District, out-with the AONB, caravan site development is mainly concentrated towards the coast - the Cartmel Peninsula. In the Cartmel Peninsula alone, there are more than ten caravan sites. The largest, Lakeland Leisure Caravan Park, having permission for 993 statics and 120 tourers (includes consent SL/2016/0940). Such development, in appropriate locations and of an appropriate scale, has a role in supporting the demand that the Lake District National Park creates. Over the past few years there have been planning applications in the wider area, for example - for log cabin and chalet development within the Furness Peninsula and applications for extensions to sites in the Kendal rural area. The visitor season is now no longer limited to particular seasons as in the past; visitors are generally now taking shorter but more frequent breaks, resulting in an extended season.
- 5.3.3 The policy reiterates support for the sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors and which respects the character of the countryside in line with NPPF Paragraph 28 and Core Strategy policy. As part of a managed approach to sustainable tourism, the Council will seek to ensure that proposals for new caravan and camping sites are located within the most sustainable locations in accordance with its Core Strategy Policies CS1.1 and CS1.2. Proposals for new sites will be expected to be located sequentially within or adjoining either a Principal, Key, or Local Service Centre. This is where there are key services and facilities and where there are opportunities to reduce the need to travel by car. The policy reiterates NPPF Paragraph 28, in that rural diversification proposals relating to the support of existing agricultural or other land based rural businesses for new sites or extensions / intensifications to existing sites will be supported, subject to meeting several policy criteria that seek to ensure that environmental impacts are minimised and where appropriate, mitigated.
- 5.3.4 In applying policy DM18, a judgement may be required as to whether the proposed accommodation falls within the legal definition of a caravan, as defined in the Caravan Sites and Control of Development Act 1960 (as amended), and the definition of twinned-unit caravans, provided in the Caravan Sites Act 1968. Please see footnote 26 for more details. The legal definition of a caravan is broad and can include a range of structures, which are capable of being moved. A log cabin or chalet for example may fall within the definition of a caravan, or alternatively, may comprise permanent purpose-built, self-catering accommodation. The nature of the accommodation will therefore determine which part of policy DM18 it is relevant to apply.
- 5.3.5 All proposals for both new sites and extensions to, or intensifications within existing sites, will be appraised against policy criteria, including development to 'be of a scale and design appropriate to the locality'. This aligns with the NPPF and Core Strategy Policies (CS1.1, CS7.6).
- 5.3.6 The policy seeks to ensure that the setting of nationally designated landscapes; the Arnside and Silverdale AONB and the two National Parks (which bound the Local Planning Authority), are not adversely impacted by development proposals.

- 5.3.7 The policy provides that proposals for new build purpose built self-catering accommodation (excluding caravans) outside development boundaries will normally only be permitted in exceptional circumstances.
- 5.3.8 In addition to the need to obtain planning permission, caravan, camping and chalet operators must obtain a site licence from the Council. The site licence covers matters such as the number and standard of spacing of the caravans and hygiene. SLDC's Public Protection Group (Licensing Team) issues site licences.

5.4 Equestrian Related Development

Policy DM19 – Equestrian related development

Purpose: To support equestrian related proposals in appropriate locations that are of an appropriate design and scale and to ensure that there are no adverse impacts on their surroundings.

Development proposals for equine related facilities, such as field shelters, stables, outdoor exercise arenas, and commercial equestrian enterprises, such as pony trekking or equestrian centres (stables, indoor riding arenas) and liverys, will be supported in principle, subject to the following provisions:

Large scale commercial equestrian development:

The Council will expect applicants to demonstrate the following:

1. that in identifying proposal sites, a sequential approach has been followed. Commercial and large scale equestrian development should be located on the edge of Principal, Key, or Local Service Centres, where there is adequate road and servicing infrastructure; and
2. that the re-use of existing buildings on site for related equestrian use is not appropriate before new or replacement buildings are considered.

Small scale commercial and non-commercial equestrian development:

For small scale commercial and non-commercial development, priority in the first instance is given to the re-use and conversion of existing buildings, before new or replacement buildings. New building(s) and/or associated structures should be located within or adjacent to an existing group of buildings. Where this is not practical or appropriate (such as with field shelters), they should be well screened and take advantage of the contours of the land and any existing natural screening.

All development:

For all development the following criteria will apply:

1. the scale and design of any building(s) and the intensity of the use is appropriate to the site location and surroundings and will not have a detrimental effect on; the amenity of nearby residents; the local highways network and schemes individually or cumulatively, will not harm the landscape and character of the area; and
2. new built development and/or associated infrastructure (such as outside exercise areas, storage, external lighting, hardstanding, fencing and other paraphernalia), shall be designed and well screened to take advantage of the landform and any existing natural screening from the surrounding area, in order to minimise impacts on the landscape; and
3. the proposal will not have an unacceptable adverse impact upon dark countryside skies through the external lighting of facilities; and

4. the surrounding roads and bridleways are adequate and safe for any increased use by horse/pony riders; and
5. provision is made for the storage of waste, which will not result in any adverse environmental impacts.

Proposals for livery or other commercial equestrian facilities involving the overnight accommodation of equines and provision of new dwellings, will be supported where there is a demonstrable essential need.

To help reduce the impact of the operation on the landscape and natural environment, the Council may consider imposing planning conditions on any planning consent restricting external storage and the installation of associated equipment.

- 5.4.1 Horse/pony riding and keeping are popular activities attracting a wide range of people as well as being an intrinsic part of rural life; it can positively contribute to health and wellbeing. The scale of equine related development, potentially, can range from small scale; a single field shelter to relatively large scale commercial development; such as racing stables, a large indoor arena, or a riding centre. There is an existing racing stable in Cartmel and there are a few riding centres within the South Lakeland Local Planning Authority Area (LPA). The LPA has seen an increase (over the last few years) in the number of proposals for equestrian development; mostly comprising private domestic planning applications for either stables, field shelters or outdoor arena. The Council recognises that equine related development contributes towards the provision of recreational opportunities and the diversification of the rural economy.
- 5.4.2 Horse/pony keeping can be an appropriate use in the countryside, provided that care is taken over the siting and location of facilities. By its very nature, equestrian development usually requires a rural location, but the impact of either an intensive private equestrian activity or a commercial riding centre, depending on its location, can potentially have an adverse visual effect upon the appearance and landscape character of an area. It can also potentially impact on local infrastructure (highways). In some instances there can also be a cumulative impact, for example, due to further intensification of uses on a site.
- 5.4.3 The policy proposes that large scale commercial development should be located in a sustainable location; on the edge of a Principal, Key, or Local Service Centre, where there is adequate road and servicing infrastructure.
- 5.4.4 For small scale commercial or non-commercial development, first priority is given to the re-use and conversion of existing buildings, before new or replacement buildings. New building(s) and/or associated structures should be located within or adjacent to an existing group of buildings. Where this is not practical or appropriate (such as with field shelters), they should be well screened and take advantage of the contours of the land and any existing natural screening.

- 5.4.5 Commercial livery or equestrian activities that provide overnight accommodation for horses/ponies often require 24 hour residential supervision. As new dwellings are not normally acceptable in the open countryside (outside settlement boundaries), proposals for new commercial /livery developments will be supported where it can be demonstrated that there is an essential need in the context of meeting criteria set out in Policy DM15.
- 5.4.6 The NPPF (Paragraphs 28 and 109) supports sustainable rural tourism and leisure developments where they respect the character of the countryside.

5.5 Advertisements, Signs and Shopfronts

Policy DM20 – Advertisements, Signs and Shopfronts

Purpose: To provide a clear decision making framework for proposals for advertisements, signs and shopfronts to ensure high quality proposals.

The Council will carefully control advertisements and signs which require consent in order to manage their impacts upon amenity and public safety. Proposals for advertisements and signs will only be granted consent where they meet the following criteria:

1. they do not result in visual clutter in the local area; and
2. they are of a high quality design that is appropriate to their local context in terms of materials, size, positioning, styling and method of illumination; and
3. where attached to buildings they respect the building's scale, proportions and architectural features; and
4. they do not result in unacceptable adverse impacts on public safety; and
5. they have regard to relevant design guidance adopted by the Council.

The Council will exercise particularly strict controls over advertisements and signs in the **Area of Special of Control of Advertisements** and those affecting **Heritage Assets** and their setting. Proposals will only be granted consent where the following additional criteria are met:

1. they preserve and enhance the special qualities and character and appearance of the rural landscape, including designated landscapes; Conservation Areas; Listed Buildings; other heritage assets and their settings; and
2. proposals avoid the use of projecting box signs and instead reflect, re-interpret or complement traditional hanging sign styles; and
3. proposals at Yard entrances seek opportunities where possible to advertise multiple businesses to avoid the proliferation of individual signs and clutter; and
4. where illumination is proposed it is considered necessary and is sensitively designed for its historic context, generally avoiding internal illumination methods.

Advance directional signs will only be permitted where the additional following criteria are met:

1. the need for the sign(s) has been adequately demonstrated, in that the location and nature of the premises is such that they cannot reasonably be located following normal town or village direction signs; and
2. the number of signs and their size is limited to the minimum required to adequately serve their directional function.

Shopfronts

Well designed and appropriate shop fronts, whether original or reproduction, should be retained wherever practicable and restored when opportunity arises. Shopfronts should relate in scale, proportion, materials and decorative treatment to the façade of the building and relate well to the upper floors and adjacent buildings and/or shopfronts. Proposals relating to shopfronts should accord with the relevant design guidance prepared by the Council.

- 5.5.1 Advertisements can affect the appearance of an area depending on their size, siting, illumination and construction, and if uncontrolled can result in harmful impacts on the quality of the built environment and landscape. Advertisements are therefore subject to varying levels of control through the planning system. The display of advertisements is subject to a separate consent process within the planning system set out in the Town Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended). Advertisements can only be controlled by Councils on public safety and amenity grounds.
- 5.5.2 An area of special control order places additional restrictions on the display of advertisements, for example reducing the size limits for deemed consent advertisements. Areas of special control can be designated in locations where the local planning authority considers that additional restrictions are necessary, such as in rural areas or other areas which appear to the Secretary of State to require special protection on the grounds of amenity. Most of South Lakeland has been designated an area of special control of advertisements (ASCA) with only the central areas of Grange over Sands, Kendal, Milnthorpe and Ulverston not falling within the ASCA.

5.6 Renewable and Low Carbon Energy

Policy DM21 – Renewable and Low Carbon Energy Development

Purpose: To promote and encourage appropriate renewable energy proposals.

