

Appendix 1

Eden District Council

Draft

Local Development Scheme

November 2019

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Designed and produced by the Planning Policy Section, People and Place Directorate, Eden District Council.

This document can be made available in large print on request

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1.0 Introduction

This Local Development Scheme (LDS) sets out the planning policy documents that have already been prepared for Eden District as well as a timetable for the production of a new Local Plan. In effect, it's a public record of what we have produced, are planning to produce, and when.

Preparation of a LDS is also a legal requirement. Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by Section 111 of the 2011 Localism Act requires Local Authorities to prepare and agree a Local Development Scheme (LDS).

The intention is now to undertake an early review of the Eden Local Plan 2014-2032, prepare a draft and adopt a single new Local Plan for Eden District for the period 2020-2038. The previous version of the LDS is now replaced.

We will publish progress of plan preparation against this Scheme annually through the Annual Monitoring Report, which we aim to publish in December each year.

1.1 The Current Position

The following documents/policies currently comprise the 'development plan' for Eden District:

- The Eden Local Plan 2014-2032
- The Upper Eden Neighbourhood Plan, April 2013.

Currently Penrith Town Council and Morland Parish Council are in the course of preparing Neighbourhood Development Plans. Lazonby Parish Council is also moving towards a referendum on its Neighbourhood Development Plan in October 2019. An emerging Neighbourhood Plan is likely to be a material consideration in many cases. Paragraph 48 of the revised National Planning Policy Framework sets out that weight may be given to relevant policies in emerging plans in decision taking. Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a post-examination draft Neighbourhood Development Plan, so far as material to the application.

In addition, the Council has adopted a number of Supplementary Planning Documents (SPDs) which expand on policies set out in the previous development plan which comprised The Core Strategy (March 2010), the 'Saved Policies' from the Local Plan (1996) and the Proposals Map (1996) which was published with the local Plan. The following remain a material consideration according to their degree of conformity with the current Local Plan 2014-2032:

- Housing SPD, December 2010.
- Management of Conservation Areas SPD, March 2011.
- An Accessible and Inclusive Environment SPD, June 2007.
- Shopfront and Advertisement Design SPD, October 2006.
- Farm Diversification, March 2005

And with other organisations:

- Wind Energy Joint SPD, October 2007.
- North Pennines AONB Design Guide, July 2011.
- North Pennines AONB Management Plan. Adopted August 2019.
- Cumbria County Council Development Design Guide (Highways), November 2017.

The following draft document has been produced but is not a material consideration until it has been adopted following public consultation:

- Draft Housing SPD, October 2019

It is intended to formally review each of the above SPDs following the adoption of the forthcoming new Local Plan. Depending on circumstances, it may be appropriate to review some or all of the SPDs in relation to the Eden Local Plan 2014-2032, as work on the forthcoming Local Plan progresses.

The following document has also been produced to support production of planning policies:

- Statement of Community Involvement (SCI), November 2019.

The following document has been procured and is being produced to support the production of the forthcoming local plan

- Annual Monitoring Reports for 2017/18 and 2018/19.

2.0 Documents to be produced

On 3 September 2019 the Council's Executive resolved to undertake a full early review of the Eden Local Plan 2014-2032. Accordingly we will work towards producing the following:

- A new Local Plan for Eden District, with a revised Proposals Map.
- Annual Monitoring Reports.
- Eden Design Guide SPD
- Section 106 SPD
- Biodiversity SPD

Details are as follows:

2.1 A review of the Eden Local Plan 2014-2032 (including a revised Proposals Map)

Overview	Development Plan for the District
Role and Subject	This is a document setting out the vision and spatial strategy for meeting known and anticipated development requirements to 2038, including the number of dwellings and the new areas of employment land to be provided. It will include a key diagram to indicate broad locations for development and incorporate a revised Proposals Map showing specific sites. It will also include development management policies to guide decisions on planning applications.
Coverage	District-wide, but it will not include the area of the District within the Lake District National Park or within the Yorkshire Dales National Park.
Status	Development Plan Document
Conformity	With the National Planning Policy Framework

Timetable

Key stages	Date
Local Development Scheme (programme) agreed by Executive	Nov 2019
Statement of community involvement (SCI) agreed by Executive	Nov 2019
Public consultation on SCI (optional)	Jan – Feb 2020
Evidence gathering and review	November 2019 – October 2021

