

PAS Local Plan Soundness Self-Assessment Toolkit

August 2015

This note was prepared by AMEC and URS on behalf of the Planning Advisory Service. It aims to help local authorities prepare their plans in advance of an examination, taking into account the requirements of the National Planning Policy Framework. A separate checklist looks at legal compliance.

In summary – the key requirements of plan preparation are:

- Has the plan been positively prepared i.e. based on a strategy which seeks to meet objectively assessed requirements?
- Is the plan justified?
- Is it based on robust and credible evidence?
- Is it the most appropriate strategy when considered against the alternatives?
- Is the document effective?
- Is it deliverable?
- Is it flexible?
- Will it be able to be monitored?
- Is it consistent with national policy?

The Tests of Soundness at Examination

The starting point for the examination is the assumption that the Council has submitted what it considers to be a sound plan. Those seeking changes should demonstrate why the plan is unsound by reference to one or more of the soundness criteria.

The tests of soundness are set out in the National Planning Policy Framework (NPPF) (para 182): “The Local Plan will be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. A local planning authority should submit a plan for examination which it considers is ‘sound’ “, namely that it is:

1) Positively Prepared: based on a strategy which seeks to meet objectively assessed development and infrastructure requirements

This means that the Development Plan Document (DPD) should be based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development. The NPPF, together with the Marine Policy Statement (MPS) set out principles through which the Government expects sustainable development can be achieved.

2) Justified: the most appropriate strategy when considered against the reasonable alternatives, based on proportionate evidence

This means that the DPD should be based on a robust and credible evidence base involving:

- Research/fact finding: the choices made in the plan are backed up by facts.

- Evidence of participation of the local community and others having a stake in the area; and

The DPD should also provide the most appropriate strategy when considered against reasonable alternatives. These alternatives should be realistic and subject to sustainability appraisal. The DPD should show how the policies and proposals help to ensure that the social, environmental, economic and resource use objectives of sustainability will be achieved.

3. Effective: deliverable over its period based on effective joint working on cross-boundary strategic priorities

This means the DPD should be deliverable, requiring evidence of:

- Sound infrastructure delivery planning;
- Having no regulatory or national planning barriers to delivery;
- Delivery partners who are signed up to it; and
- Coherence with the strategies of neighbouring authorities, including neighbouring marine planning authorities.
- The DPD should be flexible and able to be monitored.

The DPD should indicate who is to be responsible for making sure that the policies and proposals happen and when they will happen. The plan should be flexible to deal with changing circumstances, which may involve minor changes to respond to the outcome of the monitoring process or more significant changes to respond to problems such as lack of funding for major infrastructure proposals. Although it is important that policies are flexible, the DPD should make clear that major changes may require a formal review including public consultation. Any measures which the Council has included to make sure that targets are met should be clearly linked to an Annual Monitoring Report.

4. Consistent with national policy: enabling the delivery of sustainable development

The demonstration of this is a 'lead' policy on sustainable development which specifies how decisions are to be made against the sustainability criterion (see the Planning Portal for a model policy www.planningportal.gov.uk). If you are not using this model policy, the Council will need to provide clear and convincing reasons to justify its approach.

The following table sets out the requirements associated with these four tests of soundness. Suggestions for evidence which could be used to support these requirements are set out, although these have to be viewed in the context of the plan being prepared. Please don't assume that you have got to provide all of these, they are just suggestions of what could be relevant.

In addition, the Legal Compliance checklist (a separate document, see www.pas.gov.uk) should be completed to ensure that this aspect is covered.

The Duty to Co-operate will also be assessed as part of the examination process.

Soundness Test and Key Requirements

Evidence Provided

Positively Prepared: the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements for neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

Vision and Objectives

Has the LPA clearly identified what the issues are that the DPD is seeking to address? Have priorities been set so that it is clear what the DPD is seeking to achieve?

Does the DPD contain clear vision(s) and objectives which are specific to the place? Is there a direct relationship between the identified issues, the vision(s) and the objectives?

Is it clear how the policies will meet the objectives? Are there any obvious gaps in the policies, having regard to the objectives of the DPD?

Have reasonable alternatives to the quantum of development and overall spatial strategy been considered?

Are the policies internally consistent?
Are there realistic timescales related to

Part 2 of the **Eden Local Plan (ELP)** provides the background and justification of the plan, including what makes the district of Eden unique. It also establishes the vision and the objectives it aims to deliver.

Paragraph 2.2 provides a Strengths, Weaknesses, Opportunities and Threats (SWOT) analysis of Eden which has been used to consider where best the plan can respond to the issues and opportunities identified.

The vision for Eden is set out in paragraph 2.3, however each of the four main towns (Penrith, Alston, Appleby and Kirkby Stephen) also have their own specific vision and objectives. For each of the main towns, their vision and objectives are preceded by policies and site allocations. The plan also includes a vision and objectives for the 'rural area' (paragraph 3.18).

The objectives are grouped into five overarching themes which provide a structure for the plan; in total we have identified 17 objectives. Each objective is addressed by a policy or policies within the plan; each policy is clearly identified alongside the objective they meet.

Reasonable alternatives to both the amount of development and overall strategy of the Plan have been considered at various stages of the process. At preferred options stage in July 2014 a number of alternative options papers were published alongside the preferred options draft of the **ELP**. These included options papers on Housing Sites, Housing Distribution, Employment Sites and an Alternative Options Paper which covered sites and policies. These documents are available to view on the Council's website. We invited the public and stakeholders to comment on the options contained within these documents.

