

# Eden Local Plan

Proposed Submission Version | **2014-2032**



[www.eden.gov.uk/planning-and-development/planning-policy-for-eden](http://www.eden.gov.uk/planning-and-development/planning-policy-for-eden)

 EdenCouncil

 EdenDistrictCouncil

 Eden  
District Council



# **Eden Local Plan - Pre-Submission Version**

This document sets out how we are planning to manage the growth of new jobs, homes and infrastructure in Eden over the next eighteen years. We are now asking for views on whether this plan can be considered 'sound' before we proceed to a public Local Plan Examination

Further information on the Local Plan and planning in Eden can be found on the Council's website [www.eden.gov.uk](http://www.eden.gov.uk).

Designed and produced by the Planning Policy Section, Department of Communities, Eden District Council.

**This document can be made available in large print on request**

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## Foreword

This plan is the result of a long process which set out to think about how we can best meet the needs of Eden's residents and workers whilst preserving the essential characteristics that make the district such an outstanding place to live and work. It is about managing the changes we anticipate in a way that provides the most benefits to the most amount of people. We can't ignore this change - if we fail to plan the population will still grow, but there may be fewer new houses, fewer jobs and less opportunities for those already here. Failure to plan also risks decisions on where new development goes being made on an ad hoc basis, without the benefit of an assessment of all the options available, how they compare and how we can best provide the essential infrastructure needed to support them.

Over the next twenty years our evidence is telling us that there will be:

- For those already here, more deaths than births and more moves overseas, meaning a decline in the population based here now
- A decline in the numbers of young people in the district
- A big increase in the number of people over retirement age in the district
- Much more demand for housing from smaller households (one and two persons)
- More demand for housing outside the main urban areas
- More demand for affordable ie subsidised housing
- A need for new jobs, particularly higher paid jobs
- A need for new schools, open space and new infrastructure to support new development

This plan is also our 'shop window' - we hope that looking through it you gain a better understanding of where we aim, as a Council, to influence the future of your district. The plan covers every area of work that the Council and County Council are charged with delivering, from housing through economic development, through education, transport, parks and green spaces, waste management, leisure facilities and supporting our communities.

Finally, this is a plan that also has to cover the largest non-unitary local authority area in England. Eden has more than 2,100 square kilometres and more than a hundred and twenty towns, villages and hamlets, all with a strong sense of community, and all with their own defining characteristics. Everywhere is different and has different needs and aspirations. We cannot hope to offer detailed policies and allocations for every single place in the district, nor do we think that it is right or practical for the Council to micromanage the future development of all the places and spaces that make Eden what it is. A properly effective plan needs to be rooted in the interests and needs of the people it affects.

That is why we hope that this plan, and the technical work that went into it will also provide a springboard for the people of Eden to continue to come together to produce their own neighbourhood plans, plans which fully understand and reflect the needs and views of everyone in the community. We will do everything we can to support you in this.

Thank you to everyone who took the time to either contribute to or comment on this plan.

Councillor Michael Slee

**Portfolio Holder - Communities**

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## Two Page Summary

### Why have we produced this plan?

- ✓ It provides a clear planning framework to enable Eden District Council to get on and deliver the vision and objectives unique to its area
- ✓ It indicates what sort of new development will be acceptable in Eden, and where planning permission will (and will not) be granted
- ✓ It provides certainty for developers and utility providers (and others investing in an area) on the best areas to focus
- ✓ It helps partner organisations deliver their own priorities
- ✓ It attracts more funding and investment, both from the private sector and also to the Council through infrastructure investment, developer contributions, growth funding and New Homes bonus, allowing it to invest more in the future of Eden's communities

### How is it structured?

This plan is divided into four parts.

- Part 1 (this part) is the '**summary**' part and sets out why we are producing the plan, and the process it must follow
- Part 2 is the '**context**' part - this includes the background and justification for the plan, looks at what makes Eden unique, and then sets out the vision and objectives it aims to deliver
- Part 3 is the '**spatial**' part - this part includes four town plans for our main towns, showing what land we expect to see delivered, and for what. It also sets out a district-wide approach to steering new development and what our approach is for managing development in the rural areas. A key diagram is also included
- Part 4 is the '**planning application**' part - this part includes a suite of policies that we will use to assess the suitability of any planning applications that come to us for decision

### What are the key points?

The main proposals are:

- 3,600 new homes over the next 18 years, around half of which will be in Penrith
- New policies to encourage affordable and self-build properties in Eden's smaller villages
- 24.38 hectares of new employment land, plus support for longer term growth at Newton Rigg College at Penrith

The Plan includes maps, which show where new development is anticipated.

### Where does it cover and how long for?

The Plan covers Eden District excluding the area in the Lake District National Park. Specific land allocations are made to the four main towns of Penrith, Alston, Appleby and Kirkby Stephen. The Plan covers the period 2014 to 2032.

## **What informed the plan?**

The plan is founded on a robust evidence base prepared over many years, as set out in the next section. A wide variety of stakeholders and the public informed its contents. In particular we produced and consulted on a 'Preferred Options' version of this plan back in July 2014. A Sustainability Appraisal has been produced to assess how policies and proposals will help achieve environmental, social and economic objectives.

As part of plan preparation we also looked at alternative options, including where new development should happen, how much there should be, and what policies are needed to help deliver it.

The plan is also informed by the 2010 'Core Strategy' and policies which this plan replaces, as well as policies which were 'saved' from the 1996 Local Plan. Appendix 1 shows which policies in this Plan will replace those policies.

All of these documents are available on the Council's website at [www.eden.gov.uk/planning-and-development/planning-policy-for-eden](http://www.eden.gov.uk/planning-and-development/planning-policy-for-eden)

## **How will we know if it's working?**

We keep careful track of how our policies and decisions are making a difference, and report this regularly to the public. Each of the policy sections in this plan includes a table on how we will monitor progress. An Annual Monitoring Report (AMR) will be prepared to indicate the extent to which the policies are being achieved and to identify any changes required if a policy is not working as planned.

# 1. Background to the Plan

This section sets out some of the background to the plan and its preparation, and shows the area it covers.

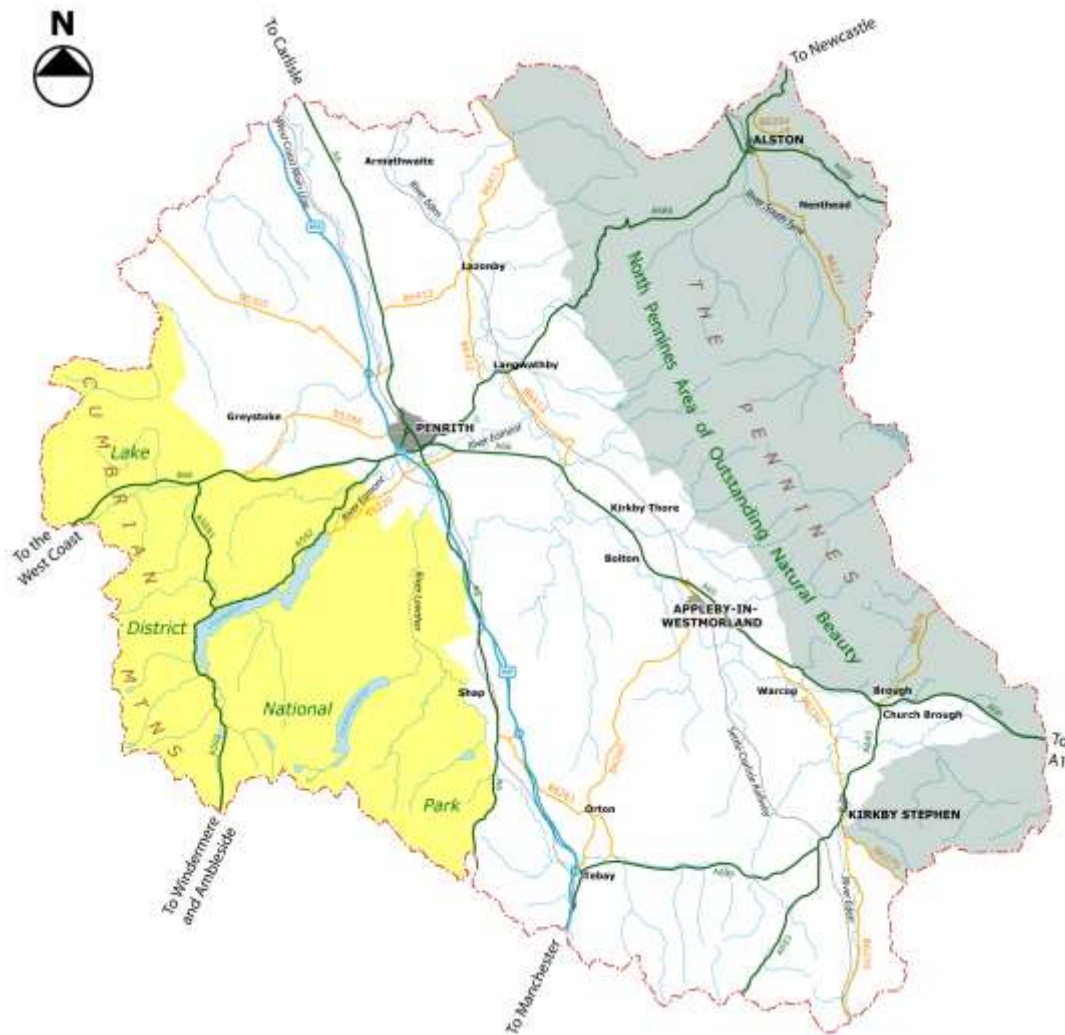
## 1.1 About this Plan

- 1.1.1 This document is a full Local Plan, which covers Eden District for the years 2014 to 2032.
- 1.1.2 Work on the plan was informed by various pieces of evidence and feedback. This is included in key supporting documents underpinning this Plan which are available on our website.
- 1.1.3 The plan is informed by numerous technical studies. A full list of supporting evidence can be found at Appendix 3, but of particular note:
  - A **Sustainability Appraisal** assessed the extent to which emerging policies and proposals will help to achieve relevant environmental, social and economic objectives. This helped inform which sites and policies we included
  - A **Land Availability Assessment** (LAA) and **Strategic Housing Market Assessment** (SHMA) looked at housing supply and need. The LAA shows all available housing and employment land and assessed whether it is suitable and deliverable. The SHMA establishes how many houses we think we will need (known as the Objective Assessment of Need) and looks at the need for the types of housing, including the need for affordable housing
  - A **Habitats Regulation Assessment Screening Opinion**, which establishes whether there will be any impact on wildlife sites of European importance. It concluded that subject to appropriate mitigation measures, which are outlined, risks can be acceptably avoided and/or mitigated
- 1.1.4 Work on the plan is supported by two 'project management' reports:
  - A **Statement of Community Involvement** (SCI) informs how we will consult the public and other interested organisations when preparing this plan
  - A **Local Development Scheme** (LDS), sets out the timetable and project plan under which we will do so
- 1.1.5 Both were adopted in December 2013.
- 1.1.6 The plan also takes into account what views have been expressed so far:
  - A **Responses to Consultation Report** summarises what everyone has said in response to our earlier consultation on our 'preferred options' draft, which we published in July 2014, as well as the informal consultation on settlement hierarchy and the draft LAA and SHMA we published in July 2015.

## 1.2 Where does this Plan Cover?

- 1.2.1 Eden District Council is responsible for the preparation of the Local Plan for the whole of the area for which it is the planning authority. This means the whole of Eden District apart from that area which is within the Lake District National Park (as shown on Map 1 - the Lake District National Park is highlighted in yellow). The Park Authority is producing separate plans for the National Park.

## Map 1 - The Area of the Plan



- 1.2.2 Natural England is currently working towards designating extensions to the Lake District and Yorkshire Dales National Parks. This work follows agreement in 2005 by the former Countryside Agency on broad areas adjacent to the Lake District and Yorkshire Dales National Parks and the North Pennines Area of Outstanding Natural Beauty that meet the statutory criteria for designation. If the area is designated then the policies in this plan will continue to apply and be used by the Park Authorities until they are replaced.

## 2. Context - Issues, Vision and Objectives

- 2.0.1 This section shows how we have put together this plan, and sets out the reasons why we think it needs to contain the policies and site allocations it does. This section aims help the reader understand the thought process that went into its production and how it structurally 'hangs together'.
- 2.0.2 In more detail this section:
- Contains a brief description or portrait of Eden and what makes it unique
  - Analyses the main issues for the district, looking at its strengths, weaknesses, opportunities and threats
  - Sets out a vision of where we want to be based on this analysis
  - Develops a series of objectives, grouped around five themes. These themes provide the overall structure for much of the plan
- 2.0.3 Policies are then developed and are then grouped around objectives and themes.

### 2.1 Portrait of Eden

- 2.1.1 This section is our starting point, and provides some of the context around which we must build our plan. Should you want more information or statistics about Eden, these are available in our Annual Monitoring Report. All statistics are taken from the Office for National Statistics unless stated otherwise via a footnote.

#### **Eden is large and sparsely populated...**

- 2.1.2 The district of Eden lies in eastern Cumbria and has an area of 2,156 km<sup>2</sup>, making it the largest non-metropolitan area in England and Wales. In 2011, the population of Eden was 52,564, meaning it has the lowest population density of any English district. A high proportion of the population is scattered throughout small villages across a wide rural area, with more than half the population (29,361 or 55.8%) living outside the four main towns of Penrith, Alston, Appleby and Kirkby Stephen.

#### **...and it's beautiful (and recognised as such)**

- 2.1.3 A substantial part of the area contains landscapes which have been recognised for their high quality and diversity. These include the North Pennines Area of Outstanding Natural Beauty (AONB) and significant parts of the Lake District National Park. Many other areas also contribute to Eden's beauty, including the Eden Valley, the Pennine foothills, Westmorland Fells, Howgills and Greystoke Forest.

#### **The district has attractive towns and villages...**

- 2.1.4 We have one major town (Penrith), with a ward population of 15,487, which benefits from major transport intersections. Appleby (population 3,048) Kirkby Stephen (2,580) and Alston (2,088) are the three other main towns and offer a range of local services within high quality traditional townscapes. All our town centres include conservation areas and are of an exceptional quality when it comes to the built environment. A further twenty conservation areas are designated in other villages.

### **...and precious natural resources**

- 2.1.5 There are eighty-eight Sites of Special Scientific Interest (SSSIs) and Eden District also has, at Orton Scar and Great Asby Scar, some of the most extensive areas of limestone pavement in Britain. These are accorded the extra protection of designation as Special Areas of Conservation (SAC) due to their international value, as is the River Eden and its tributaries as well as a further seven SAC's/Special Protection Areas. The district also has many sites of regional and local importance that have less formal designations such as 187 Local Wildlife Sites but which are equally important and worthy of protection.

### **It has an exceptional built environment...**

- 2.1.6 Eden has an abundance of seventeenth, eighteenth and nineteenth century buildings. There are no less than 1,958 Listed Buildings, and 296 Scheduled Monuments in the district<sup>1</sup>. Twenty-four Conservation Areas have been designated reflecting their special character and several historic parks and gardens have been identified as of particular value. There are also many Scheduled Ancient Monuments and sites of recognised archaeological value.

### **...and is well connected**

- 2.1.7 We have excellent road transport links running east / west along the A66 trunk road and north / south via the M6 and A6. The West Coast Mainline provides direct rail links to the north and south (including London, Manchester and Edinburgh) and regional railways link from Carlisle to Leeds (via Settle/Carlisle).

### **It's grown and is projected to grow...**

- 2.1.8 From 2001 to 2011, the population of Eden rose by 2,785 people, a 5.6% increase. Household numbers are now expected to grow more rapidly than population as households become smaller in size. We are expecting that approximately 3,700 new households will form between the years 2014 and 2031 - a 14% increase.

### **...yet the population is ageing**

- 2.1.9 In line with national trends, the district has an ageing population. However in Eden this is more pronounced. The district has a slightly older age profile than that of England (27% over 60 compared to 21%) and 30% are aged under 30 compared to 37% in England. In Cumbria, Eden and South Lakeland have the oldest age profile and lowest number of young people.

### **Our residents are well educated...**

- 2.1.10 The qualification profile of Eden is higher than for the North West and Great Britain. When compared with the other districts in Cumbria, both Eden and South Lakeland have a relatively greater proportion of residents with degree-level qualifications. The percentage of adults that have low literacy skills in Eden is lower than in the North West and England, but the percentage of adults that have low numeracy and ICT skills is slightly higher than in the North West and England.

<sup>1</sup> Historic England Heritage List, June 2015.

### **...and employment rates are high**

- 2.1.11 The unemployment rate in Eden was 2.9% in 2014. This is considerably lower than the North West average of 7.1%, and the national average of 6.2%. The employment rate is high (83.4%) when compared to the North West rate of 69.2% and the Great Britain rate of 72.4%.

### **But wages are low...**

- 2.1.12 Average gross weekly full time earnings for jobs in Eden in 2014 were £409, compared to an average of £521 for Great Britain<sup>2</sup>. There is a dependence on low wage jobs for many, primarily in the administrative, retail, agricultural and tourism sectors.

### **Housing is expensive for many...**

- 2.1.13 House prices in Eden are amongst the highest in Cumbria. The median house price in Eden in 2014 was £192,822; this figure has increased from £183,866 in 2013 and it remains much higher than the figure for Cumbria as a whole of £140,864 and somewhat higher than the national average of £172,794<sup>3</sup>.
- 2.1.14 The median household income in Eden in 2014 is only £26,333, below the national average of £28,466<sup>4</sup>. This means the median house price in Eden in 2012 is 7.3 times the average household income; making the private housing market inaccessible to many local people. The figure nationally is 6.1.
- 2.1.15 There is also a high rate of 1,315 houses in Eden being used as second homes compared to national averages<sup>5</sup> - around 5.7% of the total stock. This can impact upon the availability and costs of housing for local people.

<sup>2</sup> ONS Annual Survey of hours and earnings.

<sup>3</sup> Cumbria Intelligence Observatory, 2013 (CACI Street Value data)

<sup>4</sup> Cumbria Intelligence Observatory, 2013 (CACI Pay Check data)

<sup>5</sup> Eden District Council, Council Tax Register, 2013

## 2.2 Eden District - Strengths, Weaknesses, Opportunities and Threats

2.2.1 Next, we carry out an analysis of the strengths, weaknesses, opportunities and threats for the district. This helps us think about where forward planning and this plan can best respond to some of the issues identified, and also helps explain to the reader why we think we need this plan in particular.

<b>Strengths:</b> <ul style="list-style-type: none"><li>• Excellent transport links to the main settlement of Penrith. Direct rail link to London, Manchester and Edinburgh.</li><li>• Open, rolling landscapes, with rugged peaks forming dramatic horizons leading to an abundance of unique and much valued countryside.</li><li>• Highly prized as a place for outdoor recreation</li><li>• High levels of employment, particularly self-employment, and a skilled workforce in the technical, trade and tourism sectors.</li><li>• Good schools, accessible countryside and a safe environment mean Eden is attractive to families.</li><li>• Fine historic environment, large numbers of listed buildings, conservation areas and ancient monuments.</li><li>• Town centres have retained their local distinctiveness and have more local businesses - they have largely avoided moving to being 'clone towns'.</li><li>• Low levels of crime</li></ul>	<b>Weaknesses:</b> <ul style="list-style-type: none"><li>• Sparse settlement patterns means reliance on the car.</li><li>• Skilled workforce but a low wage economy, few young professionals, due to a lack of high value financial/professional jobs.</li><li>• High proportion of part time working.</li><li>• VAT registration rates are low, meaning few local businesses being formed. There are also many micro businesses with limited potential for growth.</li><li>• Limited supply of sites for modern business premises.</li><li>• Falling investment in existing tourism products.</li><li>• Ageing population gives rise to skills shortages and healthcare challenges.</li><li>• Loss of younger people due to lack of job opportunities (particularly at graduate level), higher education places and lower house prices elsewhere.</li><li>• Limited choice in new housing, plus affordability issues. Historical lack of new housing supply, particularly in Penrith.</li><li>• Current housing stock is dominated by larger and older homes and may be unsuitable for an aging or younger population.</li><li>• Current housing stock suffers from poor thermal insulation.</li><li>• Large number of second homes in some areas.</li><li>• Some pockets of deprivation, particularly in the Penrith South, East and Pategill wards.</li></ul>
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<p><b>Opportunities:</b></p> <ul style="list-style-type: none"> <li>• The rural beauty and tranquillity of the district, together with its many heritage assets provide an asset, which can be used to attract investment and employment, as well as wealthy incomers.</li> <li>• High speed broadband may mean high value businesses may be more able to (re)locate.</li> <li>• Potential development of Newton Rigg College and employment sites around the strategic road network and M6 corridor at Penrith can provide opportunities for new higher value jobs.</li> <li>• Strong developer interest in housing, buoyed by strong demand.</li> <li>• Opportunities to improve the market towns offer to provide a range of services in an attractive and compact environment.</li> <li>• Smaller more affordable and starter homes would help those in low wage jobs get on to the housing ladder and retain younger people in the district. More rent/low cost affordable housing in villages would stop younger people from moving away and support local services.</li> <li>• Potential to add value to local produce e.g. food and drink, forestry and agriculture.</li> <li>• Potential to market the Eden Valley for tourism and outdoor pursuits based on its high landscape value and tranquil nature.</li> </ul>	<p><b>Threats:</b></p> <ul style="list-style-type: none"> <li>• Loss of younger population, gain of older people from elsewhere may mean a dwindling workforce.</li> <li>• Wealthy incomers can out-price locals when buying housing.</li> <li>• Lack of funding and increasing prices widen the housing affordability problem.</li> <li>• Accommodation and health care for an increasing elderly population is expensive to provide, particularly across a large and sparse geography.</li> <li>• Housing rental market likely to increase, rents may be cheaper elsewhere in Cumbria.</li> <li>• Challenges of maintaining services and facilities in rural communities.</li> <li>• Higher fuel prices may have a disproportionate impact on rural communities.</li> <li>• Lack of existing high value/technology jobs means new high wage jobs are difficult to attract.</li> <li>• Loss of village services.</li> <li>• Lack of differentiation in employment opportunities compared to neighbouring centres at Carlisle and Kendal, bringing competition between areas for new development.</li> <li>• New development risks undermining the character of the area.</li> <li>• Climate change may bring increased risk of flooding, droughts, pests &amp; diseases, crop failure.</li> </ul>
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## 2.3 Eden in 2032 - The Vision

- 2.3.1 Next, a vision is created - this aims to articulate where we want to be by the end of the plan period.

### **A Vision for Eden**

Eden will build on its strengths and address its weaknesses to deliver improved quality of life for its existing and next generation of residents, an improved experience for its visitors, and will be better placed to attract investment and jobs into the district.

It will continue to prize the natural and built assets which make it unique, and will enhance and protect them not only for their own sake, but also as a means of attracting investment and visitors to the area. Eden's towns and villages will have retained the characteristics that provide their character and charm.

By 2032 Eden will have created a more diverse and sustainable population, particularly in terms of age. The provision of housing, jobs, facilities and transport will be based on evidenced need both to meet the needs of older people and to encourage younger people to stay in the district or relocate from elsewhere.

Eden's population will have easy access to a good range of services, facilities and a range of housing to meet its full needs, including affordable housing.

The population will continue to enjoy high employment rates and have good access to job opportunities, however, the district will be able to offer a more diverse range of employment opportunities, and contain a better paid, more highly skilled work force.

New employment development will be located to take advantage of Penrith's excellent transport links and the campus at Newton Rigg in Penrith will have developed to provide high quality training, education and research relevant to learners of all ages within and beyond Eden district.

Agriculture and forestry will continue to be important to the economic base of the area with rural diversification playing a significant role in supporting these industries. A vibrant and thriving tourist and service sector will still significantly contribute to the local economy, attracting day and staying visitors.

Services and facilities will continue to be supported and prized in the rural villages. A sense of local community and belonging will be maintained and reinforced, with decisions made at community level as far as possible.

- 2.3.2 Specific visions have also been developed for each of the four main towns and Eden's Rural Areas. These are set out in Section 3.