Public consultation on sustainability scoping report and issues	Oct -Nov 2020
Public consultation on options Option (Reg 18)	Oct-Nov 2021
Public Consultation on Preferred Option (Reg 18)	Jun-July 2022
Public consultation on publication plan (Final Plan) (Reg 19)	Feb-March 2023
Submission to Secretary of State (Reg 22)	April 2023
Examination (Hearings) of Local Plan (Reg 24)	Sep-Oct 2023
Receipt of Inspectors Report	Jan 2024
Adoption by Full Council (Reg 26)	Mar 2024

This timetable is based on a straightforward process, but could be disrupted should it be difficult to provide a clear view on the preferred option. Further disruption may occur should the Inspector require changes to the Plan before or during the hearing sessions which in turn could necessitate amendments, further consultation and additional hearings (as evidenced by the delays incurred during the examination of the adopted Eden Local Plan 2014-32), which could extend this timescale.

**Organisational
Lead**

Planning Policy Manager

**Political
Management**

The document will be adopted by Full Council, with decisions to publish for consultation made by Executive. The process will be supported by a cross party Local Plans Working Group. Progress will be reported to the Leader.

Internal Resources

- Planning Policy Manager (Permanent)
- Senior Planning Policy Officer (Part time Permanent)
- Planning Policy Officer (Permanent)
- Planning Project Officer (Part time 2 year contract to November 2021)
- Planning Technician (Part Time, permanent)

Support from Housing, Environmental Health, Conservation, Arboricultural and Development Management Colleagues.

Additional resources may be sought to help meet timetables associated with updating and developing new evidence bases in the following areas. It may be the case that one or more of these will need to be considered by an external resource due to the technical expertise required:

- Area Profiles: Penrith; Alston; Appleby; Kirkby Stephen
- Climate Change background paper
- Health Impact Assessment
- Equalities Impact Assessment
- Green Infrastructure Study
- Heritage Strategy

- Open Spaces Study
- Playing Pitch Strategy
- Renewable Energy Study
- Strategic Land Availability Assessment
- Sustainability Appraisal
- Tree Preservation
- Heritage Assessment
- Annual Monitoring Reports from 2019-20 onwards

External Resources

To update and develop new evidence bases external consultancy will be needed for the following areas:

- Affordable Housing Viability Study
- Area of Outstanding Natural Beauty (AONB) Management Plan (recently adopted in April 2019)
- Employment Land Assessment/Review
- Economic Development Strategy
- Economic Viability Assessment
- Gypsy & Traveller Accommodation Assessment
- Housing Needs Study
- Infrastructure Delivery Plan
- Landscape Character Assessment
- Landscape Visual Impact Assessment
- Retail & Other Town Centre Uses Study
- Strategic Environmental Assessment
- Strategic Flood Risk Assessment (Currently nearing completion expected Dec 2019)
- Strategic Housing Market Assessment
- Retail Assessment
- Habitats Regulation Assessment

- Penrith Traffic 'Saturn' Model (Currently nearing completion)

Advice on demographics and infrastructure will also be sought from the County Council.

Risk Assessment The main areas of risk in delivering Local Plans in accordance with the required timescales include: staff turnover; decision making delays; capacity of the Planning Inspectorate and other agencies to cope with intended priorities; the soundness of the Local Plan; legal challenge and programme slippage.

2.2 Annual Monitoring Report

Overview Reporting progress on implementing current planning policies.

Role and Subject The Council is required to annually monitor how effective its policies and proposals are. This report will assess:

- Whether it is meeting, or is projected to meet, the targets set out at national or local level
- What impact policies are having on other targets set at national, regional or local level
- Whether any policies need to be reviewed, revised or replaced to meet sustainable development objectives
- What action is required if policies need to be reviewed, revised or replaced

Coverage District-wide, but it will not include the area of the district within the Lake District National Park or within the Yorkshire Dales National Park.

Status Local Development Document

Conformity	With the National Planning Policy Framework and the Eden Local Plan 2014-2032 adopted in October 2018.
Timetable	AMRs for 2017/18 and 2018/19 procured and expected for delivery in December 2019. AMRs for December each year thereafter.
Organisational Lead	Planning Policy Manager
Political Management	Reporting tool – not required
Internal Resources	<ul style="list-style-type: none"> • Planning Policy Manager (Permanent) • Senior Planning Policy Officer (Part time Permanent) • Planning Policy Officer (Permanent) • Planning Project Officer (Part time, 2 year contract to November 2021) • Planning Technician (Part Time, permanent) <p>Support from Housing, Environmental Health, Conservation, Arboricultural and Development Management Colleagues.</p>
External Resources	Information may be sought from the County Council.
Risk Assessment	The main areas of risk in delivering the AMR is programme slippage due to competing priorities.