The policies within the plan are considered to be internally consistent and the **Sustainability Appraisal (SA)** report has considered the cumulative impact of policies, and how they relate to each other.

Each chapter/section of the **ELP** includes a section on the monitoring and implementation of each

<p>the objectives?</p> <p>Does the DPD explain how its key policy objectives will be achieved?</p>	<p>policy. For the purposes of implementation, the section identifies principal implementation mechanisms, timescales and funding sources (where applicable). For the purposes of monitoring, the section identifies an appropriate indicator and target. The Council prepares an annual monitoring report, to report on the results of this monitoring.</p>
<p>The presumption in favour of sustainable development (NPPF paras 6-17)</p> <p>Plans and decisions need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas.</p> <p>Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:</p> <ul style="list-style-type: none"> —any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or —specific policies in this Framework indicate development should be restricted. 	<p>The ELP is supported by a robust, yet proportionate evidence base. The evidence base establishes the development needs of the area and has informed the development of the strategy as well as detailed policies and site allocations.</p> <p>The SA has been used alongside the evidence base and consultation responses, to support the options chosen for both policies and site allocations. We have produced a suite of technical and options papers which support the selection of these options and provide explanations and reasoning as to why other options were either not chosen or discounted.</p> <p>Policy 'DEV1 – General Approach to Development' contains a presumption in favour of sustainable development as set out in the National Planning Policy Framework (NPPF).</p>
<p>Policies in Local Plans should follow the approach of the presumption in favour of sustainable development so that it is</p>	<p>Policy 'DEV1 – General Approach to Development' contains a presumption in favour of sustainable development as set out in the National Planning Policy Framework (NPPF).</p>

<p>clear that development which is sustainable can be approved without delay. All plans should be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally.</p>	
<p><i>Objectively assessed needs</i> The economic, social and environmental needs of the authority area addressed and clearly presented in a fashion which makes effective use of land and specifically promotes mixed use development, and take account of cross-boundary and strategic issues. Note: Meeting these needs should be subject to the caveats specified in Paragraph 14 of the NPPF (see above).</p>	<p>The ELP is supported by a robust, yet proportionate evidence base. The evidence base establishes the development needs of the area and has informed the development of the strategy as well as detailed policies and site allocations.</p> <p>The Strategic Housing Market Assessment (SHMA) includes Eden’s objectively assessed need calculations and options. A list of all evidence base documents is available on the Council’s website.</p> <p>The Duty to Co-operate Statement (DtC), also available on the Council’s website sets out the Council’s engagement with neighbouring authorities, prescribed bodies and key stakeholders with a statutory responsibility in the preparation of the Local Plan and its evidence base.</p>
<p><i>NPPF Principles: Delivering sustainable development</i></p>	
<p>1. Building a strong, competitive economy (paras 18-22)</p>	
<p>Set out a clear economic vision and strategy for the area which positively and proactively encourages sustainable</p>	<p>The ELP incorporates a vision for Eden as a whole, and includes separate and more specific visions for each of the four main towns. The ELP’s vision includes a focus on attracting investment and jobs to the district.</p>

<p>economic growth (21),</p>	<p>The Employment Sites Study (ESS) produced in 2009 and the Land Availability Assessment (Employment) (LAA - Employment) produced in 2015 have examined the current and future demand for employment land and premises and undertaken an assessment of the capacity of current supply/ allocations to meet projected demand and forecast requirements.</p> <p>Policy EC1 – Employment Land Provision seeks to ensure that the ELP meets the employment needs of the district up to 2032. This policy sets out the amount of employment land that the plan intends to release up to the year 2032. The policy is considered to be essential to provide certainty as to the amount of employment land that will be available and safeguarded in the future.</p> <p>Policy EC2 – Protection of Employment Sites offers protection to allocated employment sites with the aim of ensuring that these sites are not developed for other uses unless it can be demonstrated that the employment use is no longer viable in that particular location.</p> <p>Policy EC3 – Employment Development in Existing Settlements supports employment development in addition to the sites allocated under the ‘Town Plan’ policies. This policy supports the principal theme running through the NPPF of supporting economic growth.</p>
<p>Recognise and seek to address potential barriers to investment, including poor environment or any lack of infrastructure, services or housing (21)</p>	<p>The Council has prepared an Infrastructure Delivery Plan (IDP) which sets out the approach for providing and delivering the infrastructure required to implement the spatial strategy, objectives and proposals. The IDP has identified the need for further investment in a range of infrastructure sectors, including schools, open space provision and transport.</p>
<p>2. Ensuring the vitality of town centres (paras 23-37)</p>	
<p>Policies should be positive, promote competitive town centre environments, and set out policies for the management and growth of centres over the plan period (23)</p>	<p>Policy ‘LS1 – Locational Strategy’ provides the settlement hierarchy for the ELP, it identifies Penrith as the ‘Main Town’; Alston, Appleby and Kirkby Stephen as ‘Market Towns’ and identifies a further 28 settlements as ‘Key Hubs’. Each of ‘Towns’ has their own vision and objectives for economic development, whilst some modest development will be supported in the ‘Key Hubs’. This hierarchy reaffirms Penrith’s role as the strategic centre for the district.</p> <p>In 2007 the Council commissioned the Eden Retail Study (ERS) (updated in 2014) which produced evidence on the role the towns play in providing shopping facilities and whether there is any scope</p>

	<p>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.</p> <p>Policy EC7 – Town Centres and Retailing provides support for maintaining and enhancing the vitality and viability of the following hierarchy of town and district centres:</p> <ul style="list-style-type: none"> • Penrith - Town Centre • Alston, Appleby, Kirkby Stephen – District Centres.
<p>Allocate a range of suitable sites to meet the scale and type of retail, leisure, commercial, office, tourism, cultural, community services and residential development needed in town centres (23)</p>	<p>Policy PEN1 – A Town Plan for Penrith, AL1 – A Town Plan for Alston, AP1 – A Town Plan for Appleby and KS1 – A Town Plan for Kirkby Stephen each allocate land for residential and employment uses within their respective settlements.</p> <p>Policy COM1 – Principles for Services and Facilities supports the creation and extension of community facilities and services such as village halls. It is recognised that Community services and facilities are an essential part of life for the residents of Eden.</p> <p>The Employment Land Study (2009) and the Land Availability Assessment (Employment) consider the availability and suitability of sites for employment purposes.</p> <p>The ERS provided 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.</p> <p>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</p>

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.

