

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

BY POST AND EMAIL: lpc@carlisle.gov.uk

20th April 2015

21306/A3/CC/JB/sw

Dear Sir or Madam,

CARLISLE LOCAL PLAN: REPRESENTATIONS TO PROPOSED SUBMISSION DRAFT

Following the publication of the Proposed Submission Draft of the Carlisle Local Plan for public consultation in March 2015, the following representations are made on behalf of our Client, F&C REIT Asset Management, who is the managing agent of Carlisle Shopping Centre Limited which own The Lanes Shopping Centre.

We have engaged with the Council at the key stages of preparation of the Local Plan and the City Centre Development Framework. We would ask, for completeness, that our earlier representations are considered alongside this letter of representation. For ease of reference, we have appended our previous letters of representation.

Background

The Lanes is the largest shopping centre in Cumbria and the Borders, with Carlisle operating as the main cultural, commercial and industrial centre for north Cumbria covering a significant catchment of residents in the surrounding rural areas. Carlisle City Centre is a very successful and prosperous retail centre, offering a positive visitor experience with pedestrianised streets, a large shopping centre and a wide range of retail and dining offers and other services. The Lanes integrates itself seamlessly as part of the City Centre's retail and dining offer and makes a positive contribution to the City through the provision of additional facilities and services, including a 600 space covered and secure multi-storey car park, shopper toilets, Shopmobility and ATMs. Furthermore, Carlisle Library is located within the shopping centre.

The Lanes Shopping Centre accommodates over 70 stores, including Debenhams, Next, H&M, Schuh and New Look, with a variety of other national multiple and small local occupiers. The Lanes is well managed and has a relatively low vacancy rate of 12% of units currently vacant, albeit many are let on flexible terms, and some are 'pop up shops' to enhance the mall appearance. The owners and their agents are keen to ensure vacancies are kept to a minimum to build upon the success of the shopping centre and the wider Carlisle City Centre.

Carlisle Shopping Centre Limited has owned The Lanes since December 2012, in which time they have made significant commitment and investment towards the Centre. Some of these commitments are commercially sensitive but are known to the Officers of the Council in their position as freeholder of the site. Recent investments include:

- Securing the future of “Schuh” in the City when their superior landlord went in to administration and a unit was offered in The Lanes;
- Reconfiguring the central square to create a more flexible space to be used for Region-wide promotions to draw additional footfall into the City Centre;
- Investment in the fabric of the building to enable the malls to be secured at night to improve safety and reduce incidents of anti-social behaviour; and
- Engaging with Carlisle City Council to investigate reconfiguring and extending the shopping centre to accommodate the changing requirements of modern retailers to ensure the City Centre remains the main destination for retail in the Region.

The owners of the Shopping Centre are currently exploring options for the extension and enhancement of The Lanes as there is the opportunity for Carlisle to be supported by a stronger retail core and the potential to accommodate other high end national multiples within the City Centre who do not currently have a presence. This includes the possible provision of a new department store and family friendly leisure and food offers.

If new retailers are to be attracted to the City, the clear focus should be to accommodate them within the City Centre to ensure the vitality and competitiveness of the Centre. The owners of The Lanes shopping centre have repeatedly set out their concerns in respect of the impact that out-of-centre and out-of-town proposals would have upon the viability and vitality of the City Centre. It is clearly established that town centre development in out of centre locations is damaging to the City Centre and impacts negatively upon the future of the City Centre. Investment and support for the City Centre should be a priority and The Lanes has an essential and integral role in securing that future investment.

There is significant potential in Carlisle City Centre to enhance the existing facilities and services provided through the allocation of strategic sites for future retail development over the course of the new Local Plan period, given the large rural catchment area of Cumbria and the Borders. We have set out further in our representations below the way in which we consider such growth could be achieved.

Representations to Carlisle Local Plan: Proposed Submission Draft

This letter of representation has been prepared on behalf of our Client and their interests as the owner of The Lanes. We have made comments on the Spatial Vision and Strategic Objectives as well as a number of specific policies.

Spatial Vision

The Vision for the District Local Plan sets out the long term objectives for Carlisle in terms of the future of the City Centre and various other aspects of the District.

The Vision sets out that as the capital and economic engine of Cumbria, the western fringes of Northumberland and extending into South West Scotland, Carlisle should further establish its position as a centre for activity and prosperity in the north-west. To achieve this, there is a need to encourage investors and developers to invest their resources in Carlisle, to deliver an excellent supply of quality market and affordable homes, businesses, accessible services and a wide cultural offer. This is intended to result in a vibrant City surrounded by high quality urban and rural environments with prosperous market towns and thriving villages.

We fully support this Vision, and consider that Carlisle has significant opportunities to achieve the objectives set out in the new Local Plan. It should be stressed that any development that incorporates retail or leisure should be delivered in the City Centre as a priority, with the surrounding market towns and thriving villages offering a supporting role to the main retail provision within the City Centre.

Spatial Strategy and Strategic Objectives

The objective of the Spatial Strategy seeks to:

"promote a sustainable pattern of development, which will contribute to building a strong, responsive and competitive economy, to support the vision for managed growth."

