

**CUMBRIA & LAKE DISTRICT JOINT STRUCTURE PLAN
2001 – 2016**

**EXAMINATION IN PUBLIC
28 SEPTEMBER 2004 – 8 OCTOBER 2004**

NOTES FOR PARTICIPANTS

The Examination in Public (EIP) into the Cumbria and Lake District Joint Structure Plan 2001-2016 will commence on **Tuesday 28 September 2004**.

PURPOSE OF THE EIP

The EIP is not an examination of the whole of the deposited proposals and any proposed changes, nor is it a hearing of objections. Its purpose is to provide the Joint Authorities (Cumbria County Council and the Lake District National Park Authority (LDNPA)) with additional information, through a structured discussion in public on selected matters (issues) on which they need to be more fully informed. The EIP will be conducted by an independent panel of two appointed by the Planning Inspectorate: Mr Adrian Smith (Chair) and Mr Simon Gibbs (a full time Planning Inspector). The EIP deals only with the selected issues and only invited participants may take part in the discussions. The list of issues and participants has been drawn up by the Joint Authorities following consultation with the Panel and is attached to these notes.

THE SECRETARIAT

The Panel is supported by a secretariat of:-

Panel Secretary who deals with all correspondence on behalf of the Chair, briefs the Panel and assists in the preparation of the Panel's report of conclusions and recommendations arising from the EIP: and

Programme Officer dealing with the day to day arrangements for the EIP both before and during its progress, recording of documents and running the library.

Both are independent of the Joint Authorities and work under the direction of the Panel Chair and their names are set out below with all the relevant contact details.

Address for communication BEFORE and AFTER the EIP:

Mr Frank Hewson
EIP Panel Secretary
c/o Community, Economy & Environment
Dept
Cumbria County Council
County Offices
Kendal
LA9 4RQ

Tel: 01539 773411 – Direct Dial
Fax: 01539 773439

Mr Frank Lee
EIP Programme Officer
c/o Community, Economy & Environment
Dept
Cumbria County Council
County Offices
Kendal
LA9 4RQ

Tel: 01539 773411 – Direct Dial
Fax: 01539 773439

Address for communication whilst the EIP is in progress, ie between 28 September 2004 and 8 October 2004:

Lake District National Park Offices
Examination in Public Programme Office
Murley Moss
Oxenholme Road
Kendal

VENUE OF THE EIP

The EIP will be held at the LDNPA Offices, Murley Moss, Oxenholme Road, Kendal, identified on the attached map. Parking is available at Murley Moss.

TIMES OF EIP

The EIP will run Tuesday to Friday over two weeks commencing on the 28 September 2004. Morning Sessions will start promptly at 9.30am breaking for lunch at 1.00pm. Afternoon sessions will start at 2.00pm finishing at about 5.00pm. A morning break will take place between 11.00 and 11.30 with possibly a short afternoon break. There will be some flexibility however over the times at which sessions end, so that discussions are not cut off prematurely.

PRELIMINARY MEETING

A preliminary meeting will be held at the LDNPA Offices at Murley Moss, Kendal on **10 June 2004** commencing at 11.00am. Its purpose will be to explain how the EIP will be conducted, to outline the programme and timetable and to deal with queries arising. There will be no discussion of the issues that have been chosen or the participants that have been invited to the EIP. All participants are invited to the preliminary meeting and it is open to the public and press.

PREPARATION & SUBMISSION OF FURTHER STATEMENTS

In addition to their original representations participants are invited to supply further statements for any issue to which they are invited to attend the EIP. These statements should be addressed to the Panel Secretary to arrive **no later than 23 July 2004**. This is to enable the other participants, to whom the statement will be circulated, to form a view on its content before the EIP, and also to allow the Joint Authorities to prepare a response, which will be circulated to all participants in the issue, before the EIP. If a further statement has not been received by 23 July 2004 it will be assumed that the participant has nothing to add to their original representation. **Only in exceptional circumstances will the Panel accept late statements.** All statements will be available for public inspection.