3. Supporting a prosperous rural economy (para 28)

Support sustainable economic growth in rural areas. Planning strategies should promote a strong rural economy by taking a positive approach to new development. (28)

Policy RUR2 – Re-Use of Existing Buildings in Rural Areas supports the re-use of redundant traditional rural buildings and structures for housing, employment, tourism (including holiday accommodation), recreation and community uses. This policy aims to strike a balance between restricting new development in the rural areas and supporting village services and rural employment opportunities. The policy aims to take account of Paragraph 55 of the NPPF and translates it into a local development policy.

Policy RUR3 – Employment Development and Farm Diversification in Rural Area supports employment development of an appropriate scale (including new build and live/work units), typically such developments would include the expansion of an existing rural business, an opportunity to diversify the rural economy, or development which contribute to sustaining an existing farm business. This policy acknowledges that 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.

Policy EC4 – Tourism Accommodation and Facilities supports rural tourism (i.e. outside of the towns and Key Hubs), where the proposal relies upon specific geographic location. The re-use of existing buildings and previously developed land in rural areas will also be supported. This policy also supports the aspirations within the **Cumbria Local Economic Partnership (LEP)** to encourage the growth of Cumbria’s tourist economy, so that it can be recognised as a global tourist destination. This policy will contribute towards the objectives of the **LEP** and support the diversification of the local economy.

4. Promoting sustainable transport (paras 29-41)

Facilitate sustainable development whilst contributing to wider sustainability

Eden District Council has worked closely with Cumbria County Council on a jointly commissioned **Penrith Transport Improvements Study** and in the preparation of the Council’s **Infrastructure**

and health objectives. (29)

Balance the transport system in favour of sustainable transport modes and give people a real choice about how they travel whilst recognising that different policies will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas. (29)

Encourage solutions which support reductions in greenhouse gas emissions and congestion (29) including supporting a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport. (30)

Local authorities should work with neighbouring authorities and transport providers to develop strategies for the provision of viable infrastructure necessary to support sustainable development. (31)

Opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure. (32)

Ensure that developments which generate significant movement are located where the need to travel will be

Delivery Plan (IDP).

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.

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

Policy LS1 - Locational Strategy sets out our 'settlement hierarchy' and shows which areas we expect to be the focus for residential development, employment and commercial provision. This strategy seeks to balance housing and employment provision, focussing new development in locations that reduce the need to travel, or can promote the use of more sustainable transport modes.

Policy DEV3 – Transport, Accessibility and Rights of Way establishes that 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. The policy requires proposals to adhere to guidance and standards issued by the Highways Authority on the minimum number of

minimised and the use of sustainable transport modes can be maximised (34)

Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. (35)

Policies should aim for a balance of land uses so that people can be encouraged to minimize journey lengths for employment, shopping, leisure, education and other activities. (37)

For larger scale residential developments in particular, planning policies should promote a mix of uses in order to provide opportunities to undertake day-to-day activities including work on site. Where practical, particularly within large-scale developments, key facilities such as primary schools and local shops should be located within walking distance of most properties. (38)

The setting of car parking standards including provision for town centres. (39-40)

Local planning authorities should identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice. (41)

parking spaces (including for the disabled) and for bicycle parking. 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.

Policy DEV4 – Infrastructure and Implementation expects that 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. 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.

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.

The **Cumbria County Council Car Parking Standards (1997)** and **Layout of New Residential Developments (1997)** provide the current county-wide car parking standards.

5. Supporting high quality communications infrastructure (paras 42-46)	
<p>Support the expansion of the electronic communications networks, including telecommunications’ masts and high speed broadband. (43)</p> <p>Local planning authorities should not impose a ban on new telecommunications development in certain areas, impose blanket Article 4 directions over a wide area or a wide range of telecommunications development or insist on minimum distances between new telecommunications development and existing development. (44)</p>	<p>Policy EC6 – Telecommunications Infrastructure supports the expansion of the electronic communication network. When considering applications for telecommunications development, regard will be given to the operational requirements of telecommunications networks and the technical limitations of the technology. 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.</p>
6. Delivering a wide choice of high quality housing (paras 47-55)	
<p>Identify and maintain a rolling supply of specific deliverable sites sufficient to provide five years’ worth of housing against their housing requirements; this should include an additional buffer of 5% or 20% (moved forward from later in the plan period) to ensure choice and competition in the market for land. 20% buffer applies where there has been persistent under delivery of housing(47)</p>	<p>The Local Plan is considered to allocate an adequate supply of land for housing to ensure that the district will, when also taking into account committed developments, have a five year land supply as required by National policy.</p> <p>A revised Five Year Land Supply Statement will be published alongside the Local Plan. The revised statement details the sites relied upon to contribute to the supply, including making clear the role of Local Plan allocations. The statement also provides recent evidence to justify the inclusion of a windfall allowance, and a continued reliance on windfall sites moving forward.</p> <p>The Land Availability Assessment identifies a sufficient number of developable and deliverable sites; in total it has considered 169 sites with the potential to deliver in excess of 4760 units.</p>
<p>Identify a supply of developable sites or broad locations for years 6-10 and,</p>	<p>The Local Plan is considered to allocate an adequate supply of land for years 6-10 and 11-18; this</p>

