

**Eden Local Plan 2014-2032:  
Representations to Further Main  
Modifications Consultation  
January 2018**



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# Schedule of Representations

Name	Organisation	Legally compliant?	Sound?	Comments	Proposed Changes
<b>FM01 (Policy AL1)</b>					
Paul Fenton/ Dan Mitchell	Story Homes/ Barton Willmore	Yes	No	Story Homes continues to object to the inclusion of Alston as a market town, on the basis that it should not be designated as a main town as set out in our previous representations.  As drafted, Story Homes object to this policy and consider it to be unsound.	n/a
Leanne Beverley	Cumbria County Council	n/a	n/a	See Appendix 1	See Appendix 1
<b>FM02 (Policy KS1)</b>					
Ann Sandell	n/a	n/a	No	New Jobs - I object to this figure for employment sites being reduced from 4.07h back to 3.33 h. This essential employment land was hard won and is very necessary to provide new jobs for people occupying all these new houses. Assumably we will need a minimum of 500 new jobs. No justification for this change has been given. However, we are aware that there is a current planning application for yet more houses on this additional site KS5. KS5 is surrounded by industrial units including 24 hour	Provide up to date information and numbers for housing already granted planning permission.  Reinstate KS5 as employment land or justify the exclusion.

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				<p>access required for the Mountain Rescue and it unsuitable for yet another housing site. This site has been previously disregarded for housing including in the Kirkby Stephen Town Plan.</p> <p>Appendix 2 KS26</p> <p>This land is most suitable for either an extension to the Christian Head care home or for housing designated by older people only. The reasons are:</p> <ol style="list-style-type: none"> <li>1. Next to the care house which could provide additional care when required.</li> <li>2. Next to the care home and unlikely to be appealing for commercial property.</li> <li>3. Next to the Auction Mart and unlikely to be appealing for commercial property.</li> <li>4. Close to the Health Centre.</li> <li>5. Easy and protected access into town for other facilities.</li> </ol> <p>Unless housing for the elderly is planned it is unlikely to happen. There are additionally faults to be found on the sustainability appraisal, see below.</p>	<p>KS26</p> <p>Designate as housing for the elderly. Redo the sustainability appraisal.</p>
Mark Cairns/ Tom	n/a / Proopus	Yes	No	See Appendix 2	See Appendix 2

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Woof					
Elaine Howland-Davenport	n/a	No	No	<p>I can not comment on whether a policy is either legally compliant or sound as I am not an expert and have no formal training in either policy wording or the law, however, I do wish to make general comments on the process.</p> <p>Since my involvement in March 2017 the follow queries have not been answered despite considerable correspondence with Eden District Council.</p> <p>A summary of my concerns:</p> <p>No rational or indeed explanation as to why proportionally to either existing houses or existing population Kirkby Stephen has been given the largest allocation. The base line surely should be taken into account. I stand firm on this stance as No evidence has been shown to convince me otherwise.</p> <p>An explanation as to why Eden District Council chose to use an in house approach to calculate OAN .The other districts within Cumbria chose specialist consultants who had the expertise and resources to produce a robust figure and were therefore not vulnerable to ambitious developer figures. They could defend their position.</p> <p>Kirkby Stephen although being considered a major town has no regular bus service to access either employment or education. There is currently insufficient further educational facilities within</p>	n/a

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				<p>the town. Other facilities such as swimming lessons, gym facilities and dance lessons are 12 miles away in Appleby and need private transport to access them. New developments to date have not enabled this provision and since there is no indication from Eden how future development will change this, one must remain sceptical. Point to confirm scepticism - residents had to fund raise for the new class room which was needed despite new housing development by Story's</p> <p>I Can not find a detailed infrastructure plan for Kirkby Stephen, despite the numerous current problems it suffers from, flooding being a prime example.</p> <p>A detailed employment plan for the increased population does not seem to exist. Major employers currently minimum of 25 miles away in Penrith or Kendal further distance to larger cities Lancaster and Carlisle.</p> <p>Questions for proposed new residents in Kirkby Stephen:</p> <p>Where will they work?</p> <p>How will they afford daily transport costs if work is not available in Kirkby Stephen - Where many have multiple low paid seasonal jobs.</p> <p>Is there enough employment at a higher enough salary to warrant commuter costs to larger towns and cities for</p>	

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				<p>professional jobs? If so can this be considered environmentally friendly when own cars have to be used by individuals.</p> <p>What public transport will be available? The length the process has taken has lead to speculative development in Kirkby Stephen with the whole process being land agent lead, sometimes, in a less than transparent way!</p> <p>This has resulted in planning being approved in areas where historically it was considered undesirable and will alter the character of the town forever.</p> <p>I am reassured that although I had to point out the errors in sd027 they have now been corrected and sites KS24 and KS25 have been removed. They were only initially included when the numbers were increased in January 2017, having had no detailed site analysis done. I still have concerns about nominating KS11 as a future development site as this forms part of the valuable green space between South and Nateby Road, a unique characteristic of this rural town with sheep farming and tourism at its heart.</p> <p>It must be questioned- how is one expected to have confidence in a system where such a crucial document was used as the key allocation tool while it had long standing errors in it - why it took a resident to find these discrepancies.</p> <p>It must be stressed that I do not want to delay the process of</p>	

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				<p>Eden adopting its plan as I am very aware of the sustainable building clause in the National Planning Framework, however, I am also acutely aware of if the figures are accepted and development does not reach these ambitious targets then sustainable planning and future growth sites come into play anyway.</p> <p>It is a no win situation. The process is too far along the track to put the brakes on!!!!!!</p> <p>I appeal to common sense and integrity</p> <p>Please reconsider the numbers for Kirkby Stephen and build in line with Appleby and Penrith. (Proportionately). In previous correspondence I have outlined our unique geographical isolation.</p> <p>Please don't allow Kirkby Stephen to be land agent and developer lead. It shouldn't be about profit and career progression but rather a community's needs being met with a sound rational and plan.</p> <p>When I question Eden District Council about infrastructure, transport and facilities they flippantly said they will follow when the homes are build, surely if this is true then this model should be used in Alston to increase its sustainability and make it a place people want to live.</p>	

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				<p>Just because historically Kirkby Stephen has had a market for its new builds doesn't mean it's sound to build more. A very simplistic view might be the need has been fulfilled. To add more confusion to the process Alston had its allocation reduced because historically it couldn't meet its targets whilst if Kirkby Stephen falls below these new unrealistic targets it gets penalised and new housing sites are put into play. How is this logical? If this is about sustainability and helping develop a district then the rational is not consistent.</p> <p>If Kirkby can sustain should a huge increase in population then I must question why Eden can't give me clear answers to very basic questions instead of months quoting documents that say very little.</p> <p>In conclusion as previously stated I am in support of development and progression but it must be well thought out and based on sound research and facts.</p> <p>Still waiting for the small scale analysis for Kirkby Stephen!!!!!! And answers to my queries simply stated above.</p>	
Jeanette Cooper	Kirkby Stephen Town Council	n/a	n/a	<p>At its 9th January meeting, the Council considered the documents detailing the further main modifications to the Eden Local Plan and made the following response.</p> <p>It is considered that the consultation response form is not fit for purpose. The questions are inappropriate in that they do not</p>	n/a

