

Matterdale Neighbourhood Plan Consultation Statement Annex D

From: Jim Boving Foster [<mailto:jim.boving.foster@googlemail.com>]

Sent: 14 November 2014 13:01

To: Katie Jones

Cc: gmt@thorphall.u-net.com; 'DAVID BROWN'

Subject: Comments on MNP

Dear Tom

Having reflected on the current version of the MNP draft plan, the Core Strategy of LDNPA, the reasoning behind the Planning Inspectorate's decision on Denton Hill, and conversations with yourself and with Michael Toulmin, I would like to offer the following comments:-

Geography

The current draft has 'watered down' previous references to Matterdale as a Cluster, so that now only one remains (under 'Quantity of Housing').

It is only clear through non-reference that the intention remains to allow development throughout the Parish, whether within smaller settlements or including any isolated buildings.

The removal of the overt mention of the concept of a cluster is obviously an attempt to improve the 'strategic conformity fit'. **No, the removal of the cluster concept was in response to the LDNPA view that none of the parish would be so considered.**

This leaves a logical 'gap', as after detailing the LDNPA settlement hierarchy and concluding that Matterdale is on the bottom rung of it, the current draft moves quickly on to suggesting 1/2 new dwellings per year without offering a 'conceptual plank' that provides the bridge from the current planning situation to the new one proposed in MNP. Yet, unsaid, the 'whole parish as a development cluster' still underlies the whole plan.

I don't understand how the Working Party believe that they can ignore the geography and still gain "general strategic conformity" when the LDNPA planning model is a spatial one that is clearly based on geography.

This issue needs urgent attention and some radical rethinking in my opinion, as expressed below.

The spatial strategy allows 30% development within clusters and the open countryside, this equates to 19 dwellings up to 2025 within the eastern distinctive area. The MNP is broadly in line with this. Matterdale is the second most populous parish in the eastern area yet would be barred from all but the most exceptional housing development is the MNP does not provide guidance on how this is to be achieved.

Transport

I can find no mention of either transport or sustainable transport within the text of this draft. I think this is a huge oversight, whether deliberate or not

Whilst recognising that MNP is fundamentally concerned with Housing, all public documentation concerning MNP right back to the Issues and Consultation booklet has faithfully included both CS11 and CS14.

That most of the roads are actually small, often single track, lanes is hinted at under section 2.7.

No reference is made to the two main roads A592 and A5091, or to the public bus service on the former.

The reasoning behind the Planning Inspectorate decision on the Denton Hill appeal needs to be considered carefully, as the current draft has no 'strategic conformity' of any kind in the transport area. **Agree that this decision needs considering. It highlights the narrow focus on transport issues that has led to the sustainability trap undermining the vitality and vibrancy of communities like that in Matteredale.**

Overall Quantity of Housing

Reading through the current draft, I can identify six separate streams of Housing (local needs, affordable local needs, for employees, on farms, for live/work developments, for carers).

Whilst some, many, or even all may be considered laudable in their own right, I find it difficult to reconcile the sum total of these streams with an annual figure of 1/2 per year; and so fear that the character of Matteredale Parish may be irrevocably changed over a ten/fifteen period as the annual figure is regularly exceeded on the "needs basis" as defined in MNP 1.

I believe this statement of Housing Provision should have both some form of 'unshakeable overall cap' for the duration of the plan; so, as per the mathematics below, either 15 or a maximum of 20 in 15 years. **No, the LDNPA was clear that a cap was not appropriate because of the underlying strategy of allowing housing to meet identified need.**

It should also have some very strong & clear "reflection mechanism" whereby the community can gauge the impact of development on a regular basis throughout the life of the plan. One method of achieving this could be a biannual extraordinary meeting of the Parish Council on this single issue alone. **That would be a matter for the PC to arrange and not be part of the MNP.**

