



Ref: NB/ A079569

Date: 4th September 2013

Ms J Hadland

Smiths Gore
Coniscliffe Road
Darlington
DL3 7JX

Dear Jen

LAND ADJACENT TO TARN ROAD, BRAMPTON - ACCESS ADVICE

As requested I have reviewed the potential access locations to serve a potential development of a site on the east side of Tarn Road, Brampton, the extent of which is shown on the attached Smiths Gore location plan.

The site has three potential access points one Edmondson Close, one to Tree Gardens, and one to Tarn Road. The feasibility of accessing the site from these locations is considered below.

1. Access via Story Homes Site

Edmondson Close is a recently completed development of 42 homes on the former Cumbria CC Highways depot. At the south end of the Story site there is a gated access to the potential development land.

The Story site is accessed from Station Road via Edmondson Close, a 4.8m carriageway with two 2.0m footways on either side. Visibility from Edmondson Close along Station Road is 2.4m by 70m and is in excess of the requirements set out in the Manual for Streets (MfS). About half way along Edmondson Close the road standard reduced to a 4.8m shared surface road with no footways. Some 18 homes are served by the shared surface road.

Edmondson Close limits the development potential because Cumbria CC normally accepts that a maximum of 50 homes can be accessed from a 4.8m wide carriageway; Edmondson Close provides access to 42 homes. In addition Cumbria CC normally accepts that up to 20 homes can be accessed from a shared surface road, and there are 18 accessed from the shared surface on Edmondson Close. There is some flexibility in these upper limits, but I would not expect that more than 5 to 7 homes to be acceptable to Cumbria CC.

In conclusion Edmondson Close could provide access to a small number of new homes. It could also provide a suitable pedestrian/ cycle access, or an emergency access.

2. Tree Gardens

Tree Gardens is a private road which serves 11 properties and provides access via a field gate into the potential development land. Tree Gardens has a simple priority junction with Tree Road. Tree Road is a residential access road of some 6.25m in width with footways on both sides, street lighting and a 30mph speed limit.

Tree Gardens is some 7.00m in width (between hedges) and would not be sufficient to provide a minor access road comprising 4.8m carriageway, one 1.8m footway and a 0.5m protection strip, which requires a width of 7.1m. There is sufficient width for a 4.8m shared surface road, but this would only be capable of supporting an additional 9 homes.

Visibility from Tree Gardens along Tree Road is restricted by adjoining boundary hedges to 2.4m by 9m to the right (south) and to 2.4m by 12m to the left (north). The available visibility is significantly less than the 2.4m by 40m recommend for 30mph traffic speeds in the Manual for Streets.

Visibility from the northern and southern arms of Tree Gardens along the linking section to Tree Road is also severely substandard.

Consequently it is concluded that Tree Gardens is not suitable to provide a vehicle access to the potential development site. It could however provide a suitable pedestrian/ cycle access, or an emergency access.

3. Tarn Road

The site has a 26m long frontage to Tarn Road which is sufficient space to form a junction. Tarn Road has a 6.0m carriageway with a 2.5m verge on the east side, and a 1.8m wide verge with a narrow 1.0m wide footway on the west side. This part of Tarn Road is within the 30mph speed limit and there is street lighting. Some 100m north of the site access the 30mph zone ends and the national speed limit applies.

To determine the appropriate viability splays a speed survey was undertaken using a radar speedmeter generally following the advice in TA22/81 Vehicle Speed Measurement on All Purpose Roads. TA22/81 recommends a sample size of 100 vehicle measurements in each direction. Owing to the low traffic volumes a sample of 78 northbound and 50 southbound was taken. In my experience these sample sizes produce reasonable estimates of the 85th percentile speed. The survey was carried out on 21st and 22nd



August.. During both survey periods the weather was dry and a wet-weather correction of -2.5mph has been applied to the observed 85th percentile speed. Traffic from the south approaches the access on a shallow down grade of 3% and this factor has been included in the visibility splay calculation as set out in MfS.

