

**Fiona Kenmare**

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**From:** Sam Greig <sam.planners@taylorandhardy.co.uk>  
**Sent:** 20 April 2015 14:05  
**To:** LPC  
**Subject:** Rep No 0234 and assoc docs Mr Connon Agent T and H 20 Apr 15  
**Attachments:** Plan.pdf; 2015 Representation form.pdf; Investment and Policy Stage 2 Consultation Form.docx; Investment and Policy1.docx

Good afternoon

Please find attached a copy of the "Submission Draft Consultation Representation Form" that I have completed on behalf of my client, Mr Connon, in respect of their land to the east of Lorne Crescent, Denton Holme, Carlisle

For ease of reference I have also attached the previous representations that were submitted, which have been referred to in respect of our response to the Proposed Submission Draft.

If you have any queries regarding the content of the response please do not hesitate to contact me. I would be grateful if you could acknowledge receipt of this e-mail.

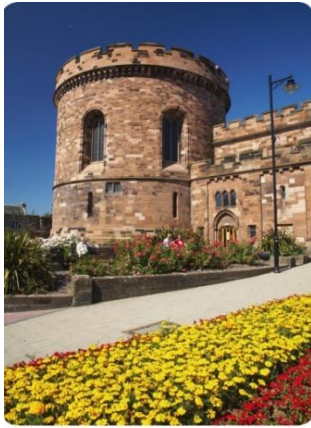
Many thanks,

Sam

**Sam Greig, Dip.T.P., M.R.T.P.I**  
**Principal Planner**

Taylor and Hardy  
North House  
Kingstown  
Carlisle  
Cumbria  
CA6 4BY

Tel: 01228 538886  
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Email: [sam.planners@taylorandhardy.co.uk](mailto:sam.planners@taylorandhardy.co.uk)  
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# The Carlisle District Local Plan 2015-2030

## Proposed Submission Draft Consultation Representation Form



CARLISLE  
CITY COUNCIL



[www.carlisle.gov.uk](http://www.carlisle.gov.uk)



Images courtesy of Andrew Paterson, D&H Photographers and Jason Friend

## INSTRUCTIONS

**Before you start, you are advised to read the Guidance Note published separately alongside this form.**

Please note all representations must be received by no later than Monday **20<sup>th</sup> April 2015**. There are no guarantees that any representations received after this deadline can be accepted.

For all representations parts one and two of this form should be completed. Should you wish to make more than one representation, please fill in and submit a separate form for each.

A copy of the Proposed Submission Draft Local Plan and all supporting documentation is available to view at [www.carlisle.gov.uk/localplan](http://www.carlisle.gov.uk/localplan)

### **How to respond –**

**Via email:** [lpc@carlisle.gov.uk](mailto:lpc@carlisle.gov.uk)

**In writing:** Investment and Policy  
Carlisle City Council  
Civic Centre  
Carlisle  
Cumbria  
CA3 8QG

**To find out more Call:** 01228 817569

## **PART ONE- YOUR DETAILS**

It is important that you fill in your contact details below; **we cannot register your representation without your details**. Please note that we will not be able to keep your representation or personal details confidential. We may also wish to contact you to clarify your representation.

In circumstances where there are individuals/ groups/ organisations who share a similar view on the plan, it would be helpful if individuals/ groups/ organisations make a single representation. It would also be useful if the group/organisation state how many people the submission is representing and how the representation was authorised.

<b>Your Details</b>	<b>Your Agent's Details (If applicable)</b>
Title: Mr	Title: Mr
Surname:Connon	Surname:Greig
Forename:	Forename:Sam
Organisation/Company:	Organisation/Company:Taylor and Hardy Ltd
Address:c/o Taylor and Hardy Ltd	Address:North House Kingstown Carlisle
Postcode:	Postcode:CA6 4BY
Contact No:	Contact No:01228 538886
Email:	Email:sam.planners@taylorandhardy.co.uk
Signature: Sam Greig	
Date:20/04/15	
<input checked="" type="checkbox"/> Please indicate if you wish to be updated on the progress of the Local Plan	

## **PART TWO - YOUR REPRESENTATION**

Please use a separate form for each part of the Proposed Submission Draft Local Plan that you wish to comment on.

