



Quick Start Guide to Understanding the Draft Eden Local Plan

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Purpose of this document

1. This document is intended to give anyone a quick overview of the Eden Local Plan. It includes information about how the plan was produced, what issues it is trying to address and some of the technical work that went into it. It also gives some relevant background the district itself. This guide aims to provide easy access to some of the technical and policy questions people may have as the plan moves towards independent examination. It is particularly aimed at the Local Plan Inspector as it aims to signpost some of the main issues to be addressed at the forthcoming Examination, as well as where further information can be found. Links to key documents are provided.

About Eden

2. The main characteristic of Eden is its rural nature – it is the largest non-metropolitan district in England and Wales at 2,156 km² yet is the most sparsely populated. Its main town (Penrith) lies at the centre of the district and has a population of 15,487. Three further towns are located in Eden - Alston, which lies on Alston Moor in the North Pennines AoNB (population 2,088), Appleby (close to the A66 in the centre east of the district (population 3,048) and Kirkby Stephen to the east of the district (population 2,580). A further 117 villages (defined as 10 houses or more in a coherent group) are scattered throughout the district. Just over half of the district's population lives outside its four main towns. Around a fifth of the district lies in the Lake District National Park, although planning for this area is the responsibility of the National Park Authority. The Yorkshire Dales National Park is due to be expanded in to Eden in August 2016. There is no Green Belt in or around Eden.



3. The M6 motorway and west coast main train line run north to south through the district, with a motorway junction and train station serving Penrith. There is therefore significant potential for business growth, and the area is identified in as part of the M6 strategic connectivity 'prong' of the four part approach set out in Cumbria Local Economic Partnership's Strategic Economic Plan. Employment land is allocated at Penrith to help meet this aim.
4. The nearest large town to Eden is Carlisle which lies around six miles to the north of the Eden border and 29 miles from Penrith. Kendal is 28 miles to the south of Penrith in South Lakeland.
5. Further information on Eden can be found in the 'spatial portrait' set out at section 2.1 of the draft plan.

Background to preparation

6. Existing development plan policy for Eden is the 2010 Core Strategy, selected saved policies from the 1996 Local Plan, the Proposals Map, Neighbourhood Plans (the Upper Eden is made) plus adopted County minerals and waste policies.
7. The original intention was to create three further development plan documents (DPDs) after adoption of the Core Strategy to add to the Local Development Framework. Preferred Options versions of Housing: Preferred Sites and Policies and Employment: Preferred Sites and Policies were produced in February and July 2013. A Development Management Policies DPD was also planned but work was not started. Much of the

work on the housing and employment documents is carried forward into the draft Local Plan. The decision to instead produce a full Local Plan was made by our Executive on 3 December 2013, which also recommended that a Member Local Plan Working Group (a nine member cross party group that has met nine times throughout preparation) was constituted. The decision to produce a full local plan was in response NPPF guidance and the loss of five year land supply (following common adoption of the 'Sedgefield' method of calculation over the 'Liverpool'), experience elsewhere that plans based on old regional housing figures may not be considered sound and potential time and costs savings in the long run. The same Executive also approved adoption of a new Local Development Scheme and Statement of Community Involvement. We published a Preferred Option Local Plan in July 2014 and the Pre-Submission version in October 2015.

8. An initial list of proposed 'Main Modifications' we are requesting to be made in response to comments made at Regulation 19 stage and to update or amend policies has been provided to the Inspectorate alongside the submission documents. This includes minor typographical changes or errors which have been made to the draft; these are set out at the end of the document.

Neighbourhood Plans

Alongside preparation the Local Plan several neighbourhood plans have been in preparation. The Upper Eden is the only 'made' plan at present (it was the first in the country to be completed). It does not allocate sites and its distribution strategy is in line with the draft Local Plan Langwathby and Bolton have both submitted drafts and include an allocated site. Greystoke, Lazonby, Appleby and Skelton are preparing plans. We do not consider that there is any conflict between our draft plan and neighbourhood plans either made or in preparation.

