



Eden
District Council

Local Plan December 1996

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Introduction

- 1.1. Eden District Council is charged with the preparation of a statutory Local Plan covering the whole of the area for which it is planning authority as shown on Map 1. In this instance that means the whole of Eden District apart from that area which is within the Lake District National Park.
- 1.2. The Eden Local Plan makes provision up to the year 2006, in line with the policies of the Cumbria and Lake District Joint Structure Plan. The document outlines the Council's broad planning strategy for the District for the next decade and describes the principal issues that the Eden Local Plan addresses. Flowing from that strategy are specific objectives and related, detailed policies and proposals.
- 1.3. The Local Plan was placed on deposit for a six week period from 30 September 1994 to facilitate consultation and comment. Following the deposit period all objections or statements of support were considered by the Council which then published for consultation purposes two sets of proposed amendments to the Local Plan policies and proposals.
- 1.4. The Council negotiated with objectors to resolve objections immediately following the deposit consultation period. Matters which remained unresolved were considered by an independent Planning Inspector appointed by the Secretary of State for the Environment at a Public Local Inquiry which took place in November 1995. The Inspector also considered all written representations which were received. Following that consideration the Inspector made recommendations to the Council which, in the light of those recommendations, decided on modifications to the Deposit Draft Local Plan prior to adoption. Those modifications were the subject of public consultation for a six week period commencing on the 10 July 1996 prior to the formal adoption of the Local Plan by the Council on 2 December 1996.
- 1.5. The Eden Local Plan, together with the Cumbria and Lake District Joint Structure Plan 1991 - 2006 and the Cumbria Coal Local Plan (adopted 1991, to be superseded by the Joint Minerals and Waste Local Plan) now comprises the statutory development plan for the area.

Eden District and the Council's Planning Strategy

- 1.6. Eden District is geographically large and mainly rural in character. The administrative District is the second largest, in terms of area, in England yet has a population of only 45,581 (1991 Census) making it one of the most sparsely populated.
- 1.7. A significant proportion of the population resides in the main town of Penrith (pop 13,330) and a group of nearby villages. The remainder is scattered through a wide rural area which looks to the towns of Alston (pop 2,065), Appleby-in-Westmorland (pop 2,570) and Kirkby Stephen (pop 2,209) for many services and facilities. The District has experienced a high rate of population growth over the last decade, the 5.1% increase between 1981 and 1991 being the greatest rate of change in Cumbria. A substantial part of this results from immigration principally by people in older age

groups, resulting in an ageing population.

- 1.8. The District has an exceptionally high quality of environment, its varied landscape including significant parts of the Lake District National Park and the North Pennines Area of Outstanding Natural Beauty. The Eden valley itself, from which the District takes its name, is also of high landscape quality with large areas such as the Howgills and Westmorland Fells recognised as Landscapes of County Importance. Not only is the landscape of exceptional quality, so too is the District's rich heritage of towns and villages, many of which include fine seventeenth, eighteenth and nineteenth century buildings of local sandstone and limestone. The District accommodates a notable diversity of habitats. Some of these represent a resource of national or international nature conservation importance. Notable in this respect are the high Pennine fells and the areas of limestone pavement found in the southern part of the District.
- 1.9. Within this landscape the District's economy is largely based on agriculture and the extractive industries, both of which have seen job losses in recent years. Substantial growth in the service industries, most notably in tourism, has served to offset a proportion of those losses.
- 1.10. The District benefits from its location astride the M6 Motorway and A66(T) cross-Pennine Trunk route. It also has access to both the west coast main railway line at Penrith and to the Settle - Carlisle railway through five stations including those at Appleby-in-Westmorland and Kirkby Stephen. It must be recognised that, despite these advantages, improvements to both roads and to rail services continue to be required. Local public road transport services are very limited and present significant problems to some parts of the resident community.
- 1.11. As has been previously mentioned, the Eden Local Plan will seek to make provision for that area of the District outside the Lake District National Park. The area covered by the Local Plan thereby considers the needs of a majority of the District and most of its population. All of the District's main centres fall within the Local Plan area as do varying proportions of the North Pennines AONB, the Eden, Lyvennet, Lune, Eamont and Lowther valleys and the Landscapes of County Importance mentioned above.
- 1.12. The Council's planning strategy for the Local Plan area draws upon national guidance, sub-regional strategies as set out in the Cumbria and Lake District Joint Structure Plan and upon a local appreciation of the problems and issues the area faces. This local appreciation derives both from the experience of the Council and from the views and wishes of the local community. The latter has been researched through consultation on preceding local plans and through the sponsorship of a programme of Parish Appraisals which has given twenty or so parishes an opportunity to examine community concerns in some detail.
- 1.13. A fundamental element of the Local Plan strategy is the protection of the countryside in general, and areas of special landscape, nature conservation or cultural value in particular, from unjustified and damaging change. The government's guidance on sustainable development, meeting the needs of the present without compromising the ability of future generations to meet their own needs, also forms an essential basis for an approach which seeks to maintain and enhance variety of habitats, protect natural

resources and promote efficiency in the use of energy.

- 1.14. Within this context the Local Plan strategy is to make provision for development in line with Structure Plan guidance. This will be directed in ways which it is considered will be most supportive of the continued vitality of the area's established communities and their social and economic needs. The strategy also includes support for the provision of those housing and employment opportunities and for the maintenance and enhancement of services and facilities which will particularly benefit local people and those with special needs.
- 1.15. It is the intention of the Council's strategy that the present balance between the urban and rural areas of the District be maintained. The Council does not wish to see urban centred growth take place at the expense of the vitality of the area's many smaller rural communities.
- 1.16. The following seven Plan Principles underlie the Council's strategy and form a basis for the policies and proposals of the Eden Local Plan. They provide a starting point from which the aims stated elsewhere in this document have been developed.

- Plan Principle 1** *To promote sustainable development by ensuring control and responsibility in the management and use of resources.*
- Plan Principle 2** *To protect against inappropriate development with special regard to buildings and areas of recognised historic, cultural, landscape, nature conservation, or scientific interest and to promote the management and enhancement of such areas.*
- Plan Principle 3** *To achieve an acceptable balance between facilitating development and maintaining the amenity of settlements and the countryside.*
- Plan Principle 4** *To ensure that sufficient land is made available to meet the future development needs of established communities.*
- Plan Principle 5** *To promote the social and economic vitality of local communities and the viability of the services and facilities which they enjoy.*
- Plan Principle 6** *To promote accessibility to housing, jobs, services and facilities for all sections of the community.*
- Plan Principle 7** *To promote energy efficiency in the design and construction of all new development.*

Environment

The Natural Environment

- 2.1 Reference has been made, in describing the District, to the extremely high environmental quality of the Eden Local Plan area. In considering the natural environment, and the aims which the Local Plan will seek to achieve, it is important to bear this context in mind.
- 2.2 A substantial part of the Local Plan area comprises landscapes which have been recognised for their high quality. These include the North Pennines AONB and a number of areas including parts of the Eden Valley, the Pennine foothills, Westmorland Fells, Howgills and the Greystoke Forest, all of which are designated Landscapes of County Importance. The south and west boundaries of the Local Plan area abut National Parks, reflecting the quality of the landscape.
- 2.3 The protection of areas of wildlife or geological interest must also be a prime concern. Within the Local Plan area are many Sites of Special Scientific Interest (SSSIs), designated and accorded protection due to the national significance of their flora, fauna or particular geological value. The area also has, at Orton Scar and Great Asby Scar, some of the most extensive areas of limestone pavement in Britain, these enjoy special protection. In addition, the River Eden and its tributaries, are currently being evaluated for designation as an SSSI for their exceptional water quality and fauna communities. These areas together with a variety of sites which are of regional or local value also warrant the exercise of particular care in order to maintain corridors and habitats which contribute to species and habitat diversity.
- 2.4 The District contains a number of areas already designated as SSSIs which have been recently notified by the Government as qualifying for designation as Special Areas of Conservation under the EU Habitats Directive, due to their international value. These include the Asby complex of limestone pavements; a number of areas of hay meadow grouped under the title North Pennine Dales Meadows, which include some in the Lune valley as well as among the Pennines; and, the Moorhouse and Upper Teesdale area which incorporates a range of rare habitats. This latter area is also a proposed Special Protection Area (under European Commission Directive 79/409 on the Conservation of Wild Birds) due to its value for birds. These areas of international significance warrant especial care and protection.
- 2.5 Throughout the area the Council has a duty under the Wildlife and Countryside Act 1981 to protect endangered species. This issue can become particularly significant where development, such as the conversion of traditional buildings, may disturb the nest or roost sites of protected species including bats and owls. All of the concerns outlined in preceding paragraphs support key approaches to sustainability including the maintenance of biodiversity, that is, variety of habitats and species, and protecting the best of the environment for future generations.
- 2.6 Notwithstanding the constraints imposed by its landscape and nature conservation importance, Eden's countryside is a living and working environment. It is necessary

that the needs of farmers and local communities are met in a sensitive way. It is important to preserve the best and most versatile agricultural land and, in some parts of the District where land quality is generally poor, lower quality land which is important to agriculture in the local context. Equally there is a need to facilitate the diversification of the rural economy, in order to support agricultural holdings and other rural enterprises and to maintain the vitality of communities.

2.7 In relation to these issues and in particular to the application of Plan Principle 1 on sustainability and Plan Principles 2 and 3, a number of objectives concerning the natural environment have been identified. These, and the policies which derive from them, are intended to define and protect the natural assets of the District. These objectives and policies therefore provide a context and in some respects a constraint within which the Council's development strategy has been formulated.

Objective 1 To protect the character and amenity of the District's landscapes by ensuring that development normally takes place within or adjacent to established settlements.

Objective 2 To afford special protection to areas of recognised landscape or nature conservation value including Areas of Outstanding Natural Beauty, Landscapes of County Importance, and areas of internationally, nationally and regionally important scientific or nature conservation value.

Objective 3 To protect the best and most versatile agricultural land.

Objective 4 To support appropriate forms of diversification in the countryside.

Objective 5 To afford protection to species and habitats of identified value including those protected by the Wildlife and Countryside Act 1981.

Landscape

Development in the Countryside

Policy NE1 The countryside of the District is valued for its undeveloped character. To protect its character, new development in the undeveloped countryside outside settlements and groups of dwellings will only be permitted to meet local infrastructure needs or if a need is established for the development in a specific location which is sufficient to outweigh environmental cost and if all of the following criteria are satisfied:

- i) the siting of the development and any landscaping proposed will minimise impact
- ii) the design and materials proposed are appropriate to the location; and
- iii) an unacceptable level of harm will not be caused to any interests of acknowledged importance.

2.8 Policy NE1 seeks to carry forward the level of protection established by Structure Plan Policy 13 in relation to the undeveloped countryside for all those areas of the District

which fall outside those settlements listed in Local Plan Policies HS1 and HS2 or groups of dwellings, defined as cohesive groups of dwellings which include at least three existing dwellings. Policy NE1 indicates that exceptions may be made to this general policy if it can be demonstrated that there is a substantiated need for the development to be sited in a specific location outside any established urban area or settlement. Such need may stem from the necessity to be located close to an established rural activity or source of materials, or for a particular type, size or character of site which is not available in or adjacent to existing development. Exceptions will also be made where appropriate to accommodate the need for improvements to local infrastructure which cannot be located elsewhere.

- 2.9 In evaluating proposals regard will be had not only to the need for a development in a particular location but also to the impact of the proposal on the landscape or sites of wildlife, archaeological, geological or other recognised value; and to measures proposed which may serve to mitigate that impact including the use of high standards of design and appropriate materials and of landscaping measures.
- 2.10 In so far as proposals within developed areas of the countryside are concerned, that is those within settlements or groups of dwellings, the Local Plan establishes policies supportive of some classes of development, notably those which will generate employment opportunities. Specific examples include Policy NE8 which is supportive of proposals to diversify and support rural enterprises, Policy BE24 concerning the reuse of existing buildings and Policies TM1 and TM2 which jointly provide a basis for the evaluation of small scale tourism developments.

Development in the North Pennines AONB

Policy NE2 Priority will be given to the protection and enhancement of the special character of the North Pennines AONB. Within the North Pennines AONB development proposals will only be permitted on sites within or immediately adjacent and well related to settlements. Major development outside established settlements will only be permitted if an exceptional case can be made and all reasonable alternative locations have been explored and shown to be unacceptable. All development within the North Pennines AONB must, through appropriate siting, design, materials and landscaping measures, minimise environmental impacts and contribute to the preservation or enhancement of the distinctive character of the landscape and of the area.

- 2.11 The North Pennines Area of Outstanding Natural Beauty, designated in 1988, is the largest AONB in England. That part which lies within the Local Plan area covers the whole of the East Fellside from Newbiggin in the north to Stainmore and includes the South Tyne and Nent valleys. The purpose of designation is to conserve and enhance the natural beauty of the area, the special landscape quality of which derives from its physical character as an upland area of high moorland plateau and heather grouse moor dissected by gently incised valleys, each with a distinct character. The farmed landscape is characterised by the small size of holdings, vernacular buildings and dry stone walls while evidence of the past lead mining industry of the area has also left a significant mark. This is a varied landscape but one which is characterised by an

openness which renders isolated new development particularly intrusive. The North Pennines area includes a substantial and active residential community whose social and economic needs must be accommodated. Some development within the AONB is both necessary and inevitable, however, in the interest of protecting its unique landscape character and quality it is intended that developments will normally take place in established settlements. Exceptions to this may be made for agriculturally related development and to accommodate infrastructure and other developments which cannot be located within settlements and from which social and economic benefits derive which outweigh their environmental costs. Cumbria County Council has set out a policy framework in the Structure Plan, Policies 3, 11 and 41. Both Policy NE2 and Policy NE11 are consistent with that guidance. The Council is an active partner with other local authorities and interest groups in the Steering Committee for the North Pennines AONB. Through that body, the Council will seek to promote the proper management of the landscape and wildlife resource of the area and the interests of the locally resident communities.

Landscapes of County Importance

Policy NE3 Within Landscapes of County Importance proposals will be expected to have due regard to the distinctive character of the landscape. Those involving development outside established settlements will be permitted only if the following criteria can be satisfied:

- i) the selection of the site can be adequately justified;**
- ii) the siting of the development will minimise impact;**
- iii) the design, materials and landscaping measures are appropriate to the character of the landscape;**
- iv) the scale of the proposal is appropriate to the location concerned; and**
- v) an unacceptable level of harm will not be caused to any interests of acknowledged importance.**

2.12 Landscapes of County Importance are defined by Structure Plan Policy 12 and identified on the Local Plan proposals map. These are areas of distinct and valued character which warrant particular protection. Within the context provided by Policy NE1, development proposals in Landscapes of County Importance must not only be clearly justified on the same basis as all development outside settlements but must, in terms of location, scale, design, and materials demonstrate a particular regard for the qualities and character of the area concerned.

2.13 The following notes provide a brief description of the landscape character of each of the designated Landscapes of County Importance.

Foothills - Rolling and hilly farm land and moorland generally 200-250m over datum (OD) adjacent to the North Pennines AONB boundary. Land cover varies from improved grazing with some arable to unimproved heathland. Some parts are

intersected by small valleys with semi-natural heathland. Others are more continuous with coniferous plantations dominant. Most farmland has a pattern of large fields tending to be square in shape with stone walls or hedges. Much of the area offers fine views of the Pennine scarp.

Limestone Farmland - A rolling upland farmed landscape with distinctive limestone characteristics found particularly on the northern slopes of the Westmorland Fells. The landscape type is typified by a strong pattern of high stone walls and other built stone features. This is a landscape of historic character marred in some locations by discordant elements including quarries, pylons and the M6 Motorway.

Limestone Foothills - This area lies between Greystoke and the National Park boundary at an elevation of 220-360m OD. Topographically typical of limestone areas but natural crag features and other rock outcrops are rare. Dominated by forest, the area includes a variety of other features including unimproved land, ancient woodland and parkland. The quality of the landscape is generally high, in particular on the west and north where there are impressive views of the Lakeland fells and interesting areas of relic woodland and scrub.

Open Moorland and Common - Most of this landscape type is open grazing common at 250-350m OD, between Crosby Ravensworth Fell and Ash Fell. Most is developed on limestone although the western fringe is underlain by Shap Granite. Limestone pavements are extensive over large parts of the area, particularly on Orton and Asby Scars, and many are designated Sites of Special Scientific Interest and/or covered by Limestone Pavement Orders. Land cover is grassland and remnant heather moorland. The boundary walls of the commons are of historic interest while the area also has many sites of archaeological value.

Limestone Valley - This landscape type comprises the Lune Valley, forming a gap between open moors and commons to the north and the Howgill Fells to the south. It is a distinctive valley landscape of irregular, walled fields along the sides and a narrow flat floodplain in the bottom. Features of the valley include small mixed woods, vernacular buildings and old quarries.

Fells and Scarps - The Howgills form a range of rounded fells with deeply incised valleys, underlain by sandstone, on the fringes of the Yorkshire Dales National Park and the North Pennines AONB. The landscape is of high quality, similar in character to the Yorkshire Dales, being open with few field walls or other features. Land cover is in the main grass and bracken.

Eden Valley and Eden Gorge - A major linear feature running through the District from southeast to northwest. The landscape is variable in character, some being flat and unspectacular while elsewhere, such as around Warcop and Kirkby Stephen the valley is narrow and twisting with wooded banks. From Culgaith to Kirkoswald the valley is deep and wide with extensive plantations, small woods, parkland and extensive views. Around Appleby and to the north of Kirkoswald the valley is narrower with steep, rocky banks and overhanging woodland. Towards its northern end, the valley forms an impressive gorge typified by woodland and rock features.

Nature Conservation

Sites of International Importance

Policy NE4 Sites of international nature conservation importance are subject to the highest levels of protection due to their contribution to the European Community-wide network of key habitats. Development proposals within or affecting such sites will only be permitted if it can be demonstrated that they will not affect the nature conservation value or integrity of the site or, where adverse impact will result, if there is no alternative site for the development and imperative reasons of overriding public benefit can be demonstrated. Where development is permitted the Council will by planning conditions and/or agreements seek to minimise harm to nature conservation interests and, where appropriate, provide alternative habitat.

2.14 Planning Policy Guidance Note 9 provides guidance on the protection of sites of international nature conservation value which Policy NE4 seeks to apply in the local context. Within Eden there are a number of Sites of Special Scientific Interest the international importance of which is signified by notification as a proposed Special Protection Area or Special Area for Conservation. Such areas include an extensive tract of the North Pennines Moors, areas of limestone pavement and upland herb rich meadows (see Appendix One for list). PPG9 makes it clear that development likely to adversely affect the nature conservation value of such areas should only be permitted in the most exceptional circumstances. Strict tests are set out in PPG9 against which development proposals affecting a proposed or designated Special Protection Area or Special Area of Conservation must be measured. These are based on Article 6 of the Habitat Directive and the Associated Conservation (Natural Habitats etc) Regulations 1994 which detail the duties of local authorities in providing special protection to EU sites (see PPG9 Annex C). In particular, where a site hosts a priority natural habitat or species, it is indicated that development will only be permitted if it can be demonstrated to be necessary for reasons of human health or public safety.

Sites of National Importance

Policy NE5 Development proposals likely to have an adverse impact either directly or indirectly on the nature conservation value of sites of national nature conservation importance will only be permitted if the harm caused to nature conservation interests is clearly outweighed by the need for the development to take place in the location concerned. Where development is permitted the Council will by planning conditions and/or agreements seek to minimise harm to nature conservation interests and, where appropriate, provide alternative habitat.

2.15 The Structure Plan, in Policy 17, establishes a context for the consideration of proposals likely to impact on areas of nature conservation importance including, in Eden, Sites of Special Scientific Interest, National Nature Reserves, Limestone Pavement Order areas and sites identified as being of national importance under the Nature Conservation Review/Geological Conservation Review (see Appendix Two for list). A majority of the sites concerned have been designated as Sites of Special

Scientific Interest, in recognition of their biological interest, although some are designated due to their geological interest. In addition, Eden contains a substantial part of the national resource of limestone pavement which is of interest for physiological reasons and also for the very specialised flora which is supported. This resource includes examples which are amongst the best in the world and are the subject of Limestone Pavement Orders prohibiting the removal or disturbance of limestone. Having regard to the great value of the areas concerned, which contribute to maintaining the biodiversity of the region, it is important that they be protected from the adverse impacts of development. An exceptional justification would be required for the loss of any part of a designated area, for example, to facilitate development which would provide substantial social or economic benefit and which cannot be carried out in any less damaging location. Where such development is permitted, proposals should include measures to mitigate any harm which may result.

Sites of Regional Importance

Policy NE6 Development proposals likely to have an adverse impact either directly or indirectly on sites of regional nature conservation importance, including those identified during site evaluation in relation to specific development proposals, will only be permitted if the need which justifies the development outweighs the resultant harm to nature conservation interests. Where development is permitted the Council will by planning conditions and/or agreements seek to minimise the harm to nature conservation interests and, where appropriate, provide alternative habitat.

- 2.16 Planning Policy Guidance Note 9 identifies the importance of protecting areas of regional and local nature conservation value which, while they lack statutory protection, make an essential contribution to the achievement of sustainable objectives including the maintenance of habitat and species diversity. In Eden such areas include sites notified as County Nature Sites, Local Nature Reserves and Regionally Important Geological and Geomorphological Sites (see Appendix Three for list) together with the corridors formed by rivers and streams. Policy NE6 seeks to ensure that these and other sites of nature conservation value which may be identified in response to development proposals will only suffer loss or damage following the evaluation of the need for a particular development and an assessment of the likely impact. Only where the need outweighs impact will consent be granted for development to proceed.
- 2.17 In addition to protecting such sites the Council will, wherever possible, support measures which seek to secure their positive management for nature conservation purposes in order to preserve and enhance the range of habitats traditionally found in the area and the overall quality of the environment. In the light of increasing interest in the nature conservation value of parts of the District, and the development pressures faced by the area, the Council will seek to prepare a nature conservation strategy for the District in consultation with interested amenity bodies.

Protected Wildlife Habitats

Policy NE7 In evaluating proposals, including those for the reuse or redevelopment of existing buildings, the Council will have regard to the need to protect species identified in Schedules 1, 5 and 8 of the Wildlife and Countryside Act 1981 (as amended). Where development is permitted which may have an effect on such species the Council will by planning conditions and/or agreements seek to facilitate the survival of the population concerned, minimise disturbance and, where appropriate, provide alternative habitat.

