

BURNESIDE NEIGHBOURHOOD PLAN 2017 - 2032

Draft Policies

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Burnside Neighbourhood Plan

Draft Policies

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Burnside Neighbourhood Plan

Draft Policies

1. Introduction

The following Policies have been worded in a way to meet the *Basic Conditions*, that is:

- they have regard to national policy and advice;
- they are in general conformity with the strategic policies of the South Lakeland Local Plan;
- and they contribute to the achievement of sustainable development.

Only the Policies are drafted. Once the general Policy content is agreed, each Policy will require a short paragraph, or two, of supporting text. This will be to provide further explanation and detail.

The Policies follow on from an initial draft (October 2016), taking into account the Objectives for Burnside, published earlier in 2016.

2. Maps and Plans

The Neighbourhood Plan will require a number of maps and plans.

- 1) A plan showing the Neighbourhood Area boundary
- 2) A “Proposals Map” showing the main designations – for example, settlement boundary, land allocations, general areas for Local Green Space
- 3) Local Green Space (and Allocations) – it may be that the Proposals Map is at too small a scale to enable the precise locations of areas of Local Green Space and/or Land Allocations to be seen. Given the importance of any designation – the Neighbourhood Plan is a statutory document, affording legal weight – it is essential that precise boundaries, on an Ordnance Survey or similar background, are provided.

3. Presentation

In the published Neighbourhood Plan, the Policies will appear distinctive from any other text. They form the most important part of the Plan and so should stand out. Generally this can be achieved by placing the Policy text in a coloured text box, or similar.

4. Burnside Neighbourhood Plan Providing for Sustainable Growth

Policy H1: Sustainable Housing Growth

To deliver the sustainable development of Burnside over the plan period (2017-2032), the Neighbourhood Plan supports the development of around 230 new homes over the plan period. To achieve this, the Neighbourhood Plan allocates sites for housing. The sites are shown on the Proposals Map and are set out in Table A and the following plans

(NOTE: provide individual plan for each allocation. Subject to whether there are site specific requirements for each site, it may be appropriate to include these as part of Policy H2, otherwise include below Policy H1).

Table A: Housing Land Allocations:

Name of Site	Site Size (Ha)	Number of Homes (approximate)
Church Car Park	0.11	5
Engine Sheds	0.36	15
Melmore Gardens	0.15	5
Station Yard	0.31	10
Hall Park NW	0.17	6
Settling Tanks	0.54	20
North of Mill ¹	0.86	25
Bowling Green	0.17	6
Winter Lane ² SW	0.76	22
Winter Lane NW	0.76	22
Winter Lane SE	0.34	13
Winter Lane NE	0.46	18
Carling Hill	0.33	8
Bowston SE	0.84	20
Bowston SW	1.29	32

¹ It has not determined whether this site is more suitable for commercial, rather than residential development; or whether there is a need for a commercial allocation.

² The Winter Lane sites were referred to during earlier consultation as "Bowston Road sites."

(Providing for Sustainable Growth CTD)

Policy H2: Site Specific Requirements

At each of the allocated housing sites, development must respect local character and residential amenity and in addition, at:

H2 a) Church Car Park. Development must

H2 b) Engine Sheds. Development must

H2 c) Melmore Gardens. Development must

H2 d) Station Yard. Development must

H2 e) Hall Park NW. Development must

H2 f) Settling Tanks. Development must

H2 g) North of Mill. Development must

H2 h) Bowling Green. Development must

H2 i) Bowston Road SW. Development must

H2 j) Bowston Road NW. Development must

H2 k) Bowston Road SE. Development must

H2 l) Bowston Road NE. Development must

H2 m) Carling Hill. Development must

H2 n) Bowston SE. Development must

H2 o) Bowston SW. Development must

(Providing for Sustainable Growth CTD)

NOTE: This is not an essential Policy, but it provides the opportunity to impose specific controls at specific sites – for example, relating to densities, access, to landscaping, to neighbour amenity, to zones of visual impact, to flood risk, to heritage, to design etc.

This may not apply to all sites, but there appear to be some with issues that it would be useful to address at this stage. Policies might comprise something along the lines of:

- *“Bowston SE. Development proposals must be supported by a heritage statement to demonstrate that it conserves the setting of the Listed bridge at Bowston and the Listed summerhouse at Whitefoot.”*
- *“Carling Hill. Development proposals must enhance the existing public right of way across the site and demonstrate the provision of a safe and convenient access to Burnside Road.”*

Or even...

