

Alston

Appleby

Kirkby Stephen

Penrith



Eden
District Council

www.eden.gov.uk

Neighbourhood Planning: The Eden Experience



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Neighbourhood Planning

What I'm going to cover...

- Context :Neighbourhood Planning
- Context: Eden.
- Upper Eden Neighbourhood Plan

What is Neighbourhood Planning ?

- New optional statutory layer of land use and development planning.
- This can be carried out by Parish Councils in Parished Areas. Where there is no Parish Council, Neighbourhood Fora can be formed to use these powers.
- Local People create the planning rules as long they as they don't undermine strategic policies of the District/Country.
- Two key tools Neighbourhood Development Plans and Neighbourhood Development Orders.
- Provided proper process followed decision to adopt proposals is by local referendum



Land Use/Development Planning System

Governments National Planning Policy Framework

District Councils Local Plans
(Core Strategy/ Housing Allocations
etc)

Neighbourhood Plans

Planning Applications/**Neighbourhood
Development Orders**

About Eden:

Claim to Fame!

First Adopted Neighbourhood Plan in the Country
'Made' April 2013?



About Eden

A landscape photograph of the Eden region in northern England. The foreground is dominated by tall, golden-brown grasses. A low stone wall runs across the middle ground. Beyond the wall, there are rolling green hills and a valley. The sky is filled with large, white, fluffy clouds, with some blue visible between them. The overall scene is a typical rural landscape.

If you were to rank all 201 non-metropolitan English districts by size where would Eden be?

Claim to Fame!

1st – 2,156 sq. km

If you were to rank all 201 non-metropolitan English districts by size where would Eden be?

About Eden



If we were evenly distributed how many areas the size of football pitches would we each have?

An aerial photograph of a large, two-story stone house with a grey slate roof, situated in a lush green valley. The house has several windows and a chimney. It is surrounded by dense green trees and a stone wall runs across the background. The overall scene is a typical rural landscape.

Claim to Fame !

Eden is the Country's Most Sparsely populated Area

If residents were evenly distributed how many areas the size of football pitches would we each have?

Five (and a half)

What's Going on in Eden?

