

Draft response to Heversham and Hincaster Neighbourhood Plan

Section	Comment
	Key Comments
Throughout	It will be important as the neighbourhood Plan Group moves the Plan to the next stage (submission) to keep in mind the need to fully meet the Basic Conditions and provide a Basic Conditions Statement.
Throughout	The document is well presented and generally clearly and simply written
Throughout	Several points will need updating to reflect current position at next stage.
Throughout	Be aware of the need for 'future proofing' – many references / statements in the document will quickly become out of date e.g. para. 4.9 final three paragraphs. Slight changes of wording would avoid this in most instances. E.g references to Core Strategy policy – better to refer to <u>planning policy in South Lakeland</u>
1.4 and 3.1	A Consultation Statement will need to be prepared to summarise the issues from informal and formal consultations undertaken during the process and to make clear how the feedback received at each stage has informed and amended the plan – this is a formal requirement at Submission stage.
3.6	Is there a need for evidence for options considered? May be helpful to be more explicit about options consider and discounted and why.
3.7	We welcome the recognition of there being a 'distinctive character' to the plan area (3.5) and the strong commitment shown to maintaining a 'sense of place' and so it is a surprise that, given the recognition of such values, that evidence does not appear to have been collected on the importance of an historic environment that contains 26 listed buildings, a conservation area and a scheduled ancient monument. No reference is made of the County Historic Environment Record (HER) or of the Conservation Area Character Appraisal that has been adopted for Heversham.
3.9	Need to be clear that the community objectives do not comprise planning policies.
HH1 A	We wonder if the final sub section might read "it preserves (or safeguards) and/or enhances the pattern and characteristics of the existing settlements and heritage assets, including their settings" as this would better relate the policy to the statutory duty of the relevant legislation. The other alternative could be to include a specific heritage section or a sub-policy – the latter perhaps with wording along the following lines: " <i>Development affecting heritage assets must pay special regard to the need to conserve and enhance their settings and any special architectural</i>

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	<i>or Historic features that contribute to their significance".</i> Polices could then be included to protect important spaces, views etc.
HH1 B	How is the 'contributes to' but different from the 'strengthening' bit? Does it need both? If not, could there be more clarity re the difference? Is it the sense of place that is being contributed to? How? What sort of thing would constitute a contribution?
HH1 C	Considered unreasonable to expect all developments to do this e.g. how could a renewable energy development enhance connectivity? Suggest re-word to read 'It supports the sustainability and, where relevant, connectivity of the settlements and the amenities within them, and'
4.5	Suggest remove reference to a 'ceiling' and refer instead to 'the policy will seek to ensure that the size of new developments is appropriate to the local context'.
4.5 / HH2	Suggest point out that identifying needs at a very local level is not easy and refer to <ul style="list-style-type: none"> • the housing needs study • the overall housing targets. Also of benefit might be to point out that the <ul style="list-style-type: none"> • Local Plan sets an overall target of 622 dwellings in the rural area around Kendal outside main settlements between 2003 and 2025; • That 44 of these are expected to be delivered in the AONB; • That after completions to 2013 are deducted, this figure drops to 393 • Heversham Parish represents 8.4% of dwellings in this area and Heversham 2.2%. • If the requirement is delivered pro-rata this would indicate an expectation of 33 dwellings in Heversham and 9 in Hincaster or 42 within the neighbourhood plan area. Justification for the phasing approach should be set out.
HH2	<ul style="list-style-type: none"> • Remove reference to 'A maximum of'. • Policy needs to be set out a bit more clearly to demonstrate how the expected numbers have been arrived at having regard to existing consents (including transparency as to how the Greenside approval has been/will be taken into account in the calculations and what this means for the expected numbers of new dwellings) or supplemented by a Table along the lines of <ul style="list-style-type: none"> - Total from existing consents (about 25) - Total from new approvals on small sites 2015-20 (15) - Total from new approvals on small sites 2020-25 (15) - Making total delivery within the plan period c.55 dwellings – well in excess of what would be required to make a

