

# **Lorton Parish Council**

## **Special Planning Meeting**

Minutes of the meeting held on 29th June 2017

**Present:** Cllrs. Poate (Chair), Postlethwaite, Deeks, Irlam and Aitken.

**Apologies:** Cllrs. Armstrong and Edmunds.

**Also present:** Nineteen members of the public and the Clerk to the Council.

The Chair welcomed everyone to the meeting and informed those present that everyone who wished to speak would get the opportunity to do so, one person at a time.

The Chair then reminded everyone at the meeting that they should treat each other with respect and consideration as those present live in the same community and want what is best for the community. She also reminded those present that Parish Councillors are all volunteers who are simply trying to what they feel is right for this community.

Members of the public were informed that previous applications covering the same site as the application to be considered have resulted in a number of complaints, none of which were upheld, against both individual Councillors and the Council itself. If anyone feels the need to lodge further complaints after this meeting the Clerk will tell them who to contact.

Members of the Council then introduced themselves and the Chair noted that a member of the press was present.

### **42.17 Declarations of Interest:**

Cllrs. Poate and Irlam declared an interest.

Cllr. Deeks explained that whilst he had declared an interest in the previous applications covering the site, the circumstances that had led him to do so had now changed and he felt that he was now in a position to consider the application in an impartial and professional manner and therefore would not be declaring an interest. Cllr. Deeks also stated that as a Chartered Surveyor he frequently had to act in an impartial manner, such as when acting as a Single Joint Expert appointed by the Court and dealing with matters under the Party Wall Act etc., amongst other matters. He also stated that his decision meant that the Parish Council was quorate and he felt it was important that this application be considered locally.

A member of the public present, Mr. Williams, stated that he did not agree with Cllr. Deeks decision and would be registering a formal complaint against him with the appropriate authority. A second member of the public, Mr. Young, stated that he was grateful that Cllr. Deeks had made the decision not to declare an interest as it did allow the meeting to go ahead and he trusted Cllr. Deeks to be impartial.

### **43.17 Public Participation:**

It was agreed to combine this agenda item with discussion on the planning applications below.

### **44.17: Planning:**

**Ref:** 7/2017/2129

**Location:** Land adjacent to Croft Barn, Low Lorton CA13 9UW

**Proposal:** Outline application for residential development ( Local Need and Local affordable Need)

The Chair invited the applicant, Mr. Cresswell, to outline his application. Mr. Cresswell stated that this application was virtually identical to the previous application, the main difference being that three of the proposed properties were to be for local need and sold at market value and two of the properties were to be made available for 'affordable' local need' and would be developed in partnership with a social housing landlord. Mr. Cresswell was not certain whether the two 'affordable' houses would be for rent or not and he confirmed that no social housing landlord had shown an interest in the two properties as he felt it was too early in the planning process. He reminded those present that this was an outline application. Mr. Cresswell stated that the reason for the inclusion of two affordable houses in the proposal was that at the end of the Development and Control Committee meeting, at which his previous application covering the site was refused after a close vote, one of the DCC members had stated that if the application had had affordable homes within it he would have voted differently. The applicant also stated that the lack of any comment from the Parish Council on the application, due to it being inquorate, had been held up as showing a lack of local support. Both these last two points were disputed by residents at the meeting who had been in attendance at the DCC meeting. Mr. Cresswell closed his comments by asking that the Parish Council 'Support' his application as this would ensure that it got back to the DCC for their consideration. This point was also contested by a resident. The Chair reminded Mr. Cresswell that when the Parish Council had originally considered his application the Council had not supported it but had submitted a response of 'No Objections'.

The chair then opened up the meeting to those present for their comments.

Mr. Williams stated that the reasons why the previous application covering the site had been turned down all related to landscape and environment and none of these reasons had been addressed by the applicant. He stated that in addition to the reasons given for refusal of the previous application by the LDNPA, the local objections raised previously all remained valid and these included safety concerns that an increase in residents and vehicles would have in Low Lorton, an area without footpaths, streetlights and speeding traffic, sewage and flooding concerns would be exacerbated by the building of another five new properties and he questioned whether there was indeed the local need for these properties on top of the four already agreed on the other side of the road to this site. He concluded his remarks by stating that he had checked with the planning department that morning and to date 62 objections to the proposal had been registered.

Mr. Britten explained that, if successful, this application would bring to nine the number of new properties in Low Lorton which currently has 30 houses. This would mean a massive percentage increase in housing in the area of 30%. He also stated that most of the existing housing stock in Low Lorton was over 100 years old and, no matter how well designed, the proposed new properties would 'fit' with their surroundings. Essentially, what Mr. Cresswell is proposing is an eyesore and one that could set a precedent for further green-field site development in Low Lorton such as the recent one on land adjacent to Rothersyke.

