

# Eden Local Plan: Local Development Scheme

December 2013

[www.eden.gov.uk](http://www.eden.gov.uk)



EdenDistrictCouncil



EdenCouncil



# Local Development Scheme

**December 2013**

Ruth Atkinson

Director of Communities

Mansion House

Penrith

Cumbria

CA11 7YG

Email: [loc.plan@eden.gov.uk](mailto:loc.plan@eden.gov.uk)

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



## CONTENTS

1.0	Introduction .....	7
1.1	The Current Position .....	7
2.0	Documents to be produced .....	8
2.1	A Local Plan for Eden (includes a revised Proposals Map).....	9
2.2	Annual Monitoring Report.....	11
3.0	The ‘Duty to Co-operate’ .....	12
	Annex 1 – Eden Local Plan – timetable .....	13
	Annex 2 - Evidence Base for the Local Plan.....	15



## 1.0 Introduction

This Local Development Scheme (LDS) sets out the planning policy documents that have already been prepared for Eden District and sets out a timetable for production of a new Local Plan. In effect, it's a public record of what we have produced, are planning produce, and when.

Preparation of a LDS is also a legal requirement. Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by Section 111 of the 2011 Localism Act requires Local Authorities to prepare and agree a Local Development Scheme (LDS). Previous versions were published in March 2005, April 2005, June 2005, March 2006, August 2006, March 2007 and March 2009 and January 2010, and related to the suite of documents that were due to be part of the Council's Local Development Framework. The intention is now to draft and adopt a single Local Plan for the district, so earlier versions of the LDS are replaced.

We will publish progress of plan preparation against this scheme annually through the Annual Monitoring Report, which we aim to publish in December each year.

### 1.1 The Current Position

The following documents/policies currently comprise the 'development plan' for Eden District:

- The Core Strategy, adopted in March 2010.
- 'Saved policies' from the 1996 Local Plan.
- The Proposals Map, 1996 (published with the Local Plan).
- The Upper Eden Neighbourhood Plan, April 2013.

In addition, the Council has adopted a number of Supplementary Planning Documents (SPDs) which expand on policies set out in in the development plan and provide additional detail:

- Housing SPD, December 2010.
- Management of Conservation Areas SPD, March 2011.
- An Accessible and Inclusive Environment SPD, June 2007.
- Shopfront and Advertisement Design SPD, October 2006.

And with other organisations:

- Wind Energy Joint SPD, October 2007.

- North Pennines AONB Design Guide, July 2011.
- North Pennines AONB Management Plan. Adopted July 2011.

The following draft documents have been produced:

- Housing: Preferred Sites and Policies, February 2013.
- Employment, Preferred Sites and Policies, July 2013.

The following documents have also been produced to support production of planning policies:

- Statement of Community Involvement (SCI), December 2013
- Annual monitoring Report, May 2013

## **2.0 Documents to be produced**

We are now planning to produce the following:

- A Local Plan for Eden District, with a revised Proposals Map.
- Annual Monitoring Reports.

Details are as follows:



## 2.1 A Local Plan for Eden (includes a revised Proposals Map)

<b>Overview</b>	Development Plan for the district
<b>Role and Subject</b>	This is a document setting out the vision and spatial strategy for meeting known and anticipated development requirements to 2031, including the number of dwellings to be provided. It will include a key diagram to indicate broad locations for development and incorporate a revised Proposals Map showing specific sites. It will also include development management policies to guide decisions on planning applications.
<b>Coverage</b>	District-wide, but it will not include the area of the district within the Lake District National Park.
<b>Status</b>	Development Plan Document
<b>Conformity</b>	With the National Planning Policy Framework
<b>Timetable</b>	Annex 1 sets out a timeline for preparation. In summary:  Preferred Sites Consultation: April 2014  Publication: January 2015  Submission to the Secretary of State: March 2015  Examination: June-July 2015  Adoption: November 2015
<b>Organisational Lead</b>	Senior Planning Officer
<b>Political Management</b>	The document will be adopted by Full Council, with decisions to publish for consultation made by Executive. The process will be supported by a Local Plans Working Group. Progress will be reported to the Economy and Environment Portfolio Holder.