Proposals for renewable energy development will be encouraged and supported where they:

1. minimise landscape impacts and protect landscape character, based on a thorough landscape and visual appraisal where required;
2. respect local character and the historic environment;
3. fully assess their potential impact on nature conservation interests and can demonstrate that any adverse impacts can be avoided or sufficiently mitigated;
4. safeguard residential and local amenity by fully assessing and appropriately mitigating potential effects including visual intrusion, glint and glare, shadow flicker, noise, smell or other pollutants;
5. are sensitively designed in response to their context to minimise their visual impact, paying careful attention to the scale, siting and massing of the technology and associated structures and supporting infrastructure;
6. incorporate appropriate landscaping to mitigate their visual impact and enhance their surroundings;
7. are compatible with existing civil or military aviation or telecommunications installations and will not affect their operation;
8. can be satisfactorily served by the local highway network and will not have unacceptable impacts on it during their construction or operational phases;
9. include measures for the removal of the technology and restoration of the site should the technology become non-operational; and
10. will not have unacceptable cumulative adverse impacts with other installed and permitted renewable and low carbon energy projects and vertical infrastructure structures²⁷.

- 5.6.1 One of the core principles of the planning system, as stated in the National Planning Policy Framework is to support the transition to a low carbon future and secure mitigation and adaptation to climate change. South Lakeland and Cumbria more widely has abundant natural resources for renewable energy²⁸, and these opportunities should be maximised and carefully balanced with the need to protect the district and county's special landscape qualities and valued natural environment.

²⁷ The cumulative impact of vertical infrastructure proposals should be assessed in accordance with the Cumbria *Cumulative Impact of Vertical Infrastructure (CIVI)* study, or relevant subsequent guidance.

²⁸ See the '[Cumbria Renewable Energy Capacity and Deployment Study](#)' (2011).

- 5.6.2 The online Planning Practice Guidance stresses the important role of the planning system in the delivery of new renewable and low carbon energy infrastructure in locations where the local environmental impact is acceptable, and is supportive of criteria based policies for renewable energy provided that they are framed positively.
- 5.6.3 South Lakeland's Core Strategy Policy CS7.7 provides a positive and proactive strategic policy to support renewable and low carbon energy developments in the district as is required by the NPPF. Policy DM21 is a positively worded criteria based policy that supplements the Core Strategy to provide a clear decision making framework for renewable and low carbon energy projects to encourage and support suitable energy development in South Lakeland.
- 5.6.4 In order to fulfil criterion 1 of this policy, applicants should have regard to available guidance including the Cumbria Landscape Character Guidance and Toolkit, and for vertical structure proposals such as wind turbines, the Cumbria Cumulative Impact of Vertical Infrastructure Study. Both of these County wide studies will assist applicants and planning officers in determining the character and sensitivity of various landscapes, and their capacity to accommodate development. Wind turbine proposals should also have regard to the guidance contained within the Cumbria Wind Energy Supplementary Planning Document (SPD). The SPD together with the Cumbria studies outlined above provide guidance as to which broad areas of the district are likely to be suitable for wind energy in landscape terms.
- 5.6.5 A Ministerial Statement was released on 18 June 2015 and the Planning Practice Guidance (PPG) was subsequently updated. Local planning authorities should now only grant planning permission for wind turbines if the development is in an area identified as suitable for wind energy development in their Local Plan, and if, following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and the proposal has their backing. The Statement and PPG update do not amend national wind energy policy but are considerations for plan making and decision taking. The Council is not seeking to identify suitable areas for wind energy through the Development Management Policies DPD and will continue to treat the Ministerial Statement as material consideration in development management decisions. The issue of whether to identify suitable areas will be reconsidered in the single Local Plan review.

5.7 Hot Food Takeaways

Policy DM22 – Hot Food Takeaways

Purpose: To protect public health and safety interests, local and residential amenity, highways safety, and support the economic and social vitality and viability of the District's communities.

Hot food takeaways use class A5 will be permitted where:

1. the proposal would not give rise to unacceptable environmental effects (related to matters such as odour, fumes, filtration, noise and waste) which could not be overcome by the imposition of conditions; and
2. the amenity of neighbouring uses and the character and appearance of the environment is not adversely affected; and
3. within the primary shopping areas as defined on the policies map it will not lead to more than two such uses adjoining each other and ensure there remains a proportionate mixture of shopping uses²⁹ within the immediate locality; and
4. it does not place undue burden on parking / servicing arrangement in the local area; and
5. it does not negatively affect the road safety in the local area.

The Council will seek appropriate conditions attached to planning permission to secure any necessary mitigation measures having regard to surrounding uses including accessibility and proximity to sensitive uses such as schools, character of the area and possible nuisance disturbances to residential areas, other uses and public health and safety interests. Such conditions may include restrictions on the opening hours of new premises.

- 5.7.1 Hot food takeaways help to support the vitality and viability of the district, by contributing to the local economy and the sustainability of its communities. However, they can give rise to harmful impacts for the environment, local and residential amenity and the health and well-being of residents and visitors to the district. Proposals for new hot food takeaways need to be carefully managed in this respect.
- 5.7.2 This policy seeks to facilitate the creation of new hot food takeaways in a manner which respects public health interests and supports the vitality and viability of the districts communities and centres.

²⁹ In line with provisions of Land Allocations DPD Policy LA1.2.

- 5.7.3 Whilst in the main the principal of such uses will be supported where in accordance with the Council's retail policies and national policy, it has to be recognised that by their nature, in some circumstances they can cause nuisance that may give rise to harmful impacts on the character, appearance, residential and local amenity of an area. The degree to which nuisance may arise will depend on locational circumstances.
- 5.7.4 An over concentration of hot food takeaways within town centres, particularly where they form "clusters" and displace other retail shops, breaking up the continuity of the retail frontage, and creating dead frontages during the time many shops are open, can have an adverse impact on the vitality and viability of a centre and as a result affect the overall attractiveness of the centre to shoppers. It is important that such 'clustering' does not detract from the primary retail function of these areas. This policy seeks to prevent a concentration of hot food takeaways within the primary shopping areas.
- 5.7.5 The Council will consider all proposals for new hot food takeaways carefully in context of the nature of surrounding uses and accessibility and proximity to sensitive uses such as schools and houses and other locations such as parks, recreation areas and school bus stops/main walking routes. Conditions may need to be imposed on new premises in order to manage potential adverse impacts in order to promote healthier lifestyles, safeguard public safety, local amenity and retain the character of an area. Such conditions may include restrictions on the opening hours of new premises.

5.8 Retail Uses Outside of Town Centres

Policy DM23 – Retail Uses Outside of Town Centres

Purpose: To maintain and enhance the vitality, viability and sustainability of the District's town centres.

Locally set impact thresholds for retail floorspace have been set and will be required for proposals which exceed 2,000 sq. m gross outside the town centre* of Kendal, 1,000 sq. m gross outside the town centre of Ulverston and 500 sq. m gross outside the town centres of Milnthorpe, Grange-over-Sands and Kirkby Lonsdale.

*Town Centres as defined on the South Lakeland Local Plan policies map.

This policy will be reviewed through the 2016-2036 Single Local Plan.

- 5.8.1 National policy seeks to ensure retail, office, leisure, entertainment and arts and culture / tourism development is directed to our town centres in the first instance. Proposals that may potentially result in expenditure being taken away from our town centres also need to be considered appropriately in terms of their possible impacts on their performance. In this regard, it is important the Council can assess and manage appropriately the impact of retail and other town centre use proposals outside of town centre locations in instances where they may potentially result in expenditure being taken away from the locality.

- 5.8.2 National Policy allows Local Planning Authorities to introduce locally derived thresholds for assessing the impact of any future edge / out of town retail or other main town centre proposal on an existing urban centre where this can be justified through local evidence.
- 5.8.3 The impact thresholds set out in this policy are in line with the findings and recommendations set out in the South Lakeland Retail Study (2012). This looked at the impact of edge-of-centre and out-of-centre retail proposals, based upon the scale and role of each of the district's defined town centres and the identified retail floorspace projections. It considered that the impact of smaller development proposals could raise concerns. The projections suggest that retail developments of less than 2,500 sq. m gross (the current national default threshold to apply in absence of local threshold) could have a significant impact on the District's town centres, therefore the 2,500 sq. m gross threshold is not appropriate to local circumstances in South Lakeland. A development of 2,500 sq. m gross will exceed or account for a significant proportion of the projected capacity for retail floorspace in Kendal and Ulverston town centres up to 2017 and significantly greater than the capacity identified in Milnthorpe, Grange-over-Sands and Kirkby Lonsdale.
- 5.8.4 The impact thresholds will be applied to all retail proposals that exceed the defined size thresholds as set out in this policy, and applicants will be required to submit retail impact assessments accordingly. Impact should be assessed on a like for like basis in respect of that particular sector. The 'impact' test will be passed where it can be shown the proposal will increase the retention of expenditure within a locality and claw back trade leaked to more distant destinations.

5.9 Kendal Town Centre and Canal Head

Policy DM24 – Kendal Town Centre and Kendal Canal Head Area

Purpose: To provide a policy framework for maintaining and enhancing the vitality, viability, accessibility, social, economic, historic and environmental qualities of Kendal Town Centre, Kendal Canal Head Area (and their environs).

Within Kendal Town Centre as defined on the policies map the Council will encourage:

- in the primary shopping area proposals that contribute to widening its retail offer; and
- outside of the primary shopping area proposals that widen its leisure, entertainment, food and drink, arts, tourism, business/office offer in accord with the retail policies; and
- in the primary shopping area residential development at first floor level or above provided it does not undermine the viability and vitality of its predominant retail function; and
- outside of the primary shopping area residential development provided it does not undermine viability and vitality of the town centre and result in main town centre uses no longer predominating.

Within Kendal Canal Head Area as defined on the policies map the Council will:

- encourage proposals that complement the offer within the town centre, with the priority emphasis on employment uses, alongside a mix of other uses including leisure, entertainment, tourism, recreational and housing³⁰;
- retain the sites and premises within the Parkside Road Business Park as identified on the policies map in employment use³¹;
- safeguard the public open spaces and amenity spaces as identified on the policies map for green infrastructure purposes³²;
- safeguard the route of the Lancaster Canal, encouraging development that enhances its recreational/green corridor function, and its, social, economic, historic and cultural value;
- ensure proposals are delivered in a holistic coordinated manner; and

³⁰ Assumption within current local plan (2010-2025) area can accommodate 200 dwellings, this will be reviewed through Single Local Plan (2016-2036).

³¹ As defined on the policies map (see Appendix 2 Kendal Canal Head Area Policies Map as land to be safeguarded as an existing employment site). Proposals within the site will be considered against the provisions of Policy LA1.5 of the Land Allocations DPD – acceptable uses B1, B2 and B8 uses.

³² As defined on the policies map (see Appendix 2 Kendal Canal Head Area Policies Map as land to be safeguarded for public open space). Proposals within the open spaces will be considered against the provisions of Policy LA1.10 of the Land Allocations DPD.