- *“At least 50% of dwellings at “X” should comprise bungalows”.*
- *“Development at “X” should provide a new public right of way/ enhance the existing public right of way, to link with...”*

(Providing for Sustainable Growth CTD)

Policy H3: Affordable Housing and Starter Homes

The delivery of a diverse range of affordable will be supported. Affordable housing must be provided on all developments of more than ten dwellings and should be integrated with, and appear in keeping with, market housing. The provision of Starter Homes will also be supported.

NOTE: Outside the National Park, in accordance with national policy, we cannot impose a requirement for affordable housing on sites for ten or fewer dwellings.

The South Lakeland Local Plan generally requires provision of 35% affordable housing on sites for more than ten dwellings, but allows for site circumstances to be taken into account in each case.

The supporting text should therefore refer to the South Lakeland Local Plan (Policy CS6.3), which requires 35% affordable housing on developments of ten or more dwellings; and to planning policy in the Lake District National Park Local Plan (Policy CS18), which does not permit open market housing, but supports provision to meet local and local affordable needs.

Starter Homes must be offered for sale at a minimum of 20% below its open market value and should cost no more than £250,000. They are expected to be well designed and suitable for young first time buyers, who must be aged below 40.

(Providing for Sustainable Growth CTD)

Policy MU1: Mixed Use Allocation

Land at “...” is allocated for mixed use development. It is anticipated that around X new homes will be developed. In addition, the development of (use type(s)) will be supported. The whole of the development must respect local character and residential amenity.

NOTE: No mixed use development site has been identified at this stage (May 2017). If a site is identified further to consultation, this Policy should be accompanied by a location plan and the site should also be identified on the Proposals Map.

If the proposal includes a community use, or a use which requires cross-subsidising by the provision of housing, then the Policy may introduce a phasing strategy, whereby the residential development can be built (and sold) prior to the subsidised use.

Policy FR1: Flood Risk

Development must not increase the risk of flooding. Development that reduces the risk of flooding in the Neighbourhood Area, without increasing the risk elsewhere, will be supported.

(Providing for Sustainable Growth CTD)

Policy E1: Sustainable Business Growth

The sustainable growth and expansion of all types of business and enterprise, both through the conversion of existing buildings and well-designed new buildings and the development and diversification of agricultural and other land-based rural businesses, will be supported. The Neighbourhood Plan also supports sustainable rural tourism and leisure developments that respect local character and residential amenity.

NOTE: The South Lakeland Local Plan allocates 1 hectare of land (SLDC Allocation LA1.8, Hall Road Behind Mill) for employment development. To date, this land allocation has not been taken up. This site has therefore already been rigorously assessed and its proposed removal, or change, would need to be justified and agreed with SLDC. It is not recommended that this is done through the Neighbourhood Plan.

Further to the above, if the Neighbourhood Plan wishes to allocate additional employment land, this will require justification. This may be difficult, as the allocation, Site LA18, has not yet come forward. Consequently, rather than seek to allocate land for employment, it may be more appropriate to simply provide a supportive policy framework, as per Policy E1, above.

**5. Burnside Neighbourhood Plan
Investing in a Dynamic, Supportive Community**

NOTE, This part of the Plan is vague and lacking precision. Not just in terms of precisely where the Village Centre is, but what it should comprise. Consequently, this and the following Policies are currently somewhat general, “idealistic” and have not been pinned down in any way.

There is therefore a need to try and identify more specific things, including the Village Centre, land uses/locations, facilities, etc. Further, a “Community Action” could identify and prioritise community facilities etc that Community Infrastructure Levy or other development contributions could support.

Policy C1: Burnside Village Centre

The Village Centre is shown on Plan X below. Development proposals that support the vitality and viability of Burnside Village Centre, including retail and leisure uses, will be supported.

Policy C2: Burnside Event Space

The development of a dedicated event space as shown on Plan “X” below will be supported. This should comprise...

Policy C3: Burnside Museum and Visitor Centre

The provision of a Museum and Visitor Centre, with car parking provision, as shown on Plan “X” below, will be supported. This should include...

Policy C4: Sports and Leisure Facilities

The development of ..., at ..., will be supported... (what facilities and where ? Any consolidation of existing ?)

(Investing in a Dynamic, Supportive Community CTD)

Policy C5: Tourism

Proposals for tourism-related development that are in keeping with local character, protect residential amenity and do not harm highway safety, will be supported.

Any proposals within the Lake District National Park must enhance the purposes of the National Park, with regard to beauty, cultural heritage and wildlife.

NOTE, This is currently worded as a general “catch-all” Policy. There is nothing wrong with it, but if there are any specific uses, there would be scope for inclusion and focusing the Policy more towards the Neighbourhood Area.

