

Crosthwaite and Lyth Parish Council - Neighbourhood Development Plan

Report for the Parish Council meeting on 06 November 2023

The last Report on progress with the Neighbourhood Development Plan was made to the meeting of the Parish Council on 02 October. At that time, it was reported that LDNPA had been sent Draft Version 4 of the Plan prepared by Louise Kirkup (LK) of Kirkwells as well as the Design Code document completed by AECOM in support of the draft Plan, together with a request for an informal meeting to discuss aspects of the Plan. LDNPA had responded that they hoped to provide comments as soon as possible after 11 October.

That response came by way of 46 written comments from several LDNPA Planning Officers attached to a Word version of the Plan received on 12 October. These comments were specific to proposals in the Plan and are reported on below. In addition, more general observations were received in respect of some queries raised by the Parish Council, and these were dealt with in email responses as follows:

Point Raised by the Parish Council	Comment received from LDNPA
The PC expressed concern that that it is unlikely that the NP can contain a policy allowing the set-up of a Housing Trust to build permanently affordable rentable homes	Setting up a housing trust is not an act of development so I agree that containing a policy would not serve any particular purpose. A policy is not required to set up a housing trust for example. They could include in a policy supporting affordable housing a specific reference to a Housing Trust as well as other registered housing providers.
The PC expressed the desire that the Plan should make provision for to enable the owners of older homes with no Local Occupancy clause to voluntarily impose one. An attempt by a local resident to do so in recent years was defeated.	Again this wouldn't be an act of development so not really something which can be addressed by policy. Nothing to stop individual owners adding covenants to their property restricting occupancy. Something Lakeland Housing Trust are exploring – might be worth contacting them?
The PC queried what may constitute cluster communities	I think there has been appeal decisions which have concluded where some settlements in Crosthwaite and Lyth where it has been concluded that they are not a cluster community.
The PC expressed concern that the Local Plan says that development must be focused on Crosthwaite village - which is an amorphous concept	Any alternative approach to that set out in the Local Plan will need to be justified by evidence. My concern is that a development boundary might be seen by the examining inspector as a tool to restrict development rather than support new, which I don't think is the Group's intention. Hopefully the comments in the document will assist you.
The PC was concerned that new development can't be planned to take advantage of proximity of local services such as transport links	I think this is just an inevitable consequence of the poor public transport in most of our villages, and therefore they shouldn't worry too much about that. Any housing site is likely to be equally poorly served by public transport.

As mentioned above, the majority of observations from LDNPA came in the form of comments appended to V4 (46) and these have been circulated, including to LK. 24 comments, or over 50% relate to Draft Policy CL1 Housing Development under Section 6 of the draft. Some of these are passive observations suggesting amendments to the way the text is written, but others call for greater evidence to support the provisions in the Policy.

I have been through all the comments from LDNPA and presented them in tabular form similar to the table above, but this level of detail is not included as part of this report. These more specific comments made by LDNPA were sent on to LK for her observations and her response on 20 October is a more relevant inclusion in this Report. She said as follows:

“Some of the comments are relatively straightforward to address e.g. where changes to policy and supporting text are proposed with suggested changes to existing wording - for example p10 comments in relation to the vision and objectives. I am happy to make these changes, if the Working Group is comfortable with me doing so.

However there are also a number of comments which require further explanation and / or possible work in order to address them. There are concerns about the proposed use of a different settlement hierarchy from the Local Plan and including The Howe and Row as 'Small Rural Settlements' as they don't quite meet the criteria for cluster communities, but nonetheless have more dwellings and better access to facilities / services than many of the other rural settlements. The NDP Housing Policy (CL1) refers to this and the supporting text sets out information about these settlements to help justify this approach, but there are concerns about conformity with the Local Plan. It was some time ago, but I think the suggestion for the 'small rural settlements' category came from previous comments from the LDNPA (please see comments in blue boxes e.g.). Also some of the comments include questions and do not clearly set out a preferred amendment e.g. 'I like development boundaries but this is not an approach we have taken towards settlements in the LP. Is this a problem?'

Therefore if possible, I would suggest having a meeting with the relevant officers to agree changes / any further work required for the draft NDP to be finalised before Regulation 14 (formal consultation).

Failing this, other LPAs often provide a table / schedule of recommended changes referencing the relevant paragraph, page number / policy, each with a justification explaining the rationale for the change. It would be really helpful if the National Park could do something similar, if a meeting is not a possibility.

As I mentioned before, I am happy to attend such a meeting face to face, or online. However face to face may be preferable to enable better discussion / explanation with members of the Parish Council and myself.

Louise has once again provided a succinct analysis of the current situation and has repeated the belief that a meeting with LDNPA would be the most helpful way forward.

I recommend therefore:

1. That the Parish Council authorises LK to make the changes that address the straightforward comments made by LDNPA as she suggests
2. That we respond to LDNPA on the basis of LK's observations and request a meeting to agree changes / further work on the draft.
3. No formal meeting of the Working Group is necessary for the time being as:
 - a. All members have received the feedback from LDNPA
 - b. The next phase is to have the discussion with LDNPA which LK will lead
 - c. All current progress is being reported in the public domain via these Reports to the Parish Council which are posted on the website
4. We should note that LK is happy to attend such a meeting face to face, or online and she is prepared to do so knowing that there is no additional budget in place for that work.
5. We should however ask her for a fee structure for foreseeable work beyond this and commence a bid for funding in order to retain her expertise for the next phase(s).

Martin Curry, Secretary to the Crosthwaite and Lyth Neighbourhood Plan Working Group

30 October 2023