## **Internal Resources**

- Senior Planning Officer (Permanent)
- Local Plans Officer x 2 (Permanent )
- Planning Technician (Part Time, permanent)

Support from Housing, Environmental Health and Development Management Colleagues.

Additional resources may be sought to help meet timetables.

## **External Resources**

To update the evidence base external consultancy will be needed for the following areas:

- Retail
- Economic Viability Appraisal (Affordable Housing)
- Habitats Regulation Assessment
- Open Space
- Tree Preservation
- Heritage Assessment
- Strategic Flood Risk.

Advice on demographics and infrastructure will also be sought from the County Council.

## **Risk Assessment**

The main areas of risk in delivering Local Plans in accordance with the required timescales include: staff turnover, decision making delays, capacity of the Planning Inspectorate and other agencies to cope with demand nationally, the soundness of the Local Plan, legal challenge and programme slippage.

## 2.2 Annual Monitoring Report

<b>Overview</b>	Reporting progress on implementing planning policies.
<b>Role and Subject</b>	<p>The Council is required to monitor annually how effective its policies and proposals are. This report will assess:</p> <ul style="list-style-type: none"><li>• Whether it is meeting, or is projected to meet, the targets set out at national or local level</li><li>• What impact policies are having on other targets set at national, regional or local level</li><li>• Whether any policies need to be reviewed, revised or replaced to meet sustainable development objectives</li><li>• What action needs to be taken if policies need to be reviewed, revised or replaced</li></ul>
<b>Coverage</b>	District-wide, but will not include the area of the district within the Lake District National Park.
<b>Status</b>	Local Development Document
<b>Conformity</b>	With The National Planning Policy Framework and Core Strategy/Local Plan
<b>Timetable</b>	End of December each year
<b>Organisational Lead</b>	Senior Planning Officer
<b>Political Management</b>	Reporting tool – not required
<b>Internal Resources</b>	<ul style="list-style-type: none"><li>• Senior Planning Officer (Permanent)</li><li>• Local Plans Officer x 2 (Permanent )</li><li>• Planning Technician (Part Time, permanent)</li></ul> <p>Support from Housing, Environmental Health and</p>

Development Management Colleagues.

**External Resources** Information may be sought from the County Council.

**Risk Assessment** The main areas of risk in delivering the AMR is programme slippage due to competing priorities.

### 3.0 The 'Duty to Co-operate'

The 2011 Localism Act introduced a 'Duty to Co-operate'<sup>1</sup>, requiring Local Planning Authorities to engage actively with other local planning authorities, the County Council and other 'prescribed bodies' on the preparation of plans. Paragraphs 178-181 of the National Planning Policy Framework National Planning Policy Framework also requires that local planning authorities demonstrate evidence of having effectively cooperated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination.

The Local Authorities sharing a boundary with the District of Eden are:

- The Lake District National Park Authority
- The Yorkshire Dales National Park Authority
- Carlisle City Council
- Northumberland County Council
- Durham County Council
- South Lakeland District Council

In addition to the above the District shares a boundary with Allerdale District Council and North Yorkshire County Council. However, responsibility for planning functions for areas adjacent to Eden within these areas rests with the Lake District and Yorkshire Dales National Parks respectively.

It is intended that a record in the form of a 'statement of compliance' will be kept up to date and reported upon in future versions of this document.

