

**Statement by Haydn Morris in response to the Inspector's question:**

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

Eden District Council recycled and misapplied outdated information from Sockbridge & Tirril Parish Council about the existence of a village shop.

Information about a shop was requested by Eden District Council in 2011, as part of a review of Local Service Centres (Please see Appendix 1: Email from Angela Dixon, 23 November 2011, attached).

The purpose of the Local Service Centres in the Local Plan which was then current was stated in the Eden District Council email as follows (first paragraph):

*Villages that have a range of basic services may also be suitable for some small scale development to meet local needs and sustain local services - these are termed Local Service Centres. Please see attached plan showing the Local Service Centres at the time of the Core Strategy adoption (March 2010).*

The Parish Clerk for Sockbridge & Tirril was asked in the email (second paragraph) for information about services in the villages:

*The range and extent of services available in villages changes over time and we recognised this in the Core Strategy by committing to review the list of Local Service Centres every two years. We'd like your help to let us know what services settlements in your Parish currently have as you know your communities better than we do. Please find attached a form, which we'd like completed for each of the following settlements in your Parish area: Sockbridge and Tirril*

The definition of a shop for that purpose was stated on the Village Services Checklist (attached to the email) as follows:

*Shops should sell basic food and household goods (i.e. milk, fresh bread, toilet rolls, tea, coffee, sugar etc.) and be open on a regular basis right throughout the year. They can be within a Post Office, garage or similar.*

The Parish Clerk responded that the facility at the pub met that definition at the time.

The definition of a basic shop and **the Parish Clerk's response** may have been appropriate **at that time** in relation to the Local Service Centres, **but not to the Key Hubs in 2015**.

Eden District Council in 2015 used that old data without considering whether it was based on an **appropriate definition of shop** in relation to the new designation of Key Hubs, and without establishing whether the shop continued to operate **at the same scale** as it did in 2011.

There were 46 Local Service Centres, including some quite small settlements, and it was clear that the Local Plan policies for them were for modest development to meet local needs. The policy for the 28 new Key Hubs is for the more substantial development of market led housing - to meet general needs, rather than local needs.

The criteria for selecting Key Hubs should be far more demanding than for the selection of Local Service Centres, in view of the significant and far reaching implications of the new, different designation. The criterion of a shop should require a business of such a scale and range of goods to be capable of satisfying the everyday needs of families resident in the settlement and to have a realistic chance of reducing journeys elsewhere.

As stated in my response to the Local Plan (Respondent ID 22, Paragraphs 7 to 12), there are some good village shops in the area, which would justify being a **criterion for Key Hub designation; the facility at the back of the Queen's Head Inn at Tirril does not come anywhere close. It now stocks even less than it did in 2011.**

Furthermore, the potential **longevity of the Queen's Head 'shop' is fragile. It is not a viable, stand-alone business and is, in the words of the Landlord, primarily an outlet for the Queen's Head's pies** (which are made at a production facility in Threlkeld). Any change of tenants at the pub may introduce a different business strategy, **without pies or a 'shop'.**

**The Queen's Head shop was inspired by the high-profile establishment of a village shop at the Black Swan, Ravenstonedale (Upper Eden Valley). The Black Swan shop was opened by Prince Charles in 2007 as a flagship of the 'Pub is the Hub' initiative, ten years after the last shop had closed in Ravenstonedale. It sold a wide range of goods, including newspapers, groceries, dairy products and fancy goods, but in 2015 it closed, due to lack of sales. In spite of serving a population of nearly 600 (almost 50% larger than Sockbridge & Tirril), being in a more prominent position within the village, and relatively well stocked, the Black Swan's shop proved not to be a viable business.**

I have stated further reasons why Eden District Council has not correctly interpreted the facilities in Sockbridge & Tirril in my previous response to the Local Plan (Respondent ID 22).

