



**Schedule of Further Main
Modifications – November 2017**

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Introduction

This schedule sets out further changes proposed to be made to the Eden Local Plan 2014 – 2032 since the publication of the Main Modifications (July 2017). The Further Main Modifications are based on the Submission Draft of the Eden Local Plan, which is available in the Examination Library (SD001), and show where modifications were made at the previous Main Modifications stage. The Further Main Modifications are considered necessary to make the Local Plan sound, and result from the public consultation on the Main Modifications. Public consultation on the Further Main Modifications is required as they cover issues of soundness.

The modifications below are expressed either in the conventional form of ~~striketrough~~ for deletions and underlining for additions of text, or by specifying the modification in words in *italics*. Changes made since the Main Modifications consultation are shown in [blue](#).

The page numbers and paragraph numbering within the schedule refer to the Submission Draft of the Local Plan, and do not take account of the deletion or addition of text. The proposed modifications are set out within the schedule to follow the order of the Plan.

All housing site references relate to references used in the Land Availability Assessment 2015, which can be found in the Examination Library (EB020).

Representations can only be made on the Proposed Further Main Modifications. Representations on other parts of the Local Plan will not be accepted. All representations must be made using the Consultation Response Form and a Guidance Note is provided to assist with completing the form. The consultation opens on **Monday 4th December 2017** at 12 noon for seven weeks.

All representations must be received by **5pm on Monday 22nd January 2018**.

These modifications are accompanied by Further Additional Modifications which have been produced to show extra changes that will be made to the Local Plan that are not considered to affect soundness. The schedule of Further Additional Modifications is available in the Examination Library. This document is for information only and is **not** subject to consultation.

Schedule of Further Main Modifications

Further Main Modification ref.	Policy/ Paragraph Number	Page no.	Change	Reason for change
FM01	AL1	37-38	<p>The Town Plan for Alston aims to deliver:</p> <p>New Homes - Land for 86 <u>131</u> additional new homes will be provided in the town in the long term <u>during the plan period</u>. The main locations for housing will be <u>are south of the Primary School, Land at Clitheroe and Jollybeard Lane.</u></p> <p>[See Appendix 1 of this document for the revised table]</p>	Following a representation from Cumbria County Council, and a review of recent planning permissions granted in Alston, it has been necessary to reduce the capacity of site AL13.
FM02	KS1	45-46	<p>The Town Plan for Kirkby Stephen aims to deliver:</p> <p>New Homes – Land for 188 <u>305</u> new homes will be provided in the town in the long term <u>during the plan period</u>. The main locations for housing are Land to the west of Faraday Road, <u>land adjacent to Manor Court, land at Whitehouse Farm</u> and at Croglam Lane land to the west of Nateby Road.</p> <p>New Jobs – An additional 3.33 <u>4.07</u> 3.33 hectares of employment land is allocated at Kirkby Stephen Business Park.</p> <p>Land for housing is allocated on the following sites:</p> <p>[See Appendix 2 of this document for the revised tables]</p>	A review of the site allocations was undertaken following the approval of three significant planning applications and the identification of a small number of errors in the site scoring exercise.
FM03	DEV3	56	<p>New development will be concentrated <u>encouraged</u> into areas with existing public transport availability, or <u>in</u> areas where new development <u>is likely to</u> leads to the creation of available public transport. Developments <u>likely to generate</u> severe adverse travel</p>	Following a representation from Network Rail. To be consistent with

		<p><u>impacts significant amounts of travel by private car will not be permitted where they are in isolated or to difficult to access areas locations unless an overwhelming environmental, social or economic need can be demonstrated.</u></p> <p><u>Development will be refused if it will result in a severe only be permitted if it is able to demonstrate that it would have an acceptable impact in terms of road safety and congestion. Development should and will provide safe and convenient access to for pedestrians, cyclists and disabled people.</u></p> <p><u>Proposals will be expected to adhere to guidance and standards issued by the Highways Authority on the minimum number of parking spaces to be provided (including for the disabled) and for bicycles) parking.</u></p> <p><u>Applications For major developments (defined in appendix 2), applications will be expected to be accompanied by a Travel Plan and/or a Transport Assessment showing all the following criteria:</u></p> <ul style="list-style-type: none"> <u>• How the site will be safely connected to public transport.</u> <u>• How the site will meet the needs and safety concerns of pedestrians and cyclists.</u> <u>• How the impact of any heavy goods vehicles accessing the site will be minimised, including during the construction phase.</u> <u>• The impact of the development on the local highway network</u> <u>• How the site will ensure the permeability and accessibility of</u> 	<p>paragraph 32 of the NPPF.</p>
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			<p><u>the area.</u></p> <ul style="list-style-type: none"> • <u>How the site safely and conveniently links to main attractors (such as schools, retail and employment uses).</u> <p>Development will not be supported where <u>it meets any of the following criteria, individually or cumulatively in combination with other development proposals:</u></p> <ul style="list-style-type: none"> • It would prevent the future opening of any road or rail schemes under consideration. • It would remove an existing right of way, unless there is no alternative suitable location and the benefits from the development would justify the loss, or where an acceptable diversion is provided and a legal diversion order obtained. • It <u>would</u> leads to a material increase or significant change in the character of traffic (<u>vehicles, pedestrians, cyclists, horse riders and animals</u>) using a rail crossing, unless it can be demonstrated that safety will not be compromised, in consultation with Network Rail. • Evidence shows <u>that there would be a material-severe, unmitigated impact on the surrounding highway network.</u> 	
FM04	HS2		<p>Within the <u>Smaller Villages and Hamlets</u> listed in Policy LS1, permission will be given for <u>small-scale housing of an appropriate scale, which reflects the existing built form of adjoining and neighbouring development to the site and the service function of the settlement, (including sub-division of existing housing) where it meets in any all of the following criteria circumstances:</u></p> <ul style="list-style-type: none"> • Where development is restricted to infilling and rounding 	To ensure the policy is correctly interpreted.

