



REPORT TO EXECUTIVE

Agenda item 16(a)

PORTFOLIO AREA: FINANCE AND RESOURCES

Date of Meeting: 8TH JULY 2002

Public

Key Decision: Yes/~~No~~

Recorded in Forward Plan: Yes

Inside Policy Framework

Title: VIADUCT ESTATE - DEVELOPMENT OPPORTUNITY

Report of: DIRECTOR OF ENVIRONMENT AND DEVELOPMENT

Report reference: EN 076/02

Summary:

Following a meeting of the Executive on 25th March, detailed responses to the draft development brief are included in this report together with a modified brief reflecting those changes.

Recommendations:

It is **recommended** that the development brief for the land south west of Viaduct Estate Road (Appendix B) be agreed and forwarded to Council for adoption as Supplementary Planning Guidance.

M Battersby

Director of Environment and Development

Contact Officer: Michael Battersby

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Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers: **None**

1. BACKGROUND INFORMATION AND OPTIONS

- 1.1 At its meeting on 25th March the Executive considered report EN 44/02 which included a draft development brief for the Viaduct Estate. This was approved as a basis for consultation.
- 1.2 The detailed responses to the draft development brief are included as Appendix A and the brief modified to reflect subsequent changes included as Appendix B.

2. CONSULTATION

- 2.1 Consultation to Date:
 - Local traders
 - Local Land Agents
 - Cumbria County Council
 - Statutory Consultees, i.e. Environment Agency
- 2.2 Consultation proposed. Not applicable

3. STAFFING/RESOURCES COMMENTS

- 3.1 None directly, but any subsequent development of the site may have resource implications which will be considered more fully once detailed proposals come forward.

4. CITY TREASURER'S COMMENTS

Not applicable.

5. LEGAL COMMENTS

Not applicable.

6. CORPORATE COMMENTS

- 6.1 The preparation of this development brief is consistent with the Council's Code of Conduct on Planning.

7. RISK MANAGEMENT ASSESSMENT

- 7.1 The adoption of this brief as Supplementary Planning Guidance is not a guarantee that development will take place. The brief will shape any future development.

8. EQUALITY ISSUES

- 8.1 Embraced within the brief.

9. ENVIRONMENTAL IMPLICATIONS

- 9.1 Incorporated within the brief.

10. CRIME AND DISORDER IMPLICATIONS

- 10.1 Included.

11. RECOMMENDATIONS

- 11.1 It is **recommended** that the development brief for the land south west of Viaduct Estate Road (Appendix B) be agreed and forwarded to Council for adoption as Supplementary Planning Guidance.

12. REASONS FOR RECOMMENDATIONS

- 12.1 The SPG will provide a guide to the development of the area and ensure compliance with the Code of Conduct

**COMMENTS ON CONSULTATION DRAFT DEVELOPMENT BRIEF
LAND SOUTH WEST OF VIADUCT ESTATE ROAD**

NAME	COMMENTS	OFFICER RESPONSE
<p>Mr D Taylor Cumbria Indoor Bowls Club Victoria Viaduct Estate Road</p>	<p>Main concern is increased traffic and parking requirement of the area. Access is limited because of sharp left turn and access/exit underneath railway line is also very limited. Southern exit is controlled by traffic lights, which allow the estate the smallest amount of time for vehicles entering/leaving.</p> <p>Our own car park is subject to trespass, which can only get worse if volume is increased. Therefore inappropriate to consider development which would considerably increase traffic flow. The whole area is already very congested and there have been occasions when traffic has been trapped for two hours or more. This has serious implications in respect of emergency service vehicles.</p> <p>To considerably increase traffic flow will take tremendous improvement if the whole area is not to be a permanent traffic jam. For information the club has a turnover of 100 vehicles every 2 hours 10:00 – 20:30 each day Sept – April each year. All these vehicles will pass through the area you are considering.</p>	<p>The concerns are recognised in the development brief where solutions are considered.</p> <p>The detail of individual traffic flows is a matter for a transport assessment to determine and this should take into account existing flows on the estate.</p> <p>The concerns about trespass and parking for the bowls club can be assisted by the overall layout of any development and clear signage although that is also a matter, which the club will have to manage.</p>
<p>Assistant Principal Environmental Health Officer</p>	<p>No objections provided the contamination issues referred to in paragraphs 15.1 and 15.2 are investigated. Any remediation found necessary must be carried out in accordance with a remediation programme that has the approval of Environmental Services and the Environment Agency.</p>	<p>Noted. Add additional sentence to paragraph 15.2 to clarify that the approval of both parties is required.</p>