2.18 Traditional and redundant or underused buildings are known to provide a habitat for many species including some such as owls and bats which are endangered and enjoy statutory protection. The preparation of any development scheme involving buildings where this may be the case must, by making provision to accommodate nest or roost sites, have regard to the relevant statutory obligations.

Agriculture

2.19 Structure Plan Policy 19 provides a context for the consideration of proposals which involve the loss of agricultural land indicating, in accordance with Government guidance, that the best and most versatile should be protected for use for agricultural purposes. It is believed that there is no grade 1 land in the District and that the amount of grade 2 land is limited. Further, published maps do not distinguish between sub-grades 3A and 3B, although site specific advice can be obtained by the Council from MAFF where necessary. Such site specific investigations will be necessary on those occasions when the loss of agricultural land is a material issue in the determination of a planning application. In certain circumstances, where lower grade land is particularly important to a local holding, it may be appropriate to extend the protection offered by Policy 19 to that lower grade land.

Agricultural Diversification

Policy NE8 A proposal that will diversify and support activity on an existing agricultural holding will be permitted, provided that the proposal is appropriate to the location concerned.

2.20 Policy NE8 is intended to facilitate, within the controls required by other development plan policies, a wider range of initiatives in farm diversification including those which may involve the use of land or buildings for activities which are not traditionally associated with farming operations. This may include a variety of tourism, retail or employment based activities and operations, in particular those which add value to local agricultural produce. Clearly such uses should not conflict with those already established in the area and proposals must also be able to achieve satisfactory standards of design, landscaping, access, parking and amenity.

Building for Agriculture and Forestry

Policy NE9 Proposals involving the erection of buildings or structures for agricultural or forestry use will be permitted if they:

- i) demonstrate standards of design and the use of materials which respect the character of the setting concerned, and**
- ii) are sited and landscaped to minimise impact on adjoining uses and the landscape.**

2.21 As an exception to the controls which normally restrict development in the countryside, the Council regularly considers planning applications and notices of intention for the erection of agricultural buildings and structures. In order to protect the character of the landscape and other interests of importance, proposals for such development should demonstrate appropriate standards of design and materials and take into account factors such as impact on the landscape or established adjoining uses while accommodating the operational requirements of the enterprise concerned.

Trees and Forestry

Woodland Planting

Policy NE10 The Council will support proposals which involve woodland planting of native species, or have a high proportion of, or lead to, a final crop of such species, contribute to agricultural or amenity objectives or make use of small areas of waste or underused land and compliment the established pattern of land-use and landscape character.

Afforestation Proposals

Policy NE11 Afforestation proposals will not be supported where they would entail significant adverse impact on or losses to;

- i) woodland recorded in the Ancient Woodland Inventory;**
- ii) the landscape character of the North Pennines AONB and Landscapes of County Importance; or**
- iii) sites of nature conservation or historic value.**

2.22 Commercial forestry makes a significant contribution to the local economy. This is likely to continue to be the case in the foreseeable future in the light of the Government's planting target of 30,000 ha per annum of new forestry nationwide and in view of moves to remove land from agricultural production. Initiatives may include the extension of existing forests within the plan area. Structure Plan Policy 16 establishes the principle of accepting afforestation where there is no conflict with agricultural, landscape, wildlife and public access considerations. In Eden District the location of poorer quality land in areas of higher elevation, which are in consequence

more prominent and are also of great nature conservation value, makes an evaluation of the landscape and nature conservation impact of substantial plantings of particular importance.

Where such impacts are limited in nature, most probably in cases where the planting proposal has been carefully designed in relation to the landform and where mixed species are used, afforestation proposals are likely to prove acceptable both in the Eden Valley and the lower, more broken slopes of the Pennines. However, planting in the higher open uplands of the North Pennines AONB and other upland areas supporting heather or which adversely affect areas of ancient woodland are unlikely to be acceptable. In evaluating proposals consideration will also be given to impacts on other interests of recognised importance such as the nature conservation value of the land concerned and the desirability of protecting historic features in the landscape such as archaeological remains, ancient field patterns and boundaries.

- 2.23 Proposals for small scale planting, especially of native broadleaved and conifer species which will contribute to maintaining and diversifying habitat and will fit into the established pattern of land use and landscape character will be supported. In addition, the Council intend to prepare an indicative woodland strategy with the primary objective of facilitating environmental enhancement and recreation opportunities.

Ancient Woodlands

Policy NE12 Development proposals which are detrimental to the character or nature conservation value of woodland recorded in the Ancient Woodland Inventory will only be permitted if a clear need can be substantiated for the development in the specific location concerned.

- 2.24 There are within the Local Plan area limited remains of ancient semi-natural woodlands which have been in existence since the middle ages. These represent an extremely valuable resource of importance to nature conservation. The Council wishes to ensure that these woodlands are retained and sympathetically managed.

Protection of Trees

Policy NE13 In considering development proposals particular regard will be given to the retention of trees of amenity value, including those the subject of Tree Preservation Orders, and to their protection during development. Where appropriate, Tree Preservation Orders will be used to afford the necessary level of control.

- 2.25 In the past, the development of sites has resulted in the loss of established trees which have made an important contribution to the character and amenity of the vicinity. The Council wishes to ensure that in future such losses are minimised.

The Built Environment

- 2.26 Eden District has a fine historic environment including many attractive villages and outstanding examples of both vernacular and fine architecture drawing upon local materials. In addition there is evidence, both archaeological and within the built form of settlements, of the growth, development and change which has taken place in the past. This historic environment together with the natural environment give the District its distinct and attractive character. It is essential that this be considered, respected, protected and enhanced for its own cultural, historic and social value and as one of the District's most important assets.
- 2.27 Certain buildings and areas enjoy special recognition. Some 1950 of the finest buildings and structures within the Local Plan area have been listed because of their particular architectural or historic interest. Fourteen conservation areas have been designated, reflecting their special character and the Council has a programme for further such designations. In addition, several historic parks and gardens have been identified as of particular value while there are also many scheduled Ancient Monuments and sites of recognised archaeological value.
- 2.28 Within the built context of the District's settlements there are a number of undeveloped open spaces such as orchards, garths, paddocks and greens, which make an essential contribution to their character. It is important, in seeking the balance described in Plan Principle 3, that such areas of amenity importance are accorded a high measure of protection.
- 2.29 However, as with the natural environment, it is also important to remember that the District's heritage and built environment forms a backdrop to developing and evolving communities whose economic and social needs must be accommodated. Given the inevitability of development this must be controlled in terms of its scale, siting and design to complement and reinforce rather than conflict with the local character.
- 2.30 The District's heritage is also a valuable economic asset. The growing tourist industry depends upon its attractiveness to draw visitors to the area. Further, traditional buildings represent a resource which may be sensitively adapted to meet modern requirements and contribute to the well being of the rural economy in a way which has little impact on the environment.
- 2.31 The objectives set out below, which derive from Plan Principles 2 and 3, have been identified for that part of the Local Plan dealing with the built environment. The subsequent paragraphs set out the associated policies, proposals and supporting text.

Objective 6 *To protect the District's built environment from insensitive or inappropriate change.*

Objective 7 *To preserve or enhance buildings, landscapes and areas of cultural, historic or archaeological interest including conservation areas, historic parks and gardens, areas of archaeological interest and listed buildings and their settings.*

- Objective 8** *To afford special protection to areas of public or private open space identified within settlements as having particular amenity value.*
- Objective 9** *To promote the enhancement of the built environment through the use of high standards of design and a careful choice of materials for all development.*
- Objective 10** *To encourage the sympathetic and appropriate reuse of existing buildings, especially those which make a contribution to the special character of their locality.*
- Objective 11** *To promote forms of development which will help to combat crime.*

Conservation Areas

2.32 There are fourteen designated conservation areas within the Local Plan area covering parts of Alston, Appleby, Church Brough, Crosby Garrett, Crosby Ravensworth, Gamblesby, Hunsonby, Kings Meaburn, Kirkby Stephen, Maulds Meaburn, Milburn, Penrith (2) and also the Settle - Carlisle Railway. The Council is engaged in a continuing project to review conservation areas including the designation of additional areas. Eden is fortunate to enjoy the benefit of a number of settlements of outstanding character or historic interest. In view of the increasing pressure for development throughout the District there is a need to exercise additional measures of protection where judged appropriate. The current programme of review will include the assessment of the following settlements, prior to consultation with the relevant parish councils and other interested parties:

Market Brough, Dufton, Edenhall, Garrigill, Great Asby, Great Musgrave, Great Salkeld, Greystoke, Hardendale, Hartley, Hilton, Kaber, Keld, Kirkoswald, Langwathby, Lazonby, Melmerby, Morland, Murton, Newbiggin, Oddendale, Orton, Ravenstonedale, Renwick, Skirwith, Soulby, Temple Sowerby, Winton.

Demolition in Conservation Areas

Policy BE1 **The demolition of buildings which make a positive contribution to the character and appearance of a conservation area will not be permitted unless it can be established to the satisfaction of the Council that the building concerned cannot be repaired and put to beneficial use and the site is to be used for appropriate redevelopment.**

Policy BE2 **Consents to demolish buildings within conservation areas will be subject to conditions which will preclude demolition until a contract has been let for the redevelopment of the site in accordance with a development scheme which has been approved by the local planning authority.**

2.33 In pursuance of the Council's statutory duty to preserve or enhance the character and appearance of conservation areas it is important that as much as possible of the old fabric be preserved. Where this is not possible, the Council would wish to avoid the creation of unsightly gap sites on street frontages and to ensure that redevelopment is appropriate in character.

New Development in Conservation Areas

Policy BE3 New development within a conservation area should not adversely affect the character or appearance of the area. It must also respect the scale, form, orientation, materials and architectural detailing of adjoining development; that traditional to the area concerned, and established street patterns and building lines. In order to exercise an appropriate level of control over development the Council will require the submission of fully detailed plans in support of applications for planning permission within conservation areas.

2.34 Structure Plan Policy 26 establishes general principles for development in conservation areas which Local Plan Policy BE3 reinforces. In particular, high standards of design will be sought and additional control exercised through the obtaining of fully detailed proposals for any development likely to have an effect on the character or appearance of a conservation area. Notable features in many settlements are well preserved patterns of development, open spaces and building lines which determine the form and character of the settlement concerned. These features demand special consideration in the face of development pressures.

2.35 As an adjunct to planning controls, much has been achieved in support of conservation objectives through the operation of schemes of grant assistance to aid the traditional repair of important properties. There is a continuing need for assistance of this nature and the Council are committed to maintaining the availability of grant aid to help with the repair of specified properties which are important to the character or appearance of selected conservation areas.

Shop Fronts in Conservation Areas

Policy BE4 Proposals to alter or replace shop fronts and property facades within conservation areas must wherever possible conserve original features and material, reflect traditional design features and be constructed in traditional materials.

Advertisements in Conservation Areas

Policy BE5 Within conservation areas, advertisements should not adversely affect the character or appearance of the area.

2.36 Small scale, ill-considered alterations including not only the alteration or replacement of shop fronts but the addition of canopies, security shutters, cash point machines and advertisements have resulted in a significant erosion of the character of some conservation areas. In particular, large internally illuminated signs, or those made from garishly coloured modern materials have been found inappropriate where buildings and shop fronts are small in scale and constructed in traditional materials. Careful control of such works including discontinuance action against the display of inappropriate advertisements will make a major contribution to conservation objectives and the Council will publish advisory guidance to encourage an appropriate level of design care. In addition, the Council may consider seeking Article 4 directions for the

control of certain minor works within specified areas, where it is felt that such works may have a significant adverse impact.

Trees in Conservation Areas

Policy BE6 Proposals to lop, top or fell trees within conservation areas will be assessed in the light of the condition of the tree, public safety, the finished appearance of the proposed work and the contribution the tree makes to the character and appearance of the conservation area. Those which can demonstrate positive benefits in relation to these factors will be permitted. Where the felling of a tree is agreed replacement planting will be required.

2.37 It is important to recognise and protect the valuable contribution which trees make to the character of conservation areas. Ill-considered tree surgery or felling can have a significant adverse effect and, if carried out without giving proper prior notice to the Council, may result in prosecution. Advice on trees may be obtained from the Council.

Parks and Gardens

Historic Parks and Gardens

Policy BE7 Development which would adversely affect any part of a park or garden of special historic interest or its setting will not be permitted, unless exceptional circumstances indicate otherwise.

2.38 There are a number of parks and gardens in the Local Plan area which retain features such as walls, terracing and avenues of trees which form a part of planned arrangements of historic or architectural interest. These include those parks and gardens identified in the "Register of Parks and Gardens of Special Historic Interest in England" prepared and currently being reviewed by English Heritage (see Appendix Four for a schedule of these sites). The Council will, when determining applications for development which affect these and other parks and gardens of interest, take into account any resultant impact on surviving features of historic value.

Archaeological Interests

Ancient Monuments

Policy BE8 Development which would adversely affect scheduled ancient monuments, nationally important monuments or their settings will not be permitted.

Protection and Recording of Archaeological Remains

Policy BE9 When development affecting sites of archaeological significance is acceptable in principle, the remains should be preserved in situ if possible.

If this approach cannot be justified, the developer will be required to make adequate provision for excavating and recording before and during development.

Archaeological Assessments

Policy BE10 Where development proposals affect sites of known or possible interest, the Council will require an archaeological assessment or evaluation to be submitted as part of the planning application. Planning permission will not be granted without adequate assessment of the nature, extent and significance of the remains present and the degree to which the proposed development is likely to affect them.

2.39 To facilitate continuing research it is important that archaeological sites, monuments and historic features in the landscape, many of which have not been properly recorded, are protected from development. The value of such remains as a finite cultural resource is widely recognised. The Local Plan seeks to reflect the level of importance accorded both to scheduled and other sites indicated in Planning Policy Guidance Note 16 and Structure Plan Policy 26. The archaeological significance of a Scheduled Ancient Monument or equivalent site is likely to be already known or to be apparent at an early stage. On other sites, however, the archaeological interest may be unclear. In such instances an evaluation of the archaeological interest may be necessary before a planning application may be properly considered. PPG16 indicates that such investigations will normally be arranged by the intending developer. To assist in the planning of development proposals, the Proposals Map indicates a number of sites in the District identified by survey which it is believed may be of archaeological interest. In all cases, and particularly in cases of doubt or obscurity, would-be developers are strongly recommended to contact the County Archaeologist and the County Sites and Monuments Record at an early stage for an initial indication of the possible archaeological implications of their proposal.

Listed Buildings and Structures

Demolition of Listed Buildings

Policy BE11 A development proposal which involves the demolition of all or part of a building of special architectural or historic interest will not be approved other than in the most exceptional circumstances and, in any case, not unless the Council is satisfied that the listed building cannot be repaired or retained in its present form.

Timing of Demolition

Policy BE12 Consent for the complete or partial demolition of a listed building will only be granted in association with a detailed scheme for appropriate remedial works or the appropriate redevelopment of the site and will be subject to conditions precluding demolition until a contract has been let for the redevelopment and requiring that access be permitted to record the building prior to its demolition.

2.40 National guidance makes it clear that consent will not be given for the total or substantial demolition of any listed building without convincing evidence that real efforts have been made to sustain existing uses or find viable new uses and have failed; or clear evidence that redevelopment would produce substantial benefits for the community which would decisively outweigh the loss resulting from demolition. Such consent is subject to the consideration of the Department of the Environment and is granted only rarely. It is therefore appropriate to ensure that demolition only occurs when the proposed demolition will not adversely affect the architectural or historic value of the building or structure concerned or where the building is in such poor condition that it has become impossible to repair and retain it in its existing form. In order to avoid unnecessary demolition, when consent for demolition is granted it will be subject to conditions to ensure that the work is only carried out when redevelopment is certain to proceed and an opportunity has been given for the listed building or structure concerned to be properly recorded.

Development Affecting Listed Buildings

Policy BE13 Development proposals which would adversely affect the character or setting of a listed building or result in the loss of important features will not be permitted.

2.41 It is important that any permitted alteration to a listed building or structure itself, or work in its vicinity, does not prejudice the integrity or character of the building. It is also appropriate that work be carried out to high standards utilising traditional techniques and materials in keeping with the originals or suitable modern alternatives. These principles will be supported where necessary by enforcement action where works have been carried out without listed building consent having first been obtained. It should be noted that it is an offence to alter a listed building without having first obtained any necessary consent.

2.42 The Council views its responsibility for the maintenance of listed buildings seriously and to this end has supported and will continue to support grant schemes which assist the appropriate repair of such buildings. These schemes seek to offset the additional expense which is likely to result from the use of traditional techniques and materials.

Alteration of Listed Buildings

Policy BE14 Minor alterations which are necessary to facilitate the appropriate change of use of listed buildings or to improve accessibility will be supported provided they are judged acceptable in relation to Policy BE13.

2.43 The primary objective with any listed building must be to preserve its original architectural features and fabric. However, it is important to encourage the ongoing use of historic buildings in order to secure their continuing repair and maintenance. The Council is therefore prepared to facilitate minor works which will secure the use of such a building or will improve accessibility for all members of the community including those with disabilities. All proposals must be appropriate to and respect the character and fabric of the building concerned.

Amenity Considerations

Amenity Open Space

Policy BE15 Development proposals affecting areas of public or private open space identified on the proposals map as having particular amenity value will only be permitted if no significant loss of amenity value would result. Proposals involving built development will not normally be permitted.

2.44 The principle of protecting amenity open space is established in Structure Plan Policy 27. The Local Plan identifies areas of land within settlements which make so significant a contribution to their character and to the amenity and enjoyment of nearby residents and the public at large as to warrant long term retention as open space. Such designation does not signify that such areas are available for public access and use although this may be the case in some instances. Rather, it indicates an intention that proposals for built development which would encroach on identified areas will not normally be granted planning permission. However, some changes in land use that do not involve built development may be permitted if the amenity value of the site concerned would not be significantly compromised.

Settlements with Unbuilt Frontages

Policy BE16 In the following settlements development will not be permitted in the long stretches of unbuilt road frontage where the character and amenity of the settlement would be adversely affected:

Ainstable, Blencow, Burrells, Catterlen, Drybeck, Ivegill, Johnby, Lamonby, Maulds Meaburn, Little Musgrave, Newbiggin (Ainstable), Ormside, Ousby, Ruckcroft, Southwaite

2.45 A number of settlements in the District are distinctive in their form, comprising groups of buildings interspersed by long stretches of unbuilt frontage. As a general principle it is considered that these unbuilt frontages should remain largely undeveloped in order to protect the character and amenity of the settlements concerned. Exceptions may be permitted for development of a scale and in a location which is related to and respects the existing built form.

Extension of Residential Curtilages

Policy BE17 Proposals which involve the extension of residential curtilage into adjoining agricultural land will only be permitted if no significant adverse impact will result on the character or amenity of the area. Where consent is granted, conditions may be imposed which remove permitted development rights.

2.46 The extension of residential curtilage into agricultural land constitutes development which must be the subject of an application for planning permission. In assessing such applications, the Council will take into account any adverse impact on the character or amenity of the area which may result. Such change may result in particular where a formal garden layout or ornamental planting is planned which would be alien if

proposed in an open, agricultural landscape or where there is a clearly established relationship between settlement and countryside which the proposed change would disrupt. Where consent is granted, it may be considered necessary to remove permitted development rights thus allowing control to be exercised in the future over any building within what may be a sensitive area.

Enhancement and Design

Environmental Improvements

Policy BE18 Proposals involving environmental improvement including landscaping schemes, the enhancement of open spaces and re-paving pedestrian areas will be permitted if the design and materials to be used are appropriate to the location concerned.

2.47 The Council has in recent years contributed towards the cost of small scale environmental improvements undertaken by parish councils and voluntary bodies. The Council will continue this activity, will seek to enhance the environmental quality of its towns and villages and particularly of employment sites and conservation areas and will support similar projects proposed by other individuals and bodies. Environmental improvements utilising local materials and native plant species reinforce the character of the locality, conferring amenity benefits and contributing to the quality of experience gained by visitors and the competitiveness of the District in attracting visitors, shoppers and new employment.

Quality of Design

Policy BE19 In considering development proposals the Council will have regard to the quality of the design submitted. It will be expected in all cases that this will be such as will maintain the quality of the landscape or built environment within which the proposal is located. Where development is proposed in juxtaposition to existing development which is traditional in character the Council will require designs to have particular regard to the scale, massing, character, architectural features and materials of that existing development. Regard must be had in all proposals not only to the design of buildings but also to the provision and proper layout of open spaces and landscaped areas.

2.48 The environmental quality of both the landscape and much of the built form of the District is extremely high. This places a duty on the Council and those involved in development activities to ensure that the quality of building which takes place is such as will maintain or positively enhance that which already exists. This may be of special importance in towns and villages where traditional forms, architectural features and materials predominate. It is essential that new development in such locations, while not necessarily copying that which exists, does reflect and incorporate the essential character of its environs. This may involve taking into account the scale and overall form of a building, its orientation relative to roads and other buildings, the tones and textures of wall and roof finishes and the detailing of windows and doors. The Council will reject obviously poor design. In addition, consideration should normally be given to

the inclusion of open space within developments and to the proper design and treatment of that space.

Open Space Provision in New Developments

Policy BE20 In all new housing developments containing ten or more dwellings the Council will seek the provision of publicly accessible open space to a minimum standard of 15 square metres per dwelling as an integral part of the proposal. The form, siting, and proposed use of the open space will be the subject of negotiation with the Council.

- 2.49 New housing developments create a need for open space of various types, including areas of landscaping; informal play space in close proximity to homes; more formal recreational areas; and general amenity areas, all of which must be well related to the form of the existing settlement and to that of the new development. Local Plan Policy BE19 requires that attention is paid to the provision of landscaping and open spaces in all development, and Structure Plan Policy 53 requires that recreational land is provided to an appropriate standard in new residential developments.
- 2.50 Policy BE20 is intended to set an indicative minimum level of provision for all such open space as a basis for negotiation between developers and the Council. The precise amount, nature, form and proposed uses will vary according to the needs of individual sites. The level of open space provision should take into account the availability of and access to open space in the immediate neighbourhood, and the requirements of the development in terms of design and layout. Provision above the minimum requirement will at times be necessary to satisfactorily address the needs created by the development.
- 2.51 In assessing the requirements for informal children's' play space, the advisory guidance issued by the National Playing Fields Association will be taken into account. This requires that informal play space is made available within 200 metres of children's' homes.
- 2.52 The function, construction and, where appropriate, design and layout of open space and any hard or soft landscaping it may include will be agreed with the Council at the application stage. The Technical Services Department of the Council have issued a "Design Brief and Specification for Landscaped Areas and Open Spaces" with which open spaces provided under this policy should comply. The application should also make clear what provision for the future maintenance of the site is to be made.