## 2.4 Objectives

- 2.4.1 Next, we take the strengths, weaknesses, opportunities and threats, together with the vision outlined above and develop themes around which objectives and policies will be grouped and then what policies we may need to help deliver these objectives. Policies in this plan are consequently based around the following seventeen objectives, which are grouped around five overarching themes to give us a structure for the plan:

## Development Principles

### Objective 1

To make sure the majority development is focussed into areas where services are available, and where facilities can be supported (**Policies LS1, LS2, PEN1 & 2, AL1, AP1, KS1**)

### Objective 2

To make the best and most efficient use of already developed land and buildings (**Policies DEV1 & RUR2**)

### Objective 3

To assist in the development and provision of an accessible and sustainable transport system whilst reducing the need for travel. (**Policies LS1, LS2, DEV3**)

### Objective 4

To encourage high quality, sustainable and safe design for places and spaces, in both the private and public realm, and which respects the character, natural environment and local distinctiveness of Eden. (**Policy DEV5**)

### Objective 5

To guide changes in the built environment in a way that takes proper account of climate change, reducing greenhouse gas emissions and promoting energy efficiency in design and construction of all new developments, reducing current flood risk and effectively managing risk. (**Policies LS1, LS2, DEV1, ENV5**)

## Decent Homes for All

### Objective 6

To meet local housing needs and aspirations by seeking a concentration of development within or adjacent to the main towns of Penrith, Appleby, Kirkby Stephen and Alston and the key hubs, whilst giving recognition to the need for development in rural areas to support rural communities and services. (**Policies LS1, LS2, PEN1 & 2, AL1, AP1, KS1**)

### Objective 7

To support the development and maintenance of a variety of decent, affordable housing which meets the needs of all local people (including the older population) and supports economic and community development. (**Policies HS1-7**)

## **A Strong Economy**

### **Objective 8**

To support and develop an economically sustainable and prosperous area where investment is encouraged, skills are developed and retained and new and existing businesses are supported. **(Policies EC1-7)**

### **Objective 9**

To develop the local economy and meet local employment needs by providing a sufficient number and variety of employment locations and opportunities, at the same time ensuring the specific qualities of the local environment are not damaged. **(Policies EC1-7)**

### **Objective 10**

To promote sustainable tourism by seeking to maximise social and economic benefits in a manner which is acceptable to the local community and does not reduce environment quality. **(Policies EC4 & 5)**

## **A Rich Environment**

### **Objective 11**

To protect and enhance the outstanding natural environment, landscape and historic environment of the district, especially the North Pennines AONB, achieving an acceptable balance between facilitating essential development and maintaining the amenity of settlements and the countryside. **(Policies ENV1-3)**

### **Objective 12**

To protect and enhance the district's biodiversity and in particular its important species and habitats, making them more accessible to the public where appropriate. **(Policies ENV1 & 3)**

### **Objective 13**

To encourage the harnessing of renewable energy sources wherever they have the prospects of being economically viable and environmentally and socially acceptable, and promoting a low carbon economy. **(Policy ENV6)**

### **Objective 14**

To promote the heritage and unique landscape qualities of Eden locally, nationally and internationally. **(Policy ENV2)**

## **Thriving Communities**

### **Objective 15**

To improve the health and well-being of our communities by reducing health inequalities, promoting healthy living and supporting locally accessible, high quality health care. **(Policies COM4)**

### **Objective 16**

To protect and enhance community facilities and services and maximise accessibility to them. **(Policies COM2 & COM3)**

### **Objective 17**

To encourage and facilitate a sense of community and belonging, and made sure decisions are made at community level as far as possible **(through implementation of this plan and through Neighbourhood Planning)**

### 3. A Planning Strategy for Eden District

- 3.0.1 This section sets out the approach we will take to guiding and allocating sites for new development in Eden. The following policy sets out our 'settlement hierarchy' and shows which areas we expect to be the focus for residential, employment and commercial provision.

#### 3.1 Policy LS1 - Locational Strategy

New development will be distributed as set out below:

**Our Main Town - Penrith:** Penrith will benefit from sustained development appropriate to that of a larger town. There will be improved town centre facilities and public realm; development of strategic employment sites around the town; provision of large scale new housing development to the east and north; and an improving strategic road network and public transport system.

**Market Towns - Alston, Appleby and Kirkby Stephen:** Market towns will be the focus for moderate development appropriate to the scale of the town, including new housing, the provision of new employment and improvements to accessibility.

**Key Hubs** – Twenty-eight key hubs will be the focus for development to sustain local services appropriate to the scale of the village, including new housing, the provision of employment and improvements to accessibility. New housing developments which would increase the size of a village by more than 10% on a single site will not normally be supported, and proposals will only be acceptable where they respect the historic character and form of the village.

**The Key Hubs are:** Armathwaite, Bolton, Brough and Church Brough, Clifton, Culgaith, Great Asby, Great Salkeld, Greystoke, Hackthorpe, High Hesket, Kirkby Thore, Kirkoswald, Langwathby, Lazonby, Long Marton, Low Hesket, Morland, Nenthead, Newton Reigny, Orton, Plumpton, Shap, Skelton, Sockbridge and Tirril, Stainton, Tebay, Temple Sowerby and Warcop.

**Smaller Villages and Hamlets:** In the following settlements:

Aiketgate, Ainstable, Blencarn, Blencow, Brackenber, Brampton, Brough Sowerby, Brougham, Burrells, Calthwaite, Catterlen, Cliburn, Clifton Dykes, Colby, Crackenthorpe, Croglin, Crosby Garrett, Crosby Ravensworth, Dufton, Eamont Bridge, Edenhall, Ellonby, Gaisgill, Gamblesby, Garrigill, Glassonby, Great Musgrave, Great Ormside, Great Strickland, Greystoke Gill, Hartley, High Bank Hill, Hilton, Hunsonby, Hutton End, Ivegill, Johnby, Kaber, Keld, Kelleth, Kings Meaburn, Knock, Laithes, Lamonby, Leadgate, Little Asby, Little Musgrave, Little Salkeld, Little Strickland, Longdale, Low Braithwaite, Low Moor, Maulds Meaburn, Melkinthorpe, Melmerby, Milburn, Millhouse, Motherby, Murton, Nateby, Newbiggin (Ains), Newbiggin (Dacre), Newbiggin (Temple Sowerby), Newbiggin-on-Lune, Newby, North Dykes, Old Town (High Hesket), Ousby, Outhgill, Pallet Hill, Raisbeck, Ravenstonedale, Reagill, Renwick, Roundthorn, Roundthwaite, Ruckcroft, South Dykes, Sandford, Skirwith, Sleagill, Soulby, Southwaite, Unthank (Gamblesby), Waitby, Winskill, Winton, Yanwath.

Development of an appropriate scale will be permitted in these villages and hamlets, to support the development of diverse and sustainable communities. Development in these locations will be permitted in the following circumstances:

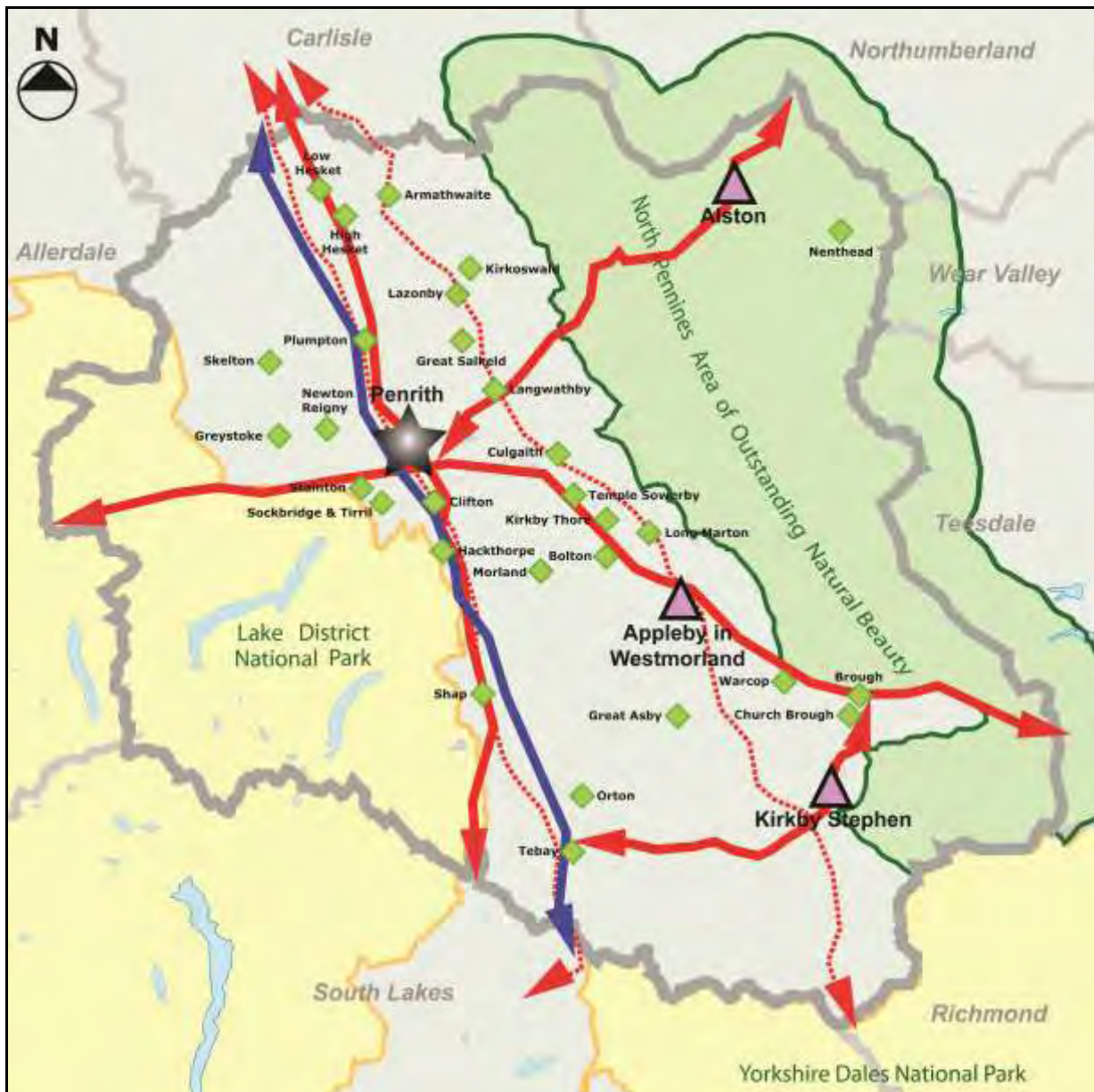
- Where it reuses previously-developed land
- Where it delivers new housing on greenfield sites to meet local demand only.

All development must be of a high quality design and will be restricted to infill sites or rounding off existing development. Villages have been identified on the basis that they contain a coherent group of ten or more dwellings.

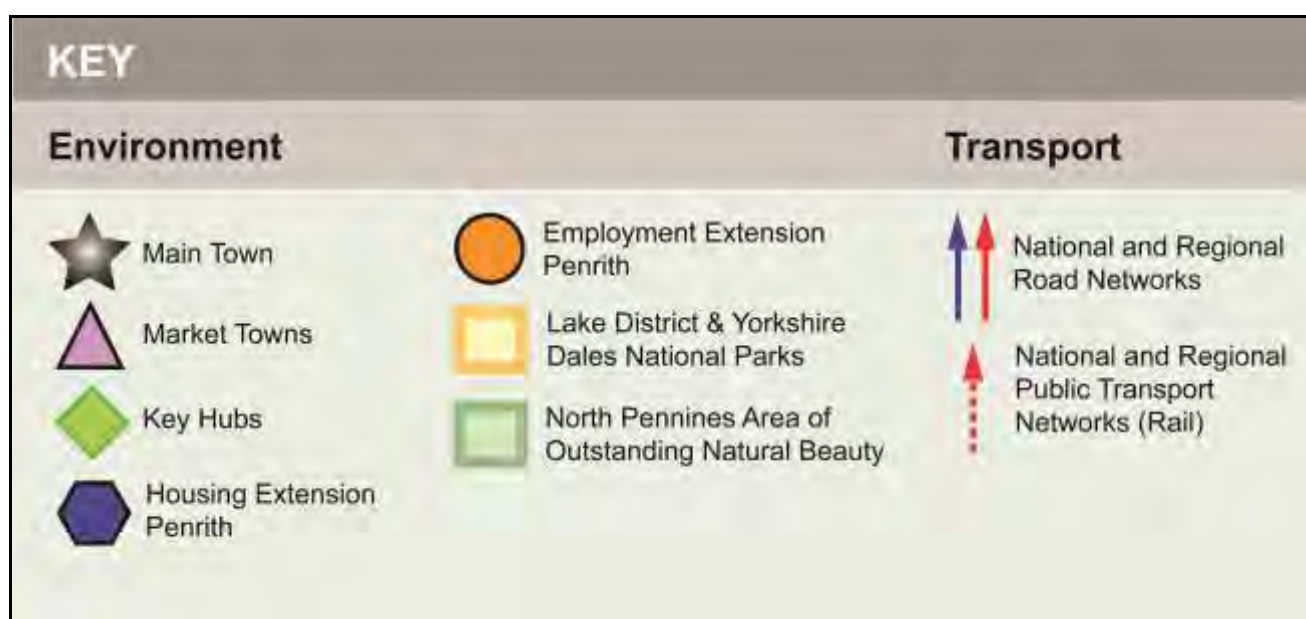
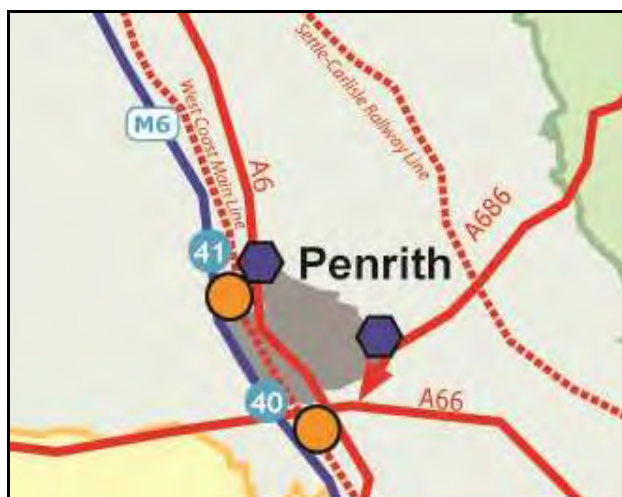
**Rural Areas** - Restricted to re-use of traditional buildings or affordable housing as an exception to policy only. Some market housing may be acceptable if it facilitates the provision of a significant amount of affordable housing. To qualify as rural exceptions housing the site must be in a location considered suitable for the development of affordable housing. Evidence will need to be given as to why the scheme's benefits to the locality are such that it justifies an exception to policy.

Where a neighbourhood plan or order has been brought forward to increase the amount of development above the levels envisaged under this policy this will take any precedence over policies in this plan.

This strategy is illustrated in the following key diagram:







### Explanation

- 3.1.1 Our settlement hierarchy is based on a fourfold classification of settlements, reflecting the role and function of settlements within the district of Eden.
- 3.1.2 **The Main Town** - Penrith. We expect that Penrith will continue to be the main centre, with a range of housing provided to meet the needs of its residents and facilitate further economic growth. Gilwilly Industrial Estate / Eden Business Park will continue to develop and provide an enhanced provision of employment floorspace. New longer-term areas for employment growth are included at Newton Rigg and Skirsgill. New strategic housing sites are allocated to the east and north of the town.
- 3.1.3 **The Market Towns** - Alston, Appleby and Kirkby Stephen. These towns have traditionally acted as vital 'service hubs' with a wider rural hinterland. They provide the widest range of jobs, shops and services and have the most frequent public transport service, which provides a realistic alternative to the private car.
- 3.1.4 Twenty-eight '**Key Hubs**' have been identified where we expect modest amounts of market led development to occur, to help meet local need and enable services to be protected and enhanced. Villages are identified as hubs if they contain more than one hundred properties and at least three key services out of a primary school, post office, shop, village hall, pub, GP surgery and church. It is accepted that the level of service provision, and size of villages could fluctuate over the plan period, however the list of key hubs identified is fixed until any future review of the Local Plan.



- 3.1.5 Eighty eight '**Villages and Hamlets**' where no sites will be allocated for development, but where small scale, sensitive development will be allowed to help meet local demand, providing it is limited to infill or 'rounding off' development only. On proposals of more than four units schemes will be expected to provide some affordable housing for local occupancy. Villages and hamlets have been identified on the basis that they are a coherent grouping of ten or more dwellings. Where new housing is located on greenfield land a local connection restriction will apply, a local connection restriction will not apply to new housing located on previously developed land. The District Council recognises that there may be some villages and hamlets where local communities aspire to bring forward additional development or allocate sites to help support local services. The District Council will offer support in these circumstances to help them develop neighbourhood plans or orders to deliver these aspirations.
- 3.1.6 Outside these areas new housing development will be limited to the sensitive re- use of existing traditional buildings, essential agricultural workers dwellings or for 100% affordable 'exceptions' housing only. This policy aims to recognise that sporadic development in the countryside must be avoided, but there may be rare cases where schemes come forward which would be an asset to the district.
- 3.1.7 This hierarchy and distribution is intended to endure. Should the function of settlements change or there be significant changes to the pattern of facilities this approach will be reviewed as part of a review of this plan.

### 3.2 Policy LS2 - Housing Targets and Distribution

A minimum of 200 homes per year (a total of 3,600) will be built in Eden over the eighteen years between 2014/15 and 2031/32. New housing will be developed through the district to ensure a rate of housing completions in accordance with the following targets and proportions:

	Target	Distribution	Site allocations?	Completed	Already under construction or permitted	Left to Allocate	Annual Requirement	Affordable Housing
Target	<b>3600</b>	<b>100%</b>						
<b>Towns</b>								
Penrith	1800	50%	Yes	43	254	1503	83	30%
Alston	144	4%	Yes	1	56	87	5	30%
Appleby	324	9%	Yes	7	167	150	8	30%
Kirkby Stephen	252	7%	Yes	16	38	198	11	30%
Total Towns	<b>2520</b>	<b>70%</b>		<b>67</b>	<b>515</b>	<b>1938</b>	<b>108</b>	
<b>Rural Areas</b>								
Key Hubs	720	20%	No	34	215	472	26	30%
Villages and Hamlets	360	10%	No	21	267	72	4	Market Enabled
Total Rural	<b>1080</b>	<b>30%</b>		<b>55</b>	<b>482</b>	<b>544</b>	<b>30</b>	
<b>Total</b>	<b>3600</b>	<b>100%</b>		<b>122</b>	<b>997</b>	<b>2481</b>	<b>138</b>	

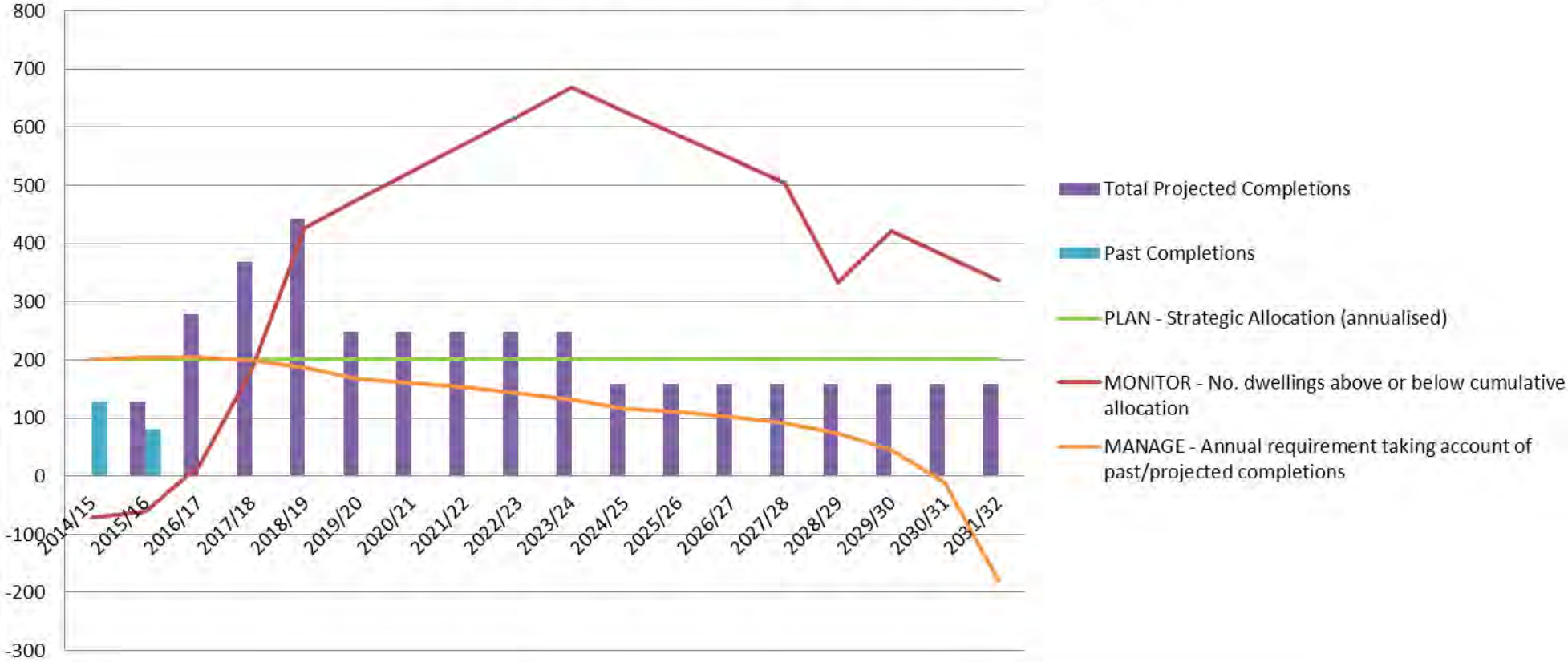
Position at April 2015. Small site permissions discounted to 75% to allow for non-implementation.

These proportions should not be seen as annualised caps to provide flexibility in spatial planning.

## **Explanation**

- 3.2.1 This policy sets out future development rates in the towns and villages. The overall figure for the district has been set at 200 homes per year. This followed technical work which revealed a need to reconcile projected low levels of future change in the number of households already here and historic low levels of house building on the one hand, with high levels of in migration from older people moving in from elsewhere in the country and a strong demand for affordable housing and jobs from people here on the other.
- 3.2.2 Because of past shortfalls in housing provision we will manage the rate of housing that comes forward to encourage the take up of new sites in the early years of this plan.
- 3.2.3 The individual town and rural plans in this document set out the future development rates for housing in the town and villages.
- 3.2.4 The delivery of housing over time is set out in the following housing trajectory. Trajectories are a forward planning tool, designed to monitor both past and anticipated completions across a period of time. As they look forwards as well as backwards, they can help indicate at an early stage whether any action needs to be taken to release additional sites or whether the problem will 'sort itself out' with already identified sites coming on stream later on to make up any shortfall. This trajectory will be updated every year as part of our Annual Monitoring Report.

# Eden District Council - Housing Trajectory



3.2.5 To boost significantly the supply of new housing above past levels and help rectify past and any future shortfalls this plan also includes two mechanisms to make sure new housing is developed within the time frame of the plan, and that the plan is 'frontloaded':

- A reserve site or contingency site is included on the Proposals Map at Penrith (Site N1a, Salkeld Road). This site is identified and will be released if the land supply position (measured as the loss of the five year land supply) indicates it should be developed to meet need.
- A 20% buffer of additional sites over the first five years of the plan is included to account for past under delivery.

**Reason for the Policy**

3.2.6 A locational strategy is necessary to identify where new land allocations will be made. The intended proportions for the location of development are also set out in order to provide the necessary clarity for local communities, the development and construction industry, those public bodies and private companies charged with the provision of vital infrastructure and also public service providers such as health and education. It also demonstrates where the Council will and will not permit larger scale new development.

### 3.3 A Town Plan for Penrith

- 3.3.1 Penrith is the largest town in Eden. The town has many enviable qualities and provides an exceptional quality of life well above that of most other similarly sized towns. Penrith retains the atmosphere of a historic market town, bringing a strong local distinctiveness, with Penrith Castle and narrow streets and passageways remnants of defence against border raids during the 9th and 10th centuries. The town centre is designated as a Conservation Area, with its distinctive red sandstone buildings and many listed buildings. Penrith benefits from excellent transport links via the M6 motorway and A66 trunk road, and is directly connected to London, Manchester and Edinburgh via the West Coast rail line. There is rapid access to some of the highest quality outdoor environments in the country, including the Eden Valley, North Pennines and Lake District National Park. Good schools and safe environment also mean Penrith is an attractive place for families to be. The town has a strong local food economy – it is estimated that local food supports 600 jobs at retailers and suppliers around the town, and its sales help support £16.8 million turnover at supply chain businesses<sup>6</sup>. These many advantages mean that the town benefits from an abundance of assets that should allow it to flourish in the future.
- 3.3.2 Set against this there remain challenges to address. The town has a skilled workforce but a low wage economy, and there are few young professionals, due to a lack of high value financial and professional jobs. This means the town risks losing younger people, either due to them taking up jobs elsewhere or because they seek lower rents and prices in other parts of Cumbria. The West Coast Mainline and M6 motorway corridors create prominent artificial elements in the landscape and present a hard physical edge to the urban area (and physical and psychological barriers to east-west movement) and there is no direct link between industrial areas at Gilwilly and the M6 motorway. For certain traffic movements it remains more convenient to travel through the town centre, increasing possible congestion. There has also been a historical lack of new housing supply, meaning current housing stock is dominated by older homes and may be unsuitable for an aging or younger population. There is also a relatively low provision of open space, footpaths, bridleways and green corridors.

#### **A Vision for Penrith**

Penrith will build on its role as a multifunctional centre serving a wide rural catchment. It will retain its distinct identity as an historic market town, and be the focus of enjoyment, creativity, learning, socialising, culture, health, well-being for those in and near the town. The built form will continue to respect the wider landscape that shapes the town.

It will be a place which people care about and engage in the life of their town. The town centre will offer a range of services; facilities and events that offer a rich and diverse experience which draws people into the town centre to shop, relax and have fun, as well as helping retain local expenditure within the town.

There will be a recognised 'heart' to the town in the centre of the Conservation Area, which will offer a safe and engaging environment to pedestrians, visitors and shoppers.

<sup>6</sup> From Field to Fork – Penrith. Campaign to Protect Rural England, June 2012.

New homes will be provided to help balance the population, support new employment opportunities and provide affordable housing to those already in the district. The District and County Council, agencies, landowners and businesses will work to encourage and support higher value jobs in the district. The range and quality of jobs will be improved, with new sites developed to provide strategic growth and higher value employment.

The town will continue to expand its role as a welcoming tourism destination and stop over point, by providing a range of services and making the most of its historic environment and natural assets.

### **3.4 Objectives**

3.4.1 Objectives for Penrith are partly informed by previous work carried out on the strategic masterplan for the town. This masterplan, commissioned by the District Council, funded by the Homes and Communities Agency and produced by consultancy AECOM was published in 2011.