<b>Q1. To which part of the document does this representation relate?</b>			
<input checked="" type="checkbox"/> Policy	<input type="checkbox"/> Paragraph	<input type="checkbox"/> Chapter	<input type="checkbox"/> Figure
<b>Please specify which Policy, Paragraph, Chapter or Figure you are referring to:</b>			
Policy EC2 - Primary Employment Areas			

<b>Q2. Do you consider that the Local Plan is:</b>		
<b>Legally Compliant?</b>		
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
<b>Sound?</b>		
<input type="checkbox"/> Yes	<input type="checkbox"/> Yes, with minor changes	<input checked="" type="checkbox"/> No

<b>Q3. If you consider the Local Plan is <u>unsound</u>, is it because it is <u>not</u>:</b>	
<input type="checkbox"/> Positively Prepared?	
<input checked="" type="checkbox"/> Justified?	
<input type="checkbox"/> Effective?	
<input checked="" type="checkbox"/> Consistent with National Policy?	

<b>Q4. Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.</b>
<b>If you wish to support the legal compliance or soundness of the Local Plan, please also use this box to set out your representation.</b>
Please note that your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation. After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.
On behalf of my client, Mr Connon, I object to the Proposed Submission Document, with particular reference to Policy EC2, Primary Employment Areas. My client owns the land to the east of Lorne Crescent, the boundaries of which are identified, in red, on the attached plan. My client objects to the inclusion of this site as a Primary Employment Area.
In response to the initial public consultation on the Stage 1 version of the emerging Carlisle District Local Plan (ECDLP) my client objected to the identification of their land as a Primary Employment Area on the Preferred Options Policy Map and to its exclusion as a Mixed Commercial Area.

The reasons for that objection are identified in Taylor and Hardy's letter dated 16th December 2013, which is appended to this consultation response form.

The argument was accepted by the Council, in the Stage 2 version of the ECDLP, that the site should be reclassified under the designation "Mixed Use Areas" (then Policy 3).

The Council's response to Taylor and Hardy's previous submission, dated 16th September 2013 makes it clear that the Council supported the change to the land use designation from a Primary Employment Area to a Mixed Use Area.

The Council's comments stated "agree to amending the designation in line with the comments made".

Notwithstanding these comments the Council did not correctly update the Proposals Map to identify the site as a Mixed Use Area, although the Council did in respect of the adjoining land at Denton Business Park. An objection was submitted to the Stage 2 version of the ECDLP on the basis that the Proposals Map had not been correctly updated.

In the Proposed Submission Draft of the Local Plan, the Council has omitted the "Mixed Use Areas" policy in its entirety. The designation of my client's land has reverted back to Employment Land on the proposed Carlisle Urban Area Proposals Map.

My client objects to the designation of their site as Employment Land and the omission of the former Mixed Use Areas policy (Policy 3).

For the following reasons I consider the Council's ECDLP is not appropriately justified (in that it is not the most appropriate strategy, when considered against the reasonable alternatives) and that it is inconsistent with the thrust of Policies contained within the NPPF.

1. Paragraph 4.18 of the explanatory text that accompanied Policy 3 of the Stage 2 version of the ECDLP stated that "The Mixed Use areas provide a wide range of uses without being too prescriptive over the types of business which should be carried out in those locations".

Paragraph 4.20 advised that the absence of such a policy would "mean a lack of Policy direction for a large area of mixed uses.... Without this Policy piecemeal redevelopment of areas could be detrimental to those businesses remaining in an area and this policy allows a mix to develop in the context of surrounding uses". The Council clearly considered that the Mixed Use Area designation had an important role in the 'plan-led' system supported by the National Framework. The Council has now deviated from that approach.

The omission of a policy that previously covered large areas of the City is at odds with the National Framework's 'plan-led' approach which places significant weight on the "need to support economic growth through the planning system" and to "encourage and not act as an impediment to sustainable growth" (Paragraph 19).