Light Pollution

Policy BE21 Applications for development requiring or likely to require external lighting shall include details of lighting schemes. Such schemes will be assessed against the following criteria:

- i) that the lighting scheme proposed is the minimum to undertake the task;**
- ii) that light spillage is minimised;**

- iii) **in edge of town or village locations, or in rural areas, that landscaping measures will be provided to screen the lighting installation from neighbouring countryside areas; and**
- iv) **that road safety will not be compromised as a result of dazzling or distraction.**

2.53 The increasing use of powerful lighting for security purposes and to illuminate car parks, service areas and buildings is causing an increasing problem of light pollution in nearby areas and the night sky. The Council will evaluate proposals which involve external lighting and take action to ensure that the careful design, selection and location of equipment, drawing on the advisory guidance notes published by the Institution of Lighting Engineers, moderates potential impacts.

Designing Out Crime

Policy BE22 In the interest of minimising crime the Council will seek to secure through negotiation the inclusion of the following features in substantial development schemes in urban locations:

- i) **the formation of defensible space with clear boundaries and overlooked by occupiers;**
- ii) **parking provision within private areas or overlooked by occupiers; and**
- iii) **the layout, design, landscaping and lighting of public areas, open spaces and footpaths taking into account the needs of security.**

2.54 Planning policy guidance now stresses the importance of taking crime prevention into consideration at the design stage of new developments especially where the layout of estates is concerned. It is possible, through negotiation with developers, to ensure that features are incorporated within schemes that will add to the security and safety of occupiers. These include the formation of defensible space with clear ownership, overlooked by occupiers; and the layout, landscaping and lighting of footpaths and open spaces which enhances pedestrian safety while taking into account the need to minimise light spill (Policy BE21) and to achieve a high standard of design (Policy BE19). Advisory guidance on this issue is available from the Council.

Advertisements

Display of Advertisements

Policy BE23 Applications for consent to display advertisements will be permitted where the size of the sign and the materials to be used are appropriate to the location and will not have an adverse effect on either the visual amenity of the locality or on highway safety.

2.55 Within the limitations of the advertisement regulations, which grant deemed consent to display certain types of sign, the Council exercises careful control over the size and

design of advertisements. This is particularly so in the rural parts of the District which are designated as an Area of Special Control for Advertisements and where the size of sign and lettering which may be displayed with deemed consent is restricted. In all areas efforts are made to limit the number and size of signs to a reasonable level and to ensure that the overall design used is appropriate to the surroundings. A careful choice can usually achieve the advertiser's desired objectives without causing undue detriment to the amenity of the area.

Reuse of Existing Buildings

Reuse of Buildings in Settlements

Policy BE24 Within villages and hamlets, proposals involving the reuse of existing buildings will be permitted provided that assessment against the following criteria is judged acceptable:

- i) the effect on the amenity or privacy of occupiers of nearby property;**
- ii) the scale of the proposal in relation to its setting;**
- iii) the physical problems of conversion and the impact of any proposed rebuilding or extension;**
- iv) the preservation of essential elements of the building's character and setting;**
- v) the adequacy of access, parking, service and amenity space provision;**
- vi) the impact on nature conservation interests and in particular any damage to, or loss of habitat of, species protected under the provisions of the Wildlife and Countryside Act 1981.**

Reuse of Buildings in the Countryside

Policy BE25 In the open countryside, outside villages and hamlets, the reuse of existing building will be permitted provided the criteria in Policy BE24 are all met satisfactorily and, in addition:

- i) the building is suitable for conversion;**
- ii) the new use is in sympathy with the rural character and will create employment opportunities or meet an identified local housing need; and**
- iii) there is no adverse effect on the landscape or the character of the surrounding landscape.**

- 2.56 Policy BE24 provides a context for the assessment of proposals for the reuse of existing buildings in villages and hamlets, that is, in rural settlements comprising more than ten dwellings. Policy BE25 relates to the reuse of buildings outside such settlements. Unused and underused buildings represent a valuable resource which may be utilised to provide new dwellings or workshop space or may contribute to the diversification of activity on a farm holding. However, in view of the critical importance to the achievement of an acceptable scheme of the structural condition of the building concerned, and the internal and external design and finishes and site treatment, applicants may expect the Council to exercise its power under Article 3 of the Town and Country Planning General Permitted Development Order 1995 to ask for supporting detail in relation to many proposals of this type. In particular applicants are likely to be asked to furnish details of structural condition in the form of a survey prepared by an architect, chartered engineer or chartered building surveyor. In cases where the finished appearance of the building is considered to be a critical issue applicants may also be asked to submit a fully detailed scheme prior to the determination of an application. Some uses, such as the formation of workspace and the provision of camping barns, generally demand a minimal amount of external and internal alteration and it is for this reason, and in the interest of promoting the diversification of the rural economy, that preference will be given to conversion for such uses.
- 2.57 Two further considerations will have a bearing on proposals to convert existing buildings. Firstly, some of these buildings are listed as being of architectural or historic interest. The protection of that value requires that the building should undergo the minimum of internal or external alteration and that particular features of interest be conserved. Conversion to residential use normally involves a need for considerable internal subdivision and the insertion of new window and other openings in external walls. Therefore it is likely to prove appropriate to consider alternative uses, including employment, which are more sympathetic to the retention of the building with little alteration. Secondly, unused and underused buildings, especially those of traditional design and construction, provide habitats for some protected species, notably barn owls and some species of bats. This possibility should be considered during the preparation of schemes of conversion and provision made to retain and protect any nest or roost site which may be identified. This is a statutory requirement under the Wildlife and Countryside Act 1981.

Natural Resources

- 2.58 The District enjoys access to a range of important natural resources which warrant consideration and protection in the planning of development. These include some which are essential to the meeting of local needs including water and a range of minerals.
- 2.59 The Government's recent focus on renewable energy resources has also highlighted the potential of the District in particular for the harnessing of wind power. In technical terms it is one of those areas of the country where wind speeds are sufficiently high and consistent to make wind power developments feasible. There is, however, deep local concern about the impact such development may have upon the landscape of the

District, many parts of which are very open in their nature and thus particularly susceptible to the visual intrusion which results from the introduction of large man-made elements such as wind turbines.

2.60 Two objectives have been identified which derive from Plan Principles 1 and 3. These are set out below and followed by a statement of associated policies and supporting text.

Objective 12 *To seek to protect essential natural resources from adverse impact consequent upon development.*

Objective 13 *To seek to facilitate the use of renewable energy sources in locations and in ways which are least damaging to areas of recognised landscape or nature conservation value.*

Water Resources

Protection of Groundwater

Policy NR1 **Permission for development which, in the opinion of both the Council and the Environment Agency, poses an unacceptable risk to the quality of groundwater will be refused.**

2.61 Groundwater resources are an invaluable source of water, as well as sustaining the base flow of rivers. Some activities such as the disposal of effluent in soakaways, land filling of unsealed sites over bedrock, the disturbance of contaminated sites, or inappropriate storage of chemicals can result in ground water pollution. Similarly, abstraction and dewatering can affect quantities available while engineering works can obstruct ground water flow within an aquifer. Part of the District includes a major sandstone aquifer and there are a number of defined protection zones relating to public water supplies. The Council will ensure protection of groundwater resources, drawing upon guidance from the Environment Agency.

Renewable Energy

2.62 Structure Plan Policy 56 allows for the development of renewable energy proposals where there is no significant adverse impact or where the impact can be justified. This is in line with government guidance (PPG22), which requires local planning authorities to have regard to the desirability of energy sources which do not result in atmospheric pollution or deplete the earth's resources. Such a stance is complementary to other government initiatives to promote the use of renewable energy.

2.63 A number of renewable energy resources are presently exploited or under development. These include solar power, hydro electricity, geothermal energy, wood fuel, poultry waste, and landfill gasses, some of which have potential for significant development in Eden. It is considered that a majority of these do not raise special planning considerations over and above those which relate to other forms of development. Accordingly they may be properly considered in the context provided by Structure Plan Policy 56 and by the policies set out in this Local Plan.

2.64 In the case of wind energy proposals however, particular concerns do arise, notably those concerning the impact of such developments and their ancillary works upon the landscape. In addition, studies suggest that there is a significant resource base in the District where the technical requirements for the successful generation of energy from the wind may be met. The potential impact of wind energy developments in the sensitive landscape of the District is such as to warrant specific consideration. Policy NR2, together with Structure Plan Policy 56, establishes the policy framework against which this particular type of proposal will be assessed.

Wind Energy Developments

Policy NR2 Proposals for wind turbine developments and associated operational requirements will be permitted provided that there is justification on economic and technical grounds and all the following criteria are met:

- i) the layout and design of the development are such as to minimise its visual impact;**
- ii) the development will not result in undue proliferation of turbines in the landscape, either on its own by reason of the scale and design of the development, or cumulatively with other similar developments or proposals;**
- iii) the development will not have a significant adverse effect on the amenity of local residents;**
- iv) any adverse impact on interests of recognised importance, including landscape, nature conservation, archaeological, geological and geomorphological interests, is judged acceptable; and**
- v) detailed proposals are set out as a part of any application for the restoration of the site at the end of its functional life.**

2.65 Proposals will have to demonstrate the acceptability of the development in the particular landscape context concerned. Certain areas of the District have been identified as having particular landscape value, as AONB or as Landscape of County Importance. Included within these designations are areas which are open and distinctive in character, being generally wilder, less managed and more dramatic than those elsewhere in the District, and which present particular difficulties in accommodating wind power developments of significant scale without having an unacceptable level of impact on the landscape. The areas concerned cover the Howgills, Mallerstang Valley, North Pennines, Bretherdale, and the open moorland and common running from Ash Fell to Shap (equating to landscape areas 8d, 12d, 13a, 13b and 13c as defined in the document "Technical Paper Number 4: Assessment of County Landscapes" published by Cumbria County Council). These areas do, however, contain small pockets of developed countryside such as farms or groups of buildings which provide a context within which developments of individual turbines may prove more easy to assimilate. In the North Pennines and Howgills, development would also have a substantial adverse impact on the perceived

wilderness of the areas whilst in the Ash Fell to Shap area it would be likely to have a strong detrimental impact on an upland limestone area of national importance. It should be noted that these landscapes also contain extensive areas which have been identified as of international or national nature conservation importance where the Council will be likely to seek an environmental assessment (see paragraph 2.66).

- 2.66 All wind energy developments will need to satisfy the criteria set out in Policy NR2. In determining the scale, layout and design of the development due regard should be given to the landscape and topography. Generally, the pattern of turbines should respect the grain and pattern of the landscape and tie in with natural features and boundaries. Careful siting may allow the development to be substantially screened by topographic features, and attention should be paid to the size, design and colour of turbines in relation to their setting. As is permitted by the Town and Country Planning (Assessment of Environmental Effects) Regulations 1988 as amended in 1994, the Council will be likely to seek the preparation of an environmental assessment for development proposals within sites of national nature conservation importance or which may have a substantial impact on the landscape. Where impact on national nature conservation interests will occur, a method statement will be required, to be prepared in conjunction with English Nature, which will indicate the means whereby the ecological disturbance arising from the development will be minimised.
- 2.67 In determining the acceptable level of development, the landscape and topography will again be dominant factors. Development can be seen to be acceptable where the essential rural characteristics of the landscape continue to predominate over the intrusion of the turbines. In this context the scale of the landform and variety in land cover and features will be important considerations. Large scale or bland landscapes, and those with less natural characteristics and a predominance of man made features, generally have a larger carrying capacity than more intimate terrain or landscapes with wilder, less managed qualities.
- 2.68 In considering the amenity of local residents, it is unlikely that turbines sited within 300 metres of a dwelling will be acceptable, and in some cases a considerably larger separation may be required. The effect of noise, shadow flicker, glinting and electromagnetic radiation interference, will all be taken into account, as well as other issues as appropriate.
- 2.69 Developers will need to be able to demonstrate that there is a sound technological basis for the development of the site, in terms of the mean wind speed and the availability of connections to the National Grid.
- 2.70 Where developments have a significant adverse impact on established interests, they will only be allowed where their benefit is considered to outweigh this impact. The power output of the development, the importance of the interest affected, and the degree to which it is affected will all be important considerations in making this assessment.

Development

Housing

- 3.1 The provision of housing land in the Local Plan area must be seen against the backdrop of a variety of influencing factors. Perhaps most significant is the District's high landscape quality which has and continues to lead to increasing numbers of people moving into the area with a consequent pressure on the housing market, inflating house prices beyond the reach of some sections of the local community. This situation is exacerbated by the comparatively low wage rates available in the area's largely rural economy.
- 3.2 Housing land provision must therefore be made in ways which will cater for all levels of need and aspiration, paying particular attention to those who are less able to compete in the open market and yet who are most closely tied to the area socially or by traditional employment. Careful regard must be paid at the same time to the need to safeguard the high quality environment of the District.
- 3.3 The Council's strategy for the Local Plan area is to seek to support local communities and the services and facilities upon which they depend. The Eden Local Plan will therefore make allocations for housing land which relate to existing settlements, are of a scale that respects the aspirations of the local community and which take account of the likely effect of the development on local services.
- 3.4 In addition to this primary role, the Local Plan is the appropriate vehicle for giving consideration to a variety of other issues which affect housing development. Some of these, such as policies concerning housing development in the countryside, reflect long established national guidance. Other policies, including those dealing with the provision of affordable housing for local people, reflect local considerations.
- 3.5 The Council's approach to planning for housing must operate within the framework established by Government guidance and the Structure Plan. In particular Government guidance requires that a supply of land for housing equivalent sufficient to meet at least five years demand must be maintained. It also recognises the need to ensure that established environmental policies are maintained and that, particularly in rural areas, new development is sensitively related to existing settlement patterns. Further, guidance now asks that strategies take into account the need to plan for less travel, as set out in Planning Policy Guidance Note 13.
- 3.6 Government guidance also constrains the way in which affordable housing may be provided. Where development of a site for housing is an acceptable use of land it is indicated that there will not normally be any good land use planning reason to restrict the occupancy of the houses to a particular type of person. Occupancy conditions should not be imposed other than in exceptional cases where residential development is to be permitted as an exception to normal controls. Further, the allocation of land for affordable housing, as distinct from general needs housing, is not permitted. On a positive note, Government policy does recognise that there are circumstances which may justify the regulation of housing mix in order to meet an established local need for

housing for people with disabilities or to make special provision to meet local needs for affordable housing.

- 3.7 The Local Plan must also have regard to Structure Plan policy. Most significant is the identification of a requirement to provide 4,000 new dwellings during the Local Plan period. The Structure Plan, in Policy 1, indicates that this should largely be provided in the urban areas, including Alston, Appleby, Kirkby Stephen and Penrith. Support for rural communities, which forms a key principle of the Local Plan strategy, reflects the guidance embodied in Structure Plan Policy 3 for the maintenance of the vitality of rural life.
- 3.8 Having regard to the foregoing issues, and to Plan Principles 3, 4, 5 and 6 set out at the beginning of this document, the following objectives have been identified with respect to housing provision.
- Objective 14** *To seek to meet the full range of general housing needs found within the District's communities in ways which will support their continued vitality.*
- Objective 15** *To make special provision for meeting local needs for affordable housing.*
- Objective 16** *To control housing development in a way which minimises adverse impacts upon the landscape, the undeveloped countryside, archaeology and sites of nature conservation importance.*
- Objective 17** *To secure the provision of housing development to appropriate standards of accessibility.*

Housing Land Supply

- 3.9 The main role of the Local Plan in respect of housing is to secure the controlled release of land for development, maintaining a minimum five year supply of land and supporting the policies set out in the Structure Plan. The latter document identifies a requirement for some 4,000 new dwellings in Eden District outside of the Lake District National Park for the period 1991 - 2006. In commenting on the reasoning which should underlie local plan allocations reference is made to meeting the economic and social aspirations of residents; securing a high quality environment; striking a balance between the environment and the impact of development; and, making land available in locations attractive to investors.
- 3.10 The Structure Plan concludes that these developments "should continue to be concentrated in the towns and in villages well related to them by public transport" in order to reduce car dependence and engender more sustainable and efficient modes of transport related housing development. The Council wishes to pursue the principles of sustainable development and those concerned with planning for less travel by private vehicle, as set out in the Government advice, Planning Policy Guidance Note 13. However, the scattered and very rural character of much of the District, where a small population has been unable to maintain support of a viable public transport system, means that some compromise is necessary. The strategy adopted in the Eden Local Plan has been to focus a majority of development (approximately 56% of housing allocations) in the main settlements of Alston, Appleby, Kirkby Stephen and

Penrith but, at the same time, to make more modest allocations in a number of smaller rural settlements where services and facilities are available and where modest growth will contribute to the continued vitality of the community. In some instances these housing allocations relate also to employment allocations.

Providing support for the established service infrastructure and providing for housing and employment opportunities within rural communities is a strategy which will contribute to minimising the need to travel while maintaining community viability.

- 3.11 As at April 1994, sites in the Local Plan area with planning permission, including those sites already under construction and dwellings already completed, could accommodate 2,799 new dwellings, leaving a shortfall of 1,201 dwellings to meet the Structure Plan requirement. That requirement was based on annual completion rates over the last decade during parts of which migration into the area, and new house building, took place at an unusually high rate. Whilst the continuation of this rate may therefore be considered somewhat unlikely, the attractions of the Eden area are such in terms of life style and development possibilities that the assumption made within the Structure Plan is considered an appropriate framework for planning housing land provision.
- 3.12 Table 1 illustrates how the overall land supply is made up, comprising land with planning permission, newly allocated sites and an allowance for the number of dwellings deriving from sites of less than five dwellings. This latter figure is based upon an assumption that 30% of the housing requirement will be met from such sites. This is lower than has historically been the case but is considered a reasonable basis for calculation, since past completions and new local plan allocations and policies will act to reduce the scope for windfall proposals.
- 3.13 The breakdown of the Local Plan housing land supply at April 1994 is set out below:

Table 1: Local Plan Housing Supply

Structure Plan Requirement April 1991 - March 2006		4,000
Less:		
Dwellings already built since April 1991		844
Made up of:		
Completions 3/1991 - 3/1994		
Local Plan area	733	
Eden area of LDNP	39	
Completion of Exceptional Sites		
Local Plan area	72	
Eden area of LDNP	0	
Residential Requirement		3,156
Less:		
Contribution from Small Sites @30% of Residential Requirements		947
Made up of:		

Outstanding consents		
Eden Local Plan Area (630 x 80%)	504	
Outstanding consents		
Lake District National Park Area (49 x 100%)	49	
Allowance for new Small Sites	394	
Less:		
Contribution from 5+ Sites		2,159
Made up of		
Outstanding consents		
Eden Local Plan Area (1261 x 80%)	1,009	
Outstanding consents		
Lake District National Park Area (15 x 100%)	15	
Eden Local Plan Area		
Allocations (1419 x 80%)	1,135	
Total Supply		3,950
Shortfall		50

- 3.14 The progress of housing land development is continually monitored. Allocations and sites in development are more than sufficient to meet the required minimum five year supply. However, should under-provision (meaning that a genuinely available and developable five year supply of land cannot be maintained), be identified as a result of Land for Housing studies undertaken with the House Builders Federation or through similar authoritative research during the Local Plan period, modifications may be justified. It is not anticipated that this will be necessary in the short to medium term given the allocations made. Appendix Five to the Local Plan provides a schedule of housing land commitments and allocations, indicating the location, area and estimated capacity of each site.

Housing Land Allocations

Allocations for Residential Development

Policy HS1 Land for residential development is identified in the settlements listed below and as indicated on the proposals map:

Ainstable, Alston, Appleby, Armathwaite, Bolton, Blencarn, Brough, Calthwaite, Cliburn, Clifton, Crosby Ravensworth, Culgaith, Dufton, Eamont Bridge, Garrigill, Great Asby, Great Salkeld, Greystoke, Hackthorpe, High Hesket, Kirkby Stephen, Kirkby Thore, Kirkoswald, Langwathby, Lazonby, Long Marton, Melmerby, Morland, Nenthead, Newbiggin (Dacre), Newbiggin (T S), Newton Reigny, Orton, Ousby, Penrith, Plumpton, Ravenstonedale, Renwick, Shap, Skelton, Sockbridge and Tirril, Stainton, Tebay, Temple Sowerby, Warcop, Winton

Settlements with No Allocation

Policy HS2 By virtue of their limited service availability, the following settlements are considered unsuited to accommodate significant further residential development, and in consequence no formal allocations of residential land will be made:

Aiketgate, Blencow, Brackenber, Brampton, Brough Sowerby, Burrells, Catterlen, Colby, Crackenthorpe, Crosby Garrett, Croglin, Drybeck, Edenhall, Ellonby, Gaisgill, Gamblesby, Glassonby, Great Musgrave, Great Ormside, Great Strickland, Hartley, Hilton, Hoff, Hunsonby, Hutton End, Ivegill, Johnby, Kaber, Keld, Kelleth, Kings Meaburn, Kirkland, Knock, Laithes, Lamonby, Little Asby, Little Musgrave, Little Salkeld, Little Strickland, Longdale, Low Hesket, Maulds Meaburn, Melkinthorpe, Milburn, Millhouse, Motherby, Murton, Nateby, Newbiggin (Ains), Newbiggin-on-Lune, Newby, North Dykes, Outhgill, Reagill, Ruckcroft, Salkeld Dykes, Sandford, Skirwith, Sleagill, Soulby, Southwaite, Unthank, Waitby, Winskill, Yanwath

3.15 Although no formal allocation of residential land is made in the settlements listed in Policy HS2, which lack the services required to support significant growth, planning applications for small scale residential development in these settlements may be approved if they are judged acceptable when assessed against Policy HS4.

3.16 The settlements listed in Policies HS1 and HS2 together provide a definitive list of settlements in the Local Plan area for the purpose of interpreting all relevant Local Plan Policies. Settlements are identified as cohesive groups of at least ten dwellings.