Direction	Sample Size	85 th Percentile Speed	MfS Visibility Splay
South (to Tarn)	78	36.5mph	56.3m
North (to Town)	50	36.0mph	53.0m

A suitable layout of the proposed access junction is shown on drawing A079596/SK001, attached. From the proposed access junction the available visibility exceeds the MfS visibility splay in both directions. Visibility to car waiting to turn right, and from a car waiting to turn right are both within acceptable norms

The proposed access junction has no ghost island and will limit the development potential of the land to around 80 to 100 homes.

The nearest bus stop is on Tree Road some 120m of the site access junction. At present there is footway on the west side of Tarn Road and there is sufficient highway verge to provide on the east side as well.

4. Conclusions

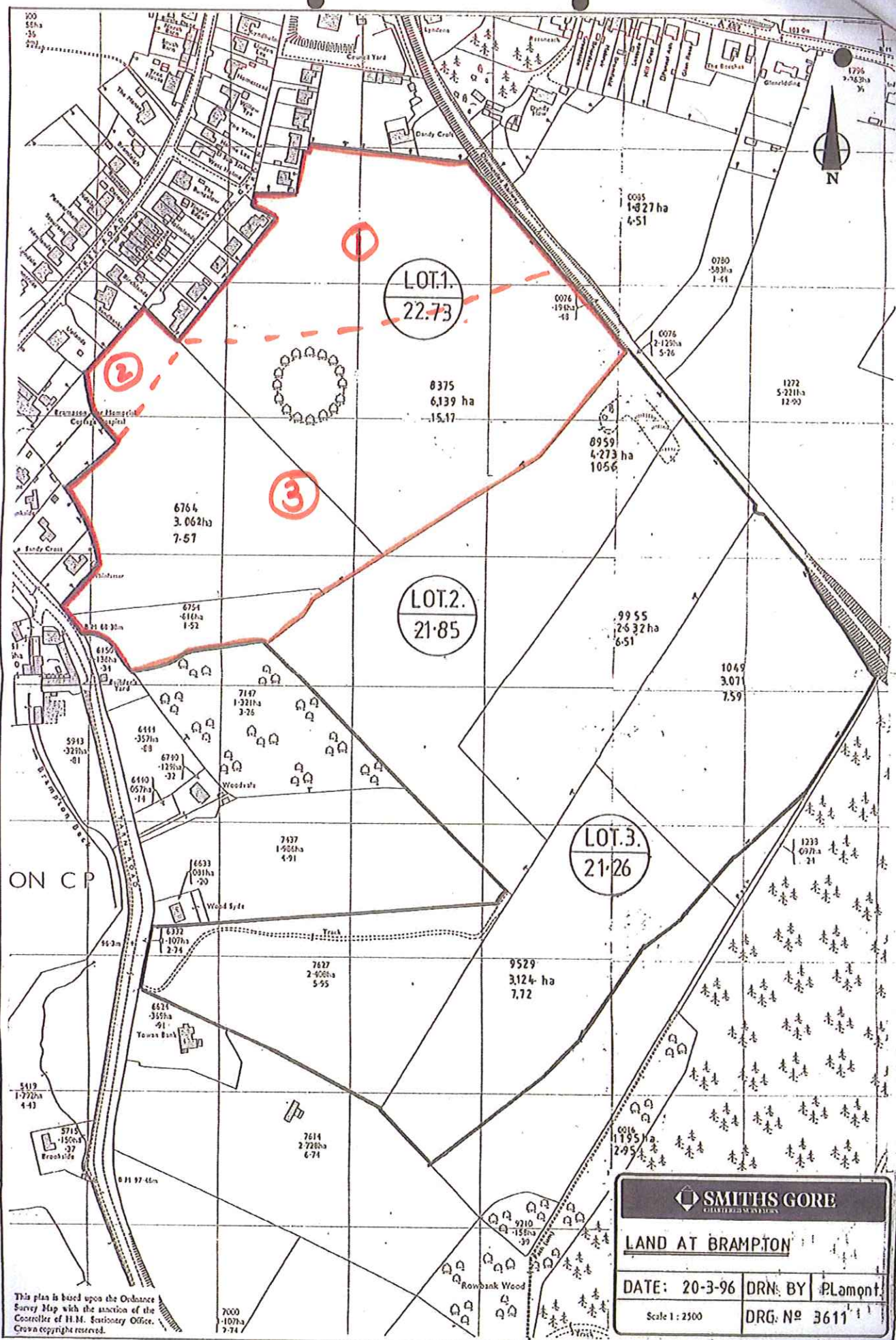
Having considered the three potential access points to the potential residential development site it is my conclusion that a suitable vehicle access to serve a residential development of around 80 to 100 homes can be formed onto Tarn Road, Edmondson Close could provide access to between 5 and 7 homes and that Tree Gardens is not a suitable vehicle access location. Edmondson Close and Tree Gardens could be used as pedestrian/ cycle access points or for emergency vehicle access points.