The mathematics under "Quantity of Housing" can be challenged. As Matteredale would be in the lowest tier after first Glenridding/Patterdale and then the other four villages, an almost equal share (10/63) of available dwellings is very generous. So is the 50% increase on that figure to 15 dwellings

to be "pro-development" in line with national policy, which may change immediately/soon after the 2015 General Election. On that logic, MNP 1 should more say "1", not "1 or 2", per year. **No, the population of Matterdale needs to be considered in relation to the other parishes that make up the eastern distinctive area. Matterdale would score more highly than proposed if considered on that basis alone. However the actual amount of dwellings in MNP1 is small anyway and within the limits set by CS02 for 30% in open countryside and clusters. It is not considered that the figure of 25 over 15 years is inappropriate for Matterdale.**

Although I am sure to be accused of re-rehearsing the arguments for opposing the recent planning applications for Denton Hill, the inclusion of ruins (MNP 2 List A) is clearly not in accord with Core Strategy. I would again refer the Working Party to the reasoning of the Planning Inspectorate in supporting LDNPA on that point. Whilst there is obviously a "human element" in every planning decision in practical terms, it would be unwise to simply write off the Denton Hill example on the basis of 'one inspector/one day/one decision', as there is clearly a solid body of professional planning opinion coming to the same decision at each stage of the application & appeal process for the Denton Hill site.

The Inspector in the DH case took a very narrow view of sustainability, which if taken more generally would prevent development in every location in Matterdale. That is unreasonable and should not form the basis for decision making through a neighbourhood plan.

Another approach

I would suggest that the Working Party should re-engage with LDNPA as a matter of urgency to address the issues raised above. **The LDNPA do not have a fundamental problem with the MNP approach**

In place of the parts of the current Draft, I would put forward the following alternatives:

1. That the inherent need for the cluster concept in some form as a bridge from current Core Strategy to MNP 1 is overtly and clearly recognised within the text of the plan.
2. That two separate mini clusters are identified as fulfilling as many of the strategic requirements as can be achieved within Matterdale parish. The first cluster is roughly a ring around the small settlements of Dockray and Matterdale End along A5091 that includes the Thornythwaite buildings of church and (proposed) Village Hall. Whilst this cluster has no public bus service, it does contain public buildings and two defined settlements along a main road. The second cluster is roughly the triangle formed by Gowbarrow, Longthwaite and Watermillock Village Hall area with A592 as a base. Although the settlements in this cluster are less well defined, it does include some clear groups of existing housing, public buildings such as the church and village hall, significant businesses (Outward Bound, Leeming House, some of the Holiday Parks), and is served by a public bus service.
3. That all other development in all other geographical areas of Matterdale Parish is only permissible under the Special Circumstances currently defined by existing Strategic Policy; so recognising the validity of the spatial planning model outside of the two mini clusters and acknowledging the

incontrovertible truth that sustainable transport is impossible to achieve within the Parish except within the two proposed mini clusters.

I believe this approach, if worked through carefully and sympathetically with LDNPA, would have a more positive response than the initial discussions this summer based on "the whole parish as a cluster" idea, simply because there is a clear effort to conform with existing policy; rather than the approach of the current draft, which by implication or non reference, is either to ignore or overturn current policy wherever possible.

The LDNPA have stated that they do not consider that any part of Matterdale can be considered a cluster community.

Trying hard to take a step back and look at this current MNP draft in the light of cold logic, I just cannot see how it can possibly pass the test of "general strategic conformity". The examiner will make this assessment

Assuming that there is no will to repeat the Neighbourhood Plan process in the event of failure, this would mean that a huge opportunity has been wasted for the community.

With best wishes

Jim Foster

From: Fiona Harding [Fiona_H@atkinsonritson.co.uk]

Sent: 17 November 2014 13:54

To: Katie Jones

Subject: Response of Mr M.C. Emery of Greenah, Matterdale to the Pre-Submission Consultation Draft Neighbourhood Plan.

Dear Sirs

I note we are asked to have a say, "about housing and related policies affecting the civil parish of Matterdale".

I also note that the proposed policies will be considered alongside those prepared by Eden District Council.