In both areas and their immediate environs the Council will:

- retain the existing beneficial environmental and historic qualities on offer, encouraging proposals that result in public realm and open space enhancements;
- ensure proposals do not prejudice the regeneration / redevelopment of any identified opportunity sites;
- encourage proposals that enhance walking and cycling networks resulting in improved connectivity particularly across and alongside the River Kent, along the Lancaster Canal, and access to key public transport nodes, residential, employment areas, open spaces and cultural/historic assets including Kendal Castle; and
- ensure reduction of flood risk.

- 5.9.1 Kendal is the main urban centre for South Lakeland and its character, vitality and cultural importance must continue to promote a strong identity and brand for the district and provide a high quality of life for its residents and visitors. The town must respond to changes in shopping, working, living and leisure demands in a sustainable manner balancing environment, social and economic interests. The town centre should continue to evolve and offer a sustainable viable diverse retail, leisure, business, entertainment and residential offer. Kendal Canal Head should complement the town centre by offering a strong employment offer at its core alongside residential, leisure, entertainment, and tourism uses. The existing beneficial environmental and historic qualities of these areas and their immediate environs must be retained. Proposals that seek to enhance sustainable access, and public realm and open space within these areas will be encouraged.
- 5.9.2 This policy will be applied in conjunction with the current adopted local plan retail policies and will be used to help provide a policy framework for guiding and determining decisions as appropriate with respect to planning applications within the Town Centre, Kendal Canal Head Area and their environs. Proposals will be considered on a case-by-case basis and will be determined having regard to wider strategic interventions that may be required as well as any local initiatives such as improvements to public spaces and any changes in national policy with regard to town centres. However, it is important proposals within Kendal Canal Head are considered in a holistic coordinated manner.
- 5.9.3 The Kendal Masterplan currently being prepared will be used to feed into a long term strategy in the next phase of the Local Plan and provide a spatial framework for the development and management of the town. It will include realistic and deliverable opportunities to secure investment in town centre development and infrastructure, and identify opportunity sites that could be regenerated / redeveloped in order to meet future aspirations. This policy will provide a policy context for its implementation.
- 5.9.4 This policy safeguards a number of existing open spaces in the Kendal Canal Head area (see Appendix 2) that are considered to have significant identified quality and value as:

- Formal sports facilities, parks and gardens, natural and semi-natural greenspace, green corridors, amenity greenspace, children's play space, allotments, cemeteries or civic spaces; or
- Do not have significant quality or value in their current condition or use but have been identified as offering the scope to address open space needs if their value is enhanced.

5.9.5 Sites are identified according to the following three categories:

- Public Open Space, to which the public have access for informal recreational use;
- Outdoor Sports Facilities, including formal sports pitches, golf courses and other formal sports facilities;
- Amenity Open Space, which is not accessible to the public but which nonetheless, has amenity value because of its openness, appearance or landscape quality.

5.9.6 Proposals within the open spaces will be considered against the provisions of Land Allocations Policy LA1.10.

5.9.7 This policy also ensures an appropriate degree of safeguarding for existing employment areas in Kendal Canal Head where these are necessary to support the local economy. In this context, the existing area of employment land to the south of Parkside Road is safeguarded for employment purposes. Proposals within the site will be considered against the provisions of Land Allocations Policy LA1.5.

5.10 Agricultural Buildings

Policy DM25 – Agricultural Buildings

Purpose: To ensure new agricultural buildings are essential to the operational needs of an existing farm or agricultural business.

New agricultural buildings requiring planning permission will be supported where there is a demonstrable essential need in relation to the functional operations of an existing farm or agricultural business.

The Council will require that an appraisal is submitted with the application which clearly establishes that there is an essential functional need for the building in this respect.

New agricultural buildings should be located within or adjacent to the existing farm or agricultural building complex unless it can be demonstrated such a location is not available or suitable.

- 5.10.1 New agricultural buildings can have impacts on the landscape qualities of the open countryside, by virtue of siting, scale and design, and give rise to particular issues relating to highways network safety. The Core Strategy supports promotion of the development of agricultural businesses, whilst seeking to ensure decision making contributes to conserving and enhancing the natural environment and recognises the intrinsic character and beauty of the countryside.
- 5.10.2 It is important new agricultural buildings serve a purpose that supports the operational needs of an existing farm or agricultural business and are appropriate in this respect in terms of location, size and type of functional use. Applications for agricultural buildings will be accompanied by an appraisal undertaken by an applicant in order to provide justification why an agricultural building is required in any given location. In order to minimise impact on the qualities of the open countryside, new agricultural buildings should be located within or adjacent to an existing farm or agricultural building complex unless it can be demonstrated such a location is not available or suitable.
- 5.10.3 Proportional evidence will be required depending on the nature of the proposal, to show there is a functional need in this respect. This is likely to contain details of land holdings (size and type), details of any existing buildings, stock type and numbers and agricultural activities undertaken on the site.

5.11 Gypsies, Travellers and Travelling Showpeople

Policy DM26 – Gypsies, Travellers and Travelling Showpeople

Purpose: To guide the determination of planning applications or allocation of sites to meet the accommodation needs of Gypsies, Travellers and Travelling Show People.

The Council and its partners will work together to meet the accommodation needs of Gypsies, Travellers and Travelling Showpeople.

Proposals for new Gypsy, Traveller and Travelling Showpeople sites will be supported where they meet the following criteria:

1. the intended occupants meet the definition of Gypsies and Travellers and Travelling Showpeople in Annex 1 of Planning Policy for Traveller Sites; and
2. the location, scale and design of sites will not cause significant nuisance or impact on the amenity of neighbouring properties and will encourage integration and peaceful co-existence with closest settled community; and
3. the site has reasonable access to key services including schools, shops, health care and appropriate community facilities, which can be reached on foot, cycle or public transport; and
4. the site can be served with relevant utilities, including water supply, sanitation, waste and water disposal facilities³³ and also provide adequate access for emergency vehicles; and
5. the site can be contained within existing landscape features or appropriately landscaped to minimise its impact on the surrounding area; and
6. sites should have adequate access and turning space for large vehicles and caravans.

Sites for Travelling Show People should allow for mixed use yards with space for storage and equipment.

For transit sites it must be demonstrated that a suitable time limit can and will be enforced on how long pitches are occupied.

This policy will be reviewed through the 2016-2036 Single Local Plan to include a comprehensive re-assessment of the housing needs of Gypsies, Travellers and Travelling Showpeople.

³³ Including foul and surface water.

- 5.11.1 Government policy on travellers is contained in the Communities and Local Government (CLG) document 'Planning Policy for Traveller Sites' (August 2015) which states that local planning authorities should make their own assessment of the accommodation needs of Gypsies and Travellers for the purposes of planning. This will help in identifying land for sites and will also ensure that both plan making and decision taking help to reduce the number of unauthorised developments and encampments and make enforcement more effective.
- 5.11.2 The Cumbria Gypsy and Traveller Accommodation Assessment (GTAA) (November 2013) sets out the latest assessment of accommodation needs in Cumbria, on a district by district basis up to 2030. For South Lakeland district (outside the National Parks) the GTAA does not identify a need for any additional permanent pitches.
- 5.11.3 In addition to permanent provision, the GTAA also assesses the need for pitches for short term use while in transit. Such sites are intended to be authorised, and usually permanent, but with a limit on the length of time residents can stay. The GTAA recommends a need for up to eight transit pitches which would help to offset the incidences of unauthorised encampment activity in South Lakeland. Based on patterns of unauthorised encampments, site locations in Bardsea and Birkrigg Common, or the wider area of South Ulverston are suggested. To meet this need the Council has commenced work to identify a suitable site (or sites).
- 5.11.4 This policy sets out a range of criteria that any proposal for gypsy, travellers and travelling show people accommodation will need to meet in order to be permitted. It is important such proposals are supported by adequate necessary provision of infrastructure and facilities. It is acknowledged that the provision of facilities and required access to services may differ depending on the nature of the site (for example whether it is permanent, transit or stopover) and this issue will be considered on a case by case basis.
- 5.11.5 The Council has also commenced work on a replacement Local Plan for the period 2016-36, to be adopted by 2021. The Council will review evidence of the accommodation needs of Gypsies, Travellers and Travelling Show people to inform appropriate site provision and policy in the next Local Plan.

6 Enforcement

6.1 Enforcement

Policy DM27 – Enforcement

Purpose: To ensure the Council can respond to suspected breaches of planning control through application of policy and protocol.

South Lakeland District Council will:

1. investigate reported breaches of planning control and monitor development for compliance having regard to its Local Planning Enforcement Plan;
2. prioritise cases according to the public harm to amenity caused. Investigations will be carried out proportionately in relation to the breach of planning control identified;
3. keep personal details confidential unless required to disclose as part of any legal proceedings, or any relevant legislation or as required by the Information Commissioner;
4. keep relevant parties informed of any decisions made with regard to whether to take formal action or of what action will be taken and likely timescales involved;
5. actively pursue complaints to an expedient conclusion;
6. in cases where there may be a technical breach of planning control but the public harm caused is insufficient to warrant formal action, inform the relevant parties of the reason for not taking formal action and the case will be closed; and
7. negotiate with those responsible for the breach of planning control, allowing the opportunity to resolve the matters of concern before taking formal enforcement action unless the breach is so serious it warrants immediate action.

Where informal negotiations fail to resolve the identified breach of planning control or where negotiations become protracted with no real likelihood of success, and where it is considered appropriate and expedient to do so having regard to the provisions of the development plan and any other material considerations, formal action will be taken.

- 6.1.1 Effective enforcement is important as a means of maintaining public confidence in the planning system. Government policy guidance within the National Planning Policy Framework makes it clear that enforcement action is a discretionary power, and that Local Planning Authorities should act proportionately in responding to suspected breaches of planning control.
- 6.1.2 The policy will sit within a wider corporate enforcement policy document and be implemented through a protocol (a Local Planning Enforcement Plan) setting out how the Local Planning authority will manage enforcement proactively.

- 6.1.3 In taking enforcement action for breaches of planning control, the Council must have regard to the Government's Enforcement Concordat and the Regulatory Compliance Code. The Council must also act within the principles of the Human Rights Act 1998 and The Equality Act 2010 and ensure that unlawful discrimination is eliminated, and all action is taken in a fair and consistent manner. Note the Council is not responsible for waste and minerals. The Lake District and the Yorkshire Dales National Parks and Cumbria County Council are the respective Waste and Mineral Authorities. The Council will pass complaints regarding these activities to the appropriate Authority for their action.