3.4.2 The objectives for Penrith are:

- To retain the characteristics that make Penrith unique, conserving and enhancing the historic environment of the town and making sure the planning of major new development is shaped by existing landscape character
- To improve connections to and from the M6 - creating a 'strong front door' to the town, and promoting the use of Junction 41 of the M6
- To manage traffic flows to avoid pressure on the town centre and encourage walking and cycling
- To improve social infrastructure - schools, healthcare, recreation and community facilities
- To provide local affordable housing
- To widen the employment offer, attracting higher wage employment and retaining and attracting graduates
- To make sure new development contributes to new physical and social infrastructure, including roads and services
- To retain younger people in the town
- To sustain existing and new shops and markets by bringing people together to make sure Penrith provides a unique, welcoming and locally distinctive shopping experience, and one which is different from the experience of using a supermarket or shopping centre. As part of this, to continue to hold special events such as the Winter Droving and Winter Festival events and the Food and Farming Festival, and work to attract and retain as much local spending within the town itself
- To retain and enhance civic space
- To protect and seek improvements to green infrastructure and the network of rights of way in the town
- To support new housing in town centres including unused spaces above shops

### 3.5 Policy PEN1 - A Town Plan for Penrith

The Town Plan for Penrith aims to deliver:

**New Homes** - Land for 1,554 additional new homes will be provided in the town in the long term. The main locations for housing are at Carleton to the east, and Salkeld Road, White Ox Farm and Raiselands to the north. A 'reserve' site (N1a) is identified at north of the allocation at Salkeld Road and will be released if land supply is below expectations. A site for Gypsy and Traveller use is also allocated as an extension to the existing site at Lakeland View, north of Penrith.

**New Jobs** - An additional 11.91 hectares of employment land is allocated as an extension to Gilwilly Business Park and a further 3.29 hectares at Skirsgill. A longer-term strategic growth opportunity is identified at Newton Rigg College. A site for mixed use development is allocated at Old London Road.

**New services and facilities** - At least one new primary school will be needed, and a site for a school is allocated to serve both the new and existing population of the town at Carleton.

**New Infrastructure** - Improvements will be made to improve access to the Gilwilly Industrial estate and to aid movement around the town.

#### Explanation

- 3.5.1 In considering options for new housing our preferred option is heavily influenced by the 2011 Penrith Masterplan, which provided a considered assessment of development opportunities around the town. It included a relatively even split of housing to the north and east. This plan now includes 14 sites capable of accommodating a minimum of 1,554 new homes. It is anticipated that housing sites to the east of the town will be delivered in the short to medium term, with sites to the north forming longer term growth opportunities. This plan includes provision for a new primary school alongside site E1. Indicative housing numbers for Masterplan sites E1/E2 indicate lower densities to account for potential landscape impacts and it is considered that land to the north of site E1 should remain undeveloped to act as a landscape buffer; preventing development coming forward that would be prominent from most of the town due to the height of the land. Development sites to the north have been adjusted to reflect topographical constraints and curtailed to prevent unnecessary urban sprawl. To guard against possible under-delivery a 'reserve site' (N1a) is identified at Salkeld Road. This will be released for development if housing supply is below expectations. We are also required to meet the needs of Gypsies and Travellers and allocate sites to help meet need and avoid unauthorised encampments being the only option for Gypsies and Traveller in the area. An expanded site for Gypsy and Traveller use is therefore allocated at Lakeland View, around a mile and a half north of Penrith.
- 3.5.2 Penrith also remains a focus for employment growth, given its excellent transport connections and high quality of life. We have identified two employment sites which will provide suitable land to at least satisfy potential requirements coming forward during the plan period. In addition to land at Skirsgill south of the A66 an extension to the existing Gilwilly Industrial Estate (site 2A in the masterplan) is proposed. The plan does not currently allocate Eden Business Park (site 2B) given the issues surrounding viability and deliverability, particularly in respect of the delivery of a new access road to Junction 41 of the M6. It is important to note,



however, that the Eden Business Park (Site 2B) remains a long-term strategic objective of Eden District Council, and whilst development of this site is not currently viable, the Council will continue to explore options, which may help unlock development and provide jobs at this site in the long-term. Similarly, the Council is supportive of long-term growth at Newton Rigg College and will work with the college to explore and deliver new employment in the area.

**Reason for the Policy**

- 3.5.3 This policy sets out the main features of our development strategy for Penrith up to the year 2032.

Land for housing is allocated on the following sites:

Ref	Address	Area (ha)	Phasing			Total
			2014-2019	2019-2024	2024-2032	
E1	Carleton	23.89		200	299	499
E3	Carleton – land at Longacres.	11.62		120	180	300
E4	Land at Carleton Hall Farm	3.8		54	54	108
N1	Salkeld Road / Fairhill Greenfield	4.40	50	50		100
N2	White Ox Farm	8.38		49	106	155
N3	Raiselands	11.06	70	160		230
TC1	Old London Road	0.5		27		27
P2	Gilwilly Road	0.33			17	17
P8	Myers Lane, Norfolk Road	0.63			32	32
P61	Garage at Roper Street	0.37		37		19
P71	Brent Road Garages	0.21	5			5
P93	Barn and Yard, Brunswick Road	0.1		5		5
P94	QEGS Annexe, Ullswater Road	0.58			29	29
P115	Car park off Brentfield Way	0.14		10		10
	<b>Total</b>		<b>125</b>	<b>712</b>	<b>717</b>	<b>1554</b>

Land for employment use (Use Classes B1-B8) is allocated on the following sites:

Ref	Address	Developable Area (ha)
2A	Gilwilly Industrial Estate extension	11.91
MPC	Skirsgill	3.29
	<b>Total</b>	<b>15.2</b>

Long-term strategic employment growth is also supported at Newton Rigg College and on Gilwilly Industrial Estate Phase 2B. Gypsy and Traveller accommodation is allocated as an extension to Lakeland View, Penrith

### 3.6 Policy PEN2 - Penrith Masterplans

Strategic sites adjacent to the north and east of Penrith will not be given permission for development until masterplans for those areas have been agreed with the Council. Masterplans will be expected to be in accord with the objectives and outputs contained in the 2011 masterplan for Penrith.

In order to address the cumulative impacts of development potential, applicants will be expected to work with infrastructure providers to demonstrate how the developments will jointly provide and fund the physical and social infrastructure necessary to support this amount of development in the town. This may take the form of financial contributions or the provision of appropriate serviced land.

Masterplans should be prepared on a collaborative basis including genuine public consultation and include an agreed approach to internal layout, housing type, mix and tenure, landscaping, open space, community facilities, access, and design. They should be used to create attractive, functional and sustainable places, which respect the character of the town.

Principles for masterplans are set out at Appendix 5.

#### **Explanation**

- 3.6.1 This policy requires masterplans to be agreed with the Council for significant development at Penrith. This is because the Council does not wish to see development coming forward in a piecemeal or uncoordinated fashion. Each area needs to be planned carefully to create neighbourhoods that have a local distinctiveness and a definite sense of place appropriate to Penrith – in other words, to be as ‘Penrith’ as possible. They should also provide for a range of community facilities and be well integrated into the town and its surroundings. Masterplans will be expected to build on and take into account the existing strategic masterplan for Penrith and the Penrith Landscape and Visual Impact Assessment.
- 3.6.2 Given the scale of development around the town masterplans will also be expected to assess the cumulative needs for infrastructure, taking into account demand generated by all masterplan sites in combination. Developers will be expected to help contribute to the provision of essential infrastructure, including highways improvements, schools, and other social infrastructure. This may take the form of financial contributions or serviced land. The Council, working together with the County Council wishes to take a collaborative approach with developers to the planning of significant new developments, and will wish to enter into Section 106 agreements (or put in place a Community Infrastructure Levy charging schedule) to make sure that supporting infrastructure is delivered in a timely, fair and equal manner. The Council will also seek to enter into a Planning Performance Agreement with developers to manage the process of delivery.
- 3.6.3 The following sites will be expected to adhere to agreed masterplans:
- Carleton - Site E1
  - Carleton - Land at Long Acres and Carleton Hall Farm - Sites E3 and E4
  - Raiselands, White Ox Farm and Salkeld Road extensions - Sites N1/N1a, N2 and N3

#### **Reason for this Policy**

- 3.6.4 To ensure the proper and effective planning of urban extensions in and around the town.

### 3.7 Policy PEN3 - Newton Rigg Campus

The Council acknowledges the contribution that Newton Rigg Campus in Penrith makes to the economy and educational attainment of Eden and will:

1. Encourage the development of the campus, including the use of sites for expansion or employment use
2. Aim to help the college build on its established strengths as a centre for land based studies
3. Support any application for knowledge based and digital enterprises to locate where they can benefit from the expertise of the college

#### **Explanation**

- 3.7.1 The success of Newton Rigg College (now part of Askham Bryan College) may provide new opportunities to encourage new investment and job growth at Penrith in a way that both supports the ambitions of the college and provides new opportunities for others in the district. This plan therefore includes a policy aimed at supporting the long-term growth of the college and encouraging new employment uses on land at Newton Rigg.

#### **Reason for the Policy**

- 3.7.2 Penrith has an opportunity to further develop as a centre for higher and further education. This can be achieved by building upon and continuing improvements at the campus at Newton Rigg. There exists a real opportunity to expand this facility and improve opportunities not only for the young people of Eden but also the wider County. The campus is also ideally placed to potentially be a new long-term strategic area for employment growth for the district.

### 3.8 A Town Plan for Alston

- 3.8.1 Alston lies within the North Pennines Area of Outstanding Natural Beauty and is the highest market settlement in England, at about 1,000 feet above sea level. It has a unique and high quality built environment - much of Alston is designated as a Conservation Area and sits within an expansive and rugged landscape.
- 3.8.2 The surrounding landscape provides a wildness, remoteness and tranquillity that is unrivalled in England. Although remote (Alston is around about 20 miles from the nearest town and is surrounded by extensive areas of moorland) the town is nevertheless centrally located, lying midway between the east and west coasts and the northern and southern tips of Britain. It has a steep cobbled main street with a distinctive market cross, and many stone buildings dating from the 17th Century. The town is accessed via the A686, which runs from Penrith, through Alston and down onto the A69 about 5 miles before Hexham, and is located on the coast to coast walking and cycling routes, bringing in passing tourist trade.
- 3.8.3 The area is rich in mineral resources (primarily lead and zinc) and lead was mined from Roman times until the 1980s. At its peak in the first half of the 19th Century the town's population stood at around 7,000, more than three times what it is now. The town was affected by changes in the steel industry, which led to the loss of its main employer in 1980, which removed a quarter of all jobs in the town. However, although there has been job loss there are a high proportion of businesses in creative industries and a strong sense of community spirit and participation within the town, and a number of thriving businesses that trade well beyond the locality. In the summer of 2013, Alston Moor became the world's first Social Enterprise Place. For its size, Alston Moor has a huge and varied social enterprise sector, with one social enterprise for around every 50 households.
- 3.8.4 There are also a number of challenges to address. The town is home to a very low wage economy and there are a declining number of younger people, meaning a long-term risk of loss of local services. The viability of developing housing and employment sites to meet local needs is also an issue, as are a relatively low stock of sports/recreational facilities.

#### **A Vision for Alston**

Alston will remain a focus for services and facilities for the surrounding area. The town will continue to provide a desirable destination for living and working by making best use of the assets that make it unique - an outstanding public realm, a tranquil and beautiful location and a close community who care for the town and its people.

The town will attract new jobs to the area, particularly in the creative arts and light industry and will encourage economic activity related to outdoor sports and recreation. It will offer a welcoming base for those wanting to appreciate and value what the town and the North Pennines Area of Outstanding Natural Beauty have to offer. It will offer an attractive and value for money location for both passing tourists and those who visit the town and its surroundings for longer periods.

The population will have stabilised and there will be a better demographic balance, and younger people will be more likely to stay in the Alston area due to an increase in affordable housing, employment opportunities and improvements in local services and facilities.

### 3.9 Objectives

3.9.1 The objectives for Alston are:

- To attract and retain higher value employment
- To encourage reuse of existing/derelict buildings to retain and protect and enhance the historic environment
- To retain, respect and enhance the historic environment of the town
- To improve the tourism offer building on the town's unique character and location
- To improve the town's housing stock and increase provision of affordable housing
- To ensure the long term viability of local services

### 3.10 Policy AL1 - A Town Plan for Alston

**The Town Plan for Alston aims to deliver:**

**New Homes** - Land for 86 additional new homes will be provided in the town in the long term. The main locations for housing are south of the Primary School, Land at Clitheroe and Jollybeard Lane.

**New Jobs** - An additional 1.31 hectares of employment land is allocated at the Skelgillside workshops (1.31 ha). Land is also allocated for mixed-use redevelopment at High Mill.

Development will be expected to adhere to guidance set out in the Alston Character Appraisal and Management Plan Supplementary Planning Document.

Land for housing is allocated on the following sites:

Ref	Address	Area	Phasing			Total
			2014-2019	2019-2024	2024-2032	
AL1	Jollybeard Lane	1.32			40	40
AL11	Land South of Primary School	1.01			10	10
AL12	High Mill (Mixed Use)	0.12	6			6
AL13	Land at Clitheroe	0.65		20		20
AL16	Land adj. to Primary School	0.7			10	10
	TOTAL		<b>6</b>	<b>20</b>	<b>60</b>	<b>86</b>

Land for employment use (Use Classes B1-B8) is allocated on the following sites:

Ref	Address	Developable Area (ha)
24	Skelgillside Workshops	1.31
26	High Mill (Mixed Use)	n/a
	TOTAL	1.31



## **Reason for the Policy**

- 3.10.1 This policy sets out the main features of our development strategy for Alston up to the year 2032.

### **3.11 Policy AL2 - Redevelopment in Alston Moor**

The redevelopment of traditional former dwellings in Alston Moor parish will be permitted where:

1. Evidence can be provided to demonstrate that the former dwelling was once in use at that location, and that the proposed redevelopment will make use of substantial remains and on site materials
2. The resultant dwelling does not materially exceed the footprint of the original building and reflects the scale, form and appearance of the original building when it was last in use
3. The building is adjacent to or in close proximity to the public highway network and access is in place or can be created without damaging the surrounding area's rural character
4. It can be demonstrated that there is no significant impact on local biodiversity, including on protected habitats and species
5. Applications for development under this policy adhere to design principles set out in any design guides for the North Pennines Area of Outstanding Natural Beauty

When granting permission for any development under this policy the Council will remove any permitted development rights, which would normally apply to the building and its curtilage.

## **Explanation**

- 3.11.1 In Alston Moor parish the traditional economy of smallholding and mining has resulted in a pattern of settlement characterised by a large number of isolated dwellings. Many of these have been abandoned and allowed to deteriorate. If developed sensitively they are capable of providing additional accommodation at reasonable cost while contributing to the preservation of the traditional settlement pattern. Policy AL2 recognises this exceptional situation and facilitates appropriate redevelopment. In the light of the exceptional nature of proposals of this type, stringent control will be exercised over the design and materials to be used in renovation and also over subsequent alterations. Conditions removing permitted development rights will be imposed at the time planning consent for development is granted. It should also be noted that buildings of the type concerned might provide a valuable habitat for wildlife, including endangered species such as bats or barn owls.

### 3.12 A Town Plan for Appleby

- 3.12.1 Appleby is a highly attractive market town serving the Westmorland area, and was once the ancient capital of Westmorland. It lies on a bend on the River Eden, which meanders through the historic centre of town and provides a strong natural feature which greatly adds to the town's charm, providing the peace and quiet of beautiful riverside walks and picnic areas all within five minutes of the town centre. Home to around two and a half thousand people, Appleby lies approximately fourteen miles to the south east of Penrith.
- 3.12.2 The town has a station on the Settle to Carlisle railway line, and is on or near to the Lakes and Dales Loop Cycle Route, the Westmorland Way, the Pennine Way and the Coast to Coast path, all of which help bring in tourists to the area. The A66 Trans-Pennine trunk road, which bypassed the town in 1982, provides access to Penrith and the M6 and the A1 at Scotch Corner.
- 3.12.3 The town has a multitude of assets - it has many architectural gems and a historic core designated as a Conservation Area and this, together with its many tree lined roads and sense of openness provide the relaxed feeling of a traditional and ancient market town. The town is home to the Appleby Castle whose origins lie in the 12<sup>th</sup> century and provides an excellent springboard for those wanting to explore both the Lake District and Yorkshire Dales National Parks, as well as the dramatic landscapes nearer the town. Appleby also benefits from excellent schools and provides a safe environment, making it attractive to families. Eden Community Outdoors offer an indoor climbing wall, small cinema and meeting rooms, and there are adult education facilities at the Appleby Heritage Centre. The town is also home to the annual Appleby Horse Fair.
- 3.12.4 Set against this are a number of challenges for the town. Major shopping facilities are some way away at Penrith or Carlisle and there is a limited retail offer, particularly for food and convenience goods. There is an increasing demographic imbalance, with increasing proportions of older people, the result of a loss of younger people. The fine built environment also means that any new development has to be highly sensitive to historic assets and add to the character of the town.

#### **A Vision for Appleby**

Appleby will retain and protect the historical assets that provide it with its appeal. It will look to provide new job opportunities and housing choices for those living in the area in a way that looks forward to its future whilst valuing its past. It will contain a diverse range of shops and services to provide a range of facilities for both visitors and the population within its catchment area.

It will continue to welcome tourists to the town, and will continue to provide a peaceful and safe environment and be a great place to bring up a family. Its range of local shopping and community facilities will be maintained and improved.

### 3.13 Objectives

3.13.1 The objectives for Appleby are:

- To retain and respect the historic built environment of the town
- To attract and retain additional tourism expenditure
- To provides new jobs opportunities in skilled trades and services
- To increase the range and type of housing available to local people
- To ensure the a range of local services are maintained

### 3.14 Policy AP1 - A Town Plan for Appleby

The Town Plan for Appleby aims to deliver:

**New Homes** - Land for 155 additional new homes will be provided in the town in the long term. The main locations for housing are South of Station Road and adjacent to the Coal Yard, Station Yard.

**New Jobs** - An additional 4.54 hectares of employment land is allocated at Cross Croft Industrial Estate (2.56 ha), The Old Creamery (1.98 ha) and redevelopment at Shire Hall.

Land for housing is allocated on the following sites:

Ref	Address	Area (ha)	Phasing			Total
			2014-2019	2019-2024	2024-2032	
AP10	Land to the South of Station Road	4.02		30	35	65
AP11	Fields adjacent to the Coal Yard, Station Yard	3.44		40	50	90
	<b>Total</b>			70	85	155

Land for employment use (Use Classes B1-B8) is allocated on the following sites:

Ref	Address	Developable Area (ha)
19	Cross Croft Industrial Estate	2.56
21	The Old Creamery	1.98
23	Shire Hall	n/a
	<b>Total</b>	4.54

### **3.15 A Town Plan for Kirkby Stephen**

- 3.15.1 Kirkby Stephen is a traditional market town and is located on the A685, surrounded by the sparsely populated Upper Eden area. It is about 30 miles (48 km) south east of Penrith. The town is the natural hub of Upper Eden, and has been relatively self-sufficient for many centuries. It remains an important centre for the local farming community and has a well-attended agricultural mart. It provides a wide range of employment in a substantial retail and service sector and is an educational centre, with infant and primary schooling and an ancient Grammar School (now a comprehensive) that is the principal secondary school in the Upper Eden Valley. Kirkby Stephen also has a well-equipped Upper Eden Health Centre providing first-line care for the whole local community.
- 3.15.2 The town stands on a low ridge that runs north-south beside the River Eden, but this ridge lies within a wide basin surrounded by low, undulating hills. These screen Kirkby Stephen from almost all approaches and as a result high-quality rural scenery extends almost to its doorstep and little of the town is visible until the traveller actually arrives. This high-quality scenery is particularly evident on the east, where the slopes beyond the River Eden rise to the village of Hartley (itself largely hidden in a fold of the ground). Beyond, limestone scars climb to the moorland summits of Nine Standards Rigg.
- 3.15.3 In recent years Kirkby Stephen has gained prominence as a centre for outdoor recreation, based largely on its proximity to the Yorkshire Dales National Park and the North Pennines Area of Outstanding Natural Beauty. Kirkby Stephen is situated near the mid-point of the Coast to Coast Walk and is also linked to several other long-distance trails and cycle-ways. The hill country around provides excellent walking, in conditions of tranquillity arguably no longer found in the Lake District to the west. The limestone country nearby, including the remarkable Orton Fells-Asby Scar ridge, has dramatic limestone pavements and a rich wild flora making it highly attractive to naturalists. The town has a small hotel, a hostel and several pubs, and many homes and some farms offer bed and breakfast accommodation. The nurture and expansion of this tourist industry is a central concern in long-term planning.
- 3.15.4 There remain a number of challenges for the town. Like many small towns Kirkby Stephen lacks 'green spaces' within the town itself. It is ringed by high-quality countryside but lacks parks or pleasant open areas within the urban perimeter. Apart from private gardens, the churchyard is the principal green space in the town centre. The two designated parks in the town are both on the outskirts.
- 3.15.5 While the railway links for Kirkby Stephen are prized (and the Settle-Carlisle railway is growing in popularity among recreational users), most travel in the area depends, and will continue to depend, on road vehicles. However, future planning must cater for an overwhelming dependence on privately owned road vehicles. The road network in Kirkby Stephen can be congested, with traffic flow problems in the narrow roads aggravated by on-street parking. It is therefore essential that all new housing and industrial development provides realistically for the adjustment of road capacity and the provision of adequate off-road parking.
- 3.15.6 Finally, Kirkby Stephen is a town with many small businesses employing five or fewer people. Whilst both environmental and economic factors militate against Kirkby Stephen becoming a 'dormitory' settlement from which residents commute to distant employment, this makes the provision of employment in the town crucial to its future.

### **A Vision for Kirkby Stephen**

Kirkby Stephen will continue to prosper as the principal settlement serving the Upper Eden area. New housing and employment development will help meet the needs and demands of local people, but this will be planned and delivered in a way that does not detract from the historical and tranquil character of the town.

New opportunities to support and encourage the tourism sector will be explored and exploited, with the town marketing itself as an ideal gateway to the Yorkshire Dales National Park, as well as on the basis of the stunning landscapes, which surround it.

The town will continue to provide support services to the wider rural economy, but will also recognise that its relative self-containment means that a wider range of jobs may be needed to maintain the local economy.

Kirkby Stephen will strive to reflect the right balance between meeting the housing and care needs of an ageing population and retaining and attracting younger families on the other.

## **3.16 Objectives**

3.16.1 The objectives for Kirkby Stephen are:

- To act as a gateway to the Yorkshire Dales National Park, particularly if the park is extended towards the town. This will include nurturing and expanding tourist services, and exploiting its position along the Coast to Coast walking and cycling routes
- To evolve as the economic 'hub' of Upper Eden (recognising that Brough, too, is a substantial and important local community with considerable growth potential)
- To preserve the highly valued green setting of the town
- The lack of green spaces and paucity of trees within the town perimeter will be addressed and new amenity and recreational areas will be required in new housing developments
- To provide a mix of new housing types and sizes, including affordable housing, including housing at affordable rents
- Suitable sites for small to medium scale businesses will be provided, to allow opportunities for career progression within the community
- The needs of an older, retired population will be recognised and planned for, including appropriate dwellings, sheltered housing and extra care for older people and suitable medical services

### 3.17 Policy KS1 - A Town Plan for Kirkby Stephen

The Town Plan for Kirkby Stephen aims to deliver:

**New Homes** - Land for 188 new homes will be provided in the town in the long term. The main locations for housing are Land to west of Faraday Road and at Croglam Lane.

**New Jobs** - An additional 3.33 hectares of employment land is allocated at Kirkby Stephen Business Park

Land for housing is allocated on the following sites:

Ref	Address	Area	Phasing			Total
			2014-2019	2019-2024	2024-2032	
KS13	Land to west of Faraday Road	4.09		40	30	70
KS15	Land adjacent Croglam Lane	2.55		30	30	60
KS17	Land behind Park Terrace	0.75		23		23
KS18	Land adj. to Croglam Park	1.18		35		35
	<b>Total</b>		<b>0</b>	<b>128</b>	<b>60</b>	<b>188</b>

Land for employment use (Use Classes B1-B8) is allocated on the following sites:

Ref	Address	Developable Area (ha)
33	Kirkby Stephen Business Park	3.33



### 3.18 Rural Areas

#### **A Vision for Eden's Rural Areas**

The distinctiveness and high quality of life that characterise Eden's extensive patchwork of villages will be maintained. New development will be sympathetic to its surroundings and fit in with the local landscape and architecture, and land outside settlements will be prized and protected.

Services and facilities will continue to be supported in the rural villages. A sense of local community and belonging will be maintained and reinforced, with decisions made at community level as far as possible.

New opportunities to support and encourage the tourism sector will be explored and exploited.

### 3.19 Objectives

3.19.1 The objectives for the Eden's Rural Areas are:

- To protect and enhance their landscape setting and historic environment
- To allow for sensitively designed small scale new development to help sustain services
- To encourage self build housing as a means of allowing local people to meet their own housing needs
- To encourage tourism as a means of sustaining the rural economy
- To allow for the sensitive conversion of traditional rural buildings to active use
- To devolve plan-making to local level where possible, by offering support to communities producing neighbourhood plans

3.19.2 The following policies in the chapter refer specifically to Eden's rural areas - for the avoidance of doubt this means all areas outside the four main towns of Penrith, Alston, Appleby and Kirkby Stephen.