We support the Spatial Strategy which is set out in the Proposed Submission Draft of the Local Plan however we consider that it would be more appropriate that the Spatial Strategy should be reflected as a policy, as proposed in the Local Plan: Stage Two consultation. The former draft Policy S2: Spatial Strategy states that Carlisle City Council will support the delivery of new housing, economic growth and diversification through the strategy, particularly by:

"strengthen and protect the city centre and other existing centres to help create sustainable centres where adequate services and facilities would be provided by balanced growth";

Affording policy weight to the Spatial Strategy in this way would ensure that development needs to be assessed against the Spatial Strategy and other priorities proposed to be delivered in the City. We therefore consider that this draft policy should be reinstated in the Submission Version of the Carlisle Local Plan.

Policy SP2: Strategic Growth and Distribution

This policy relates to the growth of Carlisle over the course of the Plan Period to 2030, and the appropriate distribution of development. The policy sets out key priorities with number 4 listed as follows:

***4. The City Centre will maintain and enhance its status by being the primary focus for further comparison retail development across the Plan period:
a. specifically, sufficient land will be identified within the City Centre to accommodate an additional 18,700m² net comparison retail floorspace until 2030.***

We support the policy in principle and in particular this element of it, and our Client is committed to investing in and maintaining The Lanes Shopping Centre in order to contribute towards this objective.

Paragraphs 3.22 and 3.23 justify the policy and sets out that there is greater potential to be filled through future retail development in the City Centre. Given the role of The Lanes Shopping Centre in Carlisle and the wider sub-region of Cumbria, south western Scotland and the western fringes of Northumberland, we consider that a high level of support should be offered to the future proposed investment, of which our Client has discussed with Officers at Carlisle City Council, in order to secure its long term presence in Carlisle as a key retail destination in the Region.

Paragraph 3.24 goes on to state that the City Centre will remain the primary focus for retail development in Carlisle. We support this approach and consider that specific reference should be made to The Lanes to help ensure that it remains a key retail location in the City Centre and to make clear that some of the additional retail floorspace could be delivered within the centre to securing such retail growth.

Policy SP4: Carlisle City Centre and Caldew Riverside

Policy SP4 is the key retailing policy in the context of the City Centre and future growth, replacing Draft Policy S6: Regeneration and Strategic Retail in the City Centre and Botchergate of the Local Plan: Stage Two. Policy SP4 seeks to embed the key principles to emerge from the

consultation undertaken on the City Centre Development Framework within the Local Plan and to take forward the key development opportunities identified. We would therefore ask that our representations to the City Centre Development Framework are taken into account alongside this letter of representation.

Having reviewed the proposed Policies Map for the City Centre, we support the identification of The Lanes within the City Centre and the primary shopping area as part of Policy SP4 and EC3, assessed below. Further, we support the extension of the City Centre to the north and east of the Lanes over Lowther Street and across Drovers Lane and Warwick Street.

Our Client is fully committed to investing in The Lanes, and is involved in discussions with a number of retailers to determine the interest in the additional floorspace, and in particular seeking to attract new retailers that do not have an existing presence in the City. It is important to note that some retailers already represented within the City occupy accommodation that does not fully suit their current trading styles and does not allow them to carry their full range of lines, additional floorspace in the form of new and extended units allows staircasing of retail space which supports vitality and viability in the City Centre. Furthermore, the relocation or extension of these retailer's stores will enable them to offer their full ranges and negate the need for shoppers to travel further a field for a full range store. There is a clear market demand in Carlisle, consistent with the Carlisle Retail Study 2012.

Initial design feasibility exercises have established that approximately 150,000 square foot of additional retail floorspace could be accommodated on the Lowther Street Car Park site as an extension to The Lanes, with additional leisure and restaurant floorspace over 3 floors and additional car parking to enhance the provision of existing facilities in Carlisle.

We consider that Lowther Street Car Park should be allocated in the Local Plan adjoin The Lanes in order to accommodate future growth and that the wording of Policy SP4 should be amended to state:

"Lowther Street Car Park to be developed as an extension to The Lanes to deliver approximately 150,000 square metres of retail floorspace alongside leisure facilities and additional car parking."

Including specific reference to an extension of The Lanes in Policy SP4 would provide greater certainty in terms of the direction for retail growth in Carlisle, and the commitment to this proposal in principle.

We object to the strategic allocation of the Caldew Riverside site which is an edge of centre site and therefore less sequentially preferable to the car park site. Further, we question whether it could realistically be delivered within the timeframes of the Local Plan. The redevelopment of this site for retail and key primary uses would create a two destination centre which is impossible to link due to the extreme topography between it and the existing city centre. We also strongly believe that the highways problems any development on this site would generate would outweigh any benefit for the City.

Policy EC3: Primary Shopping Areas and Frontages

Policy EC3 relates to Primary Shopping Areas and Frontages, consolidating draft policies 4 and 5 of Local Plan: Stage Two. We are supportive of the flexible approach that has been taken in respect of change of use at ground floor level, for leisure and food and drink uses, and the opportunities that this offers Carlisle City Centre in respect of improving and enhancing the evening economy.

We are however concerned that the policy states that where proposals would lead to an unacceptable concentration of such uses and/or undermine the vitality and viability of the area, these would not be permitted. The definition of "unacceptable concentration" should be

clarified. Further, if such proposals were to be refused, this limits the possibilities and opportunities for these units, and potentially creates the situation of long term vacant retail units located in Primary Shopping Areas. We consider that this element of the policy is amended accordingly.

In terms of the Primary Shopping Frontages aspect of Policy EC3, we support the spirit of this which aims to protect, retain or improve Primary Shopping Frontages in the City Centre, with the intention to support the positive promotion of a competitive town centre environment.

