

Eden District Local Plan Examination

Issues and Questions for Examination at the
Hearing Sessions

Issue C: Policy LS1

Statement by Eden District Council

April 2016

Issue C Policy LS1 – Locational Strategy

Penrith

Should the plan identify areas for development to be used in the period after 2032?

Paragraph 157, 2nd bullet point of the NPPF states that Local Plans should “be drawn up over an appropriate timescale, preferably a 15 year time horizon, taking account of longer term requirements, and be kept up to date”. Longer term requirements are explicitly referred to in PEN1 and in the Explanation:

“New Homes ... A reserve site (N1a) is identified north of the allocation at Salkeld Road and will be released if land supply is below expectations.” The reserve site (N1a) is shown on the Policy Map and Penrith Inset Map 1. Paragraph 3.5.1 states “To guard against possible under-delivery a ‘reserve site’ (N1a) is identified at Salkeld Road.”

“New jobs... A longer-term strategic growth opportunity is identified at Newton Rigg College”¹.

Paragraph 3.5.2 states that “The Plan does not currently allocate Eden Business Park (site 2B) given the issues surrounding viability and deliverability, particularly in respect of the delivery of a new access road to Junction 41 of the M6. It is important to note, however that the Eden Business Park (Site 2B) remains a long term strategic objective.

Response to Representations

Taylor & Hardy for Buckle (40), Savills for Church Commissioners (48), HBF (52), Lowther Estate Trust (53), Cumbria CC (59), Barton Willmore for Story Homes (65)

Key Hubs

What is/are the fundamental purpose(s) behind the need to designate Key Hubs?

The concept of ‘Key Hubs’ is one which has its origins in the Local Service Centres (LSCs) in the current Core Strategy (2010) (LD002), which in turn stemmed from Policy RDF2 of the Regional Spatial Strategy for the North West (2008). The purpose of LSCs was to ensure that local facilities be maintained in smaller villages. Therefore LDFs were required to define LSCs.

¹ This policy wording should be updated to refer to “A longer-term strategic growth opportunity is identified at the Newton Rigg campus of Askham Bryan College.

The LSCs were identified as having a role to play in meeting the District's Housing needs but on a scale in- keeping with their character and community need.

The Key Hubs were introduced by the Council to replace the existing LSCs set out in the Core Strategy, with the aim of providing more flexibility for development in rural areas. They represent the main villages in the District. The basis for identifying main villages was that they are generally regarded as being more sustainable than other villages and hamlets in the District.

Regular public transport and a range of local services were the two main criteria for designation of LSCs. However the Housing Distribution Topic Paper (2015) (SD006) indicates that these criteria often lead to too great a degree of pliability when designating the LSCs.

When producing the Local Plan it was therefore decided to change the methodology for defining Key Hubs. The new assessment was based on a combination of testing options, settlement size, past trends, available sites for housing and public consultation feedback.

Villages are identified as hubs if they contain more than one hundred properties and at least three key services out of a primary school, post office, shop, village hall, pub, GP surgery and church.

Although Key Hubs evolved from LSC's which themselves are based on guidance set out in the now abolished North West of England Plan RSS, they are in compliance with National Planning Policy.

Paragraph 70 of the NPPF states that LPAs should;

“ - plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;

- guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;
- ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community; and
- ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.”

Key Hubs, as part of the overall settlement hierarchy are aimed at allowing the Council to direct new housing throughout the District, by setting percentages of

housing that is expected to come forward in each tier. Land coming forward for development is then allocated and rates of development are then monitored.

Is there a justification for 28?

As explained in the Housing Distribution Topic Paper (2015) (SD006), the original 20 key hubs were proposed as a replacement to the original 46 Local Service Centres. The change was made on the grounds that the 46 Local Service Centres had several weaknesses. By applying a standard set of criteria to different villages it was possible to get differing results, with small villages often being identified as LSCs because they have identified services, and larger villages not being identified when they do not have the required services.