### 3.20 Policy RUR1 - New Agricultural Buildings

New agricultural buildings should be integrated into the existing farm complex wherever possible to reflect the traditional clustering of rural buildings. Where there is justification for a new farm building to be built in isolation from existing buildings, permission will be granted where the following criteria have been met:

- The proposal carefully considers topography and landform and how the building can be sited to minimise its visual and landscape impact
- Opportunities have been taken to retain existing planting and introduce new native tree planting to help screen new buildings where necessary
- The proposal utilises subdued colours to reduce the visual prominence of the new building

## **Explanation**

- 3.20.1 Agriculture is a fundamental part of Eden's economy, culture and landscape. The Local Plan needs to support the rural economy and ensure that the right balance is struck between new development and the protection of the special characteristics of Eden's rural landscape. The farming landscape is characterised by traditional arrangements of farm buildings clustered around farmhouses and courtyards, with simple building forms and traditional local building materials. Modern large agricultural buildings can, if not designed and sited sensitively, have a harmful impact on the landscape character of the rural area. This can happen where they are positioned in open and obtrusive locations such as the crests of hills, where they have unusual and overly complex building forms, or where they use brightly coloured and reflective materials and colouring which make them particularly prominent across long distance views across the landscape.
- 3.20.2 The Eden Design Guide has been produced to provide guidance to applicants on how good design can be achieved across a range of development types, and will be a material consideration in determining planning applications. The Guide provides guidance on large-scale commercial and agricultural development and proposals for new agricultural buildings will be expected to accord with the guidelines.

## **Reason for the Policy**

- 3.20.3 This policy recognises that there will be a need for new purpose built agricultural buildings over the plan period and provides a clear framework for assessing planning applications to ensure new buildings are designed and sited sensitively.

## **3.21 Policy RUR2 - Re-use of Redundant Buildings in Rural Areas**

The re-use of redundant traditional rural buildings and structures for housing, employment, tourism (including holiday accommodation), recreation and community uses will be supported in rural areas where:

1. The building is capable of conversion without the need for extension, significant alteration or full reconstruction
2. It can be demonstrated that the building is of sufficient architectural quality to make it worthy of retention
3. The proposal is of a high quality design, retaining the design, materials and external features that contribute positively to the character of the building and its surroundings
4. The building and its curtilage can be developed without an adverse effect on the historic environment, the character of the local landscape or its setting
5. It can be demonstrated that there is no significant impact on local biodiversity, including protected habitats and species
6. The building can be serviced by existing utilities
7. The building is adjacent to or in close proximity to an existing habitable dwelling and the public road network
8. Access is in place or can be created without damaging the surrounding area's rural character
9. The proposal will not conflict with existing land uses.

When granting permission for any development under this policy the Council will remove permitted development rights where appropriate, which would normally apply to the building and its curtilage.

## **Explanation**

- 3.21.1 The primary purpose of this policy is to maintain and protect the character and landscape of Eden's rural areas whilst recognising that there may be occasions where the sensitive conversion of traditional rural buildings may result in either bringing a new building back into use or the conversion to a more suitable use.
- 3.21.2 Not all buildings in rural areas will be suitable for conversion or adaptation to new uses, perhaps due to their unsuitable or unsustainable location. The test is whether a proposal will restore a traditional building back to its original form and design, and whether the building is in close proximity to an existing habitable dwelling, defined as within easy walking distance.
- 3.21.3 The definition of 'traditional' refers to all types of buildings and applies where a building is capable of conversion without the need for substantial rebuilding and where a building is capable of conversion without changes to its original form and design, to the roofline or without significant extension, including for car parking spaces. Modern purpose built agricultural buildings, including steel framed construction buildings do not fall in to this definition of 'traditional'. The policy also applies to the curtilage of the building and requires the removal of any permitted development rights to avoid any unsympathetic ancillary development, which could impact on the character and landscape of the area.
- 3.21.4 This policy is likely to apply to single dwelling or small scale schemes which will fall under the thresholds above which a contribution to affordable housing will be sought. However, in the event larger suitable schemes come forward under this policy will not be expected to provide any contributions towards affordable housing, or meet affordability criteria, in recognition of the costs of sensitively reusing existing buildings.
- 3.21.5 Any planning application for re-use of traditional buildings should be made in full and supported by full internal and external details together with a structural engineer's report to confirm the structural integrity of the building, the means of access and drainage.
- 3.21.6 The Government announced a series of amendments to what are known as 'permitted development rights' where planning permission is not required to change the use of a building. Since June 2013 agricultural buildings under 500 square metres can change to a number of other uses (retail, office, warehousing, hotels and guest houses and leisure uses) without permission being needed. For buildings between 150 square metres and 500 square metres, prior approval from the District Council (covering flooding, highways and transport impacts, and noise) is required. In April 2014 further rights were introduced which allow the change of use and some associated physical works from buildings used for agricultural purposes to residential use (C3). This also involves a 'prior approval' process to allow a local planning authority to consider impacts of the proposed change. Further information is available on the Council's website. This policy is therefore intended to apply to larger schemes or conversion from non-agricultural uses.
- 3.21.7 These new permitted development rights for the conversion of an agricultural building to a dwelling do not apply to listed buildings, or buildings, which are located within a conservation area or within the North Pennines Area of Outstanding Natural Beauty. The permitted development rights also exclude sites, which are, or form part of a Site of Special Scientific Interest, a safety hazard area or a military explosives storage area. Sites, which are, or contain a scheduled monument are also excluded from these rights. Where these exclusions apply, an application for planning permission will be required, alongside any other associated consent, which may be required.

### **Reason for this policy**

- 3.21.8 The Council has to strike a balance between restricting new development in rural areas and supporting village services and employment opportunities. The policy aims to take account of paragraph 55 of the National Planning Policy Framework and translates it into local development plan policy.

## **3.22 Policy RUR3 - Employment Development and Farm Diversification in Rural Areas**

Employment developments of an appropriate scale (including new build and live/work units) will be supported in rural areas where they meet the following criteria:

1. Wherever possible they involve the re-use of suitable redundant traditional rural buildings
2. Help towards the diversification of the rural economy
3. Do not have a significant transport impact
4. Are of a scale and type sympathetic to the area within which they are proposed
5. Would respect and reinforce local landscape character, the historic environment and not cause harm to the natural environment, through the use of good design

Diversification of activities on existing farm units will be permitted provided:

1. They will help sustain an existing farm business
2. They are of a scale which is consistent to the location of the farm holding

They would not prejudice the agricultural use of the unit

### **Explanation**

- 3.22.1 Whilst new development will be expected to comply with the locational strategy set out in Policy LS1 there remains a need to strengthen the economy of rural areas and provide diversity in the local economic base. Many factors can influence the sustainability of the rural economy, including the scale, location and type of housing, employment development and environmental considerations. A careful balance needs to be achieved in supporting proposals that assist the economic sustainability of local communities, whilst addressing any potential environmental consequences. This policy therefore aims to be supportive of new employment development in rural areas (including on farms) whilst putting in place safeguards to ensure that any schemes that come forward are sensitive to their location.

### **Reason for the Policy**

- 3.22.2 Whilst the main towns will be the preferred locations for new development, there is a need to strengthen the economy in the rural areas and provide diversity in the local economic base.

## How Will We Implement Policies in Our Planning Strategy?

Policy	Principal Implementation Mechanisms	Timescale S/M/L	Funding
LS1 - Locational Strategy	Development Management, allocation of sites	Ongoing	
LS2 - Housing Targets and Distribution	Development Management, allocation of sites	Ongoing	
PEN1 - A Town Plan for Penrith	Development Management, allocation of sites Gilwilly Junction Pinchpoint Fund. Developer contributions	Ongoing	Cost £4m (M)
PEN2 - Penrith Masterplans	Development Management, allocation of sites	Ongoing	
PEN3 - Newton Rigg Campus	Masterplan	Ongoing	
AL1 - A Town Plan for Alston	Development management	Ongoing	
AL2 - Renovation in Alston Moor	Development management	Ongoing	
AP1 - A Town Plan for Kirkby Stephen	Development Management, allocation of sites	Ongoing	
KS1 - A Town Plan for Kirkby Stephen	Development Management, allocation of sites	Ongoing	
RUR1 – New Agricultural Buildings	Development Management	Ongoing	
RUR2 - Re-Use of Existing Buildings in Rural Areas	Development Management	Ongoing	
RUR3 - Employment Development and Farm Diversification in Rural Areas	Development Management	Ongoing	
Lead Agencies / Partners: Eden District Council, Cumbria County Council, Registered Landlords, developers, landowners, Utility Companies, Newton Rigg College			

## How Will We Monitor These Policies To See If They Are Working?

Policy	Indicator	Target
LS1 - Locational Strategy	Approval and completion of net additional dwellings and employment land broken down in accordance with the settlement distribution	200 dwellings per year broken down by settlement hierarchy 1.35 ha of employment land delivered per year broken down by settlement hierarchy
LS2 - Housing Targets and Distribution	Approval and completion of net additional dwellings broken down in accordance with the settlement hierarchy.	200 dwellings per year broken down by settlement hierarchy
PEN1 - A Town Plan for Penrith	Amount of employment land delivered within Penrith Amount of housing completed in Penrith Number of affordable housing units completed Provision of a primary school	Majority of employment land to be provided in Penrith In line with distribution strategy in Policy LS2 30% per year on larger schemes Completion of a primary school
PEN2 - Penrith Masterplans	Applications which are accompanied by Masterplans	100% of applications in masterplan areas to be accompanied by masterplan
PEN3 - Newton Rigg Campus	Increase in floorspace for education or employment purposes	Increase from baseline
AL1 - A Town Plan for Alston	Amount of employment land delivered within Alston Amount of housing completed in Alston Number of affordable housing units completed	Increase in employment land delivered from baseline In line with distribution strategy in Policy LS2 30% per year on larger schemes
AL2 - Renovation in Alston Moor	Number of applications approved for conversion of buildings	No target, to monitor
AP1 - A Town Plan for Appleby	Amount of employment land delivered within Appleby Amount of housing completed in Appleby Number of affordable housing units completed	Increase in employment land delivered from baseline In line with distribution strategy in Policy LS2 30% per year on larger sites

Policy	Indicator	Target
KS1 - A Town Plan for Kirkby Stephen	Amount of employment land delivered within Kirkby Stephen Amount of housing completed in Kirkby Stephen Number of affordable housing units completed	Increase in employment land delivered from baseline  In line with distribution strategy in Policy LS2 30% per year on larger sites
RUR1 - New Agricultural Buildings	n/a	No target - policy concerns safeguards on new sites.
RUR2 - Re-Use of Existing Buildings in Rural Areas	Number of developments involving re-use of buildings	No target, to monitor
RUR3 - Employment Development and Farm Diversification in Rural Areas	Number of applications approved for employment in rural areas	No target, to monitor

## 4. Policies Guiding New Development

### 4.1 Development Principles

- 4.1.1 This section sets out policies on the general principles for guiding new development that will come forward in the district.

### 4.2 Policy DEV1 - General Approach to New Development

A presumption in favour of sustainable development will apply. Applications for sustainable development will be approved without delay where they are in accordance with the development plan, unless material considerations indicate otherwise.

Where there are no policies relevant to the application the Council will grant permission unless material considerations indicate otherwise, including whether adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or where specific policies in that Framework indicate that development should be restricted.

In respecting the need for sustainable development, proposals should:

1. Contribute to the creation of locally distinctive, aesthetically pleasing, sustainable, healthy, active, safe, inclusive and vibrant communities
2. Be located to minimise the need to travel and encourage any journeys that remain necessary to be possible by a variety of sustainable transport modes
3. Follow the sequential approach to land use, and where practical re-use previously developed buildings or land in preference to undeveloped land, or lead to the remediation of historically contaminated or unstable land
4. Be designed to a high standard
5. Conserve and enhance the district's historic, natural and cultural environment
6. Address flood risk mitigation and explore all methods for mitigating surface water run off
7. Avoid the development of the best and most versatile agricultural land (Agricultural Land Classifications 1, 2 and 3a)

#### Explanation

- 4.2.1 This policy sets out the general considerations that will apply when considering new applications for new development, and is included to help guide applicants on some of the key issues, which will need to be addressed. More detailed policies on water, air quality, transport and design are included elsewhere in this plan.
- 4.2.2 The policy contains a 'presumption in favour of sustainable development', in accordance with the National Planning Policy Framework. The Council will always work with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area that underpin the health and well being of communities.
- 4.2.3 When considering large-scale development (defined in this case as having a significant enough impact to trigger the need for an Environmental Impact Assessment) the Council may require the carrying out of an agricultural land classification survey as part of that assessment.



### **Reason for the Policy**

- 4.2.4 With regards to the presumption in favour of sustainable development a variation of this policy has been put forward by Central Government and the Planning Inspectorate to be included in future plans, and is considered necessary for a plan to be found 'sound' at Examination. The policy also aims to guide potential developers as to some of the key issues that will be considered when assessing applications for development.

### **4.3 Policy DEV2 - Water Management and Flood Risk**

New development must be in a location which:

1. Avoids risks to the water supply, or includes sufficient mitigation measures to ensure there is no risk to water supply
2. Would not compromise the effectiveness of existing flood defences
3. Meets the sequential approach to development in flood risk areas. Inappropriate development will not be permitted in flood zones 2 and 3, critical drainage areas or areas which have a history of groundwater flooding, or where it would increase flood risk elsewhere unless there is an overriding need and absence of suitable alternatives. If sites, as an exception, need to be developed in areas at risk of flooding, suitable flood protection measures will be required. Major development should be informed by a flood risk assessment.

New development above a certain scale must incorporate Sustainable Drainage Systems (SuDS) to manage surface water run-off.

Surface water should be discharged in the following order of priority:

1. An adequate soakaway or some other form of infiltration system
2. An attenuated discharge to the watercourse
3. An attenuated discharge to a public surface water sewer
4. An attenuated discharge to a public combined sewer

### **Explanation**

- 4.3.1 This policy covers risks to water supply and from flooding. A separate policy on water quality is set out in Section 4 (Policy ENV9). While development in areas at some risk of flooding may sometimes be unavoidable (for example in some parts of Penrith and Appleby) the policy approach requires mitigation measures in such circumstances so that there is no increase in risk.
- 4.3.2 The use of Sustainable Drainage Systems (SuDS) to manage surface water flows can be an important tool in minimising flood risk. SuDS can also assist pollution control (through improved filtration) and habitat creation within new developments. The Flood and Water Management Act (2010) introduced a requirement for developers to submit SuDS plans for the local management of run-off water in major development for approval by Sustainable Urban Drainage Approval Boards (SABs), which must adopt the systems after construction. In April 2015 regulations were put in place to implement the requirements of the act and Cumbria County Council now acts as the SAB in its role as lead local flood authority. Schemes of ten or more homes (in the case of residential development) will be expected to incorporate SuDS.
- 4.3.3 Surface water should be managed at source and not transferred. On greenfield sites applicants will be expected to demonstrate that the current natural drainage solution from a site is at least mimicked. A discharge to groundwater or the watercourse may require

consent from the Environment Agency. Applicants wishing to discharge to a public sewer will need to submit clear evidence demonstrating that alternative options are not available.

### **Reason for the Policy**

- 4.3.4 This policy aims to put in place safeguards to ensure new development will not compromise existing water supply or flood defences, and avoid development which would be at risk from flooding.

## **4.4 Policy DEV3 - Transport, Accessibility and Rights of Way**

New development will be concentrated into areas with existing public transport availability, or areas where new development leads to the creation of available public transport. Development likely to generate significant amounts of travel by private car will not be permitted where they are in isolated or difficult to access areas unless an overwhelming environmental, social or economic need can be demonstrated.

Development will only be permitted if it is able to demonstrate that it would have an acceptable impact in terms of road safety and increased traffic congestion, and will provide safe and convenient access to pedestrians, cyclists and disabled people.

Proposals will be expected to adhere to guidance and standards issued by the Highways Authority on the minimum number of parking spaces (including for the disabled) and for bicycle parking.

For major developments applications will be expected to be accompanied by a Travel Plan and/or Transport Assessment showing:

1. How the site will safely connect to public transport
2. How the site will meet the needs and safety concerns of pedestrians and cyclists
3. How the impact of any heavy goods vehicles accessing will be minimised, including during the construction phase

Development will not be supported where:

1. It would prevent the future opening of any road or rail schemes under consideration
2. It would remove an existing right of way, unless there is no alternative suitable location and the benefits from the development would justify the loss, or where an acceptable diversion is provided and a legal diversion order obtained
3. It leads to a material increase or significant change in the character of traffic using a rail crossing, unless it can be demonstrated that safety will not be compromised, in consultation with Network Rail

### **Explanation**

- 4.4.1 This policy is included to help deal with any potential impacts from additional transport generated by new development, and sets out how the Council will deal with any planning applications when it comes to transport implications. Within Eden, the Cumbria Local Transport Plan (LTP) is the main document covering transportation policy. The LTP provides a vision and strategy for integrated transport in the County and to give more detail to the LTP, Area Transport Plans (ATPs) are developed and maintained for each district. The ATPs identify improvements needed to meet strategic and local needs They will be updated to incorporate transport improvements identified as necessary to enable

development and developments will be required to contribute to delivering those improvements.

4.4.2 Development will be required to support the aims of the Cumbria Local Transport Plan, which are:

- A strong sustainable local economy
- Lower carbon emissions
- Supporting local communities
- Reducing the need to travel
- Better sustainable access to jobs and services in rural areas
- Improved public health
- A high quality natural and built environment

4.4.3 The key priority for transport in Eden is to strengthen the role of Penrith as a service centre, supporting housing and employment growth. A key employment area is at Gilwilly to the north of Penrith. The priority in the rural areas will be to improve access to jobs and services, through working closely with local communities.

4.4.4 Appendix 4 sets out guidelines for when Transport Assessments and Travel Plans will be automatically required as part of a planning application for new development. These guidelines are taken from the Cumbria Local Transport Plan.

#### **Reason for the Policy**

4.4.5 Eden District Council has a limited direct role in transport provision but it has an important role in ensuring that development takes place in locations that are accessible by a range of modes of transport, thereby promoting more sustainable travel. Accessibility is very important in a rural area where services and facilities are often far from where people live. It has to be recognised that for large parts of the District the private car will remain the primary mode of transport until public /community transport becomes a practical or economically viable alternative.

### **4.5 Policy DEV4 - Infrastructure and Implementation**

The scale and pace of new development will be dependent on sufficient capacity being available in existing infrastructure to meet the demands of new development. Where this cannot be demonstrated permission for new development will only be granted where additional capacity can be released through better management of existing infrastructure, or through the provision of new infrastructure.

Developer contributions may be sought to fund new infrastructure and a programme of delivery will be agreed before development can take place. Contributions must be necessary and ensure the viability of development is maintained.

#### **Explanation**

4.5.1 It is essential that new development is supported by the infrastructure it needs to function, and that new development does not increase pressure on existing infrastructure. Where new development will require new infrastructure the Council can require that the developer and/or landowner contribute, as long as such requirements do not render the scheme unviable. This is known as 'planning gain', with the contributions funded by the uplift in land values resulting from the grant of planning permission. Planning obligations will be sought

when they are necessary to make a development acceptable that would otherwise be unacceptable in planning terms. They can be in the form of compensation or mitigation for the effects of the development on the site or surrounding area, or they can be agreements where the developer agrees to carry out development in a certain way. On larger sites it may be necessary to ensure that the delivery of development is phased in such a way to co-ordinate the installation of new infrastructure, and a programme of delivery may need to be agreed.

- 4.5.2 The Council may in the future introduce a 'Community Infrastructure Levy' which would apply a flat rate contribution for infrastructure for larger developments. In the meantime contributions will be secured through the use of planning obligations. Cumbria County Council have also produced and adopted a document covering the planning obligations, which may be sought to support their functions.
- 4.5.3 A separate infrastructure delivery plan has been prepared which will set out the scale, timing and delivery arrangements associated with the level and type of development anticipated to come forward before 2032.
- 4.5.4 Supporting infrastructure is defined as:

**Essential infrastructure for all new development**

- Adequate highway access and capacity
- Primary and secondary school placements
- Clean water supply
- Adequate wastewater capacity
- Sustainable drainage systems
- Energy supply

**Location-specific infrastructure that may be required**

**Transport**

- Cycling and walking facilities
- Public transport
- Car parking
- Electric vehicle charging points

**Education**

- Education provision, including further and higher education facilities
- Nursery schools

**Health**

- GP surgeries
- Hospitals
- Ambulance services
- Adult social care

**Social infrastructure**

- Fire, police and rescue services
- High speed internet access
- Children's play areas and equipment
- Sports facilities
- Supported accommodation including extra care housing
- Open spaces and parks
- Social and community facilities
- Allotments

**Environmental infrastructure**

- Natural and semi-natural green spaces
- Landscaping
- Replacement/new habitat
- Flood defences and drainage infrastructure

**Public Services**

- Waste management and disposal
- Libraries
- Cemeteries and churchyards
- Police and fire services

4.5.5 The above list is not necessarily exhaustive. In some cases developer contributions will take the form of a financial contribution. In all cases they will be directly, fairly and reasonably related in scale and kind to the proposed development.

**Reason for the Policy**

4.5.6 To make sure associated infrastructure needs are provided for in all new development and make clear that contributions may be sought from developers to fund any additional infrastructure needs arising from new development.

## 4.6 Policy DEV5 - Design of New Development

The District Council will support high quality design, which reflects local distinctiveness. All development proposals will be expected to perform highly when assessed against best practice guidance and standards for design, sustainability, and place making.

Proposals for major residential development will be assessed by the District Council using a traffic light system (red, amber and green) against the principles set out in twelve 'Building for Life' guidelines. It will be the responsibility of the developer to demonstrate how their proposals meet the principles.

New development will be required to demonstrate that it:

1. Shows a clear understanding of the form and character of the district's built and natural environment, complementing and enhancing the existing area
2. Protects and where possible enhances the district's distinctive rural landscape, natural environment and biodiversity
3. Reflects the existing street scene through use of appropriate scale, mass, form, layout, high quality architectural design and use of materials
4. Optimises the potential use of the site and avoids overlooking
5. Protects the amenity of existing residents and business occupiers and provides an acceptable amenity for future occupiers
6. Uses quality materials which complement or enhance local surroundings
7. Protects features and characteristics of local importance
8. Provides adequate space for the storage, collection and recycling of waste
9. Can be easily accessed and used by all, regardless of age and disability
10. Incorporates appropriate crime prevention measures

Proposals will be expected to demonstrate that they adhere to the design principles set out in the Eden Design Guide.

### Explanation

- 4.6.1 Eden's local built distinctiveness arises directly from its long tradition of vernacular architecture that continues to exert a strong influence on modern development. As the district has not been subject to large scale building pressures development has tended to be incremental and a large amount of pre-1919 property remains. The use of local materials is widespread and this gives variety within the overall common built form.
- 4.6.2 Although some locations contain a mix of styles, there are three main character areas in Eden based on the underlying geology:
- Eden Valley with its typical red sandstone, dressed quoins and window surrounds;
  - Westmorland Fells area which uses local limestone as its prevalent building material. Random rubble walls are frequently rendered or lime washed. In common with the Eden Valley Westmorland and Burlington slates are the typical roofing material;
  - North Pennines characterised by local honey coloured millstone grit. This local building material is used both in random rubble and dressed ashlar for quoins and surrounds. External staircases are a local feature and the traditional roofing material is thick yellow sandstone slates.

- 4.6.3 Eden's built tradition is also closely allied with its landscape setting particularly outside of Penrith. Barns, enclosures and stone walls are typically all built of the same underlying local stone. This gives a cohesive harmony creating a seamless fit between the built and natural landscapes.
- 4.6.4 This results in the district's many interesting buildings, diverse street patterns and individual spaces resulting in fine townscape qualities and means that one of the challenges for new development is that it must respect local vernacular architectural styles and spaces whilst providing distinctive and popular modern buildings that can endure into the future. Good relationships with existing development and the use of public art and landscaping can all help to further develop local identity and places that people are proud of.
- 4.6.5 All new developments should therefore aspire to the highest standards of design, including construction methods and materials, and these issues should be integrated into the development process at an early stage, along with consideration of community safety, residential amenity and sustainable access. There are several sources of design and landscape guidance available, which the Council will expect new development to comply with. These are:
- The Eden Design Guide
  - In the North Pennines Area of Outstanding Natural Beauty, the North Pennines AONB Design Guide
  - Cumbria Landscape Character Guidance and Toolkit
  - Within Eden's twenty four Conservation Areas, their accompanying appraisals where available
- 4.6.6 Major development proposals will also be expected to adhere to 'Building for Life' principles. This is an established and recognised methodology for assessing the design of new housing and neighbourhoods, and all new housing development will be expected to perform well against it, or any successor standards. It uses a traffic light system where developers are encouraged to secure as many 'greens' as possible, minimise the number of 'ambers' and avoid 'reds'.
- 4.6.7 The twelve Building for Life principles are:

#### **Integrating into the neighbourhood**

**Connections:** Does the scheme integrate into its surroundings by reinforcing existing connections and creating new ones; whilst also respecting existing buildings and land uses along the boundaries of the development site?

**Facilities and services:** Does the development provide (or is it close to) community facilities, such as shops, schools, workplaces, parks, play areas, pubs or cafes?

**Public transport:** Does the scheme have good access to public transport to help reduce car dependency?

**Meeting local housing requirements:** Does the development have a mix of housing types and tenures that suit local requirements?

#### **Creating a place**

**Character:** Does the scheme create a place with a locally inspired or otherwise distinctive character?

**Working with the site and its context:** Does the scheme take advantage of existing topography, landscape features (including water courses), wildlife habitats, existing buildings, site orientation and microclimates?