Development on Allocated Sites

Policy HS3 Proposals for the development of sites allocated for housing development will be permitted providing that in the details submitted they are judged acceptable against the following criteria:

- i) the density and layout of the development is appropriate to the location;**
- ii) dwellings are located to minimise adverse impact on the privacy and amenity of existing adjoining buildings and uses;**
- iii) the design and materials proposed for any buildings or for the surfacing and treatment of any open space, roads and parking areas is appropriate to the location; and**
- iv) the layout incorporates appropriate open space and parking provision.**

Development on Small Windfall Sites

Policy HS4 Development proposals for small windfall sites for residential use in any of the settlements listed in Policies HS1 and HS2 will be permitted if they are judged acceptable in relation to the following criteria:

- i) the location, scale, density and pattern of the development is appropriate to the settlement;**
- ii) the ability of the established infrastructure to meet increased demands likely to result from the development;**
- iii) the effect of the proposal on important amenity open space;**
- iv) the impact on agricultural, archaeological, landscape or wildlife interests or the character of the settlement;**
- v) standards of design, access, parking and amenity space.**

- 3.17 Beyond those sites allocated within Policy HS1 the Council does not envisage the release of any further large housing sites in the Local Plan area for a minimum period of ten years. This is because the land identified together with that which already has planning permission is considered sufficient to satisfy the Structure Plan requirement for that period. The Council will, however, continue to consider planning applications relating to small scale residential developments, normally of fewer than five dwellings, in any of the settlements identified in Policies HS1 and HS2. These will be assessed against the criteria set out in Policy HS4.
- 3.18 The suitability of settlements to accommodate further housing land allocations has been assessed taking into account amenity and their respective levels and standards of service provision. This provision of services concerns such things as schools, shops, post offices, village halls and public houses. Close attention has also been paid to the interrelationship of groups of settlements or villages. This reflects long standing work, dating back to the late 1970's, which identified groups of villages with social and economic links.
- 3.19 The allocation of housing land in a large number of settlements across the District is seen as a positive way to promote the maintenance of the level of service and facility provision in the settlements concerned. This provision is vulnerable because of increasing mobility and greater competition from urban centres. Reversing these trends by promoting both housing and employment opportunities is fundamental to securing the future vitality and viability of these communities.
- 3.20 The allocation of sites has been determined taking into account the proper planning of the area. It is known that in some locations the lack of adequate sewerage and sewage treatment is a constraint upon development. In particular, the development of the newly allocated sites in Calthwaite and Ousby will not be able to proceed until such time as improvements have been undertaken. Larger developments in Brough, Kirkoswald, Langwathby, Long Marton, Plumpton, Renwick and Tebay may also be

constrained.

- 3.21 Priority will be given to resolving drainage problems in these settlements when negotiating the programming of improvements with the relevant service companies. In addition, some settlements currently have no public sewerage. Where this is the case, new development will only be able to proceed if served by private drainage arrangements able to meet the requirements of the Environment Agency. This issue is examined in the Services section of the Local Plan.
- 3.22 Both housing and employment allocations have been made in Kirkby Thore, some of which reflect extant or expired planning consents. These allocations will be likely to increase usage of the junction of Main Street with the A66 Trunk Road. In order to fully assess the traffic effect of these developments further detailed work (including, where appropriate, analysis of a traffic impact assessment) will need to be undertaken by the Highways Agency to ensure such traffic can be accommodated safely at the junction concerned. Where this is not possible, but could be overcome by remedial highway improvements, the Highways Agency will seek the attachment of conditions relating to the carrying out of such improvements prior to the commencement or occupancy of the development. Where remedial works prove not to be feasible, or agreement as to their scale cannot be reached with the developer, the Highways Agency might have to direct refusal of the planning application or, if before the Secretary of State for the Environment, object to the proposal.
- 3.23 Having identified sites, the majority of which are capable of immediate residential development, the District Council will seek to assist developers and statutory undertakers with the controlled release of such land. Where appropriate, attempts will be made to remove those constraints which may exist on land allocated for development.
- 3.24 The Council will produce advisory planning briefs for those sites identified in Policy HS1 in response to any initial inquiries received from developers. This is seen as a positive initiative to assist developers by providing a site specific explanation of the application of Policy HS3 and other relevant Local Plan policies by which development land may be tailored to serve the needs and requirements of the community as a whole. Such briefs will typically address issues of housing mix, density, open space, landscaping and design.
- 3.25 In the briefs which are prepared particular emphasis will be laid upon the density of development. It is considered essential that sites allocated for development are used to make a proper contribution to the provision of general needs housing, in relation to their size and location. It would therefore be inappropriate for allocated sites to be developed in such a way as would provide only a very small number of dwellings. An evaluation of recently approved schemes shows that development densities vary widely depending upon circumstance, from around 12 dwellings to as many as 60 dwellings per hectare. Such extremes are exceptional and it is likely that densities in the range of 15 to 50 dwellings per hectare would normally be considered appropriate depending often upon the form and character of adjoining established development. In many villages, which traditionally have been tightly knit, it is likely that densities towards the higher end of this range will most closely reflect the established character

of the settlement.

Housing to Meet Particular Needs

Housing Mix

Policy HS5 On sites allocated for residential use the Council will seek to secure a housing mix which will meet the needs of the local community. Where there is evidence of a need for affordable housing the Council will negotiate for the provision of a proportion of housing to meet this need within the overall development.

3.26 Based upon the latest guidance, as set out in Planning Policy Guidance Note 3 - Housing, Cumbria County Council has indicated within the Structure Plan an expectation that provision will be made on large housing sites for a proportion of affordable housing to meet local needs. Addressing the situation found in Cumbria as a whole, the Structure Plan indicates that sites accommodating twenty or more dwellings will normally be taken as large sites for the purposes of implementing the relevant policy (Policy 32), a level which is considered appropriate for sites in urban areas of the District.

3.27 However, in many ways the rural parts of Eden are atypical, having very few settlements where developments of twenty or more dwellings might reasonably be expected. For this reason it is considered unrealistic to fix the level at which Policy HS5 should come into effect in respect of rural locations. Individual rural sites will therefore be considered in the relevant local context. The provision of affordable housing could be achieved either through the construction of dwellings for sale or by making part of a site available for development by a trust or housing association on terms which facilitate the provision of affordable housing.

Affordable Housing for Local Needs

Policy HS6 The Council may exceptionally grant planning permission for small scale housing development, in addition to that permitted under policies HS1 and HS4, to meet specific local needs for affordable housing which cannot otherwise be met. In order to be considered for release such land will be assessed against those criteria set out in Policy HS4 and must also:

- i) be related in scale to the level of substantiated need in the locality;
- ii) be the subject of an agreement (usually under Section 106) which will ensure both first and subsequent occupancy of the dwellings to people from the locality; and
- iii) be the subject of development and/or management proposals which will ensure the provision of housing at an affordable cost in perpetuity.

- 3.28 With the land allocations made in Policy HS1, together with outstanding commitments, there exists a substantial supply of housing land for open market development and until this supply has been significantly reduced it is not intended to permit the release of further sites. It is accepted, however, that due to market forces these sites may not be capable of being developed at affordable cost to meet local needs. In consequence, the Council is prepared to consider strictly limited further releases to meet proven local needs of this type. To be considered favourably any proposal must be the subject of some form of management arrangement, eg a local housing trust or housing association which is able to control the occupancy of property in perpetuity. Proposals which restrict first sales only will not be considered within this policy. Schemes submitted for consideration must be supported by evidence of the need it is intended to meet and by financial details to show the scheme to be viable and capable of providing affordable housing in the context of the local housing market. Due to the exceptional nature of schemes to provide affordable housing, the sites proposed may include some which are environmentally sensitive. The details of each proposal will be assessed, and must be judged acceptable against, the criteria set out in Policy HS4.
- 3.29 Substantial research has been undertaken within the District in order to assess the level of need for affordable housing. Through locally conducted surveys in some twenty parishes it has been established that about 8% of households are seeking accommodation yet are unable to compete on the open market. At a District level, this suggests that a total of some 1,440 households face housing difficulties. The Council are actively pursuing projects which will contribute to meeting this need.
- 3.30 The following categories of need, as set out in Planning Policy Guidance Note 3, will be taken into account when assessing demand for affordable housing:
- existing residents needing separate accommodation in the area (eg newly married couples; people leaving tied accommodation on retirement);
 - people whose work provides important services and who need to live closer to the local community;
 - people who are not necessarily resident locally but have long-standing links with the local community (eg elderly people who need to move back to a village to be near relatives);
 - people with the offer of a job in the locality who cannot take up the offer because of lack of affordable housing.

Housing for People with Physical Disabilities

- 3.31 A significant proportion of households in the District have at least one member with a physical disability. In the past little has been done to meet the particular needs of this part of the population except within special housing schemes. The result is that the housing needs of a significant part of the population remain unmet. The Council will therefore seek to facilitate through negotiation the provision of new housing which is more convenient for disabled people to live in and to visit. Guidance on appropriate standards may be found in the advisory guidance published by the Access Committee

for England and the Centre for Accessible Environments.

Workers Dwellings in the Countryside

Policy HS7 Policy NE1 indicates that development will not be permitted outside established settlements. Exceptionally, consent may be granted for a dwelling to meet a proven need. This will be for occupation by a farm or forestry worker with a demonstrable need for a dwelling in a particular locality or for a dwelling required in association with a rural enterprise where such a need can be substantiated. Applications for such dwellings will need to meet the following criteria:

- i) that the overriding need justifying the dwelling can be substantiated;
- ii) that the scale of the proposed dwelling is commensurate with the established functional requirement of the enterprise concerned;
- iii) that the siting of the dwelling is well related to an existing building or group of buildings;
- iv) that the design and materials used respect local tradition and the setting concerned; and
- v) that any impact upon landscape, archaeological or environmental conservation interests is acceptable.

Occupancy Controls

Policy HS8 Where consent is granted for a dwelling to meet a particular need under the terms of Policy HS7 such consent will be subject to a condition which restricts the occupancy of the dwelling and, where appropriate, permits construction of the dwelling only once the associated enterprise is established. Where appropriate, occupancy conditions will be imposed also on existing dwellings on the unit under the control of the applicant and planning obligations sought to tie the new dwelling to the unit to prevent its sale separate from the unit without the grant of an express consent.

3.32 In accordance with Structure Plan Policy 13, which reflects long established national policy concerning residential development in the countryside, the Council will limit such development solely to that which has some essential justification with the intent of protecting the open and undeveloped character of the countryside. The countryside of the District represents an important natural asset, much of which has been recognised as being of outstanding natural beauty or landscape of county importance. Protection of this asset accords with Government guidance set out in Planning Policy Guidance Note 7 which indicates that the countryside should be safeguarded for its own sake.

3.33 The wording of HS7 does, however, indicate that the Council accepts that there are employment generating enterprises, in addition to agriculture and forestry, which are appropriate within the countryside and in association with which there may be a

justifiable need for a dwelling. In all cases the stringent criteria set out will have to be met. In assessing the need for a dwelling the Council will have regard to the tests described in Annex E of PPG7. It will be necessary in particular for an applicant to be able to demonstrate that the functioning of the enterprise is dependant upon there being a resident worker and that such a requirement will continue to exist in the long term. Particular care will also be taken to ensure that any resulting dwelling is of a scale and design commensurate with the established functional requirement of the enterprise concerned.

- 3.34 Policy HS8 indicates the wide range of mechanisms identified in Planning Policy Guidance Note 7 which may be used to try and ensure that, where consent is given to meet a particular need, the dwelling will continue to meet that need. The Council regularly imposes occupancy conditions on new dwellings. Exceptionally more stringent controls, including planning agreements, may be considered appropriate. When seeking consent for a dwelling applicants should be able to demonstrate the basis for the need and will be required to provide evidence support the application.

Building Conversion

- 3.35 A small but significant proportion of new dwellings result from the conversion of buildings of traditional design and construction. It is important whenever conversion is proposed that the building can be converted to its new use without a major change in external appearance, in order that the overall character of the building and its locality may be retained. Buildings requiring significant alteration, extension or rebuilding to achieve a satisfactory standard may thus not be considered suitable subjects for conversion to residential use. The policies against which proposals to convert redundant buildings will be assessed are set out in the Environment section of this document.

Design

- 3.36 Structure Plan Policy 25 calls for all development to be in keeping with the character and townscape of the area concerned. This Council's policies relating to the design of development are set out in the Environment section of this document.

Existing Housing Stock

Home Extensions

Policy HS9 Proposals for extensions or other alterations to residential property will be permitted if they satisfy the following criteria:

- i) the scale of the proposed extension will not detract from the character of the original building or its setting;**
- ii) the form, design and materials proposed are in character with the original building;**
- iii) there will be no significant adverse impact on the privacy or amenity of adjoining property;**

- iv) **adequate access and parking arrangements can be provided; and**
- v) **there will be no significant adverse impact on the character of the locality.**

3.37 It is necessary to facilitate the maintenance and improvement of the existing stock of dwellings in the District. For this reason, improvements to existing dwellings will normally be welcomed. However, the Council is concerned to ensure that works of home improvement do not adversely affect the locality within which the property is situated, the reasonable enjoyment of adjoining residents or the character and appearance of the original building. In this latter respect, it is unlikely that a substantial increase in the size of a building, such that a significant change in its character or appearance results, will be found acceptable. This is particularly likely to be the case where substantial additions would be out of scale with the existing dwelling or neighbouring properties or where the resultant building would become unduly prominent in the countryside.

Residential Subdivisions

Policy HS10 Consent for the conversion of buildings into flats or for multi-occupancy will be granted providing;

- i) **adequate access, off-street parking and amenity space can be provided;**
- ii) **the privacy and amenity of adjoining properties is not significantly adversely affected; and**
- iii) **the scheme of conversion proposed is sympathetic in scale and character to the property concerned and its locality.**

3.38 The subdivision of large suitable buildings can prove useful in contributing to the general housing stock. Not only does such development allow the rationalisation of underused space, it also helps to provide lower cost accommodation attractive to first time or retired buyers.

Renovation in Alston Moor

Policy HS11 The renovation of former dwellings in Alston Moor parish will be permitted where:

- i) **the former dwelling is physically capable of restoration without significant extension to provide accommodation of an adequate standard;**
- ii) **any detailed proposal, through the use of traditional materials and a minimum of external alteration, is able to retain the traditional character and appearance of the building concerned and its locality;**
- iii) **a satisfactory standard of access and amenity space can be**

achieved commensurate with the nature of the proposal; and

- iv) any impact upon landscape, archaeological or nature conservation interests is acceptable.**

3.39 In furtherance of national and Structure Plan policy concerning development in the countryside the re-occupation of long abandoned isolated dwellings is not normally permitted. In the Alston Moor parish, however, the traditional economy of small holding and mining has resulted in a pattern of settlement characterised by a large number of such isolated dwellings. Many of these have been abandoned and allowed to deteriorate. If renovated sensitively, however, they are capable of providing additional accommodation at reasonable cost while contributing to the preservation of the traditional settlement pattern. Policy HS11 recognises this exceptional situation and facilitates appropriate renovation. In the light of the exceptional nature of proposals of this type, stringent control will be exercised over the design and materials to be used in renovation and also over subsequent alterations. In order to secure the latter control, conditions removing permitted development rights may be imposed at the time planning consent for renovation is granted. It should also be noted that buildings of the type concerned may provide a valuable habitat for wildlife, including endangered species such as bats or barn owls. In considering renovation and evaluating applications it will be necessary to have regard to Policy NE7.

Caravans as Permanent Dwellings

Residential Caravans

Policy HS12 Planning permission will be granted for the siting of caravans or mobile homes for use as dwellings where the development would have no material detrimental impact upon the landscape and where the following criteria are met:

- i) where there is a proven need for temporary accommodation in association with an approved building project or to assist in the establishment of a new business enterprise; or**
- ii) where the caravans or mobile homes can be sited within the confines of an existing caravan site and are required to meet a proven local need.**

3.40 Caravans or mobile homes are generally considered to be unacceptable as permanent homes within the District. However, they may have a part to play in providing short term low cost accommodation for small households provided that the high quality of the environment of the District is safeguarded. This can be achieved by locating residential caravans or mobile homes within existing caravan sites. In assessing proposals particular regard will be had to the potential for loss of existing holiday accommodation within such sites.

3.41 Temporary permission for the residential use of a caravan may also be given in association with and for the duration of building works, conservation projects, the establishment of a new agricultural enterprise or other similar site-based project. Such a permission would be subject to satisfactory arrangements for the provision of water supply, effluent disposal and other domestic services and the protection of the residential amenity of any neighbours. There may also be a requirement for the caravan to be painted in an approved subdued colour or for appropriate screening to be introduced.

Gypsy Sites

Policy HS13 Proposals for the development of sites involving the stationing of caravans for occupation by gypsies and other travelling people will be assessed against the following criteria:

- i) impact on the amenity of nearby residents;**
- ii) impact on landscape, agriculture, nature conservation, archaeology or other interests of recognised importance;**
- iii) adequacy of road access; and**
- iv) capacity of the local infrastructure to service the development.**

3.42 Government Circular 1/94 asks that local planning authorities should indicate the basis on which proposals to meet gypsy needs will be assessed. In Eden several sites already provide accommodation to meet this need. In the event that further proposals are forthcoming, Policy HS13 indicates the range of criteria which will form a basis for their evaluation.

Employment

3.43 Rural Eden has traditionally relied heavily on agriculture and, to a lesser extent, other primary industries, whilst Penrith has developed principally as a service centre for the surrounding area. More recently newer industries have been established which capitalise on the good lines of communication running through the District. These include warehousing, distribution and haulage companies. In recent years the tourist industry has begun to play an increasingly important and rapidly growing role in the local economy.

3.44 This pattern of employment has resulted in low unemployment rates. However continuing structural change in the agricultural industry and, in some areas, reliance on one or two large employers, has left the economy in a vulnerable position with a concentration of jobs at the lower end of the market. In order to strengthen the local economy it is important to encourage continued diversification of employment opportunities especially in the professional and managerial sectors.

- 3.45 In April 1996 there were 804 people officially unemployed and claiming benefit in Eden District, representing 3.3% of the District's work force. Although this figure is not high compared with Cumbria County or national figures, there are pockets of high unemployment, most notably on Alston Moor.
- 3.46 Government policy recognises the importance of the rural economy in terms of both its contribution to the national economy and in helping to promote the social and economic well-being of rural communities. It recognises the attraction of rural locations to many businesses and the potential of many enterprises to satisfactorily locate in smaller settlements. Environmental considerations remain important but need to be balanced against the need to ensure that economic growth and the requirements of individual businesses are assisted by a constructive planning framework which also has regard to the guidance given in Planning Policy Guidance Note 13 concerning the need to plan for less travel. In this latter respect, the Local Plan strategy seeks firstly to locate major employment sites in the Penrith area where access to established transport networks is at its best. Secondly, in support of the District's many rural communities which are unable to support viable public transport networks, small employment allocations are made in settlements which have an established service infrastructure, thereby providing employment opportunities close to homes and minimising the need to travel to work.
- 3.47 Working within the context provided by central government, strategic policy, in the form of the Cumbria and Lake District Joint Structure Plan 1991 - 2006, requires that there should be at all times a five year supply of employment land within the market sectors: business park, strategic employment site and local employment site. Its policies also provide protection from redevelopment for existing employment sites, which will normally be permitted to expand. The Plan is also supportive of employment opportunities in rural towns, by requiring that land is made available to meet local needs, and encouraging development and conversion of premises for small scale employment in rural areas.
- 3.48 Having regard to the foregoing issues, and to the general plan principles set out at the beginning of this document, a number of objectives have been identified for that part of the Local Plan dealing with employment land. These are set out below while the following paragraphs detail the associated policies and supporting text.
- Objective 18** *To meet the needs of the District's communities for economic growth through the allocation of a range of sites throughout the District.*
- Objective 19** *To promote the diversification and strengthening of the rural economy through the promotion of a range of varied employment opportunities in and adjacent to rural settlements.*
- Objective 20** *To promote high environmental standards on existing and new employment sites.*
- Objective 21** *To promote the relevant elements of the Council's Economic Development Strategy through land use policies and provisions.*

Land for Employment Uses

3.49 The following three policies are designed to fulfil the Structure Plan's requirements with regard to the availability of a five year supply of employment land in various business sectors, as set out in Structure Plan Policy 33.

Business Park Allocation

Policy EM1 A Business Park site of 2.28 ha is allocated off Ullswater Road in Penrith as set out on the Proposals Map. Development of the site will only be permitted as part of an integrated scheme of the highest standards of design and construction, covering the whole site. Use of the site will be restricted to those activities falling within Use Class B1 of the Town and Country Planning (Use Classes) Order 1987.

3.50 The Council has identified the potential for the development of a high quality, low density employment site with good access to the primary road network aimed at attracting mainly high technology operations. The Ullswater Road site is ideally situated for this purpose. In order that the development can fulfil the role of a business park it is essential that the site is developed as a whole to suitably high standards, in accordance with a development brief to be prepared by the Council.

Strategic Employment Site Allocation

Policy EM2 A Strategic Employment Site of 9.3 ha is allocated immediately to the north of the existing Gilwilly Industrial Estate, as set out on the Proposals Map. Development will only be permitted which is in accordance with a brief to be agreed with the Council for the whole site and which is appropriate to the strategic status of the site. Appropriate, larger scale uses within Use Classes B1, B2 and B8 (light industry, general industry, and warehousing and storage respectively) will normally be permitted.

3.51 The site identified in Policy EM2 is allocated to fulfil the District's need for a strategic employment site in accordance with Structure Plan requirements. It is essential therefore that the site is developed only for strategic uses, that is to provide sites for large scale business, general industry and storage and distribution. The site should be developed as an integrated whole in accordance with a development brief to be prepared by the Council. Small scale uses such as garages and small workshops would not be appropriate on this site, and would be more suitable for the local employment sites listed below.

Local Employment Site Allocation

Policy EM3 Local Employment Sites are allocated in the following locations as set out on the Proposals Map. Uses within classes B1, B2 and B8 of the Town and Country Planning (Use Classes) Order 1987 will be permitted where the development is considered acceptable against the criteria set out in EM5.

Alston:	0.9 ha
Appleby:	1.9 ha
Flusco:	7.5 ha
Kirkby Stephen:	2.1 ha
Kirkby Thore:	1.9 ha
Newbiggin, Stainton:	3.2 ha
Penrith:	8.7 ha
Tebay:	2.5 ha

3.52 Local employment sites are allocated above in accordance with the Structure Plan Policies 33 and 37 in order to accommodate the needs of a wide range of types and sizes of employment and warehousing uses, including those that are considered unsuitable for the business park and strategic employment sites. In the case of the allocation at Alston, Local Plan Policy NE2 and Policy 41 of the Structure Plan are also relevant. No development will be allowed to commence at the Newbiggin site until a prohibition has been introduced on the passage of vehicles over 7.5 tonnes maximum gross weight through the village of Newbiggin, except for access while it should be noted that proposals for the development of land allocated in OS 1200, Kirkby Stephen will be required to include provision for the landscaping of the western boundary of the site.