			<p>off of the current village settlement pattern, <u>in accordance with Policy LS1.</u></p> <ul style="list-style-type: none"> • The building does not contain more than 150m2 internal floorspace (gross). • <u>In the case of Greenfield sites, where a condition or legal agreement restricting occupancy to only those meeting local connection criteria, <u>defined in appendix 6, is will be applied.</u></u> <p><u>No</u> Local occupancy restrictions will <u>not</u> be applied where suitable housing comes forward on previously developed land. <u>This is</u> in recognition of the higher costs of <u>involved in</u> developing such sites and the opportunities they may bring to help improve the character and appearance of villages and to support local services.</p>	
FM05	ENV10		<p>Development proposals will be expected to avoid harm to the historic environment wherever possible, and should aim to positively enhance Eden's historic environment.</p> <p>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. Great weight will be attached to the conservation of heritage assets.</p> <p>Development proposals that would result in substantial harm to or total loss of significance of a designated heritage asset or its setting will only be permitted where it can be clearly demonstrated that substantial public benefits would outweigh the harm, and that the</p>	To be consistent with the NPPF and NPPG.

		<p>harm is necessary to achieve those benefits.</p> <p>Any proposals that cause substantial harm to or loss of a grade I or II* Listed Building, a Scheduled Monument, or a grade I or II* Registered Park and Garden, will only be permitted in wholly exceptional circumstances. Proposals that cause substantial harm to a grade II Listed Building, a grade II Registered Park and Garden and a Conservation Area will only be permitted in exceptional circumstances.</p> <p>Where a development proposal will lead to less than substantial harm to a designated heritage asset, the harm will be weighed against the public benefit of the proposal in determining the application.</p> <p>Development proposals in Conservation Areas will be expected to preserve and enhance their special architectural and historic interest.</p> <p>Any proposals that affect a non-designated heritage asset will be judged on the significance of the heritage asset and the scale of the harm.</p> <p><u>The Council will attach great weight to the conservation and enhancement of the historic environment, heritage assets and their setting, which help to make Eden a distinctive place.</u></p> <p><u>The Council will require all proposals for development to conserve and where appropriate, enhance the significance of Eden's heritage assets and their setting. The Council will support proposals that would better reveal the significance of the asset, in particular those heritage assets identified as being most at risk. Opportunities for promotion, interpretation and increasing understanding should also</u></p>	
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		<p><u>be explored.</u></p> <p><u>Development proposals that would result in substantial harm to or total loss of significance of a designated heritage asset or its setting will only be permitted where it can be clearly demonstrated that the public benefits of the proposal would outweigh the harm, and that the harm is necessary to achieve those benefits.</u></p> <p><u>The Council will require proposals to protect and where appropriate, enhance the significance and setting of Eden's non-designated heritage assets, including buildings, archaeological sites, parks, landscapes and gardens. Where the harm is outweighed by the public benefits of the proposals, the Council will require an appropriate level of survey and recording, the results of which should be deposited with the Historic Environment Record.</u></p> <p><u>Where a development proposal affecting an archaeological site is acceptable in principle, the Council will ensure preservation of the remains in situ as a preferred solution. Where in situ preservation is not justified, the development will be required to make adequate provision for excavation and recording before or during development.</u></p> <p><u>All development proposals affecting the historic environment, heritage assets and their settings (including where there is the potential of unknown archaeological assets) will need to be accompanied by an assessment of the significance of the asset and its setting and how it will be affected by the proposed development.</u></p> <p><u>The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the</u></p>	
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		<u>significance of the heritage asset.</u>	
		<u>The level of information required will be proportionate to the significance of the asset and to the scale of impact of the proposal.</u> <u>For archaeological assets, this may where necessary include archaeological desk based assessment and field evaluation.</u>	

Appendix 1 – Allocated sites for housing in Alston

Ref	Address	Area	Indicative Phasing			Total
			2014-2019	2019-2024	2024-2032	
AL1	Jollybeard Lane	1.32			40	40
AL8	Tyne Café and Garage Building	0.35		18		18
AL11	Land South of Primary School	1.01			10	10
AL12	High Mill (Mixed Use)	0.12	6			6
AL13	Land at Clitheroe	0.65 2.6 1.4		20	35 22	20 55 42
AL16	Land adj. to Primary School	0.7			10	10
	Total		6 0	38	60 35 22	86 73 60

Appendix 2 – Allocated sites for housing and employment in Kirkby Stephen

Ref	Address	Area	Indicative Phasing			Total
			2014-2019	2019-2024	2024-2032	
KS3b	South Road/Whitehouse Farm	1.2		38		38
KS13	Land to west of Faraday Road	4.09 <u>5.39</u>		40 <u>60</u>	30 <u>68</u>	70 <u>128</u>
KS15	Land adjacent Croglam Lane	2.55		30	30	60
KS17	Land behind Park Terrace	0.75		23 <u>24</u>		23 <u>24</u>
KS18	Land adj. to Croglam Park	1.18		35 <u>13</u>		35 <u>13</u>
KS24	Land adj to Manor Court	1.2			38	38
KS26	Land at Christian Head Care Home	0.2			9	9
	Total		0	128<u>135-84</u>	60<u>115-77</u>	188<u>250-161</u>

Land for employment use (Use Classes B1-B8) is allocated on the following sites:

Ref	Address	Developable Area (ha)
33	Kirkby Stephen Business Park	3.33
KS5	Land adjacent to Mountain Rescue	0.74
	Total	4.07 3.33