**Creating well-defined streets and spaces:** Are buildings designed and positioned with landscaping to define and enhance streets and spaces and are buildings designed to turn street corners well?

**Easy to find your way around:** Is the scheme designed to make it easy to find your way around?

### **Street and Home**

**Streets for all:** Are streets designed in a way that encourage low vehicle speeds and allow them to function as social spaces?

**Car parking:** Is resident and visitor parking sufficient and well integrated so that it does not dominate the street?

**Public and private spaces:** Will public and private spaces be clearly defined and designed to be attractive, well managed and safe?

**External storage and amenity space:** Is there adequate external storage space for bins and recycling as well as vehicles and cycles?

### **Reason for this policy**

- 4.6.8 To encourage good design, respect for the existing character of the built environment and the creation of new development that proves to be a long-term asset to the area in which it is located.



## How Will We Implement These Policies?

Policy	Principal Implementation Mechanisms	Timescale S/M/L	Funding
DEV1 - General Approach to New Development	Development Management, allocation of sites	Ongoing	n/a
DEV 2 - Water Management and Flood Risk	Development Management including application of sequential and exception tests Keeping an updated Strategic Flood Risk Assessment Development briefs Incorporation of SUDS	Ongoing	Development costs
DEV3 - Transport and Accessibility	Submission of Transport Assessments	Ongoing	Developer contributions
DEV4 - Infrastructure and Implementation	Negotiations with house builders / developers Use of Section 106 agreements Development Management	Ongoing	Developer contributions
DEV 5 - Design of New Development	Development Management	Ongoing	n/a
<b>Lead Agencies / Partners:</b> Eden District Council, Cumbria County Council, Parish Councils, developers, landowners, Environment Agency, United Utilities & Northumbrian Water, Cumbria Action for Sustainability (CAfS)			

## How Will We Monitor These Policies To See If They Are Working?

Policy	Indicator	Target
DEV1 - General Approach to New Development	Percentage of housing developed on previously-developed land	n/a
DEV 2 - Water Management and Flood Risk	% of applications approved contrary to advice from the Environment Agency on flooding/water quality  Number of housing completions utilising SUDS (schemes of more than 10 dwellings)	0%  100% after 2016
DEV3 - Transport and Accessibility	Number of major developments submitting travel plans	100%
DEV4 - Infrastructure and Implementation	Total value of developer contributions Number and type of developer contributions  Estimated Contributions from New Homes Bonus	No target No target  Increase from baseline whilst NHB in existence
DEV 5 - Design of New Development	Housing Quality - Building for Life Assessments	Majority of schemes to achieve above average score

## 4.7. Decent Homes for All

- 4.7.1 This section sets out additional policies that will be taken into account when looking at planning applications for new housing development. Policies relating to the amount and distribution of new housing are contained in Part 3 of this plan (A Planning Strategy for Eden District). Policies set out earlier in this Local Plan covering the general principles for new housing are also relevant.

## 4.8 Policy HS1 - Affordable Housing

The Council will seek provision of 30% of all new housing to be affordable homes on schemes of four units or more. Where housing is proposed on sites of less than four units the Council will seek a financial contribution towards new affordable housing, to be paid on completion of the units.

Permission will be linked to an agreement that any affordable housing delivered will remain affordable in perpetuity and occupancy will be restricted to those in the locality.

Where it can be demonstrated that application of this policy will render any housing scheme unviable fewer affordable homes than required by this policy will be acceptable if a financial appraisal provides evidence justifying any lower level. Where the on-site contribution does not equate precisely to whole number of units, equivalent financial contributions will be sought.

In locations outside the settlements named in Policy LS1 new housing will be restricted to affordable 'rural exception' homes only in an existing settlement comprising of a coherent group of three or more dwellings. Small numbers of market housing aimed at enabling the delivery of affordable homes to meet local need may be acceptable on an exceptional basis.

Size, type and tenure of affordable housing will be negotiated on a site-by-site basis based upon the most up to date evidence of housing need.

### Explanation

- 4.8.1 House prices in Eden are amongst the highest in Cumbria. The median house price in Eden in 2014 was £192,822, with the median household income in Eden in 2014 only £26,333<sup>7</sup>. This means house prices are 7.3 times the average household income; making the private housing market inaccessible to many local people. This is particularly an issue for the young, who can end up inadequately housed or moving out of the area. This policy therefore ensures that a proportion of new housing delivered in Eden will be delivered as 'affordable housing', with any subsidy or discount from the developer or landowner taken from the uplift in land values arising from the grant of planning permission.
- 4.8.2 Affordable housing is housing delivered with some form of subsidy to help meet the housing needs of people who are otherwise unable to meet their needs on the open market. To qualify as affordable housing new homes should meet the needs of eligible households at a cost low enough for them to afford, and it should remain at an affordable price for future eligible households or, if these restrictions are lifted, for the subsidy to be recycled for alternative affordable housing provision.

<sup>7</sup> © CACI Paycheck Data, 2014

- 4.8.3 The type of affordable housing will be dependent on local needs, but can be for social rent, affordable rent or intermediate (discounted) sale or rent. Social rented housing is rented housing owned and managed by local authorities and registered social landlords, for which guideline target rents are determined through the national rent regime. Intermediate affordable housing is housing at prices and rents above those of social rent, but below market price or rents, and which meet the criteria set out above. Models of intermediate housing include shared equity, shared ownership affordable rental or discounted sale. 'Low cost' market housing and housing provided at discount by a developer at first occupation with no further provision to ensure that the property remains affordable to subsequent occupiers or for any subsidy to be recycled will not be classed as affordable housing. The district Council's initial preference for the mix of affordable units on-site is for 70% affordable rented units and 30% intermediate units. However there will be flexibility around this and the Housing Team will advise on a case-by-case basis. Further information on our approach to affordable housing provision is set out in our Housing Supplementary Planning Document.
- 4.8.4 Where affordable housing is provided at discounted market value a discount of 40% will be applied.
- 4.8.5 It is important that those in need in the district benefit from more affordable housing in the district, and to this end the Council is keen that the maximum number of affordable dwellings is delivered from the new housing development that will take place over the period of the plan. It is, however, equally important to make sure that the Council does not request a level of affordable housing contributions from developers that renders schemes unviable and stymies development, resulting in no market or affordable housing coming forward. A degree of flexibility will be applied where it can be shown that contributions risk rendering schemes unviable.
- 4.8.6 We have also commissioned work on viability that will be updated as the plan moves towards adoption. The Council has commissioned a district wide Economic Viability Assessment to assess a reasonable affordable housing contribution, to update work last carried out in 2013. The current evidence suggested that a 30% affordable requirement would be viable in many cases. This evidence showed that for three of the 'study areas', other than Alston Moor, for greenfield sites of low, medium and high densities with low developer contribution requirements sites remained viable with a 30% contribution. For smaller sites viability was also maintained when higher contributions were sought. This evidence will be used to carry out a wider study of the cumulative impacts of all contributions sought from developers.
- 4.8.7 Affordable housing delivered through this policy will be restricted to only those meeting the local occupancy criteria set out in Appendix 6.
- 4.8.8 This policy applies to all residential development except for hostels, residential care and nursing homes (not including Extra Care schemes) and educational establishments which include an element of residential accommodation which is directly linked to educational facilities on site.
- 4.8.9 Where an applicant considers that there are significant economic constraints affecting a development and that these are sufficient to jeopardise the applicant meeting the Council's affordable housing policy expectations, or where the applicant believes the Council's affordable housing requirement will render a site unviable, then the developer will need to provide a site based economic viability assessment (a residual land valuation calculation), and associated information to enable the Council to assess the nature, extent and impact of the economic constraints.

- 4.8.10 In the main towns and key hubs small developments (that is, below the threshold of 4 units) will not be expected to provide an affordable housing component, but a financial contribution in lieu may be sought.
- 4.8.11 Where it can be demonstrated that an element of market housing is needed to help cross subsidise an element of affordable housing to meet a local need in the villages in hamlets listed in Policy LS1 this will be restricted to infilling and rounding off development, under the terms of Policy LS1.

**Reason for this policy**

- 4.8.12 House prices in Eden are amongst the highest in Cumbria and local people, especially younger people, often find themselves priced out of the market. In the rural areas of Eden, the need is made worse by the high demand for second homes, retirement homes and holiday lets.
- 4.8.13 Planning policies have an important role in helping to deliver low cost homes through quotas of affordable dwellings being negotiated on market housing sites. Where a relevant local need has been identified, the Council, through legal agreements with developers, seeks to secure a proportion of affordable homes for local people and to keep these affordable indefinitely.

**4.9 Policy HS2 - Housing to Meet Local Demand**

Within the small villages and hamlets listed in Policy LS1 permission will be given for small scale housing (including sub-division of existing housing) in the following circumstances:

1. Where development is restricted to infilling and rounding off of the current village settlement pattern.
2. The building does not contain more than 150m<sup>2</sup> internal floorspace (gross).
3. Where a condition or legal agreement restricting occupancy to only those meeting local connection criteria is applied.

No local occupancy restrictions will be applied where suitable housing comes forward on previously developed land, in recognition of the higher costs of developing such sites and the opportunities they may bring to help improve the character and appearance of villages and to support local services.

**Explanation**

- 4.9.1 This policy aims to encourage people to meet their own housing needs locally, particularly through self-build. Self-build refers to the mechanism through which housing is built, and in planning terms there is no difference between self-build and open market housing in terms of the end product. The part planning can play is in its approach to the provision of new dwellings in rural areas.
- 4.9.2 The District Council wishes to support those in rural areas who wish to build or commission their own home where they have a strong local connection, as this can help meet local housing aspirations and sustain villages. However, it does not want to see unfettered market development that would not support local housing aspirations. This policy is therefore aimed at providing a 'middle way' for those with strong local connections who either cannot afford or find an open market house in their own locality and are not considered as being in affordable housing need, whilst also putting in place protections to prevent new houses ending up as second homes. A wider set of local connection criteria are applied than those for affordable housing to encourage housing to come forward through this policy. The criteria can be found in Appendix 6.

- 4.9.3 No legal agreement will be applied to cap the value of the house at a price where it would be considered 'affordable' under the definition of affordable housing in Policy HS1 (as is the case with current policy). This is to both encourage take up of this policy and aid the provision of mortgages to support schemes. However, it should be noted by prospective applicants that whilst housing built via this policy is not considered 'affordable' under current definitions the resultant housing is likely to be lower than market value as the imposition of a legal agreement or condition restricting occupancy reduces demand, and therefore the eventual selling price. This can be reflected in the amount paid for land if land is not already in the applicant's ownership. Conditions or legal agreements restricting housing to those with a local connection will only be removed if it can be demonstrated that a property has been appropriately marketed for sale for an adequate period of time and no reasonable offers from qualifying purchasers have been received.
- 4.9.4 Planning permission will not be given for open market housing which will not be occupied by those with local connections unless it helps cross subsidise the provision of affordable units. Whilst it is a potential option for developers to construct new housing with the aim of selling it on to someone locally we would anticipate that most new housing in the smaller villages would come forward in the form of self-build units.
- 4.9.5 More information on self-build housing is available through the National Self-Build Association's internet Self-Build Portal. Local connection criteria are set out at Appendix 6.

**Reason for this policy**

- 4.9.6 To encourage the innovative methods of providing housing to meet local needs and help support smaller villages in the district. This includes additional provision of housing for those with a local connection only.

**4.10 Policy HS3 - Essential Dwellings for Workers in the Countryside**

Permission for the development of a dwelling needed to support an agricultural or rural business will be permitted in exceptional circumstances. The circumstances are:

1. Where it is to be occupied by a full time farm or rural worker with a demonstrable need for a dwelling in that particular locality, or for a dwelling required in association with a rural enterprise, and this need can be substantiated
2. Where the agricultural or rural business is profitable and has been in operation for at least three years and can financially support the construction of the dwelling
3. The dwelling is limited to a size of 150m<sup>2</sup> internal floorspace (gross), unless it can be demonstrated that a larger dwelling is needed to support the farm enterprise
4. Where the scale of the dwelling is commensurate with the function of the enterprise concerned
5. Where the siting and design of the dwelling is well related to existing buildings and the design respects and complements local tradition and setting
6. Where development will not have any significant impacts on local landscape, archaeological or conservation interests

### **Explanation**

- 4.10.1 This policy aims to allow for the exceptional development of housing to support agricultural and rural businesses. Existing planning policy restricts new development outside of settlements and this policy aims to anticipate circumstances where a dwelling may be necessary to ensure the proper running of a farm or business. Where existing suitable buildings are available these should be used in preference to any new development.

### **Reason for this policy**

- 4.10.2 This policy will put into place policy guidance from paragraph 55 of the National Planning Policy Framework which states that special circumstances may exist which justify isolated new homes in the countryside, such as an essential need for a rural worker to live permanently at or near their workplace.

## **4.11 Policy HS4 - Housing Type and Mix**

The mix of dwelling types and sizes provided in new residential schemes will be expected to address the nature of local needs as evidenced through:

1. Any up to date local housing needs surveys and local housing market assessments
2. Any other local housing needs information (e. g. relating to elderly people or special needs)
3. The location and characteristics of the site
4. The type and mix of housing in the locality, including housing age, condition and occupancy
5. Current housing market conditions

### **Explanation**

- 4.11.1 The Council will work with developers to make sure new housing delivery reflects the needs and demands of everyone in the district. It is expected that on larger sites a mix of types and sizes of dwellings will be provided to meet a range of needs and demands. The information contained in the Council's 2015 Strategic Housing Market Assessment will be used to support this aim.

### **Reason for this policy**

- 4.11.2 This policy is intended to establish the principle that the local authority will seek a range of housing from developers which evidence suggests will meet the needs and aspirations of the local population.

## **4.12 Policy HS5 – Accessible and Adaptable Homes**

New housing must be designed and constructed in a way that enables it to be adapted to meet the changing needs of its occupants over time.

For this reason the Council will require 20% of new housing on sites of 10 or more new homes to meet the optional Building Regulations Requirement M4(2): Category 2 – Accessible and Adaptable Dwellings.

Only where circumstances exist where it can be demonstrated by the applicant that it is not practically achievable or financially viable to deliver this policy will new development be exempt from the requirement.

## **Explanation**

- 4.12.1 As a result of the national housing standards review the Government has amended the building regulations and has enabled local authorities to set 'optional' building regulations requirements where there is local justification. One of these optional requirements relates to the enhanced accessibility and adaptability of dwellings. Eden Council has decided to apply the optional requirement M4(2): Category 2 – Accessible and adaptable dwellings. The requirement will be secured through a planning condition on permitted schemes.

## **Reason for this policy**

- 4.12.2 Eden's population is ageing and over the life of the Local Plan the number of people aged over 65 is set to grow by over 40%, meaning that by 2032 more than a third of our population will be over 65. The number of households where the household representative is over 85 is set to double in the same period. It is therefore important that the Local Plan takes a positive approach to planning ahead for the housing issues that will arise from an ageing population.
- 4.12.3 Policy HS5 recognises that people's needs change over their lifetimes due to ageing or disability/illness. As people's needs change, having an adaptable and accessible home means that they will be able to choose for themselves whether to stay in their own home, rather than being forced to move if it becomes unsuitable. Policy HS5 seeks to ensure that an appropriate proportion of new housing in Eden is built to a standard that means it is more accessible and can be more easily adapted to suit its occupants' needs over time.

## **4.13 Policy HS6 - Community Land Trusts**

Applications for development of sites bought forward by a Community Land Trust will be supported, provided that:

1. The location accords with the locational strategy set out in policy LS1
2. The scheme incorporates a range of dwelling sizes, types and tenures appropriate to identified local need
3. The scheme has general community support, with evidence of meaningful public engagement

An element of open market housing on the site will be acceptable where it is demonstrated through a financial appraisal that it is essential to enable the delivery of affordable housing or other community benefits on-site, and the community benefits of the scheme are significantly greater than would be delivered on an equivalent open market site.

## **Explanation**

- 4.13.1 A Community Land Trust<sup>8</sup> is a not-for-profit corporate body, which is established to acquire and manage land and other assets for the benefit to the local community. They are set up to ensure that the assets are not sold or developed except in a manner which the Trust's members think benefits the local community, and to ensure that any profits from its activities will be used to benefit the local community. Individuals who live or work in the area have the opportunity to become members of the trust. A Community Land Trust already operates in Crosby Ravensworth.

<sup>8</sup> A legal definition is provided in Section 79 of the Housing and Regeneration Act 2008



### **Reason for this policy**

4.13.2 To encourage the innovative methods of providing affordable housing in rural areas.

## **4.14 Policy HS7 - Gypsy and Traveller Sites**

4.14.1 Appropriate provision of land for Gypsies and Travellers will be made to ensure a rolling five-year supply of available sites, against the following targets:

	<b>2013/14 to 2017/18</b>	<b>2018/19 to 2022/23</b>	<b>2023/24 to 2027/28</b>	<b>Total Requirement</b>
Permanent Pitches	9	9	9	27
Show people Pitches	2	0	0	2
Transit Sites	12	-	-	12

The suitability of any sites will be tested against the following criteria:

1. Access to schools, shops and other community facilities are within reasonable travelling distance, and can be reached by foot, cycle or public transport
2. The site is served (or can be served) by adequate water and sewerage connections
3. The amenity of nearby residents or operations of adjoining land uses would not be materially harmed
4. The siting and landscaping ensure that any impact upon the character and appearance of the countryside is minimised, and the development can be assimilated into its surroundings
5. The development would not harm the natural or historic environmental assets of the district

### **Explanation**

4.14.2 The Council has worked jointly with Cumbria County Council and the other districts to assess the needs of Gypsies and Travellers in terms of both static and transient sites (Cumbria Gypsy and Traveller Accommodation Needs Assessment, 2013). The current anticipated need for residential pitches for Gypsies and Travellers is an additional nine pitches by 2018. Beyond 2018 and to the end of the plan period it is anticipated that a further 18 or so units may be required to meet identified need. The existing site at Lakeland View north of Penrith is proposed for extension in policy PEN1. Travelling showpeople are another group whose needs are often overlooked. They have different needs and requirements in terms of accommodation to other travellers. There is an anticipated need for two permanent pitches up to the year 2018 to cater for the needs of this group.

### **Reason for the Policy**

4.14.3 We specifically need to meet the needs of hard to reach groups and ethnic minorities within the district. Two such groups whose needs are often not met are Gypsies and Travellers. Failure to provide adequate sites can mean increasing use of unauthorised encampments.

## How Will We Implement These Policies?

Policy	Principal Implementation Mechanisms	Timescale S/M/L	Funding
HS1 - Affordable Housing	Development management, allocation of sites Development briefs Use of planning obligations to restrict occupancy Use of New Homes Bonus monies for new affordable housing provision	Ongoing  Ongoing Ongoing  Ongoing	Developer contributions
HS2 - Housing to Meet Local Needs	Development management, imposition of legal agreement/conditions	Ongoing	n/a
HS3 - Essential Dwellings for Workers in the Countryside	Development management	Ongoing	n/a
HS4 - Housing Size and Mix	Working with Registered Social Landlords and developers	Ongoing	
HS5 - Accessible and Adaptable Dwellings	Development management	Ongoing	Developer costs
HS6 - Community Land Trusts	Development management Working with Parish Councils. Registered Social Landlords and Developers	Ongoing Ongoing	n/a
HS7 - Gypsy and Traveller Sites	Allocation of Site in the Local Plan Development Management	Ongoing Ongoing	n/a
Lead Agencies / Partners: Eden District Council, Registered Landlords, Parish Councils, developers, landowners, the Gypsy, Traveller and Show people community.			

## How Will We Monitor These Policies To See If They Are Working?

Policy	Indicator	Target
HS1 - Affordable Housing	Number of affordable houses completed annually	30% on larger sites
HS2 - Housing to Meet Local Needs	Number of applications for houses approved with local connection	n/a
HS3 - Essential Dwellings for Workers in the Countryside	Number of permissions granted.	n/a
HS4 - Housing Size and Mix	Type and size of dwellings delivered	In accordance with latest Strategic Housing Market Assessment Data
HS5 - Accessible and Adaptable Dwellings	Number of new homes built to building standart Part M4(2)	20% of new homes on sites over 10 dwellings
HS6 - Community Land Trusts	Number of schemes completed.	n/a
HS7 - Gypsy and Traveller Sites	Number of pitches completed.	27 Gypsy Pitches, 12 Transit Sites, 2 Show people pitches by 2028.

## **4.15 A Strong Economy**

### **4.16 Policy EC1 - Employment Land Provision**

In order to meet the employment land needs of the district up to 2032, the Council, its partners and service providers will ensure that provision will be made for 24.38 hectares of land for employment development (B1, B2 and B8 uses) in line with the locational policy set out in LS1.

Alternative sites which come forward during the plan period will be determined against the criteria listed in Policy EC3.

In recognition that land at Eden Business Park Phase 2 is constrained, the Council will give favourable consideration to any proposals for B1, B2 and B8 purposes on unallocated sites which are well related to Penrith and its transport infrastructure and which have acceptable effects in terms of landscape character.

#### **Explanation**

- 4.16.1 This policy sets out the amount of employment land that this plan intends to release up to the year 2032. The level of employment land allocated and the distribution of allocated sites across the district is contained in the town plans set out in Chapter 3.

#### **Reason for this policy**

- 4.16.2 This policy is essential to providing certainty on how much land for new employment will be released and safeguarding it in the future, to encourage the future economic growth of the area.

### **4.17 Policy EC2 - Protection of Employment Sites**

Planning permission for non-employment uses on land allocated for employment use in this plan will not be permitted.

On non-allocated sites, where land is currently or last in employment use permission will be given for alternative uses if there is no strong economic case for the retention of the site as an employment use and there is no significant adverse impact upon the continued operation of neighbouring existing uses.

This applies where:

1. The loss of the site would not have an unacceptable impact on the quality and quantity of employment land and premises in the area; or
2. The development would result in the removal of a non-conforming use from a residential area; or
3. The benefits arising from the new use for the locality outweigh the dis-benefits caused by the loss of an employment site; or
4. It can be shown that the continued use of the site for employment use is no longer viable.

### **Explanation**

- 4.17.1 This plan aims to support and develop Eden's economy, and to this end includes allocations of employment land, which can be found in Chapter 3. This policy seeks to protect these allocated sites from a possible change of use. In addition, it seeks to protect employment land and existing employment sites unless there is a reasonable prospect that a site will not be able to be developed for employment or retained in employment purposes. Change of use from employment use will only be granted if the benefits of the resultant use outweigh the loss of the site for employment use, for example through the provision of additional local services, through providing opportunities for wildlife creation or through the creation of renewable energy technologies. Where a change of use from employment to retail use is proposed Policy EC7 (which applies a sequential test to new development) will apply.
- 4.17.2 In determining the viability for employment, a development appraisal should accompany proposals to clearly demonstrate why redevelopment for employment purposes is not commercially viable, identifying the abnormal and other costs which would prevent an appropriate employment scheme coming forward within a reasonable timescale during the plan period. Development Appraisals should be prepared on an open book basis. In assessing viability, consultation should also be undertaken with the Council and others to explore the range of funding sources and mechanisms that could potentially be used to bring forward sites. Also, if a wholly employment scheme is not a viable form of development, developers / applicants will also be expected to consider whether mixed-use development (including an appropriate element of employment) would be an effective means of overcoming viability constraints.

### **Reason for this policy**

- 4.17.3 To ensure sites allocated for employment use in this plan are not developed for other uses unless it can be demonstrated that employment uses are no longer viable in that location.

## **4.18 Policy EC3: Employment Development in Existing Settlements**

Employment development within and adjacent to existing settlements, including proposals outside of the employment allocations listed in the Town Plans, will be permitted where all of the following criteria can be met:

1. Development is of a scale, type and design sympathetic to the location within which it is proposed;
2. Development would not have an unacceptable impact on highways or other forms of infrastructure;
3. Development would not cause harm to local amenity, landscape, ecology, historic environment or other environmental and cultural heritage considerations; and
4. The development is capable of achieving appropriate standards of access, servicing, parking and amenity space.

Where development does not meet all of the above criteria, development may still be acceptable when assessed against the wider employment/economic benefits of the scheme.

### **Explanation**

- 4.18.1 This policy sets out the criteria to be applied when assessing whether new employment proposals will be acceptable. It is intended to apply to employment development within the allocations identified in this plan, as well as other proposals which may come forward

outside of these allocations on land within and on the edge of Penrith, the three market towns and also the district's key hubs.

- 4.18.2 Where proposals do not meet one or more of the above criteria, the acceptability of proposals will be considered against the wider employment, economic and other benefits of the development. If it can be shown that the potential scheme will offer significant long-term economic benefits which apply beyond the local area and that schemes are capable of minimising or mitigating negative impacts as far as reasonable permission may be granted.

#### **Reason for this policy**

- 4.18.3 The policy is included to seek to ensure that any employment development is appropriate to its location and that it does not cause unacceptable impacts on the local area. It also provides a framework for allowing appropriate new employment development outside of allocations so as not to prevent sustainable economic development and the necessary growth of the economy and employment in the area.
- 4.18.4 The principal theme running through the National Planning Policy Framework is facilitating economic growth and the need to build a strong economy: *"Planning should operate to encourage and not act as an impediment to sustainable growth"*. Authorities are expected to set a clear vision and economic strategy to promote growth, set criteria for or identify strategic sites, support business, promote knowledge clusters and identify priority areas for economic regeneration which policy EC3 seeks to achieve.
- 4.18.5 Equally, the National Planning Policy Framework is clear that policies should avoid the long-term protection of sites allocated for employment where there is no reasonable prospect of the site being used for that purpose and draft Policy EC2 ensures suitable flexibility is afforded during the plan period.

