

**Lake District**  
National Park



# **Saved Lake District Local Plan and Joint Structure Plan Policies**

**November 2010**



## Introduction

This document contains saved policies from the Lake District National Park Local Plan (1998) and Cumbria and Lake District Joint Structure Plan (2001-2016). Supporting text for Local Plan policies is also included.

All other Local and Joint Structure Plan policies have been 'lost': We notified Government Office North West in April 2007 that some policies were no longer relevant. The remainder were replaced by the Core Strategy in October 2010.

We have recently sought advice from Government Office North West on saved policies.

It is their understanding that *'...the process by which local plan policies are saved will continue, and that any policies currently saved will remain saved in perpetuity unless the Secretary of State directs otherwise'*

and that *'...saved Joint Structure Plan policies...are likely to be addressed through the Localism Bill with the effect that Directions saving structure plan policies will be revoked and the policies will cease to exist. Up until that point they remain in force and are material'*.

Some of the saved policies make reference to facts that are clearly out-of-date, or to Government guidance that has been superseded, or to other policies that have not, themselves, been saved. These relevant changes or inaccuracies have been highlighted in italics under each policy.

We are no longer intending to produce general development policies. Annex 1 contains a list of the policy areas for which we considered drafting general development policies. In the absence of GDPs, the 'Sources of Information' in Annex 1 can be used to help inform decisions.

<b>Local Plan</b>	
<b>Policy No.</b>	<b>Title</b>
NE12	Protection of trees and woodland
NE14	Protection of historic landscapes
NE15	Protection of ancient monuments and sites
NE16	Protection of archaeological sites
NE18	Protection of river corridors
BE1	Roof and wall materials
BE11	Conservation areas
BE12	Demolition in conservation areas
BE13	Alterations and extensions to listed buildings
BE14	Demolition of listed buildings
BE16	Re-use of listed buildings
T6	Hostels and outdoor centres
T10	Occupancy periods
T13	Individual holiday caravans
T16	Touring caravan sites
T17	Tented caravan sites
T18	Touring caravan / tented camping sites
H6	Occupancy of existing farmhouses
H7	Removal of agricultural / forestry conditions
H9	Replacement of sub standard dwellings
H10	Mobile homes
E4	Land allocated for business (B1) and general industrial (B2) development
C7	Requirements for all conversions
C8	Removal of permitted development rights
A1	Agricultural and forestry buildings
TR2	Design of road improvements
TR3	Roadside service facilities
TR4	Development and the local road network
TR5	Public transport facilities
TR6	Taxi bases
TR10	The loss of off-street vehicle parking
TR11	Permanent public parking
S1	Loss of formal recreation sites
UT7	Telecommunications development
<b>Joint Structure Plan</b>	
<b>Policy No.</b>	<b>Title</b>
EM13	Employment land provision
H21	Allocation of sites within the LDNP for social housing
T30	Transport assessments
T31	Travel plans
T33	Telecommunications

## Saved Local Plan Policies

### Policy NE12 - Protection of Woodlands and Trees

**Development which involves or would lead to the clearance of or damage to semi-natural or amenity woodland or important trees will not be permitted unless the harm to landscape, amenity, nature conservation interests or cultural heritage is outweighed by the need for the development and, where appropriate, mitigation or compensatory measures can be secured by the imposition of planning conditions or the securing of planning obligations by agreement to minimise the harm caused.**

There are approximately 27,000ha of woodlands and plantations in the Lake District which contribute to the diversity of landscapes and the opportunities afforded for quiet public enjoyment. They include two National Forest Parks at Grizedale and Whinlatter while the predominantly broadleaved semi-natural woodlands are recognised as one of the Lake District's most valuable scenic and wildlife assets. A large proportion of broadleaved woods are recorded on English Nature's provisional inventory of Ancient Semi-Natural Woodland sites, some are Sites of Special Scientific Interest (SSSIs), while those over 2ha in size have been recorded on the Section 3 Conservation Map and are particularly important to conserve.

Woodlands and forests are sometimes regarded as appropriate sites for development and recreational activities because buildings can more easily be screened and there is potential to absorb more people. However, it is important to the National Park that woodlands and plantations are treated in policy terms as part of the open countryside (Policy NE1). High regard should be given to the need to protect the semi-natural broadleaved woodlands.

*Local Plan Policy NE1 (Development in the Open Countryside) has been replaced by CS02 (Achieving Vibrant and Sustainable Settlements)*

### Policy NE14 - Protection of Historic Landscapes

**High regard will be paid to the protection of the historic content of the landscape. Planning permission or listed building consent for development will not be granted where it would adversely affect the character or setting of parks or gardens of historic interest, or which would lead to loss or damage of important historic features within the landscape.**

The Lake District's landscape is a complex mosaic reflecting the varying impact of human activity over at least six millennia. This cultural heritage comprises those physical remains and other products of human existence which are distinctive of the area. These include archaeological remains, historic structures and buildings, historic elements of the landscape and cultural traditions, for example, the skills and crafts which have maintained the landscape and literary associations which inspired its protection. Many important archaeological sites date from prehistory and in some areas the imprint of, or association with, past activities is so distinctive or important that the area warrants special recognition. These areas often contain irreplaceable information about our past and comprise a finite and non-renewable resource. In many cases they are highly fragile and vulnerable to damage or destruction. Positive

planning and management is therefore essential if they are to survive in good condition.

Structure Plan Policies 2 (Conserving the Natural and Built Environment), 11 (Landscapes of National Importance) and 26 (Sites and Buildings of Architectural, Historic or Archaeological Importance) seek to prevent development detrimental to the landscape, harmful to features of historic importance, or which would damage, obscure or remove important archaeological sites, World Heritage Sites or other cultural heritage features. Proposals detrimental to the character and setting of listed buildings (Policies BE13-16 in Section 3 -Conservation and the Built Environment) or scheduled ancient monuments or other important sites will similarly be resisted.

The physical traces of past human activity in the National Park include the remains of settlements, field systems, burial monuments, ritual sites and industrial production. The long tradition of extensive grazing on the fells has meant a great number of these relict features survive in good condition although some industrial remains have been subject to development pressures. The most important of the sites on the fells include the Neolithic stone axe production sites in the Langdale fells, Bronze Age settlements and ritual sites, Roman roads and forts and the remains of more recent mining activity at Coniston and Greenside.

The valleys are also rich in archaeological remains but these are incorporated into a part of the landscape which has seen greater change and more intensive use. Important archaeological and historic features include medieval ring-garths, an early system of enclosure in some dales, as well as evidence of the evolution of farms and settlements. The remains of significant woodland industries survive in many woods, while the former use of water power is evident on several rivers. The coastal area within the National Park also contains sites of archaeological importance including the settlement remains of the hunter-gatherers of the Mesolithic period and the Roman Fort and Bath-house at Ravenglass which have been included within the Hadrian's Wall Military Zone World Heritage Site.

PPG15 on planning and the historic environment makes specific reference to the importance of the assessment of the historic character of the whole countryside and advises that this can best be achieved at a local level to identify local distinctiveness. A number of archaeological surveys have been carried out by the NPA and the National Trust and several landscapes rich in archaeological and historical remains have been identified. It is anticipated that future survey work will identify other landscapes of particular historic importance.

A register of 'Parks and Gardens of Special Historic Interest in England' compiled by English Heritage includes a number within the National Park. The inclusion of these areas in the register confers no additional statutory protection. They nevertheless, together with other locally important historic parks and gardens, form a small but important component of the landscape and high regard should be paid to the conservation of their character which can be demonstrated to be particularly rich in historic features (Figure 5).

*Joint Structure Plan (1991-2006) Policies 2 (Conserving the Natural and Built Environment), 11 (Landscapes of National Importance), and 26 (Sites and Buildings of Architectural, Historic or Archaeological Importance) have not been saved.*

*Local Plan Policies BE13 (Alterations and Extensions to Listed Buildings), BE14 (Demolition of Listed Buildings), and BE16 (The Reuse of Listed Buildings) have been saved.*

*Local Plan Policy BE15 (The Setting of Listed Buildings) has been replaced by CS27 (The Acclaimed Historic Environment)*