2.3 Design Guide: Supplementary Planning Document (SPD)

Overview	Providing further detailed advice on design in relation to development proposals.
Role and Subject	Although not a statutory requirement, the production of a Design SPD will provide detailed advice in the consideration of design issues by Development Management in respect of development proposals.
Coverage	District-wide, but will not include areas of the District within the Lake District National Park or the Yorkshire Dales National Parks, as they are the planning authorities for those areas.
Status	Local Development Document
Conformity	With the National Planning Policy Framework and the Eden Local Plan 2014-2032 adopted in October 2018, which promotes the use of high quality design. It is anticipated that the Design SPD will also conform to the forthcoming Local Plan which is highly likely to also promote the use of high quality design. The Design SPD will require review in developing the new Local Plan.
Timetable	<p>Dependant on resources needed to progress the forthcoming review of the Local Plan.</p> <ul style="list-style-type: none">• Preparation (internal)• Informal Stakeholder Consultation (optional)• Report to Executive• Public Consultation• Review• Report to Executive for adoption
Organisational Lead	Planning Policy Manager

Political Management	Reporting tool – not required
Internal Resources	<ul style="list-style-type: none"> • Planning Policy Manager (Permanent) • Senior Planning Policy Officer (Part time Permanent) • Planning Policy Officer (Permanent) • Planning Project Officer (Part time, 2 year contract to November 2021) • Planning Technician (Part Time, permanent) <p>Support from Housing, Environmental Health, Conservation, Arboricultural and Development Management Colleagues.</p>
External Resources	Information may be sought from the County Council.
Risk Assessment	The main areas of risk in delivering the SPD is programme slippage due to competing priorities revolving around the forthcoming review of the Local Plan.

2.4 Section 106 Agreement: Supplementary Planning Document (SPD)

Overview	A section 106 Agreement is normally required to secure off site works and/or financial contributions associated with a development and which cannot be secured by a condition attached to a planning permission. An SPD will provide detailed advice to developers on the purpose of S106 agreements, what they will be required for and how they will be procured, delivered and monitored in relation to development proposals.
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Role and Subject	Although not a statutory requirement, the production of a Section 106 SPD will provide detailed advice to developers on expected development contributions, what they will be required for and how they will be procured, delivered, monitored and, secured through Development Management.
Coverage	District-wide, but will not include areas of the district within the Lake District National and Yorkshire Dales National Parks, as they are the planning authorities for those areas.
Status	Local Development Document
Conformity	With the National Planning Policy Framework and the Eden Local Plan 2014-2032 adopted in October 2018. It is anticipated that the Section 106 SPD will also generally conform to the requirements of the forthcoming Local Plan. The SPD will require review to support the development of the forthcoming Local Plan.
Timetable	<p>Dependant on resources needed to progress the forthcoming review of the Local Plan.</p> <ul style="list-style-type: none"> • Preparation (internal) • Informal Stakeholder Consultation (optional) • Report to Executive • Public Consultation • Review • Report to Executive for adoption
Organisational Lead	Planning Policy Manager
Political Management	Reporting tool – not required

Internal Resources	<ul style="list-style-type: none"> • Planning Policy Manager (Permanent) • Senior Planning Policy Officer (Part time Permanent) • Planning Policy Officer (Permanent) • Planning Project Officer (Part time, 2 year contract to November 2021) • Planning Technician (Part Time, permanent) <p>Support from Housing, Environmental Health, Conservation, Arboricultural and Development Management Colleagues.</p>
External Resources	<p>Information will also be sought from the County Council.</p>
Risk Assessment	<p>The main areas of risk in delivering the SPD is programme slippage due to competing priorities revolving around the forthcoming review of the Local Plan.</p>

3.0 The ‘Duty to Co-operate’

The 2011 Localism Act introduced a ‘Duty to Co-operate’¹, requiring Local Planning Authorities to engage actively with other local planning authorities, the County Council and other ‘prescribed bodies’ on the preparation of plans. Paragraphs 178-181 of the National Planning Policy Framework also requires that local planning authorities demonstrate evidence of having effectively cooperated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination.

¹ Section 110 of the 2011 Localism Act inserted a new Section 33A into the existing Planning and Compulsory Purchase Act covering the Duty to Co-operate.