A core principle of the NPPF is also to “promote mixed use developments, and encourage multiple benefits from the use of land”, recognising that mixed use developments can “bring together those who live, work and play in the vicinity” (Paragraphs 17 and 69 respectively).

The absence of a policy covering Mixed Use Areas is clearly at odds with the NPPF and the strategy that the Council considered could result in the unplanned development of areas formerly considered appropriate for mixed use developments.

2. The Carlisle Employment Sites Study 2010, which forms part of the Council's evidence base and informed the content of Policy EC2, identifies that Carlisle has a significant oversupply of employment land.

Paragraph 4.12 of the explanatory text to Policy EC2 states: “...where the ongoing operation of an existing employment site adversely affects neighbouring residential properties or local amenity, proposals for its redevelopment or change of use which would act to remove such conflicts will be considered favourably. Such issues are more prevalent in the older and traditional industrial areas of Carlisle City such as Denton Holme , where there is a tight knit pattern of development often with housing and industry in close proximity. Whilst these areas have historically contributed positively towards the supply of employment land within the District, their ability to do so in the future can in some circumstances be genuinely limited or no longer appropriate.”

The Council recognises that some employment land in Denton Holme is of limited future use. In respect of Planning Application 13/0512, which relates to an approved scheme to reuse part of my client's land, the Council's Delegated Report identified that the building had been “vacant for over five years”; that “there have been no inquiries for the unit from the industrial sector for over twenty years”; that the unit was “not suitable for current employment needs” and that “Alternative uses would, therefore, be acceptable”.

Notwithstanding the view of the Council, the Proposed Submission Draft when compared with the adopted Local Plan does not re-designate any employment land in Denton Holme, with the exception of that which has already been redeveloped.

Paragraph 22 of the NPPF states “Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose.” The Council has clearly not adopted this approach.

The Council's evidence base identifies that there is an oversupply of employment land and the Council's emerging employment policy recognises that some employment sites in Denton Holme have limited future use and may be unsuitable for the area that they are located.

In light of these facts, the Council should positively plan for the redevelopment of these areas. The re-instatement of a Mixed Use Area policy would assist in achieving that objective and encourage investment in the redevelopment of such areas and, in particular, my client's land.

Taking into account the above points, the reinstatement of a Mixed Use Area policy and designation of the land as a Mixed Use Area in the Local Plan 2015-2030 would be an appropriate course of action.

In the event that the Mixed Use Areas policy is not re-introduced, which it clearly needs to be to render the Local Plan sound, the Council should, as a minimum requirement, remove my client's land from the Primary Employment Area designation the subject of policy EC2 and not designate or allocate it for any particular purpose. Any future development proposals for the site can then be considered on their given merits in light of the NPPF, Planning Practice Guidance and the wider Local Plan policies, were applicable. This would be wholly consistent with the approach the Council has now adopted in respect of other land that was formerly proposed as Mixed Use Areas in the previous versions of the emerging Local Plan.

**Q5. Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at Q3 above where this relates to soundness. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible:**

The Mixed Use Areas policy should be reinstated for the reasons outlined above.



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**Q6. Do you wish to make any comments on the supporting documents, such as the Sustainability Appraisal, Habitats Regulations Assessment, Infrastructure Delivery Plan or evidence base?**