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				<p>take into account the fundamental impact of the proposed developments. The legality and soundness of the documents do not concern most people in the community, what does concern them, however, is the scale of development, the location of future housing sites and how this will impact on the existing community and it is this information they wish to impart during the consultation.</p> <p>Consistent with previous responses to the Eden Local Plan, it is still considered that the scale of development is inappropriate for Kirkby Stephen and there has been no evidence provided to support the number of dwellings proposed for the town.</p> <p>Please note that the Town Council has received objections to the inclusion of site KS11 as a future development site and it supports the objections made on the grounds that this site remains the only open green site along the linear route of the town.</p> <p>The Town Council is disappointed that the Town Plan, which it formulated at the start of the Eden Local Plan consultation process, has been overlooked in favour of a plan that has been modified several times. The Town Plan was the subject of a local consultation and widely accepted by the community, it was submitted to and accepted by Eden District Council in 2013. The Plan took a holistic approach to future development, taking into consideration the need to strengthen infrastructure to minimise</p>	

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				<p>the impact of developments in the community and creating sustainable growth.</p> <p>The Town Council and Residents regret that their views appear to have been ignored throughout this planning consultation.</p>	
Leanne Beverley	Cumbria County Council	n/a	n/a	See Appendix 1	See Appendix 1
Gemma Gaskell	United Utilities	n/a	n/a	<p>Thank you for your consultation seeking the views of United Utilities in response to the Eden Local Plan – Further Main Modifications consultation.</p> <p>We have no further comments to add to what was submitted in relation to previous Local Plan consultations, however we would like to take the opportunity to advise that the far-eastern part of site KS 13 - Land to west of Faraday Road, Kirby Stephen, is situated within groundwater Source Protection Zone 2 (SPZ2), close to United Utilities water abstraction boreholes. This is in addition to the sites we commented on in previous consultations. Given that land drainage has the potential to impact on the quality of groundwater supplies, we are of the opinion that it is important that the matter is raised where there is a site situated within an SPZ.</p> <p>Within groundwater SPZ's, United Utilities expect developers to adequately assess the impact of their proposal on groundwater</p>	n/a

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				<p>resources and quality, and provide satisfactory mitigation measures where necessary. Specifically it may be necessary to consider appropriate protection measures in the design of any foul and surface water drainage schemes, for example, higher specification sewerage pipework for development schemes in Groundwater Source Protection Zone 1. Development proposals should also be supported by a construction management plan which sets out how the risk to the groundwater environment during any construction process will be managed. Early engagement with the relevant agencies and United Utilities is strongly recommended where development is proposed in Groundwater Source Protection Zones.</p> <p>The applicant should refer to the Environment Agency's Approach to Groundwater Protection: March 2017 Version 1.0 available at <a href="https://www.gov.uk/government/collections/groundwater-protection">https://www.gov.uk/government/collections/groundwater-protection</a> to ensure that the development does not impact on groundwater quality in the area.</p> <p>As detailed in our previous letter to the Main Modifications consultation, we wish to reiterate the importance of early dialogue and we encourage interested parties to contact us to discuss any water or wastewater queries and/or proposals as early as possible in the planning process. We would therefore be very grateful if you could pass on our details.</p>	

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Mark Cairns/Tom Woof	n/a / Prospus	Yes	Yes, with minor changes	The main location is only Land at Faraday Road. KS17 is relatively small at less than 1/5 the size of the Faraday road site. The reasoning behind the changes to this policy is to demonstrate how much housing is to be provided in KS, yet KS13 and KS17 is not able to provide all the housing. In order to be consistent, the other sites where housing is assumed to be provided should be identified in the policy. This is important so that if one of the sites with permission fails to be developed there is a clear understanding of the reasons why the target has not been reached. And so that a future decision maker is not to assume that KS13 and KS17 are to provide all 305 units.	New Homes – Land for 305 new homes will be provided in the town during the plan period. The main location for new housing is land to the west of Faraday Road and land to the west of Nateby Road, together with consents which have already been granted at White House Farm, Croglam Park and Christian Head.
<b>FM03 (Policy DEV3)</b>					
Ann Sandell	n/a	n/a	No	<p>'New development will be concentrated encouraged into areas with existing public transport availability, or in areas where new development is likely to leads to the creation of available public transport.'</p> <p>As EDC are fully aware, there are no regular bus services to and from Kirkby Stephen and certainly no services that will take people to work out of the town or to the main employment area in Penrith 25 miles away. This is of course a very large flaw in this Local Plan given the number of houses to be built in Kirkby</p>	<p>Be precise in the requirements for Public Transport creation and safe connection to Public Transport.</p>

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				<p>Stephen.</p> <p>EDC have now added the clause 'or in areas where new development is likely to lead to the creation of available public transport' to cover this problem.</p> <p>How is the creation of public transport to be encouraged or monitored?</p> <p>Applications</p> <p><input type="checkbox"/> How the site will be safely connected to public transport</p> <p>This is impossible given the current circumstances and it is a shame that this criteria has been ignored for all the recent planning applications granted.</p>	
Paul Fenton/ Dan Mitchell	Story Homes/ Barton Willmore	Yes	No	<p>Whilst Story Homes is largely supportive of the revised wording of this policy to ensure that it reflects Paragraph 32 of the NPPF, and it should ensure that it reflects national policy verbatim in relation to Bullet Point 3 of Paragraph 32 which states that <b>“development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe”</b>.</p>	<p>We request the Council removes <b>“individually”</b> from the proposed modification. We do however consider that the Council should ensure that reference to “planning balance” is included and reference to <b>“overwhelming”</b> is removed.</p>
Tom	Prospus	n/a	n/a	There is no objective assessment possible of whether or not	replace 'is likely to lead

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Woof				<p>'new development is likely to lead to the creation of available(?) public transport'. The factors governing such outcomes are far too variable and nebulous to allow a decision maker to take account of 'a likelihood' in decision making. This drafting will lead to appeals if the LPA refuse permission based on an assessment of likelihood. In any case the drafting needs to be refined because the word 'available' does not make sense in this context.</p> <p>It is recognised that rural public transport is transport is subject to pressures that have little to do with land-use planning and this undermines a principle argument for favouring one location for development in rural areas over another. However, this is the current reality - that bus services have been cut in the Eden Valley.</p> <p>NPPF 32 is the incorrect paragraph to cite for justifying this text. A sound approach would be to cite paragraph 29 and highlight the view that rural solutions to maximise sustainable transport will vary from rural to urban locations; and para 30 citing it may not always be reasonable to facilitate the the use of sustainable modes of transport; and para 35 as recognition that the general position of minimising the need for travel must take account ofthe the needs of rural areas.</p> <p>Further account should be taken of para 55 of the NPPF in referring to the maintenance and enhancement of the vitality of rural communities.</p>	<p>to' with 'the possibility exists for'.</p> <p>Replace 'an overwhelming ...need' with 'it contributes to the vitality of the local community'.</p>