7 Monitoring and Implementation

The table below sets out how we are planning to implement the new development management policies and how we may monitor whether they are achieving their goals. The performance and implementation of the DPD policies, will be monitored through the Council's Annual Monitoring Report (AMR).

| Policy | How will it be implemented? | Who is Responsible? | Potential Indicators | Target (where appropriate) |
|---|--|--|---|----------------------------|
| DM1 – General Requirements | <ul style="list-style-type: none"> • Through development management decisions • Onus on applicants to demonstrate in compliance with policy provisions, using assessments where relevant | <ul style="list-style-type: none"> • South Lakeland District Council • Cumbria County Council • Landowners / Developers • Utility and Infrastructure Providers | <ul style="list-style-type: none"> • Number of applications approved in compliance with provisions of policy – through qualitative analysis and research. | N/A |
| DM2 – Achieving High Quality Designs | <ul style="list-style-type: none"> • Through development management decisions • Through future Design SPD | <ul style="list-style-type: none"> • South Lakeland District Council | <ul style="list-style-type: none"> • Number of applications refused on grounds of non-compliance with design principles. • Through qualitative analysis and research. | N/A |

| Policy | How will it be implemented? | Who is Responsible? | Potential Indicators | Target (where appropriate) |
|--|--|---|--|----------------------------|
| DM3 – Historic Environment | <ul style="list-style-type: none"> Through development management decisions supported by evidence such as assessment of significance and Local List | <ul style="list-style-type: none"> South Lakeland District Council | <ul style="list-style-type: none"> Number of heritage assets at risk. Number of heritage assets supported/enhanced through new development. | N/A |
| DM4 – Green Infrastructure, Open Space, Trees and Landscaping | <ul style="list-style-type: none"> Through development management decisions supported by Open Space/Green Infrastructure Strategy Using BS5837 | <ul style="list-style-type: none"> South Lakeland District Council | <ul style="list-style-type: none"> Net gains in Green Infrastructure through new development. Through qualitative analysis and research including Infrastructure Delivery Plan – type and quality of open space created. | N/A |

| Policy | How will it be implemented? | Who is Responsible? | Potential Indicators | Target (where appropriate) |
|--|---|---|---|----------------------------|
| DM5 – Rights of Way, other routes providing pedestrian and cycle access | <ul style="list-style-type: none"> • Through development management decisions | <ul style="list-style-type: none"> • South Lakeland District Council • Cumbria County Council • Parish and Town Councils | <ul style="list-style-type: none"> • Through qualitative analysis and research including Infrastructure Delivery Plan, number of rights of way affected by development, how many enhanced, how many created or lost. | N/A |
| DM6 – Surface Water disposal, Foul Water Disposal and treatment watercourses, flood defences and consideration of wider land drainage interests | <ul style="list-style-type: none"> • Through development management decisions • To be considered further through local guidance | <ul style="list-style-type: none"> • Developers • South Lakeland District Council • Cumbria County Council • Environment Agency • United Utilities | <ul style="list-style-type: none"> • Number of Sustainable Drainage Systems provided. • HRA monitoring – water quality and the River Kent. • Through qualitative analysis and research – how SuDS incorporated into schemes. | N/A |

| Policy | How will it be implemented? | Who is Responsible? | Potential Indicators | Target (where appropriate) |
|--|--|---|--|----------------------------|
| DM7 – Addressing Pollution and Contamination Impact | <ul style="list-style-type: none"> • Through development management decisions utilising findings of assessments where relevant | <ul style="list-style-type: none"> • South Lakeland District Council | <ul style="list-style-type: none"> • Number of applications with a contribution to targets within Kendal Air Quality Management Area Action Plan. • Air Quality Emission data monitoring, level of change. | N/A |
| DM8 – High Speed Broadband for New Developments | <ul style="list-style-type: none"> • Through development management decisions. • Promotion of policy at pre-application stage to highlight need for broadband statement. | <ul style="list-style-type: none"> • South Lakeland District Council (Development Plans, Development Management) • Cumbria County Council • BT Openreach, • Applicants • Telecommunications providers. | <ul style="list-style-type: none"> • Number of broadband statements submitted with planning applications in monitoring period. | N/A |

| Policy | How will it be implemented? | Who is Responsible? | Potential Indicators | Target (where appropriate) |
|---|---|--|---|----------------------------|
| DM9 – Parking Provision | <ul style="list-style-type: none"> • Through development management decisions | <ul style="list-style-type: none"> • South Lakeland District Council • Cumbria County Council | <ul style="list-style-type: none"> • Through qualitative analysis and research, assessing schemes and type of car parking provision provided, and number of new car parks | N/A |
| DM10 – Safeguarding land for transport infrastructure improvements | <ul style="list-style-type: none"> • Through development management decisions • Projects and schemes • Funding Streams | <ul style="list-style-type: none"> • South Lakeland District Council • Cumbria County Council • Infrastructure Providers • Canal and River Trust • Network Rail • Highways England | <ul style="list-style-type: none"> • Number of applications refused on grounds of impact on such routes. • Through qualitative analysis and research and Infrastructure Delivery Plan, assessing schemes and types of projects. | N/A |

| Policy | How will it be implemented? | Who is Responsible? | Potential Indicators | Target (where appropriate) |
|---|---|---|--|--|
| DM11 – Accessible and Adaptable Homes | <ul style="list-style-type: none"> • Through development management decisions and conditions imposed on planning permissions. • Onus on applicant to notify Building Control officer of level M4(2) requirement so it can be assessed accordingly. • Joined up approach between development management and building control needs to be implemented. | <ul style="list-style-type: none"> • South Lakeland District Council (Development Plans, Development Management and Building Control) • Private Building Control Inspectors • Developers | <ul style="list-style-type: none"> • Number of homes permitted with M4(2) requirement imposed by planning condition. • Number of homes built to Category M4(2) Building Regulation. • Number of wheelchair adaptable homes secured on sites over 40 units. | <ul style="list-style-type: none"> • All new residential schemes to have planning conditions requiring M4(2) building regulations. • 5% of homes on sites over 40 units to be wheelchair adaptable (M4(3)) standard. |
| DM12 - Self-Build and Custom Build Housing | <ul style="list-style-type: none"> • Through pre-application discussions and development management decisions. • Other Council functions such as housing, land etc. to implement Council wide promotion and facilitation of self-build. | <ul style="list-style-type: none"> • South Lakeland District Council (Development Plans, Development Management, Housing, Estates) • Self/Custom Build developers. | <ul style="list-style-type: none"> • Number of self-build and custom build homes permitted in monitoring period (financial year). • Number of self-build and custom-build homes completed in monitoring period (financial year). • Number of entries added to self-build register in monitoring period. | Annual increase in self-build permissions, completions, and numbers on register. |

| Policy | How will it be implemented? | Who is Responsible? | Potential Indicators | Target (where appropriate) |
|--|---|---|--|----------------------------|
| DM13 – Development in Small Villages and Hamlets | <ul style="list-style-type: none"> Through pre-application discussions and development management decisions. | <ul style="list-style-type: none"> South Lakeland District Council | <ul style="list-style-type: none"> Change in number and percentage of dwellings completed in small villages and hamlets, together with an appraisal of the impact of the policy change on the character of these settlements as part of the single Local Plan Review. | N/A |
| DM14 – Rural Exceptions Sites | <ul style="list-style-type: none"> Through pre-application discussions and development management decisions. | <ul style="list-style-type: none"> South Lakeland District Council | <ul style="list-style-type: none"> Number of rural exception sites approved and the proportion of dwellings which are affordable and market. | N/A |
| DM15 – Essential Dwellings for Workers in the Countryside | <ul style="list-style-type: none"> Through pre-application discussions and development management decisions. | <ul style="list-style-type: none"> South Lakeland District Council | <ul style="list-style-type: none"> The number of essential dwellings in the countryside and assessment of analysis of appeals. Qualitative analysis and research. | N/A |

| Policy | How will it be implemented? | Who is Responsible? | Potential Indicators | Target (where appropriate) |
|--|---|---|---|----------------------------|
| DM16 – Conversion of Buildings in Rural Areas | <ul style="list-style-type: none"> Through pre-application discussions and development management decisions. | <ul style="list-style-type: none"> South Lakeland District Council | <ul style="list-style-type: none"> The number of traditional building conversions granted, refused and an analysis of appeals. | N/A |
| DM17 – Retention of Community Facilities | <ul style="list-style-type: none"> Through development management decisions. | <ul style="list-style-type: none"> South Lakeland District Council Town and Parish Councils | <ul style="list-style-type: none"> Through local plan making process, analysis and research. | N/A |
| DM18 – Tourist accommodation – Caravans (static and touring), chalets, log cabins, camping (tents, camping pods, yurts and similar) and new purpose built self-catering accommodation (outside the AONB). | <ul style="list-style-type: none"> Through pre-application discussions and development management decisions. | <ul style="list-style-type: none"> South Lakeland District Council | <ul style="list-style-type: none"> Number of applications approved and refused for tourism accommodation. Monitored annually by number, type and location. The number, type and location of proposals allowed/dismissed at appeal, and the reasons - planning policies used re the Inspectors decision. Monitored annually. | N/A |

| Policy | How will it be implemented? | Who is Responsible? | Potential Indicators | Target (where appropriate) |
|---|--|---|--|----------------------------|
| DM19 – Equestrian Related Development | <ul style="list-style-type: none"> Through pre-application discussions and development management decisions | <ul style="list-style-type: none"> South Lakeland District Council | <ul style="list-style-type: none"> Equestrian development applications approved and refused, monitored annually by number, type and location. The number and type of proposals allowed at appeal /dismissed at appeal. Monitored annually. | N/A |
| DM20 – Advertisements and Signs | <ul style="list-style-type: none"> Through development management decisions | <ul style="list-style-type: none"> South Lakeland District Council | N/A | N/A |
| DM21 – Renewable and Low Carbon Energy Development | <ul style="list-style-type: none"> Through development management decisions | <ul style="list-style-type: none"> South Lakeland District Council (Development Management, Development Plans) | <ul style="list-style-type: none"> Number and type of renewable energy development permitted and refused by the Council. Number and type of renewable energy proposals permitted/refused at appeal. | N/A |

| Policy | How will it be implemented? | Who is Responsible? | Potential Indicators | Target (where appropriate) |
|--|--|--|---|----------------------------|
| DM22 – Hot Food Takeaways and Food and Drink Establishments | <ul style="list-style-type: none"> • Through development management decisions | <ul style="list-style-type: none"> • South Lakeland District Council | <ul style="list-style-type: none"> • Number of applications for hot food takeaway establishments approved or refused – reasons why. | N/A |
| DM23 – Retail Uses Outside of Town Centres | <ul style="list-style-type: none"> • Through development management decisions | <ul style="list-style-type: none"> • South Lakeland District Council | <ul style="list-style-type: none"> • Number of applications for retail uses outside of Town Centres approved or refused on grounds of impact assessment test. • Amount of additional retail floorspace permitted and created outside of town centres. | N/A |
| DM24 – Kendal Town Centre and Canal Head | <ul style="list-style-type: none"> • Through development management decisions. • Kendal Masterplan • Project and scheme delivery • Funding Streams | <ul style="list-style-type: none"> • Developers • Infrastructure Providers including South Lakeland District Council and Cumbria County Council. | <ul style="list-style-type: none"> • Through qualitative analysis and research and assessing schemes, what has happened – town centre health checks. | N/A |

| Policy | How will it be implemented? | Who is Responsible? | Potential Indicators | Target (where appropriate) |
|---|--|---|--|-----------------------------------|
| DM25 – Agricultural Buildings | <ul style="list-style-type: none"> Through development management decisions | <ul style="list-style-type: none"> South Lakeland District Council | <ul style="list-style-type: none"> Number and type of applications approved or refused for agricultural buildings that require planning permission. | N/A |
| DM26 – Gypsies, Travellers and Travelling Showpeople | <ul style="list-style-type: none"> Through development management decisions | <ul style="list-style-type: none"> South Lakeland District Council | <ul style="list-style-type: none"> Number of Gypsies, Travellers and Travelling showpeople sites approved or refused. | N/A |
| DM27 - Enforcement | <ul style="list-style-type: none"> Through development management decisions | <ul style="list-style-type: none"> South Lakeland District Council | <ul style="list-style-type: none"> Number and types of breaches of planning control. | N/A |

Appendix 1 – List of Measures that support and enhance habitat creation, urban greening and respond to the effects of climate change

This is a list of measures that support and enhance habitat creation, urban greening and respond to the effects of climate change. It is not intended to be comprehensive, but gives an indication of some such measures. Under the provisions of Policy DM2 principle 9, the Council will consider such measures and require these to be incorporated within new developments depending on local circumstances and the nature of the proposal.