Small Employment Site Allocation

Policy EM4 Small sites for employment use are allocated in addition to Local Employment Sites, in a number of locations in the rural parts of the District. These sites are listed below and indicated on the Proposals Map.

Appleby:	0.95 ha (off Station Road)
Armathwaite:	0.11 ha
Brough:	0.65 ha (OS field no 1071)
	0.75 ha (OS field no 3951)
Clifton:	0.29 ha
Great Asby:	0.96 ha
High Hesket:	0.16 ha
Kirkoswald:	0.97 ha
Langwathby:	0.74 ha
Lazonby:	0.96 ha

On the following sites, only light industrial uses, falling within Use Class B1 will be permitted:

Appleby (off Station Road)
Brough (OS 3951)
Clifton
High Hesket

- 3.53 Because of the District's dispersed settlement pattern and large area, it is considered necessary to allocate smaller employment sites away from the larger settlements. These allocations will ensure adequate access to employment land throughout the District, and are in accordance with Structure Plan Policy 38. In making these allocations, particular attention has been paid to those areas where demand or need for employment land is seen to be high.
- 3.54 All proposals will be expected to meet the criteria set out in Policy EM5 and in addition only uses which are considered appropriate to the village locations of the sites will be permitted. Although some uses within use classes B2 and B8 (general industry and warehousing and distribution respectively) will be acceptable on many of the sites, uses that have an unacceptable impact on the amenity of the locality, through, for example, their visual impact or level of disturbance, will not be allowed. On the four sites indicated, only light industry will be permitted because of their proximity to residential developments and/ or allocations.

Development on Allocated Sites

Policy EM5 Detailed proposals for the development of sites allocated in policies EM1 to EM4 will be judged against the following criteria:

- i) the effect of the proposal on the amenity interests of any nearby users or local residents;**
 - ii) the provision of parking and servicing space to a satisfactory standard;**
 - iii) the suitability of the access to the primary highway network for the particular requirements of the proposed developments;**
 - iv) the standard of design, materials, landscaping, and boundary treatment which it is proposed to use, in relation to the site's locality; and**
 - v) the impact on the local built form, landscape and nature conservation interests.**
- 3.55 The Council will consider whether proposals for development of sites allocated above will make a positive contribution to the locality in terms of their design and landscaping. It will also ensure that parking and servicing space is provided in accordance with adopted advisory guidance. These are set out in Cumbria County Council publication "Parking Guidelines in Cumbria", while further advice on design issues is given the Environment section of this local plan.

Employment Development in Settlements

Policy EM6 Proposals for small scale employment generating development within or on the edge of settlements will be permitted if they are judged acceptable in relation to the following criteria:

- i) **the appropriateness of the location and scale of the development to the settlement;**
- ii) **the ability of the established infrastructure to meet the increased demand arising from the development;**
- iii) **the effect of the proposal on important amenity open space and the amenity of local residents;**
- iv) **the impact on agricultural, archaeological, landscape or wildlife interests and the character of the area; and**
- v) **standards of design, access, servicing, parking and amenity space.**

3.56 Many employment uses will fulfil the above criteria, and these will be encouraged, in accordance with Structure Plan Policies 37 and 38. Certain uses, which have not traditionally been located in smaller settlements, offer the possibility of strengthening and diversifying the local economy through the creation of new and more varied employment opportunities. Examples of such uses include offices or businesses based on advanced telecommunication and information technologies, as well as small scale businesses in a variety of sectors run from the family home.

Existing Employment Uses

Extension of Existing Sites and Premises

Policy EM7 Proposals for the extension of existing employment premises or expansion of existing employment sites will be judged against the criteria set out in Policy EM5.

Re-Use of Industrial or Commercial Sites

Policy EM8 The reuse of vacant or under used industrial or commercial sites for employment generating development will be permitted where the proposal is acceptable in terms of the criteria set out in Policy EM5.

3.57 The costs of developing new employment sites can be high in environmental as well as monetary terms. In the past many sites have been lost for employment purposes through their redevelopment for other uses, usually for residential development. This is counter to any desire to encourage new enterprises and a growth in employment opportunities, inefficient in the provision of services, and may create environmental problems through the need to identify replacement sites in new locations.

3.58 These areas of concern are reflected in the Structure Plan. Policy 34 precludes the redevelopment of existing employment sites and premises for other purposes, whilst Policy 35 establishes the principle that existing premises can be expanded subject to certain safeguards. Policies EM7 and EM8 above provide the detailed criteria against which proposals for extension or redevelopment will respectively be judged.

Conversion of Buildings

3.59 The lack of suitable small sites and premises remains a significant constraint on the range of employment opportunities available. There is undoubtedly a significant pool of potentially usable buildings, including many originally used as farm buildings and now no longer required for agricultural purposes. Structure Plan Policy 38 establishes that, with proper safeguards, there is considered to be no reason why these buildings should not be reused for light industrial, craft, or other employment purposes, where no detriment to landscape quality or residential amenity will result. It will also be necessary to safeguard endangered species, protected under the Wildlife and Countryside Act 1981, several of which can be found in buildings of this type. Policies NE7, BE24 and BE25 refer. Such buildings are particularly suited to the provision of small scale employment opportunities in villages, hamlets, and the countryside. Conversions to employment uses can often be achieved with minimal impact on the traditional form and character of a building, and such proposals will be viewed favourably.

Environmental Improvements

Policy EM9 Proposals that will result in the improvement in the environment of employment sites will be permitted. Conditions will be imposed wherever appropriate on new planning consents for employment development to secure appropriate landscaping.

3.60 The Council will encourage and promote schemes of positive environmental improvement on the existing industrial estates throughout the Local Plan area. Many developers, particularly of more prestigious employment developments, seek environmental standards that are above average. However some of the industrial estates within the Local Plan area fall short of such standards, a factor which can act as a deterrent to certain developers, as well as having a negative impact on local amenity. To improve this situation, the Council will impose landscape conditions and require adequate off-road parking provision for new development proposals and enforce those which have previously been imposed but not yet complied with. Properly thought out landscaping schemes which include planting native trees can make a significant, positive contribution to local nature conservation. The Council will undertake its own environmental improvements on particularly prominent or otherwise significant areas of public space.

M6 Related Development

Policy EM10 To maintain the rural and largely undeveloped character of land in the vicinity of Junction 39 on the M6 Motorway, development other than the appropriate extension or redevelopment of already established sites will be permitted only to meet a substantiated need which cannot be met elsewhere.

3.61 The M6 provides a good link to the south and to Scotland and as such sites in proximity to its junctions can provide locations that are attractive to many employers. Sites around Junction 40 (Penrith) will continue to provide the majority of land for this

type of development, with further smaller sites being available in the vicinity of Junction 38 (Tebay). Land around Junction 39 is largely undeveloped and in open countryside. Thus in accordance with Structure Plan Policy 13 and Local Plan Policy NE1, Policy EM10 indicates that development in that location will only be permitted to meet substantiated needs which cannot be accommodated elsewhere.

Haulage Sites

Policy EM11 Proposals for the development of new haulage depots and goods vehicle operating centres will only be permitted where:

- i) the existing road system is adequate for the traffic generated by the proposal;**
- ii) the development would not have a substantial adverse impact on residential amenity, nature conservation, geological, and archaeological interests; and**
- iii) the design, siting, and landscape impact of the development is considered acceptable.**

3.62 The haulage industry generates a significant number of jobs in the area, many deriving from small locally based firms. Some of these operate from sites or in locations which, due to poor access roads or juxtaposition with residential property, create on-going problems both for the firm itself and for local residents. Due to the specialised nature of this type of development, in terms of its need for relatively large areas of hard standing and for easy access to the major road network, proposals may be permitted in certain locations where other types of development would not be allowed. However, in assessing specific proposals regard will be had to the range of considerations set out in policy criteria. A development which would bring about a substantial change in the character of the locality through impact on one or more of these considerations is unlikely to be supported.

Employment Opportunities in the Settle - Carlisle Railway Corridor

Policy EM12 Proposals involving the reuse of station buildings and development in former station yards along the Settle - Carlisle Railway will be approved provided:

- i) the traditional character and architecture of station buildings is not adversely affected;**
- ii) the character of the conservation area is preserved or enhanced**
- iii) the development provides new employment opportunities for the local area and/or the use of the railway line is likely to be promoted through the development; and**
- iv) nature conservation interests including endangered species protected under the Wildlife and Countryside Act 1981 are properly**

safeguarded.

3.63 The Settle-Carlisle railway provides a facility of value to both residents and visitors. It presents opportunities for a range of enterprises which could generate local employment and engender increased use of the line, thus strengthening the case for its continued operation. Enterprises, including tourism developments, which will take advantage of such opportunities will be encouraged providing that they comply with the criteria in relevant local plan policies. Several station buildings and yards are currently redundant or underused. Some of these sites provide suitable locations for employment uses and appropriate developments will be encouraged where they will not have an adverse affect on the traditional character of the railway or associated properties, many of which are listed, and all of which lie within the Settle-Carlisle Conservation Area.

Tourism

3.64 Research conducted in 1992 led to an estimate that annual visitor expenditure in Eden amounts to £132 million resulting in a contribution of £33 million to the economy of Eden. 3,960 jobs resulted from tourism activity in the District and, having regard to strategic policies which aim to disperse tourism pressures away from the centre of the Lake District National Park, it is probable that this figure will continue to grow. Two particular major projects have been granted planning permission in recent years which serve to illustrate the potential for major job growth. Between them the proposed visitor centre at Slapestones on the A66 and the holiday village development proposed for Whinfell Forest will generate several hundred jobs.

3.65 Whilst the economic benefits of tourism are significant, it must be accepted that the industry can impose costs on local communities and the environment. The interrelationship between the quality of the environment and the demand for tourism must be recognised and care taken to ensure that quality is preserved. It is considered that, with careful management, the industry can be developed in a manner which will address the needs of local communities and the local environment whilst at the same time allowing for an appropriate level of growth.

3.66 The above issues are addressed in a recent Department of Employment report entitled "Tourism and the Environment: Maintaining the Balance". This lays down a number of principles aimed at ensuring an acceptable, enduring, level of development within the industry. The report embraces the concept of sustainable tourism, which acknowledges that short term exploitation of resources cannot lead to long term benefits. Rather, it is through the maintenance of resources over time that activities can be sustained and long term benefits accrue to the community. A number of principles aimed at ensuring sustainability in tourism development are suggested in the report and summarised below:

- The environment has an intrinsic value which outweighs its value as a tourism asset. Tourism must not be allowed to damage this resource, prejudice its future or bring about unacceptable impacts.

- Tourism should be viewed as a positive activity of potential benefit to the community and the place as well as the visitor.
- Tourism developments should respect the scale, character, and nature of their local environments. Harmony should be sought between the needs of the visitor, the place, and local communities.

3.67 This approach is consistent with that adopted by Eden Tourism, incorporated into the mainstream responsibilities of the District Council in August 1992. Eden Tourism exists to promote tourism in Eden in a manner that is compatible with the District's outstanding environmental quality and the needs of local communities.

3.68 The District Council has, through its tourism responsibilities, endorsed the principles of sustainable development and the policies within the Local Plan seek to work with the tourism strategy. In this way it is envisaged that growth can be promoted within the tourist industry whilst avoiding problems such as overcrowding, traffic congestion, environmental degradation, or conflicts with the local community.

3.69 Further support for sustainable tourism is found in the Structure Plan, which stresses the need for tourist developments to relate to a local economic need, and to foster the visitor's understanding and enjoyment of the County's environment and heritage. It further states that the environmental quality of the County should not be prejudiced in the longer term by such developments. The Regional Development Strategy for Cumbria, published by the Cumbria Tourist Board, includes more commercially oriented objectives set within a compatible context. For example, the Strategy identifies the need to protect the region's environment and heritage and to support traditional local industries including agriculture. This Council's tourism strategy and the policies set out below are compatible with this regional context.

3.70 Having regard to the foregoing issues, and to the general plan principles set out at the beginning of this document, a number of objectives have been identified for that part of Local Plan dealing with tourism development. These are set out below whilst the following paragraphs detail the associated policies and supporting text.

Objective 22 *To facilitate appropriate tourism development in order to strengthen and diversify the local economy, especially within the agricultural sector.*

Objective 23 *To promote the principles of sustainable tourism by seeking to maximise social and economic benefits in a manner which is acceptable to the local community and does not prejudice the local environment.*

Objective 24 *To exercise special control over larger scale tourism developments in order to minimise impact on the environment and on local communities.*

Objective 25 *To enhance the range and quality of tourism accommodation and visitor understanding of the area.*

Tourism Development

Tourism Developments - General

Policy TM1 All tourism developments will be assessed in relation to their contribution to the local economy and community and will be permitted if the proposal:

- i) enhances the range or quality of tourism accommodation in the locality; or**
- ii) enhances the visitor's enjoyment and understanding of the area's distinctive scenic, cultural and historic character; or**
- iii) forms an important element of a farm diversification scheme.**

3.71 All tourism developments will be judged against Policy TM1 and also against Policy TM2 or Policy TM3, depending on the scale of the proposal. Policy TM1 is concerned with the role of the development and in particular its relationship to a sustainable approach to tourism development. Policies TM2 and TM3 provide criteria against which the potential impact of proposals may be evaluated, including any impact on trip generation and the road and public transport network. Proposals will also need to meet the requirements of Structure Plan Policies 10 and 52. In this way it is envisaged that a sustainable industry sympathetic to the needs of the local environment and the aspirations of local communities can continue to be developed.

Small Scale Tourism Development

Policy TM2 Small scale tourism developments defined as those that would not result in a substantial increase in visitor pressure on their locality will be permitted providing that the proposal meets the requirements of Policy TM1 and that:

- i) the development is of a scale, nature, and design appropriate to its setting;**
- ii) the development would not have an adverse impact on the local built form, landscape, nature conservation, geological and archaeological features; and**
- iii) the traffic generated by the proposal would not have a substantial impact upon nearby settlements or the local road network.**

3.72 Small scale tourism developments have traditionally formed the mainstay of the tourism industry in Eden. This type of development and the resulting scale of increase in visitor pressure are most likely to be acceptable in terms of their impact on the local environment and communities. As such, small scale developments will normally be encouraged provided certain criteria are met. Important among these are criteria which seek to protect the interests of nearby residents and which ensure that the traffic generated by a proposed development will not have an unacceptable impact on these residents. The generation of significant levels of impact outside the immediate site of

the proposal, such as the attraction of numbers of visitors using cars or private coaches, is likely to lead the Council to the conclusion that a tourism development has such an impact outside the site that it should be considered in the context of Policy TM3 rather than Policy TM2.

Larger Scale Tourism Development

Policy TM3 Larger scale tourism proposals that would result in a substantial increase in visitor pressure will only receive favourable consideration if they meet the requirements of Policy TM1, and providing that:

- i) the development offers the highest possible standards of siting, design and landscaping in relation to the character of the locality;**
- ii) the proposal will yield economic benefits to the locality which outweigh the environmental cost of the development in terms of its impact on the local built form, landscape, nature conservation, geological and archaeological features, or the nearby road network;**
- iii) the traffic generated by the proposal would not have a unacceptable impact upon nearby settlements or the local road network; and**
- iv) secure arrangements have been made to the satisfaction of the Council to provide access to the proposed development by means other than a private car.**

3.73 The Council accepts the view of the Cumbria Tourist Board that there is a lack of major attractions in the area, especially those offering wet weather activities. The development of year round employment in tourism depends on strengthening this section of the industry. The impact of such larger developments and the resultant increase in visitor pressure will, however, make such developments inappropriate for some localities. The stricter criteria applied above are intended to ensure that the larger developments are located where they will provide maximum benefit to the community with the minimum adverse impact. In pursuance of guidance concerning the need to reduce reliance upon the private car for travel, the Council will seek arrangements in association with large scale tourism developments which will facilitate access by modes of transport other than the private car. It should be noted that other Local Plan policies as set out in the Environment section, and especially those concerned with protecting landscape or wildlife interests in designated areas will also need to be satisfied.

Farm Tourism

3.74 Tourism has an important role to play in generating additional income for agriculture and other rural enterprises. Projects such as small caravan or chalet sites, farm shops, and restaurants, the conversion of redundant buildings to holiday accommodation, or the provision of farmhouse holidays are typical of those which often integrate well. Given the pressing need to support the rural economy the Council is prepared to give particular consideration to appropriate cases, which will be considered in the context of Policies TM1 and TM2 (TM3 if more appropriate), and Policy NE8.

3.75 Existing buildings represent a resource on many farms which is capable of adaptation to a range of tourist related uses thereby generating additional income for the holding. Policies BE24 and BE25, in the Environment section of this Plan, establish the circumstances under which conversion will be acceptable. Special regard will need to be paid to the protection of endangered species as identified in those policies and in Policy NE7.

North Pennines Area of Outstanding Natural Beauty

3.76 The North Pennines represent a landscape of outstanding quality and national significance. This is recognised through its designation as an Area of Outstanding Natural Beauty. It is thus of national importance to conserve the distinctive nature of the area's landscape, and to this end it is afforded a high degree of protection. The relevant legislation makes it clear that the purpose of AONB designation is to conserve and enhance the natural beauty of the area and further states that, unlike the national parks, recreation is not a primary reason for designation.

3.77 The quality of the landscape is such, however, that it attracts tourist related development proposals which are often of economic benefit to the local communities. Where such a development does not have adverse impact on matters of overriding interest, it should be permitted. It must be stressed that, within the AONB, as elsewhere in the District, the Council believe that tourist development should draw upon the character and existing features of the area rather than impose unrelated attractions.

3.78 Against this policy background it is unlikely that large scale tourism related developments would be approved within the AONB. Small scale proposals will be judged against Policies TM1 and TM2, together with Policy NE2 and Structure Plan Policies 11 and 52.

Signposting

Signposting Rural Businesses

Policy TM4 Proposals for advance signs on private land outside highway limits which refer to rural businesses, tourist attractions or accommodation will be permitted outside the principal settlements where all the following criteria are satisfied:

- i) the sign is reasonably required to locate a destination that is not situated in a named road or readily identified location;**
- ii) the proposal is acceptable on highway safety grounds;**
- iii) the sign identifies the premises only and does not include any advertising;**
- iv) the sign is not illuminated;**
- v) the sign utilises an existing means of support where possible;**

- vi) **the sign, either on its own or cumulatively with other approved signs, will not harm the amenities of nearby residents or the character of the locality.**

3.79 The Council recognises the importance of established and new rural enterprises in the local economy, and that numerous rural enterprises rely on casual trade from visitors to the area, many of whom may have problems locating businesses in more remote locations. Signs would clearly be of assistance in such cases. However, those within the highway are subject to the control of the highway authority or, in the case of trunk roads, the Highways Agency. These authorities have their own criteria for the control of signing which are likely to preclude the erection of signs including, in the case of trunk roads, advance signs on private land outside the highway boundary. In so far as signs proposed outside the highway are concerned, over which the Council exercises control, high standards of design will be expected in all cases and proposals not meeting the requirements of the above policy will be refused. In certain locations a composite sign of appropriate size may be appropriate to avoid a proliferation of individual signs. The Council is currently examining the possibility of establishing a scheme for the provision of standardised signs for rural enterprises.

Caravans and Chalets

- 3.80 Proposals for new, or extensions to existing, caravan or chalet sites will be considered under Policy TM1 and either Policy TM2 or TM3, depending on the scale of the proposal.
- 3.81 In relation to Policy TM1, only two categories of application are likely to be successful. Firstly, those applications that can respond to a demonstrated shortfall of provision in a specific area. Evidence of a shortfall may be in the form of a letter to that effect from a recognised national body, or proof that existing sites in the locality are full to capacity for a significant part of the season. Secondly, proposals for small sites associated with farm diversification.
- 3.82 In applying Policies TM2 or TM3, particular emphasis will be placed on the landscape impact of the proposal. Caravans and, in many circumstances, chalets, can often form an unacceptable visual intrusion into the landscape. Only where the site is well screened, or impact is minimised by other factors, such as the topography, is the proposal likely to be acceptable.

Replacement of Caravans with Chalets

Policy TM5 Proposals for the replacement of static caravans with chalets will be permitted where the proposal, through the use of appropriate siting, design, materials, and landscaping, will result in an improvement in the environment of the locality.

- 3.83 Because of their greater permanence and more traditional methods of construction and materials, chalet developments can often achieve a higher standard of appearance, and have greater potential for integration into the landscape, than is possible with caravan sites. The Council will therefore allow proposals that replace

caravans with chalets where care has been taken to ensure the outcome is an improvement on the existing situation. In some cases, the modest extension of the area covered by the site may be permissible where this is will result in improved landscaping or other significant benefit. This policy only applies to replace an existing level of provision. Proposals to increase the level of provision (ie proposals that would result in an overall increase in bed spaces) will be considered by the process outlined in paragraphs 3.81 and 3.82 above.

Caravan and Chalet Occupancy

Policy TM6 All planning permissions granted for static caravan or chalet developments will be subject to conditions and/or planning agreements limiting occupancy to short term holiday lettings.

3.84 Consent for caravan and chalet developments is granted on the basis that the units are for holiday use only. Standards of access, parking and private amenity space may be lower than would be acceptable on a residential development and the standard of construction of such units is generally unsuitable for permanent occupation. Moreover, undue pressure on local services, such as schools and hospitals, may result from permanent occupancy. For this reason conditions and/or planning agreements under Section 106 of the Town and Country Planning Act 1990, will be required in order to restrict occupancy to holiday use.