UPPER EDEN: Plan Adopted



TEBAY: Area Designated



MATTERDALE:
Area Designated



SKELTON: Applied for
Area Designation



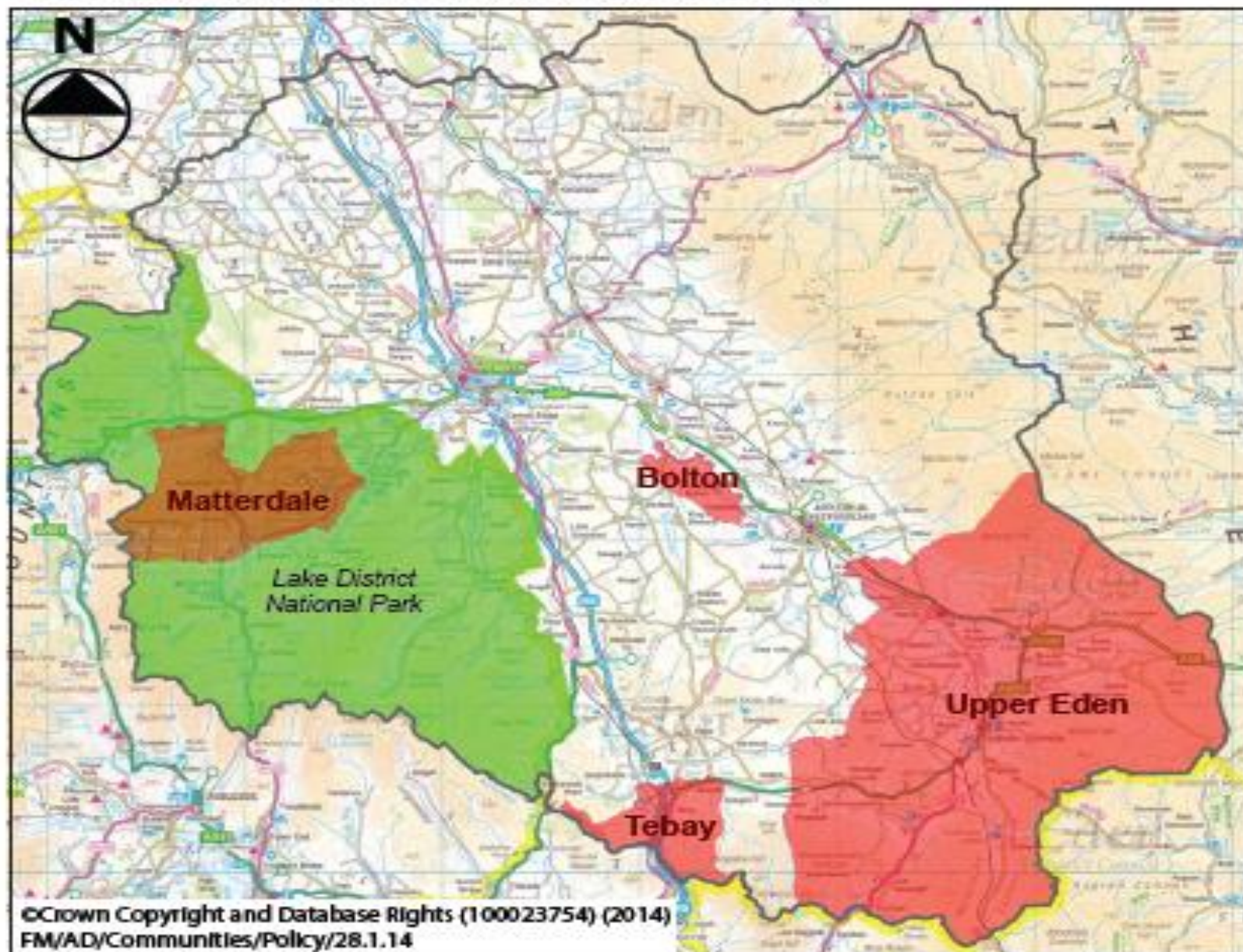
ALSTON MOOR: Applied for
Area Designation



BOLTON: Area Designated

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Neighbourhood area designation orders in Eden district