1. Permeable surfaces, and other features that reduce flood risk.
2. Biodiversity features such as bat boxes, swift bricks and hedgehog highways and other features that create or enhance locally relevant biodiversity habitats ensuring that provision reflects local biodiversity evidence base.
3. Sufficient and well-designed visually unobtrusive space for bin collection/recycling and adequate cycle storage either within the curtilage of a dwelling or building or through formal parking provision where communal buildings are provided.
4. Orientating buildings where they can optimise energy efficiency, solar gain and maximise daylight levels.
5. Maximum and practical use of sustainable and reused and recycled locally sourced building materials.
6. Water saving devices such as water butts.
7. Features that contribute to a greener, healthier environment and improve air quality including living/green walls and roofs and roof gardens and electric vehicle charging points both within on-site and off-site parking.

Appendix 2 – Kendal Canal Head Area Designations

*The map is an extract from the Adopted Policies Map and is displayed for purposes of showing new designations arising from the DPD.

Key



Kendal Canal Head Area

Land to be safeguarded



Public open space



Amenity open space (no public access)



Outdoor sports facilities



Historic Parks and Gardens



Existing employment sites



Protected route of Lancaster Canal

Environment and Heritage Designations



Conservation Area



Listed Building



Statutory Nature Conservation Sites
(SSSI, SAC/SPA, RAMSAR, UK Nature Reserves and LPOs)



Non-Statutory - Other Recognised Biodiversity Sites / Areas of Interest
(RIGS, County Wildlife Sites and Verges)



UK Priority Habitats



AONB



Scheduled Ancient Monument

Flood Risk Zones



Zone 2: Medium probability



Zone 3a: High probability



Zone 3b: Functional floodplain

Note: Flood risk Zones are updated quarterly. See www.environment-agency.co.uk for details.

Retail



Primary frontages



Secondary frontages

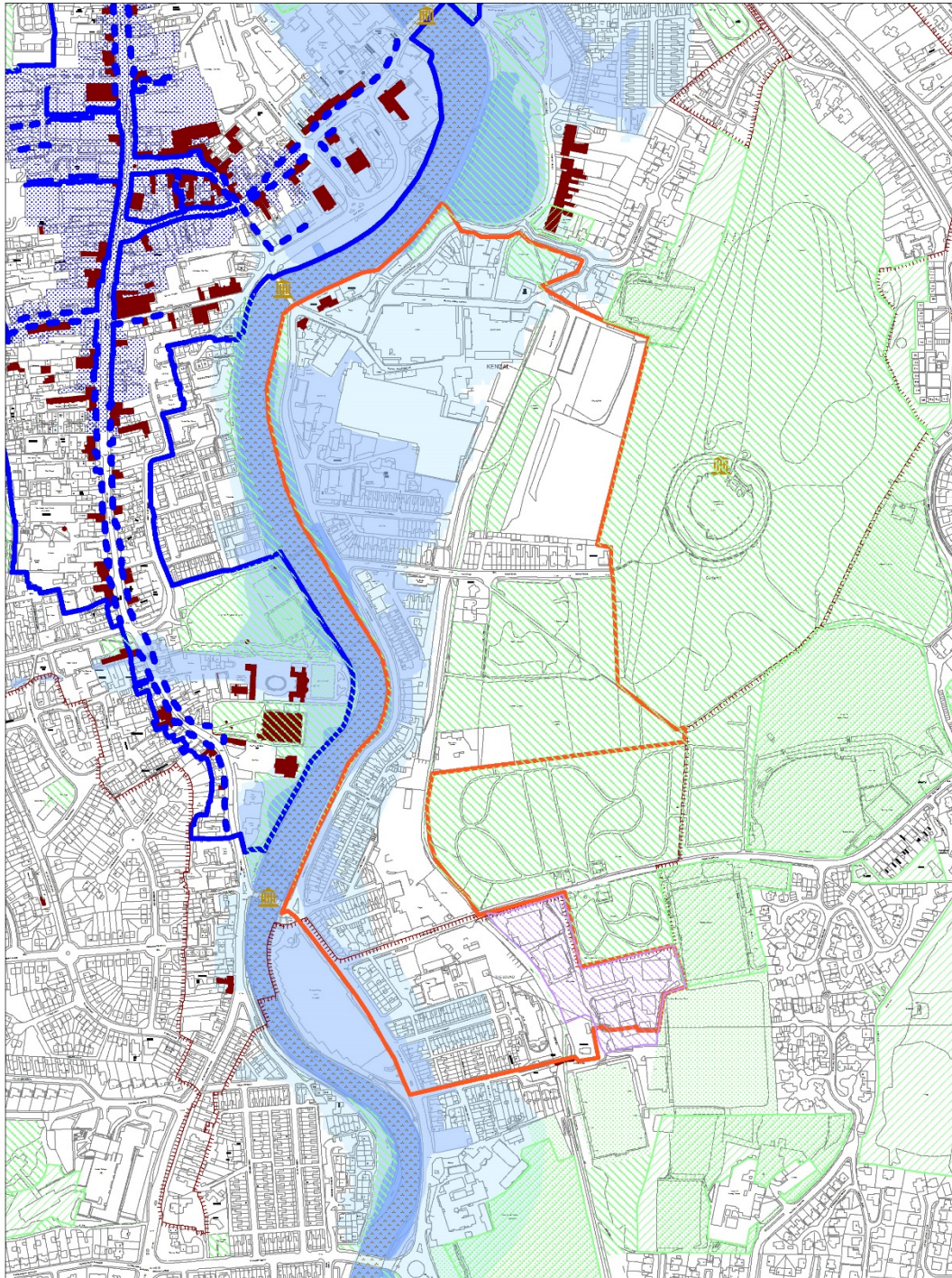


Primary shopping areas



Town Centre Boundary

Policies Map for Kendal Canal Head Area



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Appendix 3 – Schedule of Existing Local Plan Policies replaced by policies in the DM DPD on its adoption

This Appendix sets out those:

- saved and extended Local Plan and Alteration Policies that are superseded by the DM DPD on its adoption either wholly through new replacement policies contained in the DM DPD and/or partly in conjunction with other existing Local Plan policies (Land Allocations DPD and Core Strategy)
- existing Local Plan policies in the Core Strategy DPD that are superseded either wholly or partly by replacement policies contained in the DMDPD on its adoption

It also provides an explanation of how the DMDPD replaces the policy.

This Appendix relates to the area for which South Lakeland is the planning authority. Within areas which were transferred to the Lake District and Yorkshire Dales National Parks in August 2016, policies which would otherwise be superseded by South Lakeland's DMDPD will remain part of the Development Plan for those areas until superseded by new Local Plans prepared by the relevant national park authorities. Please refer to the Local Development Scheme for the relevant National Park Authority for their proposals to supersede these policies.

In addition to the DM DPD, the Arnside and Silverdale Area of Outstanding Natural Beauty Development Plan Document (AONB DPD) on its adoption replaces wholly or partly saved and extended Local Plan and Alteration Policies, and existing policies in the Core Strategy in the South Lakeland part of the AONB. The schedule of South Lakeland superseded policies for the Development Management Policies DPD and Arnside & Silverdale AONB DPD document makes clear which policies are replaced wholly or partly by the AONB DPD as well as the DM DPD.

The existing development plan covering South Lakeland District outside the two national parks consists of:

- the South Lakeland Local Plan – Core Strategy – Adopted October 2010
- the South Lakeland Local Plan – Land Allocations Document – Adopted December 2013
- the South Lakeland Local Plan – Adopted September 1997
- the South Lakeland Local Plan Alteration – Adopted March 2006
- the Arnside & Silverdale AONB DPD (on its adoption)
- the Development Management Policies DPD (on its adoption)

The South Lakeland Local Plan comprising the September 1997 Local Plan and Alteration adopted in 2006) covers the period up to 2006. This represents the end date for housing and industrial allocations contained in the Plan. The Plan's other policies have a general validity, which extend beyond 2006.

Under the 2004 Planning and Compulsory Purchase Act, Local Plan policies adopted when the Act came into force in September 2004 were automatically saved for three years, or, if adopted after September 2004, saved for three years from the date of adoption. On the basis, South Lakeland Local Plan policies were automatically saved for an initial three years as follows:

- Policies adopted in September 1997 were saved until September 2007;
- Altered policies adopted in March 2006 were saved until March 2009

As these policies approached their expiry date, the Secretary of State confirmed, following a request from the District Council, that:

- All saved Local Plan policies, which had been adopted in 1997 were extended beyond September 2007, except for policies R3, C4, C17 and Tr6
- All saved Local Plan Alteration policies were extended beyond March 2009

*Note the references to the National Planning Policy Framework relate to the 2012 edition.