Does this mean that not only will the proposal now under consideration have "equal weight in planning

decisions with the other policies of the National Park" but also EDC? **No EDC included in error and now removed**

I had understood from previous meetings attended by an officer of the National Park Planning Board, that

equal weight was not to be inferred or intended and that the policies put forward would be subservient to those

of the National Park Planning Board? What your document sets out appears to say something very different. **NP policies carry equal weight to other policies in the development plan, but if there is a conflict, the most recent policies will take precedence, which in this case will be the MNP policies until such time as a new plan for the LDNPA is prepared.**

I note that this plan has been initiated by the Parish Council presumably on the basis that their views on

certain planning matters have been ignored/overlooked.

I object in principle to this plan as put forward if it is indeed the case that any decision at this local level would

carry equal weight to that of the National Park Planning Board.

I note there are only 331 electors in the parish who have a vote. There has already been what I considered

misleading information put out as to previous voting but what is clear is that a very small minority of people are

attempting to dictate planning matters which affect a large area of the National Park. I do not accept therefore

that this small minority of people should have their views carrying the same weight as the LDNP and its

planning policies for the National Park. **The MNP will be subject to a referendum of local people.**

I have noted the comment that because of the lowest category that the parish falls under, new building can

only be considered acceptable in limited circumstances. That in my view is how it should stay. **The category will not change, but the limited circumstances in which development can occur are more clearly defined so that they will fit the local circumstances.**

Paragraph 2.1 Housing

I agree with the core strategy of the LDNP and see no reason to change that with what is now being proposed

by the neighbourhood plan. I therefore object to any change in the policy on that point. **Noted but disagree.**

Paragraph 2.2

I note it is proposed that local housing needs would be permitted if any of the criteria under this 'A' applied.

Item 1, the reinstatement of a former dwelling, including ruins, and item 3, the re-use of redundant traditional

buildings pre-1947, is clearly aimed at a number of planning applications I understand that have been made

and refused although supported by the Parish Council and some others.

I object strongly to items A(1) and A(3) being included as part of this plan. **Noted, but disagree**

Paragraph 2.3 Employment

I am unclear as to what this point is intended to include. I see no point in any deviation from the current policy

of the LDNP on this matter. **The LDNPA supports this policy**

Paragraph 2.5 MNP7

I have already expressed views of both concerning the re-use of redundant buildings (MNP2).

Noted, but disagree

Paragraph 2.6 Holiday Parks (MNP8)

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I think there are more than enough holiday parks within the parish and any further expansion for new ones to

be added, should be strongly resisted. I do not agree with the local plan which appears to leave the door open

for extensions to existing ones and new ones to be provided, away from Ullswater, or indeed anywhere within

the parish. LDNPA advised that policies should not provide a blanket ban on further holiday park development as that would be contrary to the strategic aim of the park. However, this policy tightens up the criteria where such development would be acceptable.

Paragraph 2.7

As is rightly pointed out, Matterdale has a special identity. It should continue to be classed as open countryside in my opinion. **That is the prevailing view.**

Paragraph 2.8 (MNP11)

As I have set out quite clearly above, I am against this proposal having the significant additional weight in any

balancing exercise, that is being proposed. I consider that there are already good policies in place to protect

the character of Matterdale and the National Park in particular without the views of a relatively small number of

people being given the same weight in planning matters. **This policy, slightly amended, reiterates the lawful position regarding decision making in planning matters and is there to remind the decision taker, and the parish Council, of their respective responsibilities.**

Paragraph 2.9

I am particularly concerned with the comment that the NPPF paragraph 187 in fact gives precedence, if

adopted, policies of the neighbourhood plan over the National Park policy. That seems to me to contradict with

the suggestion that it should carry equal weight? Quite the opposite. **This is explained above.**

In conclusion, it does seem to me that this whole exercise is being carried out by a few with vested interests

which I do not consider accord with the overall protection provided under the Lake District National Park

current policies. **This is for the examiner to determine.**

Yours sincerely

M.C. Emery

Greenah

Matterdale

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CA11