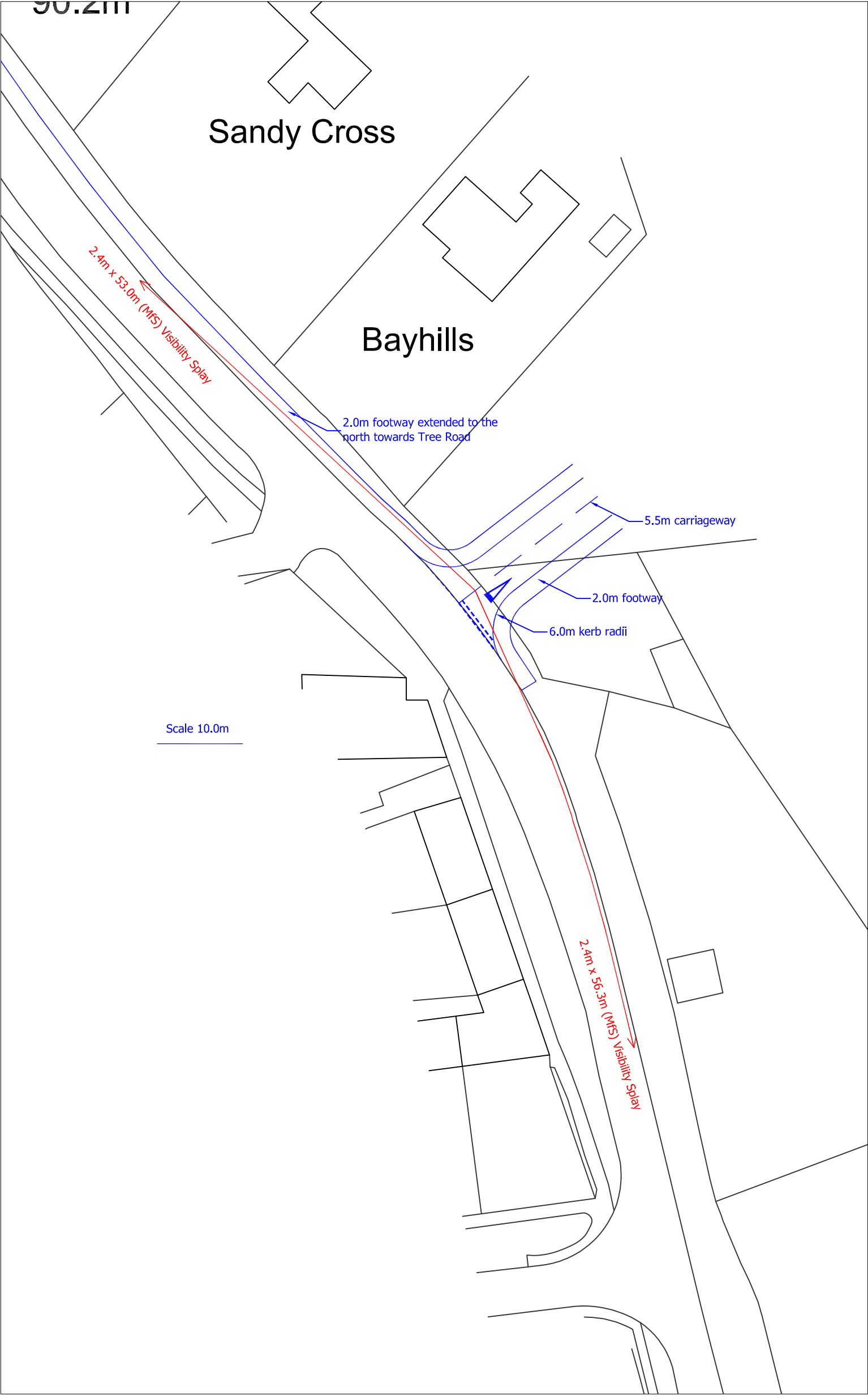
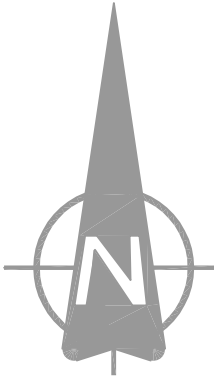
Yours Sincerely,