Saved and Extended Local Plan Policies

| Saved and extended Local Plan Policy | Superseded Policies (if any) | Explanation |
|---|--|---|
| H9 Agricultural and Forestry Dwellings in the Countryside | Superseded by DM DPD Policy DM15 | Policy DM15 sets out a policy framework with criteria to guide when a new dwelling may be acceptable in the open countryside to meet the needs of agriculture and rural businesses. |
| H10 Removal of Occupancy Conditions | Superseded by DMDPD Policy DM15 | Policy DM15 sets out a policy framework with criteria to guide when a new dwelling may be acceptable in the open countryside to meet the needs of agriculture and rural businesses. |
| H11 Conversion of buildings within Development Boundaries | Superseded by DMDPD policies DM1 and DM2 | Policies DM1 and DM2 provide appropriate criteria to guide decisions for conversion of buildings within development boundaries. |

| Saved and extended Local Plan Policy | Superseded Policies (if any) | Explanation |
|--|---|--|
| H12 Conversion of buildings outside of Development Boundaries | Superseded by DMDPD Policy DM16 | Policy DM16 sets out criteria to indicate how and when buildings in rural areas may be converted to other uses, including housing, employment, tourism, recreation and community uses. |
| H13 Conversion of rural facilities | Superseded by DMDPD Policy DM17 | Policy DM17 sets out policy criteria that must be met to permit the loss of community facilities outside of defined town centre locations. |
| H14 Dwellings Constructed from Temporary Materials | Deleted not replaced | Policy no longer considered required/of relevance Policy deleted on adoption of DMDPD |
| E1 Land Allocated for Business Parks – reference to Parkside Road allocation | Allocations for Kendal Canal Head Area superseded by DMDPD Policy DM24. Parkside Road Business Park Implemented | Business Park allocations outside the Kendal Canal Head area superseded by Local Plan - Land Allocations Policy LA 1.6. Policy DM24 identifies Parkside Road site as an existing employment site, and criteria set out in Land Allocations DPD Policy LA1.5 applies. No allocations are proposed in the DMDPD. |
| E4 New Development and Extensions to Property | Superseded by DMDPD Policies DM1 and DM2 | Policy DM1 and Policy DM2 provide appropriate criteria for guiding decisions relating to new development and extensions to premises within existing employment sites. |
| E5 Redevelopment | Superseded by DMDPD Policies DM1 and DM2. | Policy DM1 and Policy DM2 provide appropriate criteria for guiding decisions relating to redevelopment of obsolete employment premises. |

| Saved and extended Local Plan Policy | Superseded Policies (if any) | Explanation |
|---|---|---|
| E6 Loss of Employment Sites and Premises | Superseded by DMDPD Policies DM1 and DM2 | Policy DM1 and Policy DM2 provide appropriate criteria for guiding decisions relating to loss of employment sites and premises to other non-employment uses. Provisions of Policy LA1.5 Land Allocations, Core Strategy Policy CS7.1 and CS7.2 and also application of National Policy also relevant. |
| E9 Homeworking | Superseded by DMDPD policy DM1 and Core Strategy Policy CS7.4 | Policy DM1 provides appropriate criteria for assessing home-based working businesses Criteria in Core Strategy Policy CS7.4 also relevant |
| E10 Farm Diversification | Superseded by DMDPD Policy DM1 and Core Strategy Policy CS7.4 | Policy DM1 provides appropriate criteria for assessing proposals for farm diversification Criteria in Core Strategy Policy CS7.4 also relevant |
| R1 Retail Development, Kendal Town Centre | Policy criteria in part (criterion a) superseded by DMDPD Policy DM24, alongside NPPF and Core Strategy Policy CS7.5.and by DMDPD DM1 – with respect to criterion b-d. Town Centre and Primary Shopping Area boundary superseded by Land Allocations Policy LA1.2 | Policy DM24 provides criteria for assessing retail development in Kendal town centre in respect to viability and vitality), alongside criteria in Core Strategy CS7.5 also applies and application of national policy. DM1 provides appropriate criteria respect to access, design and traffic movements. Town Centre and Primary Shopping Area boundary superseded by Land Allocations Policy LA1.2. |

| Saved and extended Local Plan Policy | Superseded Policies (if any) | Explanation |
|---|---|---|
| R2 Retail Development outside Kendal Town Centre | Policy criteria a-c superseded by NPPF Policy criteria d-g superseded by DMDPD Policies DM1 and DM2. | Policy criteria a – c superseded by National Planning Policy. DM1 and DM2 provide criteria covering travel, design, parking and landscaping. DM23 provides additional policy relating to local impact thresholds for assessing retail proposals outside of defined town centres. |
| R4 Conversion and Extension of Retail Premises, Ulverston Town Centre | Policy criterion 'a' superseded by Core Strategy CS7.5 and Land Allocations DPD Policy LA1.2. Policy criteria b-c superseded by DMDPD Policies DM1 and DM2 | Town Centre and Primary Shopping Area boundary superseded by Local Plan - Land Allocations Policy LA1.2. National Policy and Core Strategy Policy CS7.5 replace criterion 'a'. Policy DM1 and DM2 provide criteria covering criteria b-c (traffic and access). |
| R5 Retail Development outside Ulverston Town Centre | Policy criteria a – c superseded by NPPF Policy Policy criteria d-g superseded by DMDPD policies DM1 and DM2. | Criteria a-c superseded by National Planning Policy (needs assessment, sequential test and type of provision). DM1 and DM2 provide criteria covering criterion d-g (travel, design, parking and landscaping). DM23 provides additional policy relating to local impact thresholds for assessing retail proposals outside of defined town centres. |
| R7 Retail Development outside shopping centres | Superseded by National Planning Policy and Core Strategy policy CS7.5 | Town Centre, Primary and Secondary Shopping Area boundaries superseded by Local Plan – Land Allocations Policy LA1.2. Policy, superseded by Policy CS7.5. |

| Saved and extended Local Plan Policy | Superseded Policies (if any) | Explanation |
|--|--|---|
| R8 Protection of Retail Frontages in the Primary Shopping Areas of Kendal and Ulverston Town Centres | <p>Town Centre, Primary and Secondary Shopping Area boundaries superseded by Land Allocations policy LA1.2.</p> <p>Regard to Primary Shopping Area in Kendal Criteria a- e superseded by Core Strategy policy CS7.5 and Land Allocations policy LA1.2 and DMDPD Policy DM24</p> <p>With regard to Ulverston Primary Shopping Area Criteria a - e superseded by Core Strategy policy CS7.5 and Land Allocations policy LA1.2</p> <p>With regard to Kendal Primary Shopping Area and Ulverston Primary Shopping Area. Criterion f superseded by DMDPD policy DM1</p> | <p>Town Centre, Primary and Secondary Shopping Area boundaries superseded by Land Allocations Policy LA1.2.</p> <p>Regard to Kendal Primary Shopping Area – Criteria a-e superseded by CS7.5 and LA1.2 – provide policy for assessing location of uses in Primary Shopping Area and in addition Policy DM24.</p> <p>Regard to Ulverston Primary Shopping Area – criteria a-e superseded by CS7.5 and LA1.2.</p> <p>DM1 provides criteria supersedes criterion f for both Kendal and Ulverston primary shopping areas.</p> |
| R9 Non-Retail Uses in Minor Shopping Areas | <p>Superseded by National Planning Policy, Core Strategy CS7.5 and also Land Allocations LA1.2</p> <p>Criterion a, b and c also superseded by DMDPD policy DM1</p> <p>With regard to Kendal, criterion c superseded also by DMDPD policy DM24</p> | <p>CS7.5 and LA1.2 provide policy basis on which to determine proposals for use of ground floor premises within the defined town centres. In addition Policy DM24 applies with respect to Kendal – supersedes criterion c.</p> <p>DM1 also supersedes criteria a, b and c.</p> <p>*Note no secondary shopping areas are defined within SLDC; only primary shopping areas.</p> |

| Saved and extended Local Plan Policy | Superseded Policies (if any) | Explanation |
|---|---|--|
| R10 Hot Food Takeaways in Primary Shopping Areas | Superseded by DMDPD policy DM22. | DM22 criteria for assessing hot food takeaways. |
| R11 Hot Food Takeaways in Secondary Shopping Areas | Superseded by DMDPD policy DM22. | DM22 criteria for assessing hot food takeaways. |
| R12 Hot Food Takeaways in Residential Areas | Superseded by DMDPD policy DM22. | DM22 criteria for assessing hot food takeaways. |
| R13 Amusement Arcades | Superseded by DMDPD Policy DM1 and Core Strategy policy CS7.5 and Land Allocations DPD policy LA1.2 | Policy DM1 provides criteria for assessing impacts of Amusement Arcades. Core Strategy CS7.5 and LA1.2 provide policy criteria for assessing location of Amusement Arcades. |
| T2 Conversion of Buildings to Hotels and Serviced Accommodation | Superseded by Core Strategy policies CS1.1 and CS7.6 and DMDPD policies DM1 and DM16 | Policy DM1 provides general criteria Policy DM16 provides criteria for assessing conversion of buildings to hotels and serviced accommodation in the open countryside (outside Service Centres and the scope of policy DM13 on Development in Small villages and Hamlets) Policy CS1.1 and CS7.6 provide general non-specific criteria for assessing tourism development more generally. |
| T2a Retention of Holiday Accommodation in Grange-over-Sands | Deleted not replaced | Policy no longer considered to be required/or of relevance. Policy deleted on adoption of DMDPD. |
| T4 Self-catering accommodation outside development boundaries | Superseded by DMDPD policies DM1, DM2 and DM18 and Land Allocations DPD policy LA1.1 and CS7.6 | DM1 and DM2 provide general criteria to apply in addition to DM18. DM18 provides criteria for considering self-accommodation proposals new build outside of development boundaries. LA1.1 and CS7.6 also provide relevant non-specific criteria. |

| Saved and extended Local Plan Policy | Superseded Policies (if any) | Explanation |
|---|---|---|
| T6 Caravan Site Development outside the Arnside-Silverdale AONB | Superseded by DMDPD policy DM18 | DM18 sets criteria for assessing caravan development outside the Arnside – Silverdale AONB. |
| T7 Extensions to Caravan Park Developments' Open Season' | Superseded by DMDPD policy DM18. | DM18 sets criteria for consideration of extensions to caravan park developments' open season. |
| T8 Tented Camping Sites | Superseded by DMDPD policy DM18. | DM18 sets criteria for considering tented camping sites. |
| T9 Camping Barns | Superseded by DMDPD Policies DM1 and DM16 and Core Strategy policies CS1.1, CS1.2 and CS7.6 | DM1 sets general criteria for Consideration DM16 sets criteria consideration of conversion of buildings in open countryside (outside Service Centres and the scope of policy DM13 on Development in Small villages and Hamlets). CS1.1, CS1.2 and CS7.6 also apply. |
| C3 Agricultural Land | Deleted not replaced | Covered by provisions of National Policy (NPPF Paragraph 112) |
| C5 External Lighting | Superseded by DMDPD policy DM2. | DM2 sets policy criteria for considering applications requiring external lighting. |
| C6 Sites of International Nature Conservation Importance | Superseded by DMDPD policy DM1 and DM4 National Planning Policy also applies. | DM1 and DM4 provide appropriate criteria for addressing proposals that may affect sites of international nature conservation importance. Provisions of National Policy also applies. |
| C7 National Sites | Superseded by Core Strategy Policy CS8.4 and DMDPD policy DM1 and DM4 | DM1 provides appropriate criteria for addressing proposals that may affect sites of national nature conservation importance. Provisions of National Policy and CS6.4 also apply. |