Community & Social Facilities

Parking and Transport

- 4.1 Given the geographic area that is covered by the District, a good transport system is fundamental to its efficient functioning. Eden is characterised by small, scattered settlements. Effective transport links are therefore important to the local economy, to residents and to visitors. However, the small size of many of the settlements means that they are unable to support a viable public transport system. Only Penrith is served by public transport links within the town and to Carlisle which meet journey to work needs, apart from those settlements with early morning services along the Settle-Carlisle Railway line. Elsewhere people are dependent upon the private car for such trips, although there are public long distance services both by road and rail. As has been indicated elsewhere, the Local Plan has responded to Government guidance on reducing the need to travel by allocating land both for housing and employment in rural centres. It is necessary to recognise that there will be continued dependence upon the private car, without which life in rural Eden would be impossible. A consequence of this circumstance is that it continues to be necessary to make parking provision at a level which recognises the reality of planning for the needs of a small, scattered rural population.
- 4.2 The control of traffic flows, access and parking contributes to the creation of a pleasant and safe environment for living and working, as well as ensuring the efficient movement of traffic. Reference is made in the Shopping chapter of the Local Plan to the need for sensitive improvements in the main shopping streets of some of the District's principal settlements in order that they offer attractive environments, as well as improve pedestrian safety. A major objective of this section is to work towards the achievement of a balance between the requirements of vehicles, for access, servicing and parking; and the needs of pedestrians for a safe and appealing environment.
- 4.3 A secondary, but nevertheless important issue, is that of public transport. Recent years have seen a decline in the frequency and number of bus services operating in Eden, and the future of the Settle-Carlisle Railway has also been in question. Whilst some 80% of households in the District have access to a private vehicle, public transport is particularly important to the remainder, providing access to services and employment opportunities. In order to allow these residents continued access, it is important that the present level of services is at least maintained.
- 4.4 Improvements in accessibility to services and facilities are also of vital importance to people with disabilities. In the interest of improving access for this part of the population, access issues must receive special attention.
- 4.5 Finally, the District draws considerable benefit from its access to the regional and national rail network. These links are important to business users, residents and visitors alike and their loss would result in significant disadvantage.
- 4.6 Having regard to the preceding issues, and to plan principles 5 and 6 set out at the beginning of this document, the following objectives have been identified for that part

of the Local Plan dealing with access, parking and transport.

- Objective 26** *To promote improvements in accessibility for all people with disabilities.*
- Objective 27** *To support the maintenance and enhancement of an adequate public transport network including access to and use of the rail services.*
- Objective 28** *To support justified proposals for the improvement of the regional and local road network, especially where this will resolve safety problems or facilitate environmental enhancement and planned development.*
- Objective 29** *To support proposals for improved traffic management.*
- Objective 30** *To promote adequate parking provision throughout the Local Plan area.*
- Objective 31** *To encourage sustainable forms of transport, including cycling.*

The Road Network

Road Improvements and Traffic Management

Policy PT1 **The Council will grant consent for those road works and traffic management measures under its control where the proposal is supported by evidence of need and, in detailed design, the proposal minimises adverse impacts on landscape and amenity and on sites of nature conservation, archaeological or historic value or other interests of acknowledged importance.**

- 4.7 Most public highways within the Plan area are the responsibility of the County Highway Authority, with the exception Motorways and all purpose Trunk Roads (M6 and A66). In respect of these routes, which are the responsibility of the Secretary of State for Transport, the following road programme has been published:

A66 Temple Sowerby By Pass

The route of this scheme and that proposed by the County Highway Authority for a by pass of Kirkby Stephen will be safeguarded from development. Further intentions regarding road improvement schemes are set out in the County Council's 'Transport Policies and Programme', published annually. This Council will assist these agencies in efforts to improve the efficiency of traffic flows, and reduce the impact of through traffic on local communities, through the promotion and implementation of various improvement schemes.

Protected By-Pass Routes

Policy PT2 **Development proposals which are likely to prejudice the preferred route of either the proposed Kirkby Stephen or Temple Sowerby bypasses will not be permitted.**

- 4.8 The Department of Transport and County Highway Authority have researched alternative routes for bypasses at Temple Sowerby and Kirkby Stephen respectively. Their preferred routes are shown on the proposals map. In order that the schemes are

not prejudiced before a decision is made on whether or not to proceed with the projects the Council will resist development proposals which would have an adverse impact upon the preferred routes. This approach furthers the intention of Structure Plan Policy 63 through which the environmental and safety benefits of bypassing towns and villages is encouraged.

- 4.9 While responsibility for promoting improvements to the A66 rests with the Secretary of State for Transport, the County Council, supported by this Council, has adopted as its first priority action to have the whole of the A66 east of Junction 40 improved to dual carriageway standard by 2006. This Council will also seek to persuade the County Council as Highway Authority to review the traffic flow situation in Alston as a matter of urgency. Here all vehicles, including HGV's using the A689 Alston to Weardale road and B6277 Alston to Teesdale road, currently have to pass along the narrow and steep street through the centre of the town. This causes considerable congestion and damage to amenity.

Traffic Implications of Development

Policy PT3 In evaluating development proposals consideration will be given to the impact of traffic generated upon the road network and to any contribution by the developer to the resolution of problems which may be identified. Proposals will only be permitted where no significant adverse impact will result.

- 4.10 Many parts of the local road network have limited capacity to accommodate additional road traffic, especially larger vehicles. Increased levels of traffic flow can also have a substantial impact on the local environment, in both rural and urban surroundings. Consideration must be given to these issues when assessing applications.

Traffic Management

Policy PT4 The Council will support traffic management schemes for the District's principal towns providing these do not prejudice emergency access but will improve traffic flows, enhance pedestrian safety and, through the use of appropriate design and materials, will protect the historic townscape. Development proposals likely to prejudice the implementation of such schemes will not be permitted.

- 4.11 Reference is made in the Shopping chapter of the Local Plan to the need for environmental improvements in order that the District's principal centres continue to attract shoppers in the face of increasing competition. It is considered that the implementation of such proposals, including the formation of pedestrian priority areas, where access and parking requirements permit, would contribute to a substantial upgrading of the local environment to the benefit of businesses, residents and visiting shoppers. Any such proposals must respect the historic character of the townscape, using designs and materials which are appropriate to this context and will also will need to take into account requirements for emergency access as well as delivery.

Parking

Development of Car and Coach Parks

Policy PT5 The Council will grant consent for proposals that will contribute to the provision of permanent or seasonal car and coach park space to meet identified needs, providing no significant impact would result on interests protected by other Local Plan policies.

- 4.12 Government guidance, as set out in PPG13, suggests that car parking provision should be limited in order to discourage the use of the private car. While supportive of the Government's initiative, the Council believes, as has been indicated in the introduction to this chapter, that such an approach is unrealistic in Eden since the District's population is too small and scattered to support a viable public transport system. In consequence it is considered appropriate to respond to those situations where provision of space is clearly inadequate by the identification of additional space commensurate with the observed demand. It is, for example acknowledged that there is a shortage of car parking provision in Alston which is resulting in problems of congestion and harm to the amenity of the town. The Council is committed to seeking new parking provision in order to ameliorate these problems.
- 4.13 With respect to Penrith, the Council has adopted an advisory strategy to meet the increasing parking needs of the town, based upon the observed growth in usage in recent years and taking into account the loss of space resulting from redevelopment. However being mindful of the need to minimise the use of private cars, parking provision and requirements are being reassessed continually. In planning the provision of additional space, the Council will take account of the special needs of particular users including the security of cycles and motorcycles.
- 4.14 Substantial additional parking demand may arise in settlements such as Alston, Appleby, Kirkby Stephen and Penrith during the summer months when local demand is added to by tourist needs. Congestion resulting from tourism can also be reduced through the provision of facilities such as scenic lay-bys, coach parks and park-and-ride schemes. The situation in the District's principal settlements and elsewhere in relation to tourist traffic will be monitored and consideration given to resolving problems as and when they become apparent.

Parking Provision

Policy PT6 Development and redevelopment schemes will be required to incorporate adequate parking provision including appropriate provision to meet the requirements of people with special needs.

- 4.15 The Council will refer to the advisory guidance set out in "Parking Guidelines in Cumbria" (currently been reviewed) when assessing the adequacy of proposed provision and will expect proposals to incorporate provision to the suggested relevant standards.

- 4.16 There are many locations both within the principal settlements and smaller villages and hamlets where an increase in on-street parking would result in an unacceptable increase in congestion or impact on visual amenity because of high existing levels of on-street parking, the narrow width of roads and lanes or the character of the area concerned. The parking policies are designed to control any such unwarranted increase.

Access for All

Parking Provision for People with Disabilities

Policy PT7 Proposals for specific parking provision for people with physical disabilities in both on-street and off-street locations will be permitted.

- 4.17 To support other initiatives intended to ensure a good standard of accessibility for people with physical disabilities the Council will regularly review the need to make available reserved parking space. Where provided, such spaces will be of an appropriate size and location to ensure the best practicable level of accessibility to public facilities, shops and business premises.

Access to Buildings

Policy PT8 Through negotiation the Council will seek to ensure that all new development to which the general public have access makes provision for access by people with physical disabilities.

- 4.18 There is a clear need to facilitate access to public buildings, shops and business premises for people with physical disabilities. This will be especially so with the implementation of pedestrian priority areas. Provision will be made in such schemes for restricted mobility parking. This approach supports Structure Plan Policy 47 which seeks to give higher priority to the needs of people with disabilities. In assessing the adequacy of development proposals, the Council will have reference to the advisory guidance published by the Access Committee for England and the Centre for Accessible Environments.

Travel Initiatives

Public Transport

Policy PT9 Development proposals that help maintain or improve public transport facilities will be permitted. Proposals that would result in a loss of existing public transport facilities will not be permitted.

- 4.19 Since the deregulation of bus services the area has seen a steady decline in the number of bus routes and the frequency of services. This is a result of the uneconomic nature of many of the services, due to low passenger numbers, and to declining levels of public financial support. There are members of the population, most notably the young and the elderly, who have no access to private transport and are thus dependent on public services. There are positive environmental benefits, from the

local to the global scale, in using public transport as an alternative to the private car. For these reasons the Council will campaign for services to be maintained, or wherever possible enhanced, to achieve improved levels of public transport services and will support the introduction of schemes which seek to address local requirements in conventional or innovative ways. In addition, development proposals that will maintain or enhance services will be supported providing there is no adverse impact on other interests of importance. This positive approach to the issue reflects and supports that set out in Structure Plan Policy 69.

- 4.20 In addition to bus and other road based services, the Settle-Carlisle railway provides an important public transport link for many residents within the District. It also serves as a valuable tourism resource and has the potential to carry goods and raw materials to industries located long its length. The West Coast Main Line provides a link into the Intercity network and rapid links to services which are essential to the economic prosperity of the area and the convenience of residents of a large part of east Cumbria. The railways are an important transport resource within the Plan area and the Council will continue to support their retention. As outlined in Policy 69 and Policy 70 of the Structure Plan, long distance and commuter passenger flows should be handled wherever possible by rail and public road transport, in order to minimise the growth of road traffic.

Provision for Cyclists

Policy PT10 The design and layout of development proposals should, where appropriate, take into account the needs of cyclists, especially through the provision of cycle paths and secure parking facilities.

- 4.21 At present there is little provision for cyclists either in towns or on rural roads. Within town centres, opportunities for the improvement of facilities for cyclists are likely to be allied to environmental enhancement schemes and measures to restrict vehicular access. Such measures, as suggested in Structure Plan Policy 47, may include traffic calming schemes or reducing the growth in other road traffic by promoting public transport services.
- 4.22 Provision for cyclists can also be important in development schemes, and in considering proposals for new development the Council will seek appropriate provision for access and parking facilities for cycles. Much of the road network of the District is inherently attractive and suited to use by cyclists, carrying low volumes of vehicular traffic. In addition, the Council intend to explore the potential for application within the District of initiatives such as those being promoted by the Countryside Commission and by Sustrans Ltd, leading to the identification and/or adaptation of route networks to encourage cycle use.

Road User Facilities

Policy PT11 Proposals for road user facilities on the Primary Road Network will only be approved as an exception to Policy NE1 if all of the following criteria are satisfied:

- i) **a need is established for the service in the specific location concerned which is sufficient to outweigh any environmental cost;**
- ii) **the siting of the development and any landscaping proposed will minimise impact;**
- iii) **the design and materials proposed are appropriate to the location;**
- iv) **an unacceptable level of harm will not be caused to any interests of acknowledged importance; and**
- v) **the full requirements of highway safety can be met. In the case of all-purpose trunk roads these requirements will be defined by the Department of Transport.**

4.23 The Council have resisted the development of road user facilities in a number of locations in order to preserve the generally unspoilt character of the landscape. It is accepted, however, that a case can be made in certain locations on the Primary Road Network (defined in the Structure Plan as the M6, A66(T), A685 Tebay - Brough and A6 south of Junction 39) for the provision of services to modern standards to meet the needs of road users for fuel, services, food and information. In view of the long established policy to protect the countryside from unwarranted development, it is appropriate that, where road user services are proposed in locations away from established settlements, the applicant be expected to clearly establish the need for the development. For the same reason, the standard of design and landscaping will also be a prime consideration. Clearly it will also be necessary to ensure that highway safety considerations are not compromised, such as would happen if facilities were proposed on only one side of a single carriageway road.

Shopping

4.24 Shopping provision within Eden is centred on Penrith, which serves as an important retail centre for a widely dispersed population. It has a history as a small but successful market town serving a large and captive rural hinterland. Smaller centres within this hinterland at Appleby, Shap, Alston, and Kirkby Stephen have a strong tradition in serving their local populations, whilst many of the villages within the District have a village shop and/or post office.

4.25 Whilst in the past these centres have been able to rely on relatively captive markets to secure their economic well-being, increases in personal mobility and new trends in retailing mean this is no longer the case. Neighbouring retail centres at Carlisle and Kendal have undergone considerable environmental and commercial improvement over recent years, and the establishment of large regional centres such as the Metro Centre at Gateshead provide a further draw on traditionally local trade.

4.26 To some extent recent developments in Penrith have countered these trends, with the redevelopment of the Devonshire Arcade and Angel Square, traffic calming, and environmental improvements, all increasing the attractiveness of the town centre. Larger developments such as B & Q and Safeways have enhanced the range of goods

and type of retailing available in the town. There is a need however, to build on these developments to ensure Penrith's retailing position is maintained.

- 4.27 Within the rural area, the smaller centres need to continue to develop their services and enhance their local environments if they are to maintain their position and capitalise on the growing tourist industry in the District. On a smaller scale, many villages have suffered from the loss of village shops and post offices, whilst others remain vulnerable.
- 4.28 National planning policy emphasises the need to support existing town centres and their continued development and diversification, in order that they remain important social, cultural, and economic centres as well as continuing to provide major retail services. Guidance also identifies the need to plan for reduced travel, by focusing development within or adjacent to established centres. The Local Plan strategy pursues this guidance by supporting appropriate development of existing centres and the reuse of established floorspace. The support of the District's principal centres, and of the retail provision within smaller settlements, contributes to minimising travel needs by providing shopping opportunities close to peoples homes.
- 4.29 This need to balance out of centre development with concern for existing town centres is reflected in the Structure Plan, which indicates that new and redeveloped shopping floorspace should be supported in major centres including Penrith, where it secures the long term viability and vitality of the centre. It also allows for large stores and warehouses to be permitted where conditions relating to impact on the environment and vitality of town centres can be met.
- 4.30 Having regard to the foregoing issues, and to the general plan principles set out at the beginning of this document, a number of objectives have been identified for that part of the Local Plan dealing with retail development. These are set out below while the following paragraphs detail the associated policies and supporting text.

Objective 32 *To facilitate the provision of a wide range of well-located shopping accessible by a choice of means of transport.*

Objective 33 *To support the maintenance and enhancement of established shopping centres and village shops to secure their continued vitality and viability.*

Objective 34 *To encourage the appropriate use of under used and unused upper floorspace in order to improve the appearance and vitality of established shopping areas.*

Retail Development

Retail Developments in Towns

Policy SH1 **Proposals for developments for retail purposes within the established shopping areas of Penrith, Alston, Appleby, and Kirkby Stephen, as set out on the inset maps, will be permitted providing:**

- i) **the proposal is of a design and scale suited to its location: and**

- ii) parking and servicing space is provided to an adequate standard.

Out-Of-Centre Retail Developments

Policy SH2 Applications for retail developments outside the established shopping areas will be judged against their likely impact on any of the town centres of the Local Plan area, or on the rural economy and on traffic generation. Development will only be permitted where its impact, either on its own or cumulatively with other recent or proposed retail development, is unlikely to undermine the vitality and viability of, or the regeneration of, the town centre(s) as a whole or to have a significant adverse impact on the rural economy and the site is served by a variety of means of transport including public transport services.

- 4.31 Policies 45 and 46 of the Structure Plan support retail developments and redevelopments in existing town centres, whilst Policy 49 permits the development of large stores and retail warehouses outside of existing town centres in certain circumstances. Whilst commercial competition and the growth of consumer choice are not discouraged, their development should not be at the expense of the protection and enhancement of existing town centres, all of which are conservation areas.
- 4.32 Renovation and in certain cases redevelopment for retail purposes within the existing shopping areas, which in its character and scale pays due regard to the character of conservation areas, will contribute to both the attractiveness and the vitality of these towns. Such proposals will therefore be encouraged. In many cases, because of the constraints imposed by historic development pattern of the towns, it will not be possible for developers to make provision for parking and servicing to levels advocated in the advisory guidelines "Parking in Cumbria". The Council will be prepared to adopt a flexible approach in these circumstances.
- 4.33 Assessing the likely impact of an out of centre development on the vitality and viability of an existing town centre can be difficult. Government guidance, as set out in Planning Policy Guidance Note 6, suggests that commercial yield on non-domestic property and pedestrian flow rates can usually provide the main criteria for assessment. Other factors which government guidance suggests may also be relevant include:
- the proportion of vacant street level property in the established shopping area;
 - the diversity of uses
 - retailer representation and profile
 - retailer demand or intentions;
 - the physical structure of the centre.

Environmental Enhancement

Policy SH3 Proposals for schemes of environmental improvement for the centres of Alston, Appleby, Kirkby Stephen and Penrith will be permitted where the proposal achieves one or both of the following:

- i) the enhancement of the town centre environment for visitors and local shoppers;
- ii) the improvement of access for pedestrians, cyclists, people with disabilities, or public transport users.

4.34 All of the towns mentioned in Policy SH3 have historic centres of an attractive nature and distinctive characteristics. In order to compete with larger centres outside the District that can offer a greater range of shopping and other facilities, they must continue to exploit and improve their respective centres, through improvement schemes which will reduce the impact of motor vehicles (both parked and moving), and improve the accessibility of the centres for all sectors of the population. Where such proposals result in the loss of parking space, attempts to find appropriate replacement provision should be made. Proposals for traffic management schemes will be dealt with under Policy PT4.

Uses in Retail Areas

Policy SH4 The change of use of ground floor premises within the established shopping areas of Penrith, Alston, Appleby, and Kirkby Stephen from Use Classes A1, A2, and A3 (shops, financial and professional services, and food and drink respectively) will only be permitted where the proposed use is also within Use Classes A1, A2, and A3.

4.35 A healthy shopping environment is seen as the principal means of ensuring the continued viability and vitality of the town centres. Whilst it is accepted that a variety of activities should be encouraged within the town centres, retailing will remain the primary function, underpinning other diverse activities. It is accepted, however, that other businesses that generate a regular countertrade offer important services and can be successfully located in town centres, complementing the towns' retail function and increasing the range of services offered, and thus adding to their vitality.

4.36 Businesses that do not generate a regular counter trade are of course an important asset to their local communities and will be encouraged to locate elsewhere in the respective town centres away from the main shopping frontages. In some instances such businesses may be acceptable on the upper floors within established shopping areas.

Use of Upper Floors in Retail Areas

Policy SH5 Proposals for the usage of upper floors within the established shopping areas of Alston, Appleby, Kirkby Stephen and Penrith, including those introducing appropriate uses outside Use Classes A1, A2, and A3 (shops,

financial and professional services, and food and drink respectively) will be permitted providing:

- iii) the proposal is acceptable in terms of its impact on the conservation area, and/or on listed buildings;**
- iv) impact of the proposed use on adjoining occupiers is acceptable;**
- v) access and parking arrangements are acceptable.**

4.37 A significant problem within some town centres is the under use of upper floors. This is not only wasteful of a resource but also has implications with regard to both the standard of maintenance of the buildings concerned, many of which are important to conservation areas or are listed buildings in their own right, and the vitality and viability of the town centre as a whole. The Council is seeking to tackle this issue through its involvement in the “living over the shop” initiative. In certain cases it may also be appropriate to facilitate the use of such space through the awarding of Conservation Area Partnership or Historic Building Repair Grants to assist with associated repairs.

Small Retail Outlets

Village Shops

Policy SH6 Proposals for small retail outlets and post offices within existing settlements, but outside established shopping areas, will be permitted provided that:

- i) the proposal is of a design and scale suited to its location;**
- ii) access and parking arrangements are satisfactory;**
- iii) impact on the amenity of other occupiers in the locality is of an acceptable level; and**
- iv) the proposal is acceptable in terms of its impact on the local built form, landscape, and conservation interests.**

Village Shops and Post Offices

Policy SH7 Proposals which assist in the provision or retention of village shops or post offices will be supported.

4.38 Village shops and post offices continue to provide valuable facilities within their respective settlements, especially for those members of the community without access to private transport. One of the Local Plan’s principles is to promote the social and economic vitality of local communities and in line with this the Local Plan seeks to promote provision of new village shops and to protect existing shops from redevelopment.

Recreation

- 4.39 Eden District, due to its sparse population and the predominance of high quality countryside throughout the area, presents both residents and visitors with a range of easily accessible informal recreation opportunities, such as walking and riding. The area is fortunate compared to many areas, where such opportunities are much less accessible.
- 4.40 However, the geographical size and low population density present problems for more formal recreation opportunities as facilities are often either unavailable or located at a considerable distance from many of their potential users.
- 4.41 Most of the facilities which exist at the present time are the result of the efforts of various sporting clubs or have been developed as commercial enterprises. Provision by the District Council although limited by financial resources available will, during the plan period, be enhanced.
- 4.42 The principal role of this Plan, in relation to formal recreation opportunities, is to enable the enhancement of existing facilities and to encourage the development of independent initiatives for the provision of new facilities, rather than to establish a major programme of Local Authority development. Never the less, in the longer term it is the Council's intention to undertake a more detailed need assessment of the District examining the provision of and demand for open space for organised activities and for other recreational facilities with a view to incorporating the results of the study in a future review of the Local Plan.
- 4.43 The Government's general policy is to promote participation in sports and recreation and the provision of appropriate facilities. It suggests that standards for such facilities should be set by individual authorities tailored to the local situation.
- 4.44 More specifically, the Structure Plan suggests that recreation facilities should be provided in new residential development, and that in areas of shortfall new recreation facilities should be provided and existing facilities protected from development.
- 4.45 Having regard to the foregoing, and to the general plan principles set out at the beginning of this document, a number of objectives have been identified for that part of the Local Plan dealing with recreation related development. These are set out below while the following paragraphs detail the associated policies and supporting text.
- Objective 35** *To encourage the establishment of new and the enhancement of existing sporting, recreational and arts facilities serving local communities.*
- Objective 36** *To protect, promote, and enhance the rights of way network.*
- Objective 37** *To ensure adequate provision of open space within new housing developments.*

Land for Recreation

Land in Recreational Use

Policy RE1 Development of land in recreational use will only be permitted where the land is demonstrably surplus to the requirements of the local community, or where a suitable alternative site of equal size, quality, provision of facilities and accessibility is provided by the developer at their own expense.