#### **Tourism Development**

- 4.18.6 The following policy is concerned with the development of tourist accommodation and services in Eden. The first part relates to larger scale accommodation which is capable of providing an economic benefit beyond its immediate locality, and the second part covers smaller scale accommodation, including holiday lets and caravan, chalet, and camping sites (including camping pods).

## 4.19 Policy EC4 - Tourism Accommodation and Facilities

Large scale tourism proposals that would result in a substantial increase in visitor numbers will only be permitted if the following criteria are met:

1. The development proposed improves the range or quality of tourism accommodation and facilities in the area
2. The site is close to the strategic road network
3. They offer substantial economic benefits to the district
4. The development offers the highest possible standards of siting, design and landscaping
5. The traffic generated by the proposal will not have an unacceptable impact on nearby settlements or the local network
6. Arrangements have been made to provide access by means other than the private car.
7. The tranquillity and dark skies associated with the open countryside are not compromised.

Small scale tourism development will be permitted where it meets one of the following criteria:

1. For permanent structures (e.g. new holiday cottages) where:
  - i) Any proposed new-build development is located within a Town or Key Hub;
  - ii) The proposal involves the re-use of an existing building, or previously developed land;
  - iii) The proposed development forms part of a farm diversification scheme;
  - iv) The development proposed is located outside of a Town or Key Hub, but due to the nature of the development proposed it relies upon a specific geographic resource or countryside location, and the specific location selected for the development can be justified.

The Council may impose planning conditions to avoid continual residential use of such sites where they are located in the open countryside.

2. For non-permanent accommodation (caravan, camping and chalet sites), where:
  - i) The site is screened by existing topography and vegetation
  - ii) Suitable access and car parking arrangements are defined and the site does not give rise to unacceptable impacts on the local road network either through traffic generation from the site itself or through cumulative impacts alongside other sites
  - iii) The development is capable of being removed without damage or material change to the land on which it was sited

The Council may impose planning conditions to avoid continual residential use of such sites or seasonal restrictions where necessary to safeguard the landscape.

## **Explanation**

- 4.19.1 Eden offers a tranquil and beautiful landscape, and also sits on the fringes of the Lake District and Yorkshire Dales National Parks. This makes Eden a popular tourist location, and one which currently accommodates major tourist facilities such as Centre Parcs and Rheged. Eden District offers a wealth of opportunities for tourists based on both the natural and built environment, and is crucial to the economic development of the district and job security and prosperity of its residents. A massive £240m was spent by 4.1m visitors in 2012. Tourism supported 3,760 full time equivalent in jobs in 2012 (14% of the district's total) and showed a 5% increase on the previous year.<sup>9</sup>
- 4.19.2 Small-scale tourism developments have also formed the mainstay of the tourism industry in Eden. We will look favourably at new sites, which are submitted to us, which will help to boost our tourism economy and support local services. Small scale under the terms of this policy refers to caravan, camping (including camping pods) and chalet sites of up to twenty units or pitches.
- 4.19.3 Where no existing residential accommodation exists to service small scale non-permanent sites the expectation will be that any on-site management will be undertaken from one of the units or pitches that will be provided from the non-permanent units or pitches proposed as part of the development. Sites operating for caravan, camping or chalet use will also require an environmental license, which permits use subject to meeting relevant health and hygiene codes set by the Local Authority. This can be obtained by contacting Eden's Environmental Health team.
- 4.19.4 Where proposals come forward in the North Pennines Area of Outstanding Natural Beauty they will be expected to conform to Policy ENV3.

## **Reason for the Policy**

- 4.19.5 To encourage the provision of holiday accommodation, which has economic benefits for the area, businesses and farms. As holiday accommodation is classed as housing for planning purposes, the policy also makes clear that the use of such accommodation will be restricted to holiday uses only.
- 4.19.6 There are also aspirations within the Cumbria Local Economic Partnership (LEP) to encourage the growth of Cumbria's tourist economy, so that it can be globally recognised as a global tourist destination<sup>10</sup>. This policy will contribute towards the objectives of the LEP and support the diversification of the local economy.

<sup>9</sup> STEAM Research figures, 2012

<sup>10</sup> Strategic Economic Plan 2014-24, Cumbria Local Enterprise Partnership (2014).



## 4.20 Policy EC5 - Advertising/Signposting

Applications for consent to display advertisements will be permitted where the size of the sign and the materials to be used are appropriate to the location and will not have an adverse effect on either the amenity of the locality or on public safety.

Proposals for the display of advertisements within conservation areas will need to demonstrate how the historical aesthetic has been taken into consideration in the design of the advertisement. Proposals which are of an inappropriate scale, illumination or material, would lead to clutter or obstruct or detract from the character or appearance of the conservation area or the architectural features of the buildings on which they are displayed will not be permitted.

Proposals for advance signs on private land outside highways limits which refer to rural businesses, tourist attractions or accommodation will be permitted outside the Main and Market towns where the sign is required to locate a destination not on a named road or readily identified location, identifies the premises only, is not illuminated and uses existing means of support where possible.

### Explanation

- 4.20.1 Legislation for the control of adverts comes from the Town and Country Planning (Control of Advertisements) (England) Regulations (2007), which includes a definition of what is meant by advertisements. The regulations state that applications for the display of adverts should be assessed according to their location and siting, dominance in the street scene, style and size, materials, colour and finish, and, where appropriate, levels of illumination. Each of these issues may impact on local visual amenity and application submitted will be assessed as such.
- 4.20.2 Where an advertisement is proposed to be located in a Conservation Area the Council will require evidence of how the impact on a heritage asset has been taken into account.

### Reason for the Policy

- 4.20.3 Advertisements are essential to commercial activity. In a sparse rural area such as Eden they can also play a vital role in promoting business and tourism in remote areas. However, poorly placed or out of scale advertisements can have a detrimental impact on the appearance of the built and natural environment. This policy seeks to provide safeguards to make sure that new advertising is proportionate and sensitive to its surroundings.

## 4.21 Policy EC6 - Telecommunications Infrastructure

Expansion of the electronic communication network will be supported. When considering proposals for new telecommunication equipment the following criteria will be taken into account:

1. Proposals should make use of existing sites and structures wherever possible
2. The location and appearance of the proposed apparatus and associated structures should seek to minimise impact on the visual amenity, character or appearance of the surrounding area. On buildings apparatus and associated structures should be located and designed in order to seek to minimise impact to the external appearance of the host building
3. Equipment should not harm sensitive areas, including the historic environment, areas designated for their nature conservation interest and areas of landscape importance, especially the North Pennines Area of Outstanding Natural Beauty

When considering applications for telecommunications development, regard will be given to the operational requirements of telecommunications networks and the technical limitations of the technology.

### **Explanation**

- 4.21.1 The size and topography of Eden means that there will be a need to establish new telecommunications infrastructure across the district. This policy seeks to ensure that new infrastructure makes use of existing sites and structures wherever possible. Any applications for new telecommunications infrastructure will be expected to demonstrate the need for their location if this is not the case.

### **Reason for this policy**

- 4.21.2 This policy is designed to make sure that new telecommunications equipment is sited in a way that respects Eden's landscape features, and the North Pennines Area of Outstanding Beauty in particular.

## 4.22 Policy EC7 – Town Centres and Retailing

Support will be given to maintaining and enhancing the vitality and viability of the following hierarchy of town and district centres:

**Penrith** - Town Centre

**Alston, Appleby, Kirkby Stephen** – District Centres

Development within town and district centres:

Retail and other town centre developments of a scale appropriate to these roles will be supported, provided that:

1. They do not compromise the functional operation of existing town centre uses including essential service operations
2. Where proposals lie within the primary shopping area, the development assists in maintaining its existing retail function and does not lead to a concentration of uses which risk undermining the vitality and viability of town centres
3. New shop fronts relate in scale, proportion, materials and decorative treatment of the façade of the building and its neighbours. In conservation areas changes to shop fronts will not be permitted if they fail to contribute to the preservation and enhancement of the area's character, appearance and setting
4. The development respects the character of the environment of the centre, including its special architectural and historic interest.

Proposals for main town centres will be required to be in accordance with the sequential test set out in the National Planning Policy Framework.

Retail development outside town and district centres will only be permitted if it will not have a significant adverse impact on the vitality and viability of existing centres. Retail impact assessments will be required for proposals over 500 square metres gross which are outside of centres. Additionally retail impact assessments will also be required for proposals over 250 square metres gross that are within 400 metres of the boundary of Alston, Appleby or Kirkby Stephen district centres.

### Explanation

- 4.22.1 This policy sets out a hierarchy of retail centres for the district. In 2007 the Council commissioned the Eden Retail Study (updated in 2014) which produced evidence on the role the towns play in providing shopping facilities and whether there is any scope for additional retail development above and beyond that already planned. The study also established boundaries for the town centres of the four main towns, and boundaries for the primary retail areas within these centres. These boundaries are shown on the Policies Map.
- 4.22.2 The review indicated that for convenience goods there is some capacity for new floorspace during the Local Plan period in Penrith, sufficient to support another supermarket of up to 2,000 sq.m. gross floorspace. There is no capacity in Alston and very little in Appleby and Kirkby Stephen. For comparison goods there is a significant capacity for new floorspace in Penrith in the longer term for around 12,000 sq.m. gross of floorspace, which may justify the allocation of new sites in or on the edge of the town centre. There is no potential for further comparison shopping in Alston and only a small amount in Kirkby Stephen. There is greater potential in Appleby.

- 4.22.3 The District Council is not currently proposing to include any additional land allocations for retail development at Penrith. Although evidence suggests that there may be scope in the long-term future it is considered that the current stock of retail floorspace in the town is sufficient in the short to medium term. Recent retail developments have taken place at New Squares and Ullswater Road, and have yet to be fully occupied. This position will be monitored and if future take-up rates rapidly deplete the current vacant stock and demand sustains this position will be reviewed, either through a partial alteration of this plan or as part of a full scale plan review.
- 4.22.4 The National Planning Policy Framework also advises that floorspace thresholds could be adopted by local planning authorities for impact assessment purposes. In considering appropriate floorspace thresholds it is particularly relevant to take account of the scale of proposals relative to the town and district centres, the vitality and viability of centres and the likely effects of new development on the town centre strategy, especially further out-of-centre retail developments.
- 4.22.5 Retail evidence suggested that in the context of experience in other local authorities, a floorspace threshold of 500sq.m.gross is appropriate for Penrith as the main market town. Because Penrith's catchment area is the whole of Eden District, the application of this threshold would apply throughout the district. The market towns of Alston, Appleby and Kirkby Stephen are heavily reliant on the presence of supermarkets as the anchor stores in the centres, and unrestricted development of convenience shopping facilities outside these centres of more than 250sq.m. gross could have a significant adverse impact. It is therefore proposed that a threshold of 250sq.m. gross would be appropriate for the district centres. The application of this threshold should apply to proposals within walking distance (400 metres) of the boundary of a district centre.

#### **Reason for the Policy**

- 4.22.6 It is important that the Local Plan seeks to maintain and enhance the vitality and viability of the retail areas within the main centres. For new retail developments national guidance outlines a sequential approach designed to retain retail uses within existing town centres, followed by appropriate sites on the edge of the town centre and finally out of centre sites. This policy defines Eden's town centres and sets criteria for how proposals in these centres will be assessed. It also contains a mechanism to make sure that existing retail floor space in these centres is not lost to other uses wherever possible.

## How Will We Implement These Policies?

Policy	Principal Implementation Mechanisms	Timescale S/M/L	Funding
EC1 - Employment land provision	Development management, allocation of sites Development briefs Provision of infrastructure Transport improvements to access to M6 Maintaining an up to date employment land database Proactive advertisement of Phases 1 and 2 of Eden Business Park.	Ongoing  M Ongoing M/L Ongoing Ongoing	Gilwilly junction Pinchpoint Fund - DFT, CCC, EDC, cost £4.4m
EC2 - Protection of employment sites	Development Management, allocation of sites	Ongoing	n/a
EC3 - Employment development at existing settlements	Development Management	Ongoing	n/a
EC4 - Tourism Accommodation	Development Management Eden Economic Development and Tourism Strategy North Pennines AONB Management Plan	Ongoing Ongoing Ongoing	n/a
EC5 - Advertising/ signposting	Development Management	Ongoing	n/a
EC6 - Telecommunications infrastructure	Development Management	Ongoing	n/a
EC7 - Town Centres and Retailing	Development Management	Ongoing	BID partnership
Lead Agencies / Partners: Eden District Council, Cumbria County Council, Cumbria Tourism, Eden Tourism Network, North Pennines AONB Tourism Partnership, Town Forums/Councils, Newton Rigg College, developers, landowners			

## How Will We Monitor These Policies To See If They Are Working?

Policy	Indicator	Target
EC1 - Employment land provision	<p>Amount of business floorspace developed per year by type</p> <p>Amount of employment land available</p> <p>Increase in numbers of associate/professional/technical jobs</p> <p>Earnings (Gross weekly pay of full time workers)</p> <p>Unemployment benefit claimants</p>	<p>1.35 ha per year</p> <p>18% increase from baseline by 2032</p> <p>Increase to NW regional average</p> <p>No reduction in earnings</p> <p>To retain rate below UK average</p>
EC2 - Protection of employment sites	Amount of employment land lost to other uses	None
EC3 - Employment development at existing settlements	% of employment land developed by location	Majority in Towns and Village Hubs
EC4 - Tourism Accommodation	<p>Estimated annual tourist days spent in Eden</p> <p>Number of applications approved for tourism development</p> <p>Estimated annual tourist expenditure</p>	<p>Increase from baseline in 2012/13: £240 million.</p> <p>n/a</p> <p>Increase from 2013/13 baseline of £240million</p>
EC5 - Advertising/ Signposting	n/a	n/a
EC6 - Telecommunications infrastructure	n/a	n/a
EC7 - Town Centres	<p>% of retail developed in accordance with locational strategy.</p> <p>Total amount of floorspace developed for town centre uses</p>	<p>Maintain baseline</p> <p>Maintain baseline (2012/13 Town centres 3510.1m<sup>2</sup>, outside town centres 666.06m<sup>2</sup>)</p>

## 4.23 A Rich Environment

- 4.23.1 The built and natural environment includes everything that surrounds us: towns, villages, woodland, rivers and meadows. It also includes cultural and historical aspects such as conservation areas, listed buildings and archaeological sites. Eden's residents and visitors place considerable value on the high quality of the district's landscapes, towns, villages and wildlife and that quality is something the Council wants to protect and enhance.

### **The Natural Environment**

- 4.23.2 Eden District has a remarkable natural environment. It has a large number of areas of natural beauty, nature conservation and amenity value that range from the limestone pavements at Orton Scar and Great Asby Scar to the Moorhouse and Crossfell area of the North Pennine Moors - an internationally designated site. The landscape of the district is of a particularly high quality. Part of Eden lies within the Lake District National Park, and although this is subject to its own regulatory framework, it is key to reflect the relationship with this area in development decisions made outside the designation boundary. Eden also encompasses a large area of the North Pennines Area of Outstanding Natural Beauty. Many of the areas outside the national designations are of a similarly high quality.

## 4.24 Policy ENV1 - Protection and Enhancement of the Natural Environment, Biodiversity and Geodiversity

New development will be required to avoid any net loss of biodiversity and geodiversity, and where possible enhance existing assets. Should emerging proposals identify potential impacts upon designated sites, regard should be given to the objectives for each of the hierarchy of sites.

The following designations are of international importance and will be afforded the highest level of protection:

### **International/European Sites**

1. Special Areas of Conservation (SAC)
2. Special Protection Areas (SPA)
3. Candidate SACs or SPAs
4. Ramsar sites

Where harm cannot be avoided development will only be permitted where mitigation measures would result in no significant harm being caused. Where the proposal cannot rule out possible significant effects, no alternatives exist and the proposal is deemed to be of overriding public interest proposals will only be permitted if adequate compensatory measures can be put in place.

### **National Sites**

The following areas are of national importance to the promotion and protection of biodiversity and geodiversity:

1. Sites of Special Scientific Interest (SSSI)
2. National Nature Reserves (NNR)
3. Limestone Pavement Orders (LPO)

Protection of these sites will be given significant weight when determining planning applications. Proposals which either directly or indirectly impact on the integrity of the sites will only be permitted in exceptional circumstances, where alternative sites have been ruled out and significant benefits have been identified which outweigh the impacts on the ecological network.

### **Local Sites**

The following areas are considered of local importance to the promotion and protection of biodiversity:

1. County Wildlife Sites (CWS)
2. Regionally Important Geological Sites (RIGS)
3. Local Nature Reserves (LNR)
4. Habitats and Species in the Cumbria Biodiversity Action Plan (BAP)
5. Habitats and Species of Principal Importance (NERC Act Section 41 list)

Development which directly or indirectly affects these sites should only be permitted in circumstances where there is an identified need for development in that location. The benefits derived from development must significantly outweigh the harm and loss to species, soils and habitats.

All development, where appropriate, should follow the following principles:

1. It will protect and maintain and enhance habitats or species in the Cumbria Biodiversity Action Plan, including the linked wildlife corridors which support them
2. It will protect, maintain and enhance interest features of geological value identified in the Cumbria Geodiversity Action Plan
3. Residential and commercial sites will consider the benefits of including wildlife corridors as part of the open space requirement within new development

### **Explanation**

- 4.24.1 The district has numerous sites designated for their nature conservation interests including 9 SACs/SPA's of international importance. These sites are protected under national legislation. 70 Sites of Special Scientific Interest (SSSI) of national importance are also located in the district as well as sites of regional and local importance such as Local Wildlife Sites (formerly County Nature Sites) and Regionally Important Geological/Geomorphological Sites (RIGS).
- 4.24.2 This policy sets a hierarchy of sites important for their biodiversity and geodiversity value and puts in place safeguards to protect and enhancements. Where development on designated sites cannot be avoided or mitigated, compensation measures in the form of habitat creation, restoration or enhancements off site will be required, linked to a planning agreement.
- 4.24.3 It is important that the Local Plan promotes new development in a way that will support the implementation of the Cumbria Biodiversity Action Plan, whilst preventing proposals that would have an unacceptable impact upon the district's wildlife resources. The Action Plan is a key document in identifying an important range of habitats and species within the district. It aims to conserve the district's threatened wildlife and outlines the objectives, targets and actions considered necessary to protect and enhance the wildlife heritage of the area.



### **Reason for this policy**

- 4.24.4 The NPPF requires Local Authorities to develop criteria based policies for the natural environment that proposals can be evaluated against. A hierarchy of sites should be identified in the Local Plan, so that weight can be proportioned to their status and their importance to the wider ecological networks can be fully understood.

## **4.25 Policy ENV2 - Protection and Enhancement of Landscapes and Trees**

New development will only be permitted where it conserves and enhances distinctive elements of landscape character and function.

Proposals should take account of and complement:

1. The distribution and form of settlements and buildings within their landscape setting
2. Local styles and materials of buildings within the settlement
3. Natural elements such as hedgerows, woodland, and local topography; and
4. Any visually sensitive skylines or hill and valley sides
5. The tranquillity of the open countryside

The impact of potential new development will be assessed against the criteria within the Cumbrian Landscape Assessment Toolkit (or successor documents) with regard to particular Character Area's key characteristics, local distinctiveness and capacity for change.

Development should contribute to the creation of new trees and hedgerows where possible. Loss of ancient woodland and significant/veteran trees will not be permitted unless it can be demonstrated that there is an overriding need for the development which outweighs their loss.

### **Explanation**

- 4.25.1 The landscape is an important element of the district's environment and its local character needs to be protected and enhanced. A Cumbria-wide Landscape Character Assessment (LCA) and toolkit has been produced and is intended to aid district authorities when considering new development that might affect landscape character and help inform planning applications.
- 4.25.2 The Cumbria Landscape toolkit separates Cumbria out into thirteen landscape character types. Eight are relevant to Eden:
- Type 5 - Lowlands
  - Type 6 - Intermediate Farmland
  - Type 8 - Main Valleys
  - Type 9 - Intermediate Moorland and Plateau
  - Type 10 - Sandstone Ridge
  - Type 11 - Upland Fringe
  - Type 12 - Higher Limestone
  - Type 13 - Fells and Scarpe
- 4.25.3 Planning applications that may have a potential effect on Eden's landscapes, trees and hedgerows will be expected to demonstrate how any impact has been considered and mitigated, with reference made to relevant landscape character assessments.

### **Reason for this policy**

- 4.25.4 Eden has a wealth of attractive landscapes, which give it its distinctive character and contribute enormously to quality of life in the district. A specific policy is therefore included to make sure these assets are safeguarded for the future. The policy also seeks to protect trees and woodland from new development.

## **4.26 Policy ENV3 - The North Pennines Area of Outstanding Natural Beauty**

Within the North Pennines Area of Outstanding Natural Beauty (AONB) development proposals will only be permitted where:

1. They can demonstrate that they will conserve and enhance the natural beauty of the designated area
2. They do not lessen or cause harm to the distinctive character of the area
3. They adhere to any formally adopted design guides or planning policies, including the North Pennines Management Plan and Building Design Guide

Major developments will not be permitted except where it can be demonstrated that:

1. Other locations outside the AONB are not suitable
2. They are in the long term public interest
3. They contribute to the wider local economy
4. They go as far as possibly in minimising any change to the local landscape

### **Explanation**

- 4.26.1 The purpose of AONB designation is to conserve and enhance the natural beauty of the area. Unlike national parks, recreation is not a primary reason for designation.
- 4.26.2 Applications for development which can demonstrate adherence to the principles set out in the North Pennines AONB Planning Guidelines and Building Design Guide (adopted as Supplementary Planning Documents in 2011) will have a strong likelihood of being granted permission.

### **Reason for the Policy**

- 4.26.3 The North Pennines AONB, designated in 1988 is the largest area of outstanding natural beauty in England and its long-term preservation and enhancement is of the utmost importance. This policy has therefore been included to afford it the highest degree of protection.

## 4.27 Policy ENV4 - Green Infrastructure Networks

A multifunctional network of green infrastructure will be identified, protected, managed and enhanced.

Proposals, which protect and enhance the existing network and promote the creation of new green infrastructure will be supported. Development which leads to direct loss, fragmentation or degradation of green infrastructure will be resisted unless there is demonstrable evidence of wider public benefits from the proposal.

New development should ensure that:

1. Opportunities for the protection and enhancement of the district's green infrastructure network are maximised
2. Proposals account for any known local deficiencies of green infrastructure identified by the Council.

Contributions may be sought for off-site provision where this leads to the creation and maintenance of a strategic network of green infrastructure capable of bringing benefits to the users of the development.

### Explanation

4.27.1 Green infrastructure (GI) relates to the active planning and management of networks of multi-functional open space. These networks need to be managed and designed to support local biodiversity and enhance the quality of life for Eden's residents and visitors, particularly in areas undergoing larger scale change, for example on the edge of the district's towns. They can help create a sense of place and provide additional opportunities for recreation such as walking or cycling, including easing access to the wider countryside. They also perform a strong environmental role, particularly in terms of providing or maintaining habitats and supporting sustainable drainage systems. The following areas can form part of green infrastructure networks:

- Parks and gardens, including urban parks, country parks and formal gardens
- Natural and semi-natural urban green spaces, including woodlands and wetlands
- Green corridors, including rivers and their banks, cycle ways and rights of way
- Wildlife corridors
- Outdoor sports facilities, including playing fields, sports pitches and golf courses
- Amenity green space including informal recreational areas, green spaces around housing, domestic gardens and village greens
- Allotments
- Cemeteries and churchyards
- Accessible countryside

### Reason for the Policy

4.27.2 This policy is included to ensure that connected networks of green spaces around new development are treated as integral to a planning and design process which is conscious of its own place within wider green infrastructure networks. Green Infrastructure should not just be considered as an adjunct to new development.

## 4.28 Policy ENV5 – Environmentally Sustainable Design

Proposals for residential and commercial development schemes should demonstrate, where practical, that they have considered:

1. Maximising daylight and passive solar gain through the orientation of buildings.
2. Integrating sustainable urban drainage systems.
3. Designing and positioning buildings to minimise wind funnelling, frost pockets and uncomfortable microclimates.
4. Integrating renewable energy technology into the scheme, and in larger schemes exploring the scope for district heating.
5. Minimising construction waste, through for example designing out waste during the design stage, selecting sustainable and efficient building materials and reusing materials where possible.
6. Providing well-designed and visually unobtrusive outdoor waste storage areas to promote recycling.
7. Promoting sustainable transport modes, through for example careful layout and road design to ensure it is conducive to walking and cycling and prioritises the pedestrian and cyclist over the car.