The Council has decided to change the way it defines Key Hubs based on a combination of testing options, settlement size, past trends, available sites for housing and public consultation feedback.

The Housing Distribution Topic Paper (2015) (SD006) explains that the 'Pre-Submission' draft Local Plan contains a variation on the 'Option 1' (Options Paper 2 – Housing Distribution (SD022)) strategy, as it now includes 28 Key Hubs. The list was re-assessed following the loss of key bus services. The additional eight hubs give more flexibility in terms of delivery.

Would the scale of development that 20% of all development (720 dwellings), divided between 28 different places, would achieve, realistically protect local services in all of the villages, let alone enhance them?

Paragraph 70, bullet point 1 of the NPPF states that LPAs should;

“plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;”

The 28 'Key Hubs' were devised to reflect growth patterns that would be proportionate to the past rates of development.

The explanatory text for Policy LS1, paragraph 3.1.4, makes it clear that the 28 Key Hubs have been identified where the Council expects modest amounts of market led development to occur, to help meet local need and enable services to be protected and enhanced.

The Council will designate a settlement as a Key Hub if it contains more than one hundred properties and at least three key services out of the following options:

- a primary school;
- post office;

- shop;
- village hall;
- pub;
- GP surgery; and
- Church.

It is accepted that the level of service provision, and size of villages could fluctuate over the plan period, however the list of Key Hubs identified is fixed until any further review of the Local Plan. The Local Plan will be reviewed in line with Planning Policy Guidance; this indicates that Local Plans should be reviewed at least every five years.

Do the criteria and methodology now being used to identify Key Hubs reflect national policy and are they appropriate in the context of Eden District?

Paragraph 55 of the NPPF indicates that housing development in rural areas should be located where it will enhance or maintain the vitality of rural communities.

Paragraph 3.1.4 of the Local Plan explains that the Key Hubs have been identified where the Council expects a moderate amount of market housing to come forward. By identifying the Key Hubs the Council can provide a degree of certainty to developers, land owners and local communities.

The Local Service Centres identified in the Core Strategy were designated based on several criteria which, it has become clear are vulnerable to frequent change, leading to a list of settlements that can vary in terms of their sustainability.

It was determined that a smaller list of larger villages would be less susceptible to change over the plan period, as their services would be less likely to change.

The new criteria for identifying Key Hubs is that they should contain more than one hundred properties and at least three key services out of a primary school, post office, shop, village hall, pub, GP surgery and church. This methodology ensures that smaller villages are not identified because they have one particular service despite being unsustainable in other respects. It also ensures that the Key Hubs will be more resilient to change over the course of the plan period.

These criteria relate well to paragraph 28, bullet point 4 of the NPPF which states that local and neighbourhood plans should;

“promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.”

When designating the Key Hubs the Council also took account of the fact that it has been challenging to come up with a list of housing allocations in the Key Hubs. Neighbourhood plan activity and planning applications being submitted mean that it is difficult to establish a robust allocation strategy in the Key Hubs beyond current planning commitments. The risk therefore is that any allocation strategy for the Key Hubs would be overtaken by events. Taking these factors into consideration, the Council does not wish to prematurely allocate sites that run contrary to the wishes of a parish, which may wish to allocate their own sites through cooperation with the Council.

Are settlements that only contain community facilities sustainable and are such settlements appropriate for selection as Key Hubs?

Yes, paragraph 28 of the NPPF makes it clear that the Council should promote the retention of local services and community facilities. Designating settlements with three or more such facilities as Key Hubs will ensure that development can come forward, helping to maintain and enhance these community facilities.

Are settlements without public transport appropriate for selection as Key Hubs?

Paragraph 4.21 of the Housing Distribution Topic Paper (2015) (SD006) explains that due to recent public service cutbacks some key bus routes in a number of those settlements proposed as Key Hubs no longer have daily public transport. In particular the cancellation of the daily 106 bus service between Kendal and Penrith, and the 105 serving Greystoke would remove Shap, Tebay, Greystoke, Clifton, Orton, Nenthead and Hackthorpe from the list as they no longer have a daily bus service. The Council does not consider that it would be rational to remove some of the best served settlements in terms of services from the list of Key Hubs, while retaining less well served villages on the grounds that they continue to benefit from daily public transport provision.

