

RM/LR/NE2942

Robert.murphy@wyg.com
25 April 2016

Investment and Policy
Carlisle City Council
Civic Centre
Carlisle
Cumbria
CA3 8QJ

Dear Sir/Madam

THE CARLISLE DISTRICT LOCAL PLAN - SCHEDULE OF PROPOSED MAIN MODIFICATIONS - MARCH 2016

In representing Story Homes interests in Carlisle, Signet Planning has engaged fully in the Local Plan preparation process to date, including attending and participating in the recent Examination in Public (EiP). These representations follow on from our previous involvement in the Plan preparation process and are made in response to both the 'Schedule of Proposed Main Modifications' and the 'Addendum to Sustainability Appraisal of the Carlisle District Local Plan 2015-2030'.

MM01 - Policy SP2

Story Homes have previously objected to the proposed stepped approach to housing delivery at Matters and Issues Stage, as well as at the Examination in Public (EiP) itself. As such, we wish to maintain this position in respect of MM01 which continues to advocate the adoption of a stepped approach.

We reiterate our concern that such an approach is short sighted and not aligned with the need to significantly boost the supply of housing and address affordable housing requirements, including within the first 5 year plan period. These concerns are shared by the Home Builders Federation (HBF) who do not support a stepped housing requirement.

While Story Homes have significant commitments, both in terms of its allocated sites and additional sites, throughout the plan area, these are to be progressed through the development management system predominantly within the first 5 year period aligned with its business model. In addition, Story Homes are aware that the City Council is actively developing interests with other house builders who are expressing significant interest in Carlisle, with the intended effect of increasing housing choice and delivery as is required within the NPPF (paragraph 47). It does therefore appear contrary to the aim of boosting housing delivery to impose a stepped approach that sets minimum annualised averages in respect of housing delivery across the Plan period. Indeed, the stepped approach has the potential to artificially limit economic growth and does not appear consistent with the NPPF (paragraph 14) which makes clear the requirement that plan-making be undertaken in a positive manner.

Story Homes would therefore confirm their objection to the stepped approach and that the approach to an appropriate flat minimum delivery target across the Plan period be maintained. In the event that the Inspector accepts the modified stepped approach it is essential that it is a



'minimum' requirement and Modification ref: MM04, discussed below, is adopted to ensure no ambiguity in the event delivery can take place sooner.

MM02 – Policy SP2

Story Homes support the amendments to bullet points (a) and (b) as these provide greater flexibility and clarity, as required by the NPPF.

MM03 – Paragraphs 3.8-3.10

As these amendments reflect the proposed modifications to Policy SP2, Story Homes would reiterate its objection in respect of the stepped approach that have been set out earlier within this response.

MM04 – New Paragraphs after 3.10

While Story Homes acknowledge the more positive wording used in respect of the 'minimum' requirements, we reiterate our objection to the use of a stepped approach to housing delivery as per our earlier comments. However, in the event the approach is accepted, the specific wording confirming that if the conditions are in place to front load/exceed the minimum requirements then these opportunities will be positively responded to. This specific clarification within the supporting text is essential to ensure that there is no ambiguity over the passage of time that earlier delivery is acceptable to the Council. We would suggest further amendment by way of the addition of the words "and encouraged" so the text reads – "It must be stressed that the 'minimum' requirements are exactly that and should the conditions be in place to exceed these and/or frontload supply earlier in the plan period then such opportunities will be positively responded to and encouraged". In addition, Story Homes consider it important that this positive approach is applied to both allocated sites and those coming forward as windfall opportunities in order to accurately reflect Policy SP2. This will ensure that windfall sites have the opportunity to assist in exceeding targets earlier in the Plan and is recognised by the Council in Policy HO2 and its supporting text which state that – "Windfall housing is recognised as contributing in a positive way to the supply of housing over the plan period".

MM05 – Paragraph 3.11

Story Homes support this proposed amendment as it is considered to provide additional clarity and flexibility.

MM06 – Paragraph 3.12

Story Homes support the removal of the text referring to the growth within Carlisle South taking place specifically within the latter years of the plan. The revised wording provides greater flexibility and we have provided further comments later on in this response in respect of the potential that exists to bring forward land within Carlisle South for development earlier within the Plan period than is subsequently stated in other Plan policies.