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<b>FM04 (Policy HS2)</b>					
David Miller	WYG	Yes	No	<p>Further to our previous submissions to the Main Modifications consultation in the summer of 2017, the current consultation fails to respond to the fundamental concerns that we expressed relating to the wider identification of Key Hubs (KH), Smaller Villages and Settlements (SVS). Rather, the current consultation concentrates solely on the SVS element of the wider settlement hierarchy, to the complete detriment of the far more fundamental and spatially important consideration of the number, location and development provisions for the Key Hubs.</p> <p>Suffice to say, this approach is extremely disappointing and we reiterate our previous views such that a root and branch review of the locational and physical attributes of each of the existing Local Service Centres is required.</p> <p>In so far as the proposed further modifications to the SVS element are concerned, these are welcomed in so far as they support new housing development. This said, the application of a generic limit on floor space is not supported nor is the differentiation between greenfield and brownfield sites. These considerations are simply too rudimentary and provide no links or recognition to the wider considerations of development requirements to support or enhance sustainability credentials of what is currently a very wide ranging and diverse number of SVS settlements given the failure to undertake a detailed review</p>	<p>The Council is again requested to completely revisit what has been a wholly haphazard, ad-hoc and reactive approach to the replacement of Core Strategy policy CS2 – Locational Strategy in so far as the settlement hierarchy is concerned. A fresh approach is required, with the starting point being a root and branch review of the locational and physical attributes of each of the existing Local Service Centres, Smaller Villages and Hamlets; allied critically to the potential of these settlements going forward to accommodate housing growth via a method that</p>

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				of existing Local Services Centres (proposed Key Hubs).	<p>does not stipulate a generic percentage limit across the board, which in itself is unsound as we are not dealing here with generic, cloned settlements of identical characteristics.</p> <p>The future potential of all settlements to accommodate growth, in particular, is of paramount importance in the assessment of <i>'what could be'</i> and not simply <i>'what is'</i> now or <i>'what has been'</i> in the past. This is a fundamental oversight and flaw in the current settlement selection process in our view and, if not rectified now prior to adoption, may well lead to a legal challenge in due course due to the wholly indiscriminate</p>

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					nature of the current structure of the hierarchy.
J.A.S Wright	n/a	Yes	No	See Appendix 3	See Appendix 3
Tom Woof	Prospus	Yes	Yes, with minor changes	The second bullet does not make sense if the proposal to be considered involves more than one building or more than one dwelling within a building. There is no reason to suppose that these proposals would be always restricted to a single building. The current drafting may lead a decision maker to wrongly consider that the policy only applies to single buildings and result in confusion as to how to apply this policy. The nomenclature is incorrect. Normally, one uses 'gross internal floorspace 'not internal floorspace (gross)'. The current drafting may lead a decision maker to wrongly consider that the policy only applies to single buildings and result in confusion as to how to apply this policy. The nomenclature is incorrect. Normally, one uses 'gross internal floorspace 'not internal floorspace (gross)'.	replace the second bullet with: 'Where individual dwellings within a proposal do not contain more than 150m2 Gross Internal Floorspace.'
<b>FM05 (Policy ENV10)</b>					
Paul Fenton/ Dan Mitchell	Story Homes/ Barton Willmore	Yes	No	The Council has revised the wording of Policy ENV10 to ensure it is consistent with the NPPF and NPPG. However, the revised wording does not reflect the NPPF in full and references to "loss" should also be included. We do however welcome the inclusion of text relating to non-designated heritage assets.	n/a
Barbara Hooper	Historic England	Yes	Yes	Thank you for consulting Historic England on the Eden Local Plan Proposed Further Main Modifications. As the Government's statutory adviser on all matters relating to the historic environment in England, we are pleased to offer our comments.	n/a

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				<p>We champion and protect England's historic places, providing expert advice to local planning authorities, developers, owners and communities to help ensure our historic environment is properly understood, conserved and enjoyed.</p> <p>We have made a number of previous representations on the Local Plan, and are grateful to the Council for making the amendments we felt were necessary to ensure that the plan will conserve and enhance the historic environment. Having reviewed the proposed further main modifications, we support the Further Modification 05 (to Policy ENV10) and consider it to be sound and legally compliant, and have no further comments to make.</p>	
<b>General non-specific/background document representations</b>					
Lindsay Alder	Highways England	n/a	n/a	Thank you for the opportunity to comment on the above Main Modifications Consultations documents. I have read through the documents provided and can confirm that Highways England has no further comment to make at this time. I look forward to continue working with you as this and other documents progress, through the Local Plan.	n/a
John Dixon	Natural England	n/a	n/a	Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable	n/a

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				<p>development.</p> <p>Natural England does not consider that these modifications pose any likely risk or opportunity in relation to our statutory purpose, and so does not wish to comment on this consultation.</p> <p>The lack of comment from Natural England should not be interpreted as a statement that there are no impacts on the natural environment. Other bodies and individuals may wish to make comments that might help the Local Planning Authority (LPA) to fully take account of any environmental risks and opportunities relating to this document.</p> <p>If you disagree with our assessment of this proposal as low risk, or should the proposal be amended in a way which significantly affects its impacts on the natural environment, then in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, please consult Natural England again.</p>	
Hannah Lorna Bevins	Amec Foster Wheeler on behalf of National Grid	n/a	n/a	<p>National Grid has appointed Amec Foster Wheeler to review and respond to development plan consultations on its behalf.</p> <p>We have reviewed the above consultation document and can confirm that National Grid has no comments to make in response to this consultation.</p> <p>Further Advice</p> <p>National Grid is happy to provide advice and guidance to the Council concerning our networks. If we can be of any assistance</p>	n/a

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				<p>to you in providing informal comments in confidence during your policy development, please do not hesitate to contact us.</p> <p>To help ensure the continued safe operation of existing sites and equipment and to facilitate future infrastructure investment, National Grid wishes to be involved in the preparation, alteration and review of plans and strategies which may affect our assets. Please remember to consult National Grid on any Development Plan Document (DPD) or site-specific proposals that could affect our infrastructure.</p>	
Ann Sandell	n/a	n/a	No	<p>FA01 – Schedule of Additional Modifications ‘the provision of new employment and improvements to accessibility.’</p> <p>What are the proposals for improvements to accessibility?</p> <p>Appendix 1 - Housing Targets and Distribution</p> <p>Kirkby Stephen 146</p> <p>With 146 already having some planning permission or outline planning permission on at least three sites in the town, should the Indicative Phasing detailed in Appendix 2 above be pushed back to at least 2024? This is a small town with very limited access roads and will already resemble a building site with just three sites and certainly disturb the quality of life for residents and cause congestion for through traffic.</p>	<p>Detail the proposals for improvements to accessibility.</p> <p>Appendix 1</p> <p>Changes to indicative phasing.</p> <p>Kirkby Stephen Position statement</p> <p>Suggest all sustainability pparasels are recalculated or republished once checked as there have been some very obvious errors.</p>

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Jeremy Pickup	Environment Agency	Yes	Yes	n/a	n/a
Mrs M Lindsley	The Coal Authority	n/a	n/a	The Coal Authority has no specific comments to make on the Further Main Modifications proposed.	n/a
Paul Fenton/ Dan Mitchell	Story Homes/ Barton Willmore	Yes	No	<p><b>FA02 (Policy LS1)</b> – This modification seeks to include text which prevents non-allocated sites increasing the size of the village by 10%. Story Homes objects to this policy, and this fundamental change in approach. This restrictive cap should be included as a main modification rather than an “additional modification ” and subject to formal consultation.</p> <p>The Council’s approach to the inclusion of this cap is because they are seeking to allocate sites in Key Hubs and that flexibility has been provided through the wording “<b>will not normally be provided</b>”. The Inspector previously objected to this approach because it limited growth.</p> <p>It is Story Homes’ maintained position that this approach is contrary to the NPPF which does not seek to “cap” growth or place limits on sustainable development. No evidence has been provided by the Council at any stage as to why an artificially imposed cap of 10% cap in each settlement is appropriate, a position which has been maintained by our Client throughout the process. There is no requirement or need to cap development at 10% because the needs and locations of Key Hubs vary between settlements because they serve different housing needs.</p>	n/a