No

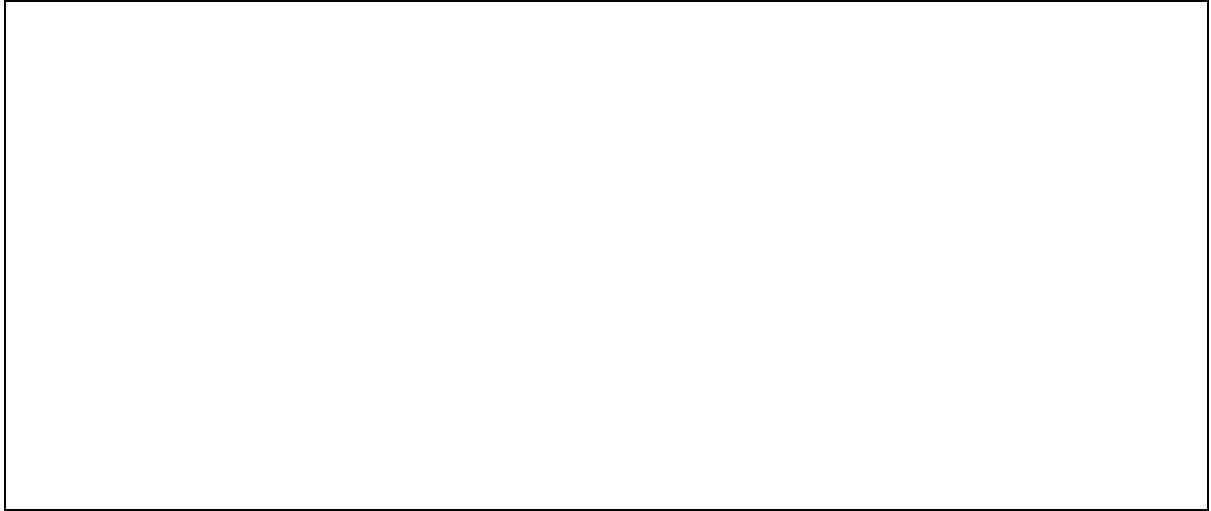
**Q7. If your representation is seeking a change; do you consider it necessary to participate in the hearing sessions of the examination?**

- ☐ No, I do not wish to participate at the hearing sessions of the examination
- ☒ Yes, I wish to participate at the hearing sessions of the examination

**Q8. If you wish to participate, please outline why you consider this to be necessary:**

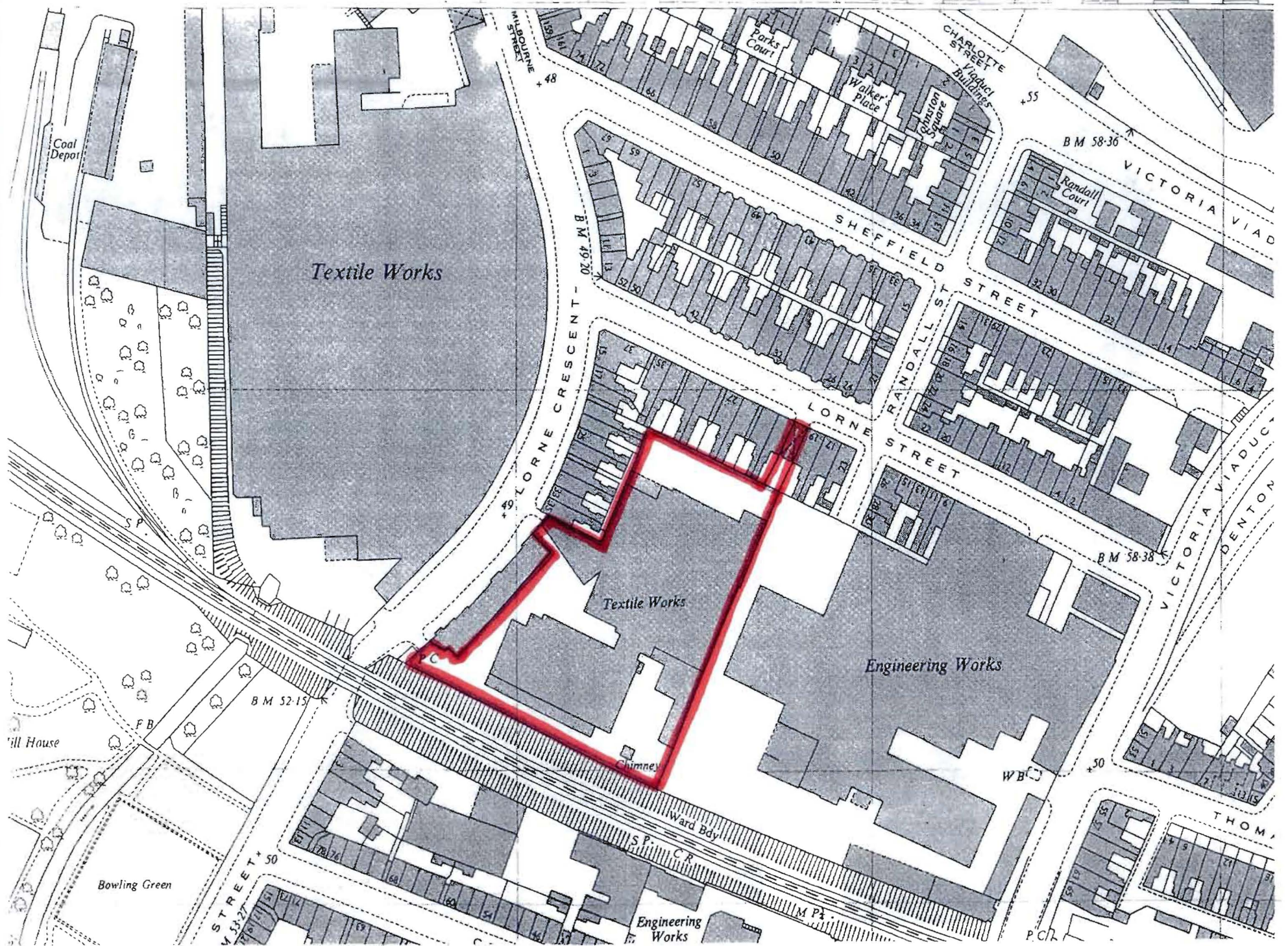
**Please note it will be at the discretion of the Inspector to determine the content of the hearing sessions and who will be heard.**