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	<p>proportional contribution to needs identified in the Local Plan</p> <ul style="list-style-type: none"> • May also need to factor in that not all consents will be implemented. • Any limit needs to be couched in terms of 'plan, monitor, manage', so that if there is under-delivery in one phase there will need to be compensatory approvals in later phases. • May not be necessary to prescribe exactly how much happens in Hincaster and how much in Heversham. There is an argument to be made that with the existing Greenside approval, Hincaster is already making a disproportionately high contribution and moreover is a significantly less sustainable location than Heversham – i.e. might say 15-20 dwellings will be delivered during the first period and a further 15-20 in the second – this will take into account under or over provisions in either phase and be less rigid as to how many and which part of the Neighbourhood Plan area they are in. • Could be helpful to be more explicit that there is flexibility in the specific figures referred to i.e. if there is "clear and quantifiable evidence of additional need". It might also be useful to cross-reference HH7 and the flexibility offered through that policy.
4.6	Might be helpful to clarify exactly what is meant by "integrate into the existing footprint".
4.7	Is the reference to the lack of properties under £200,000 based on evidence of average recent sales values? Might be better to refer to homes generally being unaffordable for local people, especially younger people and those on lower incomes (not specifically couples).
HH3	May be beneficial to include a reference within the policy to Starter Homes and Self-build
HH3 A	Amend wording of part A to remove reference to limiting and instead frame the policy more positively and flexibly e.g. 'development proposals will be expected to be proportionate and reflect the grain and scale of existing settlements; this will normally mean developments of 6 or fewer properties'. It might also be useful to cross-reference HH7 and the flexibility offered through that policy.
HH3 A	Suggest need to define 'cumulative developments' as in "Development proposals that would result in cumulative developments within the life of the Neighbourhood Plan will not be supported". Suggest it might be preferable to instead say something like "Development proposals that would result in <i>or contribute to adverse</i> cumulative developments <i>impacts</i> within the life of the Neighbourhood Plan will not be supported".

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HH3 B	<p>With regard to development that might affect the setting of heritage assets reference might usefully be made the need to use to <u>GPA Note 3 The Setting of Heritage Assets</u> when assessing impact.</p> <p>Should not refer specifically to an LVIA. This is a technical term with specific requirements that cannot be amended to make it proportionate to different developments. Suggest refer instead to '....proportionate assessment of landscape impacts....'</p>
HH3 C	<p>Expecting affordable housing contributions from very small developments e.g. 1 / 2 houses, may not be viable and is not required by SLDC policy</p>
HH3 D	<p>Focus should be on providing a mix of different types, tenures and sizes of home to meet a range of needs so that people can move within the area to different types of home as their needs change rather than specifically encouraging or requiring smaller (cheaper) homes to be extended (and thus made more expensive and removing the provision of the smaller, cheaper housing).</p>
HH3 F	<ul style="list-style-type: none"> • Would be beneficial to include in the supporting text some explanation and justification to explain this approach, which is beyond CS1.2. • Would be helpful to define 'settlements' and perhaps provide a list of the settlements that are considered to fit the definition. • The policy needs to be clear that proposals will need to be well-related to one of the named/defined settlements, must not lead to coalescence and should not result in isolated developments in the open countryside.
HH4	<p>Propose that the supporting text make clear for avoidance of doubt that policy HH4 does not seek to prevent residential conversion of traditional farm buildings to residential or other uses which are within Local Plan and national policy (or permitted development rights).</p>
HH4 - 1B	<p>While supporting the broad direction/intention of this policy, it is considered that setting a size threshold and criteria for developments over 100m² may be too restrictive e.g. there may be development proposals that do not fit the criteria but that are otherwise acceptable – they may also have good road access and relate well to existing built uses (of any type). It is noted however that HH7 again essentially does provide some flexibility for this policy.</p> <p>It may nevertheless be helpful to consider re-wording B. Suggested alternative wording is as follows: 'Consideration of proposals for larger employment developments in particular should take into full account the suitability of access to the road network for the scale and proposed use(s) and the relationship the development would have with the existing built</p>