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				<p>As set out in our previous representations, this approach is inconsistent with the Vision of the Local Plan which seeks by 2032 to have created a more diverse and sustainable population. No assessment has been undertaken as to whether this proposed growth cap will prevent this vision and subsequent objective being achieved. Additionally, there is no evidence provided to suggest that the cited 10% cap will be sufficient to allow the level of development required to come forward in a way which helps deliver the development aspirations and services and infrastructure required. The Council's approach is not justified.</p> <p>The implications of this revised policy in the absence of a five-year supply is also required.</p> <p>As drafted, Story Homes object to this policy and consider it to be unsound.</p>	
Paul Fenton/ Dan Mitchell	Story Homes/ Barton Willmore	Yes	No	<p><b>FA05 (Policy LS2)</b> – This modification seeks to introduce additional text relating to “future growth sites” and when these will be released. This is based on when the “<b>collective housing completions for the towns (Penrith, Appleby, Alston and Kirby Stephen) &gt; 20% behind the expected rate of delivery</b>” and in relation to Key Hubs “<b>collective housing completions for the Key Hubs &gt;20% behind the expected rate of delivery</b>”.</p> <p>It is our Client's position that the mechanism for this release approach remains unclear and ineffective. Further clarification of</p>	Despite the Council's consideration and justification provided in response to the August 2017 Main Modifications, it is Story Homes' position that the overall housing requirement target should be considered collectively

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				how this will be implemented is required. The modification continues to seek to differentiate between housing requirements in the four main towns and Key Hubs.	rather than separately and if delivery rates within the Borough as a whole fall below 20% then further sites should be released in both the main towns and Key Hubs. This point also mirrors the Council's position that Eden is a single housing market area. As drafted, Story Homes object to this policy and consider it to be unsound.
Paul Fenton/ Dan Mitchell	Story Homes/ Barton Willmore	Yes	No	<b>FA07 (Policy PEN1)</b> – This modification seeks to amend the number of sites and capacity available within Penrith to 846 and to include the provision of safeguarding sites within Penrith. This is a reduction from 1,154. Clarification on how this has been derived is required.	n/a
Paul Fenton/ Dan Mitchell	Story Homes/ Barton Willmore	Yes	No	<b>FA18 (Policy ENV1)</b> – The modification has introduced a new element which relates to the need to avoid the best and most versatile agricultural land (Grades 1,2 and 3a) in preference of developing land of a poorer quality. The Council has cited this as necessary is to protect agricultural land in line with the NPPF, however, clarification of how this approach complies with	n/a

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				strategic land release is required particularly in relation to the Council's approach of directing development to the most sustainable locations.	
Paul Fenton/ Dan Mitchell	Story Homes/ Barton Willmore	Yes	Yes	<b>FA12 and FA14 (4.6.6 and 4.6.7)</b> – Story Homes support the removal of references to Building for Life Principles.	n/a
Paul Fenton/ Dan Mitchell	Story Homes/ Barton Willmore	Yes	No	<b>FA04 Appendix 1 – Housing Targets and Distribution</b> – The targets and numbers have again been updated and differs from that published both as part of the Interim consultation in April 2017 and the August 2017 consultation. No base date for this evidence has been provided and calcification of the sources of this supply is required because it is different from the previous consultation periods. A breakdown of the Council's completions data and extant consents is required. We again refer the Council to our previous representations (April 2017 and August 2017 – <b>Appendices 1 and 2</b> ). Without this evidence, Story Homes cannot make a judgement as to whether sufficient allocations have been made or comment on the level of proposed allocations with the Plan or that the proposed buffer is sound.	n/a
Paul Fenton/ Dan Mitchell	Story Homes/ Barton Willmore	Yes	No	<b>Revised Allocation Maps</b> It is noted within the revised allocation maps that Story Homes' consented sites have been removed as allocations. Whilst it appears that this has been done to avoid double counting commitments and allocations, we would suggest that the sites	n/a

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				are identified as allocations within these maps for clarity because otherwise they appear as undeveloped land.	
Jennifer Longstaff	The Church Commissioners for England/ Savills	n/a	n/a	See Appendix 4	See Appendix 4
Joanne Harding	Home Builders Federation	n/a	No	<p><b>FA01 – Policy LS1</b></p> <p><i>The proposed modifications do not overcome our previous concerns with this policy, as such it is still considered to remain unsound as it is not justified.</i></p> <p>In relation to ‘Key Hubs’ the policy retains reference to sites which would increase the size of a village by more than 10% not normally being supported. The amendment clarifies this only relates to sites not included within the plan. Whilst the amendment is useful for purposes of clarification the HBF maintains that 10% is an arbitrary figure which has no regard to site or settlement characteristics, need or potential infrastructure benefits. This issue is further discussed within paragraphs 7 to 9 of our examination hearing statement (examination reference EL2.004).</p> <p>In relation to Smaller, Villages and Hamlets the current policy</p>	n/a

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				wording effectively prioritises the re-use of previously developed land over and above greenfield sites, in terms of market housing, without consideration of the relative sustainability benefits or need for development. The HBF advocate that each site is viewed upon its merits and that such restrictions are not applied to either greenfield or previously developed land.	
Joanne Harding	Home Builders Federation	n/a	No	<p><b>FA04 – Policy LS2</b></p> <p><i>The proposed modifications do not overcome our previous concerns with this policy, as such it is still considered to remain unsound as it is not adequately justified by the evidence.</i></p> <p>The HBF welcomes the increase in the housing requirement from 200dpa to 242dpa. This increase goes some way to addressing our previous concerns with the policy and overall Local Plan. We do, however, remain of the opinion that 242dpa remains below the full housing needs of the area. We remain of the opinion that this suppression in housing need is largely related to the methodology undertaken to identify the objectively assessed housing need (OAN) of Eden.</p>	n/a
Joanne Harding	Home Builders Federation	n/a	No	<p><b>FA15 – Policy HS1</b></p> <p><i>The proposed amendments are not considered sound as they</i></p>	n/a

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				<p><i>will not be effective.</i></p> <p>Whilst it is recognised this is not a change to the policy requirement, the HBF continues to have reservations regarding the requirement for 30% of all new dwellings to be affordable. This is considered in greater detail within our response to the submission version of the plan, dated 30th November 2015 (response ID109). The amendment to the threshold is, however, supported and is considered to confirm with current advice within the PPG.</p> <p>Whilst the penultimate paragraph, relating to viability, is supported this should be expanded to include a relaxation of the local occupancy criteria. Which may equally impact upon viability. This will ensure that the policy is more effective.</p>	
Joseph Halsall	n/a	Yes	No	<p>The Kirkby Stephen Position Statement which justifies the changes to Appendix 2 has serious flaws - these are:</p> <p>1. In particular the site scoring table is in error in giving insufficient weight to the harm development on KS11 would cause to the character of the area. There is great concern locally, that KS11 represents the last open ground off South Road within the town and would irreparably change the character of South Road and the approach to the Town centre</p>	<p>Referring my comments KS11 should be rescored and its ranking lowered, therefore removing it as an area of possible development.</p> <p>Appendix 2 should refer to KS24 rather than KS11</p>