To discuss the merits of re-instating the Mixed Use Areas policy.



**Thank you for your time to complete and return this Representation form.  
Please keep a copy for future reference.**







# Planning Carlisle's Future

## Carlisle District Local Plan 2015-2030 Preferred Options Consultation – Stage Two Questionnaire

Please Return your comments between  
**Monday 10 March** and **Friday 4 April 2014**  
to: [lpc@carlisle.gov.uk](mailto:lpc@carlisle.gov.uk) or in writing to:

Investment and Policy, Carlisle City Council,  
Civic Centre, Carlisle, CA3 8QG.



## **Carlisle District Local Plan Preferred Options Consultation – Stage Two Questionnaire: March – April 2014**

The Carlisle District Local Plan 2015- 2030 will replace the Carlisle District Local Plan 2001-2016. We consulted on the Key Issues between January and March 2010 and on the Issues and Options from September-November 2010. We had a fantastic response to both of these consultations which, along with suggestions from our statutory consultees. These helped us to identify the issues that are important to you and are important to address for Carlisle's future and were used to create the Draft Carlisle District Local Plan 2015-2030 Preferred Options Stage One, which was consulted on from July – September 2013. We had over 1,100 comments which have helped us update that plan for this Stage Two consultation. Each of these comments along with an officer's response is available to be viewed on our web site. Your responses to this consultation will help us in the preparation of the next stage of the Local Plan, being 'Publication'.

Your views are important to us so please use this questionnaire to let us know your thoughts on the Draft Carlisle District Local Plan 2015-2030 Preferred Options Stage Two Consultation. We are interested in the views of all people who live in, work in, visit or travel through the District.

**You will need to refer to the Carlisle District Local Plan 2015-2030 Preferred Options Consultation - Stage Two document whilst you are completing the questionnaire.** This will show the range of policies and site allocations that are proposed to be taken forward. These are identifiable through differing key themes, for example employment and housing. It is optional as to how many Policies or Sites you comment on. The response form is available in an interactive format online at [www.carlisle.gov.uk/localplan](http://www.carlisle.gov.uk/localplan) or can be downloaded as a PDF or Word document and emailed to the Investment and Planning Policy Team to [lpc@carlisle.gov.uk](mailto:lpc@carlisle.gov.uk). Hard copies are available at all local libraries, in the Customer Contact Centre within the Civic Centre, and by request to the Investment and Policy Team (please see contact details below).