<p>where possible, years 11-15 (47).</p>	<p>is evidenced in the Land Availability Assessment and the Housing Sites Technical Paper which supports the allocations in the Local Plan. The Local Plan also includes an additional ‘reserve site’ to the north of Penrith.</p>
<p>Illustrate the expected rate of housing delivery through a trajectory; and set out a housing implementation strategy describing how a five year supply will be maintained. (47)</p>	<p>The Housing Trajectory included within the Local Plan illustrates the expected delivery of housing throughout the plan period. The Housing Trajectory can be found on pg 26 of the Local Plan.</p> <p>Both housing completions and permissions are monitored and included within the Council’s Annual Monitoring Report, published annually in December.</p>
<p>Set out the authority’s approach to housing density to reflect local circumstances (47).</p>	<p>Eden’s Local Plan does not contain a policy which considers the appropriate density for housing developments. Policy DEV1 – General Approach to Development supports development which makes the optimum use of available land, whilst making sure that density, massing, and scale of new development respects the local character. Such an approach will allow density to be considered on a site by site basis which is considered to be a flexible and yet most appropriate approach for this district.</p>
<p>Plan for a mix of housing based on current and future demographic and market trends, and needs of different groups (50) and caters for housing demand and the scale of housing supply to meet this demand. (para 159)</p>	<p>The housing target has been informed by and is therefore supported by a robust evidence base, mainly in the form of the SHMA.</p> <p>Policy HS1 – Affordable Housing outlines the Council’s commitment to affordable housing provision across the district.</p> <p>Policy HS2 – Housing to Meet Local Needs provides policy support for small scale housing development in the villages and hamlets listed under Policy LS1. These dwellings will be for local need only (where the development will take place on greenfield sites). This policy aims to encourage people to meet their own housing needs locally, particularly through self-build. 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</p>

prevent new houses ending up as second homes.

Policy HS3 – Essential Dwellings for Workers in the Countryside supports the provision of dwellings in the countryside where they are required to support an agricultural or rural business. This policy will put into practice 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.

Policy HS4 – Housing Type and Mix requires developments to provide a mix of dwellings types and sizes. 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.

Policy HS5 – Accessible and Adaptable Homes requires 20% of all new housing on sites of ten or more homes to meet the optional Building Regulations Requirement M4(2), unless it can be demonstrated by the applicant that it is not practically achievable or financially viable to do so, should be designed and constructed in a way that enables it to be adapted to meet the changing needs of its occupants over time. This policy is in response to the evidenced needs of an ageing population.

Policy HS7 – Gypsy and Traveller Sites seeks to provide support for the adequate provision of land for Gypsies and Travellers. The **Cumbria Gypsy and Traveller Accommodation Assessment** identified the need for 27 additional permanent pitches and a further two pitches for show people. The Local Plan contains an allocated site to meet the needs of the Gypsy and Traveller community.

In rural areas be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing, including through rural exception sites where appropriate (54).

Policy LS1 - Locational Strategy sets out our 'settlement hierarchy' and shows which areas we expect to be the focus for residential development, employment and commercial provision. This strategy seeks to balance housing and employment provision, focussing new development in locations that reduce the need to travel, or can promote the use of more sustainable transport modes. **Policy LS1** identifies a list of smaller villages and hamlets which are capable of

<p>In rural areas housing should be located where it will enhance or maintain the vitality of rural communities.</p>	<p>accommodation some small scale housing development.</p> <p>Policy RUR2 – Re-use of Existing Buildings in Rural Areas provides policy support for the re-use of redundant traditional rural buildings for housing (or employment, tourism, recreation or community uses). 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. 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.</p> <p>Policy HS1- Affordable Housing provides policy support for affordable housing in locations outside the settlements named in Policy LS1 providing the dwelling will be located 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.</p> <p>Policy HS3 – Essential Dwellings for Workers in the Countryside supports the provision of dwellings in the countryside where they are required to support an agricultural or rural business. This policy will put into practice 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.</p>
<p>7. Requiring good design (paras 56-68)</p>	
<p>Develop robust and comprehensive policies that set out the quality of development that will be expected for the area (58).</p>	<p>Policy DEV1 – General Approach to Development contains a ‘presumption in favour of sustainable development’, in accordance with the National Planning Policy Framework. 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.</p>