It would greatly assist the Panel if participants were to comply with the following guidance for production of statements:

- Preface your statement(s) with a one-page summary of your main points and of your specific suggestions, if any, for the re-wording of the policies or the supporting statements of the Plan;
- Submit a separate written statement for each issue or sub issue on which you have been invited to participate. Such statements should be **concise**, and should supplement, not duplicate, participant's original representations;
- Give clear cross-references to published documents so as to highlight areas and extent of agreement or disagreement. Full quotations will not be necessary, as the Panel can be assumed to have access to all representations received on both the Deposit Edition and the Proposed Changes to the Structure Plan, to all Joint Authority publications and Government Planning Policy Guidance Notes;

- **ALL** documents submitted, including diagrams etc, should be A4 size and should be monochrome;
- Any appendices should be flagged and indexed;
- Please supply 30 bound copies to allow for prompt circulation to the Panel and all participants. If this presents difficulties, please speak to the Panel Secretary.
- Document numbering system – please describe your submissions with your individual reference number and the issue number on the front page – e.g. ref 164, issue 6

WRITTEN REPRESENTATIONS

It is for the Joint Authorities to consider and respond to all objections to the Plan, taking into account the recommendations contained in the Panel Report. The remit of the Panel concerns only those issues selected for debate at the EIP. However, it may be that a selected participant who is unable to appear, submits written representations to the Panel. The Panel can take account of these, provided that they relate to the issues the participant was invited to and that the Secretariat has an opportunity to circulate these to all relevant parties. On this basis, written representations should also be submitted by 23 July 2004.

In exceptional circumstances, participants may ask during the debate at the EIP if they may submit additional material, for example a supporting document. Provided the other participants at the session do not object, and subject to a copy being placed in the EIP library, this will be acceptable. However, this concession must only be used to deal briefly with new material where it is triggered by earlier debate or recently published reports. The Panel might also wish to see a new document. A deadline will be set by the Panel for submission of such material.

ARRANGEMENTS AT SESSIONS

Registration: On arrival, participants should go to the EIP Office to let the Programme Officer know they have arrived and sign in. The Panel will be told if any participant has failed to turn up for a particular session and the Chair will inform other participants accordingly. It would be helpful therefore if any participant not able to attend were to give as much notice as possible to the Panel Secretary/Programme Officer. Participants claiming expenses (see below) must sign the attendance register at the EIP Office.

Seating: Space at the EIP is limited so, with the exception of the Joint Authorities, normally not more than two representatives from each organisation – a participant and an advisor – will be allowed to take part: one actually at the table and the other seated behind. Any further representatives of the organisation should sit in the public area. Participants wishing to change their speaker during a session should inform the Panel Secretary in advance. Nameplates will indicate seating arrangements. These will be designed to stand on end, as a means of indicating to the Chair that you wish to speak. Please let the Panel Secretary know, at or before the Preliminary Meeting if your organisation wishes to be known by a different name from that being used at present in correspondence.

CONDUCT OF THE DEBATE

The EIP will take the form of a probing discussion led by the Panel, on the selected issues. The Panel is keen to encourage a debate between participants rather than a restatement of known positions. **All documents and statements circulated beforehand will therefore be taken as read.**

The debate will be conducted in the manner of an informal hearing. Broadly this approach will involve the following stages on each issue:

- An introduction by the member of the Panel who is responsible for leading the debate, to set out the main points of the participants' statements, areas of conflict arising, relevant issues and questions that need to be addressed;
- The response of the Joint Authorities – or exceptionally another leading participant – on the issues and questions identified by the Panel Member leading the debate;
- A debate on those issues involving all the invited participants.
- Response by the Joint Authorities.

Rhetoric or cross-examination are out of place, but a participant will be able to put questions to other participants through the Chair, and to take part in a discussion under the Chair's control.

It is necessary to arrange the issues and participants at the examination in a manageable way, so that the Panel can extract the maximum benefit from the debate. Participants are therefore asked to attend all the sessions for the matter for which they have been invited, even if they do not wish to speak.

Participants may feel that discussion of other issues, in which they have not been invited to participate, is of relevance or interest to them. They can of course, attend such sessions in the area allocated for the public, although they may not speak, sit at the table or claim expenses.