The Local Authorities sharing a boundary with the District of Eden are:

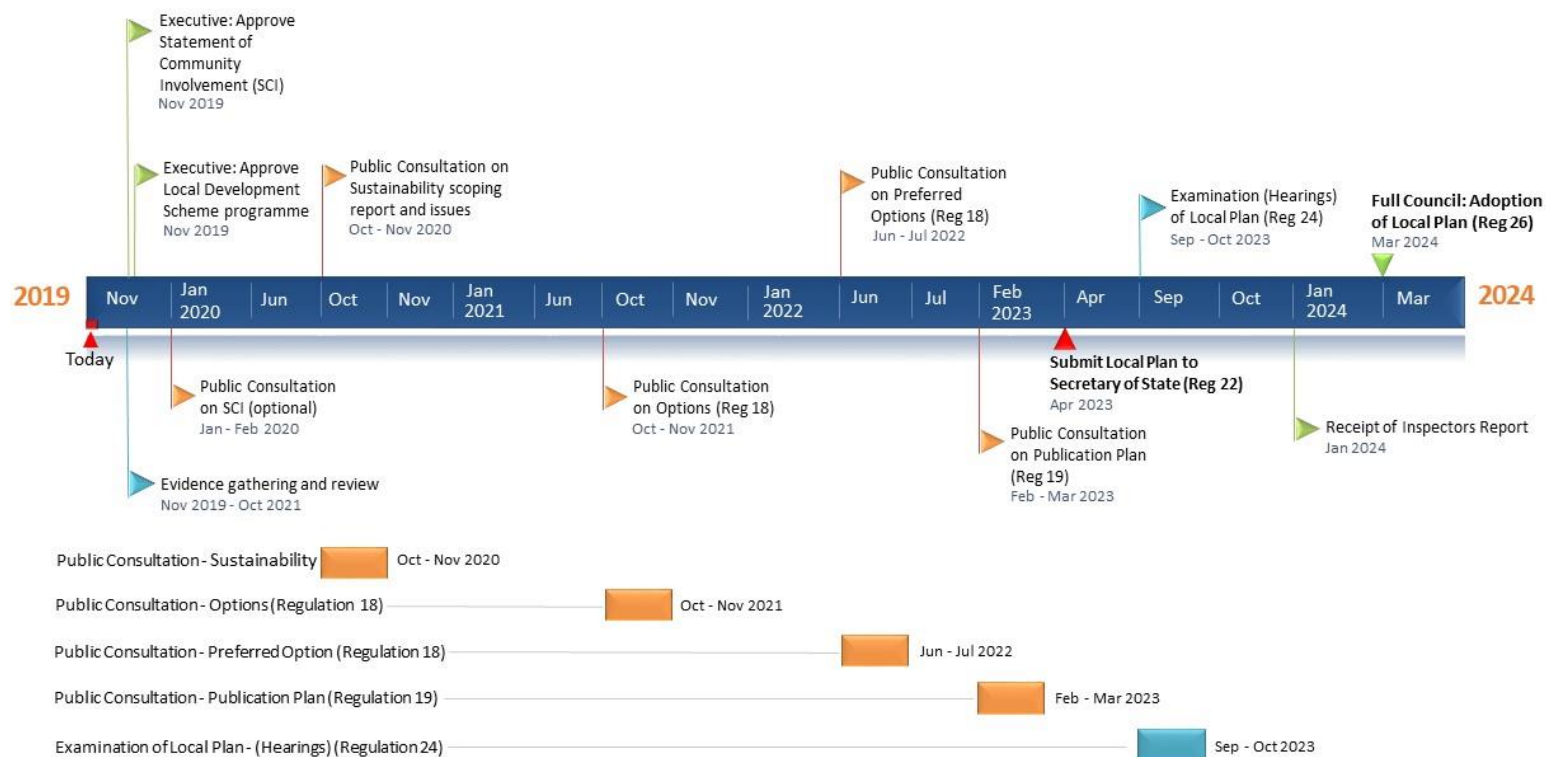
- The Lake District National Park Authority
- The Yorkshire Dales National Park Authority
- Carlisle City Council
- Northumberland County Council
- Durham County Council
- South Lakeland District Council
- Allerdale Borough Council
- Richmondshire District Council

In addition to the above the District shares a boundary with North Yorkshire County Council. However, responsibility for planning functions for areas extending into Eden rests with the Lake District and Yorkshire Dales National Parks respectively.

It is intended that a record in the form of a 'statement of compliance' will be kept up to date and reported upon in future versions of this document.

