

AGENDA

Executive

**Wednesday, 15 January 2014 AT 16:00
In the Flensburg Room, Civic Centre, Carlisle, CA3 8QG**

Apologies for Absence

To receive apologies for absence and notification of substitutions.

Declarations of Interest

Members are invited to declare any disclosable pecuniary interests, other registrable interests and any interests, relating to any item on the agenda at this stage.

Public and Press

To agree that the items of business within Part A of the agenda should be dealt with in public and that the items of business within Part B of the agenda should be dealt with in private.

Minutes

To confirm the Minutes of the meetings of the Executive held on 28 October and 18 November 2013. [Copy Minutes in Minute Book Volume 40(4)]

PART A

To be considered when the Public and Press are present

A.1 BUDGET 2014/15 - CONSIDERATION OF CONSULTATION
FEEDBACK (Key Decision - KD.030/13)

To consider the Minutes of the following Budget Consultation meetings:
(a) Budget consultation meeting with Non-Domestic Ratepayers / Large Employers Affinity Group - 8 January 2014 (b) Budget consultation meeting with Trade Union representatives - 8 January 2014 (c) Resources Overview and Scrutiny Panel - 6 January 2014 (Copy Minutes to follow)

A.2 BUDGET 2014/15 (Key Decision - KD.030/13)

(a) REVENUE ESTIMATES - SUMMARY OF OVERALL BUDGETARY **7 - 26**
POSITION 2014.15 TO 2018.19

The Director of Resources to submit a report containing an update on the overall budget position in respect of the General Fund.

(Copy Report RD.69/13 herewith)

(b) PROVISIONAL CAPITAL PROGRAMME 2014.15 TO 2018.19 **27 - 36**

The Director of Resources to submit a report containing an update on the overall budget position in respect of the Capital Fund.

(Copy Report RD.70/13 herewith)

(c) TREASURY MANAGEMENT STRATEGY STATEMENT, INVESTMENT **37 - 60**
STRATEGY AND MINIMUM REVENUE PROVISION STRATEGY 2

The Director of Resources to submit a report on the Council's Treasury Management Strategy Statement, Investment Strategy and Minimum Revenue Provision Strategy.

(Copy Report RD.71/13 herewith)

(d) PROVISIONAL PENSION FUND VALUATION

61 - 68

The Director of Resources to submit a report providing details of the provisional Actuarial Valuation of the Cumbria Local Government Pension Scheme as at 31 March 2013 in respect of the City Council.
(Copy Report RD68/13 herewith)

A.3 EXECUTIVE RESPONSE TO THE BUDGET CONSULTATION AND RECOMMENDATIONS FOR THE 2014/15 BUDGET

(Key Decision - KD.030/13) The Executive to propose their response to the Budget consultation and the Executive's recommendations on the General Fund and Capital Estimates for 2014/15 for submission to the City Council on 4 February 2014. (Copy Proposal to be tabled at the meeting) Background Papers - various financial reports being considered as part of the Budget process are available on the Council's website - <http://cmis.carlisle.gov.uk/cmis>

A.4 CARLISLE SPORTS AND PHYSICAL ACTIVITY STRATEGY

69 - 106

(Key Decision – KD.029/13)

Pursuant to Minute EX.141/13, the Deputy Chief Executive to submit a report presenting the City Council's overall Sports and Physical Activity Strategy for 2013 – 17 for consideration by the Executive. The Report was considered by the Community Overview and Scrutiny Panel on 9 January 2014. Panel on 9 January 2014.

(Copy Report SD.01/14 herewith / Minute Excerpt to follow)

A.5 PRIVATE SECTOR HOUSING ENFORCEMENT

107 - 130

(Key Decision – KD.033/13)

Pursuant to Minute EX.160/13, the Director of Economic Development to submit a report presenting the draft Enforcement Policy for Private Sector Housing. The matter was considered by the Community Overview and Scrutiny Panel on 9 January 2014.

(Copy Report ED.05/14 herewith / Minute Excerpt to follow)

A.6 LOCAL PLAN PREFERRED OPTIONS CONSULTATION - STAGE TWO 131 - 468

(Key Decision – KD.034/13)

The Director of Economic Development to submit a report on the Local Plan Preferred Options Consultation – Stage Two. Background Papers – Carlisle District Local Plan 2015 – 2013 is available on the Council's website-

www.carlisle.gov.uk/planning_and_buildings/planning_policy/the_new_local_plan.aspx

A.7 HCA FUNDING OFFER - DURRANHILL INDUSTRIAL ESTATE 469 - 474

(Key Decision – KD.035/13)

The Director of Economic Development to submit a report seeking consideration of an offer of additional funding from the HCA to allow environmental improvements to be undertaken at Durranhill Industrial Estate.

