

COUNCIL

27 September 2017

Arnside & Silverdale Area of Outstanding Natural Beauty (AONB) Development Plan Document

Report of the Chief Officer (Regeneration and Planning)

PURPOSE OF REPORT

To seek a resolution from Council to publish the Arnside & Silverdale AONB Development Plan Document (DPD) for formal representations before submitting the document to the Planning Inspectorate for Examination in Public. This will ensure that the relevant regulations are followed and will enable residents and other stakeholders to have a final say on the DPD – a dedicated planning approach for the AONB that has the landscape designation at its heart.

This report is public

RECOMMENDATION

That the Council:

- (1) resolves to publish the Arnside & Silverdale AONB Development Plan Document (DPD) for final representations, followed by Submission of the document to the Planning Inspectorate for Examination.**
- (2) publishes background evidence and supporting material, including the responses to consultations, the consultants' reports on the Sustainability Appraisal and Habitats Regulations Assessment for the Plan, and the specialist landscape, biodiversity and viability assessments on the sites included in the Plan.**
- (3) authorises the Chief Officer (Regeneration and Planning) to make minor changes to improve the clarity and internal consistency of the AONB DPD prior to the publication period and between the publication period and Submission.**

1.0 Introduction

1.1 Lancaster City Council and South Lakeland District Council are preparing a joint Development Plan Document (DPD) for the Arnside & Silverdale Area of Outstanding Natural Beauty (AONB). The two councils are working closely with the AONB Management and Executive Committee in the preparation of the AONB DPD. The AONB DPD will be the first of its kind.

1.2 The primary purpose of the national AONB designation is to conserve and enhance the natural beauty of the area. When adopted, the DPD will form part of

both authorities' Local Plans. It will identify sites for new housing and employment and will set out planning policies to ensure that development reflects the AONB designation and has the conservation and enhancement of the landscape at its heart.

- 1.3 The DPD will also be a key element in the delivery of the AONB Management Plan which was adopted in April 2014. Section 85 of the Countryside and Rights of Way Act (2000) places a duty on all local authorities to have regard to the purpose of conserving and enhancing the natural beauty of AONBs in carrying out their functions.

2.0 The Planning Process and the Plan

- 2.1 The DPD will bring up to date the existing planning policies for the AONB, and will ensure that both district councils' planning policies for the AONB are consistent.
- 2.2 The process for preparing Development Plan Documents is set out in the National Planning Policy Framework (NPPF). The NPPF requires local planning authorities must adopt the most appropriate development strategy based on a consideration of the alternatives, be deliverable and viable, and be consistent with national policy. The NPPF also gives specific guidance for development planning and decision making in relation to AONBs. It confirms that 'great weight should be given to conserving landscape and scenic beauty' and that AONBs 'have the highest status of protection in relation to landscape and scenic beauty'.
- 2.3 The DPD must define the area, set its purpose and the timeframe for the policies and allocations to operate. It must review the evidence available and set about collecting new evidence to fill any gaps. The DPD needs to assess the development needs for the area and the extent to which those needs can be met within a protected landscape. It must also consider the need and ability to provide for infrastructure, and for employment and community uses, including business premises, shops and open space. Importantly, the DPD must record and give protection to nature conservation, landscape and built heritage significances, and find the right balance between development and conservation.
- 2.4 The DPD sets out to achieve two main objectives over and above the preparation of the district wide plans that are being prepared (or are already adopted) in Lancaster and South Lakeland districts. These are to:
 - allocate land for development, and identify land suitable for protection from development;
 - draft AONB-specific planning policies that supplement district-wide policies.
- 2.5 The AONB DPD sets out policies on the following topics:
 - The Landscape and Development Strategy
 - Housing Provision
 - Natural Environment
 - Open Space and Recreation
 - Historic Environment
 - Design
 - Economic Development and Community Facilities
 - Supporting Infrastructure for New Development
 - Camping, Caravan and Visitor Accommodation
 - Water quality, sewerage and sustainable drainage

- Energy and Communications
- Advertising and Signage

2.6 The AONB DPD also allocates the following sites for development:

Site Policy Number	Parish	Name	Gross Area (hectares)	Estimated no. of dwellings
AS17 (A6)	Arnside	Land Behind Queen's Drive	0.12	6
AS18 (part of A9)	Arnside	Land on Hollins Lane	0.22	6
AS19 (A11)	Arnside	Land on Briery Bank	0.27	8
AS20 (B108)	Beetham	Land at Church Street	0.21	6
AS21 (part of W88)	Warton	Land North West of Sand Lane	0.41	12
AS22 (W130)	Warton	Land North of 17 Main Street	0.70	10
AS23 (A26/A27)	Arnside	Station Yard	1.03	Car parking, employment, community/visitor facilities and rail access. Possible residential or live-work
AS24 (S70)	Silverdale	Silverdale Railway Goods Yard	0.36	Employment and car parking
AS25 (B35, B38 B81, B125)	Beetham	Land at Sandside Road and Quarry Lane, Storth	3.10	Employment, residential, community facilities and access

3.0 Consultation

- 3.1 The AONB DPD's preparation has involved a range of evidence gathering work including a Housing Needs Survey and a Call for Sites exercise as well as site assessment work including independent landscape and biodiversity assessments, Sustainability Appraisal, Habitats Regulations Assessment and Viability Assessment. This work sits alongside a range of existing evidence such as the AONB Landscape and Seascape Character Assessment.
- 3.2 In addition, three stages of public consultation have informed the preparation of the AONB DPD. This included an early Issues and Options consultation, which informed the topics to be covered in the AONB DPD as well as gathering views to narrow down the list of sites submitted for consideration through the Call for Sites process.