The role of representatives of Government Departments at the EIP will be to aid the Panel by supplying relevant information. They will answer questions in clarification of Government policy, but not on the merits of a particular policy. Statements may be made by them about their Department's policy on particular issues and may be necessary on decisions taken or to be taken by their Department which have implications for the Plan.

The Panel will not have Counsel to assist them and it is not necessary for Participants to be professionally represented.

PANEL TOUR

Prior to the EIP the Panel will make a tour of the area to get a general feel for the area covered by the plan to see any broad locations likely to feature in discussions. Participants are not entitled to be present on such tours. However, if a Participant considers that a certain area should be drawn to the Panel's attention, please advise the Panel Secretary at the pre-meeting on 10 June 2004.

FACILITIES

A document library will be available to the public, press and EIP participants, in the Programme Officer's room adjacent to the entrance to the main EIP suite. The library will include copies of the Structure Plan Deposit Edition and the Proposed Changes together with representations and statements received, Government Circulars, Guidance Notes and legislation, where appropriate. Photocopying facilities will be available (for which a small fee will be payable) as will public telephone facilities.

A full sound recording of the EIP will be taken and a verbatim report of proceedings will be published on the Joint Authorities' Web-site (planningcumbria.org) the following day. Participants are permitted to make their own recordings at the discretion of the Chair, and provided that they are not for public broadcast.

ACCOMMODATION AND REFRESHMENTS

Accommodation is available locally. Tea and coffee will be provided on arrival and at the morning break. A number of eating establishments are available nearby.

EXPENSES OF PRIVATE PARTICIPANTS

Private individuals invited to attend as participants are entitled to reimbursement of travel and subsistence costs reasonably incurred in attendance at the EIP and Preliminary Meeting. A prescribed amount is also payable, where appropriate, for loss of salary or wages attributable to attendance. Requests for reimbursement of travel and subsistence costs and loss of salary/wages can be made to the Panel Secretary, Frank Hewson, who will be present throughout the EIP.

QUERIES

Any matters arising from the Programme/Timetable details can be discussed with the EIP Programme Officer, Frank Lee. Further clarification of any points covered within these notes should also be addressed to the Programme Officer.

ISSUES AND PARTICIPANTS

Participants: A representative from District Councils, GONW, NWRA and NWDA to be invited to each session. Other participants as identified.

1 THE APPROACH TO SUSTAINABILITY AND DEVELOPMENT

- a) Are there inconsistencies between Policies ST1-4, Government Policy and RPG13?
- b) Are there aspects of Policies ST1-3 which require clarification, or need to be given greater or lesser emphasis?
- c) Is there a need for additional material to add substance to Policies ST1-3?
- d) Does the Plan provide the right balance of policies to meet the Governments objectives for sustainable development?
- e) Should the Plan take forward a 'net gain approach'?
- f) Is the strategy the appropriate place to identify targets for sustainability objectives?

Participants:

Smiths Gore (Church Commissioners)
Furness Enterprise
West Lakes Renaissance
Rural Regeneration Cumbria
National Trust
Barton Willmore (for Russell Armer Ltd and Persimmon Homes)
Barden Planning Consultants
South Lakeland Friends of the Earth (FoE)
Environment Agency
Countryside Agency
English Nature
Friends of the Lake District/ CPRE (Cumbrian Association) (FOLD)
Stanwix Rural Parish Council
Shanks Waste Services
Powergen Renewables

2. THE APPROACH TO PROMOTING A SUSTAINABLE SPATIAL STRATEGY

2.1 The rural-urban balance (Policies ST5-6)

- a) Does the Plan provide an appropriate balance between urban and rural areas and does this enable the social and economic viability of

- both urban and rural communities to be fostered in a sustainable way?
- b) Does the Plan provide an adequate guide to the scale of development required to support the RPG13 Policy SD3?
 - c) Is there a conflict between the general thrust of Policies ST5 and ST6 and the specific locational guidance in Policies ST7 –11?
 - d) Should the larger towns and villages in the National Park area be identified as key service centres, in particular: Keswick, Windermere/Bowness, Ambleside and Coniston?
 - e) Are there other large villages outside the National Park which should be identified as key service centres, in particular: Shap, Askham and Arnside (and should there be others specifically identified as local service centres)?
 - f) Does focusing development on key service centres work to the disadvantage of other settlements and result in an undesirable degree of infill pressure within the service centres themselves?
 - g) Should the Plan be more positive and encourage new initiatives in rural areas?