| Saved and extended Local Plan Policy | Superseded Policies (if any) | Explanation |
|---|--|---|
| C11 Tree Preservation Orders | Superseded by DMDPD policy DM4 | DM4 sets criteria for assessing proposals affecting trees subject to a TPO. |
| C15 Listed Buildings and their Settings | Superseded by DMDPD policy DM3 | DM3 sets out a policy approach towards listed buildings and their settings, and builds on Core Strategy CS8.6. |
| C16 Control of Development affecting Conservation Areas | Superseded by DMDPD policy DM3 | DM3 sets out approach towards Conservation Areas, and builds on Core Strategy CS8.6. |
| C18 Satellite Dishes | Superseded by DMDPD policy DM3 | DM3 sets out approach towards Conservation Areas. Policies DM1 and DM2 also apply |
| C19 Sites of Archaeological Interest | Superseded by DMDPD policy DM3 and application of Core Strategy policy CS8.6 | DM3 sets out approach towards Sites of Archaeological Interest, and build on Core Strategy CS8.6. |
| C20 Historic Landscapes | Superseded by DMDPD policy DM3 and DM4 | DM3 sets out approach towards Historic Landscapes, and builds on Core Strategy CS8.6. DM4 sets out approach to green infrastructure. |
| C21 Derelict Land | Deleted not replaced | National Policy provisions (NPPF) apply to the approach to Derelict Land. |
| C23 Tidal and River Defences | Superseded by DMDPD policies DM4 and DM6 | DM4 sets out the approach to Green Infrastructure. DM6 sets out the approach to Tidal and River Defences – policy criteria to apply. |
| C24 Watercourses and Coastal Margins | Superseded by DMDPD policy DM6 | DM6 sets out approach to Watercourses and Coastal Margins and policy criteria to apply. |
| C26 Wind Energy | Superseded by DMDPD policy DM21 | DM21 sets out approach to Wind Energy development and other forms of renewable energy development and policy criteria to apply. |

| Saved and extended Local Plan Policy | Superseded Policies (if any) | Explanation |
|--|--|--|
| C28 Hydro Electricity | Superseded by DMDPD policy DM21 | DM21 sets out approach to Hydro Electricity development and other forms of renewable energy development and policy criteria to apply. |
| C29 Slurry | Superseded by DMDPD policy DM21 | DM21 sets out approach to Slurry development and other forms of renewable energy development and policy criteria to apply. |
| C30 Solar Power | Superseded by DMDPD policy DM21 | DM21 sets out approach to Solar Power development and other forms of renewable energy development and policy criteria to apply. |
| C31 Cumulative Impact of Renewable Energy projects | Superseded by DMDPD policy DM21 | DM21 sets out approach to renewable energy development and policy criteria to apply. |
| L5 Village Halls | Superseded by DMDPD policies DM1 and DM2 | DM1 and DM2 policy criteria to apply to proposals involving use of village halls including their conversion. Core Strategy CS9.1 also applies regarding principle of use of community facilities. |
| L6 Golf Courses and Driving Ranges within the AONB. | Superseded by DMDPD policies DM1, DM2, DM3 and DM4 | Non-specific policy on golf courses and driving ranges required only; policies DM1, DM2, DM3 and DM4 apply. Policy DM5 and DM6 also of relevance. Core Strategy CS8.2 also applies. |
| L7 Golf Courses and Driving Ranges elsewhere (outside of AONB) | Superseded by DMDPD policies DM1, DM2, DM3 and DM4 and application of Core Strategy policy CS8.2 | Non-specific policy on golf courses and driving ranges required only, policies DM1, DM2, DM3 and DM4 apply. Policy DM5 and DM6 also of relevance. Core Strategy CS8.2 also applies. |

| Saved and extended Local Plan Policy | Superseded Policies (if any) | Explanation |
|---|---|---|
| L8 Provision of Club Houses and Car Parking | Superseded by DMDPD policies DM1, DM2, and DM9 (parking) | DM9 sets out approach to car parking development. Other aspects of policy – DM1 and DM2 provide relevant criteria. |
| L9 Equestrian Development | Superseded by DMDPD policy DM19. | DM19 sets out approach to equestrian development and policy criteria to apply. |
| L10 Rights of Way | Superseded by DMDPD policies DM4 and DM5 | DM5 sets out approach to development affecting rights of way and policy criteria to apply. DM4 sets out approach to green infrastructure. |
| L11 Disused Railway Lines | Superseded by DMDPD policies DM4 and DM10 | DM10 sets out approach to safeguarding of land for future transport infrastructure improvements including protection and re-use of disused railway lines. DM4 sets out approach to green Infrastructure. |
| L12 Lancaster Canal | Superseded by DMDPD policies DM4 and DM10 | DM10 sets out approach to safeguarding of land for future transport infrastructure improvements including safeguarding of Lancaster Canal. DM4 sets out approach to green infrastructure. |
| Tr2 Safeguarding Land for Transport Infrastructure Improvements | Superseded by DMDPD policy DM10 – schemes not identified. | No reservations at present time. DM10 sets out approach to safeguarding of land for future transport improvements, but no schemes are identified other than protection of Lancaster Canal. |
| Tr5 Town Centre Car Parking | Superseded by DMDPD policy DM9 | DM9 sets out approach to provision of car parking in new development and policy criteria to apply. |

| Saved and extended Local Plan Policy | Superseded Policies (if any) | Explanation |
|--|---|--|
| Tr6a Disabled Access and Parking Arrangement | Superseded by DMDPD policies DM2 and DM9. | DM9 sets out approach to provision of car parking in new development and policy criteria to apply. DM2 sets out policy criteria to ensure high quality design is achieved in new Development. |
| Tr9 Better ways to School | National Planning Policy applies and superseded by Core Strategy policy CS10.1 and DMDPD Policy DM5 | DM5 sets approach to routes providing pedestrian and cycle access. CS10.1 sets approach to accessing services including schools. |
| S2 South Lakeland Design Code | Superseded by DMDPD policy DM2. | DM2 sets approach to design and policy criteria to apply. |
| S3 Landscaping | Superseded by DMDPD policy DM4. | DM4 sets out the requirements for a holistic approach to new Green Infrastructure. DM2 also of relevance. |
| S4 Important Open Space Kendal Canal Head Area | Kendal Canal Head Area – Superseded by DM DPD Policy DM24 | DM DPD identifies open space for protection within the Kendal Canal Head Area. Provisions of Land Allocations Policy LA1.10 will apply. |
| S10 Parking Provision in new Development | Superseded by DMDPD policy DM9. | DM9 sets out approach to provision of car parking in new development and policy criteria to apply. |
| S12 Crime and Design | Superseded by DMDPD policy DM2. | DM2 sets out approach to design and policy criteria to apply with regard to crime and design. |
| S13 Security Measures in Town Centres | Superseded by DMDPD policy DM2. | DM2 sets out approach to design and policy criteria to apply with regard to security measures and crime. |
| S14 Shop Fronts | Superseded by DMDPD policies DM2 and DM20. | DM2 sets out approach to design and policy criteria to apply. DM20 sets out approach to advertisements, signs and shopfronts and policy criteria to apply. |

| Saved and extended Local Plan Policy | Superseded Policies (if any) | Explanation |
|--|---|--|
| S15 External Blinds | Superseded by DMDPD policy DM2. | DM2 sets out approach to design and policy criteria to apply with regard to external blinds. |
| S16 External Cashpoint Machines | Superseded by DMDPD policy DM1 and DM2. | DM1 and DM2 set relevant policy criteria to apply to consideration of external cashpoint machines. |
| S18 Trees Close to Buildings | Superseded by DMDPD policy DM4 and application of BS5837. | DM4 sets approach to trees and relevant policy criteria to apply. Also application of BS5837. |
| S19 Percent for Art | Deleted not replaced | No longer consider necessary to have a policy seeking a percentage for art in new development. |
| S20 Control over Advertisements | Superseded by DMDPD policy DM20 | DM20 sets out approach to control of advertisements and policy criteria to apply. |
| S21 Areas of Special Control of Advertisements | Superseded by DMDPD policy DM20 | DM20 sets out approach to areas of special control of advertisements and policy criteria to apply. |
| S22 Advance Directional Signs | Superseded by DMDPD policy DM20 | DM20 sets out approach to advance directional signs and policy criteria to apply |
| S23 Agricultural Buildings | Superseded by DMDPD policy DM25. | DM25 sets approach to agricultural buildings and policy criteria to apply |
| S24 Temporary Buildings | Deleted not replaced | No longer necessary to include a specific policy relating to temporary buildings |

| Saved and extended Local Plan Policy | Superseded Policies (if any) | Explanation |
|---|--|--|
| S26 Sewage Treatment and Disposal | Superseded by DMDPD policies DM1, DM6 and DM7. | DM6 sets approach to flood risk and consideration of foul drainage, treatment and disposal and policy criteria to apply. DM7 sets approach to consideration of contamination and pollution, water quality issues and policy criteria to apply. DM1 also of relevance regarding infrastructure provision. |
| S27 Overhead Lines | Superseded by DMDPD policy DM2 | DM2 sets approach to design and policy criteria to apply – of relevance to consideration of overhead lines |
| S28 Telecommunication Masts and Equipment | Deleted and not replaced outside of Arnside and Silverdale AONB area | National Policy provides relevant criteria for assessing telecommunication masts and equipment outside of AONB. |
| S29 Waste Recycling Facilities | Superseded by DMDPD policies DM1 and DM2 and Core Strategy CS8.9 | DM1 and DM2 provide appropriate criteria for assessing waste recycling facilities. CS8.9 also applies National policy also applies. |

Core Strategy Policies

| Core Strategy Policy | Superseded Policies (if any) | Explanation |
|--------------------------------|---|---|
| CS1.2 The Development Strategy | To be superseded as a whole by Single Local Plan 2016-2036 DMDPD Policy DM13 supersedes element of CS1.2 and supporting paragraph 2.25 relating to 'infilling and rounding off' housing development on the edge of small villages and hamlets' except within the AONB | Single Local Plan 2016-2036 will review development strategy and include new policy as necessary. Policy DM13 updates approach to infilling and rounding off housing development on the edge of small villages and hamlets. Policy CS1.2 to be applied in conjunction with Development Management DPD policies – particularly DM12, DM13, DM15, DM16, DM17, DM18, DM19, DM22 and DM25 |
| CS6.4 Rural Exceptions Sites | Superseded by DMDPD policy DM14 | Single Local Plan 2016-2036 will review this policy and include new one as necessary. Development Management Policies DPD DM14 replaces the policy to take account of national policy in paragraph 54 of NPPF and the Housing and Planning Act 2016. |
| CS6.5a Gypsies and Travellers | Superseded by DMDPD policy DM26 | Policy DM26 updates the approach to determining planning applications or allocation of sites to meet the accommodation needs of Gypsies, Travellers and Travelling Show People. Single Local Plan 2016-2036 will review this policy and include new one as necessary |

| Core Strategy Policy | Superseded Policies (if any) | Explanation |
|-------------------------------|---------------------------------|---|
| CS6.5b Travelling Show People | Superseded by DMDPD policy DM26 | Policy DM26 updates the approach to determining planning applications or allocation of sites to meet the accommodation needs of Gypsies, Travellers and Travelling Show People. Single Local Plan 2016-2036 will review this policy and include new one as necessary. |

Glossary

Adoption - The final confirmation of a development plan (Local Plan) or Local Development Document and its status as part of the statutory development plan by a Local Planning Authority (LPA).