4.46 The amount of open space currently available for recreational use, including both organised activities and informal enjoyment, is limited in many of the settlements covered by the Local Plan and is often subject to development pressures. In many cases the open spaces are also of amenity and nature conservation value. The Council wishes to ensure that none of this land is lost to other uses unless there is compelling justification.

Recreation Land at Carleton, Penrith

Policy RE2 An area of 1.5 ha at Carleton is allocated as indicated on the Proposals Map to meet the recreational needs of existing and new residential development in that part of Penrith.

4.47 This area of land will provide two additional football pitches together with space for informal recreation in a growing residential area.

Sporting and Recreational Facilities

Development of New and Existing Facilities

Policy RE3 Proposals for the improvement of existing or the provision of new sporting and recreational facilities, will be permitted provided that:

- i) access and parking provision is adequate;
- ii) the proposal will not have a significant adverse impact on the amenity of nearby residential properties;
- iii) the proposal has no significant adverse impact on the local built form, landscape, or conservation interests.

4.48 The Structure Plan in Policy 53 indicates a favourable attitude towards recreational development in areas where a shortfall exists. Policy RE3 develops this by indicating that, as long as certain criteria are met, the Council would wish to encourage such development. Evidence of need or demand for a specific facility will lend support to any such application.

Multiple Use of Buildings

Policy RE4 Proposals for the multiple use of buildings in villages or towns for social, arts, community, recreational, or sporting use, and for the construction or extension of existing community buildings will be permitted provided the development would not have a significant adverse affect on local amenity.

4.49 Village halls and other community buildings, such as church halls and local schools, provide accessible sports, recreational, arts, and other community facilities in many rural settlements. Such buildings play an important role in communities remote from purpose built facilities and this policy acknowledges their importance and supports the development of their role.

Rights of Way

Development Affecting Rights of Way

Policy RE5 Proposals that would affect any rights of way will only be permitted where an acceptable diversion is provided by the developer and a legal diversion order obtained, or if a clear benefit arises from the change sufficient to outweigh the loss to the rights of way network.

Development of the Rights of Way Network

Policy RE6 Proposals to improve or extend the rights of way network or that would encourage greater public use will be supported, except where undue damage to agricultural or nature conservation interests would outweigh the benefits of the proposal or the interests of existing users would be disadvantaged.

4.50 The Council will normally seek to retain all existing rights of way, and to ensure replacement of any lost to new development. There is an extensive network of footpaths, bridleways, and byways throughout the Local Plan area, much of which passes through landscape of outstanding quality. The network provides an important leisure facility for both local people and visitors and as such requires protection.

4.51 Diversion and closure of rights of way is the responsibility of the Highway Authority, who consult the District Council as part of the statutory procedures on such matters. The Council's response to such consultations will normally be to object to changes which would result in a loss of amenity for users of the network or result in their loss or downgrading, unless there is a clear benefit which outweighs the loss.

4.52 The District Council will, as the Local Planning Authority, consider any effects on the rights of way network proposals for development may have, in accordance with Policy RE5 above. In cases where a proposal would prejudice the network, development is only likely to be permitted where an adequate alternate route can be provided, and a legal diversion obtained. Proposals for developments that abut existing footpaths and bridleways may require landscaping and screening along their boundary. With the correct mix of species such landscaping can enhance the natural history of the area.

- 4.53 Wherever possible, opportunities for extensions to or links within the network should be encouraged, as will promotion of the existing network. The East Cumbria Countryside Project has done much valuable work to this end in the eastern part of the Local Plan area. This has involved physical improvements to the network, signposting, guided walks, and the publication of interpretative leaflets. The District Council will continue to support East Cumbria Countryside Project and encourage the efforts of other bodies and voluntary groups working in this field.

Disused Rail Routes

Protection of Disused Rail Routes

Policy RE7 Development proposals along the line of a disused railway will not be permitted if the use of the route for recreational purposes or the reopening of the railway are prejudiced.

- 4.54 Several disused railway lines are located within the District. Some of them offer potential either for reopening as recreational railway routes or as elements of the rights of way network. They represent a significant resource which should be protected. There are, however, several sections in use as employment land or allocated for employment use. On some of these sites it will be possible by careful design to safeguard the line of the railway for future reopening or to provide a route through the development by linking rights of way along the track bed.

Services

- 4.55 A majority of utility services are the subject of direct negotiation between the relevant utility companies and developers or users. The Council therefore has only a limited role in their planning and provision. In most instances services such as electricity and water can be provided to a site, providing the intending developer is prepared to meet the costs of installation. In addition, the environmental impact of the provision of these services, at a local level, is normally minimal.
- 4.56 However, the provision of sewage disposal services warrants special consideration within the Local Plan. This is because the lack of adequate sewerage represents a real constraint on further development in a number of the District's settlements and improvements will also be required to meet changing statutory requirements. While properly designed septic tanks or other treatment systems may be acceptable to meet the needs of an individual dwelling where no mains services are available, this is unlikely to be the case where larger scale development is proposed.
- 4.57 There is concern too, to ensure that development is not put at risk by flooding, nor that flooding problems are exacerbated as a result of development.
- 4.58 In view of the foregoing concerns, and in particular in response to Plan Principles 3 and 4 the following objectives have been identified.

Objective 38 *To promote the provision of adequate sewage disposal facilities where required in order to serve planned development or to resolve existing environmental problems.*

Objective 39 *To ensure that development does not take place in locations of known flood risk nor increase the likelihood of flooding elsewhere.*

Objective 40 *To secure the protection of existing and provision of further services and facilities to meet identified needs.*

Sewerage Disposal

Policy SE1 **Development proposals that will not have a significant adverse impact on either the efficiency of the sewerage disposal system or on the local environment as a result of foul or surface water drainage will be permitted.**

4.59 In some settlements within the Local Plan area the existing drainage systems are of limited capacity. In consequence, new development in some locations or of excessive size could lead to overloading and flooding. Where advised of this possibility the Council will seek the programming of development to coincide with appropriate improvements or will resist development if no improvement is possible.

4.60 Housing land allocations have been made in Policy HS1 which include some in settlements which have an inadequate sewerage system. This represents an immediate constraint on planned development proceeding in Calthwaite, Cliburn, Crosby Ravensworth, Great Asby and Ousby. Larger scale developments in Brough, Kirkoswald, Langwathby, Long Marton, Plumpton, Renwick and Tebay may also be constrained.

4.61 Other settlements do not at present have a mains sewerage system. In certain cases additional development would result in an unacceptable impact on the environment due to the resultant density of septic tanks or pollution to water courses. Where the Council is advised that this is the case planning consents will be subject to conditions which will preclude development from proceeding until adequate drainage arrangements can be provided in association with the development and will press the relevant water company to give priority to the provision of an adequate sewerage system in locations where development faces constraint.

Protection of Flood Risk Areas

Policy SE2 **Development which would have an adverse affect on river floodplain or areas at risk from flooding resulting from the raising of the floor of the floodplain, increasing the rate or volume of surface water run off, interfering with existing river defences or restricting access to main rivers will not be permitted unless appropriate alleviation or mitigation measures are included. This applies to areas at risk from flooding and to the floodplains of the rivers Caldew, Eden, Eamont, Leith, Lowther, Lune, Lyvennet, Nent, Petteril, South Tyne and Tees and their tributaries which are all subject to periodic flooding.**

4.62 Structure Plan Policy 24 indicates that the erection of buildings or the raising of land will not normally be permitted where there would be a direct risk from erosion or flooding, or where such action would be likely to increase the risk of flooding

elsewhere. Policy SE2 indicates that the Council will resist development which would adversely affect floodplain or flood risk areas either directly, as a result of a loss of volume of floodplain, or indirectly through an increase in surface water run off. In addition, it is important to protect both established flood defences and access to main rivers. Only where a proposal is able to incorporate appropriate mitigation measures will consent be granted. This protection applies to floodplain and areas at risk from flooding as identified on the Local Plan Proposals Map.

Village Facilities

Policy SE3 Proposals which assist the provision or retention of village facilities including village halls and public houses will be permitted.

4.63 The retention of a range of community facilities is important to the continued vitality of the District's rural communities. Policies elsewhere in the Local Plan address this issue in relation to shops, post offices and recreational provision. In addition, a variety of other facilities are also important, not least village halls and pubs. Wherever possible, the Council will seek to support such facilities, including granting planning permission for proposals which will contribute to the provision or enhancement of facilities, providing there is no significant adverse impact on other interests of importance.

Land for Cemetery Extension

Policy SE4 A site of 1.45 ha of land at Beacon Edge, Penrith is reserved for an extension to the cemetery.

4.64 This land is required in the long-term and in the meantime is protected from other development.

Development involving Overhead Lines

Policy SE5 In considering proposals for the replacement of existing, and installation of new, power lines the Council will support those where care has been exercised to minimise impact on the landscape or townscape and upon nature conservation interests. Proposals to underground lines in Conservation Areas or rural locations will be encouraged except where there would be resultant damage to interests of acknowledged importance.

4.65 The Council is concerned about the adverse visual impact of overhead power supply lines in both urban and rural locations. Accordingly, proposals which either by care in alignment or, where practicable, undergrounding of cables will be supported especially where benefit will accrue to sensitive locations.

Telecommunication Development

Policy SE6 Planning permission for telecommunications development will be granted provided:

- i) ii) iii) iv) **the proposal location can be justified: there is not better alternative site available; there is no reasonable possibility of sharing existing facilities; in the case of radio masts, there is no reasonable possibility of erecting antennas on an existing building or other structure.**

Any development should be sited and designed to minimise its visual impact subject to technical and operational considerations

- 4.66 The Government policy on telecommunications is to facilitate the growth of new and existing systems while protecting interests of recognised importance. Policy SE6 is intended to support this approach while facilitating the protection of environmental and amenity interests. In particular, the Policy seeks to promote the sharing of facilities and use of existing structures wherever this is feasible.

Glossary

Affordable Housing: Affordable housing for Local Needs is a term used to describe housing whose tenure is restricted to those who qualify for local needs housing (qv), and which are available for purchase at no more than 80% of their value on the open market, or are available for rent through a housing association or trust.

Amenity Open Space: The Local Plan identifies areas of land within settlements which make so significant a contribution to their character and to the amenity and enjoyment of nearby residents and the public at large as to warrant long term retention as open space. Such designation does not signify that such areas are available for public access and use although this may be the case in some instances. Rather, it indicates an intention that proposals for built development which would encroach on identified areas will not normally be granted planning permission.

Area of Outstanding Natural Beauty (AONB): AONBs are relatively large areas of land designated under the National Parks and Access to the Countryside Act 1949 by the Countryside Commission, in order to conserve and enhance the natural beauty of the area. The North Pennines AONB includes the East Fellside and Alston Moor as well as parts of County Durham, Northumberland, and Carlisle District.

Area of Special Control of Advertisements: Part IV of the Town and Country Planning (Control of Advertisements) Regulations 1992 enables a Local Planning Authority to make Areas of Special Control Orders for submission to the Secretary of State for approval. Most of the Plan area has been designated as an Area of Special Control. (The central areas of Appleby, Alston, Kirkby Stephen, Penrith, Shap and Tebay are excluded). Within Areas of Special Control the display of advertisements with deemed consent (ie without the need for the formal approval of the Local Planning Authority) is subject to greater limitation.

Article 4 Direction: Article 4 of the Town and Country Planning (General Permitted Development) Order 1995 allows the Local Planning Authority to restrict the scope of permitted development rights in defined areas. Article 4 Directions must normally be approved by the Secretary of State.

Business Park: Business Parks are defined in the Structure Plan as high quality employment sites aimed at light industrial and office developments, particularly those related to high-tech industries. A business park site is allocated in Policy EM1 of the Local Plan, and shown on the Penrith Inset Map.

Conservation Areas: Conservation Areas are “areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance“. Such areas are designated by Local Planning Authorities under the Planning (Listed Buildings and Conservation Areas) Act 1990. The Local Planning Authority has limited additional powers over the demolition of buildings and the removal of trees within such areas, and certain permitted development rights (qv) are either reduced or removed.

County Nature Sites: Sites of local nature conservation importance which compliment the national network of nature conservation SSSIs.

Established Shopping Areas: Established Shopping Areas are defined by the Local Plan in the central areas of Alston, Appleby, Kirkby Stephen, and Penrith. The boundaries are shown on the relevant Inset Maps. Within such areas retail and associated activities form the predominant uses at ground level. The Council's policy as designed to encourage the maintenance and development of these areas as retail centres.

Environmental Assessment (EA): A process by which information about the environmental effects of a proposal are collected, and taken into account by the planning authority in forming their judgement about whether or not to grant planning consent. The Town and Country Planning (Assessment of Environmental Effects) Regulations 1988 as amended in 1994 sets out the types of project for which an EA is required.

Environmentally Sensitive Area (ESA): The ESA scheme was introduced by the Ministry of Agriculture in 1987 to encourage farmers to help safeguard areas of the countryside where the landscape, wildlife or historic interest is of national importance. Within an ESA farmers may enter into a 10 year management agreement with the Ministry and will receive payments for the continuation of traditional farming practices.

General Permitted Development Order: The Town and Country Planning (General Permitted Development) Order 1995 prescribes many of the procedures for the determination of planning applications and details those forms of minor development which may be undertaken without the need for application for planning permission. (See also Article 4 Directions and Permitted Development).

Inventory of Ancient Woodland: This was compiled by the Nature Conservancy Council (the predecessor of English Nature) and includes ancient, semi-natural woodlands which are defined as those which have been in existence since at least the middle ages and which bear stands of native trees which were not obviously planted.

Limestone Pavement Order: Where areas of limestone pavement are of special ecological or geological interest, Section 34 of the Wildlife and Countryside Act 1981 enables the Minerals Planning Authority to make an Order thereby prohibiting the removal or disturbance of limestone on land so designated.

Listed Building: The Secretary of State for National Heritage, advised by English Heritage, compiles a list of buildings of "special architectural or historic interest". Any material alteration to or demolition/part demolition of a Listed Building, whether external or internal will require an application for Listed Building Consent to be submitted to the Local Planning Authority. Provisions relating to Listed Buildings are contained in the Planning (Listed Buildings and Conservation Areas) Act 1990.

Landscapes of County Importance: Landscapes of County Importance are defined by the Structure Plan and identified on the Local Plan Proposals Map. These are landscapes of distinct and valued character which warrant particular protection. The designation is designed to complement the national network of AONBs and National Parks.

Local Employment Sites: Local Employment Sites are defined in the Structure Plan as employment sites designed to accommodate the needs of a wide range of types and sizes of employment and warehousing units, including those not suitable for business park or

strategic employment sites. Local Employment Sites are allocated in various settlements in Policy EM3 of the Local Plan, and shown on the relevant Inset Maps.

Local Needs Housing: Local Needs Housing is a term used to refer to housing whose tenure is restricted (usually by means of a planning agreement) to people who live or work in the locality, or with long-standing links with the local community. Paragraph 3.30 provides more details.

National Nature Reserve: Areas of national and sometimes international importance which are owned or leased by English Nature or managed in accordance with their wishes. The essential characteristic of such areas is that they are primarily used for nature conservation.

Permitted Development: The Town and Country Planning (General Permitted Development) Order 1995 (qv) permits certain minor alterations and extension to be undertaken without the need to apply for explicit planning permission from the Local Planning Authority. Such development is known as permitted development.

Planning Agreement: Planning Agreements (or “Planning Obligations”) are made under Section 106 of the Town and Country Planning Act 1990. Agreements may be made between a Local Planning Authority and a land owner (often a developer) or may be entered into unilaterally by such persons. Agreements are usually employed to restrict the development or use of land in ways which cannot properly or conveniently be achieved by the imposition of conditions.

Planning Policy Guidance Note (PPG): PPG’s are issued by the Government, after consultation, to provide guidance to Local Planning Authorities and others on Government policy and the operation of the planning system. PPG’s are subject to periodic review. The determination of planning applications and formulation of planning policies must have regard to these statements of Government policy.

Primary Route Network: The Primary Route Network of Cumbria consists of the Motorway, trunk roads, and other Primary Roads. Schedule 1 of the Structure Plan refers. Within Eden District the following roads comprise the Primary Route Network: M6, A66(T), A6 south of M6 Junction 39 (Shap), and A685 from M6 Junction 35 (Tebay) to its junction with A66 at Brough.

Ramsar Site: Wetland sites established under the Convention on Wetlands of International Importance especially as waterfowl habitats ratified by the UK Government in 1973. All Ramsar sites will also be SSSI’s (see below).

Regionally Important Geological/Geomorphological Sites (RIGS): Geological/geomorphological sites of local importance which complement the national network of geological SSSIs (see below).

Scheduled Ancient Monument: The Secretary of State, advised by English Heritage, compiles a schedule of ancient monuments which, by reason of period, rarity, fragility, potential etc. appear to be of national importance. Provisions relating to Scheduled Ancient Monuments are contained in the Ancient Monuments and Archaeological Areas Act 1979 and the National Heritage Act 1983.

Site of Special Scientific Interest (SSSI): Section 28 of the Wildlife and Countryside Act 1981 enables English Nature to designate areas of land which, by reason of their flora, fauna, or geological or physiographic features, it is in the national interest to conserve. Some forms of permitted development rights may not be exercised in such areas.

Special Area for Conservation: Areas established under the EU Directive on Habitats as contributing to the maintenance of a coherent Community-wide network of habitats called Natura 2000. SACs are selected for their importance as natural habitat types and as habitats of species identified in the Directive.

Special Protection Area (SPA): Areas established under the EC Directive on the Conservation of Wild Birds in order to maintain habitats and thereby to conserve populations of certain species of birds. All SPA's will also be SSSI's (see above).

Strategic Employment Sites: Strategic Employment Sites are defined in the Structure Plan as sites designed specifically to provide sites for large scale business, general industry, storage, and distribution uses. Small scale uses would not normally be permitted on such sites. A Strategic Employment Site is allocated in Policy EM2 of the Local Plan and shown on the Penrith Inset Map.

Sustainability: That the environment should be protected in such a condition and to such a degree that environmental capacities are maintained over time: at least at levels sufficient to avoid future catastrophe, and at most at levels which give future generations the opportunity to enjoy an equal measure of environmental consumption.

Sustainable Development: Ensuring that needs of the present are met without compromising the ability of future generations to meet their needs.

Tree Preservation Order (TPO): Under Section 198 of the 1990 Act a Local Planning Authority may, in the interests of amenity, make provisions for the preservation of individual trees or woodlands. TPO's prohibit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of trees without the prior consent of the Authority.

Use Classes Order: The Town and Country Planning (Use Classes) Order 1987 contains a number of Classes into which most uses of land or buildings fall. The change of use of land or buildings, from one class to another, normally requires planning permission. The change of use of land or buildings within a particular Class does not involve development requiring planning permission.

Windfall Site: An informal term used to describe a site where planning consent (usually for housing) is granted despite that site not being allocated for development in the Local Plan.

Note: The above list is intended only to provide a general explanation of terms used in the Local Plan and does not constitute precise definitions in law.

Appendix One - International Nature Conservation Designations (Policy NE4 Refers)

Special Protection Areas (SPAs)

(Designated)

1. North Pennine Moors -Moorhouse comprising the portion of the Moorhouse and Cross Fell SSSI which is designated a National Nature Reserve.