Participants:

Barden Planning Consultants
 Barton Willmore (for Russell Armer Ltd and Persimmon Homes)
 Rural Regeneration Cumbria
 West Lakes Renaissance
 Smiths Gore
 Grange Over Sands Town Council
 Ambleside and District Chamber of Trade (CoT)
 South Lakeland FoE
 FoLD/CPRE
 Countryside Agency
 Cumbria Inward Investment Agency
 South Lakeland Gateway Project
 Cumbria Chamber of Commerce and Industry
 Pedley

2.2 Ensuring development supports the needs of communities in different parts of the County (Policies ST7-11)

- a) Are the Sub County Areas an appropriate interpretation of RPG13 Policy SD3 and should AONB's and the Heritage Coast be separate Sub County Areas?
- b) Is sufficient weight given to the role of Carlisle and Barrow as regional towns and cities reflecting RPG13 Policy SD3?
- c) Is sufficient weight given to the emphasis in RPG Policy SD3 on Regeneration Priority Areas in Furness and West Cumbria?

- d) Is sufficient weight given to the distinct problems faced by West Cumbria and Furness and to the solutions that need to be identified?
- e) Should more detail be provided in the Plan describing measures to improve east-west transport communications between Barrow-in-Furness and West Cumbria and the rest of Cumbria, and should the key diagram draw attention to these transport corridors in the same way as RPG13 key diagram?
- f) Does the Plan adequately ensure that local housing needs are given priority in South and East Cumbria consistent with the intention of RPG Policy SD3?

Participants:

Barton Willmore (for Russell Armer Ltd and Persimmon Homes)
 Barden Planning Consultants
 FoLD/CPRE
 Eden Housing Association
 Cumbria Inward Investment Agency
 West Lakes Renaissance
 Furness Enterprise
 Rural Regeneration Cumbria
 Countryside Agency

3. THE APPROACH TO SUPPORTING THE ECONOMY

3.1 Ensuring an appropriate supply of employment land

- a) Is the amount of land identified for employment purposes appropriate and does its distribution across the County address the needs of Cumbria?
- b) Does the Plan adequately reflect RPG13 Policies EC1-6?
- c) Does the provision made for employment land address specific deficiencies?
- d) Is the provision of land for port related development at Barrow and elsewhere appropriate?
- e) Taken together are the requirements of Policy EM13 excessively restrictive?
- f) Does Policy EM13 need to be made more specific to the varying pressures for change out of employment use experienced in different sub-areas of the County?

Participants:

Cumbria Inward Investment Agency
 West Lakes Renaissance
 National Trust
 Davis and Bowring

Fuller Peiser for Associated British Ports (ABP)
FoLD/CPRE
Kendal Town Council
HOW (Commercial Planning Advisors) for Kingmoor Properties
Ambleside & District Chamber of Trade
Cumbria Chamber of Commerce and Industry
Furness Enterprise
Cummersdale Parish Council
Windermere Parish Council
De Pol Associates Northern Trust
Barden Planning Consultants
Barton Willmore (for Russell Armer Ltd and Persimmon Homes)
Brockbank

3.2 Employment development in rural areas

- a) Does the Plan give sufficient emphasis to economic development in rural areas?
- b) Is the policy limiting development of new buildings for employment in the open countryside to the requirements of existing businesses too restrictive?

Participants:

Rural Regeneration Cumbria
FoLD/CPRE
Countryside Agency
National Trust
Barden Planning Consultants
Kentmere Parish Meeting
Kirkby Stephen Town Council
Windermere Parish Council
Northern Reaches Restoration Group

3.3 Tourism development

- a) Does the Plan sufficiently reflect the approach to tourism taken in RPG13 Policy EC9?
- b) Does the approach to tourism development within and outside the National Park allow sufficient scope for the tourism industry and wider economy to be diversified and strengthened?