(Copy Report ED.02/14 herewith)

A.8 NOTICE OF EXECUTIVE KEY DECISIONS (Non Key Decision)

The Notice of Executive Key Decisions, published on 16 December 2013, is submitted for information.

A.9 JOINT MANAGEMENT TEAM MINUTES 475 - 476

(Non Key Decision)

The Minutes of the meeting of the Joint Management Team held on 18 November 2013 are submitted for information.

(Copy Minutes herewith)

A.10 COMPUTERS FOR STAFF SCHEME 477 - 488

(Non Key Decision)

The Organisational Development Manager to submit a report seeking Executive approval for the Scheme to incur expenditure which will then be fully recovered from the member of staff taking up the benefit. The matter was considered by the Employment Panel on 12 November 2013.

(Copy Report CE.02/14 and Minute Excerpt herewith)

PART B

To be considered when the Public and Press are excluded from the meeting

B.1 RELEASE OF LICENSING RESERVE

- Information relating to the financial or business affairs of any particular person (including the authority holding that information);

Enquiries to:

Morag Durham - Tel: 817036

Notes to Members:

Decisions made at this meeting, if not subject to call-in, will become live on 27 January 2014.

Members of the Executive

Councillor C W Glover (Leader)

Councillor Mrs E B Martlew (Deputy Leader; and Environment and Transport Portfolio Holder)

Councillor Ms A Quilter (Culture, Health, Leisure and Young People Portfolio Holder)

Councillor Mrs J Riddle (Communities and Housing Portfolio Holder)

Councillor Dr L Tickner (Finance, Governance and Resources Portfolio Holder)

Councillor Mrs H M Bradley (Economy and Enterprise Portfolio Holder)

Report to Executive

Agenda
Item:

A.2(a)

Meeting Date: 15 January 2014
Portfolio: Finance, Governance and Resources
Key Decision: Yes: Recorded in the Notice Ref:KD30/13
Within Policy and Budget Framework YES
Public / Private Public

Title: REVENUE ESTIMATES: SUMMARY OF OVERALL BUDGETARY POSITION 2014/15 TO 2018/19
Report of: DIRECTOR OF RESOURCES
Report Number: RD69/13

Purpose / Summary:

This report provides an update to RD62/13, which was considered by the Executive on 16 December. The report has been amended to mirror the Executive’s draft budget proposals which were issued for consultation purposed on 16 December and has been updated to take account of any further known changes since that date.

Members should note that there is still some outstanding information particularly on Government Grant allocations. Depending upon the timing of any announcements the final figures will be revised in the Executive’s budget proposals presented to Council on 4 February 2014.

Recommendations:

The Executive is :

- (i) requested to note the draft updated budget projections for 2013/14 to 2018/19, together with the potential use of balances and reserves, in order to recommend a budget to Council on 4 February 2014.
- (ii) Requested to approve to Council the continuation of the Local Support for Council Tax scheme, as outlined in Paragraph 3.2.

Tracking

| | |
|------------|------------------------|
| Executive: | 15 January 2014 |
| Council: | 4 February 2014 |

1. INTRODUCTION

- 1.1. This report provides an update to RD62/13, which was considered by the Executive on 16 December and summarises the budget projections and matters to be considered in respect of the net budget requirement for the Council for the period 2013/14 to 2018/19. Members should note that this report has been amended to reflect the Executive's draft budget proposals issued on 16 December with other changes detailed in paragraph 2.4 below.

- 1.2. It should also be noted that there are still a number of significant issues affecting the projections that are not yet known. In particular the following are key to the budget process and details on these are considered further in the report:
 - Government Finance Settlement – RSG and NNDR
 - Welfare Reform Act
 - Triennial Revaluation of the Pension Fund
 - Transformation

- 1.3. The report draws on information contained in a number of reports that have been considered by the Executive and Overview and Scrutiny Panels over the course of the financial year. The principal budget reports have been listed in **Appendix A**.