	<p>Policy DEV5 – Design of New Development states that the 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 will be expected to demonstrate that they adhere to the design principles set out in the Eden Design Guide and Residential Extension Guide (currently being prepared).</p>
<p>8. Promoting healthy communities (paras 69-77)</p>	
<p>Policies should aim to design places which: promote community interaction, including through mixed-use development; are safe and accessible environments; and are accessible developments (69).</p>	<p>Policy DEV1 – General Approach to Development seeks to ensure that new developments should positively contribute to the creation of locally distinctive, aesthetically pleasing, sustainable, healthy, active, safe, inclusive and vibrant communities.</p> <p>Policy DEV5 – Design of New Development seeks to ensure that all new development can be easily accessed and used by all, regardless of age or disability.</p>
<p>Policies should plan positively for the provision and use of shared space, community facilities and other local services (70).</p>	<p>Policy COM1 – Principles for Services and Facilities 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.</p>
<p>Identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities; and set locally derived standards to provide these (73).</p>	<p>The Council’s Open Space Audit provides an overview of the open spaces within Eden, setting local quantity, quality, and accessibility thresholds for each type of open space and identifies any deficiencies or surpluses within the district. The Local Plan acknowledged that the provision of accessible, safe and attractive public open space and facilities for sport and recreation is an underpinning to the quality of life that residents enjoy. Eden District Council views open space as important to resident’s health and well-being and as an integral part of sustainable communities.</p> <p>Policy COM2 – Protection of Open Space, Sport, Leisure and Recreation Facilities seeks to ensure that new developments will not result in the unacceptable loss of open space, sport, leisure, allotments and recreational facilities. Open space and sport play an important role in the community,</p>

	<p>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.</p> <p>Policy COM3 – Provision of New Open Space seeks to ensure that large-scale schemes include appropriate provision of new open space unless it is considered impractical or unfeasible. 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.</p>
<p>Enable local communities, through local and neighbourhood plans, to identify special protection green areas of particular importance to them – ‘Local Green Space’ (76-78).</p>	<p>No ‘Local Green Space’ designations are included as part of the Local Plan. We will continue to offer advice and support to communities who wish to designate their own ‘Local Greens Spaces’ through the Neighbourhood Planning process.</p>
<p>9. Protecting Green Belt land (paras 79-92)</p>	
<p>Local planning authorities should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land. (81)</p> <p>Local planning authorities with Green Belts in their area should establish Green Belt boundaries in their Local Plans which set the framework for</p>	<p>There are no designated areas of Green Belt with or adjoining Eden District.</p>

<p>Green Belt and settlement policy. (83) When drawing up or reviewing Green Belt boundaries local planning authorities should take account of the need to promote sustainable patterns of development. (84) Boundaries should be set using 'physical features likely to be permanent' amongst other things (85)</p>	
<p>10. Meeting the challenge of climate change, flooding and coastal change (paras 93-108)</p>	
<p>Adopt proactive strategies to mitigate and adapt to climate change taking full account of flood risk, coastal change and water supply and demand considerations. (94)</p>	<p>Policy DEV2 – Water Management and Flood Risk considers the impact of new development on water supply and 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. 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.</p> <p>The Strategic Flood Risk Assessment (SFRA) has concluded that the greatest source of flood risk comes from the River Eden, however all allocated sites have been assessed for flood risk and it concludes that none of these sites are located in flood risk areas. The SFRA recommends that the Local Plan seeks to ensure that sustainable drainage techniques are employed through the imposition of conditions or requirements through development management.</p>
<p>Help increase the use and supply of renewable and low carbon energy through a strategy, policies maximising renewable and low carbon energy, and identification of key energy sources. (97)</p>	<p>The ELP sets a positive framework for the development of renewable energy across the district reflecting both national planning policy and local evidence. The proposed Policy ENV6 – Low Carbon and Renewable Energy adopts a criteria based approach to encourage acceptable proposals to come forward. This addresses each proposal on its merits, and works in conjunction with other local plan policies to ensure that any impacts are, or can be made acceptable. The policy has been developed to address all scales of wind development, and ensures impacts are considered</p>

	<p>both individually and cumulatively with other existing and proposed developments.</p> <p>Policy ENV6 – Low Carbon and Renewable Energy 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, woodfuel 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).</p> <p>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.</p> <p>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.</p> <p>The Wind Energy Suitable Areas Background Paper acknowledges that Eden has a large potential capacity for wind energy, but that this is significantly constrained by its landscape sensitives. Notwithstanding this the Eden Local Plan has identified ‘suitable areas’ for wind energy development. The study recognises that it is necessary to balance the need to increase renewable energy deployment with the need to protect Eden’s landscapes. The suitable areas are shown on the Policies Map.</p>
<p>Minimise vulnerability to climate change and manage the risk of flooding (99)</p>	<p>Policy DEV2 – Water Management and Flood Risk 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.</p> <p>The Strategic Flood Risk Assessment (SFRA) has concluded that the greatest source of flood risk comes from the River Eden, however all allocated sites have been assessed for flood risk and it</p>

	concludes that none of these sites are located in flood risk areas. The SFRA recommends that the Local Plan seeks to ensure that sustainable drainage techniques are employed through the imposition of conditions or requirements through development management.
Take account of marine planning (105)	Eden has no coastline, therefore there are not considered to be any marine planning issues which the Local Plan would need to respond to. This view has been confirmed by the Marine Management Organisation who have been engaged throughout the plans evolution.
Manage risk from coastal change (106)	Eden has no coastline, therefore there is no threat from coastal erosion or other coastal change which needs to be addressed through the Local Plan.
11. Conserving and enhancing the natural environment (paras 109-125)	
Protect valued landscapes (109)	<p>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.</p> <p>Policy ENV2 – Protection and Enhancement of Landscapes and Trees seeks to protect and enhance the landscapes, trees and hedgerows with Eden. 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.</p> <p>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</p>