The only criterion being used to determine the scale of development in Key Hubs is 10% of the existing size of the village on a single new site. Is this a sound approach i.e. is it justified and effective?

The Council has concerns that removing the 10% restriction would open the Key Hubs to inappropriate levels of development. The settlements identified as Key Hubs have seen a significant amount of development, indeed they account for 39% of housing completions in the District between 2010 and 2015. They have a distinct character and role in the District which should be preserved. It is therefore essential that development in these areas is managed effectively.

We take particular note of paragraph 17, bullet point 5 of the NPPF, which requires LPAs to “take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around

them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;”

The 10% figure is intended to provide clarity about the scale of development that would be appropriate in the Key Hubs. However we accept that it may be overly prescriptive.

With this in mind, should the Inspector suggest that the 10% criterion be removed from the Local Plan, the Council would suggest the following amendment;

“New housing developments in villages identified as Key Hubs must demonstrate that appropriate consideration has been given to the need to ensure that local character, environmental quality and amenity are not significantly eroded and that the proposed density, together with the form, scale, massing and layout of the new development will respect that of the village. Proposals will only be acceptable where they respect the historic character and form of the village.”

Is 10% a justifiable limit on new housing development within Key Hubs on a single site?

See above. The Council consider that limiting individual developments that would otherwise increase the size of a village by more than 10% would prevent development from having a negative impact on the local character and form of the village. However we would welcome the inspector’s advice on the matter.

What evidence is there to suggest that the proposed treatment of Key Hubs would not undermine Objective 6, which seeks to concentrate development within or adjacent to the main towns, with only 20% of residential development within the Key Hubs?

The NPPF requires that LPAs define a settlement hierarchy that is resilient to change, promotes the retention of local facilities and the use of sustainable transport methods.

Objective 6 seeks to concentrate development within or adjacent to Penrith, Appleby, Kirkby Stephen and Alston and the Key Hubs.

The Housing Distribution Topic Paper (2015) (SD006) provides details of how the proposed Settlement Hierarchy was reached. The preferred strategy set out in the Local Plan involves a reduction in the distribution of housing for Penrith over current plans, with housing redistributed to elsewhere in the District. This is because of an identified historical shortfall in delivery of housing, particularly in Penrith. Notwithstanding, Penrith still remains the focus for the majority of housing in the District.

The Land Availability Assessment (LAA) (EB020) indicates that the overall distribution of the identified supply of housing on LAA sites fits well with the required housing distribution in the Local Plan. It indicates that although in terms of deliverable supply, 56% of the supply is focused in the towns and 33% in Penrith, compared with the proposed 70% in towns and 50% in Penrith. The LAA suggests that this imbalance is addressed in the period 2019-2032 when developable sites in Penrith account for 58% of the total identified land supply, and identified sites across the towns account for 76% of the total land supply. One potential reason for this imbalance in the first part of the plan period is that a large bulk of the housing land identified in Penrith is on larger strategic sites which have a much longer lead in time before they can start delivering units, hence why most of the supply from the larger sites is phased in the later plan period.

Based on this evidence the Council does not consider that apportioning 20% of future development in the Key Hubs to be inappropriate.

Does the Policy provide clarity as to the level of development overall that would be acceptable in each of the Key Hubs over the life of the plan and how would this be regulated?

The Council seeks to maintain flexibility of approach when dealing with the amount of housing predicted to come forward individually in the Key Hubs. The Housing Distribution Topic Paper (2015) (SD006) explains that the Council has chosen not to allocate land for development in the Key Hubs because ongoing planning application submissions and approvals for small numbers of homes, as well as neighbourhood plan activity, cause significant changes in any allocation strategy over time.