Implications of National Park Extensions

9. The Government announced after our Regulation 19 Publication version of the Plan was produced that that both the Lake District National Park and the Yorkshire Dales National Park will extend further into Eden. This would mean that the key hubs of Orton and Asby would be located in the Yorkshire Dales Local Park and a further 14 villages (Crosby Garrett, Crosby Ravensworth, Drybeck, Gaisgill, Kelleth, Little Asby, Mallerstang, Maulds Meaburn, Nateby, Newbiggin on Lune, Outhgill, Raisbeck, Ravenstonedale and Waitby) will be within the Yorkshire Dales. Two villages (Greenholme and Roundthwaite) will be added to the Lake District National Park. No land allocations are made to these areas and no developable housing sites have been identified in these areas in land availability assessment work. We therefore do not see that extension of the National Parks threatens or undermines the development strategy set out in the draft plan.
10. Under the Duty to Co-operate we have liaised with the Yorkshire Dales National Park Authority and the intention is that the National Park will adopt the geographical part of

the Eden Local Plan applying to the area that will be transferred in August 2016. This approach was agreed by the Planning Inspectorate on 30 November. A copy of the letter and their response is included at Appendix 2 of this document.

Assessment of the Duty to Co-Operate

11. The District Council has published a Duty to Co-operate Statement setting out how we have involved and listened and involved our neighbouring authorities, statutory agencies and others when preparing the plan. In short, because our main settlement lies in the centre of a large district and not overly constrained by any environmental or containment designations we have concluded that the district can meet its own development needs. We have also not been asked to help meet the needs of neighbouring authorities. However, we have assumed that any need arising in the Lake District National Park would be accommodated outside the Park (see paragraph 2.5 to 2.8 of our Strategic Housing Market Assessment.)

Assessment of Soundness

Plan Period

12. The Plan runs over an 18 year period from 2014 to 2032. Assuming adoption in 2016 this would mean it would have a sixteen year future time scale, meaning that it is longer than required through policy in the National Planning Policy Framework (paragraph 157).

Sustainability Appraisal

Sustainability appraisal is intended to be a continual and iterative process. This section sets out how this applied to Eden and how statutory requirements have been met.

- Earlier work which fed into the full draft Local Plan was subject to SA – in particular the Housing: Preferred Sites and Policies document and the Employment: Preferred Sites and Policies document. Housing Issues and Options and Alternative sites consultation documents were also subject to assessment.
- Initial consultation (scoping) for a full local plan then took place between 24 February and 30 March with environmental bodies (as required by The 2004 Environmental Assessment of Plans and Programmes Regulation 12 (5 and 6))
- This stage is detailed (along with changes) at page 101 of the updated July 2014 Scoping Report which accompanied the Preferred Options consultation.
- A full SA report was then produced at Preferred Options Stage (appendices are separate). The SA assessment framework is based on an agreed set of Cumbrian SA objectives which were agreed between Cumbrian Authorities to meet the requirements of the SEA Directive whilst reflecting the local distinctiveness of the County. The framework has been used consistently to

appraise the likely significant effects of the 2010 Eden Core Strategy and earlier versions of the site allocations.

- The SA report assesses different options and how they perform. Different options were produced for policies and sites were assessed alongside each other. They were originally generated and set out in the Alternative Options (Sites and Policies) document in 2014. A summary of how policies performed and where modifications were made is available from page 13 onwards. Objectives were assessed (page 20). The locational strategy (Policy LS1) together with alternative options is set out at page 23. Options were originally developed and included in the April 2014 Housing Distribution Technical Paper (sections 2-6). A full set of site matrices is available (Appendices 2a-f)
- The SA was then updated for the pre-submission stage. This should be read in conjunction with earlier stages. Sections 4.3 to 4.24 summarises how alternative options have been appraised throughout the process.

Habitats Regulation Assessment (HRA)

- Again, earlier work which fed into the full draft Local Plan was subject to HRA – through the Housing: Preferred Sites and Policies document and the Employment: Preferred Sites and Policies document.
- An HRA was then carried out at Preferred Options Stage and updated for Pre-Submission. This concluded that no significant effects were likely subject to sufficient mitigation measures being put in place, in particular to protect the River Eden SAC/SAC from potential run off at Penrith. On Main Modification is being requested following liaison with Natural England to guarantee safeguards are in place.