### Explanation

- 4.28.1 New development must play its part in promoting the efficient use of resources, and responding to the challenges posed by climate change. This policy does not seek to set rigid requirements for new development, and recognises that all schemes will present their own environmental challenges and opportunities. Its purpose is to encourage developers to consider the opportunities for enhancing the environmental sustainability of their schemes at the outset, so that environmental considerations can inform and help shape the design process rather than being an afterthought. For proposals, which require Design and Access statements, the Council will expect applicants to demonstrate how they have considered enhancing the environmental sustainability of their scheme in the statement.
- 4.28.2 There is a wealth of guidance and best practice case studies available on the aspects of sustainable design covered within the policy, which will undoubtedly evolve through the Local Plan period. Examples of guidance and sources of useful information at present include the SuDS Guide that has been prepared by Cumbria County Council, the guidance and information on minimising construction waste and increasing resource efficiency provided by Wrap<sup>11</sup>, and information and case studies on renewable energy and sustainable construction provided by Cumbria Action for Sustainability<sup>12</sup>.
- 4.28.3 Residential development is a major source of greenhouse gas emissions and in Eden household fuel and electricity is estimated to contribute over 20% to each resident's

<sup>11</sup> [www.wrap.org.uk](http://www.wrap.org.uk),

<sup>12</sup> [www.cafs.org.uk](http://www.cafs.org.uk)

carbon footprint. Driving up energy efficiency standards in new housing is therefore an important priority to help meet greenhouse gas targets, as well as tackling issues of high household bills and fuel poverty which are key issues in Eden. As a result of the Government's National Standards Review, which was finalised in March 2015, local authorities can no longer apply additional standards relating to the construction, internal layout or performance of new dwellings. The review has resulted in the withdrawal of the Code for Sustainable Homes, and the energy efficiency of new homes will instead be governed solely by Building Regulations.

#### **Reason for this Policy**

- 4.28.4 The Climate Change Act of 2008 requires that by 2050 there must be a national reduction of greenhouse gas emissions by at least 80% from 1990 levels. One of the main ways in which we can mitigate against climate change is through a reduction in greenhouse gas emissions.
- 4.28.5 The planning system has a key role to play in contributing the achievement of sustainable development. The NPPF is clear in stating the role of the planning system in promoting the prudent use of natural resources, minimising waste, and mitigating and adapting to climate change including moving to a low carbon economy. This policy therefore sets a supportive framework to encourage proper consideration of environmental sustainability and climate change mitigation and adaptation measures in the design of new development.

## 4.29 Policy ENV6 – Renewable Energy

Renewable and low carbon energy schemes will be supported where:

1. Proposals can be incorporated into the local landscape without significant adverse impact; particular attention will be paid to the landscape impact of proposed developments which are located close to or within the North Pennines AONB and the National Parks;
2. Proposals respect the form of the built environment, including settlement character and heritage assets, with particular attention paid not only to the potential impact on the heritage asset itself, but also to its wider setting;
3. The development proposed will not have an unacceptable impact on the amenity of local residents and can demonstrate that there is sufficient mitigation measures to minimise the impact of noise, smell or other nuisance or pollutants likely to affect nearby occupiers and neighbouring land uses;
4. It can be demonstrated that the natural environment, including designated sites will not be adversely affected (and where possible enhanced);
5. The local road network can satisfactorily accommodate the development proposed;
6. The proposed scheme will provide benefits to the community through their involvement with the proposal;
7. Where necessary, an assessment of the cumulative impacts of renewable energy developments has been undertaken, and there is found to be no significant adverse impact;
8. For proposals involving wind energy developments, the development is located in a 'suitable area' (identified on the Policies Map) and following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing;
9. The proposed scheme will not have an unacceptable effect on civil or military aviation and/or other defense related installations;
10. The proposed scheme will not have an unacceptable effect on existing telecommunications infrastructure;
11. Suitable measures have been included for the removal of redundant structures or equipment and for the restoration of the site, should the site become non-operational.

Where mitigation is required to make any identified impacts acceptable these will, where necessary, be secured through condition or planning obligations.

## Explanation

- 4.29.1 Eden is a large but sparsely populated district with high quality, undeveloped landscapes. It also contains a number of landscape designations such as the North Pennines AONB, which under national planning policy demands that great weight is given to the conservation of landscape and scenic beauty.
- 4.29.2 The Council recognises the importance protecting our natural environment whilst making the most effective use of our natural resources through renewable energy generation. Renewable energy is the collective term used for repeatedly occurring natural energy sources; typically these include energy from wind, biomass, waste, hydropower, solar, heat pumps, wood fuel and others as technologies develop. This criteria based policy will be used to ensure that renewable energy development is sited in the most appropriate locations, be that large scale or micro-renewable schemes (where planning permission is required).
- 4.29.3 Applications for types of renewable energy technologies, such as anaerobic digestion plants which import off-site waste materials would come under the remit of Cumbria County Council as the Planning Authority for Minerals and Waste.
- 4.29.4 The Cumbria Renewable Energy Study (2011) considers a range of renewable energy sources, translating potential into capacity up to 2030. The study considers potential technical capacity from wind, biomass, energy from waste, hydropower, solar and heat pumps. The study identified the potential for an additional 71MW by 2030.
- 4.29.5 Specific guidance in regard to wind energy developments in Cumbria is contained in the Cumbria Wind Energy Supplementary Planning Document (SPD), which was adopted by Eden District Council in 2008. The SPD, alongside the Cumbria Renewable Energy Study (2011) addresses the concurrent needs, outlined in the NPPF and supporting guidance, for local planning authorities to prepare positive strategies in regard to renewable energy development, and conserve and enhance valued landscapes. The SPD includes a detailed landscape capacity assessment, which highlights the key characteristics and particular sensitivities which inform the potential capacity of different landscape areas to support wind energy development. This has been developed to enable a consistent and holistic approach to be taken when considering the effects of wind energy development on the distinctive and often high quality landscape character of Cumbria. The SPD contains guidance on the assessment of cumulative impact. Cumbria County Council have also produced a further evidence base and guidance in regard to the cumulative impacts of vertical infrastructure upon landscape character and visual amenity across the county. This work will be a material consideration in the assessment of the cumulative effects of wind energy proposals.
- 4.29.6 Proposals for renewable energy developments may inevitably have some local environmental implications. Any significant adverse impact should be considered against the wider social, economic and environmental benefits of a scheme.
- 4.29.7 In June 2015 Greg Clark MP announced in his Ministerial Statement that new considerations to be applied to proposed wind energy development so that local people have the final say on wind farm applications, the NPPG was subsequently amended to reflect these new provisions. As a result the Council has undertaken an assessment of 'suitable areas', which can be found on the Policies Map.
- 4.29.8 In order to address community concerns and in the interests of residential amenity and safety, a minimum separation distance of 800m between wind turbines (over 25m to blade tip) and residential properties will be expected. It is recognised that in some cases due to site - specific factors such as orientation of views, land cover, other buildings and topography it may be appropriate to vary this threshold, where it can be demonstrated

through evidence that there is no unacceptable impact on residential amenity. Shorter distances may also be appropriate if there is support from the local community.

### **Reason for this Policy**

- 4.29.9 It is important that we create opportunities through the planning system for decentralised energy, and reduce our reliance on fossil fuels. This policy therefore aims to encourage new low carbon energy schemes whilst setting out safeguards to ensure they have no or minimal impact on quality of life in the district.
- 4.29.10 The NPPF advises that all local authorities should plan for a low carbon economy, recognising longer-term benefits of low carbon energy generation. The guidance promotes a proactive approach towards the creation of renewable energy sources, which recognises the responsibility of all areas to contribute towards energy generation. This approach is supported by the Cumbria Renewable Energy Study.
- 4.29.11 This policy aims to mirror the supportive approach within the NPPF, whilst including provisions to ensure local landscapes are protected from inappropriate development and significant adverse effects can be avoided.

## **4.30 Policy ENV7 - Air Pollution**

All major development proposals will be required to assess the likely impacts of the development on air quality and mitigate any negative impacts by:

1. Ensuring the development is located within easy reach of established public transport routes
2. Maximising provision for cycling and pedestrian facilities
3. Encouraging the use of cleaner transport fuels on site, through the inclusion of electric car charging points, and
4. Contributing towards the improvement of the highway network where the development is predicted to result in increased congestion on the highway network

Development proposed nearby any Air Quality Management Area (AQMA) declared within the district will require an air quality assessment to identify likely impacts of development upon the designated area. Permission will only be granted if the individual and cumulative impact of the proposed development on air quality is acceptable and appropriate mitigation measures are applied. Contributions towards measures identified to deliver the Air Quality Action Plan will be required as part of development.

### **Explanation**

- 4.30.1 Since December 1997 each local authority in the UK has been carrying out a review and assessment of air quality in their area. This involves assessing air pollution and trying to predict how it will change in the next few years. The aim of the review is to make sure that the national air quality objectives will be achieved throughout the UK by the relevant deadlines. These objectives have been put in place to protect people's health and the environment.
- 4.30.2 If a local authority finds any places where the objectives are not likely to be achieved, it must declare an Air Quality Management Area. In Eden this process has led to parts of Penrith town centre (Victoria Road and Castlegate) and Eamont Bridge being proposed as Air Quality Management Areas. Development proposals which potentially would affect air



quality in these areas will be required to be accompanied by an assessment of its potential impact, and set out the measures by which any potential impacts can be mitigated. Mitigation could include supporting the use of low emission vehicles, incorporating higher standards or alternative uses of energy in new buildings, contributions to traffic management measures or promotion of alternative forms of transport.

### **Reason for the Policy**

- 4.30.3 To protect quality of life and the natural environment, and to highlight that air quality issues exist in Penrith which new development proposals will need to take into account.

## **4.31 Policy ENV8 - Land Contamination**

The Council will approve development on land that is contaminated or where contamination is suspected, subject to other policies if:

1. Adequate contaminated land assessments prepared by a suitably competent person are submitted prior to any planning decision being taken, to determine whether or not unacceptable risks to human health or the environment arise from the proposals; and
2. Where necessary, suitable remediation is carried out to ensure safe development

### **Explanation**

- 4.31.1 Within Eden there are many historic and current land uses that have the potential to impact on the quality of the land and result in land contamination concerns. Former industrial and commercial processes, lower environmental standards, poor waste management practices together with accidental or deliberate release of chemicals into the environment may all result in land contamination.
- 4.31.2 Eden supports the redevelopment of potentially contaminated sites but where a site is affected by contamination the responsibility for securing a safe development rests with the developer and/or landowner. Development of a site with land contamination considerations is an ideal way to secure an improvement in the environment providing that it results in a safe development that creates no unacceptable risks to human health or the environment.
- 4.31.3 Certain types of development are particularly sensitive to land contamination e.g. housing, schools, hospitals, allotments and children's play areas. It is imperative that all developers have a comprehensive understanding of the history of a site; not just knowledge of the current or immediately previous use in the case of a derelict site. This will assist both the developer and the planning authority in determining the likelihood of risks from potential land contamination and ultimately save costs.
- 4.31.4 Identification of potential problems at an early stage can assist with the processing of planning applications and accelerate the development of sites. Since remediation of land contamination can incur significant costs it is important that the risks are identified and understood both by the developer and the local planning authority before a planning decision is taken. Within Eden the Environmental Protection Team has a technical specialist that advises the planning department on the suitability of supporting information submitted as part of a planning application. It is strongly recommended that pre-application advice is sought from this officer regarding potential contaminated land issues.
- 4.31.5 The requirement for a development to be sustainable and viable also extends to the remediation technology to be applied. For some developments, the technology required may impact on the design of the proposed development. If potential land contamination

issues are not identified and an assessment of the risks undertaken this may result in refusal of permission. The local planning authority must be satisfied that:

- Where there is information available to the local planning authority that suggests the possibility of contamination or of unacceptable risk these concerns have been addressed or excluded within supporting information submitted with any application;
- Any unacceptable risks identified can be adequately dealt with in order that the completed development is suitable for its intended use and no unacceptable risks remain either to human health or the wider environment;
- Any steps needed to deal with unacceptable risks are either already in place or can be secured through suitable planning conditions.
- The assessment of potentially contaminated sites should be carried out through a phased process. Ongoing dialogue with the local planning authority at each phase is recommended to ensure that the work undertaken is sufficient and necessary.
- Where development is proposed on a site known to be contaminated or have the potential to be contaminated as a result of industrial activity (e.g. gasworks, petrol stations, filled ground, steelworks, railway land) a preliminary risk assessment will be required. This must be carried out by a suitably qualified person to the current British Standards and approved guidance.

4.31.6 Further advice and guidance on contaminated land is available on the environmental protection pages of the Council's website.

#### **Reason for the Policy**

4.31.7 To make sure that issues relating to contaminated land are able to be addressed through the development management process, and to incorporate national policy from the National Planning Policy Framework into Eden's development plan.

### **4.32 Policy ENV9- Other Forms of Pollution**

#### **Noise, Vibration and Dust**

Development proposals for development likely to experience noise, light, dust, odour or vibration from road, rail or air, or other sources must be supported by an adequate assessment to assess risks and their acceptability, and to ensure that appropriate mitigation is put in place to ensure occupiers are not adversely affected.

Assessments should consider both the likely level of exposure at the time of application and any increase that might be reasonably expected in the foreseeable future.

To safeguard the continued use of existing industrial and commercial uses and to protect amenity, noise, light, dust and contamination sensitive development, proposals will need to demonstrate that:

1. Existing levels of noise and vibration, light, dust or odour from industrial, commercial, leisure or sporting facilities are not likely to give rise to an unacceptable impact on the proposed development.
2. To safeguard sensitive development from the impact of proposed industrial, commercial, leisure or sporting facilities, developers will need to demonstrate that:

3. High levels of noise, light or dust will not occur throughout the construction phase of the development, especially at night, during the hours when people are normally sleeping
4. Development proposals for development likely to cause noise, light, dust, odour or vibration sources must be supported by an adequate assessment to assess risks and their acceptability, and to ensure that appropriate mitigation is put in place to ensure existing noise sensitive premises are not adversely affected.

### **Odour**

Agricultural development involving intensive livestock farming and development involving industrial or waste management proposals will only be permitted where it can be demonstrated that resultant odours will not impact on nearby development. An odour impact assessment will be required in all cases where the proposed development has the potential to impact upon neighbouring premises or where the proposed development could be impacted by odour from an existing use.

### **Light**

Where a lighting scheme that could impact neighbouring premises is proposed as part of a development, an impact assessment will be required. This will need to evaluate the lighting levels and their acceptability against an agreed methodology. Outdoor lighting schemes will be considered against the following criteria:

1. No adverse impact on neighbouring uses or the wider landscape;
2. Light levels being the minimum required for security and working purposes;
3. Minimising the potential glare and spillage;
4. Be as energy efficient as possible or run from a renewable energy source and;
5. Minimise upward light pollution.

### **Water Quality**

Development will not be permitted where it would generate, either in the construction or operation stages adverse impact on the quality of ground and surface water.

Development within Groundwater Source Protection Zones 1 and 2 will not be permitted unless it can be demonstrated that adequate safeguards to prevent contamination of the water supply will be put in place. Within Source Protection Zone 1 pipework and site design will be expected to adhere to a high specification to ensure that leakage from sewerage systems is avoided.

## **Explanation**

- 4.32.1 All new development must aim to contribute positively to the quality of the environment and avoid any potential negative impacts upon residential amenity, the natural environment or upon leisure and recreational activities enjoyed by residents and visitors to the district. Development will therefore not be permitted where it would generate, either during construction or on completion stages significant levels of pollution, which cannot be satisfactorily mitigated within the development proposal.

- 4.32.2 Further guidance on noise for anyone with a development proposal can be found in Eden District Council's guide for planning application requirements.
- 4.32.3 The policy also includes protection of groundwater 'Source Protection Zones'. Zones are identified by the Environment Agency and have been established to protect wells, boreholes and springs used for public drinking water supply. They are split into three categories (inner, outer and total catchment) and show the risk of contamination from any activities that might cause pollution in the area. Any development proposed in such areas will be expected to demonstrate that there is no risk of pollution to groundwater in these areas. Within potential areas of development within Eden the most notable location containing Source Protection Zones is to the north of Penrith.

### **4.33 Policy ENV10 - The Historic Environment**

Development proposals will be expected to avoid harm to the historic environment wherever possible, and should aim to positively enhance Eden's historic environment.

In determining planning applications for development proposals that may affect the historic environment key considerations will be the significance of the heritage asset, the degree of harm that will be caused, and the degree of public benefit that will result from the development. Great weight will be attached to the conservation of heritage assets.

Development proposals that would result in substantial harm to or total loss of significance of a designated heritage asset or its setting will only be permitted where it can be clearly demonstrated that substantial public benefits would outweigh the harm, and that the harm is necessary to achieve those benefits.

Any proposals that cause substantial harm to or loss of a grade I or II\* Listed Building, a Scheduled Monument, or a grade I or II\* Registered Park and Garden, will only be permitted in wholly exceptional circumstances. Proposals that cause substantial harm to a grade II Listed Building, a grade II Registered Park and Garden and a Conservation Area will only be permitted in exceptional circumstances.

Where a development proposal will lead to less than substantial harm to a designated heritage asset, the harm will be weighed against the public benefit of the proposal in determining the application.

Development proposals in Conservation Areas will be expected to preserve and enhance their special architectural and historic interest.

Any proposals that affect a non-designated heritage asset will be judged on the significance of the heritage asset and the scale of the harm.

#### **Explanation**

- 4.33.1 One of the features that makes Eden so unique is the quality of its historic environment. The district has twenty-four conservation areas, 1,600 listed buildings, over 200 scheduled ancient monuments and 5 registered parks and gardens. The full list of designated assets can be found on Historic England's website. Eden's historic environment is not only enriched by its designated heritage assets but also the wealth of other assets such as locally important buildings, earthworks and below ground archaeology and the landscape in which it sits. Together all these assets form an irreplaceable resource for understanding the past.

- 4.33.2 Listed buildings are protected by statutory controls, with listed building consent needed to carry out works to buildings. In addition, planning permission can be needed where changes require substantial changes or demolition. This policy therefore sets out the criteria against which such applications will be judged.
- 4.33.3 Conservation areas are legally defined as areas of 'special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance'. The special character relates to the quality and interest of an area as a whole, rather than just individual buildings. In conservation areas, the normal 'permitted development' rights which enable certain extensions and alterations to be carried out without the need to obtain planning permission are reduced, thereby bringing more development under planning control.
- 4.33.4 Development proposals in Conservation Areas will be required to be of a high quality and sensitive design and should be based on a careful consideration of issues such as scale, density, height and materials.
- 4.33.5 Proposals that will have an impact on any heritage asset, whether designated or not, should be accompanied by an assessment of the significance of the heritage asset and how that significance will be affected by the proposed development. The level of information required will be proportionate to the asset's significance and to the scale of impact of the proposal, and may require, where necessary, archaeological field investigation. Any heritage asset, whether designated or not, that is harmed by a proposal will need to be recorded by the developer to a level that is proportionate to its significance and to the scale of impact of the proposal. The information will need to be made publically accessible in the County's Historic Environment Record.

#### **Reason for the Policy**

- 4.33.6 The district contains an extensive wealth of heritage assets. These all represent a finite, non-renewable resource that is a significant asset in terms of quality of life and local distinctiveness. The historic environment makes a strong contribution to the attractiveness of the area for tourism and business as well as being a driving force in conservation led regeneration. There needs to be a strong emphasis on the protection and enhancement of these sensitive environments.
- 4.33.7 This policy includes safeguards to make sure that the character and appearance of heritage assets is protected. It also includes the criteria against which development requiring permission involving a conservation area or listed building will be judged.

## How Will We Implement These Policies?

Policy	Principal Implementation Mechanisms	Timescale S/M/L	Funding
ENV1 - Protection and Enhancement of the Natural Environment	Development Management Biodiversity Action Plan Conservation Area Management Plans Use of biodiversity evidence base Supporting projects to encourage public access & enjoyment of the natural environment	Ongoing S/M/L M Ongoing Ongoing	Biodiversity Evidence Base - £4,000
ENV2 - Protection and Enhancements of Landscapes and Trees	Development Management	Ongoing	n/a
ENV3 - The North Pennines Area of Outstanding Natural Beauty	Development Management North Pennines Design Brief	Ongoing Ongoing	n/a
ENV4 - Green Infrastructure Networks and Recreational Land	Development Management S106 negotiations	Ongoing Ongoing	n/a
ENV5 - Sustainable Buildings	Development Management	Ongoing	n/a
ENV6 - Renewable Energy	Development Management Cumbria Landscape Guidance and Toolkit Cumbria Wind Energy SPD	Ongoing	n/a
ENV7 - Air Pollution	Development Management Environmental Health	Ongoing	
ENV8 - Land Contamination	Development Management Environmental Health Air Quality Action Plans	Ongoing	Developer contributions/costs
ENV9 - Other Forms of Pollution	Development Management Environmental Health	Ongoing	n/a
ENV10 - The Historic Environment	Development Management English Heritage	Ongoing	Heritage Lottery Fund (Alston)
<b>Lead Agencies / Partners:</b> Eden District Council, Natural England, Cumbria Wildlife Trust, Cumbria County Council, House Builders/Developer, Renewable Energy Providers, Landowners			

## How Will We Monitor These Policies To See If They Are Working?

Policy	Indicator	Targets
ENV1 - Protection and Enhancement of the Natural Environment	% of applications approved with measures for protection of priority & protected species % of SSSIs in favourable condition Amount & quality of open space	100% where applicable  95% Maintain base line
Policy ENV2 - Protection and Enhancements of Landscapes and Trees	n/a	n/a
Policy ENV3 - The North Pennines Area of Outstanding Natural Beauty	n/a	n/a
Policy ENV4 - Green Infrastructure Networks and Recreational Land	% of open space/recreation land lost to development Provision of open space delivered in relation to Open Space Audit	0%  Provision of required green infrastructure required in settlements
Policy ENV5 - Sustainable Buildings	Average domestic energy consumption per capita  % of Eden residents in fuel poverty	Decrease in baseline of 2011/12 - Electricity 5,680kWh per annum, gas - 18,410kWh per annum  Decrease in baseline (2012/13 28.3%)
Policy ENV6 – Renewable Energy	Megawatts of energy produced from renewable energy generation Type of renewable energy approved	3MW per annum (increase from baseline of 2011/12 of 2mW) n/a
Policy ENV7 - Air Pollution	Number of designated AQMAs in District	No increase from baseline
Policy ENV8 - Land Contamination	Number of sites improved in terms of land contamination	To monitor, no target
Policy ENV9 - Other Forms of Pollution	% of applications refused on pollution issues	To monitor, no target
Policy ENV10 - The Built (Historic) Environment	Conservation areas with character appraisals	Increase on baseline

## 4.34 Thriving Communities

- 4.34.1 Community services and facilities are an essential part of life for the residents of Eden, and make up a large part of what contributes to the quality of life for the population. It is important that the four main towns in particular offer a wide range of accessible community facilities, so there is no need to travel out of the district. Eden also contains an extensive patchwork of smaller villages where the retention of community services and facilities remains a key challenge if such villages are to thrive and retain their character.
- 4.34.2 There a number of features that make up a thriving community, from good quality affordable housing, local jobs, open space and green infrastructure, decent transport services and communications linking people to jobs, schools, health and other services through to public, private, community and voluntary services that are appropriate to people's needs and accessible to all. Thriving communities are also communities that are active, inclusive and safe and are well run - with effective and inclusive participation, representation and leadership.
- 4.34.3 Most of what makes up a successful and thriving community comes from the community itself. However, the planning system can play a role in supporting that community in protecting and raising its own quality of life. The following policies aim to provide a steer on how future development will be expected to support this aim.

## 4.35 Policy COM1 - Principles for Services and Facilities

Proposals for the development of or extension to community services and facilities, including proposals that will assist in their retention, will be permitted where:

1. The scale and design is suited to the location
2. It respects the local built environment, character and conservation interests
3. It is compatible with residential amenity; and
4. Appropriate parking and servicing arrangements can be made.

The use of buildings for multiple community functions will be encouraged and supported.

Where permitted development rights do not apply, the change of use of rural facilities such as a shop, public house, doctor's surgery, dental surgery, school, bank, church/chapel, village hall, allotments or other facility considered important to the community will only be permitted where it can be demonstrated that:

1. There is no longer a need for the facility or suitable and accessible alternatives exist, or
2. That it is no longer economically viable to provide the facility
3. That the site has been unsuccessfully marketed for sale in its current use

### Explanation

- 4.35.1 This policy seeks to protect and enhance community facilities throughout Eden. In order to promote the social and economic vitality of local communities the Local Plan seeks to promote the provision of new services and facilities. The council will support and encourage the development of community facilities including rural shop, public house, doctor's surgery, dental surgery, school, bank, church/chapel, village hall, allotments or any other facility considered important to the community.



- 4.35.2 It is not always possible to prevent closure of facilities when it is uneconomic for their use to continue, or where the change of use is permitted development. Therefore, proposals involving the loss of local services will be discouraged, but this policy does not restrict changes of use allowed under the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended).
- 4.35.3 The policy also provides specific safeguards to help prevent the loss of community facilities in rural areas, which can often run on the margin of viability. In rural Eden and in particular those villages that are not well served by public transport, a lack of such facilities can have a major impact on the vitality of local communities as well as individuals, particularly the less mobile and those without access to a car. Once lost, these facilities can be difficult to replace. For this reason, this policy requires that applicants demonstrate that it is no longer possible to run any existing facility as a profitable ongoing concern. This may require provision of evidence that the site has been marketed for sale for the current established use for a sustained period. This period is set as a minimum of twelve months unless it can be demonstrated that adherence to this requirement would result in a financial loss over that period.
- 4.35.4 Linked closely to this policy is the Community Right to Bid. This is a new right created through the Localism Act that gives community groups the right to prepare and bid to buy community buildings and facilities that are important to them including a village shop, pub, community centre, allotment, parks, library etc. before they are privately sold.

#### **Reason for the Policy**

- 4.35.5 Community services and facilities are an essential part of life for the residents of Eden. One of the major challenges facing small rural settlements in particular is their ability to retain local services and facilities, which are essential for maintaining villages as sustainable communities.
- 4.35.6 Supporting thriving rural communities is also one of the core planning principles set out in the National Planning Policy Framework (NPPF), which requires Local Authorities to promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings and places of worship.