NAME	COMMENTS	OFFICER RESPONSE
Helena Smith Assistant Archaeologist Cumbria County Council	Suggests amendments and re-ordering of text in paragraphs 14.1 and 14.2	Accept that amendments should be included in the brief to clarify the need and extent of archaeological evaluation.
Jane Corry Senior Planning Officer Cumbria County Council	As the designation of the site is mixed commercial area and falls within Policy EM5 of the Local Plan it does not raise any strategic planning issues. Regarding transport policy the term "transport assessment" should replace "an assessment of traffic impact" in paragraph 5.1. Transport Assessment covers all modes of transport and is the term that should be used. Paragraph 10.1 refers to current parking standards based on the County Council parking standards. Reference to maximum parking provision figures included in PPG13 would give greater guidance and would scan better with the last sentence of this paragraph. This would give the developer wider scope however as is often the case the developer may want to regard the maximum provision in PPG13 as a minimum. This would be at odds with the traffic reduction aims in the County Council's Road Traffic Reduction Act Report.	Comments are noted and paragraphs 5.1 and 10.1 are to be amended to refer to transport assessments and PPG13.
Mr I Kay Secretary Eden Bridge Club Viaduct Estate Road Viaduct Estate	Express concern about the impact on car parking whilst building work proceeds. Non-members and non-authorised vehicles use our private car park. We have erected chains but these are cut rendering them ineffective. Do not wish to find ourselves in a worsening position during development work due to a reduction in car park availability. Suggest adequate alternative provision for the general public or alternatively provide Eden Bridge Club with a more satisfactory method or protecting our premises.	Acknowledge the concern about changes to parking during construction on the site. An additional paragraph to be inserted at 4.5 in the brief to ensure that a minimum of "300" public car parking spaces are retained throughout development of the whole site.

NAME	COMMENTS	OFFICER RESPONSE
<p>Mr J D Francis Development Planning Partnership On behalf of Lowther Manelli Properties and Tesco Stores</p>	<p>1. Welcome the brief and pleased the City Council recognises the potential of the area.</p> <p>2. When the Local Plan is reviewed it would be pertinent to consider enhancing the site's profile for retailing through a shopping zone type allocation or including the site within the defined City Centre shopping area or both.</p> <p>3. Note the aspiration that any redevelopment proposals should ensure no overall loss of public car parking. Clearly dealing comprehensively with the site provides potential for rationalisation and multi-decking although requirement for any development to meet current provision should be subject to assessment at the time since demand could decrease in future years.</p> <p>4. Traffic and transport are important. Any proposals for development should only be required to provide or contribute to infrastructure improvements that can be justified by reference to the development. This also applies to pedestrian and cyclist access and circulation and public transport.</p> <p>5. With regard to parking it would be useful if the brief could confirm that national car parking standards (PPG13) and the specific needs of the development will be taken into account. The points made in the brief ensuring the development is not occupied by long term parkers is accepted and supported. The brief should also reflect the management of the car park could be at the discretion/responsibility of the operator.</p>	<p>1. Noted</p> <p>2. Noted consideration will be given to the use of Mixed Commercial Areas in the Local Plan review.</p> <p>3. A separate study is currently examining car parking and the finding of this study will determine the detailed public and private parking arrangements for the site. The car parking currently serves the city centre as a whole and must form part of the city wide strategy. Any reduction can only be properly managed where there are realistic alternatives.</p> <p>4. Acknowledged that improvements should relate to the development but these should also take into account the context of providing for alternative forms of transport in line with national policy.</p> <p>5. Noted also in response to County Council comments that standards referred to in PPG13 are appropriate for the site. To be clarified in the brief by amendments to paragraph 10.1. Can add clarification about operation – Development car park or are we considering transferring council car parks?</p>

6. Scale of development and design. Consider the brief is too prescriptive and not reflective of opportunities offered by the site. Also in the absence of a specific scheme it is not possible to say whether a building greater than 2 storeys in height is acceptable.

7. Brief advocates consideration of a pedestrian link to Charlotte Street south of River Caldew. Such a link cannot be justified in the context of new development proposals for the site covered by the brief. There are serious difficulties associated with delivering such improvements given infrastructure and ownership constraints. Such a link should be promoted and funded in the future by the County/City Councils and the developer of the other site since they would benefit the most from the link.

8. With regard to development proposals for the site, particularly retail, accept that reference needs to be made to CB Hillier Parker Study. Accept that if Tesco promote such a store it is likely that it would transfer its Victoria Viaduct operation to the new store. As the brief states this provides for the opportunity for the existing floorspace to be added to the level supported in the Study.

6. Acknowledge that there needs to be some flexibility however the brief needs to establish the major elements surrounding the site that will influence the design. Suggest rewording the paragraph.

7. Acknowledge that the implementation of such a link is a matter for consideration in developing land on Charlotte Street. The layout of any development of the site the subject of this brief should however take into account the ability for such a link to be accommodated within the area.

8. Noted.

commercial development of Milbourne and Charlotte Streets giving more direct access into Denton Holme.