- 3.3 Following the Issues and Options exercise, responses were used to inform the preparation of the Draft AONB DPD, which was itself consulted on between 10 November 2016 and 3 January 2017 (formal consultation). Both consultations included public drop-in events in each parish of the AONB.
- 3.4 Consultation on the Draft AONB DPD was followed by an extra, informal consultation, seeking views on three suggested changes to sites proposed for allocation in the Plan. These changes were suggested by respondents to the Draft AONB DPD consultation.
- 3.5 Comments on the Draft AONB DPD and on the suggested changes have informed the publication version AONB DPD, which it is now proposed to publish for a final, formal 6-week representations period, as required under Regulations 18-19 of the The Town and Country Planning (Local Planning) (England) Regulations 2012. Subject to agreement by both Councils, following this period, the AONB DPD will be submitted to the Planning Inspectorate for Examination in Public, along with any representations made. Subject to successful Examination, the AONB DPD can be considered by Full Council for adoption.
- 3.6 These steps are expected to take place to the following timetable:
- November 2017: Publication of the AONB DPD
 - January 2018: Submission of the AONB DPD
 - Early Spring 2018: Examination of the AONB DPD
 - Late Spring 2018: Adoption of the AONB DPD
- 3.7 The consultation Statement and other key evidence documents are available as background documents. Viability Reports are still being finalised. Initial results do not identify any issues for the AONB DPD, but final results will be incorporated into the AONB DPD when it is published.

4.0 Options and Options Analysis (including risk assessment)

	Option 1: Publish and submit the AONB DPD	Option 2: Do not publish or submit	Option 3: Delay publication-submission
Advantages	<ul style="list-style-type: none"> • Progress towards adoption of up to date Local Plan as set out in the Local Development Scheme 	None	None
Disadvantages	None	<ul style="list-style-type: none"> • Contrary to Council's priority for preparing its Local Plan as set out in the Local Development Scheme 	<ul style="list-style-type: none"> • Contrary to Council's priority for preparing its Local Plan as set out in the Local Development Scheme
Risks	None	<ul style="list-style-type: none"> • Effort and resources wasted • Development pressure • Government intervention to prepare DPD • Reputational • Evidence will become dated 	<ul style="list-style-type: none"> • Effort and resources wasted • Development pressure • Government intervention to prepare DPD • Reputational • Evidence will become dated

- 4.1 In light of the above options, the recommended approach is to resolve to publish the AONB DPD as proposed and then to follow this by submitting the document and the representations made, to the Planning Inspectorate.

5.0 Conclusion

- 5.1 Following a period of evidence gathering and consultation, a Development Plan Document has been prepared for the Arnside & Silverdale AONB. The DPD complements the existing Management Plan for the AONB. It identifies land suitable for development, and explains why the majority of the AONB should remain undeveloped as a valued and protected landscape. The DPD also proposes planning policies that will apply across the whole AONB, which supplement those district-wide policies applicable in the two districts. The document is ready for publication, submission and independent examination during 2018.

6.0 Appendices to this report

No.	Title	
1	Arnside & Silverdale Area of Outstanding Natural Beauty (AONB) Development Plan Document (DPD)	Attached
2	Map of AONB with allocated sites: 2a A0 Map of whole AONB 2b Mapbook	Available via the link to this agenda: https://committeeadmin.lancaster.gov.uk/ie/ListDocuments.aspx?CId=305&MId=6913&Ver=4
3	Equality Impact Assessment Form	Attached

CONCLUSION OF IMPACT ASSESSMENT

(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

There are no adverse health and safety, human rights or community safety implications arising from this proposal. The DPD applies to a protected landscape in a rural area. It contains strong policies designed to manage development sustainably within the AONB.

The Equality Impact Assessment Form is attached (Appendix 3). It concludes that there will be no adverse impacts on any protected groups, but that there are some potential but unavoidable adverse implications for sections of the rural communities, including people on low incomes.

The DPD has been subject to public consultation, allowing for feedback on these matters to be incorporated into the publication version.

LEGAL IMPLICATIONS

There are no legal implications arising directly from this report.

FINANCIAL IMPLICATIONS

It is not expected that there will be any additional financial implications arising from this report as costs connected with the preparation of the AONB DPD and associated public consultation, publication and submission, public examination and DPD adoption have already been accounted for within the overarching Local Plan revenue budget.

There can on occasion be additional unanticipated costs arising, however, from legal challenges to the adoption of a DPD, usually as a result of actions from affected parties. It is re-iterated here, therefore, that there is the potential for adverse (but unavoidable) implications for sections of the rural communities, including people on low incomes as a result of the AONB DPD. It is difficult to pre-empt whether there will be any future legal challenges arising. However, if they did, then the associated costs and implications will be reported and dealt with as appropriate through the normal monitoring processes which the Council has in place.

Adoption of an AONB DPD will increase the Council's ability to manage development activity in the AONB, thereby achieving its primary aim of conserving and enhancing the natural beauty of the area as well as better managing related financial risks for the Council.

OTHER RESOURCE IMPLICATIONS

Human Resources:

The human resources implications of the proposal will be met within existing staff resources.

Information Services:

The information services implications of the proposal will be met within existing resources.

Property:

There are no implications of the proposal on the Council's property responsibilities.

Open Spaces:

The proposal makes provision to protect open spaces from development in the AONB, but does not have implications for additional commitments.

SECTION 151 OFFICER'S COMMENTS

The Deputy Section 151 Officer has been consulted and has no further comments to add.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments.

BACKGROUND PAPERS

Consultation Statement	https://tinyurl.com/yd5n9jyp
Sustainability Appraisal	https://tinyurl.com/yd5n9jyp
Habitats Regulations Assessment	https://tinyurl.com/yd5n9jyp

Contact Officer: David Porter

Telephone: 01524 582335

E-mail: dporter@lancaster.gov.uk