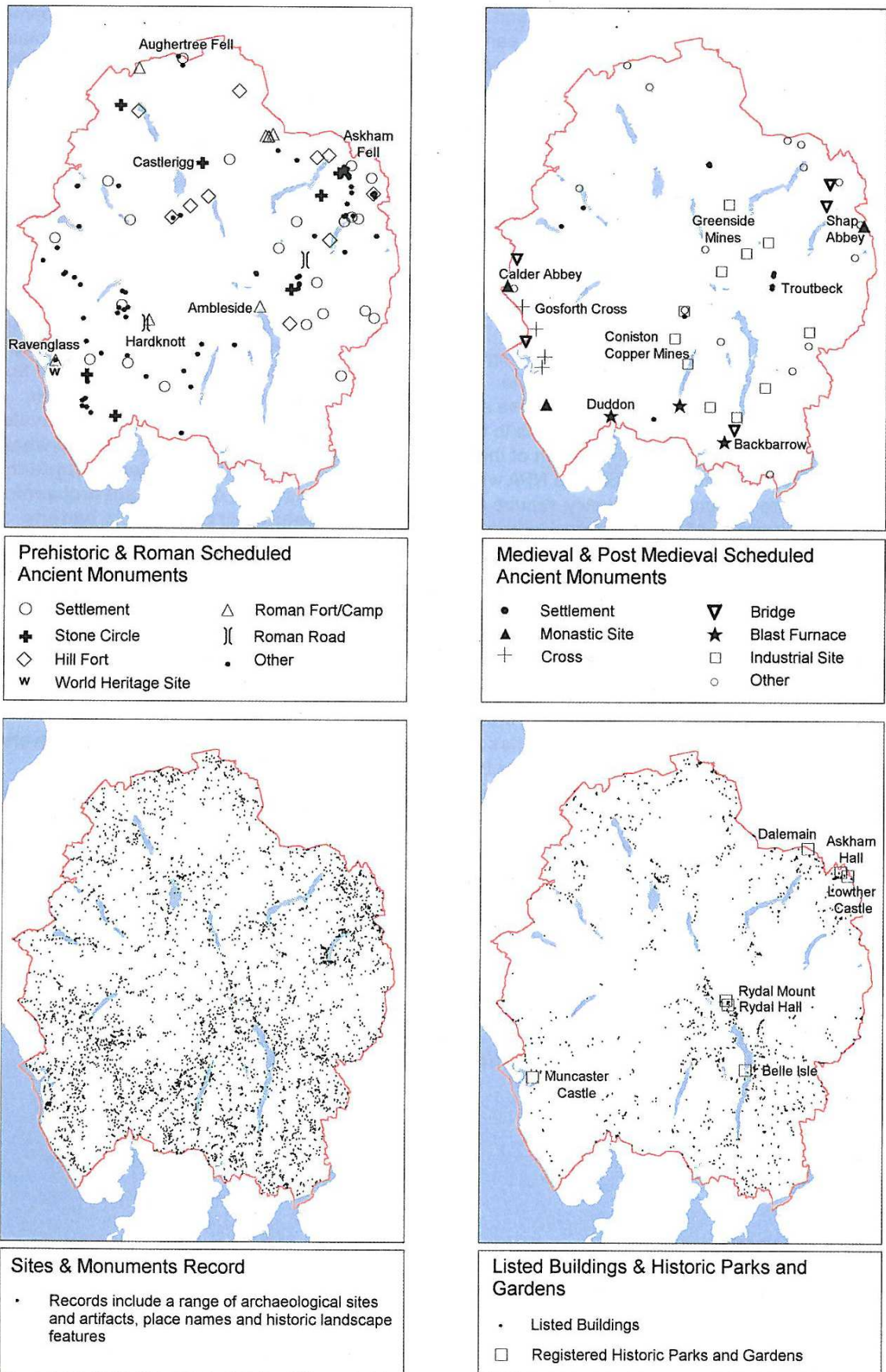
*PPG15 (Planning and the Historic Environment) (1994) has been replaced by PPG5 (Planning for the Historic Environment) (2010)*

## **Policy NE15 - Protection of Ancient Monuments and Sites**

**Development which would adversely affect Scheduled Ancient Monuments and other sites of national importance, or which would be detrimental to their character or setting will not be permitted in order to ensure in-situ preservation and enhancement of the archaeological resource.**

More than 200 sites in the National Park have statutory protection as Scheduled Ancient Monuments under the Ancient Monuments and Archaeological Areas Act 1979 (Figure 5). Consent for any works which would affect these sites is required from the Secretary of State. Their number is likely to increase as a result of the review under the Monuments Protection Programme which has been initiated by English Heritage. Because of their particular characteristics or recent discovery some sites may not be scheduled but nevertheless remain of national importance.

**Figure 5 Archaeological Sites, Listed Buildings and Historic Parks and Gardens**



## **Policy NE16 - Protection of Archaeological Sites**

**Development which would adversely affect known archaeological sites of regional and local importance or their settings will not be permitted, except where the loss of the archaeological resource is outweighed by the need for the proposed development. Where permission is granted the National Park Authority will, where necessary, require:**

**(a) measures to minimise the impact of the development on archaeological features and deposits, and**

**(b) appropriate provision for the excavation, recording and reporting of the results.**

Scheduled Sites represent only a very small proportion of the wealth of archaeological remains in the National Park. A register, the Sites and Monuments Record (SMR), has been adopted by the County Council. Currently the SMR identifies over 4000 sites within the National Park. However, recent surveys demonstrate that many features have still to be recorded. The sites range from national to local importance and Figure 5 identifies the general distribution of recorded sites, each of which may contain several separate recorded features. The records include both individual artefacts and more extensive features such as early settlements and field systems. When assessing the archaeological significance of a site the NPA will have regard to the advice contained within PPG 16 archaeology and planning.

In determining planning applications the NPA will not normally permit development which has an adverse effect on archaeological remains. It is accepted there may be circumstances where specific benefits from development schemes will be sufficient to outweigh the archaeological value of the site.

Efforts should be made to minimise any adverse impacts by amendments to the design, layout and construction of the development. In addition the NPA will, where circumstances justify, require a programme of archaeological work to be undertaken at the developer's expense. This would normally be achieved by means of a planning obligation.

*The Lake District Historic Environment Record (HER), maintained by the Lake District National Park Authority (LDNPA), is now the record of the historic environment of the Lake District National Park. It originally formed part of the Cumbria County Council Sites and Monuments Record.*

*PPG16 (Archaeology and Planning) (1990) has been replaced by PPG5 (Planning for the Historic Environment) (2010)*

## **Policy NE18 - Protection of River Corridors**

**Development within river corridors and development within or on land adjacent to watercourses will only be permitted where it would not cause demonstrable harm to amenity, landscape character, nature conservation, cultural heritage, fisheries or public access.**

River corridors throughout the National Park are of great importance for water resources, water quality, nature conservation and fisheries and contribute to the character of the landscape. These sensitive areas provide a continuous wildlife corridor and often an important open space. It is important to protect and where possible enhance these areas to ensure that these special features are conserved. Development which would adversely affect nature conservation interests, public access or quality of the landscape will not be permitted. In certain locations access will be required for operational or maintenance purposes and this must be undertaken having regard to the interests in the locality.

## **Policy BE1 - Roof and Wall Materials**

**The National Park Authority will, where appropriate, require materials for walls and roofs of development to be in keeping with local vernacular tradition. Stonework should be random rubble or traditionally coursed and jointed with conventional mortar joints and mix. Slate for roofs should be an appropriate colour, texture and size and normally laid in diminishing courses. In cases of doubt the National Park Authority will require the submission of sample slates or stone.**

Structure Plan Policy 25 refers to development, where appropriate, being in keeping with the local vernacular tradition i.e. the use of a local building style utilising appropriate local natural materials. These materials can often be a key to success, but there are distinct variations across the National Park. They range from dressed limestone in the north, east and south peripheral areas, to granite boulders and red sandstone in the west, and to green, grey, brown or blue/black slate in the central or southern parts. Although in appropriate locations the NPA requires the use of local green slate for roofs, when this is used as a cut stone for walling buildings it can look as alien as brick in the southern part of the National Park where the natural stone is a warm brown/grey. Unfortunately this stone is no longer quarried, but the NPA considers that where possible local builders should be encouraged to stockpile local roofing and walling materials from demolished buildings, so as to maintain a future supply. However, the use of natural roughcast is a traditional facing material over most of the National Park because of its weatherproof qualities and it has been used very effectively on many recent buildings.

Certain maintenance or repair works to the fabric of non-listed buildings including replacing windows and doors or painting walls or roofs may not require planning permission. However, developers are strongly encouraged to contact the NPA in advance of undertaking any such works to ascertain whether or not planning permission, listed building consent or conservation area consent is required. Materials other than those which are traditional have, in some instances, been used to good effect, although the application of materials such as wood or glass needs a certain architectural expertise and flair. In view of these variations, where appropriate, the NPA will require the submission of samples. Modern slate equivalents for roofing may be permitted where their use would not be detrimental to the character and appearance of buildings or the area generally. The theft of roofing slate from traditional buildings is a growing concern and a survey by the Country Landowners Association, Cumbria Countryside Forum and the Cumbrian Federation of Civic Societies aims to record information about thefts to help develop ways of combating such incidents.