	<p>assets are safeguarded for the future. The policy also seeks to protect trees and woodland from new development</p> <p>Policy ENV3 – The North Pennines Area of Outstanding Natural Beauty seeks to promote development within the AONB which will conserve and enhance the natural beauty of the area. 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. Additional guidance is available in the form of the North Pennines AONB Planning Guidelines and Building Design Guide, which have been adopted by Eden District Council as Supplementary Planning Documents.</p> <p>Policy ENV4 – Green Infrastructure aims to identify, manage, protect and enhance as network of green spaces. The Open Space Audit identifies the location and quality of Eden’s open spaces, however further assessment work will be undertaken to establish a network of green infrastructure capable of connecting some of these spaces. 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. The policy acknowledged that Green Infrastructure should not just be considered as an adjunct to new development.</p>
Prevent unacceptable risks from pollution and land instability (109)	<p>All new development must aim to contribute positively to the quality of the environment and avoid any potential negatively impacts upon residential amenity, the natural environment or upon leisure and recreational activities enjoyed by residents and visitors to the district.</p> <p>Policy ENV7 – Air Pollution requires an assessment of the impacts of development on air quality and mitigate against any negative impacts. The policy is intended 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</p> <p>Policy ENV8 – Land Contamination seeks to support 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. The policy acknowledges that the 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</p>

	<p>unacceptable risks to human health or the environment.</p> <p>Policy ENV9 – Other Forms of Pollution requires all new development to contribute positively to the quality of the environment and avoid any potential negatively impacts upon residential amenity, the natural environment or upon leisure and recreational activities enjoyed by residents and visitors to the district. This policy covers all types of pollution not previously referred to including, noise, water quality, light and odour. 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.</p>
<p>Planning policies should minimise impacts on biodiversity and geodiversity (117)</p> <p>Planning policies should plan for biodiversity at a landscape-scale across local authority boundaries (117)</p>	<p>Policy ENV1 – Protection and Enhancement of the Natural Environment, Biodiversity and Geodiversity seeks to avoid the net loss of biodiversity and geodiversity, and where possible seeks to enhance existing assets.</p> <p>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 with 70 Sites of Special Scientific Interest (SSSI) of national importance 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). 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.</p>
<p>12. Conserving and enhancing the historic environment (paras 126-141)</p>	
<p>Include a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk (126)</p>	<p>Policy ENV10 – The Historic Environment seeks to avoid unacceptable harm to the historic environment which includes designated and non-designated heritage assets. 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. This policy has been</p>

developed through effective engagement with Historic England.

13. Facilitating the sustainable use of minerals (paras 142-149)

It is important that there is a sufficient supply of material to provide the infrastructure, buildings, energy and goods that the country needs. However, since minerals are a finite natural resource, and can only be worked where they are found, it is important to make best use of them to secure their long-term conservation (142)
Minerals planning authorities should plan for a steady and adequate supply of industrial materials (146)

Cumbria County Council are the Minerals Planning Authority covering Eden District. They are currently preparing a **Cumbria Minerals and Waste Local Plan** with the **ELP** will operate alongside. Accordingly, no policies contained with the **ELP** relate to minerals matters. The Minerals Safeguarding Areas and other relevant designations and/or allocations will be shown on our **Policies Map**.

Justified: The Plan should be the most appropriate strategy, when considered against the reasonable alternatives, based upon proportionate evidence.

To be 'justified' a DPD needs to be:

- ***Founded on a robust and credible evidence base involving: research/fact finding demonstrating how the choices made in the plan are backed up by facts; and evidence of participation of the local community and others having a stake in the area.***
- ***The most appropriate strategy when considered against reasonable alternatives.***

Participation

Has the consultation process allowed for effective engagement of all interested parties?

The **Consultation Statement** sets out how Eden District Council has involved the communities and relevant bodies in the preparation of the **Eden Local Plan**. The Council has undertaken engagement in accordance with the Town and Country Planning (Local Development) (England) 2012 Regulations.

The Council has an adopted **Statement of Community Involvement (SCI)** which sets out the Council's approach for involving people in the preparation of both the **Local Plan** and planning

	<p>applications. It was adopted in December 2013. The SCI is available on the Council's website</p> <p>Eden District Council are fully committed to real and on-going engagement in the planning process to ensure that the needs and aspirations of the community and stakeholders are fully taken into account in the documents which will help shape the future of Eden District in both its built and natural environment</p> <p>The Council considers that efforts have been successful in securing public and stakeholder participation, which is evidenced by not only the number of responses received, but also the range of issues people have responded to at the various consultation stages.</p>
<p><i>Research/fact finding</i></p> <p>Is the plan justified by a sound and credible evidence base? What are the sources of evidence? How up to date, and how convincing is it?</p> <p>What assumptions were made in preparing the DPD? Were they reasonable and justified?</p>	<p>The ELP is supported by a robust, yet proportionate evidence base. The evidence base establishes the development needs of the area and has informed the development of the strategy as well as detailed policies and site allocations.</p> <p>The process of the SA has also involved fact finding, information gathering and analysis. With the overall process informing the plan.</p>
<p><i>Alternatives</i></p> <p>Can it be shown that the LPA's chosen approach is the most appropriate given the reasonable alternatives? Have the reasonable alternatives been considered and is there a clear audit trail showing how and why the preferred approach was arrived at? Where a balance had to be struck in taking decisions between competing alternatives, is it clear how and why the decisions were taken?</p> <p>Does the sustainability appraisal show</p>	<p>Reasonable alternatives to both the amount of development and overall strategy of the Plan have been considered at various stages of the process. At preferred options stage in July 2014 a number of alternative options papers were published alongside the preferred options draft of the ELP. These included options papers on Housing Sites, Housing Distribution, Employment Sites and an Alternative Options Paper which covered sites and policies. These documents are available to view on the Council's website. We invited the public and stakeholders to comment on the options contained within the documents.</p> <p>Task B of the SA report considers the likely significant environmental effects of implementing a plan or programme and any reasonable alternatives. It is usual when devising a plan that several different ways of achieving its objectives are proposed. In planning this is generally referred to as 'options'. Therefore, an approach to the identification and selection of options has been undertaken</p>

<p>how the different options perform and is it clear that sustainability considerations informed the content of the DPD from the start?</p>	<p>throughout the process.</p> <p>Options were considered around the following areas:</p> <ul style="list-style-type: none"> • Options for the strategic development of the District; • Options in regards to wording and requirements for policies; • Options in regards to the provision of land allocations in order to meet the District's housing needs.
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Effective: the plan should be deliverable over its period and based on effective joint working pn cross-boundary strategic priorities.