Eden District Council, in a recent report to Executive on the Local Plan, apparently felt sympathetic to the case put forward by the community of Sockbridge & Tirril (Please see Appendix 2: Eden District Council Executive, 15 December 2015, Item 8, attached). It suggested that by then they were themselves unsure of whether they had correctly interpreted the facilities which currently exist in Sockbridge & Tirril, and were minded to remove Sockbridge & Tirril from the list of Key Hubs. Paragraph 4.2 of Agenda Item 8 states:

*We recognise the strength of feeling this matter has generated in Sockbridge and Tirril. We originally considered whether Executive could or should consider the issue further and recommend at this stage that we make representations to the independent inspector who will review the plan to change the plan, based on their decision. However throughout the whole local plan process we have to be scrupulously fair to all parties. As this potential change has not been advertised or consulted on at this stage this would run the risk that any parties who would be disadvantaged by such a change would have a legitimate complaint that they have not been provided an opportunity to influence any decision by Executive.*

### **What part of the DPD is unsound?**

Policy LS1 is unsound because the Council has not correctly interpreted the facilities which currently exist in Sockbridge & Tirril.

## Tests of Soundness

1. The criteria for selecting Sockbridge & Tirril as a Key Hub are flawed, so the plan does not meet objectively assessed development requirements, nor is it consistent with achieving sustainable development. Therefore it is **not positively prepared**.
2. The plan is not the most appropriate strategy for the reasons stated above, when considered against reasonable alternatives, based on proportionate evidence. The evidence used is far from proportionate. The plan is **not justified**.
3. By encouraging and facilitating market led housing in a settlement with virtually no retail, employment, health or other facilities, the plan does not enable the delivery of sustainable development. It is **not consistent with national policy**.

## Change Required

Remove Sockbridge & Tirril from the list of Key Hubs in Policy LS1, paragraph 3.1.

Return Sockbridge & Tirril to the list of 'Villages & Hamlets', where they were in the July 2014 draft of the Local Plan.

## Appendices

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**Appendix 1: Email from Angela Dixon, Eden District Council,  
23 November 2011**

(my highlighting)

Subject: **Local Service Centres - update**

From: **Angela Dixon** <[Angela.Dixon@eden.gov.uk](mailto:Angela.Dixon@eden.gov.uk)>

Date: 23 November 2011 at 16:04

To: [sarah.lockerbie@gmail.com](mailto:sarah.lockerbie@gmail.com)

Dear Parish Clerk

In its Core Strategy the Council put forward a settlement hierarchy consisting of Key and Local Service Centres in order to provide a spatial framework to direct development to the most sustainable locations in Eden. Most development will take place in the Key Service Centres of Penrith and, to a lesser extent, Appleby, Kirkby Stephen and Alston. Villages that have a range of basic services may also be suitable for some small scale development to meet local needs and sustain local services - these are termed Local Service Centres. Please see attached plan showing the Local Service Centres at the time of the Core Strategy adoption (March 2010). You can find out more about the Core Strategy on <http://www.eden.gov.uk/planning-and-development/eden-local-development-framework/development-plan-documents/core-strategy-dpd/>.

The range and extent of services available in villages changes over time and we recognised this in the Core Strategy by committing to review the list of Local Service Centres every two years. We'd like your help to let us know what services settlements in your Parish currently have as you know your communities better than we do. Please find attached a form, which we'd like completed for each of the following settlements in your Parish area: Sockbridge and Tirril

There is a tick box for each service and on the reverse you will find guidance and definitions of some of the services. We'd like the forms back by **Monday, 19 December either** returned to me or [loc.plan@eden.gov.uk](mailto:loc.plan@eden.gov.uk). This information will be invaluable to us as we prepare the Housing Allocations Preferred Options Development Plan Document.

Please contact Bridget Turnbull, Senior Planning Policy Officer, on 01768 212158 if you have any questions. Thank you in advance for your help.

