Mr Neil Henderson  
Development Control  
Lake District National Park Authority  
Murley Moss  
Oxenholme Road  
Kendal LA9 7RL

27 September 2018

Dear Mr Henderson

7/2018/5506: ERECTION OF 5 NO. TWO-STOREY DETACHED DWELLINGS, CREATION OF NEW ACCESS AND PROVISION OF NEW INTERNAL ACCESS ROAD, TURNING HEAD AND LANDSCAPING WORKS, LAND TO REAR OF CROSS HOWE, TOTTER BANK, CROSTHWAITE

Friends of the Lake District (FLD) welcome the opportunity to comment on the above application. We are the only charity wholly dedicated to protecting the landscape and natural environment of Cumbria and the Lake District.

FLD wish to object to this application on the grounds of lack of need, scheme design and lack of information.

Need
Crosthwaite is identified as a village in the Lake District National Park Core Strategy. Core Strategy Policy CS18 states that 60 dwellings need to be built per year across the whole of the Lake District National Park. Policy CS02 states that collectively, the villages are expected to accommodate 20% of all housing developments, equating to 12 per year. If this application is approved, Crosthwaite will have taken (based on a review of planning applications permitted since September 2016) in two years more than the total development expected to be delivered in that time collectively by all villages across the National Park. This is disproportionate and clear overdevelopment, particularly when considered in the context of the proposed allocations for approximately 50 further dwellings (at average densities) set out in the Local Plan review.

There is some uncertainty over exactly what category of housing is being proposed. Para. 6.31 of the Planning Statement accompanying the application states that “the proposals would result in five new affordable dwellings”, meanwhile para. 5.13 states “the proposed development would provide five dwellings for local need” and para. 3.3 refers to occupancy restrictions being secured for the proposed dwellings, however, on the application form ‘market’ housing has been selected in response to Q16 regarding the category of housing proposed. This is confusing at best, and potentially misleading. It is also unclear what is meant by the claim that the proposal will help to “protect local village list”.

Friends of the Lake District  
Murley Moss, Oxenholme Road,  
Kendal, Cumbria LA9 7SS  
Telephone: 01539 720788  
Email: info@fld.org.uk  
Web: www fld.org.uk
CS18 states that “Development proposals on windfall sites for four or more houses must reflect the local affordable need. In these cases a maximum of 3 houses for local need will be allowed” (implying that the remainder should be affordable). 7/2018/5506 is contrary to this in that it appears to propose 5 ‘local need’ dwellings and no affordable dwellings (assuming the references to ‘local needs dwellings’ and occupancy restrictions are the accurate description of this scheme). No off-site affordable contribution is offered. The LDNPA Housing Supplementary Planning Document sets out that in such situations, the Authority must take into account whether there are material planning considerations, including the Written Ministerial Statement of November 2014 (now incorporated into the National Planning Policy Framework (NPPF)), that outweigh CS18.

Whilst we welcome that the proposed dwellings will be subject to local occupancy clauses, it is not clear that this proposal accurately reflects the type of house needed, the level of local affordable needs or indeed that there is a need for the proposed development at all given recent development in Crosthwaite, and therefore it cannot be said that this particular offer of house sizes and types at this location outweighs other material considerations.

The Planning Statement accompanying the application concludes that the proposal meets local needs, but the justification for this repeatedly refers to “demand”, “aspirations” and “preferences” rather than needs. Furthermore, the document uses evidence from a Crosthwaite & Lyth Housing Needs Survey of 2016. It is not clear whether this document exists. The most recent Housing Needs Survey for the Parish to be found on the internet, including on Crosthwaite & Lyth’s own parish website and via the LDNPA website, was published in 2008. It makes clear that 2-bedroomed properties were the most needed. Only one family responding to the survey needed a 4-bedroomed house and they sought a rental property. In any case, the application itself states that the most recent parish and District-level evidence shows that smaller dwellings than those proposed are most needed.

The application also uses evidence in the draft South Lakeland Strategic Housing Market Assessment (SHMA), despite a final version being available since October 2017. Nevertheless, both versions identify that a greater proportion of the dwellings needed in the Kendal Rural area are those with 2-3 bedrooms (77%) rather than 3-4 bedrooms (64%).

Therefore, regardless of whether there is a 2016 Housing Needs Survey or not, and regardless of whether the draft or final SHMA is used, the most recent parish and District-level evidence shows that smaller dwellings than those proposed are most needed.