● Neighbourhood area designation order

● Lake District National Park

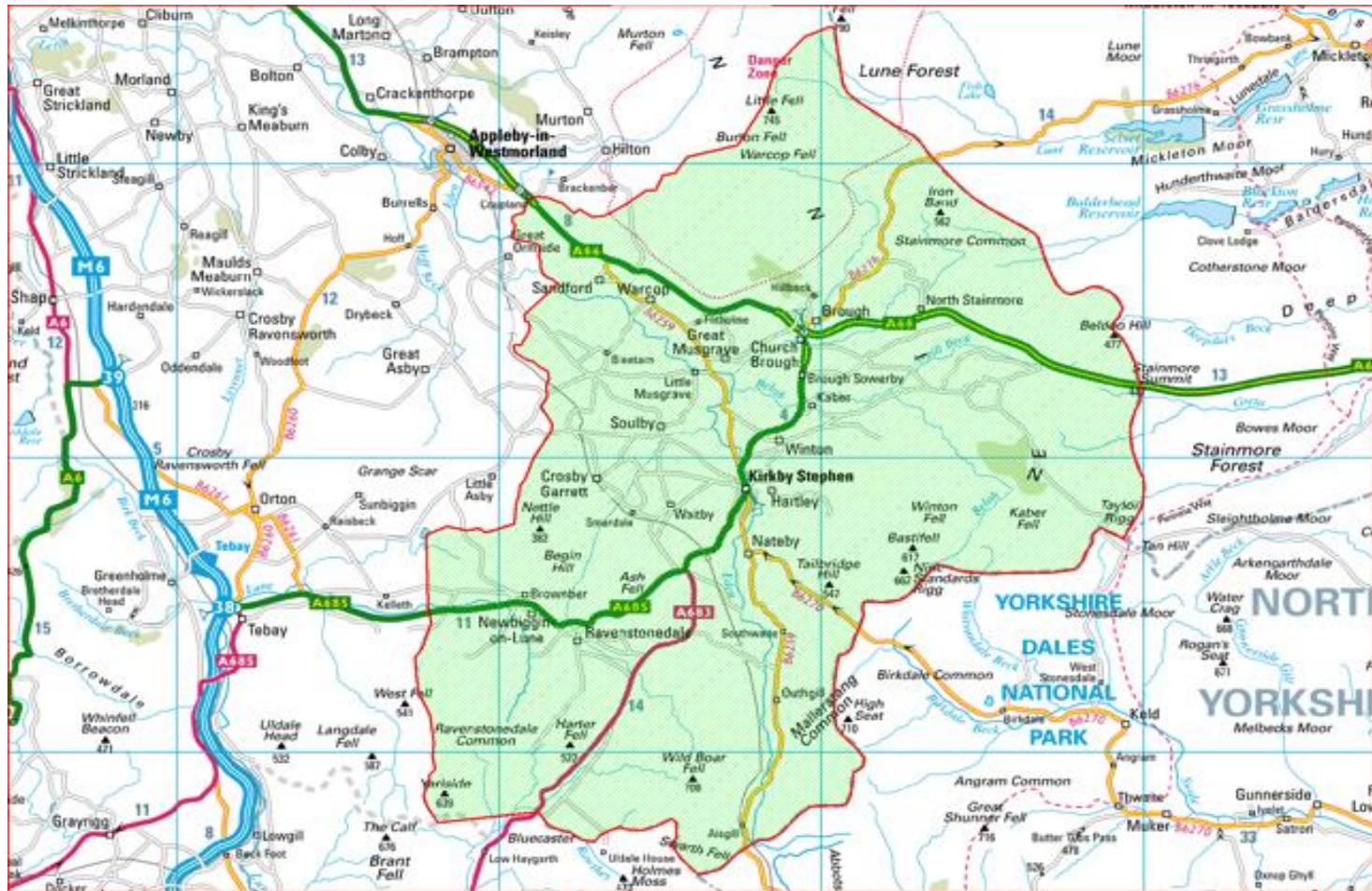
- **Sparsest part of the sparsest district in England & Wales**
- **Large area (470 sq km), small population (c. 5,200)**

About Upper Eden



Upper Eden Neighbourhood Plan

About the Upper Eden



- Small villages round a market town (Kirkby Stephen)
- Aging population, many retirees
- Dominance of agriculture
- 17 Parishes



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- 8 parish Councils
9 Parish Meetings.
- Impending National
Park extension
- Common issues
over local housing
- Sharing Resources
logical way forward
- Lead Parish-Brough.



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PLAN AIMS: Avoiding the Sustainability Trap

- Allows affordable housing on single plots in all areas subject to visual impact.
- Allows additional homes to meet needs of farmers and rural business .
- Requires the provision of housing for the elderly as part of new developments in KS and Brough.
- Relaxes density requirements /provision for fibre connectivity.



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Post Plan Review: Pros

- Successfully produced the first adopted NDP in Country.
- Local people have made their own decisions about the non strategic planning rules in their area
- Outcome: has created flexibility in providing locally needed homes.
- Joint work good solution to achieve objective in area with common problems and limited resources.
- Increased ongoing engagement in Planning issues. e.g. Kirby Stephen Local Plan input.



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Post Plan Review: Cons

- Parishes hamstrung in any further NP action in their Parish due inflexibility of Neighbourhood Area arrangements.

Site Based NDO's need agreement and 17 parish referendum.

Only 1 Plan per Area: no scope for supplementary planning document.