2. GENERAL FUND BUDGET PROJECTIONS 2013/14 REVISED TO 2018/19

- 2.1 The budget projections as currently forecast are summarised in the following table. Further details are contained in the notes following the table and Appendices listed:

| Summarised Position | 2013/14 Original £000 | 2013/14 Revised £000 | 2014/15 Original £000 | 2015/16 Proj £000 | 2016/17 Proj £000 | 2017/18 Proj £000 | 2018/19 Proj £000 |
|--|--------------------------------------|-------------------------------------|--------------------------------------|----------------------------------|----------------------------------|----------------------------------|----------------------------------|
| Total Projected Expenditure (See 3.1 & Appendix B) | 13,884 | 14,066 | 12,274 | 11,618 | 12,653 | 13,605 | 14,476 |
| Total Projected Resources (See 3.2 & Appendix C) | (13,884) | (14,066) | (13,162) | (12,699) | (12,818) | (12,975) | (13,135) |
| Projected (Surplus) / Shortfall <u>excluding</u> savings and new spending | 0 | 0 | (888) | (1,081) | (165) | 630 | 1,341 |
| Less: | | | | | | | |
| New Saving Proposals | | | | | | | |
| - Recurring | 0 | 0 | (423) | (1,923) | (2,213) | (3,325) | (4,337) |
| - Non Recurring | 0 | 0 | (1,214) | 0 | 0 | 0 | 0 |
| (See Para 4 & Appendix D) | | | | | | | |
| Add: | | | | | | | |
| New Spending Pressures | | | | | | | |
| - Recurring | 0 | 0 | 1,489 | 1,921 | 2,382 | 2,599 | 3,162 |
| - Non Recurring | 0 | 0 | 959 | 56 | 0 | 0 | 0 |
| (See Para 5 & Appendix E) | | | | | | | |
| Potential Budget Shortfall (See para 2.2) | 0 | 0 | (77) | (1,027) | 4 | (96) | 166 |
| Potential Shortfall Analysis: | | | | | | | |
| - Recurring | | | (1) | (1,083) | 4 | (96) | 166 |
| - Non Recurring | | | (76) | 56 | 0 | 0 | 0 |

2.2 It should be noted that the potential shortfall projected above is the projected position that would occur only if all of the new Savings and Spending Pressures were accepted. The Executive are asked to consider the issues in this report and make proposals on the savings, new spending pressures and use of reserves as set out in this report in order to issue a draft budget for consultation purposes.

2.3 It should also be noted that these projections are subject to Council Tax base and Surplus, Disabled Facilities Grant, all of which will be notified, in early 2014.

2.4 The main changes from the previous report (RD62/13) are shown in the table at **Appendix B**.

3. CURRENT PROJECTIONS

3.1 Total Existing Projected Expenditure

The total existing expenditure commitments from the 2013/14 budget and any subsequent approvals by Council are set out in **Appendix B**. The following should be noted:

- The forward year projections at this stage exclude the new spending and saving proposals being put forward for consideration as part of the current years budget deliberations.
- The current requirement for each Parish Precept for 2014/15 will not be known until January when Parishes are expected to set their precepts. This will be affected by the decisions to include Parishes in the implications for the Localisation of Support for Council Tax scheme. The allocations for 2013/14 allocations are set out in **Appendix F**.

3.2 Local Support for Council Tax

The Local Support for Council Tax Scheme (“The Council Tax Reduction Scheme” or CTRS) is required to be approved annually as part of the Budget Process. It is not proposed to make any changes to the reductions given to recipients of the discount scheme for 2014/15, and Executive are required to recommend the scheme to be in place for 2014/15 for approval to Council.

The estimated cost the Council absorbing the 10% reduction in CTRS is £125,000. This is funded from technical changes to discount rates for empty properties and Council Tax Base growth (i.e. number of Band D equivalent properties).

3.3 Empty Property Premium

Revenue Support Grant (RSG) has been reduced from 1 April 2015 to fund New Homes Bonus (NHB). The Government has assumed in its RSG calculations that the Council will lose RSG of £351,000 in 2015/16 against the actual achieved NHB in 2014/15 of £269,000.

New Homes Bonus is calculated on the Council’s success in getting new homes built in the district and reducing the number of empty properties (particularly long term empties).

In the circumstances the 2014/15 Council Tax setting report will recommend the introduction of a Council Tax premium of 50% on long term empty properties (over two years empty). Other Authorities in Cumbria have introduced the premium in 2013/14 and the measure has reduced long term empty properties by up to 30% and increased New Homes Bonus significantly.

3.4 Total Projected Resources

The figures set out in **Appendix C** include an estimated figure for the Local Government Finance Settlement. The draft figures are expected to be announced by the Secretary of State in December 2013 which will be confirmed in January 2014.

Contributions from balances include all approvals to date, but make no assumptions on further contributions from balances to support the budget from 2014/15 onwards.