To be effective the DPD needs to:

- ***Be deliverable***
- ***Demonstrate sound infrastructure delivery planning***
- ***Have no regulatory or national planning barriers to its delivery***
- ***Have delivery partners who are signed up to it***
- ***Be coherent with the strategies of neighbouring authorities***
- ***Demonstrate how the Duty to Cooperate has been fulfilled***
- ***Be flexible***
- ***Be able to be monitored.***

<p><i>Deliverable and Coherent</i></p> <ul style="list-style-type: none"> • Is it clear how the policies will meet the Plan's vision and objectives? Are there any obvious gaps in the policies, having regard to the objectives of the DPD? 	<p>The objectives are grouped into five overarching themes which provide a structure for the plan; in total we have identified 17 objectives. Each objective is addressed by a policy or policies in the plan, which is clearly identified alongside the objective they meet.</p> <p>The policies within the plan are considered to be internally consistent and the Sustainability Appraisal (SA) report has considered the cumulative impact of policies, and how the relate to each</p>
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<ul style="list-style-type: none"> • Are the policies internally consistent? • Are there realistic timescales related to the objectives? • Does the DPD explain how its key policy objectives will be achieved? 	<p>other.</p>
<p><i>Infrastructure Delivery</i></p> <ul style="list-style-type: none"> • Have the infrastructure implications of the policies clearly been identified? • Are the delivery mechanisms and timescales for implementation of the policies clearly identified? • Is it clear who is going to deliver the required infrastructure and does the timing of the provision complement the timescale of the policies? 	<p>The ELP is accompanied by an Infrastructure Delivery Plan. The IDP has identified the need for further investment in a range of infrastructure sectors, including schools, open space provision and transport.</p> <p>It is acknowledged that the IDP will be a living document to deal with changing circumstances and pressures, ongoing engagement with the infrastructure providers will therefore be necessary.</p> <p>The ELP is also accompanied by a Viability Statement which confirms that the development proposed is viable, and that developments are able to contribute to infrastructure provision.</p>
<p><i>Co-ordinated Planning</i></p> <p>Does the DPD reflect the concept of spatial planning? Does it go beyond traditional land use planning by bringing together and integrating policies for the development and use of land with other policies and programmes from a variety of agencies/organisations that influence the nature of places and how they function?</p>	<p>The strategic policies contained within the plan are spatial in nature. The policies within the plan have been developed in conjunction with relevant agencies and organisations.</p>
<p><i>Flexibility</i></p> <ul style="list-style-type: none"> • Is the DPD flexible enough to respond to a variety of, or unexpected changes in, circumstances? 	<p>Where possible and appropriate the ELP adopts a flexible and pragmatic approach to new development.</p> <p>The ELP contains a monitoring and implementation at the end of each set of policies falling into the</p>

<ul style="list-style-type: none"> • Does the DPD include the remedial actions that will be taken if the policies need adjustment? 	<p>five overarching objectives. The Council will produce an Annual Monitoring Report to assess the effectiveness of the policies and identify areas that may require adjustment in the future.</p>
<p><i>Co-operation</i></p> <ul style="list-style-type: none"> • Is there sufficient evidence to demonstrate that the Duty to Co-operate has been undertaken appropriately for the plan being examined? • Is it clear who is intended to implement each part of the DPD? Where the actions required are outside the direct control of the LPA, is there evidence that there is the necessary commitment from the relevant organisation to the implementation of the policies? 	<p>The Duty to Cooperate Statement which accompanies the submitted ELP details how the Council has fulfilled its duty under section 110 of the Localism Act 2011. The statement demonstrates how the plan has evolved within the context of appropriate and effective cooperation and that it has not had to contend with any significant cross boundary issues.</p> <p>Where there are cross boundary matters, such as the North Pennines Area of Outstanding Natural Beauty, the DtC Statement and the ELP makes reference to existing partnership arrangements, joint working and shared policy documents.</p>
<p><i>Monitoring</i></p> <ul style="list-style-type: none"> • Does the DPD contain targets, and milestones which relate to the delivery of the policies, (including housing trajectories where the DPD contains housing allocations)? • Is it clear how targets are to be measured (by when, how and by whom) and are these linked to the production of the annual monitoring report? • Is it clear how the significant effects identified in the sustainability appraisal report will be taken forward in the ongoing monitoring of the 	<p>Each chapter/section of the ELP includes a section on the monitoring and implementation of each policy. For the purposes of implementation, the section identifies principal implementation mechanisms, timescales and funding sources (where applicable). For the purposes of monitoring, the section identifies an appropriate indicator and target. The Council prepares an annual monitoring report, to report on the results of this monitoring.</p> <p>The Annual Monitoring Report (AMR) will also be the process through which any significant effects on the SA objectives will be reported.</p>