The Land Availability Assessment (LAA) (EB020) identifies a potential land supply of 1076 houses in the Key Hubs, with a further windfall capacity of 302 units. The Local Plan proposes that 720 houses be delivered in the Key Hubs over the plan period.

Should a cap on the amount of development within Key Hubs be introduced?

The Council considers that the quantum of development is likely to be managed effectively by the existing policies set out in the Local Plan, and do not wish to introduce overly prescriptive policies into the plan. The Core Strategy Policy CS2 Locational Strategy has worked well to prevent excessive development without the need to introduce a cap on the level of development permitted.

Should the list of Key Hubs be reviewed during the plan period?

The Core Strategy includes a commitment to review the Local Service Centres (LSCs) every 2 years. The Key Hubs have been designated with the intention that they will be more resilient to changes to key services that may occur over the plan period. As such it is not necessary to review the Key Hubs as frequently as the LSCs. However we would welcome the Inspector's advice on this matter.

Is the failure to identify sites for at least some of the development proposed to be located within Key Hubs appropriate and consistent with National Policy?

We do not consider that the Council has ‘failed’ to allocate sites for development in the Key Hubs. The Council consulted on potential site allocations for the Key Hubs as part of the Preferred Options stage of the Local Plan. However as explained in the Housing Distribution Topic Paper (2015) (SD006) the prevailing housing and development trends in and around the Key Hubs has meant that any land allocation produced would risk being overtaken by the changes that ongoing planning applications and neighbourhood plan activity is generating in the Key Hubs. This would not meet the requirement in paragraph 23 of the NPPF, which states that LPAs must produce settlement hierarchies that are resilient to change.

The decision not to allocate sites within the Key Hubs was consulted on as part of the consultation on the Pre-Submission Draft Local Plan. This stage of consultation sought comments on the “soundness” of the Plan with regard to the National Planning Policy Framework.

Although the NPPF makes it clear that LPAs should allocate sites for development the absence of specific allocations within the Key Hubs does not prevent development coming forward either as individual planning applications or as part of neighbourhood planning activity (of which the Council is strongly supportive).

Should the policy refer to the desirability of producing Neighbourhood Plans for the Key Hubs?

The Council supports Neighbourhood Planning, and we would take the Inspector’s advice on this matter. It should still be noted that the decision on whether to produce a neighbourhood plan lies with the relevant qualifying bodies. Notwithstanding this however, the Council strongly supports Neighbourhood Planning and is willing to clarify this further in the Local Plan.

Has the Council correctly interpreted the facilities that currently exist at Sockbridge and Tirril?

Yes. The Council has identified that there is a shop in Sockbridge and Tirril. It does constitute a local service, and consequently the village satisfies the relevant criteria for identification as a Key Hub.

We acknowledge that the shop operates from within a local public house; however this does not mean that the presence of the shop should be ignored. Indeed additional development in the areas is likely to enhance demand for local services rather than diminish it.

We also expect there to be some fluctuations in terms of the local services over the plan period. The effects of fluctuations in service provision will be considered as part of the Local Plan Review process.

Responses to Representations

There are 37 outstanding Representations regarding Policy LS1, a large proportion of these comments cover the same issues and can be dealt with together. The issues raised are discussed below.

Respondents (Respondent ID: 52/ Response ID: 104) (Respondent ID: 36/ Response ID: 53) (Respondent ID: 37/ Response ID: 55) suggested that the policy that developments which would increase the size of a village by more than 10% on a single site should not be included as it is overly prescriptive.

The policy exists to offer clarity about the scale of development appropriate in the Key Hubs. However we acknowledge the possibility that this approach is overly prescriptive and welcome the Inspector's guidance.

Respondents (Respondent ID: 32/ Response ID: 38) (Respondent ID: 46/ Response ID: 80) suggested that the criteria and methodology for designating Key Hubs is flawed.

The criteria for selecting 'Key Hubs' is considered to be robust and reflect National Policy whilst reflecting challenging local circumstances in respect of transport provision. The Local Plan has been produced with reference to significant public consultation. The views of local communities have been balanced with the requirements of National Planning Policy wherever possible.