And: Only 1 Area per plan. Individual Parish can't separate to do own plan



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Post Plan Review: Review



- Need good partnership/trust.
- Yet LA Planners have to let go of what they have been trying to achieve and support local groups objectives.
- Policy Wording expectations and planning permissions.
- Use of NDO's can be an issue.
- Time consuming for LPA's

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Neighbourhood Planning

Takes time...

- Advising the Parish/Forum
- Consultation
- Responding
- Technical support
- Compiling responses
- Briefing members/report to Members
- Appointing the examiner
- Organising the referendum
- Monitoring, legal agreements

Neighbourhood Planning

Neighbourhood Plans - Process

1. Defining the Neighbourhood
2. Applying to be and designating a Neighbourhood Forum
3. Undertaking pre-application consultation/assessment
4. Submit draft plan/order for independent examination
5. Local Authority validation check
6. Appoint examiner
7. Independent examination – written reps the norm
8. Examiner's Report
9. Referendum on (modified) plan/order
10. 'Made' by Local Authority – part of development plan

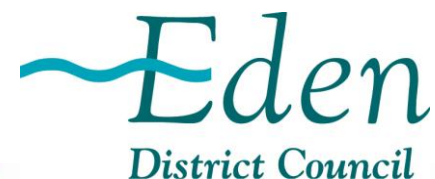
Neighbourhood Planning

Neighbourhood Plans

NPPF: 184 - *“Neighbourhood Planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community”*

“Plans and Orders should not promote less development than set out in the Local Plan”

185 - *“The policies it contains take precedence over existing non-strategic policies in the Local Plan for that Neighbourhood, where they are in conflict”*



Neighbourhood Planning

Neighbourhood Plans



Must meet 'Basic Conditions':

- Has regard to national policy (e.g. NPPF)
- Contributes to sustainable development
- **General conformity** with 'strategic policies and proposals' in local plan
- Consistency with adopted neighbourhood plans
- Compatible with EU and ECHR obligations

About the Upper Eden



Neighbourhood Planning

Progress at August 2013

- 323 Area Designations, 188 being processed
- 27 Plans published for consultation
- 3 now adopted – Upper Eden, St James Exeter & Thame, Oxfordshire. Tattenhall, Cheshire to go to referendum





Neighbourhood Planning About the Upper Eden

- Sparsest part of the sparsest district in England & Wales
- Large area (470 sq km), small population (c. 5,200)
- Small villages round a market town (Kirkby Stephen)
- Aging population, many retirees
- Dominance of agriculture
- 17 Parishes – Lead Parish – Brough.

Neighbourhood Planning

Neighbourhood Plans

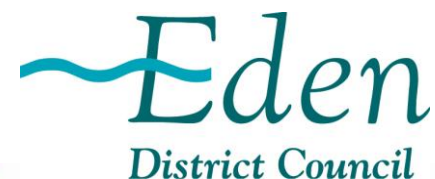
Funding & Resources:

- £7,000 for Neighbourhoods
- £30,000 for Local Authorities (up to £5m nationally 2014/15)
- The 'Boles Bung' – 25% of CIL Receipts

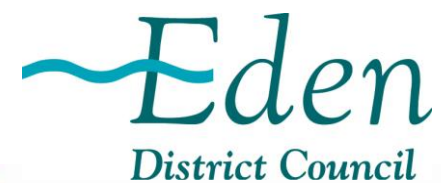


Upper Eden Neighbourhood Plan Questions

- Does the plan significantly depart from our own policies?
- How does this affect our ability to implement our own plan?
- Does it depart from national policy?
- Will it change delivery of affordable housing?
- Does it propose the same amount of housing coming forward?