*Joint Structure Plan (1991-2006) Policy 25 (The Quality of Development) has not been saved.*

## **Policy BE11 - Conservation Areas**

**Proposals in or near a conservation area must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Proposals which would harm the appearance or character of the conservation area will not be permitted. In order to avoid harm to a conservation area proposals will need to:**

- (a) respect the character or appearance of the locality by reason of their scale and proportion;**
- (b) have regard to the historic interest and/or architectural detailing of existing buildings;**
- (c) utilise materials appropriate to the locality and avoid the use of non-traditional materials unless they are a suitable alternative or would not detract from the overall appearance of the locality; and**
- (d) safeguard trees of amenity value.**

Conservation areas have special interest which warrants particular protection from development, and requires high regard to be given towards the preservation or enhancement of their overall character. In these areas controlled change will build on existing qualities and improvements to the less attractive features will be sought. Strategic guidance in the Structure Plan is given in Policy 26 (Sites and Buildings of Architectural, Historic or Archaeological Importance) which states that:

*“Development and other land use changes which fail to preserve or enhance the character or appearance of Conservation Areas or which damage, obscure or remove important archaeological sites or other historic features, or are detrimental to the character or setting of a Listed Building or Ancient Monument will not normally be permitted.”*

This policy reflects Government guidance for conservation areas which aims to harmonise any new development with its neighbours and to take full account of group value (the interrelationship of buildings in close proximity), context and setting, as well as of the intrinsic quality of individual historic buildings.

There are 18 conservation areas in the National Park as shown on Figure 6. The boundaries of these in the larger settlements are shown on the Inset Maps. The NPA will review its programme to designate conservation areas and the following settlements will be considered for designation in the Plan period: Blindcrake, Bampton, Bampton Grange, High Newton and Low Wood, Haverthwaite. These are areas where often a combination of historic buildings, group value, open space and mature landscaping is worthy of protection. Detailed boundaries will be prepared after full local consultation.

Where land or buildings make no positive contribution to the character or appearance of a conservation area an opportunity will exist for new development to enhance the area's character and appearance. In order to fully assess such proposals the NPA will request detailed plans and drawings, including elevations which show the new development in its setting, and will not usually approve applications in outline form. Similarly proposals close to a conservation area will be subject to special consideration in order that the setting of the conservation area is not harmed or adversely affected in any way.

In conservation areas the NPA will encourage and co-operate with County, District, Town and Parish Councils, voluntary organisations and Civic Societies to prepare and implement improvement schemes which have community and environmental benefits. Such schemes may include the restoration of areas of derelict or vacant land to appropriate uses; the removal of unsightly buildings, structures and overhead lines from an area; and the improvement of local areas through tree planting, landscaping and other environmental improvements.

*Joint Structure Plan (1991-2006) Policy 26 (Sites and Buildings of Architectural, Historic or Archaeological Importance) has not been saved*

*There are now 21 Conservation Areas in the LDNP including Ambleside, Askham, Bampton, Bampton Grange, Blindcrake, Bowness-on-Windermere, Broughton-in-Furness, Caldbeck, Far Sawrey, Grasmere Town End, Grasmere Village, Hartsop, Hawkshead, Heskett Newmarket, Keswick, Lowther, Near Sawrey, Ravenglass, Rydal, Staveley and Troutbeck.*

Figure 6 Conservation Areas



### Policy BE12 - Demolition in Conservation Areas

The National Park Authority will not permit the total or partial demolition of a building that positively contributes to the character or appearance of a conservation area. Exceptionally, where no alternative exists and consent is granted, such consent will be dependent upon the approval of proposals and the letting of a contract for a suitable replacement use or building.

Buildings of interest and importance should be preserved to enrich the area and give a sense of continuity and as such the NPA will not normally grant conservation area

consent for demolition of a building important to the character or appearance of a conservation area. Conservation area consent is required for the demolition of most types of buildings within a conservation area and may be justified where, for example, a building makes no positive contribution to the area. It will often only be appropriate for conservation area consent to be granted for demolition once planning permission has been granted for a scheme for redevelopment and a contract let on the works.

### **Policy BE13 - Alterations and Extensions to Listed Buildings**

**Applications for alterations or extensions to listed buildings must pay special regard to the scale, proportions, character and detailing of the existing building (both internally and externally). Any proposals failing to have such regard and which would adversely affect the listed building will not be permitted. Where appropriate the National Park Authority will impose conditions to ensure that:**

- (a) particular features of the building are preserved;**
- (b) any damage caused to the building is made good after works are completed; and**
- (c) use is made of original materials so far as practicable.**

The Secretary of State has compiled lists of buildings in the National Park of special architectural or historic interest. Once a building is listed, consent is normally required for its demolition, in whole or in part, and for any works of alteration or extension which would affect its special interest. Controls apply to all works, both external and internal, whether or not a particular feature concerned is specifically mentioned in the list description. Buildings may be of exceptional interest (Grade I), particularly important buildings of more than special interest (Grade II\*) or of special interest (Grade II).

The listing of a building does not preclude change but rather is a means of ensuring that its special interest is fully recognised and taken into account. The NPA's approach will be to protect these important buildings from unnecessary demolition and from inappropriate alteration.

Many listed buildings can sustain some degree of sensitive alteration or extension to accommodate a continuing or new use or change. Indeed some cumulative changes reflect the history of use and may therefore contribute to the special interest. Some buildings may be sensitive even to slight alterations or any change and in such instances any proposal will be rejected. The foremost principle to guide work is 'conserve as found'. Successful conservation lies in the maintenance and repair of the existing fabric and the replacement of features and details 'like for like'.

New extensions should not dominate existing buildings in scale, material or location. Successful extensions require the application of an intimate knowledge of the building type that is being extended together with a sensitive handling of scale and detail.

## **Policy BE14 - Demolition of Listed Buildings**

**Consent will not be granted for the demolition or partial demolition of listed buildings other than in exceptional circumstances. Applications for consent will be assessed against the following criteria:**

- (a) the intrinsic quality of the building and its contribution to the landscape/ townscape;**
- (b) the structural condition of the building;**
- (c) the suitability of the building for its existing, proposed or any other use, and the adequacy of efforts made to retain the building in use;**
- (d) the cost of repair and/or renovation; and**
- (e) the merits of alternative proposals for the site.**

**Where consent is granted the National Park Authority will, where necessary, impose a condition that the building shall not be demolished before a contract for the carrying out of the works of redevelopment of the site has been entered into, and planning permission has been granted for the redevelopment for which the contract provides.**

Guidance from the Secretary of State indicates that consent should not be given for the total or substantial demolition of any listed building without convincing evidence that real efforts have been made to sustain existing uses or to find viable new uses and have failed, or without clear evidence that redevelopment would produce substantial planning benefit to the community which would decisively outweigh the loss resulting from demolition. Accordingly, close scrutiny will be given to any application involving demolition.

## **Policy BE16 - Re-use of Listed Buildings**

**Appropriate new uses for listed buildings will be permitted where the use will ensure the survival and preservation of the building and where changes do not harm the appearance, character and setting of the building.**

The NPA will urge relevant authorities to deal sympathetically with proposals for the repair or conversion of historic buildings. In accordance with Government advice it is particularly important that there should be a flexible approach. Regard should be had to the possible impact of proposals on the historic or architectural value of the building to ensure that any changes are in character with the rest of the building and that there is no unacceptable damage to the fabric. A successful outcome is likely to be negotiated if the NPA and the Building Regulation Authorities have been consulted from the outset.

The NPA recognises the need for flexibility in dealing with planning applications for changes of use of historic buildings where change is regarded as necessary. The best use will very often be the use for which the building was originally designed. However, not all original uses will now be viable or necessarily appropriate. New

uses can be the key to a building's or area's preservation and controls will be exercised using normal development control criteria.

The NPA will prepare and publish a list of historic buildings at risk as a basis for a programme of priority grant assistance. Negotiations with owners to restore such buildings will aim to prevent them from deteriorating to such an extent that the buildings are at risk of irretrievable damage or collapse. Where buildings are in urgent need of repair the NPA will consider taking action, under its statutory powers, to prevent the situation deteriorating and to ensure that any damage is made good.

## **Policy BE18 - Protection of Important Amenity**

**Open Space Areas of open space important for their local amenity value, particularly those open spaces located within the larger settlements and identified on the Inset Maps, will be protected from proposed development which would cause demonstrable harm to their character or result in:**

**(a) an adverse effect on the setting of a listed building, a conservation area or an archaeological site; or**

**(b) the erosion of a well defined edge of settlement; or**

**(c) the loss of important trees and attractive gardens; or**

**(d) the consolidation of existing sporadic development.**

**In exceptional circumstances the development of such sites may be permitted where there is a compelling need for affordable housing in accordance with Policy H3.**

Government guidance in PPG17(15) on sport and recreation and PPG3(16) on housing stresses the need to retain valuable amenity open space not only as an amenity, but also as a contribution to the conservation of the natural and built heritage of the area. Parks, informal open spaces, allotments and private gardens can all be of great importance to the character of an area because of the special quality of the landscaping, the presence of trees or just because the land is undeveloped. Areas of open space of particular importance have been identified within the larger settlements and are shown on the Inset Maps (para 2.5).

Policy BE18 is intended to afford strong protection to all important areas of open space. Some limited development may be acceptable if it is of a scale and type which would result in no demonstrable harm to the character or appearance of the area or to the amenity of the built environment generally. In exceptional cases permission may be granted for the development of affordable housing on important areas of open space in accordance with Policy H3 in Section 5 –Housing.