The brief should refer to DETR/CTC/IHT document Cycle Friendly Infrastructure: Guidelines for Planning and Design (CFI) and developers expected to provide cycle parking facilities with the best practice outlined in the document. It is the present Government's preferred design guide. It sets out standards Local Authorities should stipulate in line with recommendations in PPG13. (relevant sections enclosed)

This would assist the Council in developing facilities in accordance with best practice. Would it also be appropriate to refer to the County Council's guidelines for parking which includes the number of cycle parking facilities for various developments?

Development Proposals – PPG13 refers to Transport Assessment rather than traffic Impact assessment which is very different. I assume the new assessment would be based on PPG13.

PPG13 also includes reference to Travel Plans and it would be possible to include the requirement for any business in particular labour intensive ones, to develop a travel plan. These have been successful elsewhere in encouraging a modal shift.

The inclusion of a bridge to provide links to other developments is considered too extensive for consideration in light of this development. The link specifically to the vacant site on Charlotte Street is seen as an opportunity to link two retail developments for joint trips.

Agree that best practice should be encouraged. Include additional reference in the brief to refer to this guidance in paragraph 9.2.

County Council has requested that parking guidelines in PPG13 are referred to.

Noted and will be amended accordingly.

Development proposals should be in accordance with PPG13 and where they are above the threshold specified should submit a travel plan. Amend the development brief to take this into account.

NAME	COMMENTS	OFFICER RESPONSE
<p>J Kelsall Phoenix Architects On behalf of Coralsands Properties Ltd</p>	<p>Issues raised in the Draft Brief are considered in general terms without a great deal of detailed support – responses will be similarly expressed in general term.</p> <p>Little is included as to the opportunities this area offers within its edge of centre location. Food store is mentioned but no other potential uses are investigated.</p> <p>Given the site is currently occupied and in use, the need and justification for the delineated boundaries is not clearly identified. It must be assumed the draft brief has been produced to encourage new interest in development for food retail or is responding to market interest that would not be satisfied by the current permission.</p> <p>Reference is made to Botchergate previously identified for food retail. It is some concern that no attempt has been made in the draft to sequentially test alternative sites. A development brief should cover the same grounds as a developer i.e. PPG6 Annex B(4). The Council have stated its preferred choice of a site at Morton with no suitable sites “within or on the edge of the City Centre”</p> <p>Local Plan Compatibility – There are a number of issues raised under the following headings that show inconsistency or paradox with the Local Plan.</p>	<p>A development brief is intended to refer to common principles that will affect the development of a site in a particular location. It is not expected that the brief will list individually all types of development suitable under Local Plan Policy EM5.</p> <p>The area of the brief is intended to reflect the prospect of comprehensive development of an area where relocation of existing occupier (Capita) is envisaged. The inclusion of additional land enables greater opportunity for redevelopment, which is a function of the planning system.</p> <p>The Local Plan indicates a City Centre site on Lowther Street is available for retail development, which the Carlisle Retail Study considers suitable for comparison-shopping. With no additional sites identified in the city centre, the site subject of this brief would be considered appropriate for retail on a sequential basis.</p> <p>At the time the Local Plan was being prepared there was no realistic possibility of this site coming forward. This position has now changed and it is therefore possible to consider this site as suitable for development.</p>

Traffic Impact – The Development Brief should incorporate a Traffic Impact Study at this stage so that the detailed scrutiny and an opportunity is afforded in public to contest if appropriate. There has been a need for a City wide traffic study for some time. A development Brief for a city centre site of this size should take the opportunity to set down recommendations on how it sees the site and its surrounding road network stitching into a wider context. There appears a conflict for issues relating to car parking. Dedicated development parking is open to mis-use and difficult to control. Parking requirements and demand should be known to the city and it could be expected that a development brief should confront the issue and be clearer with its advice in this respect. A follow-up to the thinking behind the existing approval indicating how it would be envisaged that dedicated car parking would not be taken up by long and short stay users accessing the City not the store would be useful.

Vitality and Viability – Convenience food “basket” shopping within the City Centre has an important role and requires provision and policy support. If the City Tesco were to be incorporated within a development at the viaduct Estate it would leave a convenience monopoly within the centre for M&S. This does not promote viability or vitality and should be resisted, as it is contrary to policy. Question the view that the development would extend the City Centre due to difference in levels and physical separation by the West Coast Main Railway Line.

The brief does not identify a specific end user for the site and it is not the purpose of the brief to do so. It is therefore not possible for the brief to develop and contain a number of Transport Assessments for a variety of end users with differing operational requirements.

Overall the strategy for the road network is contained within the Local Transport Plan.

The development brief is not a tool for dealing with the specifics of each potential application but is intended as a broad framework for issues that have to be addressed by any application. The brief will be amended to contain more detail about the car parking arrangements and the proportion required to be retained on the site. The Council separately will consider the overall parking strategy and the impact of developing this site in relation to the availability of City Centre car parking.

There are additional convenience food locations at Farm Foods, Iceland, Kwik Save and the Market Hall in addition to M&S. All are available to City Centre residents. This will not create a monopoly for one store.