The resources also assume for projection purposes:

- An illustrative 1.99% Council Tax increase for 2014/15, with a 1.99% increase from 2015/16 onwards. There may be changes to the capping limit for Council Tax Increases (currently 2%) announced in January. Any changes will be reflected in the final budget proposals.
- Council Tax Surplus of £35,000 for 2014/15 onwards. The actual figure for 2014/15 will be available in January.
- An assumed taxbase of 30,894.00 (the actual for 2014/15 will not be available until January).

For information, broadly:

- Each 1% (£1.95) movement in Council Tax impacts on the Council by £67,000
- Each 1% movement in RSG/NNDR grant will impact by £91,000.
- Each £35,000 increase or decrease in expenditure impacts on the Council Tax Requirement by £1.

4. **SAVING PROPOSALS (see Appendix D)**

- 4.1 The saving proposals were presented to the Executive at its meeting of 18 November (RD54/13), supported by individual charges review reports. At that meeting the Executive requested that the savings and individual charging reports be forwarded to the relevant Overview and Scrutiny Panels as part of the budget consultation process.

5. **NEW SPENDING PRESSURES (see Appendix E)**

- 5.1 The Executive at its meeting of 18 November (RD53/13) considered the new spending pressures. At that meeting the Executive requested that the spending pressures be forwarded to the relevant Overview and Scrutiny Panels as part of the budget consultation process.
- 5.2 This report considers the revenue pressures only. Report RD65/13 considered elsewhere on this agenda gives details of any capital bids submitted, although any recurring

expenditure resulting from the acceptance of Capital bids will fall to be met from revenue budgets, and initial projections on the impact have been made.

6. PROJECTED IMPACT ON REVENUE BALANCES

6.1 The general principles on each of the Reserves are set out in the Medium Term Financial Plan. In terms of meeting ongoing revenue expenditure, the general guiding principle which Council approved is that:

‘Wherever possible, reserves should not be used to fund recurring expenditure, but that where it is, this should be made explicit, and steps taken to address the situation in the following years’.

6.2 The Council’s overall levels of balances are set out in **Appendix G** and have currently been adjusted assuming withdrawal to support all of the current budget proposals. The Projects Reserve has been used as a first call for the current projected revenue budget deficit as set out in paragraph 2.1. The revised movement of the reserve is as follows and clearly shows the projected call on reserves is unsustainable given the current pressures and replenishment is dependent upon the achievement of the transformation savings. A risk based review of reserve levels has been undertaken and shows a prudent level of reserves to be £2.6million.

| Balance as at: | Projected Deficit £000 | Recurring Revenue Requirement £000 | Non Recurring Revenue Requirement £000 |
|----------------|---------------------------|---------------------------------------|---|
| 31/03/2014 | (2,111) | (1) | (76) |
| 31/03/2015 | (2,188) | (1,083) | 56 |
| 31/03/2016 | (3,215) | 4 | 0 |
| 31/03/2017 | (3,211) | (96) | 0 |
| 31/03/2018 | (3,307) | 166 | 0 |
| 31/03/2019 | (3,141) | 0 | 0 |

7. MEDIUM TERM OUTLOOK AND BUDGET DISCIPLINE 2013/14 to 2018/19

7.1 The current budget projections for the next five-year period are challenging and indicate that substantial savings will be required to enable the Council to contain its ongoing commitments within available resources.

7.2 Notification of Government general and specific grants i.e. RSG, NNDR, etc is received on an individual basis late in the budget process. This makes forward financial planning more difficult. The figures incorporated into this report are based on the 2013/14 Local

Government Finance Settlement confirmed by the Secretary of State in January 2013. The settlement was for 2013/14 and 2014/15, however, further reductions for 2015/16 onward have only been estimated in the MTFP.

- 7.3 In terms of expenditure pressures, there are significant issues affecting the budget.
- 7.4 The City Council needs to establish as part of its budgetary process the financial discipline to be followed by member and officers in the ensuing financial years, and the Executive will table recommendations in this respect at this meeting.
- 7.5 Under section 25 of the Local Government Act 2003 the Section 151 Officer is required to prepare a statutory report which considers the robustness of the estimates and the adequacy of reserves and which determines levels of borrowing. A full report will be prepared and included within the Executive's draft budget proposals for consultation purposes; however a draft is attached at **Appendix H**. At this stage it should be noted that the current projected revenue deficit requires further substantial savings to be identified to meet the ongoing projected shortfall and that the impact on reserves is not sustainable.