Policy C6: Community Facilities

The enhancement of existing, and/or provision of new community facilities, will be supported, subject to development being in keeping with its surroundings and respecting the amenities of neighbours.

Policy C7: Green Energy

Proposals for the development of low carbon or renewable energy sources and infrastructure will be supported subject to: the siting, scale and design of the development being appropriate to the surroundings and/or the buildings it serves; there being no harm to public safety or residential amenity; and there being provision to remove the development as soon as reasonably practicable once it is no longer used for energy generation.

NOTE: The supporting text should refer to Burnside Community Energy. The Policy could potentially be expanded to take account of any potential plans/opportunities identified by BCE.

(Investing in a Dynamic, Supportive Community CTD)

Policy C8: High Quality Communications Infrastructure

The provision of superfast fibre optic broadband, or its equivalent, within all new residential and commercial developments will be supported. Proposals for the development of the sites allocated in this Neighbourhood Plan should demonstrate how they will contribute to and be compatible with the provision of high quality communications infrastructure.

6. Burnside Neighbourhood Plan A Distinctive Place Where Great Design Matters

Policy ED1: Local Green Space

The following sites are designated as Local Green Space, where development is ruled out other than in very special circumstances:

- *List of Sites*
- *Provide plans showing the clearly distinguishable boundaries of each Local Green Space*

NOTE: Local Green Space is one of the most powerful neighbourhood planning policies (more restrictive than Green Belt) and it is “easy” to designate sites. It can be worthwhile adding a Local Green Space designation to sites that already have some form of protection (eg playing fields) and thought should be given to designating other sites, that simply provide breathing space, beauty or ecological diversity.

Currently, no areas to designate as Local Green Space have been identified. It is recommended that this forms a brief project and follows the guidance below.

Local Green Space needs to meet the requirements of Paras 76-78 of the NPPF. Consequently, it is essential to confirm that each site “...is in reasonably close proximity to the community it serves; is demonstrably special to the local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquility or richness of its wildlife; and is local in character and is not an extensive tract of land.”

It is therefore important for sites to be identified and consulted on (this can be done during the first Draft consultation or earlier). It is essential that landowners are notified at the earliest opportunity.

The easiest way to present the above in the Neighbourhood Plan is as a Policy supported by a Table (setting out the name of the site, its size and the reason why it is special, eg “recreational value”) and appropriate plans identifying each site.

(A Distinctive Place Where Great Design Matters CTD)

Policy ED2: Burneside - A Distinctive Settlement

Development that detracts from Burneside's distinct separation from Kendal will not be supported. Development in the area between Kendal and Burneside, as identified as on Plan B, should demonstrate that it does not harm the distinct separation of the two settlements.

To add to the distinctive features of Burneside village, the enhancement of the public realm, of heritage assets and/or their settings, and/or the river corridor will be supported.

NOTE: It may be helpful to identify heritage assets (do not need to be Listed, but can comprise locally recognised assets). Similarly, it would be helpful to identify potential public realm and river corridor improvements. These could form part of the supporting text and/or a "Community Action" – effectively, a non-land use policy to ensure that opportunities are identified in the plan.

In terms of the river corridor, this brings flood risk into play. It is essential that flood management and public safety (and comments of United Utilities/public bodies) are taken into account.

(A Distinctive Place Where Great Design Matters CTD)

Policy ED3: Biodiversity

Development should seek to provide net gains in biodiversity wherever possible. Development will be expected to protect trees, woodland and hedgerows that make a positive contribution to local character. The creation of new habitats will be supported, as will the enhancement of existing and/or the creation of new ecological networks.

Policy ED4: National Park and Countryside

Development in the Lake District National Park must conserve and enhance the character of the area, having regard to natural beauty, cultural heritage and wildlife.

Development throughout the Neighbourhood Area should seek to protect and conserve the special qualities and distinctiveness of the area, especially the setting of the Lake District National Park.

All new development should respect settlement character and distinctive local features including walls, hedgerows, traditional buildings, woodlands, hay meadows, wetlands, valleys and rivers, as well as the function of such features as ecological corridors for wildlife.

NOTE: Is there anything else distinctive about the Neighbourhood Area – specific features – that could usefully be included in this Policy ?

(A Distinctive Place Where Great Design Matters CTD)

Policy ED5: Design Quality

The Neighbourhood Plan seeks to raise design standards and actively promotes good design. New development should seek, where possible and viable, to set a new, higher standard of design for Burnside. The use of local materials, traditional vernacular and distinctive new architecture that enhances, and reflects the positive aspects of the Neighbourhood Area and its surroundings, will be supported.