Dr Nick Bunn

Regional Director

For and on behalf of WYG





A	Access Road widened & footway extended	GW	NB	NB	29.8.13
REV	DESCRIPTION	BY	CHK	APP	DATE

Client:

SMITHS GORE

2 St. JAMES GATE
NEWCASTLE UPON TYNE
TYNE & WEAR
NE1 4AD

TEL: +44 (0)191 255 7300
FAX: +44 (0)191 255 7301
e-mail: newcastle@wyg.com



Project:

LAND ADJACENT TO TARN ROAD, BRAMPTON

Drawing Title:

PROPOSED SITE ACCESS JUNCTION

Scale @ A3 1:500	Drawn GW	Date 28.08.13	Checked NB	Date 28.08.13	Approved NB	Date 28.08.13
Project No. A079569	Office 91	Type 18	Drawing No. C001	Revision A		

**Carlisle District Local Plan:
Proposed Submission Draft –
February 2015**

**Response by Smiths Gore on behalf
of H S Cartmell**

Date: April 2015

**Carlisle District Local Plan
Proposed Submission Draft (February 2015)**

Response prepared by Smiths Gore on behalf of H S Cartmell

Introduction

We are responding to the Carlisle City Council Local Plan Proposed Submission Draft consultation on behalf of our client, H S Cartmell, who owns land at Brampton, Carlisle.

This is the final representations stage for the Local Plan before it is submitted to the Secretary of State for independent examination by a Planning Inspector. The Inspector will consider the comments received alongside the submitted Local Plan to consider whether the Local Plan is capable of being adopted. Representations may be to either support or object on the grounds of whether the Local Plan is 'legally compliant' and 'sound'. As such, please see below our comments relating to the Local Plan Proposed Submission Draft consultation and the changes we consider necessary before it can be considered suitable for submission to the Secretary of State for Examination as to whether it is 'sound' for adoption.

Duty to Cooperate

It is considered that the Council has complied with the Duty to Cooperate and as such we have no further comments on this matter.

Policy SP1 'Sustainable Development'

We support the inclusion of Policy SP1 as it follows the requirements set out by the Planning Inspectorate and the overall aim of the National Planning Policy Framework (NPPF). It is vital that the Plan is prepared positively and that development needs are met during the plan period.

The NPPF seeks that development proposals which accord with the development plan should be approved without delay, unless material considerations indicate otherwise. Based upon a 'Plan Positively' agenda, policies must not contain too many restrictive and unduly onerous conditions which may result in unviable and, ultimately, undeliverable development sites. We reiterate the importance of this in several other policies set out below. However, we consider Policy SP1 to be 'sound' in principle.