There are also well established Joint Officer Groups that are present in the County and in which Eden actively participates; these are the Joint Chief Planning Officers' Group, the Development Plan Officers' Group and the Development Control Officers' Group.

Annex 1 – Eden Local Plan – timetable



Annex 2 - Evidence Base for the Local Plan

The table below is an indicative list of documents that form a part of our core evidence for the Local Plan. Further sources of data and evidence can be found on the Eden District Council website.

Evidence Type	Progress	Undertaken by	Implications for Local Plan	Targets/Outcomes of Document
Eden Strategic Housing Market Assessment (SHMA)	Completed September 2015. Due to be updated.	To be reviewed	The SHMA will be used to develop housing policies by assessing housing need and demand to understand the spatial context of the housing markets in the district.	The SHMA will use a combination of the Housing Needs Survey undertaken in 2018 and new survey work to determine housing need for both market and affordable housing. The current housing supply required across the district is 242 pa of which 50% is to be provided in Penrith. Housing need to be reviewed.
Eden Strategic Housing Land Availability Assessment (SHLAA)	Completed September 2015. Due to be updated with a Strategic Housing and Economic land Availability Assessment (SHELAA).	To be reviewed	The document will assist in the delivery of housing by identifying the most suitable and viable land for future allocations. Sufficient sites should be identified to maintain a deliverable, viable and available 5 year supply of land.	The current Local Plan document concluded that there was available land for 4,356 houses over the period 2014-32 with reserve sites providing an additional 53.7 hectares of residential development. Existing and future provision to be reconsidered.

Evidence Type	Progress	Undertaken by	Implications for Local Plan	Targets/Outcomes of Document
Eden Economic Viability Appraisal (EVA)	Completed October 2009	DTZ Consultancy on behalf of EDC	This document was commissioned to aid in the development of Core Strategy policies to ensure that our housing policies are justified and viable.	Without the associated costs of local occupancy clauses the EVA tested the viability of current schemes against a baseline recorded at a time of economic growth in 2007. Paragraph 5.5 of the EVA concluded that 30% affordable housing is a viable figure that EDC can request from developers to meet the housing need in the district.
Eden Economic Viability Appraisal (EVA) - Update	Completed October 2013.	NPS group on behalf of EDC	To ensure that our housing policies are justified and viable.	Updates the assumptions in the 2009 appraisal and 2013 refresh.
Eden Economic Viability Appraisal (EVA) - Update	Completed April 2016. Due. to be reviewed	DTZ Consultancy on behalf of EDC	To ensure that our housing policies are justified and viable.	Updates the assumptions in the 2009 appraisal and 2013-16 refresh. Review to provide clarification on viability for the Market and Affordable Housing viability in the district
Employment Land	Completed December	To be reviewed	The study assesses the current and future demand for employment	Eden Local Plan 2014-32 has 27.3 ha of land identified to contribute to existing

Evidence Type	Progress	Undertaken by	Implications for Local Plan	Targets/Outcomes of Document
Availability Assessment	2009. Due to be reviewed. A Penrith wide ELAA was commissioned October 2019		land. The study aims to identify the most suitable areas, promoting the use of brownfield land and adopting the sequential approach to minimise travel. The adopted Local Plan has placed a particular emphasis on Eden Business Park.	land supply the majority of which is in Penrith and which is now almost fully developed or committed. Will identify future tranches of sustainable and available land.
Landscape & Visual Impact Assessment	Completed May 2010. Due for review	To be reviewed	Consultants previously employed by the council to assess the landscape considerations for the Key Service Centres. A review of this document will be used as a key source of evidence to identify locations that will be sensitive to future development.	Previous findings from the report suggest that sites in Alston have a medium to high value of landscape importance. Sites in Appleby were seen to also have a high impact. Sites around the central Kirkby Stephen can be seen as the most sensitive due to developing the currently Unbuilt frontages. The study determined that the highest visual impact for Penrith would be through the development of sites to the East of the town, extending past Carleton. Sites to the North, in particular, the Raiselands site, would have the least visual impact. The context of these findings will be reviewed, to enable consideration of alternative sites raised during the Penrith Strategic Masterplan engagement.