Development proposals at the sites allocated in the Neighbourhood Plan should demonstrate how they will conserve or enhance their surroundings through the provision of distinctive, high quality design. Developers are also encouraged to engage with the local community, through the Parish Council, before finalising development proposals.

NB, national advice establishes that community engagement cannot be made a requirement of the planning application process (but emphasises that community engagement is to be encouraged). The supporting text can refer to this.

Policy ED6: Design Criteria

New development in the Neighbourhood Area must be of a high quality. To achieve this, proposals must demonstrate that they have taken into account the following where appropriate and subject to viability:

- *development should integrate into its surroundings, reinforcing existing and creating new connections;*
- *development should respect existing buildings and land uses around the site;*
- *development should conserve*
- *proposals should demonstrate how they have had regard to vehicle, pedestrian and cycle movement;*
- *development should demonstrate the creation of a place with a locally inspired and distinctive character;*
- *buildings and landscaping should be well-integrated, to help define, distinguish and enhance spaces and streets, and to make it easy for people to find their way around;*
- *car parking should be sufficient (having regard to development plan policy) and well integrated, so as not to dominate the street;*
- *public and private spaces should be clearly defined, attractive, safe and easy to manage. All new dwellings should have access to private amenity space;*

- **(A Distinctive Place Where Great Design Matters CTD)**

- *development should provide adequate storage space for bins, recycling and cycles.*

Policy ED6, whilst relatively comprehensive, is also quite generic. Is there anything that should be included (or excluded) that is specific to/distinctive to Burnside ?

The supporting text provides the opportunity to highlight local character areas – for example, the river corridor, the village centre etc; as well as key local features, details relating to vernacular and local materials, and so on.

**7. Burnside Neighbourhood Plan
Encouraging Sustainable Movement**

Policy T1: New and Improved Routes for Pedestrians and Cyclists

The enhancement of existing and the creation of new footpaths and/or cycle-ways will be supported, especially where these link into the existing network, including the Dales Way.

Proposals to develop the sites allocated in this Neighbourhood Plan must demonstrate how they have taken into account and contribute to sustainable patterns of movement in the Neighbourhood Area.

NOTE – are there any specific routes that can be identified ? There is scope for a “Community Action” to identify specific routes and potential routes for enhancement. These can potentially be prioritised re: CIL contributions. Movement is a major theme – how and where is the Plan boosting this in a tangible, meaningful way ?

Policy T2: HGV Parking

The development of a HGV vehicle park, capable of providing for X number of HGV’s, at Location X, will be supported, subject to the demonstration that safe and suitable access to the A591 will be provided.

NOTE – Location needs to be identified and agreed if this is to be included..

(Encouraging Sustainable Movement CTD)

Community Action: Car Parking

NOTE: Should the Neighbourhood Plan provide a car parking strategy ? Car parking has been raised in a number of different forms. However, a car parking strategy needs to be comprehensive – what car parks, where, how many cars, management, etc. There is no intention to set different car parking standards to Cumbria County Council's, but the Objectives refer to "...we will seek to incorporate ways of managing parking facilities." There is an approach to managing HGV parking, as above, but funding a new car park may be difficult and managing car parking is largely beyond Parish control, signage is a matter for the highways dept.

However, if more use of the station, village centre and potential uses, such as a museum, are to be encouraged, there is scope for the Neighbourhood Plan to at least include a Community Action approach – setting out some local aims in terms of the management of parking, signage etc. Further, the site specific policies (eg museum/visitor centre should refer to how parking is to be provided).

As previously suggested, it would be possible to include a Policy along the lines of:

"New car parking facilities will be supported, subject to demonstrating no harm to highway safety, residential amenity and local character; and where appropriate, subject to the use of the car park being shared when not required for its primary use."

And in relation to development sites,

"New development must not harm highway safety as a result of increasing the need for on-street car parking."

(Encouraging Sustainable Movement CTD)

Policy T3: Boosting Public Transport

The development of Burnside Railway Station, and/or its relocation, will be supported where this provides opportunities for the enhanced provision of public transport, including improved facilities for bus and rail travel and strong linkages with the village centre.

NOTE: Whilst “pressure on roads within the Parish” and “road design” are local issues, many responsibilities lie with County Highways and there is little scope for the Neighbourhood Plan to resolve global issues involving rat-runs, signage, new pavements, animal movements, traffic speeds and volumes, and so on.

However, as above, where there is strong local support, the Neighbourhood Plan provides an opportunity to set out “Community Actions” – setting out how the Parish will seek to work with others to try and address such matters.

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