The Council wishes to encourage as many people to respond as possible - please inform your neighbours, colleagues or other contacts about this consultation and get them to respond too.



Return completed questionnaires by Friday 4 April 2014



Investment and Policy, Economic Development, Carlisle City Council, Civic Centre, Carlisle, CA3 8QG



Complete online at [www.carlisle.gov.uk/localplan](http://www.carlisle.gov.uk/localplan) or by email to [LPC@carlisle.gov.uk](mailto:LPC@carlisle.gov.uk)

## Part A: Your contact details

### Data Protection

The information will be processed in accordance with the Data Protection Act 1998. Information from the forms will be stored on a computer database used solely in connection with the Local Plan consultation.

As all representations received must be made available for public inspection, they cannot be treated as confidential. They will be posted in full on the Council's website and will be available, on request, for public inspection: only signatures will be redacted.

Copies can be made of the response forms if you require more space, or you can simply continue on other sheets of paper, making clear which policy or site you are referring to.

	Personal Details	Agent's details (if applicable)
Title	Mr.	Mr.
First name		Sam
Last name	Connon	Greig
Job title (if applicable)		Principal Planner
Organisation (if applicable)		Taylor and Hardy
Address	c/o Taylor and Hardy	9 Finkle Street, Carlisle
Postcode		CA3 8UU
Tel Number	c/o Taylor and Hardy	01228 538886
Email address	c/o Taylor and Hardy	sam.planners@taylorandhardy.co.uk

## Part B: Your Comments

1) Local authorities have to update their Local Plan's to ensure that the communities aspirations for future development are achievable, based on up-to-date evidence about the economic, social and environmental prospects of the area. A large amount of evidence has been produced (available at [www.carlisle.gov.uk/localplan](http://www.carlisle.gov.uk/localplan)) to help inform the plan, covering; Employment; Housing; Retail and Climate Change for example.

Based on the above, do you think the evidence that has been used for the Draft Local Plan is robust and credible? (Please tick)

Yes ☐ No ☐

Comment:

N/A

2) Local Plans are required to be in line with the National Planning Policy Framework (NPPF hyperlink). Do you think the Local Plan is consistent with National Planning Policy Framework? (Please tick)

Yes ☐ No ☐

Comment:

N/A

3) In order to prepare a Local Plan it is important that the Council carries out a Sustainability Appraisal and Habitats Regulations Appraisal in order to meet European Directive requirements by considering all of the likely significant effects that the plan may have on the environment, economic and social factors.

Having looked at the Sustainability Appraisal (SA) and Habitats Regulations Appraisal (available at [www.carlisle.gov.uk/localplan](http://www.carlisle.gov.uk/localplan)) do you agree with:

the SA of the Local Plan so far?

Yes ☐ No ☐

Comment:

N/A

the Habitat Regulations Appraisal so far?

Yes ☐ No ☐

Comment:

N/A

Please complete Q4-Q6 for each policy or site you wish to make a representation/comment on. We have provided 10 additional comment sheets but please submit more information if you need to.

4) Which Policy/Site Allocation are you making representations/commenting on and do you wish to support/object/comment on the above? (please tick)

Policy Number/Site Allocation	Policy 3	Support	
		Object	✓
		Comment	

5) Please state fully and clearly your comments and/or the reasons you are supporting/objecting to this part of the plan. Please complete a separate sheet for each policy/site allocation.

My client objects to the exclusion of their land as a Mixed Use Area on the Carlisle Urban Area Inset Map.

The Council's response to our previous submission dated 16<sup>th</sup> September 2013 (our reference SG/J/C13/140) makes it clear that the Council support the change to the land use designation from a Primary Employment Area to a Mixed Use Area (L.P.A. Site Reference 112).

The Council's comments stated ***"agree to amending the designation in line with the comments made"***. A copy of the Council's comments are attached.