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				<p>by creating a 'canyon effect'. KS15, on the other hand, is a much less prominent site and much better suited to development than the last open space off South Road.</p> <p>2. KS24 is also a less prominent site than KS11 and would be ranked higher if the harm to South Road were properly taken into account.</p> <p>See comments in section 6 [below] for further details.</p> <p>[6.] We have concerns about the Sustainability Appraisal scoring matrix for housing sites.</p> <p>1(a) the criteria should not include a reference to the SHLAA as this designation is not equivalent to local plan allocation and the SHLAA report is at pains to make it clear that SHLAA inclusion is not a proxy for allocation. It says:</p> <p><i>This document does not allocate sites for residential use, and the identification of sites within this assessment does not infer that planning permission will be granted by the Council.</i></p> <p><i>The assessment is an important evidence source to inform plan making but does not in itself determine</i></p>	<p>as an area of possible future development.</p>

Name	Organisation	Legally compliant?	Sound?	Comments	Proposed Changes
				<p><i>whether a site should be allocated for development. It is the role of the assessment to provide information on the range of sites which are available to meet need, but it is for the development plan itself to determine which of those sites are the most suitable to meet those needs.</i></p> <p>1(e) For KS11 there are strong local opposition to development on this site and importantly not only from those who live close to it. This site is the last open space on South Road and its development would harm the character of the Road and the approach to the Kirkby Stephen Town Centre Conservation Area. It should score 1.</p> <p>2(f) KS11 has no prospect of a public footpath on the highway linking it to the town centre without crossing the A685. The adding property of Thorne Mount extends to the highway edge and prevents a footpath from linking to those further north. Whereas KS24 has the potential for joining the existing footpath on Nateby Road or linking to the footpaths on Manor Court. Both these site have no access to a Bus service. KS11 should be scored 3 (to take account of the lack of pavement) and KS24</p>	

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				<p>scored 4.</p> <p>3(a) KS11 is an historic unbuilt frontage and now the last such frontage on South Road. Its development would cause significant and irreparable harm to the historic character of South Road by preventing any views of the open space beyond and creating a canyon effect which is alien to the character of Kirkby Stephen. This site represents the only opportunity to retain the open character of South Road which is an important element in the approach to either the Town Centre Conservation Area or the Yorkshire Dales National Park. It should score 1.</p> <p>3(b) KS11 is also within 250m of the Scheduled Ancient Monument of Croglam Castle and should be scored 2.</p> <p>3(d) KS11 has a well used public footpath running through it which acts as informal amenity space for the town. Development on this site would require some additional open space to be provided in order to allow the PROW to be retained and there to be no loss of amenity for users of it. The site is suitable for such space to be provided and should score 1.</p> <p>3(f) KS11 has TPOs and protected hedgerows on site TPO 184 2017 and should score 1. This is a new designation since the</p>	

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				<p>assessment was carried out.</p> <p>4(a)KS11 has at least two adverse environmental conditions which would affect prospective residents: Road noise and air pollution by virtue of being close to the A685. It should score 3, not 4. By contrast KS24 does not have any such issues rather it has beneficial conditions such as the proximity to the local primary school, the proximity to other facilities in town and the river, and should score 5.</p>	
Gary Capstick	n/a	Yes	No	<p>The Kirkby Stephen Position Statement which justifies the changes to Appendix 2 has serious flaws - these are:</p> <ol style="list-style-type: none"> <li>1. In particular the site scoring table is in error in giving insufficient weight to the harm development on KS11 would cause to the character of the area. There is great concern locally, that KS11 represents the last open ground off South Road within the town and would irreparably change the character of South Road and the approach to the Town centre by creating a 'canyon effect'. KS15, on the other hand, is a much less prominent site and much better suited to development than the last open space off South Road.</li> <li>2. KS24 is also a less prominent site than KS11 and would be</li> </ol>	Appendix 2 should refer to KS24 rather than KS11 as an area of possible future development. If KS11 was scored correctly it would rank lower than KS24. KS11 should be correctly scored thus lowering its ranking.

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				<p>ranked higher if the harm to South Road were properly taken into account.</p> <p>See comments in section 9 [below] for further details.</p> <p>[9.] We have concerns about the Sustainability Appraisal scoring matrix for housing sites.</p> <p>1(a) the criteria should not include a reference to the SHLAA as this designation is not equivalent to local plan allocation and the SHLAA report is at pains to make it clear that SHLAA inclusion is not a proxy for allocation. It says: This document does not allocate sites for residential use, and the identification of sites within this assessment does not infer that planning permission will be granted by the Council. The assessment is an important evidence source to inform plan making but does not in itself determine whether a site should be allocated for development. It is the role of the assessment to provide information on the range of sites which are available to meet need, but it is for the development plan itself to determine which of those sites are the most suitable to meet those needs.</p> <p>1(e) For KS11 there is strong local opposition (more than 100 objections in each of the last two consultations) to development</p>	

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				<p>on this site and importantly not only from those who live close to it. This site is the last open space on South Road and its development would harm the character of the Road and the approach to the Kirkby Stephen Town Centre Conservation Area. It should score 1.</p> <p>2(f) KS11 has no prospect of a public footpath on the highway linking it to the town centre without crossing the A685. In addition, the property Thorne Mount extends to the highway edge and prevents a footpath from linking to those further north. Whereas KS24 has the potential for joining the existing footpath on Nateby Road or linking to the footpaths on Manor Court. Both these sites have no access to a Bus service. KS11 should be scored 3 (to take account of the lack of pavement) and KS24 scored 4.</p> <p>3(a) KS11 is an historic unbuilt frontage and now the last such frontage on South Road. Its development would cause significant and irreparable harm to the historic character of South Road by preventing any views of the open space beyond and creating a canyon effect which is alien to the character of Kirkby Stephen. This site represents the only opportunity to retain the open character of South Road which is an important element in the approach to either the Town Centre Conservation</p>	

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				<p>Area or the Yorkshire Dales National Park. It should score 1.</p> <p>3(b) KS11 is also within 250m of the Scheduled Ancient Monument of Croglam Castle and should be scored 2.</p> <p>3(d) KS11 has a well used public footpath running through it which acts as informal amenity space for the town. Development on this site would require some additional open space to be provided in order to allow the PROW to be retained and there to be no loss of amenity for users of it. The site is suitable for such space to be provided and should score 1.</p> <p>3(f) KS11 has TPOs and protected hedgerows on site TPO 184 2017 and should score 1. This is a new designation since the assessment was carried out.</p> <p>4(a) KS11 has at least two adverse environmental conditions which would affect prospective residents: Road noise and air pollution by virtue of being close to the A685. It should score 3, not 4. By contrast KS24 does not have any such issues rather it has beneficial conditions such as the proximity to the local primary school, the proximity to other facilities in town and the river, and should score 5.</p>	
Chrissie	n/a	Yes	No	The Kirkby Stephen Position Statement which justifies the	Referring to sections 7