Kind regards

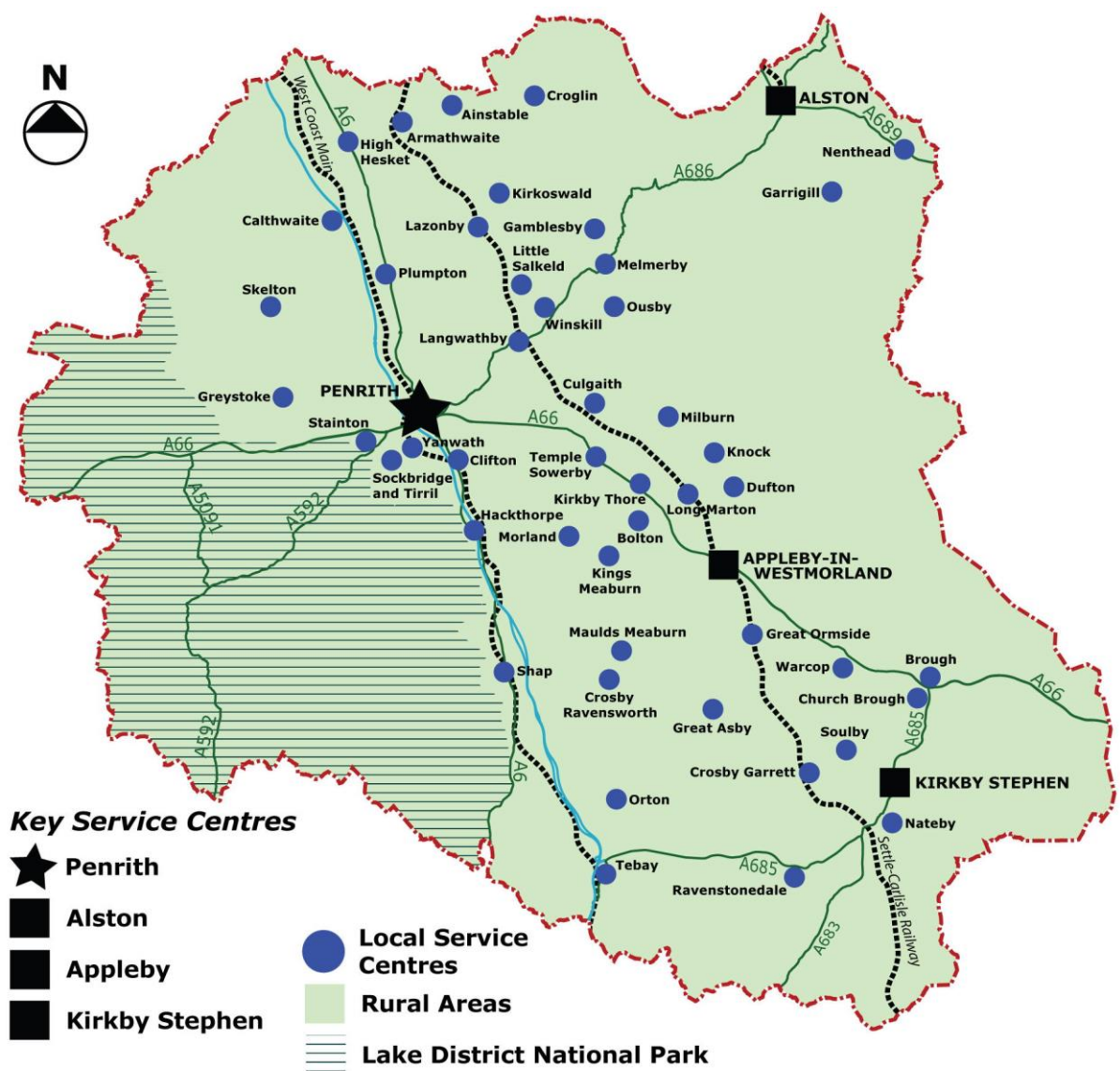
Angela Dixon

Planning Technician  
Eden District Council

Town Hall, Penrith, Cumbria CA11 7QF

Normal working days: Mon, Tues, Wed & Thursday (am), Direct dial: 01768 212161

# Local Service Centres, 2010



## Village Services Checklist, November 2011

Parish:..... → → Settlement:.....