Evidence Type	Progress	Undertaken by	Implications for Local Plan	Targets/Outcomes of Document
Strategic Flood Risk Assessment (SFRA)	First Completed October 2007 and again in 2015. Revised SRFA expected Dec 2019	JBA Consulting procured and currently in Draft form. Further review required due to new data from EA.	The NPPF requires local planning authorities to undertake SFRA's to determine variations in flood risk across the district. This will be developed over time and used as an essential piece of evidence for planning proposals & when allocating sites for future development.	<p>The emerging SFRA (2019) tested all of the allocations within Eden Local Plan 2014-32 and the 32 sites identified within the Penrith Strategic Masterplan Key to determine how liable they are to flooding.</p> <p>The SFRA will break down the settlements into flood zones. This enables a sequential approach to be applied to planning proposals, where more suitable sites can be advocated before those in the floodplain.</p>
Cumbria Gypsy & Traveller Accommodation Needs Assessment	Completed November 2013. Due for review with Barrow coordinating a Cumbria wide review	Review?	Paragraph 42 of the 2004 Housing Act places responsibility on Local Authorities to undertake assessments and review the needs of Gypsies and Travellers in the district.	The original assessment has identified a need for 27 additional pitches for the Gypsy and Traveller community and 2 pitches for Travelling Showpeople to the year 2029. This review will establish existing and future need within the new Local Plan period.

Evidence Type	Progress	Undertaken by	Implications for Local Plan	Targets/Outcomes of Document
Eden District Retail Study	Completed March 2008 and reviewed May 2014. Due for review.	Review?	In determining a retail hierarchy for the forthcoming Local Plan this study will review the existing shopping provision and determines future capacity. The NPPF requires that plans assessing retail development should investigate the current need for retail and factors which may contribute to future delivery in a changing economic climate.	The Eden Local Plan 2014-32 does not currently propose to include any additional land allocations for retail development and policies provide to maintain and enhance the vitality and viability of the existing town centres and national guidance outlines a sequential approach designed to retain retail uses within the existing town centres, followed by appropriate sites on the edge of town centre and finally out of centre users. The review will reassess this approach.
Local Biodiversity Action Plan	Ongoing. 2009. Due for review.	Partners involved in the Cumbria BAP partnership	Cumbria-wide study developed to ascertain planning proposals & Local Plan documents.	Cumbria BAP to review species & habitats supported by action plans.
Open Space & Recreation Facilities Study	Completed 2008. Due for review	EDC	The NPPF requires Local Authorities to undertake assessments of existing open space and facilities, with a view to set standards based upon the findings of the report.	Analysis of current provision to identify whether additional facilities are required. Future provision will be identified on the basis of population growth in the next 15 years.

Evidence Type	Progress	Undertaken by	Implications for Local Plan	Targets/Outcomes of Document
Cumbria Renewable Energy Capacity and Development Study	Completed August 2011. Due for review.	Cumbria County Council	Detailed assessment of potential technical capacity (resources to generate renewable energy) and deployable capacity (level of renewable energy deployment that is realistic) up to end all new local plan period.	<p>The report will reassess the technical capacity of Eden to generate renewable energy within the new local plan period. Previous assessment established that Eden had the potential to generate 863MW of renewable energy by 2030; with wind power having the biggest potential. However, as there is very little renewable energy generation being installed, so it is necessary to review how this can be provided.</p>
Housing Needs Surveys	Completed November 2018. Due for review and update.	Previously undertaken by Arc4 on behalf of EDC	Data will help to inform Strategic Housing Market Assessments (SHMA) which will be used as evidence to plan for future housing provision, and ensure the type, number, tenure and location of new homes are appropriate for the area. The information acquired will inform the Housing need in the District and will also be used when assessing applications for planning permission for new housing.	<p>The Penrith Housing Needs Survey identified an imbalance of 264 affordable dwellings each year across the district. This level of affordable housing is in excess of the current local plan annual housing (both market and affordable) target of 242 dwellings. The review will clarify both market and affordable need and housing mix across the district.</p>

Evidence Type	Progress	Undertaken by	Implications for Local Plan	Targets/Outcomes of Document
Cumbria Landscape Character Guidance and Toolkit	Completed March 2011.Due for review	Cumbria County Council	A baseline evidence base that can be used when making decisions on future land use and management.	The document will identify and maps the different landscapes across the district. This can be referred to when producing allocations to ensure development appreciates and conserves the factors that give the landscapes integrity.
Penrith Parking and Movement Study	Procured September 2019 for summer 2020	WSP in association with CCC, EDC and PTC	A parking and movement strategy that meets the requirement of residents, businesses, commuter and visitors and will identify measures that will provide a suitable parking offer to support the functionality, attractiveness and viability of Penrith	The document will Identify current issues and support future capacity and improve walking and cycling connectivity between Car parking areas and the town centre, employment areas and the rail and bus stations.

Department of People and Place

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