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Halsall				<p>changes to Appendix 2 has serious flaws - these are:</p> <p>1. In particular the site scoring table is in error in giving insufficient weight to the harm development on KS11 would cause to the character of the area. There is great concern locally, that KS11 represents the last open ground off South Road within the town and would irreparably change the character of South Road and the approach to the Town centre by creating a 'canyon effect'. KS15, on the other hand, is a much less prominent site and much better suited to development than the last open space off South Road.</p> <p>2. KS24 is also a less prominent site than KS11 and would be ranked higher if the harm to South Road were properly taken into account.</p> <p>See comments in sections 7 and 9 [below] for further details.</p> <p>[9] We have concerns about the Sustainability Appraisal scoring matrix for housing sites.</p> <p>1(a) the criteria should not include a reference to the SHLAA as this designation is not equivalent to local plan allocation and the SHLAA report is at pains to make it clear that SHLAA inclusion is not a proxy for allocation. It says: This document does not</p>	<p>and 9, KS11 score should be amended, which would reduce its ranking and so removed from any development proposals.</p> <p>[7] Appendix 2 should refer to KS24 rather than KS11 as a area of possible future development.</p> <p>Please be aware that I have sent a separate letter by email which I wish to be also included as an official response.</p>

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				<p>allocate sites for residential use, and the identification of sites within this assessment does not infer that planning permission will be granted by the Council. The assessment is an important evidence source to inform plan making but does not in itself determine whether a site should be allocated for development. It is the role of the assessment to provide information on the range of sites which are available to meet need, but it is for the development plan itself to determine which of those sites are the most suitable to meet those needs.</p> <p>1(e) For KS11 there is very strong local opposition to development on this site (with over 100 written objections at each of the last consultations, going back several years) and importantly not only from those who live close to it. This site is the last open space on South Road and its development would harm the character of the Road and the approach to the Kirkby Stephen Town Centre Conservation Area. It should score 1.</p> <p>2(f) KS11 has no prospect of a public footpath on the highway linking it to the town centre without crossing the A685. Also, the property of Thorne Mount extends to the highway edge and prevents a footpath from linking to those further north. Whereas KS24 has the potential for joining the existing footpath on Nateby Road or linking to the footpaths on Manor Court. Both</p>	

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				<p>these site have no access to a Bus service. KS11 should be scored 3 (to take account of the lack of pavement) and KS24 scored 4.</p> <p>3(a) KS11 is an historic unbuilt frontage and now the last such frontage on South Road. Its development would cause significant and irreparable harm to the historic character of South Road by preventing any views of the open space beyond and creating a canyon effect which is alien to the character of Kirkby Stephen. This site represents the only opportunity to retain the open character of South Road which is an important element in the approach to either the Town Centre Conservation Area or the Yorkshire Dales National Park. It should score 1.</p> <p>3(b) KS11 is also within 250m of the Scheduled Ancient Monument of Croglam Castle and should be scored 2.</p> <p>3(d) KS11 has a well used public footpath running through it which acts as informal amenity space for the town. Development on this site would require some additional open space to be provided in order to allow the PROW to be retained and there to be no loss of amenity for users of it. The site is suitable for such space to be provided and should score 1.</p>	

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				<p>3(f) KS11 has TPOs and protected hedgerows on site TPO 184 2017 and should score 1. This is a new designation since the assessment was carried out.</p> <p>4(a)KS11 has at least two adverse environmental conditions which would affect prospective residents: Road noise and air pollution by virtue of being close to the A685. It should score 3, not 4. By contrast KS24 does not have any such issues rather it has beneficial conditions such as the proximity to the local primary school, the proximity to other facilities in town and the river, and should score 5.</p>	
Mrs Chrissie Halsall and Mr Joe Halsall	Lockholme Bed and Breakfast	n/a	n/a	<p><u>I would like this letter to be included and considered as an official response to the Further Main Modifications Consultation which ends on Wednesday 24<sup>th</sup> January 2018.</u></p> <p><u>Myself and my husband have lived at 48, South Road, Kirkby Stephen, directly opposite the field known as KS11. The location has open rural aesthetics, and this is what drew us when purchasing the property in January 2016. The property was an existing Bed and Breakfast and we have extensively renovated and since reopened in June 2016. At the point of purchase KS11 was not included in the Local Plan. It had been rejected and removed from the site allocation list. Our intention was to</u></p>	

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				<p><u>develop a Bed and Breakfast business, providing a much needed high quality destination with excellent customer service for the growing number of visitors to the unspoilt Eden Valley.</u></p> <p>In the short time we have been here, we have developed a strong and successful business, catering for all types of visitors including walkers and cyclists enjoying the stunning area and the many long-distance walks and cycle trails. that pass through, such as the famous Coast to Coast and Lady Anne’s Way.</p> <p>We have built up a great reputation quickly, have been at the No 1 position for the area on Tripadvisor for over a year, and enjoy a high rate of occupancy especially between March to September. The number of returning guests is growing rapidly.</p> <p><b><u>1. Protecting the unique open rural aesthetics of KS11.</u></b></p> <p>As well as our excellent customer service with personal touches, and high-quality facilities, part of our visitor’s choice to come to Lockholme is because of its location. Kirkby Stephen is full of character, steeped in farming history and is a thriving ‘Walkers are Welcome’ town. Lockholme is directly on the C2C route, has an amazing open rural aspect extending far towards the iconic Nine Standards Rigg, which is on the next stage of the C2C route – which for many, particularly the large number of</p>	

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				<p>overseas visitors, is the main reason for their visit. KS11 has been historically open and undeveloped, with a very well used and loved footpath through it, giving safe access to Stenkrith and Jubilee parks and has very close proximity to the newly extended Yorkshire Dales National Parks Boundary.</p> <p><u>As stated by the Eden District Council:</u></p> <p><i>“Eden will continue to prize the natural and built assets which make it unique and will protect them not only for their own sake, but also as a means of attracting investment and visitors to the area. Eden’s towns and villages will have retained the characteristics that provide their character and charm.”</i></p> <p><u>Taken from The Vision for Eden P20 2.3.1. Eden Local Plan 2014. Preferred Options Consultation.</u></p> <p>If KS11 remains as a potential future growth site and development occurs, that vision will not happen. The unique character of having outstanding rural countryside within the town boundary, such as KS11, will be forever ruined.</p> <p><b><u>2.Effect of KS11 development on Lockholme as a business.</u></b></p> <p><u>As stated by The Eden District Council:</u></p> <p><i>“In recent years Kirkby Stephen has gained prominence as a</i></p>	

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				<p><i>centre for outdoor recreation, based largely on its proximity to the Yorkshire Dales National Park and the North Pennines Area of Outstanding Natural Beauty. Kirkby Stephen is situated near the midpoint of the Coast to Coast Walk and is also linked to several other long-distance trails and cycle-ways. The hill country around provides excellent walking, in conditions of tranquillity arguably no longer found in the Lake District to the west. The limestone country nearby, including the remarkable Orton Fells-Asby Scar ridge, has dramatic limestone pavements and a rich wild flora making it highly attractive to naturalists. The town has a small hotel, a hostel and several pubs, and many homes and some farms offer bed and breakfast accommodation. <u>The nurture and expansion of this tourist industry is a central concern in long-term planning.</u></i></p> <p><u>Taken from The Town Plan for Kirkby Stephen 3.15.3 Eden Local Plan 2014 Preferred Options Consultation.</u></p> <p><u>Also stated by Eden District Council:</u></p> <p>“The objectives for Kirkby Stephen are: • To act as a gateway to the Yorkshire Dales National Park, particularly if the park is extended towards the town. This will include nurturing and expanding tourist services and exploiting its position along the Coast to Coast walking and cycling routes.”</p>	