Services		Comments
Primary School	<input type="checkbox"/>	
Train Service	<input type="checkbox"/>	
Bus Service	<input type="checkbox"/>	
Post Office	<input type="checkbox"/>	
Shop	<input type="checkbox"/>	
Church	<input type="checkbox"/>	
Community/Village Hall	<input type="checkbox"/>	
Public House	<input type="checkbox"/>	
Hotel	<input type="checkbox"/>	
Bank	<input type="checkbox"/>	
Doctor's Surgery	<input type="checkbox"/>	

Other Notes

### Guidance Notes

<b>General</b>	For a "Yes" response all facilities must be <b>within</b> the named settlement, apart from churches and village halls which must be within 1km walking distance by road or footpath from centre of named settlement.  Where appropriate please note whether services are Part Time (P) eg hotel only open in summer, or Shared (S) eg garage that sells food.
<b>Transport</b>	How often does the bus and/or train service run? Bus/train services must provide a return journey and run right throughout the year to be included. They can operate daily (Mon – Sat) or only on certain day(s) of the week – please note which days. Services nearby can be noted for information only (i.e. <u>not counted</u> )
<b>Shops</b>	Shops should sell basic food and household goods (i.e. milk, fresh bread, toilet rolls, tea, coffee, sugar etc.) and be open on a regular basis right throughout the year. They can be within a Post Office, garage or similar.
<b>Church</b>	Churches can be for any denomination, but must be in use.
<b>Community/Village Hall</b>	School halls can be counted as community halls, provided they can be used by the community out of school hours, and for non-school events
<b>Public House</b>	Public houses can include hotels, B&Bs etc. with a bar, providing that is open to the public
<b>Hotels</b>	Must have 10 or more bedrooms or 2 or more stars (**)

## **Appendix 2: Eden District Council Executive, 15 December 2015, Item 8**

(part, with my highlighting)

Agenda Item 8

**Report No CD107/15**

**Eden District Council**

**Executive  
15 December 2015**

### **Draft Eden Local Plan 2014-32: Proposed Submission Draft**

**Reporting Officer: Communities Director**

**Responsible Portfolio: Communities**

## **1 Purpose of Report**

- 1.1 This report sets out the next steps in the process towards adoption of the Eden Local Plan and updates Executive on the recent comments made to the draft plan that will now be considered at the public examination next year. It also updates Members on the latest timetable and how resource issues are being managed. It is also intends to provide a public record of the next steps and timetable involved in progressing the plan through to adoption.

## **2 Recommendations**

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| <ol style="list-style-type: none"><li>1. That the representations made to the pre-submission draft Local Plan are noted and reported to the independent Planning Inspector who will examine the draft plan.</li><li>2. That the timetable and arrangements for independent examination are also noted.</li></ol> |
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## **3 The Eden Local Plan – Submission Version**

- 3.1 The draft Eden Local Plan is now at a stage where the District Council considers it can now be submitted for independent examination before a Government Planning Inspector. The Inspector's role is to test whether the plan can be found 'sound', as detailed at paragraph 182 of the National Planning Policy Framework. This states that to be sound plans should be positively prepared, justified, effective and consistent with national policy.
- 3.2 The draft plan was made available for comment from 19 October to 30 November. The purpose of this consultation was to collect comments for the forthcoming examination. These are now being collected and summarised and copies will be sent on the Planning Inspectorate on 22 December, together with the draft plan and its supporting evidence.



- 3.3 Delegated authority to submit was granted to the Director of Communities, in consultation with the Communities Portfolio Holder by Executive on 6 October. This report is therefore for information – it summarises comments and sets out next steps.