Context, Vision and Objectives

13. Paragraph 2.4.1 of the draft plan explains how the context, vision and objectives were derived. It started with an analysis of the strengths, weaknesses, opportunities and threats (SWOT) applying to Eden (pages 14 and 15) which led to the vision set out on page 16. Objectives were then developed, and are largely based on the objectives set out in the adopted Core Strategy, as informed by the SWOT analysis and vision. They are also grouped into five overarching themes to provide a structure for the plan. Individual visions and objectives are then set for the four main towns and the rural areas to make sure they are locally specific as possible.

Our Spatial Strategy

14. Policies LS1 and LS2 set out our main development strategy. It includes a settlement hierarchy which identifies Penrith as the 'Main Town' (and recipient of 50% of new housing growth) and Alston, Appleby and Kirkby Stephen as 'Market Towns' where we expect 20% of new housing to be built. Twenty Eight 'Key Hubs' are then identified for a further 20% of new homes. Villages are identified as hubs if they contain more than one

hundred properties and at least three key services out of a primary school, post office, shop, village hall, pub, GP surgery and church. We then expect a further 10% of growth to come outside these areas in 89 smaller 'villages and hamlets'. These proportions are based on a readjustment of our existing Core Strategy policies aimed at reducing the amount due at Penrith (on delivery grounds), reducing the number of villages identified for possible market housing and providing more flexibility for some limited housing in villages and hamlets where local connection can be demonstrated. These proportions are also driven by the availability of land as set out in our Land Availability Assessment (see table 7, page 22).

15. In practice definition of the Key Hubs has proved one of the most challenging aspects of drafting the plan. In common with most if not other rural authorities we have aimed to identify villages for some growth based on their sustainability, measured through access to services. At present we have a Core Strategy (2010) which identifies 46 'Local Service Centres' based on having a public or community transport link to a larger centre and two out of three out of a shop or post office, a primary school and a village hall or pub (Para 4.8). Two key documents are available which explain our approach and why it has changed, firstly at Preferred Options Stage in the Housing Distribution Technical Paper) and then at Submission stage (the July 2015 Proposed Changes to the Settlement Hierarchy Informal consultation). In summary we considered that the Core Strategy list was too pliable and vulnerable to changes in services and had resulted in a large number of settlements being identified which were often very different in size and character. We subsequently proposed 20 'Key Hubs' based on a daily public transport link and a primary school and/or a GP surgery. This identified our larger and more sustainable villages and was felt to be a more coherent list. However, in Summer 2014 Cumbria County Council bus subsidy withdrawals led to the cancellation of a number of bus services, meaning a number of larger settlements proposed as key hubs no longer have daily public transport. Additionally, Ravenstonedale primary school is due to close. We then revised the criteria to remove the need for daily public transport, introduce a size criterion (100 dwellings or more) and at least three key services taken from a list of a primary school, post office, shop, village hall, pub, GP surgery and church. We now consider this list to be robust and enduring.
16. Land allocations are made to the four main towns. We have not allocated sites in the Key Hubs because:
 - A healthy number of existing permissions and sites under construction (commitments) meant only a further 472 homes would be needed across 28 villages (equivalent to 17 each).
 - The time taken to produce a local plan means that any allocation strategy may be quickly overtaken by events. New housing sites at Clifton, Stainton, Lazonby and High Hesketh have been permitted since we last produced a draft plan in 2014, which would make a significant difference to how we would need to allocate sites if we were to do it again.

- Neighbourhood plans are coming forward at Langwathby, Lazonby and Bolton with other Parishes also considering their own plans, including Skelton and Greystoke. We are aware that Parishes often wish to see a 'finer grained' approach to new housing development and have control over the location of new development through a locally driven and area aware approach to their villages. We therefore do not wish to impose a top down approach that may overrule this work, especially when we are confident that non-allocation to villages does not risk undermining overall supply across Eden.
 - There has been precedence elsewhere for this approach – the 2014 Fenland Local Plan does not allocate to villages (see section 4.7 and Policy LP12).
17. Information on individual sites (including sustainability, accessibility and built heritage factors) is included in area profiles for Penrith, Alston, Appleby and Kirkby Stephen.