The retail sector has experienced significant difficulties over recent years and we are supportive of a mix of town centre uses being developed in Carlisle City Centre, to enhance and improve the offer within the PSA, creating a more holistic experience for visitors with a choice of shops, restaurants, cafes, bars and other leisure uses.

The priority in terms of the emerging Local Plan and the objective of this policy should be to maintain the vitality and viability of Carlisle City Centre as the retail centre for the Cumbria sub-region. The support for complementary uses in the form of leisure and restaurants is positive and will have a positive impact in respect of improving evening activity and economy throughout the City Centre.

Policy EC4: Morton District Centre

Policy EC4 relates to Morton District Centre, which we acknowledge requires investment in order to support the existing and growing community in this location. This policy replaces draft Policy 8 which was proposed in the Local Plan: Stage Two. We note that additional text has been included regarding protecting the viability and vitality of the City Centre and Primary Shopping Area, and we support these amendments.

However, we maintain that there should however be an element of the policy which seeks to control the convenience/comparison split of floorspace at the proposed foodstore to ensure that the development has no impact upon the provision of comparison floorspace in the City Centre.

Further, we propose that a restriction should be in place in terms of the type of comparison goods that could be sold from the foodstore, and it is considered that the sale of goods of a bulky nature would be appropriate from the premises. We have set out suggested wording to be added to the end of the first sentence of policy EC4 below:

"The proposed capacity of 8,175sqm gross should include no more than 10% comparison floorspace, to relate only to the sale of bulky goods."

Any comparison floorspace permitted as part of the proposed foodstore should not be sublet to other alternate retailers and operators. This suggestion is made to prevent the proposed foodstore from evolving into a potential retail park at the location and consequentially seeking to compete with the retail offer of Carlisle City Centre.

We welcome the reference that has been added to ensure that any proposed additional retail and leisure uses will be supported where they are of a nature and scale commensurate with its intended catchment, avoiding encroachment on the City Centre.

It is essential that no policy within the emerging Local Plan undermines the City Centre and the need to maintain the vitality and viability of the City Centre. We consider that the proposed changes to this policy would protect the City Centre over the course of the plan period.

Policy EC6: Retail and Main Town Centre Uses Outside Defined Centres

We support this policy and consider that it is consistent with the findings of the Carlisle Retail Study 2012 which sets out that the growth and development of Carlisle City Centre should be prioritised.

We are supportive of the floor space threshold in respect of sequential assessments as there could be viable opportunities for such retail proposals to be accommodated within the Primary Shopping Area once a sequential assessment is applied. It is crucial however that retailing outside the Primary Shopping Area should relate to bulky goods comparison retail first and foremost. Small scale comparison retail proposals typically relate to town centre uses and should be secured within the Town Centre, specifically the Primary Shopping Area.

The City Centre should be recognised as the heart of the community in line with the NPPF and treated as the priority location for retail with out-of-centre retail development being related to the sale of bulky goods, or subject to appropriate sequential and impact assessments. This should be borne in mind when considering the relocation of Carlisle United Football Club.

It is noted in recent years that retail trends have changed considerably, due to the economic downturn and the advent of online shopping becoming popularised. This has resulted in a reduction in the need of retail fascias on the high street and the reducing demand for retail space in terms of the presence on the high street. In order to secure the future of the high street and viable and successful town centres, retailing should therefore be treated as a priority in the Town Centre, particularly the Primary Shopping Area.

Policy EC7: Shop Fronts

The provision of high quality shopfronts can have a positive impact upon the character and nature of a retailing area, with quality townscapes creating opportunities for growth and vitality themselves. We are therefore supportive of this policy.

Policy EC8: Food and Drink

This policy has been prepared in order to facilitate the creation of a vibrant and viable food and drink sector within Carlisle City Centre. We are supportive of this policy, and consider that the improvement of the food and drink provision in the City Centre would have a positive impact upon the evening activity and economy within Carlisle.

As referred to above, there is the potential to extend The Lanes to accommodate a range of restaurants to complement the development of additional retail and leisure.

Policy HE7: Conservation Areas

We are supportive of this policy in principle, and consider that Carlisle's heritage and the Conservation Areas that are in place to protect this is crucial to the success of the City.

We are, however, of the view that the Historic England promoted approach of "constructive conservationism" must be employed by the Council when considering proposals in Conservation Areas, particularly in the City Centre, whereby a pragmatic approach should be taken towards development and associated growth. As we have set out elsewhere in this letter, the retail market has been particularly challenging in recent years and although the enhancement and preservation of Carlisle's historic environment is of great importance, it should not have a significantly limiting impact on the operation of the City Centre. This therefore needs to be taken into account when development within the City Centre Conservation Area is being considered by the Council.

Summary

The representations set out in this letter have been prepared in the context of previous representations and our Client's desire to protect and improve the vitality and viability in The Lanes Shopping Centre through investment and enhancement. There is the scope to provide an

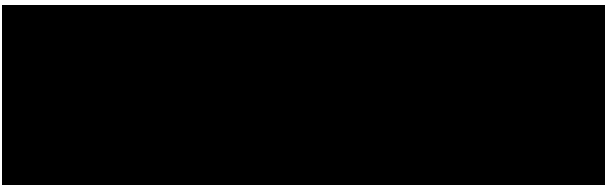
extension to the Centre delivered through the development of Lowther Street Car Park, incorporating additional retail and leisure floorspace and car parking.