*PPG17 (1991) has been replaced by PPG17 (2002)*

*PPG3 (Housing) (2000 and earlier editions) was replaced by PPS3 (2006) and then PPS3 (Housing) (2010)*

*Local Plan Policy H3 (Housing Exceptions on Important Open Spaces) has been replaced by CS11 (Sustainable Development Principles), CS18 (Housing Provision), and CS21 (Open Space and Recreation)*

## **Policy T6 - Hostels and Outdoor Centres**

**Conversion of buildings to hostel accommodation or outdoor centres will be permitted where all the following criteria are satisfied:**

- (a) the building is capable of conversion without requiring major extension, reconstruction or any significant external alteration;**
- (b) there would be no adverse loss to the level of housing or business and industrial accommodation available within the particular area;**
- (c) the proposal would not be detrimental to residential amenity;**
- (d) the proposal would not adversely affect the character or appearance of the landscape or nature conservation interests;**
- (e) the proposal would have a satisfactory vehicular access and adequate space for vehicle parking; and**
- (f) the proposal would not introduce inappropriate levels of traffic generation and recreational use.**

The Lake District has one of the heaviest concentrations of youth hostels and outdoor pursuit centres in the country. Most are based in the central areas of the Lake District and provide an opportunity for groups of people and organisations to enjoy the countryside and to participate in many forms of outdoor pursuits. Although both hostels and outdoor centres contribute significantly to the recreational pressures experienced within the central areas of the Lake District, the NPA recognises that they have an important role to play in providing access to the countryside for many people at relatively low cost. The NPA will therefore consider favourably proposals for the conversion of existing buildings to hostels and outdoor centres where the proposal would not adversely affect the landscape, residential amenity or nature conservation and cultural heritage, and where the conversion would not adversely affect the character of the building. Proposals will also be assessed having regard to the capacity of the area to absorb further levels of recreational use (particularly in the Quieter Areas and Busier Central Valleys) and the number of established hotels and other hostels and outdoor centres nearby.

*Local Plan Policy NE5 (Development in Quieter Areas) and NE6 (Development in Busier Central Valleys) have not been saved.*

## **Policy T9 - Static Caravan Sites**

**The siting of static caravans will only be permitted in the following locations and provided no harm would be caused to the visual amenities or character of the area or the internal amenity and recreational value of the site by reason of their number, siting, design or increased recreational activity:**

**(a) within the approved boundaries of established and well screened static caravan sites, or**

**(b) on farms in connection with diversification proposals which meet the criteria laid down in Policy A3.**

**Where permission is granted for additional static caravans, conditions will be imposed restricting their use for short term holiday accommodation only and, in appropriate cases, restricting the period of the year within which such caravans may be occupied.**

Static caravans are a very important component of the overall provision of holiday accommodation within the National Park. Approximately 4,500 static caravans are located on some 100 sites (of 4 or more vans) throughout the National Park. Almost all these caravans are occupied for holiday purposes on a seasonal basis and the great majority of sites are closed during the winter period 15 November to 1 March.

The NPA recognises the importance of static caravans in providing a range of holiday accommodation in many different locations throughout the National Park. The policies set out below seek to facilitate the development and enhancement of established static caravan sites to meet changing public demands and innovation in the industry, provided that in so doing the preservation of the natural beauty of the National Park is not compromised. In those instances where irreconcilable conflict arises between these two objectives, the duty of the NPA to safeguard natural beauty will always prevail.

Notwithstanding the importance of static caravans in terms of holiday accommodation provision, they are by their nature a type of development which has no familiarity with Lakeland vernacular forms, and which, unless well screened, may often appear incongruous within the landscape. Having regard to the overall policy of restraint advanced in Structure Plan Policy 11 (Landscapes of National Importance) and PPG21, and to the number and distribution of established caravan sites within the National Park, it is considered that the further development of sites should be strictly controlled to ensure that the appearance and character of the National Park is not adversely affected. For these reasons, and having regard also to the potential for re-development or intensification of use of established sites, there is no justification for the relaxation of long established policy which has resisted the development of new static caravan sites within the National Park.

The circumstances within which additional static caravans may be introduced into the National Park should therefore be restricted to established sites, within their existing boundaries, where this causes no demonstrable harm or in small numbers in connection with appropriate farm diversification proposals (Policy A3 in Section 8 - Agriculture). It is expected that, over the Plan period, the overall number of static caravans within the National Park should not materially increase, particularly as the re-development of some sites to improved standards will result in a reduction in numbers.

Clearly, in those instances where permission is granted for the siting of holiday caravans, it is important that conditions are imposed to prevent their use as permanent or semi-permanent accommodation. A condition restricting the use of caravans to holiday use only will generally be expressed in terms which preclude

occupation by any individual, family or group of persons for a period exceeding four weeks in any period of three months.

*Local Plan Policy A3 (Farm Diversification) has been replaced by CS23 (Farm Diversification)*

*Joint Structure Plan (1991-2006) Policy 11 (Landscapes of National Importance) has not been saved*

*PPG21(Tourism) (1992) has been replaced by the Good Practice Guide on Planning for Tourism (2006)*

## **Policy T13 - Individual Holiday Caravans**

**The retention of individual holiday caravans originally permitted on a time-limited basis will not be permitted unless such caravans are effectively concealed by established screening and their siting or use causes no harm to the visual amenities of the area. In those instances where established screening is deemed not to be secure in the long term, permission will be renewed only for a temporary period, normally not exceeding 3 years. Where permission is granted for the renewal of the siting of a holiday caravan, a condition will, where appropriate, be imposed which would require the written approval of the National Park Authority for any replacement caravan to be sited.**

Throughout the National Park there are a number of individual holiday caravans, often unrelated to existing land uses or to farm holdings. Many have been sited for a considerable number of years on the basis of temporary planning permissions which are periodically renewed. Some are well concealed in landscape terms, others are intrusive. The siting of new static caravans will be strongly resisted, whilst having regard to farm diversification proposals in accordance with Policy T9, and renewal of permission for existing caravans will be subject to rigorous scrutiny to safeguard the landscape of the National Park. For the purposes of Policy T13 the expression 'individual holiday caravans' includes a small group of caravans, whether or not in single ownership, that does not comprise a managed site.

*Local Plan Policy T13 (Static Caravan Sites) has been saved*

## **Policy T16 - Touring Caravan Sites**

**The use of land for the siting of touring caravans and motor caravans will only be permitted in the following locations and provided no harm would be caused to the visual amenities or character of the area or to the internal amenity and recreational value of such sites by reason of their number, siting, design or increased vehicle or recreational activity:**

**(a) within the approved boundaries of established and well screened caravan sites, or**

**(b) on farms in connection with diversification proposals which meet the criteria laid down in Policy A3.**

**In all cases permission will only be granted where the site enjoys reasonable access to the primary or secondary road network and the additional traffic generated would not be detrimental to highway safety or result in an increase in traffic which cannot be satisfactorily accommodated by the local road network without causing inconvenience to other road users or residential amenity.**

Considerable provision already exists for touring caravans throughout the National Park. Permission exists for some 2,600 touring caravan pitches on 89 sites. In addition the use of land for the siting of touring caravans enjoys substantial freedom from planning control, particularly in relation to agricultural land and sites certificated or operated by the many exempted organisations. Having regard to the overall policy of restraint advanced in Structure Plan Policy 11 and PPG21 and to the number and distribution of established caravan sites within the National Park, it is considered that the further development of sites should be strictly controlled to ensure that the appearance and character of the National Park is not adversely affected. Additional provision is expected to be mainly in the form of infilling within established sites (whether static caravan sites or touring caravan sites) or in connection with farm diversification schemes. Such additional provision will often be most appropriate in locations on the periphery of the National Park.

In the exercise of Policy T16, the NPA will attach particular importance to the existing level of provision in the area and the need to avoid increased use of narrow winding roads or an undue concentration of sites.

*Joint Structure Plan (1991-2006) Policy 11 (Landscapes of National Importance) has not been saved*

*Local Plan Policy A3 (Farm Diversification) has been replaced by CS23 (Farm Diversification)*

*PPG21 (Tourism) (1992) (has been replaced by the Good Practice Guide on Planning for Tourism 2006)*

## **Policy T17 - Tented Caravan Sites**

**The use of land for tented camping, or the provision of additional tented camping pitches, will not be permitted otherwise than in small numbers where no harm would be caused to the visual amenities, nature conservation interests, or character of the area, or to the internal amenity or recreational value of such sites in the following locations:**

**(a) within the approved boundaries of established and well screened camping or caravan sites; or**

**(b) on farms in connection with diversification proposals which meet the criteria laid down in Policy A3; or**

**(c) on well screened sites where basic facilities can be provided within existing buildings and primarily in locations served by public transport or those**

**especially catering primarily for campers travelling on foot, by bicycle or by horse.**

The use of land for tented camping is often not subject to planning control. Whilst there are approximately 3,000 approved camping pitches in the National Park, at busy periods surveys indicate that more than double that number of tents may be pitched at any one time. The size and character of tented camp sites vary considerably, particularly as a result of the growing popularity of trailer tents and frame tents. In environmental terms the impact of a large brightly coloured frame tent and associated vehicle is very different from that of a small tent used by backpackers.