(Proposed)

2. North Pennine Moors - Phase 1: Moorhouse - Upper Teesdale a proposed SPA comprising in the Local Plan area the:
 - Moorhouse and Cross Fell
 - Appleby Fells SSSI's

Special Areas for Conservation (SACs)

All of the following are candidate SAC's;

1. Moorhouse - Upper Teesdale comprising, in the Local Plan area, the:
 - Appleby Fells, and
 - Moorhouse and Cross Fell SSSIs
2. Asby Complex comprising the:
 - Crosby Gill
 - Crosby Ravensworth Fell
 - Great Asby Scar
 - Sunbiggin Tarn and Moors and Little Asby Scar SSSIs; and
 - The Clouds
3. North Pennine Dales Meadows comprising, in the Local Plan Area, the:
 - Augill Valley Pasture
 - Bowber Head and Piper Hole Meadows
 - Bretherdale Meadows
 - Great Blencow Meadows and Fen

- Raisbeck Meadows
- Swindale Meadows, and
- Town End Meadow, Little Asby SSSIs

Appendix Two - National Nature Conservation Designations (Policy NE5 Refers)

National Nature Reserves (NNRs)

1. Moorhouse & Crossfell
2. Asby Scar
3. Cliburn Moss

Sites of Special Scientific Interest (SSSIs)

1. Alston Shingle Banks - NY716448
2. Appleby Fells - NY760250
3. Argill Woods & Pastures - NY842139
4. Ash Fell - NY742057
5. Ash Fell Edge - NY736048
6. Augill Valley Pasture - NY816146
7. Backside Beck & Spen Gill - SD698980
8. Birkett Hill & High Out Wood - NY790075
9. Blagill Mine - NY741473
10. Bowber Head & Piper Hole Meadows - NY736033
11. Bretherdale Meadows - NY586045
12. Burrells Quarry - NY677180
13. Cliburn Moss - NY578256
14. Cowraik Quarry - NY542310
15. Crosby Gill - NY614116
16. Crosby Ravensworth Fell - NY605105
17. Eden Gorge - NY525430
18. Eycott Hill - NYY387297
19. Geltsdale & Glendue Fells - NY612545

20. Great Asby Scar - NY657097
21. Great Blencow Meadows & Fen - NY460327
22. Harthwaite Sike - NY702247
23. Helbeck Wood - NY785164
24. Hell Gill - NY787969
25. Hollin Hill - NY593051
26. Janny Wood Section - NY783038
27. Keisley Quarry - NY714238
28. Lamonby Verges & Fields - NY399352
29. Lazonby Fell - NY520393
30. Little Asby Inrakes & Outrakes - NY699102
31. Mallerstang - Swaledale Head - NY840000
32. Melmerby Road Section - NY736048
33. Middlesceugh Woods & Pastures - NY401410
34. Millfield Verges - NY377358
35. Moorhouse & Cross Fell - NY715365
36. Mousegill Beck - NY825129
37. Murthwaite Park - SD710982
38. Newton Reigny Moss - NY478309
39. Orton Pastures - NY626092
40. Pinskey Gill - NY698042
41. Pus Gill - NY696256
42. Raisebeck Meadows - NY636069
43. River Nent at Blagill - NY744467*
44. River South Tyne & Tynebottom Mine - NY738421
45. Scandal Beck & Stone Gill - NY719055

46. Scandal Beck, Brunt Hill - NY742023
47. Shap Fells Road Cutting - NY736048
48. Shap Fells - NY575075
49. Skelton Pasture - NY438378
50. Smallcleugh Mine - NY787429
51. Smardale Gill - NY725067
52. Stagmire Moss - NY736048
53. Sunbiggin Tarn & Moors & Little Asby Scar - NY678076
54. Swindale Beck - NY668275
55. Swindale Wood - NY804163
56. Tebay Road Cuttings - NY608007
57. Temple Sowerby Moss - NY736048
58. The Clouds - NY740000
59. Town End Meadows, Little Asby - NY705102
60. Udford Low Moss - NY582301
61. Wan Fell - NY523361

* (Not yet confirmed)

Limestone Pavement Orders (LPOs)

1. Angerholme Wold, Mallerstang - SD773993
2. Asby Complex - Gaythorne Plain, Orton Scar, Crosby Ravensworth Fell
NY640115/NY600118
3. Asby Complex - Great Asby Scar - NY660100
4. Asby Complex - Little Asby Scar & Potts Valley - NY700088
5. Blasterfield Farm, Orton - NY630116
6. Greystoke - NY421318/NY407306
7. Hellgill Wold - SD783975
8. Helbeck Scars, Brough - NY780173

9. High Cup Plain, Appleby - NY745265
10. High Out Wood & Hartley - NY793077/NY795088
11. Smardale, Kirkby Stephen - NY731068
12. Stainmore, Brough - NY850147
13. Tailbridge/Nateby Common - NY806050
14. The Clouds, Ravenstonedale - NY739003

Appendix Three - Regional Nature Conservation Designations (Policy NE6 Refers)

County Nature Sites

County Nature Sites are identified by the Cumbria Wildlife Trust, and are illustrated on the Proposals Map.

NY33

1. Newlands Woodland - NY343396
2. Damp Grassland near Pyet Tarn - NY398346

NY34

3. Sebergham Gorge and Grassland - NY357405
4. Elleray Wood and Verges - NY368427
5. Caldew Beck, West Bank - NY368438

NY42

6. Grassland near Greystoke Moor - NY415290
7. Greystoke Moor and Bright Tarn - NY420293
8. Meadow near Greystoke Moor Cottage - NY425294
9. Railway Cutting near Penruddock - NY431279
10. Disused Railway Line near Newbiggin - NY477296

NY43

11. Field near Lamonby Verges SSSI - NY402352
12. Skelton Woods - NY403398
13. Sillerea Wood - NY410399
14. Parkhouse Plantation - NY413340
15. Old Wythes Wood - NY418344
16. Summerground and Greystoke Park - NY420320
17. Ellonby Common and Verges - NY423359

18. Johnby to Lamonby Verges - NY428333
19. Roadend Wood - NY428367
20. Thorneylands, Greystoke Estate - NY431316
21. Wood near Townend, Skelton - NY438366
22. Johnby Craggs - NY441322
23. Caldew Wood - NY442318
24. Parsons Park Wood - NY446372
25. Cowper's Green Wood, Hutton - NY456356
26. Flowrass Plantation - NY458345
27. Keesley Bank Wood and Ponds - NY462354
28. Thornbarrow - NY482343

NY44

29. High Head Wood - NY403433
30. Middleseugh Woods - NY410403
31. Thack Woods - NY425467
32. Wreay Hall Woods - NY443491
33. High Hesket - NY487441
34. Blaze Fell Quarries - NY496433

NY50

35. Adam's Gill Wood - NY577046
36. Corkham Wood - NY584043
37. Bretherdale Hay Meadow - NY584045
38. Borrow Beck - NY597017

NY51

39. Keld Lane Meadow, Shap - NY556151
40. Meadow nr Keld Lane, Shap - NY558150

41. Force Beck Quarry - NY571137
42. Hardendale Meadows - NY585147
43. Potrigg Limestone Pavement - NY596122
44. Neutral Grassland on Covered Rigg - NY598155
45. Threaplunds Meadow, Sleagill - NY598176

NY52

46. Skirsgill Woods - NY5028
47. Yanwath Woodland - NY142282
48. River Eamont, Eamont Bridge - NY522287
49. Low Mill Woodland and Riverside - NY524288
50. River Lowther, Lowther Bridge - NY525276
51. Great Strickland Verges - NY550240
52. Melkinthorpe Woods - NY552240
53. Whinfell Park - NY560295
54. Quarystone Bank and Whinfell - NY575273
55. Common Holme Bridge - NY 576248
56. Whinfell Forest - NY580270
57. Steels Wood - NY587226
58. Railway Cutting, Culgaith - NY598299

NY53

59. Lazonby Fell - NY506396
60. East Brownrigg - NY523373
61. Greengill Farm - NY531365
62. Whins Pond and Wood - NY555308
63. Eden Lacey Marsh and Fen - NY556393
64. Highbarn Wood - NY563307

65. Row Bank Woods - NY566392
66. Daleraven Beck - NY573398
67. Briggie Beck Woods - NY583339
68. Watersmeet, Eamont and Eden - NY586306
69. Linden Farm Marsh - NY586337
70. Melmerby Mire - NY596383
71. Sowyersteps Wood - NY597327
72. Melmerby Moor and White Mires - NY598372

NY54

73. High Flats - NY506456
74. Middleholm and Birks Mosses - NY520415
75. Broad Wood - NY539434
76. Hazelgill Heath - NY556470
77. Croglin Water Woodlands - NY582474

NY60

78. Gillsgrassing Wood - NY603018
79. Howe Nook Farm Meadows and Verges - NY603090
80. Pikestone Lane Meadows, Roundthwaite - NY608040
81. Park Meadows - NY612087
82. Brockholes Wood and Field - NY613011
83. Old Railway Line, Tebay - NY614041
84. High Carlinghill Woods - NY615003
85. Tebay Bridge Meadow and Verge - NY619057
86. Dawn's Lane Meadow, Orton - NY619084
87. Tebay Beck and Meadow - NY622039
88. Coatflatt Meadow - NY626062

89. Street Meadow - NY629082
90. Howes Lodge Meadow - NY631070
91. Street Lane Meadows - NY631085
92. Street Meadow - NY632082
93. Barugh Meadow - NY638064
94. Raisbeck Meadow - NY639069
95. High Barugh Meadow - NY641060
96. Cowbound Pasture - NY648042
97. Ingmoor Moss and Heath - NY654080
98. Wain Gap Meadows and Verges - NY656058
99. Cotegill Meadow - NY659049
100. Asby Scar Pavements and Grassland - NY664091
101. Great Ewe Fell and Ewe Fell Mire - NY696068

NY61

102. Raven's Gill Wood - NY624123
103. Gilts Lane, Crosby Ravensworth - NY627126
104. Marshy Grassland nr Long Rigg - NY648176
105. Halligill Wood - NY659133
106. Hoff Lunn Woodland and Verges - NY660165
107. Big Clinch Woodland - NY663184
108. Bandley Wood - NY671193
109. Hoff River Banks and Verges - NY676175

NY62

110. River Lyvennet Grasslands - NY604252
111. Town Wood - NY608235
112. River Lyvennet - NY610250

- 113. Acorn Bank - NY615283
- 114. Littlebeck Farm Meadow - NY620200
- 115. Crowdundle Woods - NY629292
- 116. River Eden, Bolton - NY642235
- 117. Maiden Way - NY645284
- 118. Hoff Beck and Meadow - NY669201
- 119. Chapel Wood - NY669217
- 120. Ross Wood - NY675210
- 121. Dowpits Wood - NY679201
- 122. Dufton Gill - NY687250
- 123. Crundale Bottom Woodland - NY693219 NY63
- 124. Old Quarries, High Street, Melmerby - NY614386
- 125. Sunnysgill Wood and Road Cutting - NY615362
- 126. Skirwith Beck Pasture - NY624324
- 127. Grassy Bank at Gale Hall - NY625360
- 128. Gale Hall Marshy Grassland - NY626368
- 129. Gillbank Wood - NY628340
- 130. Ashlock Sike Woodland - NY637347
- 131. Red Carle Heathland - NY668305

NY64

- 132. Howering Wood - NY607433
- 133. Outhwaite Heathland - NY607433
- 134. Gilderdale Forest and Newbiggin Fell - NY670447

NY70

- 135. Sandwath Meadow - NY702051
- 136. Smardale Gill Reserve (west) - NY702054

137. Potts Beck Pasture - NY709095
138. Greenside Tarn and Tarn Mire - NY714035
139. Hag Mire - NY714053
140. Greenside Meadows - NY716038
141. Coupland Sike and Breakyneck Sike - NY717052
142. Crosby Garrett Fell Pasture - NY719089
143. Hide and Seek Pasture, Crosby Garrett - NY720095
144. Ravenstonedale Churchyard - NY722043
145. Ladle Lane, Crosby Garrett - NY726097
146. Crosby Garrett Railway Cutting - NY726097
147. High Wood - NY727051
148. Paradise Meadow - NY728026
149. Smardale Gill Reserve (east) - NY730077
150. Crosby Garrett Tunnel - NY730087
151. High Wood Meadow, Ravenstonedale - NY731049
152. Beck Wood - NY737077
153. Street Farm Meadows - NY740012
154. Low Stennerskeugh Meadow - NY740018
155. High Stennerskeugh Grassland - NY751009
156. Tarn House Tarn and Grassland - NY753032
157. Kirkby Stephen Common - NY755015
158. Waitby Greenriggs - NY757086
159. Waitby Bridge to Smardale Halt - NY757087
160. Jubilee Park - NY769073
161. Furrow Green Meadows - NY771041
162. Tarn Lane Meadow, Kirkby Stephen - NY771086

163. Stenkrith Park - NY776076
164. Bollam Lane Meadow, Kirkby Stephen - NY778079
165. Outhgill Meadow, Mallerstang - NY780012
166. Podgill Wood - NY782079
167. Fleets Beck Meadow and Verges - NY783025
168. Hartley Beckside and disused land - NY783082
169. Ladthwaite Beck Meadow - NY787073
170. Low Out Wood - NY792081
171. Hartley Quarry Grassland and Pasture - NY794089
172. Whingill Pasture - NY794095 NY71
173. Ormside Hall Grassland - NY704177
174. Mill Lane Woodland and Verges - NY705165
175. New Road Grasslands - NY706162
176. Wygill Head Meadows and Verge - NY707107
177. Cotbers Wood - NY708162
178. Hemels Wood and Grassland - NY711156
179. Brackenber Flodders - NY718191
180. Chapel Wood - NY719152
181. Tricklebanks Wood - NY722159
182. Brackenber Grassland - NY726194
183. Sandford Mire - NY727170
184. Birdhouse Meadow, Bleatarn - NY731133
185. Linehams Meadows - NY769116
186. River Belah - NY770124
187. Great Musgrave School Meadow - NY 770143
188. Swindale Beck and Woodland - NY784139

189. Bighill Cutting, Winton - NY796101

NY72

190. Flakebridge Wood - NY701224

NY73

191. Green Castle - NY714309

192. Leehouse Well Pasture - NY753392

193. Petter Gill Pasture - NY759382

194. Tynehead - NY761380

NY74

195. Black Burn/River South Tyne - NY710436

196. Low Sillyhall Meadow - NY718433

197. Gossipgate Meadow - NY724467

198. Rise Lane - NY727444

199. High Plains Verge and Quarry - NY729433

200. Newshield Moss - NY735485

201. River South Tyne, Garrigill - NY738420

202. Garrigill Burn and Verges - NY751424

203. Ash Gill - NY757404

204. Black Moss - NY762433

205. Hags Mine Spoil Heaps - NY768452

206. Greenends Spoil Heaps - NY770449

207. Flinty Fell - NY773420

208. River Nent - NY777441

NY80

209. Lamps Moss - NY811045

210. Ewebank Scar Woodland - NY844098

NY81

211. Brough Sowerby Common - NY807128
212. Redgate Wood - NY815105
213. Heggarscales Disused Line - NY820101
214. Augill Beck and Woodland - NY823156
215. Oxenthwaite Wood - NY826118
216. North Stainmore Grassland - NY828152
217. Amersber Wood - NY829109
218. Argill Beck and Woodlands - NY833134
219. Penistone Green Meadow - NY833150
220. Blackscar Wood - NY836108
221. Old Penistone Meadows - NY837154
222. Belah to Stainmore Disused Line - NY841107
223. Stainmore Common - NY854172

SD79

224. Foggy Gill Meadow - SD720983
225. Cold Keld Meadows - SD730998
226. White Kirk/Aisgill Gorge - SD771975
227. High Bank Fell, Mallerstang - SD774988
228. Aisgill Meadow - SD777970
229. Aisgill Valley Mire - SD779964

Regionally Important Geological/Geomorphological Sites (RIGS)

1. Armathwaite Dyke - NY503453
2. Banks Gate, North Stainmore - NY846147
3. Belah Scar, Brough Sowerby - NY796121
4. Bongate Scar, Appleby - NY687199

5. Bowderdale - SD678988
6. Bowscar Quarry, Penrith - NY519345
7. Bullman Hills, North Pennines - NY694373
8. Church Lane, Church Brough - NY793139
9. Cocklock Scar, Kirkland - NY655330
10. Coombe Clints, Armathwaite - NY505452
11. Cuddling Hole, Burrells, Appleby - NY675185
12. Dufton Ghyll Woods, Appleby - NY693245
13. Frank's Bridge, Kirkby Stephen - NY776087
14. Hags Bank, Alston Moor - NY766451
15. High Cup Nick, Dufton - NY746263
16. Howhill Quarry, Alston - NY729434
17. Iron Hill, Oddendale, Shap - NY597143
18. Knock Pike - Flagdaw - NY686283
19. Lacy's Caves, Little Salkeld - NY564383
20. Langdale Beck, Howgills - NY663015
21. Nateby West - NY773066
22. Newbiggin Gypsum Mine Entrance - NY627278
23. Nunnery Walks - NY535423
24. Punchbowl Bridge, North Stainmore - NY831151
25. Raise How, Bank Moor, Orton - NY637130
26. Redhills Road Cutting, Penrith - NY504287
27. River Belah, Brough Sowerby - NY802122
28. Rowley Wood, Hoff, Appleby - NY678175
29. Scale Beck, Gaythorne Plain, Orton - NY646126
30. Shap Abbey - NY547153

31. Smardale Bridge - NY726062
32. Smardale Gill Limestone Quarry - NY724065
33. Stenkrith Park, Kirkby Stephen - NY773075
34. Thistley Hill Quarry, Colby, Appleby - NY677204
35. Whin Fell Quarry, Kirkoswald - NY565439
36. Wild Boar Fell, Mallerstang - SD765985

Appendix Four - Historic Parks and Gardens

The following sites are included in the Register of Parks and Gardens of Special Historic Interest prepared by English Heritage. The Register is under review and additional sites will be added in due course.

1. Appleby Castle - NY6819
2. Dalemain - NY4726
3. Hutton-in-the-Forest - NY4635
4. Lowther Castle - NY5223
5. The Image Garden, Reagill - NY6118

Eden Local Plan Annex 5 - Housing Sites, Commitments and Allocations

Settlement	Site Location	Approx Area of Site in Hectares	Estimate No @ 25 Units per Ha or actual Nos with extant PP
Ainstable	Field OS No 0429	0.5	13
Alston	Field OS No 1714	2.5	63
	Bruntley Meadows Phase II	1.2	30
	Field OS No 3240, Jollybeard Lane	1.5	38
	Raise Park	1.3	12
Appleby	Part Fields OS Nos 6184/4700/4400	3.1	78
	Part Fields OS Nos 8952/0047	2.7	68
	Rear of Drawbriggs Lane	0.8	20
	Land at Bongate, Field OS No 0015	4.8	120
	Banks Nurseries, Colby Lane	0.7	9
	Land off Hothfield Drive	0.7	23
	Haulage Depot, Colby Lane	0.4	10
	Old Hall, Bongate	0.3	5
	Kings Head Hotel, Bridge Street	0.3	6
Armathwaite	Field OS No 3600	1.4	35
Blencarn	Land adj Pleasant View	0.2	5
Bolton	Land Rear of West View	0.7	18
	Land adj New Crown Inn	0.6	12
	Hillcrest Garage	0.1	6
Brough	(Market) Fields OS Nos 3553/3752	0.3	8
	Part Field OS No 1071, Croft Close	0.5	13
Brough Sowerby	Home Farm Barns	0.4	6
Calthwaite	Part Field OS No 7744	1.3	33
Cliburn	Field OS No 8210	0.3	8
	Part Field OS No 8072	0.3	8
Clifton	Land to Rear Cumberland Close	0.9	23
	Field OS No 4066, Rear of Fairview	0.3	8
Crackenthorpe	The Stackyard	0.5	5
Culgaith	Part Field OS No 3067	0.8	20
	The Piggery, Eden Lea	3.8	52
	Loaning Head Farm	0.3	5
Dufton	Part Field OS No 3786	0.2	5

Settlement	Site Location	Approx Area of Site in Hectares	Estimate No @ 25 Units per Ha or actual Nos with extant PP
Eamont Bridge	High Mill Caravan Park	0.3	6
Garrigill	Part Field OS No 2858	0.4	10
	Part Field OS No 5032	0.2	5
Great Asby	River View Farm	0.3	8
	Part Fields OS Nos 686 & 249	0.4	5
	Field OS No 563	0.3	6
Great Salkeld	Part Field OS No 8949	0.4	10
	Part Field OS No 0006	0.4	6 *1
Greystoke	Field OS No 0074	0.3	8
	Part Field OS No 0064	0.6	15
Hackthorpe	Land adj Pennine Close	0.5	13
	Land adj Lowther Castle Hotel	0.3	8
High Heskett	Land adj Elm House	0.2	5
	Stonecroft Garage	0.2	5
Kirkby Stephen	Part Field OS Nos 1028/1023	0.9	23
	Sayers Garage	0.1	10
	Field OS No 2473	1.9	48
Kirkby Thore	Part Field OS No 8500	0.4	10
	Land to Rear of Banker House	0.7	12
	Land Rear of Sleastonhow	0.5	13
	Ashton Lea	1.1	12
	Part Field OS No 8866	0.7	18
Kirkoswald	Part Field OS No 7356	1.7	43
	The Nunnery Outbuildings, Staffield	0.5	11
Langwathby	Part Field OS No 6318	0.6	15
	Storey Bank	0.5	13
	Powleys Farm	0.4	10
Lazonby	Part Field OS No 6167	0.8	20
Long Marton	Field OS No 5554	0.4	10
Low Heskett	Land adj Police House	0.3	8
Melmerby	Part Field OS No 1953	0.3	8
Morland	Part Field OS Nos 8734/8831	0.7	18
	Part Field OS Nos 5667/5556	0.4	10
	Garage Site	0.3	8

Settlement	Site Location	Approx Area of Site in Hectares	Estimate No @ 25 Units per Ha or actual Nos with extant PP
Nenthead	Part Field OS No 7379	0.2	5
Newbiggin (Stainton)	Land to rear Sycamore House	0.3	8
	Oak Bank	0.4	12
Newbiggin (TS)	Town Head Farm	0.3	7
Newton Reigny	Kiln Tofts	0.3	7
	Site adj Newton Meadows	0.1	5
Ousby	Part Field OS Nos 8894/8585	0.7	18
	Part Field OS No 0003	0.4	10
Penrith	Land off Foster Street	0.5	13
	Pategill Farm (Phase I)	0.9	23
	Sand Croft (Part)	0.7	18
	Land West of Carleton Hill Road	9	225
	Land jct Haweswater/Newton Rd	0.2	5
	Land to the rear of Lamley House	0.5	6 *2
	Land off Macadam Way	1.7	42
	Land adj to 17 Lowther Street	0.1	8
	Land adj Beacon Inn	0.4	10
	Field OS No 4949, Winters Park	1.9	48
	Swainson Yard, Myers Lane	0.7	18
	Land adj Edington Centre	0.2	5
	Land adj Drovers Lane	0.4	10
	No.19 King Street	0.1	5
	Land adj Oak Road	1	25
	Former Reeds Printers, Rowcliffe Lane	0.1	7
	Barco Hill, Barco Avenue	0.5	5
	Land to the north of Carleton Derrick	1	25
Plumpton	Part Field OS No 4500	1.2	30
Ravenstonedale	Part Field OS No 1791	0.2	5
Renwick	Land adj Holly Bank	0.4	10
Shap	Part Field OS No 0038	0.3	8
	Part Field OS Nos 0010/0700	1.1	28
Skelton	Field OS No 6275	0.2	10

Settlement	Site Location	Approx Area of Site in Hectares	Estimate No @ 25 Units per Ha or actual Nos with extant PP
Stainton	Keldhead Estate, Phase II	0.5	36
	Part Field OS No 0844	0.2	8
Tebay	Part Field OS No 8633	0.3	8
	Field OS No 7331	1.3	33
	Lune Valley Hotel	0.2	12
Temple Sowerby	Part Field OS No 7053	0.3	8
	Part Field OS No 2468	1	25
	Part Field OS No 113	0.3	8
Warcop	Land adj Chapel Garth	0.2	5
	Part Field OS No 6032	0.8	20
Winton	Winton Manor Farm	0.3	8
Total		83.1 *4	2027 (1419)*3 *5

Lake District National Park Housing Sites of five or more within Eden District

Glenridding	Great Closewood	9
Threlkeld	Haulage Depot adj Salutation Inn	6
Total		15

*1 lower figure as a result of appeal condition.

*2 lower figure on the basis of conditional approval.

*3 slight discrepancy in figures resulting from rounding up.

*4 figure inclusive of outline p/p site hectareage.

*5 bracketed figure equals ELP allocations est. @ 25 per Ha.