Housing

Our Proposed Housing Target

18. We are proposing a housing target of 200 homes per year, based on unconstrained objectively assessed need (OAN). Parts 1 to 4 of 'Taking Stock' sets out how our OAN was established. There is a two page summary at the beginning. In short, the figure is derived from the highest figure available to us out of household projections, affordable housing need and the need for people to do projected jobs. The housing requirements therefore arise from people needed in the future to do projected numbers of jobs plus requirements from people who need to replace 'lost workers' as they move out of Eden. Paragraphs 4.93 to 4.101 detail how we came up with this figure. This figure is significantly above 2012 household projections of 110 households (equivalent to 120 homes per year when the 2011 Census household/housing ratio is applied).
19. We also have POPGROUP forecasts which range from 9 dwellings per year (zero net population) through 152 (a ten year migration trend through to 307 (based on an employment trend.) We are aware than some objectors will state that this latter figure should be used. However:
- Average housing completions over the past nine years have been 154 per year, meaning that output would have to double for this figure to be achieved. Eden currently only has one national housebuilder operating in the district (Persimmon homes) and limited numbers of sites available in sustainable locations given its rural nature.
 - Coupled to this, any attempt to put in place a clearly unrealistic figure would lead to a rapid loss of five year land supply, which is in effect what happened with the current Core Strategy figure of 239 homes which was based on a Regional Spatial Strategy target based on a highly aspirational economic growth

assumption. This would seriously undermine the intentions of this plan to promote sustainable growth in Eden.

- This would represent a rate of household growth almost three times what current household projections project what will happen, meaning there would have to be a large increase in migration into the district to accommodate this figure.
- In line with the Inspector's reasoning at the conclusion of the similarly rural Ryedale Local Plan Examination this level of provision 'would be wholly unrealistic, undeliverable and unsustainable in such a district, which has serious constraints in terms of its character and environmental character.'
- The figure of 307 dwellings is also partly the result of how POPGROUP works. While POPGROUP can give a useful indication of a need to increase housing figures there are limitations of the model. These are detailed at paragraphs 4.114 to 4.117 of the 'Taking Stock' Report.

20. We also checked to see whether this figure would allow sufficient affordable housing to be built to meet need (pages 59-71) – it does. Our proposed housing target is however below the current Core Strategy figure of 239 homes per year. Paragraph 4.44 explains the context to the 239 per year figure and that it was set at an ambitious rate to help stimulate economic development. Figure 5 of the documents show that this rate has never been met, leading to loss of five year land supply. Realistically although there is demand for housing demand in Eden and a need for new homes a combination of the lack of national housebuilders operating in Eden (we have one, Persimmon), low incomes and the focus on Penrith and the likely build out rates of the urban extensions mean that a higher target is unlikely to be met. Whilst we are ambitious to see that housing need is met we are aware that setting a too ambitious target (especially in light of lack of evidence to support it) would quickly undermine our planning strategy out of date through loss of housing land supply and hence policies on sustainable housing supply.

Our Approach to Windfalls

21. Windfalls are housing sites that are permitted over the plan period but were unanticipated i.e. we weren't aware of them and either hadn't allocated them in our plan or identified them in land availability work. Some authorities make an assumption that a proportion of new sites will come forward in this manner and contribute to overall supply. 67% of our housing development over the period 2003-15 has come forward as windfalls so on the face of it including a windfall allowance seems justified. Our land availability work has identified more than enough developable sites to mean that we do not have to rely on a windfall allowance to make up our numbers with the exception of small sites (1-3 units) coming forward in the 'Villages and Hamlets' identified in Policy LS2. The LAA only looked at sites of four or more dwellings and identified a potential 154 deliverable and developable sites in these areas compared to a plan requirement of 360. 206 units or 12 per year would therefore need to come forward as small windfall

development. The Land Availability Assessment (paragraph 3.8.3) makes a windfall assumption of 14 per year meaning that total identified supply is 406 houses, which exceeds the target of 360 in the draft plan.

22. Paragraphs 2.12 to 2.15 of the Housing Distribution Topic Paper sets out more information. Please note that paragraph 4.16 of this paper states that no allowance for windfalls has been made – this is correct in the context of overall numbers in the plan but if housing delivery is to be in precise line with the distribution in the plan a very small number of windfalls would be required.