Mr Ralph stated that there were three main sources of income for the local population and these were nuclear power, agriculture and tourism. Any new developments that had the potential to impact on any of these three needed to be scrutinised very closely. He felt that the current application would have a negative impact on tourism both in terms of the landscape that people came to the area for and the local environment as it would change completely the entrance to the village. A number of people agreed with the statement about the potential negative impact on tourism and visitor numbers if the current impact is successful.

Mr. Young stated that there were potentially going to be nine new properties at the entrance to the village and that this would completely change the 'feel' of both the entrance and the village. The five properties in this current application would give a much more hemmed in feel to the properties on the other side of the road and would put further pressure on the local sewers and drains and further exacerbate the issue of local flooding.

Mr. Cresswell replied to a number of the issues raised and stated that he would have preferred to situate the houses further back into the field and away from the road but the planning officer had said no to this suggestion. He also re-stated that the application was an outline application and, if successful, the further applications that would be required would ensure that the house used local materials and would be in a similar vernacular design to the current housing stock. He also stated that in the Melbreak Communities Local Plan it stated that there was a need for a mix of housing in the area including affordable housing.

Mrs. Priestley stated that there were some positive impacts from the proposed new housing and she felt that young families would be attracted into the village and this would in turn support local amenities such as the school, the pub and the shop.

Some doubt was expressed as to whether market value houses would be affordable for young families. It was also stated that the school is currently over-subscribed and thriving.

Mr. Johnston responded to the above point by saying that the local roads were too dangerous for young families to be walking along. He then went on to state that in Cockermouth, some ten minutes away, a large number of houses, both market value and affordable, were either up for sale or currently being built. Plans for even more house in the town were currently going through the planning process. He went on to say that he felt there was actually an oversupply of new homes in Cockermouth and this was having an impact on both sales and the price at which the new houses were being sold at. In light of this he questioned the need for any new houses in Lorton.

Mr. Smith questioned why with new housing developments, such as the one under consideration, there was never any mention of additional benefits that the new development would bring to the wider community such as street-lights, pavements etc. There are already a number of new developments in the village which will eventually mean an increase in the population of possibly fifty people and this increase the need for better public amenities.

A number of other points were made as follows:

The local roads are too dangerous for children to walk along and journeys to the school and the shop would need to be made by car thus increasing the number of vehicular movements in the village.

The site under consideration is actually an exemplar of where not to build houses.

There is no hard evidence of demand for houses in Lorton whether they be market value or affordable.

The site on the other side of the road that received planning permission for four new properties recently had originally been given permission for seven affordable houses. When no social landlord was willing to take on the development it had eventually been resubmitted for planning approval with market value houses. There is nothing to stop the same thing happening on the Croft Barn site.

There appeared to be little or no sign of local support for the application. Mr. Cresswell stated that he had letters of support from a number of local residents and he would be submitting these to the DCC for their consideration.

Cllr. Postlethwaite asked why the permissive footpath in the previous application had been removed from this application and Mr. Cresswell stated that the DCC had seen no merit in it.

The Chair then asked the Clerk to read out the correspondence that had been received with regard to the application.

From Carole Ford (Local Resident)

*I will be unable to attend the next Parish Council meeting and am therefore sending my objection to the above Planning Application.*

*There is no proven need for new housing and the number of applications recently granted (including one unfinished and one derelict property) already exceeds the quota for a village within the Lake District National Park.*

*This is an open field in agricultural use. Building here would be contrary to the LDNP core strategy on landscape and settlement form. It would block the spectacular aspect which can be enjoyed by all entering and leaving Low Lorton and completely change the entrance to this attractive village, making it resemble driving through a housing estate with the new houses opposite. It is over development at this end and the additional traffic would cause increased danger on an already busy road which has no speed restriction, pavements or lighting. Because of this new residents would be likely to use cars to access the village as well as Cockermouth amenities.*

*The field is higher than the road and the present overgrown hedge gives a false impression of shielding the site, especially as it would be removed and even if replanted would take years to grow.*

*There is considerable local opposition to this proposed development and I hope you will take these views into consideration.*

From The Friends of the Lake District (Laura Fiske - Planning Officer)

*Given that this proposal is a near identical submission to recently refused application 7/2016/2245, with the exception of an amendment of tenure to two of the proposed dwellings, we continue to **object** to these proposals on the basis of detrimental impact on the landscape character and visual amenity of the area including damage to the distinctive views south west across the valley to the high fells.*