We consider that our representations are consistent with the National Planning Policy Framework. Carlisle has a great opportunity to enhance and maintain its role as a strong retail centre for the Cumbria sub-region however we consider that the new Local Plan would benefit from clear and detailed reference to what the Lowther Street Car Park site allocation could deliver.

We trust that these representations will be fully considered and we would be keen to meet to discuss the future of The Lanes and possible extensions, and the role that this would have in Carlisle City Centre.

Should you have any queries or wish to discuss, please do not hesitate to contact me.

Yours faithfully,



JOLANDE BOWATER

Associate

*Encs: Representations – Local Plan Stage Two
Representations – City Centre Development Framework*

Fiona Kenmare
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BY POST AND EMAIL: Fiona.Kenmare@carlisle.gov.uk

10th September 2014

21306/A3/CC/JB/sw

Dear Fiona,

CARLISLE CITY CENTRE DRAFT DEVELOPMENT FRAMEWORK

Following our telephone conversation on 1st September 2014 in respect of the Carlisle City Centre Draft Development Framework, we write on behalf of our Client, F&C REIT Asset Management, the managing agents of Carlisle Shopping Centre Limited which own The Lanes Shopping Centre, to comment on the recent Preferred Options Consultation and provide an update in relation to their future expansion plans for The Lanes, and the role that this would have within the emerging Draft Development Framework.

Background and Context

Carlisle Shopping Centre Limited has owned The Lanes since December 2012, in which time they have made significant commitment and investment towards the Centre, including:

- Reconfiguring the central square to create a more flexible space to be used for region wide promotions to draw additional footfall into the City Centre;
- Investment in the fabric of the building to enable the malls to be secured at night to reduce incidents of anti-social behaviour; and
- Improving the Food & Beverage offer in the centre by introducing new operators.

The Lanes is the largest shopping centre in Cumbria and the Borders, with Carlisle operating as the main cultural, commercial and industrial centre for north Cumbria covering a significant catchment of residents in the surrounding rural areas. Carlisle City Centre is a very successful and prosperous retail centre, offering a positive visitor experience with pedestrianised streets, a large shopping centre and a wide range of retail and dining offers and other services. The Lanes integrates itself seamlessly as part of the City Centre's retail and dining offer and makes a positive contribution to the City through the provision of additional facilities and services, including a 600 space covered and secure multi-storey car park, shopper toilets, Shopmobility and ATMs. Furthermore, Carlisle Library is located within the Shopping Centre.

The Lanes currently accommodates over 70 stores, including Debenhams, Next, and H&M, with a variety of other national multiple and small local occupiers. The Lanes is well managed and has a relatively low vacancy rate, albeit a number of units are let on flexible terms, often called 'pop up shops' to enhance the mall appearance. The owners and their agents are keen to ensure vacancies

are reduced further to build upon the success of the Shopping Centre and the wider Carlisle City Centre.

City Centre Development Framework

The representations contained in this letter specifically consider the Preferred Option set out in the Draft Development Framework and how this may meet the retail requirements for Carlisle and the Retail Study undertaken in 2012.

As set out in the Draft Development Framework, there is significant potential within Carlisle City Centre to enhance the existing shops and services provided through the allocation of strategic sites for future retail development over the course of the new Local Plan period, given the large rural catchment area of Cumbria and the Borders.

The Framework acknowledges the challenges and threats to the City Centre in paragraph 1.9, citing the competition from out of centre retail destinations. As you know, our client shares this concern and is of the view that out of centre retail should be resisted. We understand that despite our formal objections, St Nicholas Gate Retail Park was given planning permission to increase retail floorspace in June 2014 through the provision of mezzanine floors and to widen the sale of goods at the retail park. This will inevitably have a detrimental impact on the Primary Shopping Area in the City Centre, given the close proximity of the retail park to the City Centre. We would strongly urge the Council to resist any other planning applications of this nature.

The Preferred Option set out in the Draft Development Framework identifies the area to the north of Lowther Street, including Rickergate, as having high potential for change / intervention. However, the Preferred Option document states that its potential for change and the redevelopment of this area which would trigger the release of sites is dependent on alternative accommodation being identified.

In terms of the proposed Option A and Option B for this area, we consider that the Primary Shopping Area will extend too far north and the proposals will consequently weaken the City Centre core and retail function. To extend the Primary Shopping Area to the north, it would be likely that Carlisle's shopping area becomes a linear Shopping Area which would have an impact in terms of distance from public transport modes and pedestrian accessibility.

The redevelopment of this location will deter linked trips due to the increasingly steep slope down Scotch Street, which is unattractive to shoppers who will not wish to climb back towards the train station and bus station, and other destinations within the City Centre. This area of Scotch Street is currently dominated by lower grade retailers and hot food takeaways, which is not appealing to fashion and lifestyle retailers that are seeking premises in Carlisle.

The proposals in this location would also have an impact on the current established City Centre core, resulting in a split retail centre with two distinct destinations that will weaken the strength of the current compact and easily negotiated central retail core.

We are also concerned that the extension of the Primary Shopping Area to the north will be dependent on the identification of alternative accommodation for the Council-owned Civic Centre and associated buildings. Given that alternative accommodation will need to be in place prior to redevelopment of the buildings, this may result in delays to the redevelopment and consequent extension of the Primary Shopping Area, which would have a detrimental impact on the future of Carlisle City Centre.