Policy SP2 'Strategic Growth and Distribution'

Before we can consider the entire policy sound, we note that the annual housing figure over the plan period has dropped from 665 dwellings per annum to 565 dwellings per annum; a 100 unit per annum reduction (1,500 over the plan period). Whilst we note that the policy does state 'at least 565 net new homes' (which we support), the reduction in housing numbers does raise concern. We do note, however, that there is a windfall allowance of 100 dwellings per annum across the plan period (1,500 units) and as such, the Local Plan target could be exceeded. It is therefore assumed that the 100 unit reduction is balanced by the inclusion of the 100 dwelling per annum windfall allowance. If including a windfall allowance, cognisance should be had to The Framework at paragraph 48 which states that – "Local Planning Authorities may make an allowance for windfall sites in the five-year supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply". If the Council is confident that they have sufficient evidence to support the policy then we would consider it to be sound, albeit that this should be demonstrated within the evidence base for the Local Plan and made clear in the subsequent plan. In addition, we would appreciate confirmation from the Council as to the relationship between the 100 unit reduction and the windfall allowance before we can fully support Policy SP2.

We also note within the supporting text of Policy SP2, at paragraph 3.15 and 3.16 that a review of the housing element of the strategy would be instigated if evidence used to determine the housing requirements change. We fully support the proposal to review the evidence base and delivery rates to ensure that the Council is meeting the housing needs and demands identified throughout the district. However, to ensure that this is being monitored correctly, it is considered that greater detail should be included within section 11 (pages 209 – 211 of the consultation document) and Appendix 2 of the consultation document to ensure that the housing provision is being monitored regularly and the trigger is clear with regard to reviewing the Housing Delivery Strategy aspects of the Local Plan (e.g. how often will the housing trajectory be monitored and what degree of deviation from the housing trajectory would need to occur for the review to take place?).

Subject to further clarification regarding the reduction in housing numbers and the monitoring process we may be in a position to support the policy in its entirety and find it 'sound'.

Policy SP6 'Securing Good Design'

As it is considered to be in accordance with Core Principle 7 of the NPPF, we support Policy SP6 as good design is essential to ensure that development complements and enhances the existing environment whilst utilising a site to help address development needs and demands. As set out in the NPPG, achieving good design is about creating places, buildings, or spaces that work well for everyone, look good, last well, and will adapt to the needs of future generations. As such, we find this policy 'sound'.

It is vital, however, that schemes remain deliverable and that the Council does not place too many onerous requirements on a scheme when assessing a proposal for development.

Policy HO1 'Housing Strategy and Delivery'

It is vital that the Local Plan housing strategy meets the housing needs of both the City of Carlisle and its more rural areas.

The housing target should be exactly that; a target rather than a capped figure. This will ensure that the policy is in accordance with the NPPF and NPPG and the need to boost significantly housing development throughout the district.

With regard to housing types, although it is important to plan for a wide range of housing mix throughout the district to ensure that all needs are catered for, it can be unviable to dictate housing mix on smaller development sites and potentially lead to a site becoming undeliverable. Therefore, large scale developments being promoted within the next plan period should utilise the evidence provided by the SHMA, ensuring a mix of housing is being provided, - although should not be dictated by it - whilst allowing small housing sites to come forward independently as these sites can easily become unviable if too many onerous requirements and planning obligations are placed up on them.

Land off Edmondson Close (BR10)

We suggest our clients land (Site BR10 – as identified in the SHLAA) as identified on the attached plan should be reassessed and allocated for housing development during this plan period. Please see below for further detail as to why this amendment should take place.

The site is 9.2 hectares overall and is located to the south east of Brampton (Hemblesgate). It is within single ownership and is currently used for grazing.

Brampton is currently identified as a Key Service Centre in the existing Local Plan and therefore considered suitable and capable for additional growth during the new plan period. The site is situated just outside the development limits of Brampton and lies south of a new

residential development off Station Road (developed by Story Homes for 42 new dwellings). The new housing scheme has been designed to accommodate future development south of the site on our clients' land. Other means of access to Site BR10 is also available.

The Council's SHLAA Site Assessment (2012) for Site BR10 stated that *"this large Greenfield site would be an extension to the new Edmondson Close development on the east side of Brampton. There are concerns regarding access, particularly for a potentially large site, but it is felt that there is long term potential for this land"*.