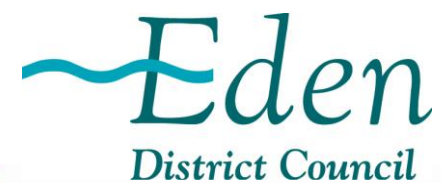


Neighbourhood Planning

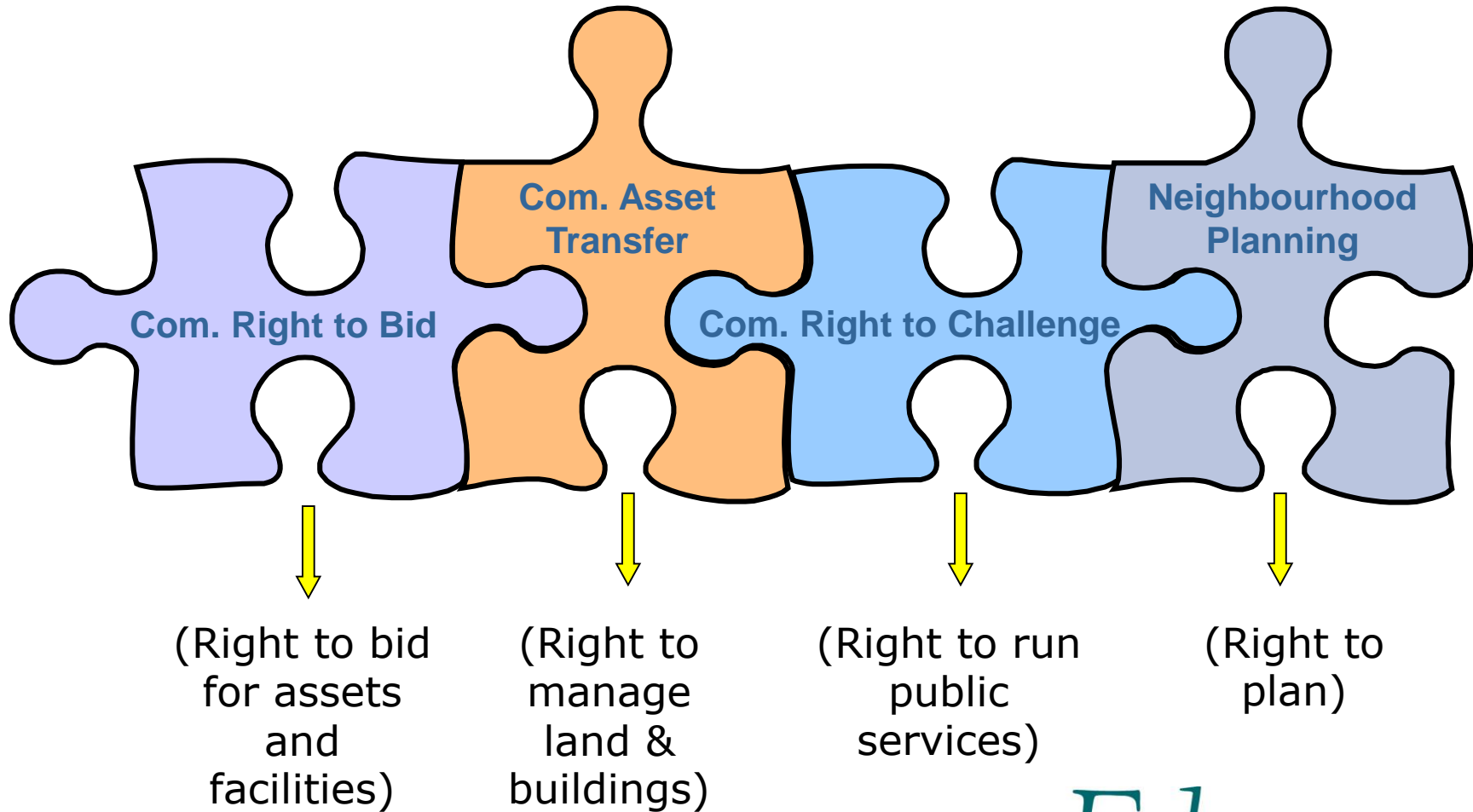


Neighbourhood Planning

Any Questions?



Community Rights



Neighbourhood Planning



Three Flavours...