The provision of tented camp sites affords valuable opportunities for the public enjoyment of the National Park, especially by the young and those unable or unwilling to pay the higher price of accommodation in hotels, guesthouses or caravans. Camp sites can provide a source of additional income for farmers and landowners but, in sensitive locations, may cause problems of disturbance or visual intrusion. Larger sites may also give rise to problems of traffic generation or pollution. However, 'wild camping', usually at higher altitudes, involving individual or small groups of tents by backpackers, generally causes few environmental problems and, provided undue concentrations of such uses do not arise, the NPA has no wish to extend control over this form of camping and the traditional freedom of the fells.

The provision of additional formal camp site pitches will, however, be strictly controlled and, in general, be confined to established camping or caravan sites. Small scale camp site developments affording only basic facilities may also be acceptable, particularly in connection with farm diversification schemes.

In applying Policy T17, the NPA will attach particular weight to safeguarding the character of the sensitive areas of the National Park. Twenty five pitches should be used as a general guide for any new site approved under this Policy, but it is recognized that, in some circumstances, a greater or lesser number may be appropriate.

<p><i>Local Plan policy A3 (Farm Diversification) has been replaced by CS23 (Farm Diversification)</i></p>
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## **Policy T18 - Touring Caravan/Tented Camping Sites**

**Within the approved boundaries of established sites which accommodate both touring caravans and tented camping, the introduction of 'touring units' (which allows interchange between the two) will only be permitted where no harm would be caused to the character and appearance of the area or to the internal amenity and recreational value of such sites, by reason of increased visual impact on the landscape or the level or type of vehicle activity.**

PPG 21 acknowledges that the introduction of trailer tents and similar units has blurred the traditional distinction between touring caravans and tents. On established sites which accommodate both touring caravans and tented camping the NPA will apply the policies in this Plan with flexibility to enable interchangeability between the different types of units, provided the overall number of pitches is acceptable and the objectives of the separate policies are not compromised in terms

of damage to visual amenity or the generation of additional traffic in unsuitable locations.

The NPA will however continue to resist the use of tented camp sites by touring caravans in locations where access is inadequate or where established landscaping would be ineffective in screening touring caravans which, by reason of their size, colours and materials of construction, are generally more conspicuous in the landscape. Moreover the provision of improved access roads, hardstandings, and 'hook-up' points may profoundly, and adversely, affect the character and appearance of informal campsites in the landscape.

*PPG21 (Tourism) (1992) has been replaced by the Good Practice Guide on Planning for Tourism 2006*

## **Policy H6 - Occupancy of Existing Farmhouses**

**Where planning permission is granted for a dwelling to provide accommodation for a worker in agriculture within the terms of Policy H5, and where that accommodation is demonstrated to be essential to the operation of a particular farm holding which has an existing dwelling under the control of the applicant, a condition will normally be imposed, or a planning obligation secured, to ensure that occupancy of the existing dwelling is also confined to persons able to demonstrate an essential need for accommodation in connection with agriculture.**

All proposals for housing development in the open countryside will be subject to thorough scrutiny to assess need. In cases of claimed agricultural need, the NPA will normally expect the submission of an independently prepared farm appraisal to demonstrate a long term need which satisfies the functional and financial tests as recommended in PPG7. All new farm dwellings will be expected to be of a size appropriate to the needs identified and the size of the holding. In those instances where, at the time of application, an existing farmhouse is also shown to be essential to the running of the farm in question the NPA will normally impose a condition restricting the occupation of the existing farmhouse, in addition to the new dwelling, to persons engaged in agriculture. In cases where evidence is submitted supporting an application for an agricultural worker's dwelling but that evidence does not yet confirm an essential need for a permanent dwelling, then the NPA may, as an exception to Policy H10, consider whether to grant permission for the provision of a caravan or other form of temporary accommodation. In these circumstances permission will be granted for a specified temporary period during which time the NPA will need to be satisfied that the requirement for a new dwelling is justified.

*PPG7 (The Countryside – Environmental Quality and Economic and Social Development) (1997) was replaced by PPS7(Sustainable Development in Rural Areas) (2004). The economic development sections of PPS7 were replaced by PPS4 (2009) (Planning for Sustainable Economic Growth)*

*Local Plan Policy H5 (Housing in the Open Countryside) has been replaced by CS02 (Achieving vibrant and sustainable settlements), CS18 (Housing Provision), CS26 (Geodiversity and Biodiversity),and CS27 (The Acclaimed Historic Environment)*

*Local Plan Policy H10 (Mobile Homes) has been saved*

## **Policy H7 - Removal of Agricultural/Forestry Conditions**

**Planning permission for the removal of a condition which restricts occupancy of a dwelling to a worker in agriculture or forestry will not normally be permitted. Where, exceptionally, permission is granted, and the National Park Authority considers that the dwelling would contribute to meeting the housing needs of the locality, it will be subject to occupancy of the dwelling being limited, in perpetuity, to local persons by, in most instances the securing of a planning obligation by agreement, or in other instances by imposing a planning condition.**

An application for the removal of an agricultural worker's occupancy condition will be considered on the basis of a realistic assessment of the continuing need for that accommodation to meet agricultural needs in the locality as a whole and will be subject to rigorous scrutiny. Particular attention will be given to the applicant's endeavours to dispose of the property in terms of marketing and valuation. In those instances where it can be fully demonstrated that a particular dwelling is no longer required to meet farming needs in the area, permission for removal of a condition restricting occupancy to a worker in agriculture will only be granted if the dwelling can be secured as part of the local housing stock by means of a condition or planning obligation.

## **Policy H9 - Replacement of Substandard Dwellings**

**Planning permission for the erection of a dwelling to replace an existing substandard dwelling in the open countryside will normally be permitted where all the following criteria are satisfied:**

- (a) a report is submitted by an appropriately qualified person to demonstrate, where necessary, that the existing dwelling is not capable of economic repair;**
- (b) the dwelling is of similar size and proportions to the dwelling to be replaced;**
- (c) the dwelling is to be sited on, or close to, the site of the dwelling to be replaced; and**
- (d) submitted details are acceptable in terms of access, layout and design.**

**Where permission is granted conditions will be imposed, where appropriate, removing permitted development rights granted by the Town and Country Planning (General Permitted Development) Order 1995 in respect of alterations and extensions and in respect of development within a domestic curtilage and to ensure that the original dwelling is demolished and removed from the site prior to, or within a short period of, the replacement dwelling being first occupied.**

From time to time the NPA receives applications to erect replacement dwellings in the open countryside in circumstances where an existing dwelling is no longer

capable of economic repair. In many cases such dwellings are of timber construction built prior to the introduction of planning control and are of modest size located discreetly within a mature landscape setting, often partially screened by trees. Replacement by a new dwelling of modern standards and amenities demands particular care to avoid harm to the landscape. The NPA will therefore normally require replacement dwellings to be of similar size and proportions and to be erected on, or close to, the site of the original dwelling.

## **Policy H10 - Mobile Homes**

**The siting of mobile homes, caravans or similar structures for use as residential accommodation will not normally be permitted.**

Residential mobile homes or caravans are not considered acceptable as permanent accommodation within the National Park by reason of their form, materials of construction, design and visual impact. Such structures are particularly difficult to reconcile with the character of the settlements of the National Park where permanent accommodation is most appropriately needed. The siting of mobile homes or caravans in the open countryside would cause significant landscape harm and would establish a wholly undesirable precedent having regard to the number of holiday caravans sited within the National Park and which are the subject of conditions preventing permanent occupation (Section 4 Tourism).

*Local Plan Policy T10 (Occupancy Periods) in Section 4 has not been saved*

## **Policy E4 - Land allocated for Business (B1) and General Industrial (B2) Development**

**Development on land allocated for business/industrial uses on the Inset Maps will be permitted where all the following criteria are satisfied:**

- (a) the scale and nature of the business would not harm the character of the area;**
- (b) the development would provide adequate parking and servicing arrangements within the curtilage of the premises; and**
- (c) landscaping details, where necessary, form an integral part of the design proposals for the site.**

The success of the local economy will depend on both the expansion of existing businesses and the establishment of new ones. Availability of suitable development land is a pre-requisite for this. The Structure Plan does not seek to provide a minimum of a 5 year supply of readily available land for business development within the National Park. However, the Local Plan identifies business/industrial sites within or near the larger settlements to stimulate economic demand and to provide a level of certainty for developers and interested parties.

The Local Plan identifies approximately 3.2 ha of new employment land at Ambleside, Coniston, Keswick, Threlkeld, Troutbeck Bridge and Windermere. In addition a substantial area of land at Backbarrow Iron Works (for which a

development brief is to be prepared) provides opportunity for further business/ industrial development. The difficulties of identifying additional land is acknowledged but the sites shown on the Inset Maps generally have a good access to the road network and available services, and their development should have a minimum adverse effect on local communities. The scale and nature of industrial development on these sites will vary according to location. Particular regard will therefore be paid to the appearance of buildings and control over operational matters such as noise or smell. In this respect the former gas works site at Ambleside (Blue Hill Road) may require a degree of flexibility to consider uses ancillary to its business development.