*We also wish to raise our concerns over the submission of an amended application form during the consultation period incorrectly stating that this development was for '5 Social Rented Dwellings'. This was reported to the Authority and clarification sought from the agent who stated:*

*'Please note that, for the avoidance of doubt, this is an outline application that proposes 3 local needs houses and 2 local affordable needs houses.'*

*This statement offers no explanation as to why an amended application form was submitted suggesting the proposal was for something it clearly was not. We do not consider that there is any justification for the submission of the amended application form and we seek clarification as to why the LDNPA accepted the erroneous document.*

### **Housing Need**

*We are aware that permission was granted for four houses in Lorton last year (7/2016/2219). As this is the case, we consider that Lorton has already accepted more than its fair share of the 60 dwellings which, according to the Core Strategy Policy CS18, need to be built per year across the whole of the Lake District National Park. Another 5 houses will take this figure to a 10% increase in the size of the village.*

*Policy CS02 states that villages should only take 20% of all housing development within the Lake District. If this application is approved, this one settlement will have been expected to take the entire development*

*allocated to villages across the National Park over a year. With no additional infrastructure provided in the village to service these new properties, the burden on Lorton will be disproportionate.*

*The Housing Provision Supplementary Planning Document states that on windfall sites:*

*'Up to 5 houses - planning permission will normally be granted for proposals to meet an identified local need and/or local affordable need, provided proposal is otherwise acceptable in planning terms.'*

*We do not consider that this application adequately demonstrates an identified need within the locality for this development nor is it acceptable in terms of other Local and National planning policy as discussed subsequently.*

#### **Landscape Impacts**

*We consider that the open nature of the proposed development site makes an important contribution to the local landscape character and the enjoyment of the landscape beyond. Existing development is confined to the opposite side of the road allowing for open views of the landscape beyond and contributes to the setting of the settlement.*

*The proposed development sits within the North Distinctive Area as defined by the **Lake District National Park Core Strategy Policy CS04**. The vision for the North Distinctive Area seeks to 'protect the distinctive character of the North, and conserve the integrity of the diverse patchwork of habitats, historic landscape, and character of the vernacular built environment.'*

*Given the departure from the existing settlement pattern and encroachment in to what is essentially open countryside this development does not respect that character of the vernacular.*

***Policy CS04** states that: 'We will use the Lake District Landscape Character Assessment to guide management of development and land use change.'*

*The proposed development site is located **within Area of Distinctive Character 09: Lorton Vale** in the **Lake District National Park Landscape Character Assessment and Guidelines** and possesses a strongly rural character with open views to the surrounding landscape. The settlement pattern of the village of Lorton is described as a distinctive character of this ADC.*

*The landscape sensitivities associated with ADC 9 include: 'Small-scale and intimate settlement pattern, consisting of dispersed farmsteads and the small, nucleated settlements of Thackthwaite and Low and High Lorton, which are sensitive to the introduction of large-scale buildings, or those which do not respect local vernacular building materials, scale and character.'*

*We consider that the proposed development does not respect the scale and character of the existing settlement. The current open nature of site, its open views to the fells and its role in the landscape setting of the settlement as a whole would be significantly altered to the detriment of the wider landscape character and visual amenity of the area.*

*Furthermore, the guidelines for managing landscape change in this ADC state that the authority should:*

**Retain** small-scale and intimate settlement pattern, consisting of dispersed farmsteads

**Encourage** sensitive siting, design and scale in new building schemes

**Retain** views to Loweswater Fell to the west and Whiteside and Kirk Fell to the east; and

**Maintain** rural character with associated relatively strong sense of isolation and tranquillity.

*Given that the proposed development would introduce development in to a currently open landscape which performs an important function in terms of the settling of the settlement and its relationship to the wider landscape, particularly the views to Kirk Fell and beyond, we do not consider that the proposal conforms to*

*the guidelines highlighted above. The disparity between this proposal and the existing development pattern in Low Lorton conflicts further with the following adopted core strategy policies:*

**Policy CS11** which states that in line with sustainable development principles developments will... 'conserve and enhance the character and quality of the local landscape, of the wider countryside and of the built environment'. We consider that the proposed development would have a significant detrimental impact on the local landscape character by way of introducing development outwith the existing settlement pattern.

**Policy CS25** is concerned with protecting the spectacular landscape of the Lake District National Park. The policy states that:

'The management of development and land use change will be guided by the Lake District Landscape Character Assessment recognising the distinctive characteristics identified in the Landscape Character Types and Areas of Distinctive Character.