### **4.36 Policy COM2 – Protection of Open Space, Sport, Leisure and Recreation Facilities**

Development proposals that result in the loss of open space, sport, leisure, allotments and recreational facilities will not be permitted. The exception to this is where loss is unavoidable or the benefits of the development outweigh the loss. Proposals must satisfy the following criteria:

1. There is a strong social or economic justification for the development
2. There is no longer a need for the facility in the area, or if a need remains, alternative provision will be provided nearby

Any replacement facility must provide an equivalent or greater net benefit to the community, in terms of quality, availability and accessibility of open space or recreational opportunities.

Where development of a small area of the site would enable investment to improve the rest of the site this may be taken into account as a circumstance under which benefits may outweigh the loss of a site or facility.

## Explanation and Reason for the Policy

- 4.36.1 Open space and sport play an important role in the community, promoting health and wellbeing, social inclusion and community participation. Leisure and recreation facilities also benefit the local community in terms of cultural diversity, and their contribution to physical and mental health and wellbeing. This policy seeks the development and retention of these types of assets. Areas identified as open space are shown on the policies map accompanying this plan.

## 4.37 Policy COM3 – Provision of New Open Space

Large-scale residential schemes will be expected to include on-site provision of open space unless it is considered impractical or unfeasible. An off-site contribution may be more considered more appropriate if it results in the provision of accessible open space for the development or would result in the upgrading of existing facilities, which can be used for the benefit of the residents.

On smaller sites where there is a demonstrable under provision of existing open space, contributions may be sought towards the provision of additional and accessible open space or for the upgrading of existing facilities. The contribution may be sought as a commuted cash sum payment.

### Explanation

- 4.37.1 In terms of open space the Council appreciates that there is a need to provide clarity on the level of provision required. The Council has undertaken a detailed need assessment of the provision of and need for open space and recreation; this identifies all open space throughout the district together with an analysis of the quantitative need for new open space and the quality of existing open space. This indicates some substantial deficiencies in provision, particularly for amenity open space and play areas throughout the district.
- 4.37.2 The following standards provide a level, or bench mark from which provision can be negotiated through the development management process to determine whether provision should be new, upgraded/enlarged existing provision or enhancement management, or other mechanism.
- 4.37.3 For the purposes of this policy, open space is defined as:

Type of open space	Indicative quantity standard (ha per 1000 population)	Source
Urban parks and gardens	1.11	Open Space Audit 2015
Playgrounds	0.25	'Fields in Trust' Standards
Outdoor sport facilities	1.76	'Fields in Trust' Standards
Allotments	0.14	Open Space Audit 2015
Amenity Open Space (Informal Recreation)	0.986	Open Space Audit 2015

- 4.37.4 Areas identified as open space are shown on the policies map accompanying this plan.

### **Reason for the Policy**

- 4.37.5 Eden, due to its sparse population and predominance of high quality countryside, presents both residents and visitors with a range of easily accessible informal recreation opportunities. However, due to the size and low population densities, more formal recreational opportunities are often more difficult to access.
- 4.37.6 Open spaces in towns and villages in the district are often threatened by competing land uses, and it is important that they are offered appropriate protection. The Council is keen to assist in the delivery and retention of meaningful and practical open space provision, which meets the needs of the people of Eden. The key issue is to ensure that there is quality provision with sustainable long-term management.

### **4.38 Policy COM4 - Education and Health**

Proposals for the development or expansion of higher and further educational establishments, schools, new doctor's surgeries and health centres will be supported, provided that satisfactory access to the site can be put in place and adequate car parking is made available.

### **Explanation**

- 4.38.1 This policy aims to ensure education and health facilities are provided to meet the need arising from significant levels of new development. Where development will result in increased demand on education facilities the Council will work with the education authority to establish the new demand and identify suitable new education sites where required, similarly it will also work with local clinical commissioning groups to make sure provision of health facilities is taken into account when planning new development.
- 4.38.2 There is current one higher education college in the district (Newton Rigg at Penrith); five secondary schools (two in Penrith, and one each at Alston, Appleby and Kirkby Stephen) and eight primary schools within the four main towns the district. There are a further twenty-seven in Eden's villages (outside the National Park). In light of the Council's housing targets, over the Local Plan period it is expected that the number of primary school places within Penrith will increase significantly and the current provision will need to be increased.
- 4.38.3 Where housing developments or the cumulative impact of a number of housing developments in an area gives rise to the need for extensions, refurbishment and/or remodelling to provide additional capacity (including nursery capacity, as appropriate) at existing schools, the County Council will look to the developer to fund the cost of providing the additional capacity at existing schools at the appropriate time, including the cost of acquiring additional land if necessary. Policy DEV4 sets out the Council's approach to seeking contributions for new infrastructure, such as schools, health facilities and cycleways.
- 4.38.4 There are permitted development rights applying to the change of use of some sorts of development to new schools. Where these rights apply to new development this policy will not apply.
- 4.38.5 Policy PEN1 includes an allocation for a new primary school at Penrith.

### **Reason for the Policy**

- 4.38.6 The National Planning Policy Framework recognises the importance of ensuring that there is a sufficient choice of school places available to meet the needs of existing and new communities, and that Council's should give great weight to the need to create, expand or alter schools; and work with schools promoters to identify and resolve key planning issues

before applications are submitted. It is considered that this policy will contribute towards this. The policy also aims to put in place a supportive approach to the provision of new health facilities.

## How Will We Implement These Policies?

Policy	Principal Implementation Mechanisms	Timescale S/M/L	Funding
COM1 - Principles for Services and Facilities	Development management Regular updating of local services survey	Ongoing Ongoing	Community Fund. EDC have previously given £20,000 in village hall grants
COM2 – Protection of Open Space, sport, leisure and recreation facilities	Development management S106 contributions Green Space Strategy Open Space Audit up to date Play Strategy	Ongoing Ongoing S Ongoing S	n/a
COM3 – Provision of New Open Space	Development management S106 contributions Green Space Strategy Open Space Audit up to date Play Strategy	Ongoing Ongoing S Ongoing S	Developer contributions
COM4 - Education and Health	Development Management Updating of local services survey	Ongoing Ongoing	n/a
Lead Agencies / Partners: Eden District Council, Cumbria County Council, House Builders/Developer, Parish Councils, ACT, CREA, Cumbria Clinical Commissioning Group, Landowners			

## How Will We Monitor These Policies To See If They Are Working?

Policy	Indicator	Targets
COM1 - Principles for Services and Facilities	Number of applications for designation as Asset of Community Value (ACV)  Services lost or gained in towns or villages	No target, to monitor  No decrease from baseline (2 in 2012/13)
COM2 – Protection of Open Space, sport, leisure and recreation facilities	% of open space/recreation land lost to development	100%

<b>Policy</b>	<b>Indicator</b>	<b>Targets</b>
COM3 – Provision of New Open Space	Amount of new open space created.	No target
	Financial Contributions to Open Space	No target
COM4 - Education and Health	Number of new facilities brought forward	To monitor, no target

# Appendices

## Appendix 1 - Replacement of Saved Policies

In accordance with Regulation 8(5) of the Town and Country Planning (Local Planning) (England Regulations 2012 the following table explains which policies in this plan are intended to replace existing 'saved' policies contained in the 1996 Eden Local Plan. This plan is also intended to replace all policies in the 2010 Eden District Core Strategy.

<b>Current saved policy</b>	<b>The policy/policies in this draft plan which will replace it on adoption</b>
NE1 Development in the Countryside	Policy LS1, LS2, DEV1
NE2 Development in the North Pennines AONB	Policy ENV3
NE3 Landscapes of County Importance	Policy ENV2
NE10 Woodland Planting	Policy ENV2
NE11 Afforestation Proposals	Policy ENV2
NE12 Ancient Woodlands	Policy ENV2
NE13 Protection of Trees	Policy ENV2
BE1 Demolition in Conservation Areas	Policy ENV10
BE2 Demolition in Conservation Areas	Policy ENV10
BE4 Shop Fronts in Conservation Areas	Policy ENV10
BE5 Advertisements in Conservation Areas	Policy EC5
BE6 Trees in Conservation Areas	Policy ENV2
BE9 Protection and Recording of Archaeological Remains	Policy ENV10
BE10 Archaeological Assessments	Policy ENV10
BE11 Demolition of Listed Buildings	Policy ENV10
BE12 Timing of Demolition	Policy ENV10
BE14 Alteration of Listed Buildings	Policy ENV10
BE18 Environmental Improvements	Policy DEV5, ENV10
BE20 Open Space Provision in New Developments	Policy COM2
BE21 Light Pollution	Policy ENV9
BE23 Display of Advertisements	Policy EC5
NR1 Protection of Groundwater	Policy ENV9

<b>Current saved policy</b>	<b>The policy/policies in this draft plan which will replace it on adoption</b>
HS1 Allocations for Residential Development	Policies PEN11, AL1, AP1, KS1
HS7 Workers Dwellings in the Countryside	Policy HS3
EM1 Business Park Allocation	Policy PEN
EM2 Employment Site Allocation	Policy PEN1
EM3 Local Employment Site Allocation	Policies AL1, AP1, KS1
EM4 Small Employment Site Allocation	Policies AP1
EM5 Development on Allocated Sites	Policy EC3
EM7 Extension of Existing Sites and Premises	Policy EC3
EM8 Re-use of industrial or commercial sites	Policy EC3
EM11 Haulage Sites	Policy EC3
EM12 Employment Opportunities in the Settle-Carlisle Railway Corridor	Policy EC3
TM4 Signposting Rural Businesses	Policy EC5
TM5 Replacement of Caravans with Chalets	Policy EC4
TM6 Caravan and Chalet Occupancy	Policy EC4
PT2 Protected By-Pass routes	Policy DEV3
PT8 Access to Buildings	Policy DEV3
PT11 Road User Facilities	Policy LS1, EC5
SH3 Environmental Enhancement	Policy DEV3
SH4 Uses in Retail Areas	Policy EC7
SH5 Use of Upper Floors in Retail Areas	Policy EC7
RE2 Recreation Land at Carleton, Penrith	Policy PEN1
RE7 Protection of Disused Rail Routes	Policy DEV3
SE1 Sewage Disposal	Policy ENV9
SE4 Land for Cemetery Extension	Policy PEN1
SE5 Development Involving Overhead Lines	Policy ENV2
SE6 Telecommunication Development	Policy EC6



## Appendix 2 - Glossary of Terms

We have tried to avoid or spell out acronyms within the Plan. However, the table below sets out some commonly used acronyms or terms used in planning, together with what they refer to or mean.

Acronym or term	What it refers to...	What it means...
The 'Act'	The Planning and Compulsory Purchase Act 2004	This is the main statutory underpinning for the UK planning system. The 2011 Localism Act, together with various sets of regulations covering plan preparation are also relevant.
DCLG	Department of Communities and Local Government	The central Government department responsible for the creation of national planning policy and the administration of the planning system. Previously known as the ODPM (Office of the Deputy Prime Minister).
DPD	Development Plan Document	The statutory documents that a local planning authority must prepare, and which have been subject to rigorous procedures of community involvement, consultation and independent examination. These have now been replaced by a single 'Local Plan' (which is in itself a DPD).
EVA	Economic Viability Assessment	Document which tests current thresholds to determine viability of schemes given past and current market conditions.
LAA	Land Availability Assessment	Document that assesses land availability for housing within the district and identifies a 5 year supply of deliverable sites.
LVIA	Landscape & Visual Impact Assessment	Evidence base document that using guidance in conformity with the 2006 European Landscape Convention. The document assesses the significance of land in and around the Key Service Centres, for suitability and sensitivity.
NPPF	National Planning Policy Framework	New national planning framework replacing Planning Policy Statements, published on the 27th March 2012.
PDL	Previously Developed Land	Land which is, or has been occupied by a permanent structure. This includes curtilage surrounding the developed land associated to the fixture.
SA	Sustainability Appraisal	Assessment of the social, economic and environmental impacts of the policies and proposals contained within the Local Plan.
SCI	Statement of Community Involvement	Document explaining to stakeholders and the community, how and when they will be involved in the preparation of the Local Plan, and the steps that will be taken to facilitate this involvement.
SEA	Strategic Environmental Assessment	Assessment of the environmental impacts of the policies and proposals contained within the Local Plan.
SHMA	Strategic Housing Market Assessment	Assessment that determines mix of housing required in the district based upon evidenced need and demographic trends/profiles. This should include a breakdown of affordable/market let houses and what types of housing is required.

## Appendix 3 - The Evidence Base

The table below is an indicative list of documents that form a part of our core evidence for the Local Plan. Further sources of data and evidence can be found on the Eden District Council website.

Evidence Type	Progress	Undertaken by	Implications for Local Plan	Targets/Outcomes of Document
Eden Strategic Housing Market Assessment (SHMA)	Completed September 2015.	EDC	The SHMA is used to develop housing policies by assessing housing need and demand to understand the spatial context of the housing markets in the district. The overall target has since been updated.	The SHMA establishes our housing target and the size, type and tenure of units required.
Eden Housing Land Availability Assessment (LAA)	Completed September 2015.	EDC	The document assisted in the delivery of housing by identifying the most suitable land for future allocations. Sufficient sites should be identified to maintain a deliverable and available 5 year supply of land.	The document concluded that there was available land for 4,763 houses over the period 2014-32.
Eden Economic Viability Appraisal (EVA)	July 2013.	NPS Consultants - On behalf of EDC	This document was commissioned to aid in the development of affordable housing policies to ensure that our housing policies are justified and viable.	Without the associated costs of local occupancy clauses the EVA tested the viability of current schemes against a baseline recorded at a time of economic growth in 2013. It concluded that 30% affordable housing is a viable figure that EDC can request from developers to meet the housing need in the district.
Employment Land Availability Assessment	Completed September 2015.	EDC	The study assesses the current and future demand for employment land. The study aims to identify the most suitable areas, promoting the use of brownfield land and adopting the sequential approach to minimise travel. A	The study informed our employment land allocations.

Evidence Type	Progress	Undertaken by	Implications for Local Plan	Targets/Outcomes of Document
			particular emphasis has been placed on Eden Business Park.	
Landscape and Visual Impact Assessment	Completed September 2010	PDP Associates - On behalf of EDC	Consultants employed by the Council to assess the landscape considerations for the Key Service Centres. This will be used as a key source of evidence to identify locations that will be sensitive to future development.	Findings from the report suggest that sites in Alston have a medium to high value of landscape importance. Site AL11 scored particularly highly on the Southern boundary of the town. Sites in Appleby were seen to also have a high impact. Sites to the South West of the settlement were considered the most sensitive. Sites around the central Kirkby Stephen can be seen as the most sensitive due to developing the currently unbuilt frontages. The study determined that the highest visual impact for Penrith would be through the development of sites to the East of the settlement, extending past Carleton. Sites to the North, in particular, the Raiselands site, would have the least visual impact.
Strategic Flood Risk Assessment (SFRA)	Completed September 2015	EDC	The NPPF requires local planning authorities to undertake SFRA's to determine variations in flood risk across the district. This will be developed over time and used as an essential piece of evidence for planning proposals & when allocating sites for future development.	The SFRA tested possible flooding implications relating to allocations in the four towns. The SFRA has broken down the settlements into flood zones. This enables a sequential approach to be applied to planning proposals, where more suitable sites can be advocated before those in the floodplain.
Cumbria Gypsy and Traveller Accommodation	Completed November 2013	Arc4 Consultants (Joint with	Paragraph 42 of the 2004 Housing Act places responsibility	The assessment has identified a need for 27 additional pitches for the

<b>Evidence Type</b>	<b>Progress</b>	<b>Undertaken by</b>	<b>Implications for Local Plan</b>	<b>Targets/Outcomes of Document</b>
Needs Assessment		other Cumbrian districts.	on Local Authorities to undertake assessments and review the needs of Gypsies and Travellers in the district.	Gypsy and Traveller community and 2 pitches for Travelling Showpeople to the year 2029.
Eden District Retail Study	Completed March 2008, updated January 2014.	England & Lyle - On behalf of EDC	In determining a retail hierarchy for the Local Plan this study reviews the existing shopping provision and determines future capacity. The NPPF requires that plans assessing retail development should investigate the current need for retail and factors which may contribute to future delivery.	The review indicated that for convenience goods there is some capacity for new floorspace during the Local Plan period in Penrith, sufficient to support another supermarket of up to 2,000 sq.m. gross floorspace. There is no capacity in Alston and very little in Appleby and Kirkby Stephen. For comparison goods there is a significant capacity for new floorspace in Penrith in the longer term for around 12,000 sq.m. gross of floorspace which may justify the allocation of new sites in or on the edge of the town centre. There is no potential for further comparison shopping in Alston and only a small amount in Kirkby Stephen. There is greater potential in Appleby which could be met through redevelopment of land in The Sands.
Open Space Audit	Completed September 2015	EDC	The NPPF requires Local Authorities to undertake assessments of existing open space and facilities, with a view to set standards based upon the findings of the report.	The study identifies existing deficiencies in open space and has audited the quality of all our defined open space.

<b>Evidence Type</b>	<b>Progress</b>	<b>Undertaken by</b>	<b>Implications for Local Plan</b>	<b>Targets/Outcomes of Document</b>
Penrith Masterplan	Completed 2011	AECOM/BE Group on behalf of EDC	The masterplan sets out a spatial framework and delivery strategy which guided policy making decisions and site allocations in the Housing: Preferred Sites and Policies document.	The document assessed the most appropriate sites that can provide sustainable development, and how to best mitigate the impact of the future development outlined in the Local Plan.
Cumbria Renewable Energy Capacity and Development Study	Completed August 2011	Cumbria County Council	Detailed assessment of potential technical capacity (resources to generate renewable energy) and deployable capacity (level of renewable energy deployment that is realistic) up to 2030.	The report has identified that Eden has the highest technical capacity of all the districts in Cumbria, with the potential to generate 863MW of renewable energy by 2030; with wind power having the biggest potential. However, as there is very little renewable energy generation already installed, the projected deployment capacity by 2030 is 72MW.
Cumbria Landscape Character Guidance and Toolkit	Completed March 2011	Cumbria County Council	A baseline evidence base that can be used when making decisions on future land use and management.	The document identifies and maps the different landscapes across the district. This can be referred to when producing allocations to ensure development appreciates and conserves the factors that give the landscapes integrity.

## **Appendix 4 - Transport Assessments and Travel Plans**

Outlined below are guidelines for when Transport Assessments and Travel Plans will be required as part of a planning application. These guidelines are taken from the Cumbria Local Transport Plan.

### **Transport Assessments**

Proposals which, individually or cumulatively, meet the following scale of development will require a transport assessment where they comprise:

- Residential development in excess of 100 units.
- Employment uses in excess of the following gross floor space: business 2500m<sup>2</sup>, industry 5000m<sup>2</sup>, warehousing and distribution 10000m<sup>2</sup>.
- Other developments in excess of 1,000m<sup>2</sup>.
- Hotel developments in excess of 100 bedrooms.
- Caravan or similar holiday sites in excess of 100 units.
- Any development that generates in excess of 100 Heavy Goods Vehicles per day or 100 vehicles per hour.
- Any development that adds materially to local traffic congestion.
- Any development that may impact on the trunk road network.

### **Travel Plans**

Travel Plans will be required for proposals for:

- Retail and indoor leisure facilities in excess of 1,000m<sup>2</sup>.
- Industrial development in excess of 5000m<sup>2</sup> and warehousing/distribution developments in excess of 10000m<sup>2</sup>.
- Office, education and health services development in excess of 2,500m<sup>2</sup>.
- New and expanded school facilities.
- Development that would otherwise generate local traffic problems identified through a transport assessment or an evaluation of a proposal.

## **Appendix 5 - Principles for Masterplans**

Policy PEN2 of this plan requires the urban extensions proposed at Penrith to be subject to a masterplanning exercise, which is developed and agreed in partnership with the Council.

Masterplans will be expected to be in accord with the objectives and outputs contained in the 2011 Masterplan for Penrith.

The following information should be included:

### **How the scheme would fit in with the town and its environs**

- How the scheme would respect the existing character of the town, including how long distance views are maintained as far as possible
- How the scheme has been designed to complement Penrith's strong identity as a historic market town and rural service centre
- How the scheme has taken into account existing landscape character, as detailed in the Cumbria Landscape Character Assessment
- How the scheme has taken account of the Penrith Landscape and Visual Impact Assessment.

### **Design**

- The internal layout of the scheme, including how the streets, squares and open spaces are connected and how the development integrates with existing development
- The height, massing and bulk of buildings, and how the proposals respect the topography of the site
- How the scheme complements the existing character of the town.

### **Movement and Accessibility**

- The movement patterns for people on foot, or by bicycle, car or public transport, or from refuse vehicles

### **Site Components**

- Housing numbers, type, mix and tenure
- Proposed community facilities
- Open space, including any public squares and recreational facilities.

### **Infrastructure and Affordable Housing**

- Proposals for landscaping and the provision of green infrastructure
- Quantity, type and location of affordable housing provided as part of the scheme
- Additional transport infrastructure required
- Additional social infrastructure required - schools, medical facilities, cultural facilities
- How the physical and social infrastructure necessary to support this amount of the development into the town is to be funded.

### **Opinions and Suggestions from Existing Residents**

Evidence of genuine public consultation including how feedback has been taken into account.

## **Appendix 6: Policy HS1 - Local Occupancy Criteria - Affordable Housing Only**

A person will be considered to meet the local occupancy conditions if immediately before taking up occupation of the affordable dwelling, he/she or a member of his/her household:

1. Currently lives in the relevant locality and has done so for a continuous period of at least three years
2. Works in the relevant locality and has done so for a continuous period of at least three years;
3. Needs to move to take up an offer of work in the district, as detailed in the Government's 'Right to Move' statutory guidance (DCLG, March 2015);
4. Has moved away but has strong established and continuous links with the relevant locality by reason of birth or long term immediate family connections; and/or
5. Needs substantial care from a relative who has lived in the locality for at least three years, or needs to provide substantial care to a relative who has lived in the locality least three years. Substantial care means that identified as required by a medical doctor or relevant statutory support agency

The definition of "locality" refers to the parish and surrounding parishes in the first instance, and if after a reasonable period of active marketing an occupier cannot be found the definition would cascade out to include the County. Following a further reasonable period of marketing if no reasonable offers have been received from qualifying potential occupiers the property may be marketed on the open market.

## **Policy HS2 - Local Connection Criteria - Housing in the Villages and Hamlets listed in Policy LS1**

New houses permitted in the villages and hamlets under Policy HS2 shall only be occupied by a person with a local connection and this will be controlled by a planning condition or legal agreement. A person with a local connection means a person who meets one of the following criteria:

1. The person lives in the locality and has done so for a continuous period of at least three years.
2. The person works in the locality and has done so for a period of at least a year, for a minimum of 16 hours per week. Where a person is employed in an established business that operates in multiple locations, their employment activities should take place predominantly inside the locality.
3. The person has a firm offer of employment, for a minimum of 16 hours per week in an already established business within the locality.
4. The person has moved away but has strong established and continuous links with the locality by reason of birth or long term immediate family connections.
5. The person needs to live in the locality because they need substantial care from a relative who has lived in the locality for at least three years, or needs to provide substantial care to a relative who has lived in the locality least three years. Substantial care means that identified as required by a medical doctor or relevant statutory support agency.

It is intended that housing permitted under policy HS2 will be restricted to those with a local connection in perpetuity.

The Council will only consider removing a condition/legal agreement in exceptional circumstances. This may include where it can be demonstrated to the satisfaction of the Council that the property has been appropriately marketed in accordance with the local connection criteria for a reasonable length of time, and that no reasonable offers from a qualifying purchaser have been received.

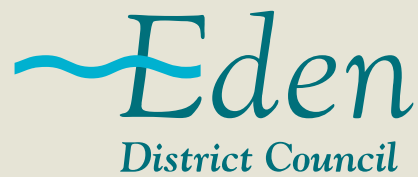


“Locality” refers to the parish and surrounding parishes in the first instance. It will generally be expected that a dwelling is actively marketed for at least 6 months before the definition of locality will be extended to cover Eden District.

## Appendix 7: Internationally Important Sites for Nature Conservation

Site Name	Location	Type
Asby Complex	Within LP area	SAC
Borrowdale Woodland Complex	Within LP area	SAC
Clints Quarry	Within LP area	SAC
Cumbria Marsh Fritillary Site	Within LP area	SAC
Esthwaite Water	Within 15km of Plan area	Ramsar
Helbeck and Swindale Woods	Within LP area	SAC
Lake District High Fells	Within LP area	SAC
Moor House – Upper Teasdale	Within LP area	SAC
Morecambe Bay Pavements	Within 15km of Plan area	SAC
Naddle Forest	Within 5km	SAC
North Pennines Dales Meadows	Within LP area	SAC
North Pennines Moors	Within LP area	SAC
North Pennines Moors	Within LP area	SPA
River Derwent and Bassenthwaite Lake	Within 5km	SAC
River Eden	Within LP area	SAC
River Kent	Within 5km	SAC
Solway Firth	Over 30km from Plan area	SAC
Tarn Moss	Within 5km	SAC
Tyne and Nent	Within LP area	SAC
Tyne and Allen Rivers Gravels	Within LP area	SAC
Ullswater Oakwoods		SAC
Upper Solway Flats and Marshes	Over 30km from Plan area	Ramsar
Upper Solway Flats and Marshes	Over 30km from Plan area	SPA

**Department of Communities**  
Eden District Council  
Mansion House  
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### **Accessibility Information**

Summaries of the information contained in this document are available upon request in an alternative language or format. Please contact Eden District Council's Communication Officer Tel: 01768 212137 or Email: [communication@eden.gov.uk](mailto:communication@eden.gov.uk)

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