MM07 – Table 1

Story Homes have, throughout the Plan development, identified additional sites for allocation. These sites are listed below for purposes of clarification:

- Cumwhinton, Peter Gate – SHLAA reference CUW04 (now approved subject to the signature of the Section 106 agreement, therefore the site should form part of the 5 year housing land supply where it should be classified as a site with extant planning consent);
- Houghton Road – SHLAA reference H002;



- Greenhill, Brampton – SHLAA reference BR14; and,
- Land at Hadrian's Camp – SHLAA reference H0003.

It is maintained that these sites are required to make the plan sound. In that regard, Table 1 will require amendment to incorporate the inclusion of the above sites. In addition, the Proposal Map should be modified to include these sites.

MM08 – Figure 1

Further to our comments in respect of MM07, the trajectory should be amended to reflect the inclusion of the above sites listed within our response to MM07.

MM09 – Policy SP3

Story Homes is supportive of the removal of the specific reference to the broad location for growth being delivered from 2025 onwards. This is consistent with our previous representations that urged flexibility in order to allow the early delivery of sites within the broad location for growth where they can demonstrate that they will not prejudice the wider broad location delivery. However, the reference to the Development Plan Document (DPD) being required to have been prepared, and presumably adopted, prior to the delivery of any land within the broad location for growth is objected to as it is not aligned to the NPPF (paragraph 157) tests relating to flexibility or the presumption in favour of sustainable growth.

Story Homes contend that, in order to allow maximum flexibility, scope should be provided for sites to come forward in advance of the adoption of the DPD should it be demonstrated that they will not prejudice the wider broad location delivery. As currently written, development within Carlisle South will still effectively be constrained within the early part of the plan period until a DPD has been adopted. This could therefore undermine the greater flexibility in terms of delivery that earlier modifications have sought to facilitate.

As such, we propose that the following text be added to the end of Paragraph 1 of Policy SP3 – “Development proposals within Carlisle South brought forward in advance of the adoption of the DPD will be required to demonstrate that they will not prejudice the delivery of the wider growth location”. This amendment will provide the necessary flexibility in order to ensure that the policy is in accordance with the tests for Local Plans as set out within the NPPF at paragraph 157.

In addition, Story Homes consider that the extent of the broad location for growth at Carlisle South is not sufficiently defined on the Key Diagram. The Key Diagram does not provide certainty as to where exactly the broad location will be delivered and, in order to facilitate positive planning, should be appropriately focused.

MM10 – Policy SP3

In line with our earlier comments, Story Homes object to this policy as it, by extension, is inflexible and does not demonstrate a presumption in favour of sustainable growth. As such, the policy is not in accordance with the NPPF at paragraph 157.

MM11 – Policy SP3

While Story Homes welcome the inclusion of further text regarding the broad location for growth, we consider that insufficient detail is provided as to the siting and extent of the broad location. Story Homes is aware that indicative concepts in respect of the extent of the broad location have been discussed at internal officer workshops held in July 2015, leading to the production of Indicative Concept Plans. Story Homes consider that the inclusion of a similar



diagram within the Plan would provide greater clarity in respect of the broad location for growth. These indicative plans incorporate existing Story Homes land interests at Blackwell and, as such, Story Homes would support the provision of greater detail and certainty, based on the Indicative Concept Plans drafted previously, as to the extent of the broad location for growth at Carlisle South.

MM12 – Paragraph 3.31

Story Homes support the proposed amendments due to the extra flexibility and clarity that these provide in regard to the broad location housing being additional to the proposed requirement in Policy SP2 and removing reference to it coming forward post 2025, to which Story Homes objected.

MM13 – Paragraph 3.34

In line with our earlier comments, Story Homes reiterate that delivery in the broad location for growth is entirely capable of being brought forward prior to adoption of the DPD on the basis that it does not prejudice wider infrastructure delivery.

MM14 – Paragraph 3.35

Story Homes reiterate that the Plan should provide flexibility for sites to come forward in advance of the adoption of a Masterplan should it be demonstrated that such development can demonstrate that it will not prejudice the wider broad location delivery. Therefore, the proposed modification is objected to.

MM15 – Paragraph 3.37

Story Homes support the removal of the reference restricting development coming forward within South Carlisle in the first ten years of the Plan period. However, as has been stated earlier within this response and at the EiP, linking the delivery of individual sites with adoption of the DPD effectively creates a restriction on development that could stymie Carlisle South. It is unclear why the Plan does not provide scope for appropriate developments that complement the overall development of Carlisle South and would not prejudice its delivery to come forward in advance of the adoption of the DPD. In not providing this flexibility, the Plan in this respect is not positively prepared and cannot be considered responsive to changing circumstances or compliant with the NPPF.