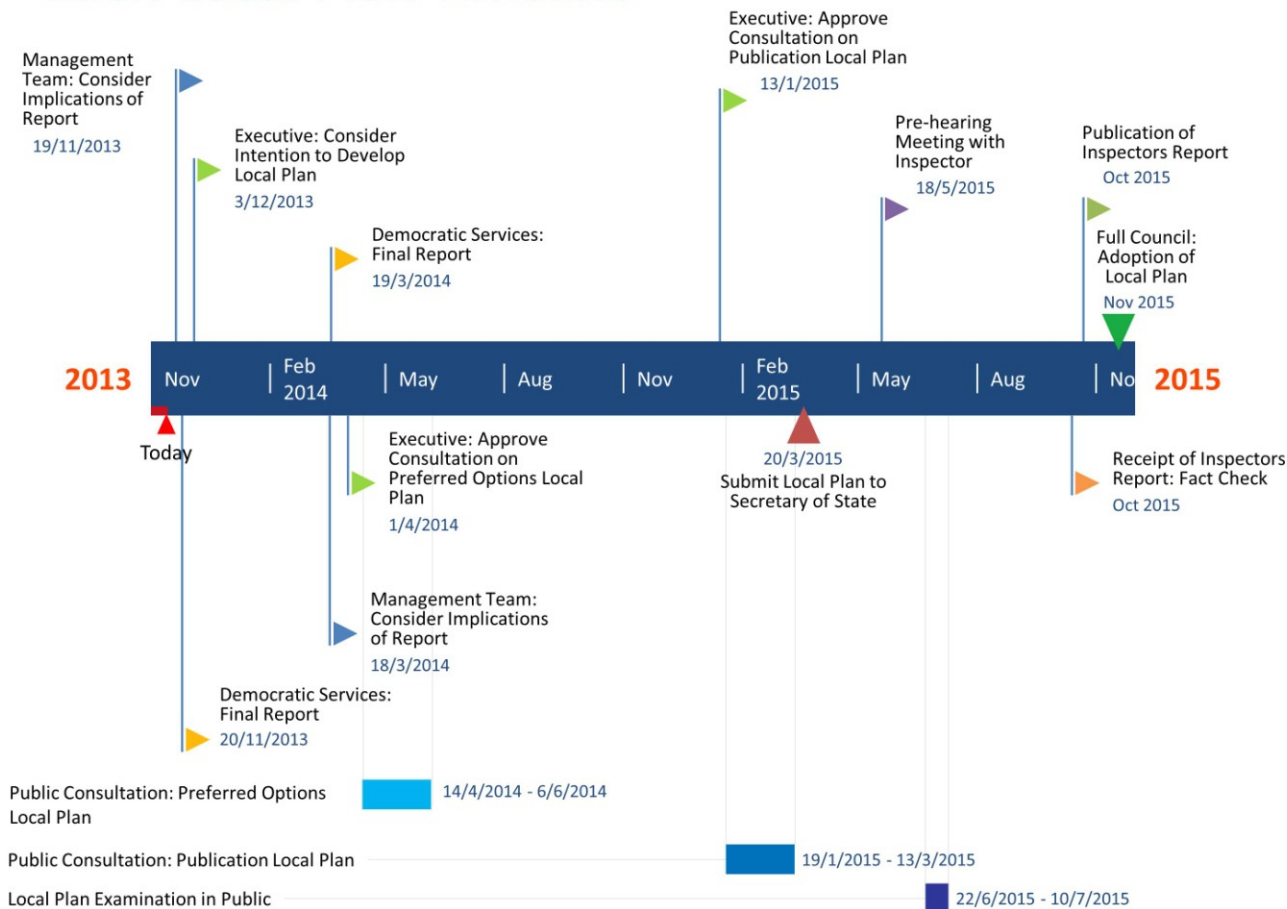
There are also well established Joint Officer Groups that are present in the County and in which Eden actively participates; these are the Joint Chief Planning Officers' Group, the Development Plan Officers' Group and the Development Control Officers' Group.

---

<sup>1</sup> Section 110 of the 2011 Localism Act inserted a new Section 33A into the existing Planning and Compulsory Purchase Act covering the Duty to Co-operate.

## Annex 1 – Eden Local Plan – timetable

### Eden Local Plan Timeline





## Annex 2 - Evidence Base for the Local Plan

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 November 2009. Due to be updated.	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 SHMA used the Housing Needs Survey undertaken in 2006 to determine housing need. The document identified 224 affordable units required on an annual basis.
Eden Strategic Housing Land Availability Assessment (SHLAA)	Completed March 2009. Due to be updated.	Drivers Jonas LLP – On behalf of 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 5,929 houses over the period 2009-21.
Eden Economic Viability Appraisal (EVA)	October 2009	DTZ Consultancy – On behalf of EDC	This document was commissioned to aid in the development of Core Strategy 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 2007. Paragraph 5.5 of the EVA concluded that 30% affordable housing is a

