

Eden District Local Plan Examination

Issues and Questions for Examination at the
Hearing Sessions

Issue H: Policy DEV3

Statement by Eden District Council

April 2016

Issue H - Policy DEV3 – Transport, Accessibility and Rights of Way

Is this policy effective and consistent with National Policy and Guidance?

The Council considers this policy to be in compliance with National Policy. Paragraphs 29 and 30 of the NPPF state that;

“29. Transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. Smarter use of technologies can reduce the need to travel. The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. However, the Government recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas.

30. Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. In preparing Local Plans, local planning authorities should therefore support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport.”

Policy DEV3 helps to deal with the impacts of transport generated by new development, encouraging development in sustainable locations and reducing the need to travel where possible.

Is the policy in conflict with the Development Strategy advanced under Policy LS1 in the context of the designation of Key Hubs?

No. In reviewing the list of Key Hubs we have avoided identifying remote villages not served by any form of public transport. The Key Hubs do have some form of bus service (albeit not necessarily daily) and are reasonably close to one of our towns – Tebay is the furthest away from a town at 11.5 miles to Kirkby Stephen.

We acknowledge that given the recent loss of some bus services, it may be more difficult to meet the requirement set out in the first paragraph of Policy DEV3 which states;

“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.”

However it is also clearly stated in the Policy that new development will be “concentrated” into areas where new public transport provision can be created. This policy reflects the Council’s preference that new development should come forward in sustainable locations, particularly in terms of transport.

This approach is supported by the NPPF which states in paragraph 30 that:

“Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. In preparing Local Plans, local planning authorities should therefore support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport.”

We acknowledge that the loss of public transport provision in some areas may result in the Policy becoming overly onerous in some cases and would suggest the following amendment;

“New development will be encouraged ~~concentrated~~ into areas with existing public transport availability, or areas where new development leads to the creation of available public transport.”

How “significant amounts of travel” to be defined?

The term “significant amounts of travel” will be defined with reference to PPG paragraph 009. i.e.

“Local planning authorities must make a judgement as to whether a proposed development would generate significant amounts of movement on a case by case basis (i.e. significance may be a lower threshold where road capacity is already stretched or a higher threshold for a development which proposes no car parking in an area of high public transport accessibility).

This guidance suggests that “significant amounts of travel” will depend on several variables, such as the condition of existing infrastructure and the nature of the proposed development and the amount of extra private car use it is likely to generate.

Representation Responses

There were two outstanding responses to Policy DEV3. The first was (Respondent ID: 48/ Response ID: 92) which considered that the requirement for new developments to be connected to public transport would risk preventing development at smaller sites. The criterion in Policy DEV3 only refers to major developments and will not apply to smaller sites.

The second representation was from (Respondent ID: 65/ Response ID: 238) which suggested that elements of DEV3 were not compliant with the NPPF. The Council considers that the policy as drafted is in accordance with the NPPF. However we do acknowledge that changes in local bus services may justify an amendment to the policy (see responses to Inspector’s Questions above).