

EDEN LOCAL PLAN (2014-2032)

EXAMINATION

Inspector: Melvyn Middleton BA(Econ) DipTP Dip Mgmt MRTPI

Please direct all communications to:

Tony Blackburn, Programme Officer, 15 Ottawa Close, Blackburn, BB2 7EB.

Email: programme.officer@eden.gov.uk

Tel: 01254 260286

Gwyn Clark
Eden District Council
Town Hall
Penrith

25 January 2016

Dear Mr Clark

Eden Local Plan Development Plan Document Examination

Having now read the Local Plan (LP) and some of the supporting documents, the Inspector is beginning to formulate the issues that may need to be discussed at a Hearing and is coming to preliminary conclusions as to the areas of the plan that it may be difficult to find sound either in their current form or because of the nature of the supporting information. To assist the process, he has asked me to write to you about his preliminary thoughts on some matters and has posed some questions. He would value your brief comments on these to which an early response would be appreciated.

1. The 'Background to the Plan' says that it is a full Local Plan that covers Eden District for the years 2014 to 2032. Is it correct to assume from this that no subsequent Development Plan Documents are to be produced until this plan is reviewed? If so when do you anticipate undertaking a review/preparation of a new plan?
2. Is there any evidence as to how the chosen development option was justifiably arrived at in addition to the information contained in the alternative options paper (SD024) and the Sustainability Appraisal Report (SD011)? Your strategy differs from that in the Core Strategy. Why? Have you demonstrated that option 1 is the sustainable option in the context of the District's development needs and the products of the other three options?

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Strategic Housing Market Assessment

3a. Paragraph 4.16 of Taking Stock says that the Popgroup model was to be rerun in October 2015 against the full set of 2012 household projections. Has this been done? Are the results similar or different to those that were previously obtained and used to project households living in the area?

3b. In Table 21 the analysis suggests a total job driven need of between 194 and 206 dwellings per annum (d.p.a.), whereas the table in paragraph 4.110 says between 179 and 204 and paragraph 4.111 concludes that it is between 186 and 204. It is not entirely clear as to how you have derived the different figures and arrived at your final conclusion. In this context it could be argued that your assessment is not particularly robust once it takes on board the changing employment requirements of the district. Whilst at first glance and in the context of the three ranges that you have set out 200d.p.a. seems reasonable, the lack of clarity and transparency does not assist the defence of your assessment. Could you provide additional explanation for this?

3c. Policy HS1 seeks an affordable housing provision of 30% from developments of four or more units. What proportion of the total new housing stock is expected to be derived from sites of four or more units and how does this compare with a historical analysis of total dwelling and affordable dwelling provision on different sized sites? 30% from sites of four or more dwellings would not deliver the 60 per year assumed in paragraph 4.136 unless the financial contributions anticipated from schemes with three or less dwellings delivers the same amount of affordable housing elsewhere as the larger sites would build on site. Is there evidence to support this assumption?

3d. Why are all concealed households assumed to be in overcrowded dwellings?

Gypsy and traveller sites

4a. Having undertaken a Gypsy and Traveller Accommodation Needs Assessment that estimates a current need for residential pitches for

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Gypsies and Travellers, as an additional 11 pitches by 2018, with a further 18 thereafter, the plan now only makes provision for an extension to the Lakeland View site at Penrith. How many additional sites will this provision accommodate? If not 29 where and how are the remainder to be provided?

4b. In any event, given the geographic size of Eden District why is it appropriate to only have one site?

Residential allocations

5a. Six large sites in Penrith that are expected to deliver nearly 1400 dwellings (well over half of those to be allocated in the whole district and nearly three quarters of those to be allocated in the towns) are to be the subject of Masterplans. However, this is a Local Plan which is presumably meant to discharge the Council's duty to allocate specific sites for development as well as fulfilling the functions of a Core Strategy and a Development Policies Development Plan Documents? Regulations 5 and 6 of the 2012 Town and Country Planning (Local Planning England) Regulations say that 'development management and site allocations policies that are intended to guide the determination of applications for planning permission should be prepared as local development documents as should documents that contain the local planning authority's policies in relation to the area'. In consequence supplementary planning documents such as Masterplans are not legally permitted to provide development management or other policies, which are intended to guide the determination of planning applications.

5b. Policy PEN2 implies that the Masterplans will be land use plans with specific locations and areas giving a breakdown of the key land uses that will be delivered by the overall development. Appendix 5 confirms that they are to include site components. Should not such information be in a DPD and subject to full public consultation and sustainability appraisal?

5c. Paragraph 3.6.2 of the LP also says that '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'. Is that not a responsibility of the local planning authority to be discharged through its plan making function?

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5d. Whilst there is clearly scope for Masterplans to build upon outline proposals for an area, the Planning Practice Guidance specifically says that the LP 'should make clear what is intended to happen in the area over the life of the plan, where and when this will occur and how it will be delivered' (ID 121-002). It goes on to say that 'where sites are proposed for allocation, sufficient detail should be given to provide clarity to developers, local communities and other interests about the nature and scale of development' (ID 12-010). Does the LP as currently drafted actually do this and in doing so conform with the regulations and guidance?

5e. It also appears from the reading that the viability of these sites has not been assessed in terms of the infrastructure required to enable them to be given planning permission. If this is the case what guarantee is there that these sites are viable and have a reasonable certainty of being developed before 2032?

Employment Provision

6a. The SHMA suggests that a range of 2,293-2,564 additional jobs will be generated in the area during the plan period. Policy EC1 proposes 24.38 ha over the plan period. This represents a job density of about 100 per hectare. Whilst many jobs can be expected to be provided in unallocated locations, are the Council content that sufficient employment land is being allocated? If so what assumptions have been made when translating the jobs forecasts into employment land allocations?

6b. It appears that a high proportion of the proposed employment land allocation is constrained by flood risk mitigation and a new road link to the motorway. Has the viability of these works been assessed and has the prospect of this land being available for employment development before 2032 been robustly tested?

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If you require clarification on any of the matters raised, the Inspector would be happy to respond. The Inspector has asked me to stress that he has not done a comprehensive read and analysis of the plan. Nor has he assessed the representations in detail. When he has completed these tasks he will begin to formulate the matters and issues to be discussed at the Hearings and no doubt formulate a comprehensive set of questions for you to respond to.

Yours sincerely

Tony Blackburn
Programme Officer