Affordable Housing - Housing, whether for rent, shared ownership or outright purchase, provided at a cost considered affordable in relation to incomes that are average or below average, or in relation to the price of general market housing.

Aged or veteran tree – A tree which, because of its great age, size or condition is of exceptional value for wildlife, in the landscape, or culturally.

Agriculture - Defined by Section 336(1) of the Town and Country Planning Act 1990 as including: horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or furs, or the purpose of its use in the farming of land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes.

Air Quality Management Areas – Areas designated by local authorities because they are not likely to achieve national air quality objectives by the relevant deadlines.

Allocated Land - Land identified in a development plan as appropriate for a specific land use.

Amenity – This refers to positive element(s) that contribute to the overall character or enjoyment of an area. For example, open land, trees, historic buildings and the inter-relationships between them, or less tangible factors such as tranquillity can all be considered as an amenity asset.

Ancient Monument - A structure regarded by the Secretary of State for Culture, Media, and Sport as being of national importance by virtue of its historic, architectural, traditional or archaeological interest. Scheduled Ancient Monuments are listed in a schedule compiled under the requirements of Section 1 of the Ancient Monuments and Archaeological Areas Act, 1979.

Ancient Woodland - An area of woodland that has had a continuous cover of native trees and plants since at least 1600 AD, having neither been cleared nor extensively replanted since then. This date is adopted as marking the time when plantation forestry began to be widely adopted and when evidence in map form began to become available.

Biodiversity – The whole variety of life on earth. It includes all species of plants and animals and the ecosystems and habitats they are part of.

BRE Environmental Assessment Method (BREEAM) – A voluntary measurement rating for green buildings that was established in this country by the Building Research Establishment.

Brownfield Land (previously-developed land) - Land that is or was occupied by a permanent structure (excluding agricultural or forestry buildings), and associated fixed surface infrastructure. The definition covers the curtilage of the developed land. Previously-developed land may occur in both built-up and rural settings. The definition includes defence buildings and land used for mineral extraction and waste disposal where provision for restoration has not been made through planning condition or legal agreement. Domestic gardens are not classified as previously developed land.

Caravan Development – The creation, extension or adaptation of land which is used for the purposes of accommodating both static and/or touring caravans. The legislative definition can also include chalets which are used for temporary periods for leisure uses. This can also include development which is ancillary to the purpose of using caravans, including toilet blocks, laundry and shower blocks and other associated infrastructure.

Coastal Change Management Area – An area identified in Local Plans as likely to be affected by coastal change (physical change to the shoreline through erosion, coastal landslip, permanent inundation or coastal accretion).

Contaminated Land - Land that has been polluted or harmed in some way making it unfit for safe development and usage unless cleaned.

Core Strategy - A key Local Plan document setting out the spatial vision, strategic objectives and the planning framework for an area, having regard to the Community Strategy.

Daylighted - redirection of a stream into an above-ground channel.

Development - Development is defined under the 1990 Town and Country Planning Act as "the carrying out of building, engineering, mining or other operation in, on, over or under land, or the making of any material change in the use of any building or other land". Most forms of development require planning permission (see also "permitted development").

Extra Care Housing - Extra Care Housing is housing designed with the needs of frailer older people in mind and with varying levels of care and support available on site. People who live in Extra Care Housing have their own self-contained homes, their own front doors and a legal right to occupy the property. Extra Care Housing is also known as very sheltered housing, assisted living, or simply as 'housing with care'. It comes in many built forms, including blocks of flats, bungalow estates and retirement villages.

Flood Risk Assessment - An assessment of the likelihood of flooding in a particular area so that development needs and mitigation measures can be carefully considered.

Greenfield Land/Site - Land (or a defined site), usually farmland, that has not previously been developed. Domestic gardens are not classified as previously developed land.

Green infrastructure – A network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.

Gypsies and Travellers - Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.

Habitats Regulations Assessment (HRA) – Assesses the impacts of plans or projects on Natura 2000 sites (these are Special Areas of Conservation (SAC) and Special Protection Areas (SPA)). National guidance recommends that Ramsar sites and candidate SPAs and SACs are also afforded the same protection through the Habitats Regulation Assessment process.

Heritage asset – A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).

Historic Environment – All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora.

Infill development - Building taking place on a vacant plot in an otherwise built-up street frontage.

Local Development Document (LDD) - These include Local Plans (which form part of the statutory development plan) and Supplementary Planning Documents (which do not form part of the statutory development plan).

Local Geological Sites (LGS) (formally known as Regionally Important Geological Sites or RIGS) - are non-statutory sites that have been identified by local geo-conservation groups as being of importance. By designating a Local Geological Sites, the features identified then become a material consideration in any future development.

Local Plan - A document setting out the Local Planning Authority's policies and proposals for the development and use of land and buildings in the authority's area-prepared under the Planning & Compulsory Purchase Act 2004. Local Plan documents include the Core Strategy, Land Allocations and, where needed, other documents such as Development Management Policies or documents covering specific topics or areas such as Gypsies and Travellers and Kendal Canal Head. There will also be an adopted Policies Map, which illustrates the spatial extent of policies. The Policies Map must be prepared and maintained to accompany all Local Plans. All Local Plan documents must be subject to rigorous procedures of community involvement, consultation and independent examination, and adopted after receipt of the Inspector's report. Once adopted, Development Control decisions must be made in accordance with them unless material considerations indicate otherwise.

Local Planning Authority (LPA) - The local authority or Council that is empowered by law to exercise planning functions, usually the local borough or District Council. National parks and the Broads authority are also considered to be Local Planning Authorities. County Councils are the authority for waste and minerals matters.

Main town centre uses – Retail Development (including warehouse clubs and factory outlet centres); leisure, entertainment facilities the more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, night-clubs, casinos, health and fitness centres, indoor bowling centres, and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities.

Material Consideration - A matter that should be taken into account in deciding a planning application or an appeal against a planning decision.

Mitigation - Measures to avoid reduce or offset significant adverse effects.

Multi-user routes – Multi-user routes these comprise higher PROW – bridleways (foot, bicycle, horse), restricted byways (as bridleways plus carriage drivers), BOATS (byways open to all traffic – as restricted plus motorised vehicles), unsealed unclassified country roads (UUCRs) and other multi-purpose-built routes (e.g. along abandoned railways) plus surfaced roads that are safe to use as part of the network or to access it.

National Planning Policy Framework (NPPF) – A document that has been prepared by the Government which has replaced all previous National Planning Policy contained within Planning Policy Statements (PPSs) and Planning Policy Guidance (PPGs).

National Planning Practice Guidance (NPPG) – Revised and continuously updated planning practice guidance produced by the government.

Objective - A statement of what is intended, specifying the desired direction of change in trends.

Plan-Led System - Decisions on planning applications should be made in accordance with the adopted Local Plan, unless there are other material considerations that may indicate otherwise.

Planning & Compulsory Purchase Act 2004 - The Act updated elements of the 1990 Town & Country Planning Act and introduced:

- A statutory system for regional planning.
- A new system for local planning (the LDF).
- Reforms to the development control and compulsory purchase and compensation systems.
- Removal of crown immunity from planning controls.

Planning Portal - A national website provided by the government for members of the public, Local Planning Authorities and planning consultants. [The Planning Portal](#) features a wide range of information and services on planning.

Previously Developed Land - See Brownfield Land.

Registered Social Landlord (RSL) - Technical name for a body registered with the Housing Corporation. Most Housing Associations are RSLs. They own or manage some 1.4 million affordable homes, both social rented and intermediate.

Renewable Energy - Renewable energy is energy flows that occur naturally and repeatedly in the environment, for example from the wind, water flow, tides or the sun.

Rounding Off - Completion of an incomplete group of buildings on land that is already partially developed in a way that will either complete the local road pattern or finally define and complete the boundaries of the group (Core Strategy Paragraph 2.24).

Saved Local Plan Policies - Policies in Local Plans that remain in operation pending production of replacement Local Development Documents.

Self-build Housing - Housing built or commissioned by an individual, group of individuals or community, either directly on a DIY and subcontracting basis or through the involvement of self-build package companies, builders or contractors.

Site of Special Scientific Interest (SSSI) - A site identified under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) as an area of special interest by reason of any of its flora, fauna, geological or physiographical features (basically, plants, animals, and natural features relating to the Earth's structure).

Special Area of Conservation (SAC) - Areas designated under the European Union Habitat Directive. They provide increased protection for a variety of wild animals, plants and habitats and are a vital part of the global effort to conserve world biodiversity.

Special Protection Area (SPA) - An area containing an assemblage of breeding populations of rare birds at a level of European significance, designated under EC Directive 79/409.

Specific Consultation Bodies / Statutory Bodies - These are bodies that must be consulted on Local Plans and planning applications.

Statement of Community Involvement (SCI) - The Statement of Community Involvement sets out the processes to be used by the local authority in involving the community in the preparation, alteration and continuing review of all local development documents and in the consideration of planning applications. The Statement of Community Involvement is an essential part of the Local Plan.

Strategic Environmental Assessment (SEA) - Formal process to anticipate the likely significant environmental effects (including cumulative environmental effects) of implementing a plan and its reasonable alternatives with a view to avoiding, reducing or offsetting any negative impacts. See Sustainability Appraisal.

Strategic Flood Risk Assessment (SFRA) - The assessment of flood risk on a catchment-wide basis.

Sub-Regional Housing Market Areas - Geographical areas within which there are clear links between where people live and work. These areas can be defined by the patterns of household movement. These patterns are influenced by factors such as proximity to family, friends, employment, education and other facilities, and are likely to operate across Local Planning Authority boundaries.

Supplementary Planning Document (SPD) - A document that may cover a range of issues, thematic or site-specific, and provide further detail about policies and proposals in a 'parent' Local Plan.

Sustainability Appraisal (SA) - Formal, systematic and comprehensive process of evaluating the environmental, social and economic impacts of a plan, policy or programme or its alternatives. The SA process incorporates the SEA process.

Sustainable Drainage System - Current "best practice" for new development that seeks to minimise the impact on drainage systems e.g. through the use of pervious areas within a development to reduce the quantity of runoff from the site.

Town and Country Planning (Use Classes) (Amendment) (England) Order 2015 – This puts uses of land and buildings into various categories known as 'Use Classes'. The Order is periodically amended.