The range of housing distribution options considered is evidenced in the following documents: SD006: Housing Distribution Topic Paper and SD022: Housing Distribution Options Paper. The Strategic Housing Market Assessment clearly outlines the projected population forecasts, which are based upon the most up to date nationally produced data. The background to the Key Hub criteria is found in SD009: Proposed Changes to the Draft Settlement Hierarchy. All options regarding housing distribution have been assessed in the SD011: Sustainability Appraisal Report and SD030: Sustainability Appraisal Full Report.

Respondent (Respondent ID: 32/ Response ID: 38) also suggests that that the Local Plan be based on Neighbourhood Plan content. Neighbourhood Planning is supported by the District Council, however, these plans are required to be in general conformity with the strategic elements of the Local Plan and provisions of National Planning Policy. Neighbourhood Plans are not intended to drive Local Plan policy.

Respondents (Respondent ID: 4/ Response ID: 6), (Respondent ID: 5/ Response ID: 8), (Respondent ID: 61/ Response ID: 209), (Respondent ID: 68/ Response ID: 332) suggested that Sockbridge and Tirril should not be considered as a Key Hub. This argument revolves primarily around concerns over the identification of a “local shop” in the settlement, which operates out of a local pub. Some respondents are concerned that this shop does not provide a sufficient level of services and goods to be considered as a true local service in the context of the methodology for assessing the settlements inclusion as a Key Hub. There are also concerns over the ongoing existence of the shop. The council has addressed these concerns in its response to the Inspector above, when it states that it considers that the shop operating in Sockbridge and Tirril meets the criteria for consideration as a ‘key service’. The Council consider the designation to be consistent with the criteria in Policy LS1.

Respondent (Respondent ID:16/ Response ID: 19) commented that Sockbridge and Tirril should be considered to be effectively two separate settlements and should have their amenities assessed separately, in addition to a local housing needs survey.

The Council considers Sockbridge and Tirril to be one functional settlement. Additionally the NPPF and PPG specifically state that Local Planning Authorities should not “expend significant resources on primary research”.

Respondent (Respondent ID: 23/ Response ID: 26) commented that the Council should base Key Hub designation on up to date evidence.

Again the Council notes the NPPF and PPG, which specifically state that Local Planning Authorities should not “expend significant resources on primary research”. The Council has surveyed areas utilising secondary data sources and consulted widely including Parish Councils and residents during the previous 4 – 5 years.

Respondent (Respondent ID: 27/ Response ID: 31) suggested that the Council consider a community plan for Sockbridge and Tirril. This is something that the Parish Council and local community would undertake. The designation of a Key Hub does not preclude the production of a Community Plan.

Respondent (Respondent ID: 36/ Response ID: 53) made several suggestions in their response remove, the first was that the Council should remove the 10% cap in the policy, and this point has been discussed above. The respondent suggested that the Council Delete “market led” from paragraph 3.14 of the Local Plan and delete the last sentence of paragraph 3.14 replacing it with “The level of service provision and size of villages could fluctuate over the plan period; therefore the list of key hubs identified will be reviewed annually”

The Council’s view is that the inclusion of the term “market led” is considered appropriate as it distinguishes the intended provision from local occupancy or affordable housing for which separate policy provision applies. It is not considered

appropriate to review the list of Key Hubs annually as this would require a partial review of the Local Plan and be unviable and unachievable. Regarding the decision to set the housing distribution figure for Penrith at 50% rather than 60%, background information can be found in SD006: Housing Distribution Topic Paper.

Respondent (Respondent ID: 65/ Response ID: 226) stated that Alston should be a Key Hub not a Main Town and that the number of Key Hubs should be reduced. The Council is also confident in its methodology for selecting the Key Hubs, the criteria for this is explained in SD019: Proposed Changes to the Draft Settlement Hierarchy.

Respondent (Respondent ID: 69/ Response ID: 333) commented that Yanwath should be a Key Hub. This is not supported by the criteria for designating Key Hubs, chosen by the Council.