	<p>Accessibility by alternative means of transport – It is difficult to see how public transport could be seen to serve the site easily, as the commercial draw to a single outlet is limited. Question whether the site has the commercial draw to justify voluntary measures of the operator to underwrite financial loss. Link trips are likely to be from the site to the town using the site as a car park not walking to the store from the town centre returning laden with shopping. An enterprise for only the super fit and therefore inequitable.</p> <p>Commercial Considerations – The location of a superstore so close to the City Centre, particularly one which requires to buy-out and absorb the allocation of the Tesco town store, is bound to have an adverse effect on attempts to encourage convenience shopping outlets within the City Centre. Will affect the viability and vitality and is counter productive. Damage would be felt by non-car owning City Centre dweller ironic that the thrust of PPG6 and 13 is to support this section of the community against out of town superstores.</p> <p>Control of car parking would inevitably lend to an increase in short stay operation with attendant extra cost and inconvenience particularly to business and tourism. Higher parking tariffs to maintain space turnover will push shopper choice to out of town stores and question operator interest.</p> <p>Tesco should not be allowed to close its City store and develop the Viaduct Estate on the grounds this would be unreasonable monopoly and contradict the Hillier Parker advice.</p>	<p>The development brief is required to take account alternative transport in line with PPG13. Whether it is feasible to provide for such alternatives would be taken into consideration when determining individual applications.</p> <p>There are a number of alternative City Centre stores and locations for convenience food as detailed above. The development brief acknowledges the findings of the Hillier Parker Study in the capacity for retail. Proposals for retail development must take account of the capacity available in the centre. A large supermarket in the City Centre would be consistent with PPG6 in providing City Centre residents/workers and visitors with greater choice.</p> <p>Tesco do not have a monopoly position and whilst it is recognised that any store that is developed at Viaduct Estate would dominate the % of floorspace in the City Centre, Tesco currently occupy only 25% of the retail floorspace of dedicated supermarkets within the City.</p>
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DEVELOPMENT BRIEF

LAND SOUTH WEST OF
VIADUCT ESTATE ROAD

DRAFT
including amendments

Proposed Additions

~~Proposed Deletions~~

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PRODUCED BY PLANNING SERVICES
DEPARTMENT OF ENVIRONMENT AND DEVELOPMENT
June 2002

LAND SOUTH WEST OF VIADUCT ESTATE ROAD, CARLISLE

Land currently occupied as Lower Viaduct Car Park, Upper Viaduct Car Park, Capita DBS offices, Coles Vauxhall and Harper and Hebson Ltd.

1.0 Introduction

- 1.1 This development brief has been prepared to clarify and give further guidance on local plan policy, and to promote high standards of layout and design on the above site. Part of the site is owned by the City Council and there is future potential for disposing of the site. Under the City Council's code of conduct for dealing with planning matters, a development brief is required prior to disposal of the site.

2.0 Site and Surroundings

- 2.1 The site is part of the Viaduct Estate and comprises a number of existing uses. The current uses comprise 2 public car parks, Capita DBS offices based in portacabins, Harper and Hebson and Coles car showroom and repairs/MOT garage.
- 2.2 The land is relatively flat rising sharply to the Upper Viaduct Car Park. A retaining wall has been built south of the Capita DBS offices and the Upper Viaduct Car Park operates at a different level with a retaining wall around two sides. The viaduct estate road provides the main access route for all traffic to the site. The road can be accessed from its junction with the westbound carriageway of Castle Way. This junction operates on an access only (no egress to Castle Way) and a weight restriction of a maximum of 7.5Tonnes applies. The main vehicular access is from the traffic signal controlled junction of Viaduct Estate Road with Victoria Viaduct, James Street and Nelson Bridge. In order to reduce vehicle speeds in the vicinity of the site a priority direction speed table has been installed midway along Viaduct Estate Road to assist pedestrian crossing.
- 2.3 The River Caldew provides the western boundary of the southern part of the site. The western boundary of the northern part of the site is a dismantled railway line. The dismantled railway line is used as the Caldew cycleway and forms part of the National Cycle Route 7. This is raised above the site. The southern boundary of the site is Nelson Bridge. To the north the Carlisle Indoor Bowling Club occupies the adjacent site. A two-metre high black metal fence indicates the boundary of the site. The eastern boundary of the site is the Viaduct Estate Road.
- 2.4 On the opposite side of the Viaduct Estate Road are a number of small commercial units built into the arches underneath the railway line. At a point opposite Harper and Hebson MOT building, there is a pedestrian access that links through to Sallyport steps and onto the city centre.

Via this route, the site lies approximately 300metres from the main pedestrianised precinct in the city centre.

- 2.5 Opposite the Capita DBS offices buildings is a vehicular link under the railway line. The vehicular link is Arch No. 4 and is not a public right of way but a private street owned by Railtrack. Many vehicles use this as a link to English Damside.