In contrast, by extending to the east, and forming an extension to The Lanes, permeability and connectivity will be enhanced in the City Centre and provide immediate links to the Citadel, Botchergate and Primary Shopping Areas. Our Client therefore proposes an alternative option to enhance the City Centre and the retail core, which is detailed below.

Proposed Extension to The Lanes

The owners of the Shopping Centre are in negotiations for the extension and enhancement of The Lanes as there is the opportunity for Carlisle to be supported by a stronger retail core and the potential to welcome other high end national multiples to be accommodated in the City Centre who do not currently have a presence. This includes the provision of a new anchor / department store and family friendly leisure and food offers.

There is considerable merit in the extension of the Primary Shopping Area to the east, and specifically extending The Lanes shopping centre. The area to the east of Lowther Street is a prime location for the extension of The Lanes, particularly the existing car park which has been identified as a future acquisition for the owner of the shopping centre.

The extension of The Lanes to the east on the existing Lowther Street Car Park is considered to be a more viable and realistic opportunity to deliver an extension to the retail core in Carlisle City Centre. It provides the opportunity to deliver a more cohesive and comprehensive redevelopment which accords with the existing character of The Lanes and this area of Carlisle City Centre. The proposals do not rely on the future release of land and are not contingent on the identification of alternate premises being found for the City Council operations that are currently in place at the Civic Centre and the associated offices.

Our Client has drawn up some initial plans for an extension to The Lanes which would in effect extend the Primary Shopping Area east and form a more robust and connected Primary Shopping Area. The plans are enclosed with this letter and we would welcome the early opportunity to discuss the proposals in more detail with Officers.

The proposals incorporate the redevelopment of the surface level car park to the east of Lowther Street, seeking to deliver 22 additional retail units, an anchor store, up to 4 food outlets, a multiplex cinema, and an additional 150 roof level car parking spaces (net) which would be accessed through the roof of the existing car park at The Lanes.

The proposals seek to maximise the use of what is currently an inefficient land use in the form of the surface level car park. By building to 3 storeys, it creates the opportunity to increase the amount of floorspace as well as diversifying the use of the extension through the delivery of food outlets and a multiplex cinema.

It is considered that the delivery of leisure uses alongside additional retail floorspace would be of significant benefit to Carlisle, in terms of linked trips, given that it serves such a large sub-regional catchment throughout Cumbria. The delivery of leisure uses would also seek to extend evening activity and the related economy, and contribute to Carlisle becoming more of a destination. This would consequently encourage visitors to undertake multi-purpose trips. It is considered that this would benefit The Lanes particularly however there will inevitably be linked trips outside of the shopping centre to other areas in Carlisle City Centre.

The future of The Lanes must be bolstered in order to maintain an attractive and vital destination for Cumbria.

Given the success of The Lanes in recent years, the provision of additional units in the shopping centre in an attractive controlled environment in immediate vicinity to established retailers such as House of Fraser and Marks & Spencer will be a considerable draw for retailers that are not currently represented in Carlisle, through the certainty of consumer footfall on the basis that it is physically connected to The Lanes.

Summary and Conclusions

The Carlisle City Centre Draft Development Framework concerns the future growth of Carlisle. The Preferred Option for the extension of the Primary Shopping Area to the north, encompassing the redevelopment of the Civic Centre, which is detached, some distance down an ever increasingly

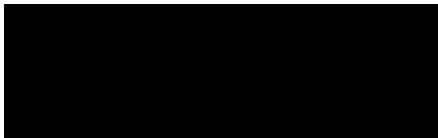
steep hill, and contingent on the release of sites for redevelopment once alternative accommodation has been secured for the Council.

It is considered that the Preferred Option will potentially weaken what is currently a strong retail core through reducing the connectivity within the City Centre, whilst creating a dual centre retail destination, threatening to further weaken the secondary retail pitch of English Street towards the Citadel.

It is our view that a far better option would be the extension of the Primary Shopping Area to the east, in the form of an extension to The Lanes through the acquisition of Lowther Street car park would result in a more realistic delivery of an extension on the same topographical plane as the existing primary retail core.

We would welcome the opportunity to discuss the proposals enclosed with this letter further and consider that a meeting with relevant Planning Officers would be most opportune to identify how our Client and Carlisle City Council can work together to deliver the most appropriate extension of the Primary Shopping Area.

Yours sincerely,



CLAUDIA CLEMENTE
Senior Planner

*Encs: Drawing number 13059-09
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21306/A3/CC/sw

10th April 2014

Dear Sir or Madam,

CARLISLE DISTRICT LOCAL PLAN 2015-2030
PREFERRED OPTIONS CONSULTATION – STAGE TWO

Barton Willmore is appointed to prepare and submit representations to the Local Plan Preferred Options Consultation - Stage Two on behalf of Carlisle Shopping Centre Limited (the owners of The Lanes Shopping Centre) and their managing agents F&C REIT Asset Management.

Background

The Lanes is the largest shopping centre in Cumbria and the Borders, with Carlisle operating as the main cultural, commercial and industrial centre for north Cumbria covering a significant catchment of residents in the surrounding rural areas. Carlisle City Centre is a very successful and prosperous retail centre, offering a positive visitor experience with pedestrianised streets, a large shopping centre and a wide range of retail and dining offers and other services. The Lanes integrates itself seamlessly as part of the City Centre's retail and dining offer and makes a positive contribution to the City through the provision of additional facilities and services, including a 600 space covered and secure multi-storey car park, shopper toilets, Shopmobility and ATMs. Furthermore, Carlisle library is located within the shopping centre.