Furthermore, the 2014 SHLAA Site Assessment stated that *"This large Greenfield site would be an extension to the new Edmondson Close development on the east side of Brampton. The land is steep and development here would be highly prominent resulting in an adverse impact upon the landscape, there would also be significant overbearing issues on existing properties at the foot of the hill. The highways authority has also voiced major concerns regarding access to the site. As such, this site is not considered suitable for housing development"*.

Our response to these concerns is set out below.

Highways

Following the concerns raised regarding access, independent access advice was sought from White Young Green, on behalf of our client, which concludes that *"having considered the three potential access points to the potential residential development site it is my conclusion that a suitable vehicle access to serve a residential development of around 80 to 100 homes can be formed onto Tarn Road, Edmondson Close could provide access to between 5 and 7 homes and that Tree Gardens is not a suitable vehicle access location. Edmondson Close and Tree Gardens could be used as pedestrian / cycle access points or for emergency vehicle access points"*. As such, access to the site is considered achievable. The letter by White Young Green is attached for reference.

Location / Sustainability

In terms of the suitability of the site for housing, its location is good and the site is well related to surrounding residential development and amenities within the town. We therefore recommend that the site is considered for future residential development in the Local Plan as it is located adjacent to the existing built up area of the settlement and is in close proximity to a wide range of local services and facilities.

Landscaping

With regard to any impact on the surrounding landscape, mitigation measures can be put in place and the most prominent areas of land can be used to accommodate public open space or other developer requirements set out by planning policy. It is therefore considered that the site should not be excluded from potential allocation on this basis.

Housing Need

We consider that the development of this site will help address the housing shortage for the District in a sustainable location. Development of this site would also round off development to the south east of the settlement preventing any intrusion into the open countryside to the north of the settlement. We therefore propose the reassessment of Site BR10 and the identification of the site as a housing allocation.

Potential to Reduce Site Boundary

Whilst we fully support the development of the entire site, subject to addressing any site constraints, to ensure that we are working with the Council in respect of delivering new development sites in the district, we would also ask for the Council to consider a smaller

proportion of the land (northern edge of the site – as identified on the location plan) for a smaller scheme for approximately up to 10 units.

We continue to fully support the allocation of Site BR10 (as identified in the SHLAA) for residential development. We therefore respectfully request that the Council consider the further information provided within this submission, with a view to allocate the site for residential development.

We would welcome discussions with the relevant planning officers to discuss this further in due course.

Policy HO2 'Windfall Housing Development'

We support this policy, in principle, in respect of small scale housing sites as it provides the flexibility required to address the housing need and demand throughout the district, including the necessary growth required to meet need and demand in the more rural settlements.

As set out in the National Planning Policy Guidance (NPPG), it is important to recognise the particular issues facing rural areas in terms of housing supply and affordability, and the role of housing in supporting the broader sustainability of villages and smaller settlements. This is clearly set out in the NPPF, in the core planning principles regarding 'supporting a prosperous rural economy' and 'housing'.

Housing development on non-allocated land will help provide a wider choice of housing for a greater number of communities. As such, we find Policy HO2 'sound'.

Policy HO4 'Affordable Housing'

We do not contest that affordable housing is an important element of the Local Plan and that there is a need which the Council will aim to meet during the Plan period. However, it is vital for a Local Planning Authority to give consideration to the cumulative impact of policies such as design standards, affordable housing, infrastructure requirements (CIL) and sustainability measures, among others.

The Viability Testing Local Plans (June 2012) paper seeks that Local Plans provide a high level assurance that the policies within the plan are set in a way that is compatible with economic viability of the development required within the plan. It is pleasing to note that the Council has made reference to this guidance within the justification text associated with Policy HO4. Furthermore, the Council should avoid opportunities to impede on the delivery of development and its associated viability. Reference should also be made to the RICS Guidance Note 'Financial Viability in Planning' (August 2012); recommended good practice guide.

Consideration is also necessary in terms of the treatment of threshold land values - the value at which a typical willing landowner is likely to release land for development added to landowner expectations. The Framework at paragraph 173 requires Local Planning Authorities to take account of the level of 'competitive return' to a willing landowner and all additional costs. If not addressed there is a risk of a low level of housing land release and an unsound plan which is unable to meet its housing targets over the plan period.