3.0 Local Plan policies

- 3.1 The site is not covered by a specific allocation in the local plan. Part of the site is designated as a Mixed Commercial Area the remainder of the land is shown as "white land" on the proposals map. The mixed commercial area includes land used by Capita DBS as offices and car park, and the land and buildings occupied by Coles and Harper and Hebson.
- 3.2 This includes the majority of the site and the designation reflects the mixed nature of uses that locate in close proximity to the City Centre.

Policy EM5

Within Mixed Commercial Areas, proposals for B1 (Business), B2 (General Industrial), B8 (Warehousing), A2 (Financial and Professional) and A1 (Retail) will be acceptable provided that:

- 1 the relationship of the site to the highway network is satisfactory; and*
- 2 access to the site is satisfactory; and*
- 3 appropriate car parking provision can be provided; and*
- 4 the scale of development is appropriate in relation to the site, and the amenity of adjacent uses is not prejudiced.*

- 3.3 A number of other Local Plan policies may apply depending upon the end uses proposed however the above policy gives the general indication to which land uses would be suitable for the site.
- 3.4 Policy should also take into account any changes in national guidance since the adoption of the Local Plan. Since the adoption of the Local Plan Government policy has reinforced the use of the sequential approach which reinforces the flexibility to the type of land uses appropriate for the site. The proximity to the City centre means that the site can be considered as edge of centre in the context of PPG6. Some concerns may be raised about the indirect nature of the pedestrian access to the city centre in line with the role of this site however the area currently operates a key role in providing city centre car parking spaces which reinforce the links to the centre.
- 3.5 The "White land" relates to the public car parks and the planning policy assumption is that the existing use will continue. Any alternative land use will be judged on its merits on the basis of this development brief.

- 3.6 There are therefore a number of questions raised by the potential land uses and in particular the relationship between the existing mixed commercial area and the public car parks.

4.0 Public Car Parking

- 4.1 In general, any redevelopment proposals should ensure that there is minimal ~~no overall~~ loss of public car parking spaces on the site. Alternative provision of parking or the ability to cater for alternative modes of transport will be taken into account. It is recognised that users of the public car parks may visit the proposed development. The likelihood of this occurrence will be taken into account in any specific development proposals. Currently there are 453 long-stay spaces on the Lower Viaduct Car Park and 206 short-stay spaces at Upper Viaduct Car Park. In addition the Capita DBS offices (parking for 220 cars) operate a private car park on Saturdays, which is used as a long-stay car park.
- 4.2 The need to ensure that public car parking is available may influence the extent to which the whole site is redeveloped or just part. There is the opportunity for land to be rationalised as part of the redevelopment and car-parking areas may be consolidated to ease the flow of traffic in the area.
- 4.3 The raised level of Upper Viaduct Car Park may present an opportunity for a two tier parking area to be introduced in development proposals. Any proposals to excavate the Upper Viaduct Car Park must take account of potential contamination issues in the proposals.
- 4.4 A study of public car parking usage is currently being undertaken and in relation to this site will assist in ~~be required to~~ determining the appropriate level of public car parking provision for the site and the impact of any loss on the City Centre.
- 4.5 *Due to the nature of the site including public car parks, the loss of car parking during the construction of any development will impact on parking throughout the City Centre. In order to minimise the disruption at least 300 public parking spaces should be retained on the site during construction. Alternative car parking should be clearly sign posted.*

5.0 Transport and access

- 5.1 *Development of a site at the edge of the City Centre provides an opportunity to encourage alternative forms of transport to the car. This is consistent with PPG13, which aims to promote more sustainable transport choices. Later sections of this brief refer to issues relating to pedestrians, public transport and cycling.*

- 5.2 Traffic levels in the vicinity of the site are currently operating at over capacity and any intensification of use on the site will need to undertake an **transport** assessment of the traffic impact **to include the effect** on the traffic signal controlled junction and subsequent knock-on effect on local roads. In particular the traffic movement along Nelson Bridge and the junction of Denton Street and Charlotte Street at peak hour flow a.m. and p.m. will need to be taken into account.
- 5.3 Any improvements to **widen** the junction of Castle Way with Viaduct Estate Road are likely to be expensive due to land acquisition and construction costs. This will not be able to be accommodated within reasonable development costs of the site and will prohibit redevelopment. Improvements may be required to service public transport or pedestrian/cycle access to the site however the weight restriction of 7.5Tonnes will remain in force unless additional bridge improvements are made.
- 5.4 Access via No. 4 Arch and English Damside is not considered appropriate for the volume of traffic any redevelopment proposals will generate.
- 5.5 If the public car park at Upper Viaduct is retained in its current format, consideration will have to be given to the access/egress arrangements for vehicles close to the traffic signals. In particular the impact of such movements in relation to any increase in vehicles using Viaduct Estate Road and the potential to avoid queuing at the junction.
- 5.6 Intensification of use on the site that will generate a significant increase in vehicular flow, cars and service vehicles, may necessitate the widening of Viaduct Estate Road to accommodate the increased volume of traffic.
- 5.7 For development proposals that have significant transport implications the Council will request a travel plan in accordance with the thresholds referred to in Annex D and paragraphs 87-91 of PPG13. This will apply to future planning applications on this site which are above the thresholds.