Neighbourhood Plans

(Policies,
Allocations)



**Neighbourhood
Development Orders**

(General
Permission)



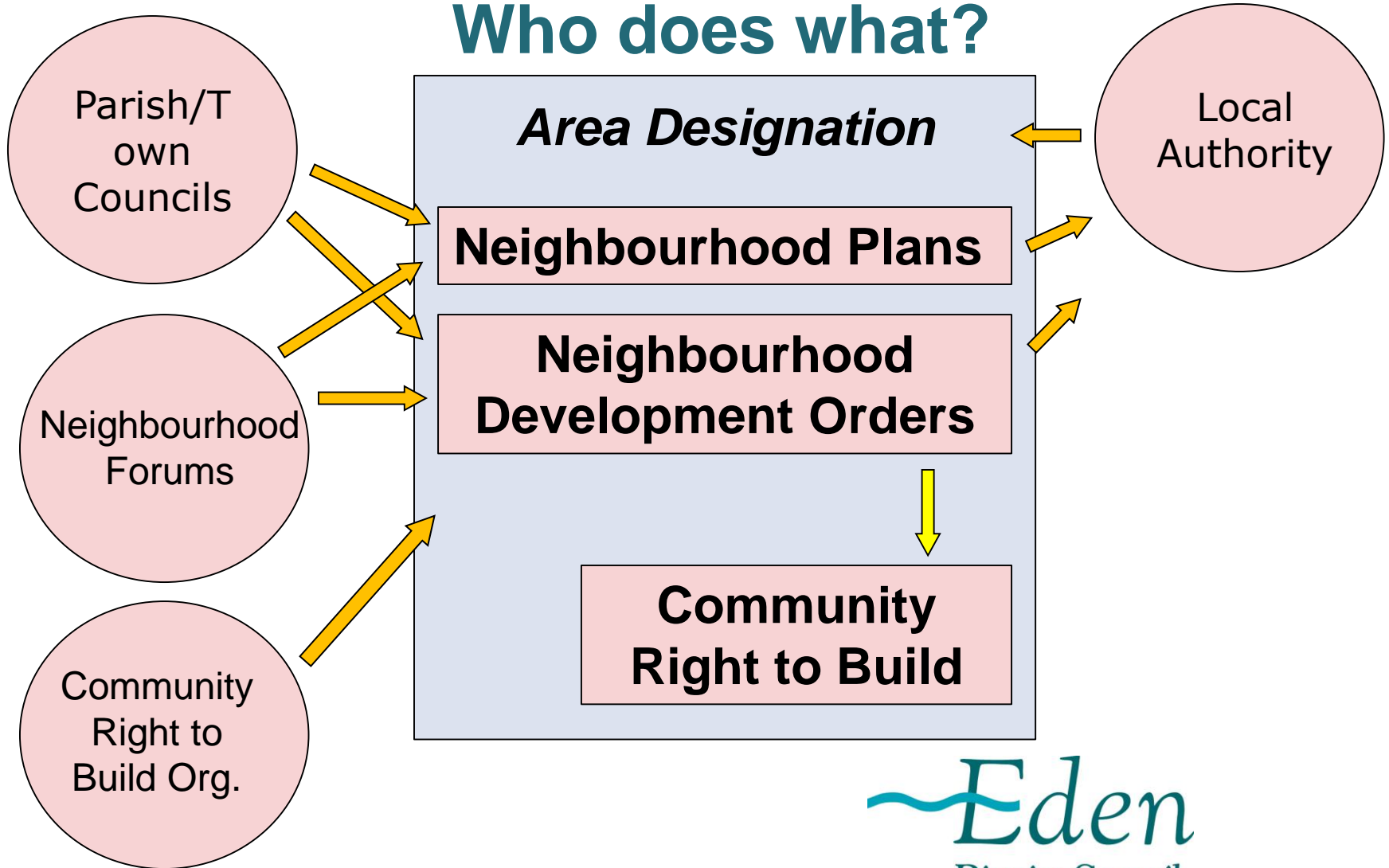
**Community
Right to Build**

(Specific
Permission)