Can the Plan Ensure a Five Year Land Supply?

23. We have produced a topic paper on 5 year land supply. With the plan in place, we anticipate that Eden will have a land supply of **6.21 years**. This figure assumes:
- A 20% buffer is added to make up past under-delivery
 - That a year of shortfall is built in to cover the first year of the plan period (2014-15)
 - That the ‘Sedgefield’ approach is used (backlog is added to the next five years) rather than the ‘Liverpool’ method (backlog is added to the remainder of the plan period).
24. Since producing this topic paper we note that the Inspector examining the draft Carlisle Local Plan has asked that their land supply is recalculated by applying the buffer to both the base requirement and any shortfall (our year 2014-15). We have therefore recalculated and we would still be able to demonstrate a land supply of **6.14 years** with the additional buffer applied. Appendix 1 sets out these calculations.

Affordable Housing

25. An affordable housing contribution of 30% has been set. The evidence to inform this level is here. We are aware that at the pre-submission stage we had not carried out any work looking at individual site viability or cumulative impact of policies. This has been commissioned and will be shortly available.

Local Needs Housing.

26. Policy LS2 sets out a policy aimed at delivering housing to meet local demand. It aims for appropriate small scale development to be delivered in the smaller villages and hamlets where it is restricted to those meeting local connection criteria set out in Appendix 6.
27. This policy was included as the current policy approach to rural housing is very on/off in that it allows for some market and affordable housing areas in identified rural centres (our Core Strategy ‘Local Service Centres’ but applies a rural exceptions (100% affordable housing) only. In practice this has delivered very little housing in these areas.

28. Policy LS2 therefore aims to introduce some policy flexibility in terms of a 'mid-way' between market and 100% affordable housing only for these areas. It is particularly aimed at encouraging self-build and starter homes to come forward in rural areas. We have a policy requirement of 360 homes coming forward in villages and hamlets, with 154 already identified in the Land Availability Assessment. The remainder of 206 form a very small proportion of housing in the draft plan.
29. We are aware that this policy has been subject to objection. However we consider that this policy is deliverable and beneficial to the district for the following reasons:
- It sustains local services
 - It meets local need
 - It supports self-build
 - It's in line with potential Government policy on starter homes (discounted to 80% which is what a local occupancy clause would likely achieve) and also on self-build The Government's Rural Productivity Plan and proposed changes to the NPPF has introduced the concept of starter homes policy working in rural areas.
 - The approach works in the Lake District National Park which adjoins Eden.
 - It's viable
 - It allows additional housing to come forward in such areas compared to current policies.

Housing Standards

30. Government policy now gives an option for a Local Plan to 'opt in' to more stringent national standards on accessible and adaptable homes. In Eden's case we have chosen to do this through Policy HS5 of the draft Local Plan. An objection has been lodged to this policy by the Home Builder's Federation on the ground of lack of evidence. This background paper explains why the standard is proposed to be adopted and sets out the evidence to support the policy.

Economy - Employment Targets and Allocations

31. This topic paper sets out the background how our employment target and allocations were decided on. It also includes the employment land availability assessment.

Retail Policy

32. The evidence base for the retail sections of the plan is in the 2008 Retail Study and 2014 Retail Study update. We have defined town centre boundaries and primary shopping areas. No secondary frontages have been defined given the small size of Eden's town centres.

Open Space

33. An Open Space Audit has been produced. We have audited accessible open space only on qualitative and quantitative terms, on the basis that this is the national policy requirement under paragraph 73 of the NPPF. We have yet to carry out a full open space, recreational or green space strategy.

Water – Flood Risk, Water Quality

34. The plan is accompanied by to The Eden Strategic Flood Risk Assessment and Appendices. Sites have been assessed against the sequential test. There is one exception where revised mapping led to a site in Penrith (Site P61 – Garages at Roper Street) being included within Zone 3). This came at a very late stage of the plan preparation process. We are therefore requesting a modification to remove this site. Further hydrological assessment in connection with any planning application may identify the site as potentially free from constraints but at present it does not meet the sequential test and needs removing as a plan allocation.