Evidence Type	Progress	Undertaken by	Implications for Local Plan	Targets/Outcomes of Document
				viable figure that EDC can request from developers to meet the housing need in the district.
Eden Economic Viability Appraisal (EVA) - Update	Completed November 2013	NPS Consultants	To ensure that our housing policies are justified and viable.	Updates the assumptions in the 2009 appraisal
Employment Land Availability Assessment	Completed December 2009	Drivers Jonas LLP – On behalf of 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 particular emphasis has been placed on Eden Business Park.	2009 – Currently 459,000m <sup>2</sup> of existing employment floorspace in study. 91 vacant premises (21,663m <sup>2</sup> floorspace) identified in study area. 42ha of land identified to contribute to existing land supply (3/4 of which in Penrith).
Landscape & 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



Evidence Type	Progress	Undertaken by	Implications for Local Plan	Targets/Outcomes of Document
				<p>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.</p> <p>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.</p>
Strategic Flood Risk Assessment (SFRA)	Completed October 2007	JE Jacobs – On behalf of 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 all of the Key and Local Service Centres and determined that a considerable amount of them are liable to flooding. 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 & Traveller Accommodation Needs	Completed November 2013	Arc4 Consultants (Joint with other)	Paragraph 42 of the 2004 Housing Act places responsibility on Local Authorities to undertake assessments and review the needs	The assessment has identified a need for 27 additional pitches for the Gypsy and Traveller community and 2 pitches for

<b>Evidence Type</b>	<b>Progress</b>	<b>Undertaken by</b>	<b>Implications for Local Plan</b>	<b>Targets/Outcomes of Document</b>
Assessment		Cumbrian Districts.	of Gypsies and Travellers in the district.	Travelling Showpeople to the year 2029.
Eden District Retail Study	Completed March 2008, Currently being updated.	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.	Combined (Convenience, Comparison and Bulky goods) Retail floorspace capacity by 2021: Penrith 21,210m <sup>2</sup> – 26370m <sup>2</sup> , Alston 300m <sup>2</sup> – 540m <sup>2</sup> , Appleby 1300m <sup>2</sup> – 2330m <sup>2</sup> , Kirkby Stephen 720m <sup>2</sup> – 1290m <sup>2</sup> .  *Note that 14,370m <sup>2</sup> of bulky good have been identified – no other KSC has capacity for this form of development.
Local Biodiversity Action Plan	Ongoing. 2009 - Most recent.	Partners involved in the Cumbria BAP partnership	Cumbria wide study developed to ascertain planning proposals & Local Plan documents.	Cumbria BAP identified 39 species & habitats supported by action plans.
Open Space & Recreation Facilities Study	Completed 2008	EDC	The NPPF requires Local Authorities to undertake assessments of existing open space and facilities, with a view to set standards based upon the	Analysis of current provision identified that the current facilities are required: 486.85m <sup>2</sup> of swimming pools, 3.41 indoor halls and 0.59 indoor centres (for bowls).

<b>Evidence Type</b>	<b>Progress</b>	<b>Undertaken by</b>	<b>Implications for Local Plan</b>	<b>Targets/Outcomes of Document</b>
			findings of the report.	Future provision has also been identified on the basis of population growth in the next 15 years.
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.
Housing Needs Surveys	Parish Based Surveys published	Parish based surveys- Cumbria	Data informed Strategic Housing Market Assessments. The SHMA was used as evidence to plan for future housing provision, and ensure the type, number, tenure and	The Penrith Housing Needs Survey identifies a net requirement for 118 affordable units per year (30% intermediate and 70% social rented) in Penrith.

Evidence Type	Progress	Undertaken by	Implications for Local Plan	Targets/Outcomes of Document
	in 2011/12. Penrith Survey Completed 2011	Rural Housing Trust  Penrith survey-EDC	location of new homes. The information acquired informed the Housing Preferred Sites and Policies draft document, and will also be used when assessing applications for planning permission for new housing.	The parish based surveys (two outstanding) identify a requirement for 278 affordable units over the next 5 years throughout Eden outside of Penrith.
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.

Department of Communities

Eden District Council

Mansion House

Penrith

Cumbria

CA11 7YG