<p>implementation of the plan, through the annual monitoring report?</p>	
<p><i>Consistent with national policy: the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.</i></p> <p><i>The DPD should not contradict or ignore national policy. Where there is a departure, there must be clear and convincing reasoning to justify the approach taken.</i></p>	
<ul style="list-style-type: none"> • Does the DPD contain any policies or proposals which are not consistent with national policy and, if so, is there local justification? • Does the DPD contain policies that do not add anything to existing national guidance? If so, why have these been included? 	<p>The Plan is not considered to contain any policies or proposals which represent a departure from relevant national policy.</p> <p>The policies contained within the Plan are considered justified in that they add to or aid the implementation of national policies within the local context.</p>

Planning policy for traveller sites

Planning Policy for Traveller Sites was published in 23 March 2012 and came into effect on 27 March 2012. Circular 01/06: Planning for Gypsy and Traveller Caravan Sites and Circular 04/07: Planning for Travelling Showpeople have been cancelled. Planning Policy for Traveller Sites should be read in conjunction with the National Planning Policy Framework, including the implementation policies of that document.

The government's aim in relation to planning for traveller sites is:

To ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic life of travellers whilst respecting the interests of the settled community'.

Government's aims in respect of traveller sites are:

- That local planning authorities (LPAs) make their own assessment of need for the purposes of planning
- That LPAs work collaboratively, develop fair and effective strategies to meet need through the identification of land for sites
- Plan for sites over a reasonable timescale
- Plan-making should protect green belt land from inappropriate development
- Promote more private traveller site provision whilst recognising that there will always be those travellers who cannot provide their own sites
- Aim to reduce the number of unauthorised developments and encampments and make enforcement more effective.

In addition local planning authorities should:

- Include fair, realistic and inclusive policies
- Increase the number of traveller sites in appropriate locations with planning permission, to address under provision and maintain an appropriate level of supply
- Reduce tensions between settled and traveller communities in plan-making and decision-taking
- Enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure
- Have due regard to protection of local amenity and local environment

Policy Expectations	Evidence Provided
Policy A: Using evidence to plan positively and manage development (para 6)	
Early and effective community engagement with both settled and traveller communities.	The Gypsy and Traveller Accommodation Assessment (GTAA) has been produced in partnership with adjoining districts on a Cumbria County basis. It is considered to have succeeded in effectively engaging with travelling communities in understanding accommodation needs. Of note is that the GTAA has been used to support policies in neighbouring authorities' Plans which have been found sound.
Co-operate with travellers, their representative bodies and local support groups, other local authorities and relevant interest groups to prepare and maintain an up-to-date understanding of likely permanent and transit accommodation needs of their areas.	The Gypsy and Traveller Accommodation Assessment (GTAA) has been produced in partnership with adjoining districts on a Cumbria County basis. It is considered to have succeeded in effectively engaging with travelling communities in understanding accommodation needs. Of note is that the GTAA has been used to support policies in neighbouring authorities' Plans which have been found sound.
Policy B: Planning for traveller sites (paras 7-11)	
Set pitch targets for gypsies and travellers and plot targets for travelling showpeople which address the likely permanent and transit site accommodation needs of travellers in your area, working collaboratively with neighbouring LPAs.	<p>Policy HS7 – Gypsy and Traveller Sites is supported by the GTAA and identifies a requirement for 27 new Gypsy and Traveller pitches before 2028, with an initial 12 pitches required by 2018.</p> <p>Policy HS7 identifies the criteria by which suitable sites will be assessed. The policy requires that sites are located close to existing services and facilities such as shops and schools.</p> <p>The ELP allocates site GT2, which will form an extension to an existing operational site to the north of Penrith.</p>

<p>Set criteria to guide land supply allocations where there is identified need.</p> <p>Ensure that traveller sites are sustainable economically, socially and environmentally.</p>	
<p>Policy C: Sites in rural areas and the countryside (para 12)</p>	
<p>When assessing the suitability of sites in rural or semi-rural settings LPAs should ensure that the scale of such sites do not dominate the nearest settled community.</p>	<p>The allocation in the Plan has had regard to this provision which being clearly set out in National Policy was not considered necessary to reference in Policy HS7.</p>
<p>Policy D: Rural exception sites (para 13)</p>	
<p>If there is a lack of affordable land to meet local traveller needs, LPAs in rural areas, where viable and practical, should consider allocating and releasing sites solely for affordable travellers' sites.</p>	<p>It has not been deemed necessary to allocate rural exception sites in order to respond or meet identified needs.</p>
<p>Policy E: Traveller sites in Green Belt (paras 14-15)</p>	
<p>Traveller sites (both permanent and temporary) in the Green Belt are</p>	<p>There are no designated areas of Green Belt within or adjoining Carlisle District.</p>

<p>inappropriate development.</p> <p>Exceptional limited alteration to the defined Green Belt boundary (which might be to accommodate a site inset within the Green Belt) to meet a specific, identified need for a traveller site ... should be done only through the plan-making process.</p>	
<p>Policy F: Mixed planning use traveller sites (paras 16-18)</p>	
<p>Local planning authorities should consider, wherever possible, including traveller sites suitable for mixed residential and business uses, having regard to the safety and amenity of the occupants and neighbouring residents.</p>	<p>Policy HS7 does not preclude mixed residential and business traveller sites. However, the policy seeks to safeguard the amenity of residential occupiers.</p>
<p>Policy G: Major development projects (para 19)</p>	
<p>Local planning authorities should work with the planning applicant and the affected traveller community to identify a site or sites suitable for relocation of the community if a major development proposal requires the permanent or temporary relocation of a traveller site.</p>	<p>There are no current nor is it likely over the life of the Plan that the delivery of a major development project will necessitate the relocation of Traveller accommodation.</p>