Respondent (Respondent ID: 45/ Response ID: 78) commented that the size and range of services in Key Hubs should be considered. The existence of a village shop is considered to significantly enhance settlements sustainability. The range of facility is a variable factor that may change during the plan period. The criteria identified for the selection of Key Hubs are considered to balance sustainability criteria and the rural nature of Eden District.

Respondent (Respondent ID:48/ Respondent ID: 88) suggest that the Council consider a distributional strategy that allows more development in the smaller settlements and more market led housing to be permitted in smaller settlements and villages.

The Council's calculation of our objectively assessed need (OAN) is based upon a robust methodology, further details on this can be found in EB030: Strategic Housing Market Assessment – Taking Stock 2015 (Parts 1-4). The figure of 200 homes per year contains an uplift to reflect future job creation; the OAN figure based on household growth/change alone would be around 132 dwellings per year. This housing target is considered to be ambitious but deliverable in the context of Eden.

Smaller Villages and Hamlets

Are the two criteria that seek to control development in the Smaller Villages and Hamlets mutually exclusive?

Effectively yes, the criteria included within Policy LS1 explain the two identified circumstances under which new housing development could be supported in the Smaller Villages and Hamlets. This acknowledges the difference between development taking place on either greenfield or brownfield sites, in particular acknowledging the difficulty of developing some brownfield sites typically in terms of viability. As such the policy proposes that only development which takes place on greenfield sites should be subject to a local occupancy condition.

Main Modification MM05 provides further clarity by recommending the inclusion of the word 'or', which directly addresses the comments made by (Respondent ID: 34/Response ID: 40).

What is the justification for restricting development on greenfield sites to that which meets local demand only whilst not applying such a restriction to previously-developed land?

The policies contained within the Local Plan, and in particular Policy LS1, intend to provide a greater degree of flexibility than the existing Core Strategy in relation to the provision of housing in the district's many Smaller Villages and Hamlets. At present any development outside of a Local Service Centre is a rural exception, and adopted policy requires either 100% affordable housing or housing for an essential rural worker.

It is the purpose of this policy is to enable some housing to come forward outside of the Key Hubs which will meet the needs of local people wishing to live and work in the rural area. Typically this will be in the form of self or custom build. Enabling local people to remain in their local communities will help support and sustain these communities and their networks of support, particularly those who provide support for the elderly rural population.

The reason why a local occupancy restriction is not proposed for previously-developed land is the recognition of the higher costs to develop, and the impact such a restriction may have on the viability of a scheme.

How is local demand defined?

The Local Plan contains no specific definition of 'local demand'; however this is typically taken to mean a desire or wish to live in a particular location. In the case of the Eden Local Plan, 'local demand' is a household with the appropriate local connection seeking to build or commission a build in a particular village or hamlet. The local connection criteria can be found at Appendix 6 of the Eden Local Plan.

Should infill and rounding off be defined?

Where the NPPF makes reference to 'infilling development' (Paragraph 89), it does not provide a specific definition, instead relying upon the judgement of each Local Planning Authority. Whilst we acknowledge that some local plans do define what they mean by infill development, it is the Council's view that due to the varied form and layout of settlements across Eden's smaller villages and hamlets, a single definition would not be appropriate. Instead, each application site will be assessed on its own merits and on a case-by-case basis taking into account the context and setting of each application site. It is not considered appropriate to introduce

restrictive definitions which will not apply to the varied form and layout of settlements in Eden².

The same view applies to the consideration of development which constitutes 'rounding off'.

Should market led housing development be promoted in the Smaller Villages and Hamlets?

One of the key drivers behind both policies LS1 and HS2, is to help meet local housing need by allowing a greater degree of flexibility within the district's smaller villages and hamlets than currently exists. The local connection criteria ensures that local people have an opportunity to remain in the communities they have lived in for many years, which they would otherwise be forced to leave, due to the high house prices experienced in many of the rural settlements in Eden. Typically, the imposition of a local occupancy restriction reduces the value of a property by up to 20%, making these properties more affordable to local families. By allowing a truly open market approach in these locations, this locally identified need would not be met.