Ensuring that new development meets genuine needs is particularly relevant in National Parks where the NPPF para. 172 requires that “Great weight should be given to conserving and enhancing landscape and scenic beauty”; that “[t]he conservation and enhancement of wildlife and cultural heritage should be given great weight in National Parks” and that “[t]he scale and extent of development within these designated areas should be limited”. Para. 170 requires that “Planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes...(in a manner commensurate with their statutory status...)”. If the limited sites that can be developed within the requirements of the NPPF are used to deliver housing that does not meet needs, then it will follow that needs will only be met if more sensitive sites (the development of which may conflict with the above NPPF requirements) are developed, meaning that either the need will remain (due to the conflict with National policy) or development will take place that compromises the statutory purpose of National Park designation.
**Landscape Character and Design**

The Planning Statement states that the proposal lies within Area of Distinctive Character 50: Crook, as identified in the Lake District National Park Landscape Character Assessment. However, the application simply lists the characteristics of this Area and makes no attempt to explain how these characteristics relate to, or have informed, the proposals. It makes no reference to the fact that the site also lies within Landscape Type K: Low Fells or to the development guidelines for this Area or Type. Taking the LCA into proper account would result in a better development and indeed, CS25 specifically states that development management must be guided by the LCA.

The LCA identifies: concern over a decline in stone walls and the substitution of traditional boundaries with fences and the resulting need to conserve and repair traditional boundaries; the need to conserve and enhance spaces within villages; the need to conserve and enhance the rural character of the existing road network. In this context, we suggest that the proposed ‘post and wire’ fencing within the site should instead be a stone wall incorporating the recovered stone from the removal of the stone wall boundary at the road frontage. This would help to reflect local character and also reduce habitat loss for species reliant on features such as dry stone walls.

The LCA also identifies “continued pressure for access to water” as a concern for the environment of this area and in the context of this and local reports of ‘water outages’, we are concerned that the 5 proposed dwellings each (both the 3 and 4-beds) have 4 bathrooms, which seems excessive and likely to increase demand for water. The section of the Planning Statement entitled ‘Sustainability’ makes no reference to sustainable water usage/management, or to biodiversity, sustainable transport or energy. Whilst para. 1.3 states that “[a] Policy CS16 Statement is also provided to confirm that the proposals will generate energy from renewable or low carbon sources”, the Policy CS16 statement provides no clarity over how the requirements of CS16 will be met. Possible options, including wind energy and hydroelectricity, are listed but the exact measures remain “subject to a detailed design”. We suggest that particularly given the location in a National Park, it is important that the measures to be used are made clear and properly assessed as certain measures may not be practical or suitable in this location.

Despite the fact that the proposal is on a greenfield site (and will therefore have green infrastructure functions such as natural drainage/water storage, habitat, visual amenity, air quality), paras. 6.6-6.7 of the Planning Statement states that the proposals will not result in the loss of any green infrastructure. Whilst we welcome the retention and planting of trees and other vegetation, and recognise the submission of an Ecological Appraisal, there is a lack of reference to green infrastructure other than in relation to the screening function of trees. Para. 8.6b suggests that the “planting of species to encourage wildlife” is dependent on new residents using their garden space accordingly. It is therefore not possible to determine from the application whether or how the proposals meet the NPPF requirement at para. 170 for development to provide “net gains for biodiversity”.

In terms of drainage, the layout of the scheme appears somewhat ‘forced’ in an effort to accommodate the large, detached houses on a site that has constraints relating to drainage and existing infrastructure serving neighbouring properties. We do welcome the inclusion of some permeable paving, but suggest that this is used across the proposed paved areas of the site rather than just on the portion proposed. In terms of lighting, there is a lack of reference to the proposed lighting plans. These will also be important in terms of the impact of the scheme on wildlife and the character of the area.
Conclusion
Friends of the Lake District objects to the proposed development on the basis of a lack of overall need for further development in the village of Crosthwaite and particularly the need for the specific dwelling types and sizes proposed, particularly in the context of recent developments that have provided numbers of dwellings significant for a settlement of this size and of a range of sizes and types. We also object due to concerns over the lack of proper regard for the Landscape Character Assessment guidelines and environmental implications of aspects of the design. These concerns could be addressed through better recognition of the guidelines, through suggested amendments to elements of the design and by clarifying how CS16 and NPPF para. 170 will be met.

If the site were to be developed, it should deliver smaller and affordable dwellings so as to better reflect evidence of local need and the character of the village, as well as enabling a layout more appropriate to the site.

Please record these representations as those of the Campaign to Protect Rural England (CPRE-Cumbria Association).

Yours sincerely,

Lorayne Woodend Wall MRTP
Planning Officer