*The Core Strategy identifies 9.2 ha of employment land required to 2025*

## **Policy C7 - Requirements for all Conversions**

**Conversion of traditional buildings, in accordance with Policies C1 to C6, will not be permitted unless all the following criteria are satisfied:**

**(a) the building conserves or enhances the natural beauty of the National Park by reason of its location, design, massing and form and setting in the landscape or the built environment;**

**(b) the development would not adversely affect nature conservation interests or cultural heritage; and**

**(c) the building is capable of conversion without resulting in an unacceptable change to its character and should be large enough to accommodate the use proposed without the necessity of major alteration, extension or reconstruction (or any material alteration, extension or reconstruction in the case of isolated buildings – Policy 6).**

**In cases of doubt regarding the structural condition of a particular building, a full structural survey will be required to support any planning application. Planning permission will not normally be granted for reconstruction if substantial collapse occurs during works of conversion.**

In addition to the requirements of satisfactory access, layout and design, it is essential that any building to be converted should be structurally sound and capable of re-use without recourse to major alterations. Permission will not be granted for the conversion of a building which has become so derelict that it could be brought back into use only by complete or substantial reconstruction. Equally, buildings which substantially collapse whilst in the process of conversion will need to be assessed as if an entirely new building was being proposed, particularly within the open countryside, and a further detailed planning application will be necessary. Moreover, as the objectives of policy include the protection of landscape character, and vernacular buildings are integral to that character, it is important that any building to be converted should conserve and enhance the National Park landscape, whether or not it is prominently sited in relation to public rights of way. The NPA will also require planning applications for conversion of buildings to be accompanied by fully detailed drawings including survey drawings.

*Local Plan Policies C1 (Conversions in Larger Settlements), C2 (Conversions in Villages), C3 (Conversions to Holiday Accommodation in Villages), C4 (Conversions in the Open Countryside), C5 (Replacement Buildings), C6 (Isolated Buildings) have not been saved*

## **Policy C8 - Removal of Permitted Development Rights**

**In cases where permission is granted for conversion of a traditional building to residential use, conditions will be imposed which:**

- (a) remove permitted development rights granted by the Town and Country Planning (General Permitted Development) Order 1995 in respect of alterations and extensions and in respect of development within a domestic curtilage, and**
- (b) remove the right to position a caravan within a domestic curtilage.**

Subsequent extensions and alterations not subject to planning control can harm a successful conversion to residential use. Similarly the placing of caravans within a domestic curtilage may often detract from the character and appearance of the local landscape. The NPA will therefore normally seek to control (but not necessarily to prevent) such changes.

## **Policy A1 - Agricultural and Forestry Buildings**

**Proposals to erect, alter and extend agricultural and forestry buildings, structures, tanks and associated works will be favourably considered where the development would satisfy all the following criteria:**

- (a) it is necessary for and designed for the purposes of agriculture or forestry;**
- (b) the scale and siting of the development would be well related to existing farm or forestry buildings and to landscape features;**
- (c) it is of an appropriate standard of design and incorporates materials of suitable texture, colour and appearance;**
- (d) it would not result in the pollution of any watercourses or ground water;  
and**
- (e) the proposal would not cause demonstrable harm to landscape, local amenity, nature conservation interests, cultural heritage or the amenity of public rights of way.**

**Where appropriate, a planning condition will be imposed to ensure that where a building or structure is granted permission under this policy and ceases to be needed for agricultural or forestry purposes, it shall be dismantled and removed from the site as soon as reasonably practicable unless the building is re-used for other purposes in accordance with any permission that might be granted.**

Approximately 10% of all planning applications received by the NPA each year are for agriculture related developments. Some of these include small buildings such as implement sheds and underground slurry stores, which might have little impact on the landscape, whilst others involve the erection of large livestock buildings or slurry tanks which can, in a prominent location, appear conspicuous and visually intrusive. The NPA will seek to ensure that the detrimental impact of these buildings is minimised, yet at the same time be responsive to the needs of the farming community.

The demand for new agricultural buildings remains high, in response to modern farming needs and to comply with comprehensive regulations for the containment and handling of waste and effluent aimed at reducing water pollution. Some buildings and works require formal planning permission. Others enjoy deemed permission under the Town and Country Planning (General Permitted Development) Order 1995 and require only approval of details. For example, agricultural holdings of more than 5ha enjoy permitted development rights to construct or extend agricultural buildings and to undertake certain engineering operations subject to a number of criteria being satisfied. On holdings of between 0.4ha and 5ha these rights are much more limited. All holdings are however, subject to a notification procedure whereby the NPA must be informed of a proposal and within 28 days may require further details in respect of siting, design and external appearance of the development.

In assessing all planning applications and proposals submitted under the notification procedure, the NPA will seek to ensure that all new buildings and works blend with the landscape, are of a satisfactory standard of design, including materials, and do not adversely affect nearby amenity, nature conservation or cultural heritage interests. In addition, where necessary the NPA will impose landscaping conditions to ensure that the appearance of the new building or works is softened by tree planting, ground contouring or other measures. Proposals for new forestry buildings and structures will be similarly assessed against such criteria.

New agricultural and forestry buildings are permitted as an exception to policies which severely restrict development in the open countryside in order that essential operational agricultural or forestry needs are met. Many modern buildings have a utilitarian appearance in marked contrast to traditional buildings. In those instances where the particular operational requirements of the farm severely limit the choice of site and materials used for any new buildings or structures, and where a building or structure of modern design does not conserve or enhance the landscape, and therefore would not normally be permitted, the NPA will attach a condition to the grant of planning permission requiring the removal of the building if it is no longer needed for agricultural or forestry purposes. Such instances may arise where a portal frame livestock building, silo or slurry storage tank is permitted in an isolated location or visually prominent position and subsequently is no longer needed because farm operations cease on the holding. This may occur if the holding became solely a residence due to farm amalgamation or disposal of land. Whether or not a building ceases to be needed for agricultural or forestry purposes will be a matter of judgement in each case and, where necessary, the NPA will seek guidance from appropriate advisory bodies or agents.

Some of the largest agricultural buildings are associated with intensive livestock rearing units. Such buildings may have a significant impact on the landscape

particularly if unrelated to an existing farm complex or an existing established livestock enterprise and will be rigorously assessed against the criteria of Policy A1.

Local Plan Policy A1 (Agricultural and Forestry Buildings)

## **Policy TR2 - Design of Road Improvements**

**The planning, design and construction of road alterations and maintenance schemes should give the highest priority to environmental quality and should ensure that all the following criteria are satisfied:**

- (a) design and materials used do not adversely affect the character and appearance of the area;**
- (b) landscape and cultural heritage features, nature conservation interests and public access, where possible, are retained and enhanced;**
- (c) the proposal would not lead to an unacceptable increase in road speeds and road capacity or restrict public transport;**
- (d) the proposal is essential to address a safety hazard;**
- (e) disturbance to residential amenity and community interests is kept to a minimum; and**
- (f) the needs of cyclists, horse riders and pedestrians are fully taken into account.**

**The provision of highway signing, lighting, kerbing, barriers and other works should:**

- (g) have full regard to their environmental setting;**
- (h) be of a number and size restricted to that necessary to secure essential road safety or traffic management measures;**
- (i) be designed, positioned, fixed, coloured or illuminated so as not to adversely affect the character or appearance of the area, or residential amenity, and where possible incorporate local materials; and**
- (j) ensure that a clutter of signs and lighting does not result and, wherever possible, ensure that such installations are attached to existing, appropriate support structures or buildings.**

The highway authorities have defined road standards upon which investment in upgrading and improvement works are based. Schemes undertaken within the highway boundary do not constitute development. Those on land outside but adjoining the highway boundary are permitted development under the Town and Country Planning (General Permitted Development) Order 1995. In both instances such works will not require applications for planning permission, unless they will have significant effects and an Environmental Statement is required. The County

Council's policy is to retain the character of roads within the National Park, subject to the need to address significant road safety hazards, and the Council consults the NPA on all highway works not requiring applications for planning permission but which are likely to affect the existing character of a road. The NPA will resist unsympathetic works, in particular the use of standardised design specifications and materials which are not considered acceptable within the special landscape of the National Park. Early discussions between the NPA and the highway authority on proposed schemes are valuable to ensure that the treatment of road surfaces, kerbs, lighting, signs, verges, traditional bridges and boundaries maintain the rural character of roads and their surroundings. It is also important that any works support rather than undermine the aims of the Traffic Management Initiative.