## **4 Background the Draft Local Plan and Comments Made**

- 4.1 Work began on a full draft Local Plan in 2013, following earlier work on housing and employment sites and policies. In addition to consultation on this earlier work it has been subject to one main period of consultation - the Preferred Options period which ran from 21<sup>st</sup> July 2014 to Friday 26<sup>th</sup> September 2014. We also consulted in July 2015 on possible changes to the settlement hierarchy and on some of the technical work around housing demand and supply (the Strategic Housing Market Assessment and Land Availability Assessment documents).
- 4.2 The closing date for comments on the pre-submission draft plan was 30 November. 67 organisations or individuals responded and made 332 individual comments. One representation was received after close of the consultation process. Comments are summarised at Appendix 2. The main points were:
- 27 individuals and the Parish Council have objected to the inclusion of Sockbridge and Tirril as one of the 'key hubs' where some housing appropriate to the scale of the villages may be allowed (Policy LS1). Two comments were received in support. We had amended the criteria we used to identify our key hubs in the last 'pre-submission' draft, following earlier consultation over the summer. Sockbridge and Tirril is an existing 'Local Service Centre' in the Core Strategy but we had not earlier included it as a key hub (Preferred Options stage, July 2014) as it did not contain a GP surgery or school which were used as selection criteria at the time. Hubs are now proposed to be defined as having at least 100 houses and three key services out of a primary school, post office, shop, village hall, pub, GP surgery and church. The substance of the representations is that Sockbridge and Tirril should not be classified as a hub as it does not have a fully functioning shop, rather a shop that sells a limited range of goods from the back room of the pub, and that Sockbridge and Tirril form two separate villages. We were originally informed by the Parish Council that Tirril contained a shop and the Parish Council expressed support for inclusion during consultation in July 2015. The Parish Council now wish to see removal of Sockbridge and Tirril from the list of key hubs on various grounds, including that they no longer consider the village to have a fully functioning village shop. An informal referendum was also undertaken across Sockbridge and Tirril by Cllr Chambers to gauge views; this yielded a result of 208 people opposing key hub status with 56 for, on the basis of a 75% turn out. A public meeting was also attended by 90-100 people.

We recognise the strength of feeling this matter has generated in Sockbridge and Tirril. We originally considered whether Executive could



or should consider the issue further and recommend at this stage that we make representations to the independent inspector who will review the plan to change the plan, based on their decision. However throughout the whole local plan process we have to be scrupulously fair to all parties. As this potential change has not been advertised or consulted on at this stage this would run the risk that any parties who would be disadvantaged by such a change would have a legitimate complaint that they have not been provided an opportunity to influence any decision by Executive. In addition, we have received other comments requesting changes to the list of Key Hubs including one from Story Homes suggesting an alternative list that does not include Sockbridge and Tirril. All comments should ideally be considered in the round. For these reasons we now consider that the best forum for addressing this issue is at the examination where an independent planning inspector can consider all comments submitted and can invite views, discussion and feedback from all parties in a fair and transparent manner. All comments will now be reported to the Inspector who will be in a position to reach a rounded view on the matter.

- Some challenge from housebuilders, agents and the Home Builder's Federation over the target of 200 homes per year, arguing that it should be higher. The reasons why are detailed in Appendix 2 (Policy LS2).
- Some comments asking the requirement that 30% requirement for affordable housing should be reviewed or amended, or that local occupancy criteria should not be applied in smaller villages and hamlets.
- Limited challenge to the inclusion of a 'suitable area' for wind energy (Policy ENV6), including two requests for additional consultation to be carried out. Amendments have also been requested in respect of impact on the North Pennines Area of Outstanding Natural Beauty. The pending extension of the Yorkshire Dales National Park may also mean further amendments are needed.
- Objections from Natural England and Historic England asking for some changes to be made, concerning the Habitats Regulation Assessments and strengthened policies on built heritage.

4.3 These issues will be reported to the Inspector who will take a view on whether draft plan needs to be amended to address these concerns. In the meantime we do not consider that there are any serious or fundamental soundness issues that require further review of the plan prior to submission.

## **5 Next Steps, Timetable and Resourcing**

5.1 We will submit the draft Plan, along with supporting information on the Planning Inspectorate on 22 December. At the same time draft plans and a full suite of supporting documents will be made available for inspection at the Town Hall and Mansion House. Plans and key background evidence will also be placed in the six libraries and Local Link centres.

**(end of extract)**