6.0 Pedestrian and vehicular traffic access across Nelson Bridge

- 6.1 In considering improvements to the local road network, Nelson Bridge provides perhaps the least costly alternative for additional carriageway construction to facilitate the efficient distribution of traffic around the site. It is possible to extend the carriageway over the northern footway and construct a new footbridge. Any alterations to the local road network should seek to improve traffic flow and road safety for all users.

- 6.2 A number of other complementary measures including changes to the traffic signal sequence and filters may be required to assist with traffic flows.

7.0 Public transport

- 7.1 There is currently no dedicated bus service that utilises Viaduct Estate Road. The closest bus services stop on Nelson Bridge, Victoria Viaduct and English Street. Whilst these are within walking distance of the site, the lower level of the site compared to surrounding land uses acts as a deterrent to those using public transport to access the site. Redevelopment proposals for retail uses or attracting a high number of visitors to the site will require additional bus facilities within the site to provide a realistic alternative to car use.

8.0 Pedestrian access

- 8.1 The proximity of the site to the City centre provides an opportunity for linked trips to the town centre. The existing route via Sallyport steps is the most direct route to the City centre. The change in ground levels does not make this the most desired route but there is no easily identified acceptable alternative. As this remains the most direct route the pedestrian link via the arches should be maintained and adequate measures put in place to ensure pedestrian safety.
- 8.2 In order to improve pedestrian access from the site a direct link could be incorporated from the Caldew Cycleway and accessible to pedestrians and cyclists.

9.0 Cycling

- 9.1 The proximity of the Caldew Cycleway adjacent to the site provides a realistic opportunity for alternative transport to the car. A link from the Cycleway to the site will be required as part of any development proposals.
- 9.2 In addition development proposals will have to make adequate provision for secure cycle parking for employees and cycle parking for visitors to the end use. The DETR/CTC/IHT document Cycle Friendly Infrastructure: Guidelines for Planning and Design provides examples of best practice in the provision of cycle infrastructure and should be taken into account in any development proposals.
- 9.3 Any improvements that are required to the local transport network surrounding the site should take account of the need of cyclists. This should be considered for direct access to the site or improvements to road junctions.

10.0 Parking requirements (for end user)

- 10.1 Any applications for development of this site must be able to provide adequate parking in relation to the use. ~~The current car parking standards operated by the Council is based upon the County Council car parking standards.~~ Regard to paragraphs 49-56 and Annex D of PPG13 will determine the parking requirement for any development proposals for this site. Consideration will be given to the location of this site in the City centre and the ability to provide alternative transport arrangements for users of the site. On this basis levels of car parking lower than the maximum values will be considered.
- 10.2 The site may be suitable for retail development. Where customer car parking is provided in relation to such development consideration must be given to the need to ensure parking is for customers of the business and is not occupied by long term car parking. This is to ensure that there is a turnover of spaces at a level appropriate to the size of business and its central location.
- 10.3 Consideration may be given to the operation of a larger customer car park as a short-stay City centre car park ~~limited to 2 hours with a time limit e.g. 2 or 3 hours.~~ This would be dependent on the ability to ensure reasonable enforcement of parking restrictions to deter long-stay and would be the responsibility of the occupier of the development.
- 10.4 Dedicated parking areas should be made available for disabled users, cyclists and motorcyclists within any development proposals.

11.0 Scale of development

- 11.1 The site is split level with the majority of the land lying at a low level. The surrounding area has a number of taller buildings particularly on Victoria Viaduct and Nelson Bridge. The massing of any development proposals should however reflect the nature of surrounding development in the river valley. A number of low storey buildings are constructed on the southern side of the River Caldw. ~~It is not considered appropriate for development to be over 2 storeys to eaves height.~~ Proposals for development should take into account the existing form in the area. This will retain the existing views from the City Walls within and out of the area and significant views from surrounding areas to the Cathedral.
- 11.2 The location of car parking on the site may be moved in order to improve highway safety in relation to adequate servicing and delivery arrangements. The overall mass of any development will be restricted by the need to retain public car parking, provide customer parking and provide for servicing and delivery.

12.0 Design

- 12.1 The site does not lie within any conservation area and the existing buildings are utilitarian in nature. The site has a fundamental role in the visual approach to Carlisle City centre by rail from the north. The redevelopment of the site therefore provides an opportunity to improve design on the edge of the city centre. Any mixed commercial development will be required to fulfil its functional role however the visual relationship to buildings on Victoria Viaduct, West Walls and Carlisle Cathedral in the general approach to the centre should not be overlooked.
- 12.2 The site also has an opportunity to improve the relationship to surrounding land uses including the River Caldew. Existing developments turn their back on the river and there may be an opportunity to acknowledge its proximity.