What is clear is that ensuring the viability of housing sites is critical to housing delivery over the plan period. The opportunity to negotiate the numbers of affordable units with the Council, in respect of the viability of sites coming forward, is crucial to take account of site specifics and we support that there is this opportunity included within the Policy. Viability is a critical concern for all sites in the current economic climate. In particular though, viability is often marginal for smaller sites and, set against other requirements of the plan (open space

provision, etc.) a blanket affordable housing requirement is likely to be an obstruction to delivery on sites of a smaller scale.

Furthermore, we support the reference with regard to thresholds which replicate the guidance given in the NPPG regarding affordable housing thresholds of 10 or fewer units.

This policy should be underpinned by reference to viability testing on a site-by-site basis. The Council should avoid a situation where policy stifles the delivery of housing in the more rural areas and on smaller sites. Notwithstanding the above, we consider Policy HO4 to be 'sound'.

Policy HO5 'Rural Exception Sites'

We have previously questioned the viability of retaining the element of the policy which refers to 100% affordable housing sites. In the past, Local Planning Authorities have relied too heavily on affordable housing being delivered on 'exception sites' and this has led to an undersupply as limited rural exception sites have been brought forward. Our experience of this tells us that the value of the site does not often present a competitive return to the landowner, as identified in the NPPF and referred to earlier in this response.

A reduction in HCA grant funding means that new ways to bring forward affordable housing needs to be explored. We therefore fully support the element of the Policy where it states that a proportion of market housing can be introduced into such schemes to ensure their viability and deliverability. This is also in accordance with the NPPF as paragraph 54 states that "Local planning authorities should in particular consider whether allowing some market housing would facilitate the provision of significant additional affordable housing to meet local needs".

However, it is important to note that this will still remain a limited way to provide affordable housing through the Local Plan as landowners will need to make an acceptable return from the sale of their land. Without market value properties, it is assumed that landowners will be reluctant to release land for development for "exception" sites if it does not meet expectations. Reference should be made to the Local Housing Delivery Group (Viability Testing Local Plans, June 2012) document and paragraphs 173 and 174 of the NPPF.

Furthermore, we do have concerns that, following the removal of development limits in the smaller towns and villages there will be confusion as to what constitutes sustainable market housing development as set out in paragraph 55 of the NPPF and those sites which should be considered suitable for rural exception sites. Further clarification on this matter is welcomed.

Policy IP SW8 'Planning Obligations'

We note that the introduction of a Community Infrastructure Levy (CIL) is currently still under review, however, flexibility is required with regard to developer contributions to ensure that a scheme remains viable following potential Section 106 agreements and / or CIL requirements. The Council must assess each scheme on its individual merits to ensure development can and will take place.

Whilst we fully recognise the need for the provision of developer contributions, it is essential that the policy goes further to ensure that Carlisle City Council will seek to 'strike a balance' between the level of contribution to ensure sustainable development and the realities of economic viability. Reference should be made to the Local Housing Delivery Group (Viability Testing Local Plans, June 2012) document and paragraphs 173 and 174 of the NPPF.

As stated in the NPPG, obligations should meet the tests that they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind. Please refer to The Community Infrastructure Levy Regulations (2010) for further detail.

Policy IP SW8 must affirm that the Council will ensure that the addition of developer contributions and / or CIL will not put the overall development across the District at risk due to viability.

Conclusion

It is considered that there is land within our clients' landholding which would provide suitable, deliverable sites for development, particularly for residential use, during this Plan period. We suggest our clients land (Site BR10 - as identified on the attached plan and in the SHLAA) should be reassessed and allocated for housing development during this plan period.

Our client would like to work closely and in partnership with the Council to support and help deliver sustainable growth in Carlisle district, particularly Brampton.

We would be pleased if these comments were taken into account during the preparation of the Local Plan and would ask that we are kept informed of all future consultations during the Plan process.