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	<p>form and existing commercial/employment uses'. Need to be clear however what is defined here as 'commercial development' or 'employment development'? Does commercial development include farm steads / agricultural buildings? Clarification needed – B uses only?</p>
HH4 2 and 3	<p>Many of these types of development no longer require planning permission. Suggest add reference at the top of the relevant sections of the policy to "Where planning permission or prior approval is required..." We also wonder if an alternative wording of "In the case of listed buildings, their protected status need not be a barrier to a successful change of use provided that a suitable and sympathetic conversion scheme is proposed that is consistent with the conservation of their particular significance".</p>
HH4 – 3	<p>'Not at odds with' is hard to define. Also, the bullet points do not all follow on from the start of the sentence – suggested change could be as indicated below: Redevelopment of farm buildings, and change of use of other existing buildings for employment use will be supported where it does not cause any unacceptable impact on:</p> <ul style="list-style-type: none"> • Negatively impact the character of the area or the visual amenity of residents, and or • Negatively impact the road and access network, and or • It is substantially within exceed the same footprint of the existing building, and or • The proposed building is not at odds with negatively impact the general character of the area <p>OR – better still, to be more positively worded: Redevelopment of farm buildings, and change of use of other existing buildings for employment use will be supported where it does not cause any unacceptable impact on:</p> <ul style="list-style-type: none"> • is sympathetic to and enhances the character of the area or the visual amenity of residents, and • supports the safe and appropriate use of the road and access network, and • It is substantially within the footprint of the existing building, and • The proposed building is not at odds with sympathetic to and enhances the general character of the area <p>How would agricultural / farm building conversions to residential be dealt with? What about demolitions and re-developments of farm buildings?</p>
HH5	<p>Might be useful to define what the / an' immediate' location and 'immediate' environment is. Also, in planning and urban design terms 'vista' is specifically used to describe a narrow or enclosed</p>

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	view of something, and not a broad or panoramic view. An alternative wording might be something like "have an adverse effect on the character or appearance of the immediate location, including any significant views.
HH6	<ul style="list-style-type: none"> Policy HH1 as a whole appears to relate to (mainly) housing development within or related to settlements. It may not be necessary or appropriate for some forms of development, including renewable energy development, to meet criteria B (strengthen sense of place) or C (improve the connectivity of settlements). Propose that policy HH6 relates to criteria A and D of policy HH1 only.
HH7	<p>This policy provides welcome flexibility for policies HH2, HH3 and HH4, albeit it is rather unusual and appears to seek to give the weight of policy to all future comments by the Parish Council in this context. It would be more appropriate to indicate the need for flexibility in other ways.</p> <p>It might usefully be re-phrased – as below - alternatively more flexibility could be allowed within the relevant policies instead.</p> <p>Suggested possible re-wording:</p> <p>Where the Parish Council/Meeting concludes that a Development that would otherwise be ruled out by a policy in this plan, may be permitted where it meets the general conditions (HH1) and is consistent with the delivery of the vision upon which this plan is based. In such cases, the comments of the Parish Council/Meeting should be given due consideration by the SLDC decision makers in their consideration of the proposal.</p>
5.1	Clarify the status of Community Objectives, which are presumably not intended to be development plan policies. Objectives 4 and 5 go some way to being phrased as planning policies but are presumably not intended as such.
5.2	Might usefully refer instead to CIL being used to support "the delivery of infrastructure, including community facilities, within the parish".
5.3	As above, CIL will be used to deliver identified local infrastructure needs – i.e. might be better to say "...in line with identified local infrastructure needs and the Vision and Policies set out in this Plan".
Objective 1 - B	<p>As above, CIL will be used to support "the delivery of infrastructure (including community facilities) within the parish, in line with identified local infrastructure needs and the Vision and Policies set out in this Plan".</p> <p>In full, the CIL regulations say that the Parish Council can spend CIL on:</p> <ul style="list-style-type: none"> The provision, improvement, replacement, operation or maintenance of infrastructure; or

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	<ul style="list-style-type: none"> Anything else that is concerned with addressing the demands that development places on an area.
Objective 1 - C	<p>If Hincaster Parish meeting is unable or does not wish to spend its proportion of CIL it may wish to nominate a larger Parish / Parish Council (such as Heversham) to administer their CIL funds, but this may require a legal agreement between the two bodies.</p> <p>Otherwise if the Parish Meeting agrees that its proportion of CIL is to be retained by the District Council, SLDC is required to engage with the local community in Hincaster Parish and agree how best to spend the neighbourhood funding.</p>
Appendix 4	Could the number of permissions/completions over the last 5 years be included?