The type, design and scale of development, and the level of activity, should maintain and, where possible, enhance local distinctiveness, sense of place and tranquillity. In assessing development proposals the highest level of protection will be given to the landscape.'

*Friends of the Lake District do not consider that the scale and siting of this proposal would be conducive to achieving the policies principles of Policy CS25. Furthermore, we would highlight the fact that the highest level of protection is to be given to the landscape; this is consistent with the National Planning Policy Framework (NPPF) Paragraph 115 which states:*

'Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty.'

*This principle is also reflected in **Policy CS01** relating to the purposes of the Lake District National Park and the requirement to attach greater weight to conserving and enhancing natural beauty of the Park when conflict between the National Park purposes arises. FLD consider that, given the level of detrimental impact upon the landscape character of the area, it is not possible to develop this site and comply with Policy **CS01**.*

*In summary, whilst there may be some evidence of housing need across the wider area the proposed development site is open and prominent within the local landscape which is of national value. Development of the scale sought would alter the landscape character of the locality and its relationship with the wider landscape of the National Park. Our objection clearly demonstrates the conflicts this application presents in terms of landscape protection within the National Park. Friends of the Lake District do not consider that the identified housing need outweighs the detrimental landscape impacts of this proposal, especially in light of the permission granted for four dwellings last year. We therefore urge the Authority to refuse it in line with national and local planning policy.*

Cllr. Poate thanked the local residents for their comments. She then asked each of the Councillors present for their views on the application.

Cllr. Aitken stated that he was disappointed that the application was so little changed from the previous application and that the applicant did not appear to have done anything to address the concerns of the Planning Officer or the reasons given for the refusal by the DCC. He further stated that he doubted that this application would be approved by the DCC as it currently stands but the benefits for the local community that new people living in the village would bring led him to taking a decision of 'No Objections'

Cllr. Postlethwaite reiterated her disappointment in the removal of the permissive footpath from the application and she recognised the genuine concerns of local residents but she did feel that new housing, and in particular affordable housing, and the people that it would bring into the village would benefit and

support the village amenities such as the shop and school. On balance she felt that her decision of 'No Objections' was appropriate.

Cllr. Deeks made the following points:

Local amenities: both the shop and the pub would benefit from more people living in the village. The school would not necessarily benefit from this proposed development as it was the quality of the teaching that ensured high demand for places, not the number of children living in the village.

Local sewerage system: the foul sewer in the road in front of the proposed development site does overflow at times of excessive rain but not because of the number of people living in the vicinity, but rather because of the rainwater systems connected to the sewer upstream. Therefore the sewers cannot cope at times of exceptionally heavy rainfall. If the proposal is successful it would undoubtedly require that a proper sustainable drainage system be installed and therefore will not contribute to the surface water load on the sewer.

Infrastructure: the fact that there are no footpaths or streetlights in the vicinity is an issue but it does have the effect of slowing down the passing traffic, along with the two pinch-points on the road. There are also amenity benefits in not having streetlights.

Appearance & Scale: this is an outline application and at this stage we have no idea as to what the individual houses or the overall development will look like. It is true that the houses as currently shown in the plans are very close to the road but this may well change with time. The proposed number of properties cannot be classed as an over development of the site. It is the case that the entrance to the village will be changed but it could be argued that this is a natural part of settlement development.

Housing need: there is a huge shortfall in the overall requirement for new houses in the UK overall, although in Cumbria this is not as pressing and as has been stated there is a good supply of new build properties in the adjacent town.

The community: all communities need new blood if they are to continue to thrive and develop and new housing and new families will bring new blood to the area.

Effect on Landscape: the points raised in the previous Decision Notice had some merit and were valid criticism of the previous application.

In conclusion Cllr. Deeks stated that he too was surprised that the application does not address any of the points raised in the previous Decision Notice, but that on balance he was minded to conclude that 'No Objections' was the right decision to make.

The Chair then informed the meeting that Lorton Parish Council would be submitted a response of '**No Objections**' to the LDNPA with regard to the application. She further stated that a copy of the minutes of the meeting would be sent to the DCC for their consideration.

**ACTION: Clerk to inform the LDNPA of the views of the Council and send a copy of the minutes for the attention of the DCC members.**

The Chair thanked everyone for their attendance and brought the meeting to a close.

**45.17: Date of the next meeting:** Wednesday 5th July at 7.30pm in The Yew Tree Hall

Signed: \_\_\_\_\_

Chair

Date: \_\_\_\_\_