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				<p><u>Taken from The Town Plan for Kirkby Stephen. 3.16.1 Eden Local Plan 2014 Preferred Options Consultation.</u></p> <p><u>We as a business have received great support in many ways from Eden District Council, during the last 2 years, in the form of many free and subsidized courses and invaluable long-term business advice to help nurture and develop our fledgling business. This support is continual and ongoing.</u></p> <p><u>One important asset of our business over other B&amp;B businesses in the area, is Lockholme's immediate surroundings. The visitors adore the open aspect and there are many examples of their appreciation of our unique position written in our Visitor's Book and online reviews.</u></p> <p><u>Our Guests say:</u></p> <p><u><i>"Comfortable room with great view towards nine standards. One of the best places we stayed in on the coast to coast walk." K Davis, California September 2017</i></u></p> <p><u><i>"My room was amazing and looked to Nine Standards Rigg" Claire S August 2017</i></u></p> <p><u><i>"Our room was at the front of the house looking out over open countryside." Anne K August 2017</i></u></p>	

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				<p>If KS11 is developed, there will be a huge impact on the business. It will be completely overlooked, and the new houses will be overbearing, having a massive impact on privacy. The tourist industry is obviously crucial to the area, the Council is investing in our growth and yet if KS11 is not protected, our business will be damaged.</p> <p><b>3. <u>Infrastructure</u></b></p> <p>Since the summer there has been a Traffic Survey (October 2017) to monitor the amount and speed of traffic along the A685, South Road. The results show that the number of cars, as well as speeding is a big issue. Also, many HGV trucks are ignoring the ban and passing through the town at all hours. A group of residents have volunteered to train to use speed guns and the Police are going to establish a Safety Camera site at the south end of town. Information from Kirkby Stephen Town Council Community News December 2017.</p> <p>Any development on KS11 will have a big negative impact on the traffic which is already a known problem. There undoubtedly will be more cars using the A685, more congestion and it is already acknowledged to be a huge problem. Access will be challenged, there is no pavement on one side of the road and</p>	

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				<p>nowhere to put one, because of existing buildings. The safety of pedestrians, children, particularly those in buggies should be paramount as Air pollution will undoubtedly increase. The utilities and flooding issues, which have already been discussed many times, seem to be ignored. KS11 is a beautiful cherished open space that is highly valued by many people, locals and visitors, and not just those living nearby. If developed, that open space will be gone forever, and Kirkby Stephen's unique character destroyed.</p> <p>The Eden District Council states:</p> <p>3.15.4 <u>The Town Plan for Kirkby Stephen, Eden Local Plan 2014 Preferred Options Consultation.</u></p> <p><i>“There remain a number of challenges for the town. Like many small towns Kirkby Stephen lacks 'green spaces' within the town itself. It is ringed by high-quality countryside but lacks parks or pleasant open areas within the urban perimeter. Apart from private gardens, the church yard is the principal green space in the town centre. The two designated parks in the town are both on the outskirts.”</i></p> <p>3.15.5 <u>The Town Plan for Kirkby Stephen, Eden Local Plan 2014 Preferred Options Consultation.</u></p>	

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				<p><i>“While the railway links for Kirkby Stephen are prized (and the Settle-Carlisle railway is growing in popularity among recreational users), most travel in the area depends, and will continue to depend, on road vehicles. However, future planning must cater for an overwhelming dependence on privately-owned road vehicles. The road network in Kirkby Stephen can be congested, with traffic flow problems in the narrow roads aggravated by on-street parking. It is therefore essential that all new housing and industrial development provides realistically for the adjustment of road capacity and the provision of adequate off-road parking.”</i></p> <p><u>However, if development on KS11 happens, all these known issues will become much worse.</u></p> <p><u>There have been many changes during the consultations and I have been constantly active in trying to protect KS11 from development.</u></p> <p><u>Following the May 2017 Hearing and the August deadline for responses, we have since found out the site scorings were adjusted by the EDC. This is our first chance to respond to that, and after studying the new scores, we feel the scoring again now needs to be amended for KS11, to be true, correct and</u></p>	

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				<p><u>sound.</u></p> <p><u>I respectfully ask that the scoring for KS11 is adjusted as suggested on my official response form, which would remove it from being a potential future growth site. Its amended score would lower, so reducing its ranking and removing it from the Plan.</u></p> <p><u>KS11 needs to be protected and the sound and correct scoring will support that.</u></p>	
Alison Capstick	n/a	Yes	No	<p>The Kirkby Stephen Position Statement which justifies the changes to Appendix 2 has serious flaws - these are:</p> <p>1. In particular the site scoring table is in error in giving insufficient weight to the harm development on KS11 would cause to the character of the area. There is great concern locally, that KS11 represents the last open ground off South Road within the town and would irreparably change the character of South Road and the approach to the Town centre by creating a 'canyon effect'. KS15, on the other hand, is a much less prominent site and much better suited to development than the last open space off South Road.</p> <p>2. KS24 is also a less prominent site than KS11 and would be ranked higher if the harm to South Road were properly taken</p>	<p>Appendix 2 should refer to KS24 rather than KS11 as an area of possible future development.</p> <p>The scoring of KS11 should be amended, lowering its ranking and thus removing it from any possible future development.</p>

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				<p>into account.</p> <p>See comments in section 6 for further details.</p> <p>[6] We have concerns about the Sustainability Appraisal scoring matrix for housing sites.</p> <p>1(a) the criteria should not include a reference to the SHLAA as this designation is not equivalent to local plan allocation and the SHLAA report is at pains to make it clear that SHLAA inclusion is not a proxy for allocation. It says:</p> <p><i>This document does not allocate sites for residential use, and the identification of sites within this assessment does not infer that planning permission will be granted by the Council.</i></p> <p><i>The assessment is an important evidence source to inform plan making but does not in itself determine whether a site should be allocated for development. It is the role of the assessment to provide information on the range of sites which are available to meet need, but it is for the development plan itself to determine which of those sites are the most suitable to meet</i></p>	

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				<p><i>those needs.</i></p> <p>1(e) For KS11 there is very strong local opposition to development on this site and importantly not only from those who live close to it. I would like to respond to a previous objection Appendix3:MC003 (MM14) <i>“Parcel KS11 currently appears as a strangely formed green gap in the development along South Road. Development would undoubtedly impact on existing properties of South Road immediately opposite, but it would appear a natural infill”</i></p> <p>Please be aware that proposed development of this site has continued to incite very strong written opposition totaling into the hundreds for each consultation. Many people voicing the importance of retaining the character of the open public footpath with views to the Nine Standards, allowing people of Kirkby Stephen and visitors to access the outlying parks and the recently extended Yorkshire Dales. Developing this site would irrevocably change the character of the area and the footpath, it is for this reason that the public want to protect the site from development. KS24 if developed would undoubtedly impact on the houses nearby but it is not a site that can be used or enjoyed by the public unlike KS11. Seeing KS11 as <i>“natural infill”</i> does</p>	