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Throughout	Add page numbers
Throughout	All references to 'This Plan' or 'the Plan' should use a capital 'P'
Front cover	Add publication date
Page entitled "The Process"	<ul style="list-style-type: none"> 'T' and 'A' and 'T' and 'I' in both instances of the word 'consultation' appear too close together Refer to either 'the Council' OR 'SLDC' for consistency, rather than both Final 'flag' add "and the Development Plan once adopted by SLDC" after "If approved by referendum the Plan becomes part of local planning policy"
Map of the Neighbourhood Area	Some parts of map a bit faint – perhaps needs to be clearer
1.1	Line 5 – more accurate to say the Neighbourhood Plan will become a part of the statutory development plan (rather than 'part of the planning process') and also that it will have equal weight in planning policy terms to other Local Plan documents.
1.2	Suggest adding when the Neighbourhood Area was approved (August 2013)
1.3	<ul style="list-style-type: none"> Plan won't be adopted until into 2016 New combined Local Plan expected to be in place by 2021. Plan would not cease to have effect at December 2025 (a neighbourhood Plan does not have to match the timescale of the associated Local Plan). It may be better to say that its policies will continue to guide development until replaced by later Neighbourhood or Local Plan documents.
1.5	<ul style="list-style-type: none"> SLDC will publish for final, formal representations to be made The referendum will most likely just relate to the two parishes of Heversham and Hincaster but this can be extended at the

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	Examiner's discretion. Suggest better to be clear on this.
2.1	Refers to a range of aspects adding "to the biodiversity of the area", but the points listed are primarily landscape matters. Might be better to replace the sentence "All of these add to the biodiversity of the area" with "The area also supports and benefits from a wealth of biodiversity".
2.2	The two canal tunnel portals and a pair of bridges are designated as listed buildings; the associated horse path as a scheduled ancient monument. The tunnel itself is not protected.
2.3	The Threshing barn at Park House and Hincaster Hall are both C16th; For clarification: might read ...located within the designated Heversham Conservation Area
2.10	<ul style="list-style-type: none"> • Begins "At the same time" - as what? Suggest this Phrase is removed and instead simply begin sentence with "The Cumbria Rural Housing Trust..." • Refers to 'below' but referred to item is over the page – suggest instead refer to 'overleaf' (subject to things staying on same pages in next version)
Table 1	Interesting to note the U16 stat is high in Hincaster compared to Heversham and England generally Appendix 4 is referred to but there has been no mentioned of 2 and 3? They should be referred to in the order in which they appear at the back of the document.
3.3	Suggest adding words 'close to' between "...National Parks and..." and "an AONB".
3.5	Should refer to "The Vision for the Plan" rather than "The Group's Vision".
3.9	Penultimate sentence – suggest add "in order to determine planning applications" onto the end of the sentence.
HH1	Not necessary to say, 'within the lifetime of the plan' in the first sentence
4.9	Says changes affecting farmland management are highlighted in section 3 - could not find any reference to this
4.12	'utilizing' is the American spelling – 'utilising'.
HH4 – 1A	<ul style="list-style-type: none"> • Is 'consistent with' the best turn of phrase here? Would 'complementary to' be better? 'Respects' might also be better replaced with 'reflects', 'responds to' or 'integrates with'. • Say 'New employment development' rather than 'New buildings for employment' – what type of employment development – all uses?
4.13	Final sentence - add 'tourism related' between 'for' and 'developments' and replace second instance of 'is' with 'in'
4.16	'hotel' should have a capital 'H'.
4.17	Refers to something being discussed in the 'following' section – better to specify what para./section

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HH5	Might be useful to define what the / an' immediate' location and 'immediate' environment is
4.21	Add 'policies and' before 'guidelines'.
5.2	Instead of "If this Plan is approved" – this para. should be future proofed by referring instead to "From the adoption of this Plan"
5.3	<ul style="list-style-type: none"> • Final sentence – the word 'is' is unnecessary between 'it' and 'be'.
5.6	<ul style="list-style-type: none"> • Lancaster canal should use a capital 'C'. • Just saying 'Tristram's' may mean nothing to anyone who does not live in Heversham – need to say what it is of Tristram's – playing field?
Objective 2	Suggest amending text to also recognise the role of the County Highway Authority in rights of way maintenance and improvement.
Objective 4 - A	<ul style="list-style-type: none"> • Presentation – large gap between "...provision of," and "and accommodation for" • Suggest say 'avoid' rather than 'do not create'
Appendix 4	<ul style="list-style-type: none"> • Household Ownership Type table 'Private' should say 'Private Rented'. • Cars and Vans per household table – do not need to say 'per household' on each line • Transport to work table – Remove the word 'Number' from first cell and make the 'w' a 'W'. • Monitoring - Perhaps say that Appendix 4 will be updated following the 2021 census or as other relevant information becomes available.
Appendices	May be worth including a list of local infrastructure needs (including needs for new community facilities) that CIL might be usefully spent on, including what evidence there is that these are needed.