*The Traffic Management Initiative has been replaced by the Transport Framework adopted in 2009*

### **Policy TR3 - Roadside Service Facilities**

**The development of roadside service facilities outside the larger settlements will not be permitted except where they would involve alterations or additions to an existing facility and where both the following criteria are satisfied:**

**(a) the scale, siting, design and illumination of the proposal would not detract from the character and appearance of the area, and**

**(b) the proposal would not adversely affect residential amenity or highway safety interests by reason of additional traffic generation, activity, noise, exhaust pollution or lighting.**

The growth in road traffic has resulted in the demand for more developments catering for the travelling visitor which can often be detrimental to the character and appearance of the landscape. They can also contribute to undermining the viability of village shops, particularly when they offer food and drink and include facilities encouraging them to become destinations in their own right. Such developments have a considerable adverse impact on the character and appearance of the area and the development of additional roadside service facilities will rarely be acceptable. The siting of mobile vendors selling food and drink will also be considered under Policy TR3

### **Policy TR5 - Public Transport Facilities**

**Development which helps maintain or improve public transport facilities will be favourably considered. In those instances where development proposals would displace facilities the National Park Authority will normally expect applicants to make satisfactory replacement provision either in the design and layout of the development on site or on land elsewhere under their control.**

Further road building and upgrading cannot acceptably resolve the problems resulting from increased traffic and it is necessary to manage road traffic more effectively and encourage alternative modes of travel - public transport, cycling and walking. Many individual schemes have been developed over the years in response to particular problems. The Friends of the Lake District in particular have assisted

the NPA in commissioning research, stimulating discussion and in helping to bring together different interested groups to attempt to address this difficult issue. The NPA monitors traffic flows and vehicle parking levels and the County Council have also monitored through routes for a number of years. These surveys reveal a significant growth in traffic, and more recently a trend toward the continuation of high levels of traffic into the traditionally quieter winter period. There is now overwhelming recognition of the need for more comprehensive Park-wide, and even wider regional and national measures to be taken. Given the inconvenience and possible public safety problems (for example the restriction of emergency services), congestion alone is not an acceptable primary means of controlling future traffic levels in the Lake District.

The Lake District Transport Strategy encompasses a rolling programme of projects. However, the policies and proposals outlined here seek to identify the basic policy direction and some key measures and related schemes. Additional measures will be developed over the plan period and beyond, through traffic and environmental plans for specific areas of the National Park in consultation with local communities and other interested parties. Importantly, the NPA recognises the reliance of local residents upon the use of motor vehicles to go about their daily business and that most visitors to the National Park arrive by and are dependent on the car.

In the Lake District public transport includes lake steamers and ferries, as well as buses, trains and taxis. If the further use of cars is to be constrained it is essential that suitable alternatives are provided and improved.

A network of bus routes exists within the National Park though the service is skeletal. Rail services encircle rather than enter the National Park with the exception of the Oxenholme - Windermere line and part of the Cumbria Coast line. Patronage is generally poor, with the lack of adequate levels of winter services and weekend services a particular problem. Public transport on the roads also suffers from the problems of traffic congestion.

Notwithstanding privatisation the County Council has a major role to play in the future development of the public transport system. It considers the public transport needs of the National Park within the overall countywide strategic context and, with money obtained through its TPP bid, can directly finance public transport infrastructure works and help toward supporting essential bus services. The Government encourages County Councils to consider public transport as part of their road traffic demand management strategies in their TPP programmes.

Statutorily the NPA is only able to fund public transport provision where that directly relates to encouraging visitor enjoyment. However, through its visitor information centres and publications it can also play a significant role in helping to promote and co-ordinate services and encourage greater public transport use. The NPA will support and promote public transport initiatives which help reduce the level of private vehicle use and improve accessibility for local communities as well as catering for visitors. The NPA will seek the retention of existing public transport facilities and in those instances where development proposals would displace facilities the NPA will normally expect applicants to make satisfactory replacement provision either in the design and layout of the development on site or on land elsewhere under their control.

In particular, future traffic management initiatives should seek to improve existing services through the development of bus priority lanes, the maintenance of a strategic public transport network (where appropriate this could involve the protection of abandoned railway formations from development which would sever their continuity), the development of services off the main through routes and the development of appropriate interchange facilities. The NPA will assist in providing essential service information.

*The Lake District Transport Strategy has been replaced by the Transport Framework adopted in 2009*

## **Policy TR6 - Taxi Bases**

**Proposals to operate taxi bases from sites or premises which cannot provide adequate off-street parking provision or which are located within residential areas will not normally be permitted.**

Several taxi firms, licensed by the District Councils, operate in the National Park and complement other public transport services. Taxi rank facilities should be conveniently located for public use, for example at strategic public transport facilities in the centres of larger settlements. Taxi operation bases are generally not acceptable in predominantly residential areas, where the noise and disturbance of commercial activities and associated on-street parking would disturb residents.

## **Policy TR10 - The Loss of Off-Street Vehicle Parking**

**Development which would result in the loss of existing off-street parking provision will not be permitted where it would adversely affect highway safety.**

The provision of further vehicle parking facilities within the National Park should support the overall traffic management strategy. New parking facilities should be designed to solve exceptional existing congestion and public safety problems and should not merely attract additional vehicular traffic or cater for peak recreational demand. In appropriate locations secure parking rails for cycles and motorcycles should be provided. Parking associated with development proposals, however, will be necessary in order to prevent inappropriate parking on the highway where this might cause congestion or become a traffic safety hazard. The NPA will expect applicants to have regard to current parking guidelines prepared by Cumbria County Council in conjunction with constituent planning authorities. In addition, as part of locally developed and agreed traffic management schemes, existing parking provision may be reserved for use by residents only, particularly where there are problems of congestion and noise.

Flexibility in the application of parking guidelines may be appropriate in some instances. For example, the conversion of upper floor premises to office or residential use may contribute to the vitality and viability of the Central Shopping Areas and the benefits may outweigh any inconvenience resulting from the lack of on-site car parking space normally required to serve such developments.

*The Transport Strategy and Area Action Plans have been replaced by the Transport Framework adopted in 2009*

## **Policy TR11 - Permanent Public Parking**

**The National Park Authority will grant permission for additional permanent public parking facilities only where they would:**

**(a) resolve an unacceptable road safety hazard or lead to significant environmental improvement and are an integral part of a traffic management plan for the area;**

**(b) not adversely affect the landscape, built environment, nature conservation interests or cultural heritage; and**

**(c) not harm the amenity of the surrounding area through introducing inappropriate levels of activity.**

**The provision of ancillary structures and buildings within car parks such as eating facilities will not normally be permitted in open countryside locations. Exceptionally, toilet provision, vehicle pay and display facilities or small scale information boards will be allowed.**

The NPA has powers to create car parks under the National Parks and Countryside Acts in order to cater for public enjoyment and many facilities have been provided in the past. However, current policy presumes against further provision merely in order to meet peak demand. To try to meet outstanding and ever growing demands would bring unacceptable consequences on the National Park landscape, as well as encouraging additional traffic generation. Considered in isolation further provision will also only have a marginal, short term impact on such a Park-wide problem. Although it may be possible to allow temporary parking during peak periods to help overcome outstanding acknowledged problems, permanent facilities will only be developed as an element of a traffic management scheme prepared under the Lake District Transport Strategy. The Area Action Plans to be prepared under the Strategy will include consideration of parking requirements.

Notwithstanding Policy TR10 above, as part of an area traffic management scheme, it may be appropriate to close/ restrict some existing parking facilities or to permit the development of public transport stopping/interchange facilities.

The provision of ancillary structures and buildings within car parks, such as eating facilities, will not normally be permitted in open countryside locations. Exceptionally, appropriately designed and located toilet provision, vehicle pay and display facilities or small scale information boards will be allowed. The issue of coach parking within some of the larger settlements gives rise to particular problems which will be addressed under Policy TR11.

*The Transport Strategy and Area Action Plans have been replaced by the Transport Framework adopted in 2009*

## **Policy S1 - Loss of Formal Recreation Sites**

**Development which would result in the loss or partial loss of formal recreational sites, particularly those identified as Important Open Space (Recreation) on the Inset Maps for the larger settlements, will not be permitted unless:**

- (a) evidence demonstrates that the need for the facility no longer exists with reference to national standards, the level of provision in the catchment areas, the needs of local clubs and sporting associations and taking into account visitor usage; or**
- (b) an equivalent equally accessible replacement site is provided elsewhere; or**
- (c) there is a compelling local need for affordable housing in accordance with Policy H3; and**
- (d) there would be no harm to the landscape or the character of the settlement.**

Recreational facilities such as playing fields, tennis courts and cricket pitches represent an important resource for the local community. In the National Park many of the villages and larger settlements have a range of these facilities, but because of the pressure for new development, particularly from housing, some have been lost to or redeveloped for other uses.

The NPA, in order to help sustain local communities, will protect sites from redevelopment unless there is a compelling need for affordable housing (in accordance with Policy H3 in Section 5 - Housing) or in the case of other development, such as school premises or further recreational facilities, an equivalent equally accessible replacement site can be provided elsewhere. Alternatively, where it is claimed that the need for an existing facility no longer exists, the applicant will be expected to provide evidence to this effect with reference to national standards, current levels of provision in the catchment area, the needs of local clubs and sporting associations, and visitor usage. In all cases the new use or the displaced recreational facility will only be acceptable if no demonstrable harm results to the landscape or the character of the settlement.