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				<p>not take in to account public opinion and the amenity value of this site. This site is the last open space on South Road and its development would harm the character of the Road and the approach to the Kirkby Stephen Town Centre and Conservation Area. It should score a 1.</p> <p>2(f) KS11 has no prospect of a public footpath on the highway linking it to the town centre without crossing the A685. In addition, the property Thorne Mount extends to the highway edge and prevents a footpath from linking to those further north. Whereas KS24 has the potential for joining the existing footpath on Nateby Road or linking to the footpaths on Manor Court. Both these sites have no access to a Bus service. KS11 should be scored 3 (to take account of the lack of pavement) and KS24 scored 4.</p> <p>3(a) KS11 is an historic unbuilt frontage and now the last such frontage on South Road. Its development would cause significant and irreparable harm to the historic character of South Road by preventing any views of the open space beyond and creating a canyon effect which is alien to the character of Kirkby Stephen. This site represents the only opportunity to retain the open character of South Road which is an important</p>	

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				<p>element in the approach to either the Town Centre Conservation Area or the Yorkshire Dales National Park. It should score 1.</p> <p>3(b) KS11 is also within 250m of the Scheduled Ancient Monument of Croglam Castle and should be scored 2.</p> <p>3(d) KS11 has a well used public footpath running through it which acts as informal amenity space for the town. Development on this site would require some additional open space to be provided in order to allow the PROW to be retained and there to be no loss of amenity for users of it. The site is suitable for such space to be provided and should score 1.</p> <p>3(f) KS11 has TPOs and protected hedgerows on site TPO 184 2017 and should score 1. This is a new designation since the assessment was carried out.</p> <p>4(a)KS11 has at least two adverse environmental conditions which would affect prospective residents: Road noise and air pollution by virtue of being close to the A685. It should score 3, not 4. By contrast KS24 does not have any such issues rather it has beneficial conditions such as the proximity to the local primary school, the proximity to other facilities in town and the</p>	

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				river, and should score 5.	
J.A.S Wright	n/a	n/a	No	See Appendix 5	See Appendix 5
J.A.S Wright	n/a	No	No	See Appendix 6	See Appendix 6
<b>Sustainability Appraisal 2<sup>nd</sup> Addendum</b>					
Ann Sandell	n/a	n/a	No	<p>See comments on Public Transport above</p> <p>Appendix 2 – KS26</p> <p>This sustainability appraisal bears all the similar mistakes that have been repeated in all the other site sustainability appraisals for Kirkby Stephen.</p> <p>SP2 – Access to Public Transport</p> <p>‘2 bus stops (North Road and Kirkby Stephen Grammar School) within 240m of the site.’</p> <p>There is no bus stop in North Road.</p> <p>There is a bus stop on Christian Head near this site and KSGS but NO bus services have stopped here since the PlusBus. The company was dissolved in 2011.</p> <p>The presence of a bus stop does not indicate that there is a</p>	

Name	Organisation	Legally compliant?	Sound?	Comments	Proposed Changes
				<p>regular bus service.</p> <p>Bus stop or rail station with infrequent service</p> <p>SP4 - To improve levels of skills, education and training</p> <p>'Appleby Heritage Centre nearest facility, around 17km from town. 28mins to town via 574 bus.'</p> <p>This 574 is a one day a week shopping bus to Penrith operated using vintage heritage bus. It is timetabled to take exactly 30 mins. from Kirkby Stephen to Appleby 9.45 to 10.15 plus of course the steep climb walk up to Appleby Heritage Centre. Returns 15.30. Is there any chance that a day or evening class would co-incide with the timing for this bus? Young people generally go to Kendal College which is 25 miles and an hours bus ride term-time only but cannot access evening classes.</p> <p>Facilities &gt;10km of site not accessible within 30 mins by appropriate public transport.</p> <p>SP5 - Distance to children's play areas/ accessible green spaces</p> <p>'400m from 'Frank's Bridge' recreational area (via foot bridge)'</p> <p>I hardly think that a small piece of grass next to a river with seating constitutes a suitable space for children to play. The children's play area in Croglam Lane is probably where children should play - Green space or play facility within 800m of site.</p>	

Name	Organisation	Legally compliant?	Sound?	Comments	Proposed Changes
				<p>SP6 - Distance to Leisure or Cultural facilities</p> <p>'Town has a number of facilities including a library, leisure centre etc.'</p> <p>We do have a library, we do not have a leisure centre.NR1 - Effects upon air quality (proximity to areas with known issues)</p> <p>'Site is close to services, no issues'</p> <p>I am not sure of the relevance of the answer given. What is meant by services, hospital, lack of public transport, employment, swimming pool all which the site is not close to. If this is an air quality question then the proximity the the through traffic would be more relevant or whether the next door auction mart has any bearing on air quality.</p> <p>NR1 - Potential for the installation of decentralised renewable technologies (orientation, site size, topography/natural assets)</p> <p>'Limited knowledge or understanding of the application of technology on site'</p> <p>So what do you not understand, technology that is available or the likelihood of the site being suitable for these applications? Just the fact that the site is surrounded by buildings and very large mature trees would influence the use of solar power. So will EDC insist that any or other technologies are used in efforts for renewable technologies and our future? Ground source heat pump perhaps? This is an important question that should be</p>	

Name	Organisation	Legally compliant?	Sound?	Comments	Proposed Changes
				<p>dealt with seriously in our Local Plan looking to the future.</p> <p>NR4 - Median annual salary            '100% Cumbrian average'</p> <p>Has anyone actually looked at recent figures?</p> <p>Kirkby Stephen - Housing Distribution and Sites January 2017 states Kirkby Stephen Median household income 2012 (ward) £21,925.</p> <p>Penrith- Housing Distribution and Sites January 2017 states Penrith Median household income 2012 (ward level) £24,793</p> <p>Cumbrian Intelligence Observatory Household Income, Cumbria and Districts, 2016 Cumbria £26,192 Eden £28,086</p> <p>EC2 - To improve access to jobs</p> <p>Distance to employment centres</p> <p>'Settlement is an employment centre'</p> <p>It is obvious to everyone living in Kirkby Stephen that there is not sufficient jobs in the town to meet employment needs. However, Kirkby Stephen does not either fit into any of the other categories for employment as 30 mins on Public Transport or 5-10km to other jobs. Penrith is building for employment</p> <p>and it would therefore follow that additional jobs are available in Penrith 25 miles away with no Public Transport from Kirkby</p>	

Name	Organisation	Legally compliant?	Sound?	Comments	Proposed Changes
				<p>Stephen. It therefore follows that Kirkby Stephen does not fit sustainable criteria for jobs on the scale intended for housing development.</p> <p>I can only recommend that this item is corrected and other appraisals checked again for mistakes.</p>	

# **Appendices - Large Representations reproduced in full**

**Appendix 1 – Cumbria County Council**

**Appendix 2 – Mark Cairns**

**Appendix 3 – J.A.S Wright**

**Appendix 4 – The Church Commissioners**

**Appendix 5 – J.A.S Wright**

**Appendix 6 – J.A.S Wright**