Participants:

Cumbria Tourist Board
World of Beatrix Potter
National Trust
National Farmers' Union
Kendal Town Council
Rural Regeneration Cumbria

FoLD/CPRE
British Waterways
Yorkshire Dales National Park
Cumbria Chamber of Commerce and Industry
Castle Sowerby Parish Council
Lindal and Marton Residents Association
Ambleside & District Chamber of Trade
Windermere Parish Council
Windermere Lake Cruises
Lake District Peninsular Tourism Partnership
Barden Planning Consultants
Brockbank

4 THE APPROACH TO PROVIDING HOUSING

4.1 Scale of Housing Development

- a) RPG13 expresses in terms of 'annual average rates of housing provision'. Can an alternative approach based on new permissions with an additional 10% added for expiries be justified, along with a 4-5 year accounting period for monitoring purposes?
- b) Do existing permissions mean that there will be overprovision during the early years of the Plan?
- c) Are housing allocations appropriate and in particular is the housing allocation to Eden, South Lakeland and Carlisle unduly restrictive?
- d) Can the zero allocation of 'unfettered housing' in the LDNP be justified? Is it consistent with the Plan's aim of diversifying and strengthening the area's economy?

4.2 Affordable housing

- a) Are needs based policies appropriate to deliver affordable housing?
- b) Are policies on affordable housing consistent with National Guidance?
- c) Should the number of dwellings likely to be permitted under Policies H19-22 be estimated and included within Policy H17?
- d) Should the terms 'affordable housing', 'social housing', 'local persons' 'locality' and 'community' be defined in the Plan or left to Local Plans?

4.3 Housing Renewal

- a) Does the Plan give sufficient emphasis to the problems of areas with low housing demand?

Participants:

House Builders Federation
FLD/CPRE
Countryside Agency
Rural Regeneration Cumbria
Barton Willmore (for Russell Armer Ltd and Persimmon Homes)
Barden Planning Consultants
Eden Housing Association
Impact Housing Association
Yorkshire Dales National Park
Kentmere Parish Meeting
Kirkby Stephen Town Council
Windermere Parish Council
Federation of Cumbrian Amenity Societies
Cumbria Tourist Board
Blenkinship
Brockbank
Steele

5. THE APPROACH TO CARING FOR THE ENVIRONMENT

5.1 Areas of national and international conservation importance

- a) Does Policy E34 properly reflect PPS7?
- b) Should other criteria be added to the policy?
- c) Does the Plan provide adequate protection to the setting of the two National Parks?

5.2 County Landscapes

- a) Is the designation of County Landscapes consistent with national and regional guidance?
- b) What benefits do County Landscape designation bring and would these landscapes be adequately protected by relying only on the landscape character approach?

Participants:

National Trust
English Nature
Countryside Agency
FoLD/CPRE
South Lakeland FoE
North Pennines AONB Partnership
Dodwell of Woolerton Dodwell Associates
Rural Regeneration Cumbria
FELLS (Friends of Eden, Lakeland and Lunesdale Scenery)
FORCE (Friends of Rural Cumbria's Environment)
National Farmers Union
Holdgate

Woolmore

6. THE APPROACH TO RENEWABLE ENERGY

- a) Should the Plan include, within policy, a target for the development of renewable energy in Cumbria based on the forthcoming partial review of RPG13 and if so what should it be?
- b) Is the Plans approach to renewable energy compatible with draft PPS 22? Would the identification of 'broad areas of search' assist in planning for renewable energy in Cumbria?
- c) The Plan specifies that a single wind turbine over a specified size will be treated as a major development within the National Park. Does this provide adequate protection? Does this go beyond national guidance?
- d) Are the criteria set out in Policies R44 and R45 adequately defined, are they appropriate and are additional criteria required, including the need to safeguard the tourist economy?

Participants:

FoLD/CPRE
FELLS
FORCE
Cumbria Tourist Board
Rural Regeneration Cumbria
Project CLAREN (Elizabeth Bruce)
National Wind Power
Powergen Renewables
West Coast Energy Ltd
National Trust
W Cumbria and N Lakes FoE
Yorkshire Dales National Park
Kirkby Lonsdale and District Civic Society
Orton Parish Council
Holdgate