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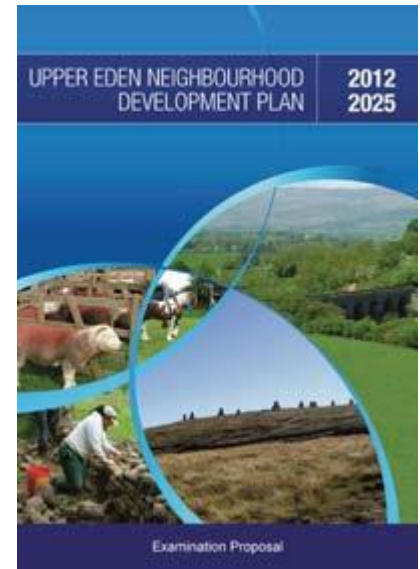
Who does what?



Upper Eden Neighbourhood Plan

Aims of the Plan

- Avoiding ‘the sustainability trap’
- For local people to solve their own housing needs
- Allows rural exceptions sites for affordable housing on single plots in all areas
- Allows farms and small rural businesses to develop new housing to meet their own needs



Neighbourhood Planning Lessons Learned....

- Be joined up – planning, legal, electoral
- Learning to ‘let go’ - can supersede/contradict the Local Plan
- The people writing the plan aren’t the ones implementing/monitoring the plan – avoiding differences of interpretation
- Member and Officer involvement



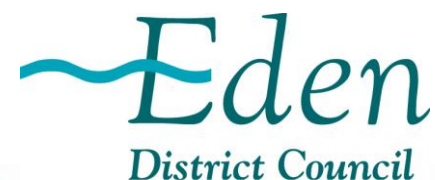
Upper Eden Neighbourhood Plan Mechanics

- c. 10 -12 comments received. Examiner - competitive quotes. Average amount of time estimated 12 days.
- Referendum - 'Do you want Eden District Council to use the Neighbourhood Plan for the Upper Eden area to help it decide planning applications in the neighbourhood area?' Referendum c. £13,000
- Votes in favour: 1,310, Votes against: 138. Total turnout: 1,452 (33.67%)



Upper Eden Draft Neighbourhood Plan EDC Response

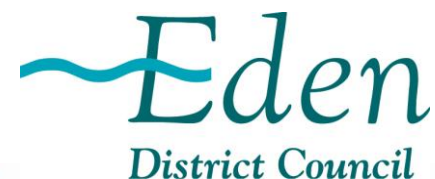
- Duty to support
- Community/Parish led, not local authority led
- EDC's role is to help, ensure smooth transition through examination and on to adoption
- 'General conformity' – can go beyond our planning policy and takes precedence
- Role at this stage is advising on any areas may make it difficult for the Inspector to recommend it goes on to referendum



Upper Eden Draft Neighbourhood Plan

Aims of the Plan (1)

- Allowing local people to solve their own housing problems
- Avoiding ‘the sustainability trap’ in Core Strategy policy – overly restrictive local policy on new dwellings in the countryside
- Allows rural exceptions sites for affordable housing on single plots in all areas (not just where three dwellings plus), where impact is acceptable
- Allows farms and small rural businesses to develop new housing to meet their own needs



Upper Eden Draft Neighbourhood Plan

Aims of the Plan (2)

- No housing allocations but annual development rates – 1% per year, except Kirkby Stephen (2.79%), Mallerstang & Winton (0.25%)
- Provision for older people/incapacitated people on 4 plus dwellings, or single plots, these are counted as affordable
- New development to demonstrate fibre or internet connectivity
- Single dwelling developments for local occupancy to be permitted in de-designated Local Service Centres

Upper Eden Draft Neighbourhood Plan

Aims of the Plan (3)

- No minimum density figure
- Views of Parish Councils on acceptability of new development to be given significant weight in decision making
- Amendment to Local Occupancy
Condition to allow written support of the Parish Council as an additional criteria