The Lanes Shopping Centre accommodates over 70 stores, including Debenhams, Next, H&M, Lush with a variety of other national multiple and small local occupiers. The Lanes is well managed and has a relatively low vacancy rate of 12% of units currently vacant, albeit many are let on very flexible terms, often called 'pop up shops' to enhance the mall appearance. The owners and their agents are keen to ensure vacancies are reduced further to build upon the success of the shopping centre and the wider Carlisle City Centre.

Carlisle Shopping Centre Limited has owned The Lanes since December 2012, in which time they have made significant commitment and investment towards the Centre. Many of these commitments are commercially sensitive but are well known to the officers of the council in their position as freeholder of the site. However other investments including:

- Securing the future of Schuh in the city when their superior landlord went in to administration
- Reconfiguring the central square to create a more flexible space to be used for region wide



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- promotions to draw additional footfall into the city centre
- Investment in the fabric of the building to enable the malls to be secured at night to reduce incidents of anti-social behaviour
- Engaging with the planners to investigate reconfiguring and extending the shopping centre to accommodate modern retailers changing special requirements to ensure the city centre is the destination for retail in the region.

The owners of the Shopping Centre are currently exploring options for the extension and enhancement of The Lanes as there is the opportunity for Carlisle to be supported by a stronger retail core and the potential to welcome other high end national multiples to be accommodated in the City Centre who do not currently have a presence. This includes the possible provision of a new department store and family friendly leisure and food offers.

If new retailers are to be attracted to the City, the clear focus should be to accommodate them within the City Centre to ensure the vitality and competitiveness of the Centre. The owners of The Lanes shopping centre have repeatedly set out their concerns in respect of the impact that out-of-centre and out-of-town proposals would have upon the viability and vitality of the City Centre. It is clearly established that town centre development in out of centre locations is damaging to the City Centre and impacts negatively upon the future of the City Centre. Investment and support for the City Centre should be a priority and The Lanes has an essential and integral role in securing that future investment.

There is significant potential in Carlisle City Centre to enhance the existing facilities and services provided through the allocation of strategic sites for future retail development over the course of the new Local Plan period, given the large rural catchment area of Cumbria and the Borders. We have set out further in our representations below the way in which we consider such growth could be achieved.

Representations to Preferred Options Consultation - Stage Two

This letter of representation has been prepared on behalf of our Client and their interests as owners of The Lanes. We have therefore made comments on the Vision, Objectives and Spatial Portrait as well as a number of specific policies.

VISION

The Vision for the District Local Plan sets out the long term objectives for Carlisle in terms of the future of the City Centre and various other aspects of the District.

The Vision sets out that as the urban capital of Cumbria, Carlisle should further establish its position as a centre for activity and prosperity in the north-west. To achieve this, there is a need to encourage investors and developers to invest their resources in Carlisle, to deliver an excellent supply of quality market and affordable homes, businesses, accessible services and a wide cultural offer. This is intended to result in a vibrant City surrounded by high quality urban and rural environments with prosperous market towns and thriving villages.

We fully support this Vision, and consider that Carlisle has significant opportunities to achieve the objectives set out in the new Local Plan. We would recommend that any development that incorporates retail or leisure should be delivered in the City Centre as a priority, with the surrounding market towns and thriving villages offering a supporting role to the main retail provision within the City Centre.

POLICY S1: SUSTAINABLE DEVELOPMENT

Policy S1 promotes a positive approach that reflects the presumption in favour of sustainable development, consistent with the requirements of the National Planning Policy Framework. The

policy goes on to state that proposals should be approved wherever possible securing development that improves the economic, social and environmental conditions of the area.

We consider that this planning policy is positive in respect of securing the best possible growth in Carlisle District, in relation to housing, economy and culture and leisure provision, and we are supportive of the general principle of sustainable development being secured in Carlisle.

POLICY S2: SPATIAL STRATEGY

The Spatial Strategy sets out the objective to:

"Strengthen and protect the city centre and other existing centres to help create sustainable centres where adequate services and facilities would be provided by balanced growth"

We are supportive of the wording set out in this policy in relation to the City Centre's role as a retail and service centre however we consider that there is merit in setting out the need for enhancements to Carlisle City Centre to be treated as a priority for the Spatial Strategy as a whole.

There is clear potential for the growth and improvement of the City Centre and the defined Primary Shopping Area (PSA) through the allocation of appropriate sites for retail and leisure development to enhance and improve the existing City Centre. As we have set out in the background to these representations, the owner of The Lanes has been exploring options to maximise the opportunities for expanding the Centre, with the intention to improve the facilities and services available. This in turn will benefit the more rural populations in the District.

Given Carlisle's role as the urban capital of Cumbria with a significant rural catchment area, the City Centre has a crucial role in the servicing of these rural populations, for leisure, retail and employment. The new Local Plan has the opportunity to set out the direction for growth in terms of retail and leisure and the need to prioritise the development of Carlisle City Centre ahead of other market towns, whilst retaining a balance between the different areas.

This approach is supported by the findings of the Carlisle Retail Study 2012, which states that whilst there is limited capacity in the initial years of the Plan, future development should aim to reinforce the City Centre as the prime retail location.