Should the policy specifically refer to and define the nature of infill development within the Smaller Villages and Hamlets?

Where the NPPF makes reference to 'infilling development' (Paragraph 89), it does not provide a specific definition, instead relying upon the judgement of each Local Planning Authority. Whilst we acknowledge that some local plans do define what they mean by infill development, it is the Council's view that due to the varied form and layout of settlements across Eden's smaller villages and hamlets, a single definition would not be appropriate. Instead, each application site will be assessed on its own merits and on a case-by-case basis taking into account the context and setting of each application site. It is not considered appropriate to introduce restrictive definitions which will not apply to the varied form and layout of settlements in Eden.

Should market development be allowed on infill sites within the Smaller Villages and Hamlets?

One of the main reasons behind both policies LS1 and HS2 is to help meet local housing need by allowing a greater degree of flexibility within the district's Smaller Villages and Hamlets than currently exists. The local connection criteria ensures that local people have an opportunity to remain in the communities they have lived in for many years, which otherwise they would be forced to leave, due to the high house prices experienced in many of the rural settlements in Eden. Typically, the imposition of a local occupancy restriction reduces the value of a property by up to 20%, making these properties more affordable to local families. By allowing a truly open

² Aerial Photography available: <http://www.visitcumbria.com/evnp/>

market approach in these locations, we consider that this locally identified need would not be met.

Responses to Representations

Only one representation received in relation to Policy LS1 made comments specifically in relation to the Smaller Villages and Hamlets. Firstly, they suggested that we consider a distribution strategy which allows greater levels of development at smaller settlements. However, the Council disagrees with the suggestion: the distribution strategy represents a more dispersed settlement strategy than that contained within the adopted Core Strategy (LD002). This is considered to strike the appropriate balance between supporting rural communities, focusing development at the more sustainable settlements and the level of development that is deliverable at the main towns. Our approach to the Settlement Hierarchy is fully explained and justified in the following documents, Housing Distribution Topic Paper (SD006), Housing Distribution Paper (SD026), and the Proposed Changes to the Settlement Hierarchy Paper (SD019).

Secondly, they suggest that market housing should be allowed where it constitutes infill development. The purpose of Policy LS1, in relation specifically to the Smaller Villages and Hamlets, is to enable people to meet their own need, particularly through self-build. The 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, we do not wish to see unfettered market development which would not support local housing aspirations. Market led development is permitted on previously developed land, and the policy includes flexibility where market housing is proposed as cross subsidy to the provision of affordable housing. No evidence or justification has been supplied to explain why open market housing should be allowed on infill sites.

Finally, they suggest that Policy LS1 should refer to Policy HS2 and HS4 in the text. However, the Council does not consider there to be a requirement to refer to policies HS2 and HS4 within policy LS1 as the Local Plan should be read as a whole.

The other representations received which make reference to the Smaller Villages and Hamlets, are numerous requests for Sockbridge and Tirril to be re-classified from a Key Hub to Smaller Villages and Hamlets.

Rural Area

How does the policy cater for the provision of new dwellings in the rural area to meet the needs of essential rural workers who do not require affordable accommodation?

The policy adequately caters for essential rural workers who do not require affordable accommodation. The policy test is not someone's ability to afford a home in a particular location, but instead their need to reside in that location in connection with their work or business, typically this applies agricultural workers.

There is no requirement for an affordability test applied to applications of this nature. The wording of the policy is such that it focuses on the viability of the business, rather than the affordability of a potential occupier.

Do the results produce a sound approach for the location of new housing development within the rural area as a whole?

Yes, this approach is entirely compliant with Paragraph 55 of the NPPF. The policy supports the provision of new housing in rural areas where it can be demonstrated that there is an essential need for a rural worker to live at or near to their place of work in the countryside.

Responses to Representations

No specific representations were received specifically in relation to the 'rural aspects' of this policy.