The final sentence within paragraph 3.37 can be seen to be overly negative as it makes a clear assumption that any development coming forward in advance of the adoption of the DPD would prejudice infrastructure delivery. This sentence fails to acknowledge that there is no reason why appropriate development could not come forward before adoption of the DPD, or provide any scope for developers to demonstrate that a site being brought forward in advance of the DPD would not prejudice infrastructure delivery across Carlisle South. As such, Story Homes consider that paragraph 3.37 should be deleted as it is overly restrictive and does little to encourage the possibility of early delivery within Carlisle South. As a relevant example, Story Homes have a site at Blackwell which would be suitable for early delivery and will follow on from their current site that is currently under construction.

MM29 – Policy HO1

Story Homes support this amendment as it provides greater flexibility to deliver housing in a timely manner within the Plan period.



MM31 – Policy HO1

Story Homes support the proposed deletions in line with our earlier comments supporting the removal of the 2025 target that we consider was overly prescriptive and had the potential to restrict housing delivery.

MM39 – Housing Allocations Schedule (Land north of Hill Head Road, Scotby)

Story Homes support the proposal to extend the allocation site to incorporate land to the north. This is in line with our previous submissions that indicated the land to the north to be deliverable and was supported by an appropriate Access Assessment. A Statement of Common Ground in respect of the site was subsequently agreed with the Council prior to the commencement of the EiP in order to assist the Inspector during examination of the Plan. Story Homes also support the schedule identifying that the site is deliverable within 0-5 years. Commentary is set out below to the modifications in Appendix 2 relating to site information.

As a broader point, Story Homes reiterate that the further sites listed earlier within this response in respect of MM07 are both suitable for allocation and required to make the Plan sound. As such, these sites should be added to the Housing Allocations Schedule (as well as the Housing Delivery Trajectory). The allocation of these sites would offer the wider benefit of reducing the reliance on windfall sites in order to deliver the housing targets within the Plan.

MM42 – Policy HO4

Story Homes consider that the proposed amendment provides greater flexibility and is therefore supported.

MM43 – Policy HO4

Story Homes support this amendment as it provides greater flexibility in terms of the impending changes to the NPPF that are anticipated with regard to the definition of affordable housing.

MM78 – Paragraph 11.1

Story Homes support the provision of greater detail in respect of how the Council will seek to monitor progress and, in particular, address the non-delivery of sites. The specific actions listed provide a variety of options should monitoring reveal that the Plan is failing to deliver the level of housing required. However, in order for these potential interventions to be effective, the timing of the monitoring that is undertaken is key. As such, Story Homes have significant concerns regarding the timescales in respect of the monitoring arrangements proposed and specific comments in this regard are provided in response to the trigger proposed in Appendix Three in respect of monitoring housing delivery against Policy SP2.

MM87 – Map 4 Scotby Inset

In line with our previous comments, Story Homes confirm their support for the expansion of Housing Allocation R15 and the subsequent amendment that is proposed to be made to the Inset Map in order to demonstrate the increased capacity, in accordance with the Statement of Common Ground submitted to the EiP.



Appendix Two – Modifications to Site Information contained within Local Plan Appendix 1

U1 and U2: land to the south east of junction 44 of the M6

Outline planning permission has been granted for Site U1 under reference 14/0761. Delivery of the allocation will therefore need to be reflective of the extant consent.

U6: land at Garden Village, west of Wigton Road

The supporting text makes reference to the site as being in two ownerships, with a necessity for the site to be developed as a whole set out within the text. Story Homes consider that the site can be developed without the requirement for the separately owned strip of land to the west being incorporated. SHLAA Site CA35 has direct road access onto the A595 and the land to the west is therefore not required in order to deliver this allocation. As such, in insisting that the land to the west forms part of the allocation, the Council is unnecessarily creating a constraint to the delivery of the site.

U7: land at Newhouse Farm, south east of Orton Road

The supporting text requires that a masterplan approach is adopted in order to guide the development of the site. Story Homes do not consider that a masterplan is required and that this requirement is overly onerous and may, in fact, delay delivery of the allocation. We would therefore request that the reference to a masterplan approach being required be removed.

U17: land to the south west of Cummersdale Grange Farm

The site has been the subject of planning application 15/0924. This application was taken to Planning Committee in January 2016, with the Council being minded to grant consent subject to the signature of a Section 106 agreement. This should be included within the supporting text in respect of the site.