Our Approach to Wind Energy

35. A suitable area has been identified on the Policies Map. This was amended after the main maps were printed so a separate map (examination library ref. SD004) shows the correct area.
36. The change was made late in the production of our plan in response to a change in Central Government policy. This came in the form of Greg Clark's Written Ministerial Statement on 18 June 2015. It stated that local authorities could only permit wind turbines in the following two circumstances:
- If they were in an area identified as 'suitable' in a local or neighbourhood plan
 - Following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing.
37. We were aware that Inspectors were picking up the lack of suitable areas in submitted plans as a potential 'soundness' issue which would require further modifications down the line (see Knowsley and neighbouring Carlisle, where the Inspector concluded that **their proposed policy would not be effective because it would be impossible for any wind energy proposal to be permitted even if all the criteria were satisfied because it could not satisfy the first consideration set out in the WMS**")
38. We have defined areas on landscape grounds and on the basis of the cumulative impact of existing infrastructure. A technical paper explains our approach, but in summary the starting point were areas largely established in the 2007 adopted Cumbria Supplementary Planning Document.
39. In addition we have, after a considerable amount of public consultation response set out in the plan a requirement that there is an expected separation distance of 800 metres between turbines and residential development (see paragraph 4.29.8 of the draft plan).

This is also in light of precedent in neighbouring Allerdale where a similar approach has been adopted.

40. Just after we published the pre-submission draft Local Plan it was announced that the Yorkshire Dales National Park will extend into Eden District. This means that park status will have a minor impact of the 'suitable area' identified as areas adjacent to the new park area should be avoided to prevent landscape impact.

Physical Infrastructure and Community Facilities

41. The plan is underpinned by the Infrastructure Delivery Plan and accompanying Penrith Transport Study. Both were informed by earlier transport modelling work at Penrith, undertaken by Cumbria County Council.

Environment

42. Environmental policies were on the whole supported. There remain two main areas that may require further modifications, which we have requested. The first refers to objections from Natural England who are seeking further changes to make sure avoidance and mitigation policies relating to impacts on the River Eden are more explicitly stated in the plan and Habitats Regulation Assessment. We had agreed potential changes with Natural England during the pre-submission consultation period and are content to suggest these and Main Modifications.
43. The other substantive objections come from Historic England, who are requesting a strategic and more Eden – specific policy is included A modification will be requested to accommodate this request. Historic England have objected to the inclusion of some sites, most notably KS18 Croglam Castle, Kirkby Stephen, AL12 (High Mill, Alston) and P94 (Queen Elizabeth Grammar School, Penrith).

EDC

Appendix 1 – Recalculated Five Year Housing Land Supply

Current Calculation:

Requirement (Sedgefield Method)	Total Supply
Housing Requirement: 1 April 2014 – 31 March 2032	3600
Net Completions: 1 April 2014 - 31 August 2015	210
Target Completions: 1 April 2014 - 31 August 2015	283
Current Undersupply to date	73
5 Year Requirement	1000
5 Year Requirement + Additional 20%	1200
Requirement + Undersupply	1273
Annualised Requirement over next 5 years	255
Supply	
Extant Permissions (Large sites)	371
Extant Permissions <4 Units	128
Implemented Consents (Large Sites)	519
Implemented Consents <4 Units	165
Existing Local Plan Sites	171
Deliverable SHLAA Sites	44
Deliverable s106 sites	32
Windfall Sites	150
Total Number of Units	1,580
Current Land Supply (Years)	6.21

Revised Calculation:

Requirement (Sedgefield Method)	Total Supply
Housing Requirement: 1 April 2014 – 31 March 2032	3600
Net Completions: 1 April 2014 - 31 August 2015	210
Target Completions: 1 April 2014 - 31 August 2015	283
Current Undersupply to date	73
5 Year Requirement	1000
5 Year Requirement + Additional 20%	1214
Requirement + Undersupply	1287
Annualised Requirement over next 5 years	257
Supply	
Extant Permissions (Large sites)	371
Extant Permissions <4 Units	128
Implemented Consents (Large Sites)	519
Implemented Consents <4 Units	165

Existing Local Plan Sites	171
Deliverable SHLAA Sites	44
Deliverable s106 sites	32
Windfall Sites	150
Total Number of Units	1,580
Current Land Supply (Years)	6.14

Appendix 2 – Correspondence with the Planning Inspectorate on National Park Extensions.