13.0 Landscaping

- 13.1 The site has a number of trees in particular located around the southern most car park. These trees provide some landscaping particularly associated with the difference in land levels. Depending on the site's development there may be a need to remove trees to obtain access to land. The site's location in relation to the River Caldew corridor is an excellent opportunity to improve the wildlife value of the site. The current planting on the site is sporadic in nature and the comprehensive redevelopment of this site will afford the opportunity to formulate a clear landscape strategy for this area.
- 13.2 The River Caldew is classed as a "main river" under Land Drainage Byelaws. As such any proposed tree planting within 8 metres of the river bank or retaining wall will require prior consent of the Environment Agency.

14.0 Archaeology

- 14.1 The site lies within an area of architectural interest within the historic City of Carlisle and is in close proximity to a number of sites of Roman and Medieval interests. Some documentary evaluation has been undertaken for part of this site. Whilst the initial findings indicate the site is outside the Roman and Medieval towns defences, there is potential that for the survival of sub-surface remains exist of archaeological significance within the site.
- 14.2 As a consequence of this and in relation to PPG16 paragraphs 20-22 and Carlisle District Local Plan policy E30, an further archaeological evaluation will be required. This will need to determine the presence, nature and extent of surviving archaeological remains within the site. A limited number of trial trenches would be necessary in order to undertake further evaluation. A programme of archaeological work and a written scheme of investigation will be required for the site. This

should comprise a number of trial trenches which will aim to determine the presence, nature and extent of surviving archaeological remains within the site. A written scheme of investigation will be required for the trial trenching, which must be approved by Carlisle City Council. The results of the evaluation will be used to determine the need for and scope of, any subsequent archaeological mitigation.

15.0 Contamination

- 15.1 Ground investigations have been undertaken within the site and these indicate a contamination issue that may affect proposals for development. The Upper Viaduct Car Park is the former Town Gas Site. The finished ground level reflects the potential for contaminants on the site and the need for further investigation if alterations to ground levels are proposed. Any alterations to the access/egress arrangements for the Upper Viaduct Car Park will need to ensure any contamination issues can be satisfactorily resolved.
- 15.2 Pollution of the adjacent watercourse is a concern in relation to any site contamination. Boundary treatment of the site adjacent to the watercourse (River Caldew) will need to ensure that the watercourse is protected from contamination e.g. coal tar residues. Appropriate measures to prevent pollution of ground water and surface water will be required. An initial desk study will be necessary to determine the extent of on-site contamination. The findings of such a study may require additional investigation. Any remediation found necessary must be carried out in accordance with a remediation programme that has approval of the Council's Environmental Services and the Environment Agency.

16.0 Pedestrian link to Charlotte Street south of the Caldew

- 16.1 Opportunity may arise to provide a pedestrian link to the currently vacant site in Charlotte Street. The site has planning permission for retail development and may be complementary to redevelopment of this site. Whilst the pedestrian link is not a pre-requisite of the redevelopment of this site, measures to improve traffic flows may result in changes to pedestrian access across Nelson Bridge. A new pedestrian footbridge, which would run parallel to Nelson Bridge, required as part of traffic improvements may provide the opportunity to provide a pedestrian link. The design of a footbridge should therefore take into account the opportunity for an additional link at a later date. The layout of development of the Viaduct Estate site should therefore take into account the ability to accommodate such a link.

17.0 Flooding

- 17.1 Part of the site appears on the 1999 Indicative Floodplain Maps produced by the Environment Agency as within the Fluvial flood outline area. This is due to the proximity of the site to the River Caldew and

forms part of the Denton Holme formal flood risk area. In relation to advice contained in PPG25, the site will be required to be protected to the one in one hundred year storm event.

- 17.2 The structural and hydraulic adequacy of the existing flood defences will need to be determined in order to safeguard the proposed development. In addition the proposed floor levels of any development is required to be 600mm above the existing site ground level, to a level of 16.100 AOD.

18.0 Recycling Point

- 18.1 Within the Lower Viaduct Car Park is a recycling point, which contributes towards the Council's commitment to recycling and sustainable reuse of resources. Development proposals which affect this car park will be required to provide an alternative accessible location for a recycling point.