R15: land east of Scotby Road and north of Hill Road, Scotby

While Story Homes support the allocation of this site, it is considered that some of the information included in the Appendix does little to assist in bringing the site forward for development. In particular, the wording in relation to distances between existing and proposed dwellings is unnecessary as any development would be required to meet the relevant statutory local and national design standards, as well as complying with more strategic local policies such as Policy SP 6 (Securing Good Design). We therefore consider that the following text would be more appropriate –

“Development would be required to adhere to the relevant spacing standards as set out in local and national guidance.”

In addition, we request the following amendments to ensure that maximum flexibility is retained in developing the site – “The hedgerow fronting Scotby Road should also be retained unless some limited removal is required for sight-lines where this will not compromise safe site access or design”.

With regard to the reference to the Environment Agency/Lead Local Flood Authority advice, the statement that there are “potential drainage issues on site” provides little by way of specific detail to be used positively in respect of bringing this site forward for development. It would therefore be more appropriate to state that – “An appropriate Drainage Assessment will be required as part of any planning application to develop the site”.



Appendix Three – Modifications to Local Plan Monitoring Framework (Appendix 2)

Policy SP2

Story Homes have significant concerns as to how realistic it is that a trigger to address a 5 year housing shortfall is picked up if there is a negative deviation for a sustained 2 year period. The NPPF (paragraph 47) makes clear that, in order to boost significantly the supply of housing, Local Planning Authorities should – “...identify and update annually a supply of specific deliverable sites sufficient to provide five years’ worth of housing against their housing requirements...” (*our emphasis*). As such, the NPPF is clear that progress must be reviewed annually in respect of demonstrating a 5 year supply of deliverable housing sites. In line with this, if annual monitoring reveals a negative deviation, then this situation should be addressed immediately, rather than waiting a further year, in order to ensure that the Council is planning positively and responding to market signals, both of which are important tenets of the NPPF.

In addition to this, it should be recognised that, were the Council to adopt a two year deviation trigger in respect of the housing trajectory, the timescales associated with the relevant remedial actions could mean that it takes far longer than two years for the shortfall to be addressed, as actions such as partial Local Plan reviews require considerable time to implement while additional sites being brought forward to stimulate delivery will require a significant lead-in time if they are coming forward from scratch.

Story Homes therefore consider that a more positive and proactive trigger should be applied in respect of housing delivery in order to allow the Council to identify a negative deviation from the trajectory at the earliest opportunity and implement measures to rectify this. This positive approach would be in alignment with the spirit of the NPPF and will not create significant additional work as the NPPF already requires that housing supply is monitored annually. As such, Story Homes propose that the following amendment is made to the trigger that is set out within the modifications – ‘Negative deviation from Trajectory for a ~~sustained 2~~ 1 year period”.

In addition, we wish to highlight that, as possible actions in respect of a negative deviation from the trajectory occurring, Story Homes have a number of additional sites available for development, allied to the land at Blackwell which would support the early delivery of the broad location for growth at Carlisle South.

Appendix Four – Policy Map Modifications

Story Homes support, in line with our earlier comments, the amendment to Site R15 to reflect the increased site area as identified in the Statement of Common Ground. However, as per our earlier comments, we consider that the map should be modified in order to incorporate the additional sites that we have identified as being suitable for allocation.

Addendum to Sustainability Appraisal of the Carlisle District Local Plan

Story Homes support the findings of the Sustainability Addendum in regard to the extension of Site R15 in concluding that- “the expansion of this site is not considered to materially alter the previously identified effects of taking this option forward”.

Summary

In summary, Story Homes generally supports much of the Plan and the modifications proposed, but has outstanding concerns in relation to the following issues:

- The adoption of a stepped approach to housing delivery;



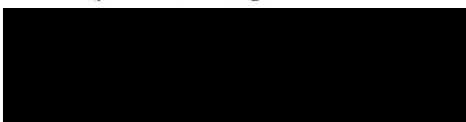
- The lack of flexibility to bring forward sites within Carlisle South at the earliest possible opportunity; and,
- The sustained 2 year negative deviation trigger proposed to identify a 5 year housing shortfall.

Based on our above concerns, we consider that issues of soundness still remain in respect of the modifications proposed to the Plan. As a result, some specific objections are made to the modifications which need to be addressed prior to its amendment and resubmission to the Inspector.

In this regard, Signet Planning and Story Homes look forward to continuing to be engaged in the process and request notification of when the plan is resubmitted to the Inspector and any subsequent amendments to be made following this consultation period.

Should you wish to discuss any of the comments submitted, please do not hesitate to contact me.

Yours sincerely
for Signet Planning



ROBERT MURPHY
Senior Planner