POLICY S6: REGENERATION AND STRATEGIC RETAIL IN THE CITY CENTRE AND BOTCHERGATE

Policy S6 is the key retailing policy in the context of the City Centre and future growth. In order to ensure that Carlisle remains competitive with a high level of expenditure given its largely isolated location with the opportunity to serve a large rural population, the development of city centre sites is being considered by the Council in the form of a City Centre Masterplan. We fully support the proposal to prepare a City Centre Master Plan which we understand will follow the progress of the Local Plan.

The City Centre Masterplan will be informed by the Carlisle Retail Study 2012 which confirms that there is limited requirement to increase retail floorspace in Carlisle City Centre however it is understood that the Council are exploring options to meet the requirements in the latter part of the Plan period. We support the principle of growth within the City Centre and it has been established in previous discussions between our Client and the Council that our Client could be in a position to deliver an extension to The Lanes Shopping Centre on the Lowther Street Car Park site. As such, we fully support the proposed allocation of this site.

Our Client is fully committed to investing in Carlisle, and to this end has commenced discussions with a number of retailers to determine the interest in the possible increase in available floorspace, attracting new retailers that do not have an existing presence in the City. It is also important to

note that some retailers already represented within the city occupy accommodation that does not fully suit their current trading styles and does not allow them to carry their full range of lines.

The relocation or extension of these retailer's stores will enable them to offer their full ranges and negate the need for shoppers to travel further a field for a full range store. Our Client's managing agents have identified market demand in Carlisle, as consistent with the Carlisle Retail Study 2012 and are proceeding with their discussions and plans on this basis.

Initial design feasibility exercises have established that approximately 150,000 square foot of retail floorspace could be accommodated on the Lowther Street Car Park site as an extension to The Lanes, with additional leisure and restaurant floorspace over 3 floors and additional car parking to enhance the provision of existing facilities in Carlisle.

We consider that in order to formalise the commitment to the extension of The Lanes on behalf of the Council and our Client, the allocation of Lowther Street Car Park should be linked directly to The Lanes, alongside the potential floorspace that could be delivered in such an extension. We therefore recommend that the allocation should be extended to adjoin the Lanes and that the wording of this policy is amended to state:

"Lowther Street Car Park to be developed as an extension to The Lanes to deliver approximately 150,000 square metres of retail floorspace alongside leisure facilities and additional car parking."

The re-wording of this policy in this way would create greater certainty in terms of the direction for retail growth in Carlisle, and the commitment to the expansion of The Lanes to accommodate future retail requirements for the benefit of the City Centre and the wider sub-region.

We object to the strategic allocation of the Caldew Riverside site and question its deliverability and the timeframes within which to deliver. The proposals to allocate this edge of centre site would have a negative impact on the Town Centre and this should be eliminated where possible. Any development on this site will create a two destination centre which is impossible to link due to the extreme topography between it and the existing city centre. We also strongly believe that the highways problems any development on this site would generate would outweigh any benefit for the city.

POLICY 4: PRIMARY SHOPPING AREAS

Policy 4 relates to the Primary Shopping Areas in Carlisle, and we are supportive in principle of this policy. The policy is considered appropriate in order to protect the vitality and viability of the City Centre in line with the NPPF, and will encourage appropriate growth of the City Centre over the course of the Plan.

We agree with the overall recommendations set out within the Carlisle Retail Study which indicate that the City Centre should remain the key focus for retail development and we consider that wording to this effect, identifying the City Centre's role as the key retail provision in the sub-region, should be included in the policy.

The reference within the proposed approach to not permitting non-retail uses where it would lead to an unacceptable concentration of such uses is concerning as we consider that the alternative is to have a number of vacant retail units in place. We therefore recommend that this element of the policy is amended to reflect this possible situation.

The policy refers to the Primary Shopping Area is being used as the main town centre reference for any sequential assessment. In addition to this reference, we consider that a further sentence in the policy should be included to cross refer to Policy 6 of the Plan as follows:

"Any retail development outside of the Primary Shopping Area should be subject to relevant sequential and impact assessments as consistent with Policy 6: Retail Proposals outside the Primary Shopping Area."

POLICY 5: PRIMARY SHOPPING FRONTAGES

We support the spirit of this policy which aims to protect, retain or improve Primary Shopping Frontages in the City Centre, with the intention to support the positive promotion of a competitive town centre environment.

The retail sector has experienced significant difficulties over recent years and we are supportive of a mix of town centre uses being developed in Carlisle City Centre, to enhance and improve the offer within the PSA, creating a more holistic experience for visitors with a choice of shops, restaurants, cafes, bars and other leisure uses.

The priority in terms of the Local Plan and the objective of this policy should be to maintain the vitality and viability of Carlisle City Centre as the retail centre for the Cumbria sub-region. The support for complementary uses in the form of leisure and restaurants is positive and will have a positive impact in respect of improving evening activity and economy throughout the City Centre.

POLICY 6: RETAIL PROPOSALS OUTSIDE THE PRIMARY SHOPPING AREA

We support this policy and consider that it is consistent with the findings of the Carlisle Retail Study 2012 which sets out that the growth and development of Carlisle City Centre should be prioritised.

We are supportive of the floor space threshold in respect of sequential assessments as there could be viable opportunities for such retail proposals to be accommodated within the Primary Shopping Area once a sequential assessment is applied. It is crucial however that retailing outside the Primary Shopping Area should relate to bulky goods comparison retail first and foremost. Small scale comparison retail proposals typically relate to town centre uses and should be secured within the Town Centre, specifically the Primary Shopping Area.

