

Statement H
Policy Dev3 – Transport, Accessibility and Rights of Way
Is the Policy Effective and Consistent with National Policy and
Guidance?

- 1.0 **Is the policy in conflict with the Development Strategy advanced under Policy LS1 in the context of the designation of Key Hubs?**
- 1.1 Policy LS1 sets out that Key Hubs will be the focus for development to sustain local services. New development is to be of an appropriate to the scale of the village, and will include housing, employment and improvements to accessibility.
- 1.2 Following the withdrawal of the bus subsidy the Council has sought to remove access to public transport as a criteria for Key Hubs. As a result we consider that Policy LS1 is in conflict with Policy DEV3 which seeks to concentrate development in areas with existing public transport availability or areas where development will lead to additional public transport.
- 1.3 As many of the Key Hubs (Shap, Tebay, Greystoke, Clifton, Orton, Nenthead and Hackthorpe) do not now have access to public transport as a result of the bus subsidy withdrawal, this meant that the Council felt that they could not restrict development in these locations compared to smaller less sustainable Key Hubs and changed their approach. Most of the settlements have access to public transport, albeit not daily.
- 1.4 In addition, Alston which is proposed by the Council as a Market Town has poor connectivity and as a higher level of growth is proposed at this location than in the Key Hubs. In reflection of the above points we therefore consider that Policy DEV3 is in conflict with Policy LS1.
- 1.5 The Policy as drafted and Objective SO3 are at odds with the approach taken under Policies LS1 and LS2. It should be reworded as follows.

New development will be encouraged to be located in areas with existing public transport availability, or areas where new development leads to the creation of available public transport. New development in Key Hubs, which have minimal access to public transport will still be permitted, in accordance with Policy LS1.

Development will only be refused if the proposed development will result in a “severe” impact in terms of road safety and increased traffic congestion. Development should provide safe and convenient access to pedestrians, cyclists and disabled people.

Proposals will be expected to adhere to guidance and standards in accordance with national standards on the minimum number of parking spaces (including for the disabled) and for bicycle parking.

For major developments, applications will be expected to be accompanied by a Transport Assessment/Statement (and where demonstrated necessary to provide a Travel Plan) and/or showing:

1. How the site will safely connect to public transport
2. How the site will meet the needs and safety concerns of pedestrians and cyclists
3. How the impact of any heavy goods vehicles accessing will be minimised, including during the construction phase

Development will not be supported where:

1. It would prevent the future opening of any road or rail schemes under consideration
2. It would remove an existing right of way, unless there is no alternative suitable location and the benefits from the development would justify the loss, or where an acceptable diversion is provided and a legal diversion order obtained
3. It leads to a material increase or significant change in the character of traffic using a rail crossing, unless it can be demonstrate that safety will not be compromised, in consultation with Network Rail

2.0 How is “significant amounts of travel” to be defined?

- 2.1 No guidance is provided within the policy or supportive text with regard to this. Further clarification is required.

Summary

Is the policy effective and consistent with national policy and guidance?

As worded, the policy is not effective or consistent with national policy. This is due to the conflict between Policy LS1 and DEV3 in relation to access to public transport provision. In its current form as worded it is contrary to paragraph 34 of the NPPF.

To be found sound, the policy should be reviewed to ensure that it is compliant within the NPPF.