Hello Paul,

I write further to your email with regards to your proposed way forward on the extensions proposed to the National Parks on yours and Yorkshire Dales Local Plans.

Subject to the final agreements mentioned in the bullet points of your letter & of course with the caveat that any representations on either plan that relate to this matter will need to be considered by the appointed Inspectors, we have, in principle, no problem with your suggested approach.

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Stuart Liddington
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Dear Stuart

Implications of the National Park Extensions on the Published Draft Eden and Yorkshire Dales National Park Local Plans

We recently notified PINS that we intend to submit the draft Eden Local to the Inspectorate. On 19 October we sent a Regulation 19 'Publication version' on to you and a Service Level Agreement has now been signed.

I am now writing on behalf of Eden District Council and the Yorkshire Dales National Park as the week after sending our Regulation 19 draft on to you we were notified that the Secretary of State has approved extension of the Yorkshire Dales and Lake District National Park into parts of what is now Eden District. The Lake District National Park is also due to extend into parts of what is now the South Lakeland District Council area.

This has implications not only for our own draft plan, but also that of the Yorkshire Dales National Park as their own local plan is at the same stage as ours (between publication and submission). This letter sets out our preferred way forward on how this change may be handled as we move towards our respective examinations. I would therefore be grateful if this matter could be brought to the attention of the Inspectorate and confirmation given on whether the approach we are suggesting is the best way forward.

This letter is jointly signed by EDC and the Yorkshire Dales National Park. The bulk of the extension relates to the Yorkshire Dales.

The current position

The extension is due to take place on 1 August 2016, at which time Eden or the Yorkshire Dales National Park Authority may be at or about to go to public examination.

Both the Lake District National Park Authority and South Lakeland District Council have the benefit of adopted Core Strategy and Site Allocations documents and are not currently preparing development plan documents that will be affected by the extension. We therefore assume that for the extension into South Lakeland the Lake District National Park will use South Lakeland Policies until such time as they adopt a replacement plan covering that area.

The more pressing issue is that both Eden and the Yorkshire Dales National Park are substantially through the preparation process of a full local plan and are between publication and submission stages. The effect of the change will be to move two larger villages (Orton and Asby, defined as Key Hubs in the Eden draft plan) and 14 smaller villages and hamlets from Eden into the Yorkshire Dales and two small villages/hamlets from Eden into the Lake District National Park.

Neither authority expect that the extension will raise any soundness issues for our draft plans as the areas transferred are highly rural in nature and in Eden's case we are not reliant on 'lost' areas to help deliver our development strategy. Similarly it is the view of the Yorkshire Dales that a combination of the policies they inherit from the forthcoming Eden Local Plan and policy on National Parks in the NPPF should give sufficient weight to preserving the special qualities of the Park.

A Way Forward?

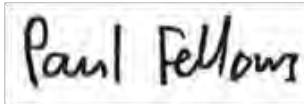
The issue is therefore how the mechanics of adoption work. The preferred approach is for each authority to jointly adopt the plan in its entirety but to apply policies in development management for their own area only. The process would be:

- The intention to jointly adopt would be subject to a signed agreement or Memorandum of Understanding between the authorities;
- Yorkshire Dales and Lake District National Park Authorities take recommendations through committee saying that they support the Eden Plan, do not see any Duty to Co-operate or soundness issues arising and are agreeable to adoption;
- Respective full Council(s) would then make the resolution to adopt the plan. In the case of the Yorkshire Dales this would be along the lines of “We resolve that the area of the draft Eden District Local Plan now applying to the Yorkshire Dales National Park be adopted as the development plan for that area”.

We understand that this is the approach taken when the New Forest National Park took over planning powers from the South Hampshire local authorities.

We would be grateful if the inspectorate could let us know if the suggested procedure may risk causing problems at Examination.

Yours sincerely,



Paul Fellows

Principal Planning Officer



Peter Stockton

Head of Sustainable Development

Yorkshire Dales National Park