A copy of our original representation is also attached for ease of reference.

6) If objecting to a policy or site allocation, please indicate what change you are seeking to the plan which could resolve your objection.

That the land use designation, as identified on the on the Carlisle Urban Area Inset Map, is amended to a Mixed Use Area in line with the supportive stance of the Council.



Our Ref : SG/J/C13/140

16<sup>th</sup> September, 2013

Investment and Policy,  
Carlisle City Council,  
Civic Centre,  
CARLISLE.  
CA3 8QG

Dear Sir,

**PLANNING CARLISLE'S FUTURE**  
**DRAFT LOCAL PLAN 2015-2030**  
**PREFERRED OPTIONS CONSULTATION**

- **Policy 2 – Primary Employment Areas;**
- **Policy 3 – Mixed Commercial Areas;**
- **Land to the east of Lorne Crescent, Denton Holme, Carlisle.**

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I am writing on behalf of my Client, Mr Connon, to object to the document referred to above, with particular reference to Policy 2, Primary Employment Areas, and Policy 3, Mixed Commercial Areas.

My Client owns the land to the east of Lorne Crescent, the boundaries of which are identified, in red, on the enclosed plan.

My Client objects to the identification of their land as a Primary Employment Area on the Local Plan Preferred Options Policy Map and to its exclusion as a Mixed Commercial Area.

It is considered that the designation of the land as a Mixed Commercial Area is appropriate for the following reasons:

1. There are currently a range of commercial uses on the site, some of which fall outside of those uses identified in B1, B2 and B8 of the Use Classes Order. The designation of the land as a Mixed Commercial Area would be in keeping with the current use of the site.

2. In August 2013 planning permission was granted for the change of use of part of the site to enable a vacant building to be used as a dance studio; a use that falls within D2 of the Use Classes Order (L.P.A. Reference 2013/0512).

In approving that planning application the Council's Delegated Report identified that the building had been ***"vacant for over five years"***; that ***"there have been no inquiries for the unit from the industrial sector for over twenty years"***; that the unit was ***"not suitable for current employment needs"*** and that ***"Alternative uses would, therefore, be acceptable"***.

3. The National Planning Policy Framework (NPPF) places significant weight on the ***"need to support economic growth through the planning system"*** and to ***"encourage and not act as an impediment to sustainable growth"*** (Paragraph 19).

The designation of the land as a Mixed Commercial Area could help promote opportunities to redevelop the site; a viewpoint that can be drawn from the Council's justification for approving the recent planning application for a dance studio.

4. The NPPF advises that Planning Authorities should ***"manage patterns of growth to make the fullest possible use of public transport, walking and cycling"*** (Paragraph 17).

In respect of the recent application for a dance studio the Council's Delegated Report expressed the view that ***"the site located in close proximity to Denton Holme Local Centre which is well served by buses and within walking distance of the city centre"***.

The designation of the site as a Mixed Commercial Area, whilst reflecting the current use of the land, could also provide an opportunity for the redevelopment of a site that is sustainably located, thereby complying with the objectives of the NPPF.

5. A core principle of the NPPF is to ***"promote mixed use developments, and encourage multiple benefits from the use of land"***, recognising that mixed use developments can ***"bring together those who live, work and play in the vicinity"*** (Paragraphs 17 and 69 respectively).
6. Paragraph 70 of the NPPF emphasises that planning policies should ***"ensure an integrated approach to considering the location of housing, economic uses and community facilities"***. The promotion of the site as a Mixed Commercial Area, given its location within the residential area of Denton Holme, would be compliant with this objective.

Taking into account the above points the designation of the land as a Mixed Commercial Area in the Local Plan 2015-2030 would be wholly appropriate.

I trust that the above will be given close consideration as matters progress. If you would like to discuss the designation of the site please do not hesitate to contact me.

I would be grateful if you would acknowledge receipt of this objection.

Yours faithfully,

**SAM GREIG**  
**ASSOCIATE PLANNER**

cc by email only to: Mr. Connon