The City Centre should be recognised as the heart of the community in line with the NPPF and treated as the priority location for retail with out-of-centre retail development being related to the sale of bulky goods, or subject to appropriate sequential and impact assessments.

It is noted in recent years that retail trends have changed considerably, due to the economic downturn and the advent of online shopping becoming popularised. This has resulted in a reduction in the need of retail fascias on the high street and the reducing demand for retail space in terms of the presence on the high street. In order to secure the future of the high street and viable and successful town centres, retailing should therefore be treated as a priority in the Town Centre, particularly the Primary Shopping Area.

We are opposed to the alternative option set out at paragraph 4.37 in relation to allowing out of centre growth for comparison retail on the basis that Carlisle is a strong and attractive retail centre serving the Cumbria sub-region and should be prioritised to grow. Allowing out of centre growth would undermine the City Centre and have a detrimental impact in terms of Carlisle's ability to retain expenditure within the District.

POLICY 7: NEIGHBOURHOOD SHOPPING PARADES

Given the size of Carlisle City Council and the area that it covers of approximately 1,042 square kilometres, we acknowledge the need for small scale convenience shopping to be provided on a local level. We are therefore supportive of the principle of this policy.

We consider that the inclusion of criteria 5 in the policy is important to ensure that the prioritisation of the City Centre is reiterated and that local, neighbourhood retail provision should not be proposed as an alternative to the comparison retail offer in Carlisle City Centre.

POLICY 8: MORTON DISTRICT CENTRE

As noted in our commentary on Policy 7 above, we acknowledge the need for convenience retail to be provided on a local level.

The allocation of the foodstore at Morton is supported in principle on the basis that this would not have a detrimental impact on convenience and comparison retail in the City Centre. There should however be an element of the policy which seeks to control the convenience/comparison split of floorspace at the foodstore to ensure that the development has no impact upon the provision of comparison floorspace in the City Centre.

Further, we propose that a restriction should be in place in terms of the type of comparison goods that could be sold from the foodstore, and it is considered that the sale of goods of a bulky nature would be appropriate from the premises. We have set out suggested wording to be added to the end of the first sentence of policy 8 below:

"The proposed capacity of 8,175sqm gross should include no more than 10% comparison floorspace, to relate only to the sale of bulky goods."

Any comparison floorspace permitted as part of the proposed foodstore should not be sublet to other alternate retailers and operators. This suggestion is made to prevent the proposed foodstore from evolving into a potential retail park at the location and consequentially seeking to compete with the retail offer of Carlisle City Centre.

We are concerned that the development could exceed its allocation subject to local demand through any permitted sale of comparison goods and we would therefore ask that an additional sentence is added to the end of the policy to reiterate the prioritisation of the City Centre, as follows:

"The development of Morton District Centre shall not impede on the delivery of retail growth in the City Centre for convenience and comparison retailing."

It is essential that no policy within the emerging Local Plan undermines the City Centre and the need to maintain the vitality and viability of the City Centre. We consider that the proposed changes to this policy would protect the City Centre over the course of the plan period.

POLICY 9: SHOP FRONTS

The provision of high quality shopfronts can have a positive impact upon the character and nature of a retailing area, with quality townscapes creating opportunities for growth and vitality themselves. We are therefore supportive of this policy.

POLICY 10: FOOD AND DRINK

This policy has been prepared in order to facilitate the creation of a vibrant and viable food and drink sector within Carlisle City Centre. We are supportive of this policy, and consider that the improvement of the food and drink provision in the City Centre would have a positive impact upon the evening activity and economy within Carlisle.

As referred to above, there is the potential to extend The Lanes to accommodate a range of restaurants to complement the development of additional retail and leisure.

POLICY 36: PLANNING OBLIGATIONS

We appreciate the need for planning obligations and the policy wording in order to achieve this. We are particularly supportive of the recommendation that:

"The contributions must not, however, be excessive to the point that the viability of development is compromised, and must therefore be appropriate to the scale and type of development proposed."

SUMMARY

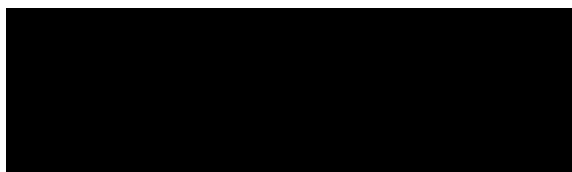
The representations set out in this letter have been prepared in the context of the 2012 Retail Assessment and our Client's desire to invest in The Lanes Shopping Centre by enhancing this asset with a possible extension delivered through the development of Lowther Street Car Park, incorporating additional retail and leisure floorspace and car parking.

We consider that our representations are consistent with the National Planning Policy Framework and the findings of the Carlisle Retail Study 2012. Carlisle has a great opportunity to enhance and maintain its role as a strong retail centre for the Cumbria sub-region however we consider that the new Local Plan would benefit from clear and detailed reference to what the Lowther Street Car Park site allocation could deliver.

We trust that these representations will be fully considered and we would be keen to meet to discuss the future of The Lanes and possible extensions, and the role that this would have in Carlisle City Centre.

Should you have any queries or wish to discuss, please do not hesitate to contact myself or Jolande Bowater.

Yours faithfully,

A large black rectangular box redacting the signature of Claudia Clemente.

CLAUDIA CLEMENTE
Senior Planner