*The Inset Maps have been revised in the Core Strategy.*

*Local Plan Policy H3 (Housing Exceptions on Important Open Spaces) has been replaced by CS11 (Sustainable Development Principles), CS18 (Housing Provision), and CS21 (Open Space and Recreation)*

## **Policy UT7 - Telecommunications Development**

**Proposals for the erection of telecommunication masts and equipment and any associated development will only be approved where the need for the particular system, including technical and operational considerations and its siting and design requirements, outweighs the visual or other impacts of the proposal on the landscape, built environment, nature conservation interests or cultural heritage. Where such structures are permitted, approval will, where**

**necessary, be subject to a condition limiting the duration of the permission to enable the National Park Authority to re-assess the development at the expiry of the period. Where necessary, a condition will be imposed requiring the removal of the structures and the reinstatement of the land as soon as reasonably practicable when no longer required for telecommunications purposes.**

In PPG8 the Government states its commitment to encouraging the growth of new and existing telecommunications systems, whilst recognising the need to protect the countryside, particularly in areas such as National Parks. Telecommunications infrastructure, often for technical and operational reasons, has to be sited in open countryside locations, and may be permitted as an exception to the normal presumption of restricting new development. The design of masts, equipment and associated development by their nature can detract from the National Park landscape and must be strictly controlled.

Where the need for a particular system in providing a service justifies granting permission, approval will normally be subject to a condition securing the removal of the mast or equipment when no longer required for telecommunications purposes. In appropriate circumstances, for example where future advances in technology could change the size or design of masts or equipment enabling a reduction in their impact, approval will be subject to a time limited condition to enable the NPA to re-assess the particular mast or equipment in the light of any changed circumstances. In determining when such conditions are necessary the NPA will have regard to the requirements imposed on individual operators under the Telecommunications Act 1984, Schedule 2 (where they are bound by these provisions) where an operator is not entitled to keep apparatus installed if it is no longer in use and is unlikely to be used.

Within the National Park reception of television and radio signals is often poor due to the surrounding fells and mountains. To overcome this, aerials and masts are often required. Small additional individual masts and aerials have been approved where they meet a local need, and the erection of further aerials and masts will normally be allowed only where it is essential for the provision of a reasonable level of service to the local community. The siting and design of aerials and masts, including any associated development such as access roads, should not appear unduly prominent in the landscape or cause significant and irremediable radio interference with other electrical equipment. The NPA will expect applicants to demonstrate that they have fully assessed the opportunities for utilising existing buildings or sharing existing masts or other structures to meet their needs.

<p><i>PPG8 (Telecommunications) (1992) has been replaced by PPG8 (Telecommunications) (2001)</i></p>
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## Saved Joint Structure Plan Policies

### Policy EM13: Employment land provision

Local Development Frameworks will ensure that there is the following supply of readily available land for employment purposes in the following Sub County Areas, Employment Land Market Sectors and, outside the National Park, at the start of each period indicated:

Sub County Area	Employment Land Market Sectors	Period		
		2001-2006 (Ha)	2006-2011 (Ha)	2011-2016
<b>City of Carlisle</b>	Regional Investment Site ▼	15	20	15
	Strategic Employment Site	10	10	10
	Local Employment Site	15	15	15
	Business/Science Park	5	10	10
<b>North Cumbria Carlisle Allerdale</b>	Strategic Employment Site ♦	6	6	6
	Local Employment Site	5	5	5
	Local Employment Site	2	2	2
<b>Furness and West Cumbria Allerdale</b>	Strategic Employment Site	20	20	20
	Local Employment Site	10	10	20
	Business/Science Park	3	5	5
	Port Related	7#	0	0
<b>Copeland</b>	Strategic Employment Site	5	5	5
	Local Employment Site	13	13	13
	Business/Science Park*	10	10	10
<b>Barrow-in-Furness</b>	Strategic Employment Site	5	5	5
	Local Employment Site	7	7	7
	Business/Science Park	5	5	5
	Port Related	0	11#	0
<b>South Lakeland</b>	Strategic Employment Site	0	5#	0
	Local Employment Site	3	3	3
	Business/Science Park	3	3	3
<b>South &amp; East Cumbria Eden</b>	Strategic Employment Site	5	10	10
	Local Employment Site	7	7	7
	Business/Science Park	3	3	3
<b>South Lakeland</b>	Strategic Employment Site	5	5	0
	Local Employment Site	5	5	5
	Business/Science Park	3	3	3
<b>Lake District National Park</b>	Local Employment Site (B1 and B2 uses only)		3	

- \* Includes Strategic Regional Site identified by the NWDA at Westlakes, Copeland
- # Carry over provisions to the next period if not completed
- ▼ Kingmoor, Carlisle listed in RSS as a Regional Investment Site
- ◆ Carlisle Airport

## **Policy H21: Allocation of sites within the Lake District National Park for social housing.**

Within the Lake District National Park sites will be identified for social housing to meet an identified need where:

- 1 they are appropriate in scale to an established community; and
- 2 their development respects the landscape setting, character and form of the larger settlements or villages to which they relate.

Permission will be granted for the development of sites identified under this policy only for schemes whereby occupancy is secured, in perpetuity, to local persons in housing need, being schemes usually promoted by a registered social landlord.

## **Policy T30: Transport Assessments**

Transport assessments will be required for development proposals in accord with national guidance. In the interim proposals which either individually or cumulatively meet the following scale of development will require a transport assessment:

- 1 residential development in excess of 100 units; or
- 2 employment uses in excess of 5,000 sqm gross floorspace; or
- 3 other developments in excess of 1,000 sqm gross floorspace; or
- 4 hotel developments in excess of 100 bedrooms; or
- 5 caravan or similar holiday sites in excess of 100 units; or
- 6 any development that either generates in excess of 100 heavy goods vehicles per day or 100 vehicle movements in any hour; or
- 7 any development that materially adds to local congestion; or
- 8 any development that may impact on the trunk road network.

## **Policy T31: Travel Plans**

Travel plans will be required for proposals for:

- 1 retail and indoor leisure facilities in excess of 1000 sqm gross floorspace;
- 2 office, employment, education and health services development in excess of 2500 sqm gross floorspace;
- 3 new and expanded school facilities;
- 4 development that would otherwise generate local traffic problems as identified through a transport assessment or an evaluation of a proposal.

### **Policy T33: Telecommunications**

Proposals for the erection of telecommunication masts and improved telecommunications systems will be permitted only where a proven need for the particular facility demonstrably outweighs its visual or other adverse impacts, including the cumulative impacts of a number of such facilities, and where it is carefully sited and designed so as to reduce such impacts to a minimum.

**ANNEX 1. POLICY TOPICS AND WHERE TO FIND GUIDANCE**

<b>POLICY TOPIC</b>	<b>SOURCES OF INFORMATION</b>
<b>Infill</b>	<p>CS03 (Settlement form)                      CS11 (Sustainable development principles), CS14 (Sustainable transport solutions)                      CS21 (Open space and recreation)                      CS25 (Protecting the spectacular landscape)                      CS26 (Geodiversity and biodiversity)</p> <p>PPS4 (Planning for Sustainable Economic Growth)                      PPS17 (Sport and recreation)</p>
<b>Transport assessments and travel plans</b>	<p>Guidance on Transport Assessment 2007 (Communities and Local Government, Department for Transport)</p>
<b>Car parking standards</b>	<p>Parking Guidelines for Cumbria 1997 (CCC, LDNPA)</p>
<b>Residential mobile homes</b>	<p>CS18 (Housing provision)                      CS25 (Protecting the spectacular landscape)                      CS27 (Historic environment)</p> <p>Local Plan H10 (Mobile homes)</p>
<b>Replacement dwellings</b>	<p>CS02 (Achieving vibrant and sustainable settlements)                      CS11 (Sustainable development principles)                      CS25 (Protecting the spectacular landscape)</p> <p>Local Plan H9 (Replacement of sub-standard dwellings).</p>
<b>Telecommunications</b>	<p>CS25 (Landscape)</p> <p>PPG8 (Telecommunications)</p> <p>Local Plan policy UT7 (Telecommunications development)</p> <p>LDNP Landscape Character Assessment .</p>

<p><b>Agriculture and other occupational dwellings</b></p>	<p>PPS7 (Sustainable development in rural areas) Annex A</p>
<p><b>Agricultural buildings</b></p>	<p>Local Plan policy A1 (Agriculture and forestry buildings)</p>
<p><b>Conversion of traditional buildings</b></p>	<p>CS02 (Achieving vibrant and sustainable settlements)                  CS25 (Protecting the spectacular landscape)                  CS27 (Historic environment).</p> <p>Local Plan policy C7 (Requirements for all Conversions)</p>
<p><b>Trees, woodlands and forests</b></p>	<p>CS26 (Geodiversity and biodiversity).</p> <p>Local Plan policy NE12 (Protection of woodlands and trees)</p>