19.0 Development Proposals

- 19.1 The site has recently been the subject of a planning application for a proposed foodstore (99/0842) which has been approved. A retail use of this nature is compatible with the site's location and the Mixed Commercial Use policy in the Local Plan.
- 19.2 The permitted development currently only include part of the site i.e. Coles Vauxhall Dealership and Capita DBS offices. Many of the issues relating to public car parking have therefore not been considered under the present application.
- 19.3 Comprehensive redevelopment of the site would present a better opportunity to improve the Viaduct Estate Area. Given the nature of the improved transport requirements to accommodate the existing proposals a more comprehensive approach to the site's development may be financially more viable.
- 19.4 In considering the use of the site for retail, reference should be made to Carlisle Retail Study 2000 undertaken by CB Hillier Parker. This report considers the development of City Centre food retail and this site in particular. With regard to City Centre food retail the study considered that any development of additional floorspace could only be considered on the basis that the existing Tesco foodstore in Victoria Viaduct would close. The existing retail capacity of this store would then be incorporated into the new store. The study concluded that retail capacity of about 5,000sq.m. gross (53,800sqft) would be capable of being accommodated within the existing capacity.
- 19.5 The preferred location in the Retail Study was Botchergate however since the study was undertaken, alternative proposals for Botchergate have been progressed. The current site was dismissed as an edge of

centre site in preference for Botchergate. As the Botchergate site is no longer available it would be logical that this site is now a feasible location for such a development.

- 19.6 Traffic impact assessment has been based on a store of 60,000 sq ft. Consideration will have to be given to a store of this size or larger in relation to its impact on convenience (food) retailing in the city.

Appendixes – Map of Site
Local Plan Extract of Policies

Appendix

Local Plan Policies

The following policies are extracts from the Carlisle District Local Plan (adopted September 1997). These are considered to be the most relevant policies relating to the land, which is the subject of this development brief. Either policies may be relevant depending upon the proposed land use.

Employment

Policy EM5

Mixed Commercial Areas

Within Mixed Commercial Areas, proposals for B1 (Business), B2 (General Industrial), B8 (Warehousing), A2 (Financial and Professional) and A1 (Retail) uses will be acceptable provided that:

1. the relationship of the site to the highway network is satisfactory; and
2. access to the site is satisfactory; and
3. appropriate parking provision can be provided; and
4. the scale of development is appropriate in relation to the site, and the amenity of adjacent uses is not prejudiced.

Environment

Policy E19

Landscaping of New Development

In considering proposals for new development the City Council will where appropriate require the retention of existing trees, shrubs, hedges and other wildlife habitats, and the replacement of any environmental feature lost to development. Landscaping schemes to be implemented by the applicant will be required as part of most planning applications.

Policy E20

Development in Floodplains

Development which would result in the raising of the floor of the floodplain, or which would have an adverse impact on the water environment due to additional surface water run off, or adversely affect river defences will not be permitted unless appropriate alleviation or mitigation measures are included. This applies to the floodplains of the Rivers Eden, Caldew, Petteril, Esk, Irthing and Lyne and their tributaries which are all subject to periodic flooding.

Policy E21 River Corridors

The City Council, in conjunction with the Environment Agency, will seek to promote the concept of river corridors as important areas of open space. It will promote, where appropriate, initiatives to conserve the quality and value of rivers, particularly for nature conservation purposes, and will identify appropriate locations for public access and water-related sport and recreation.

Policy E24 Ground, Surface and Coastal Waters

Proposals for development which in the opinion of both the City Council and the Environment Agency would pose an unacceptable risk to the quality of groundwater, surface or coastal water will not be acceptable.

Policy E30 Archaeological Field Evaluation Prior to Determination

On all scheduled and other nationally important monuments, sites of archaeological significance and other sites of high archaeological potential the City Council will ensure that the archaeological aspects of development proposals are examined and evaluated before planning applications are determined. Planning permission will not be granted without adequate assessment of the archaeological implications.

Transport

Policy T1 Choice of Means of Travel

In considering applications for development, account will be taken of the availability of a choice of means of travel to and from the site

Policy T3 Development Affecting the Road Network

Proposals for Development which materially increase the traffic movement on the road network will need to be accompanied by a Traffic Impact Assessment. The City Council will usually require any road improvements or new highways, identified as being necessary by the assessment, to be funded by the developer. Such work should be consistent with the role and function of the highway. In the case of trunk roads all the costs will be borne by the developer and the scheme should be designed to be consistent with the Department of Environment, Transport and Regions' design horizon.

Policy T15

Cyclists & Pedestrians

Within the Plan area existing provision for cyclists and pedestrians will be protected. The improvement of provision for cyclists in the form of both highway improvements and secure parking facilities will be encouraged. All new development will be designed to provide safe and convenient access for cyclists and pedestrians. This should include the provision of secure cycle parking facilities where appropriate.

Shopping

Policy S2

Large Stores and Retail Warehouses

Elsewhere proposals will not be permitted for large stores and retail warehouses with large adjacent customer car parks, where there is an essential requirement to transfer bulky customer loads from store to car, except where sites:

1. are within or edge of City Centre and are widely accessible by public transport; and
2. are of a scale which will not seriously affect the viability, vitality or regeneration of the City Centre, and
3. are situated where additional traffic can be satisfactorily accommodated within the surrounding road network; and
4. will not harm the visual character of the area or the amenities of adjoining land uses.
5. will not have an unacceptable effect on overall travel patterns.