8. CONSULTATION

- 8.1 The Executives draft budget will be issued for consultation on 16 December. The consultation feedback, together with the final Government Grant settlement (if available), will be considered by the Executive on 15 January, following which the Executive will make final budget recommendations to Council on 4 February 2014.

9. CONCLUSION AND REASONS FOR RECOMMENDATIONS

The Executive is :

- (i) requested to note the draft updated budget projections for 2013/14 to 2018/19, together with the potential use of balances and reserves, in order to recommend a budget to Council on 4 February 2014.
- (ii) Requested to approve to Council the continuation of the Local Support for Council Tax scheme, as outlined in Paragraph 3.2.

10. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

- 10.1 To ensure that a balanced budget is set.

Contact Officer: Steven Tickner **Ext:** 7280
Appendices attached to report: **Appendix A – Principal Reports considered during the budget process**
Appendix B – Summary of Changes from RD62/13

- Appendix C – Existing Expenditure Commitments**
- Appendix D – Resource Projections**
- Appendix E – Savings Proposals**
- Appendix F – New Spending Pressures**
- Appendix G – Parish Precepts 2014/15**
- Appendix H – Council Reserves**
- Appendix I – Budget Discipline**
- Appendix J – Statutory Report of Director of Resources**

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**

CORPORATE IMPLICATIONS/RISKS:

Chief Executive's – not applicable

Economic Development – not applicable

Governance – The Council has a fiduciary duty to manage its resources properly and for the benefit of its community. In doing so, it is required to take account of the advice it receives from its chief finance officer, the Director of Resources. The Council must have a balanced budget to deliver its services and also achieve and sustain an appropriate level of reserves.

Local Environment – not applicable

Resources – contained within the report.

PRINCIPAL REPORTS CONSIDERED DURING THE BUDGET PROCESS TO DATE

| Report Ref | Date | Title |
|------------|----------|---|
| RD36/13 | 10/09/13 | Medium Term Financial Plan (incorporating the Corporate Charging Policy) 2014/15 to 2018/19 |
| RD37/13 | 10/09/13 | Capital Strategy 2014/15 to 2018/19 |
| RD40/13 | 10/09/13 | Asset Management Plan 2013 -2018 |
| RD51/13 | 18/11/13 | Revenue Base Estimates and Updated MTFP Projections 2014/15 to 2018/19 |
| RD56/13 | 18/11/13 | Provisional Capital Programme 2014/15 to 2018/19 |
| RD53/13 | 18/11/13 | Summary of New Revenue Spending Pressures |
| RD54/13 | 18/11/13 | Summary of Savings Proposals |
| GD50/13 | 18/11/13 | Charges Review – Licensing |
| GD55/13 | 18/11/13 | Charges Review – Governance |
| CD53/13 | 18/11/13 | Charges Review – Community Engagement |
| ED35/13 | 18/11/13 | Charges Review – Economic Development |
| LE30/13 | 18/11/13 | Charges Review – Local Environment |
| RD55/13 | 18/11/13 | Treasury Management 2013/14 to 2018/19 |
| RD58/13 | 18/11/13 | Corporate Assets – 3 Year Repair and Maintenance Programme |
| RD62/13 | 16/12/13 | Revenue Estimates: Summary of Overall Budgetary Position 2014/15 to 2018/19 |
| RD65/13 | 16/12/13 | Capital Estimates: Summary of Overall Budgetary Position 2014/15 to 2018/19 |
| RD63/13 | 16/12/13 | Draft Treasury Management Strategy Statement and Investment Strategy and Minimum Revenue Provision Strategy 2014/15 |

Summary of Changes from RD62/13

| Summarised Position | 2014/15 Estimate £000 | 2015/16 Proj £000 | 2016/17 Proj £000 | 2017/18 Proj £000 | 2018/19 Proj £000 |
|---|--------------------------------------|----------------------------------|----------------------------------|----------------------------------|----------------------------------|
| Potential Budget Shortfall (Per RD62/13) | (213) | (896) | 135 | 34 | 295 |
| <u>Changes per Executive's draft budget proposals:</u> | | | | | |
| New Homes Bonus | 0 | (269) | (269) | (269) | (269) |
| Reduction in anticipated Income from Business Rates Pooling due to Government changes in Business Rates | 100 | 100 | 100 | 100 | 100 |
| Council Tax Increase reduced from 2.6% to 1.99% | 36 | 38 | 38 | 39 | 40 |
| Revised Potential Budget (Surplus)/ Shortfall | (77) | (1,027) | 4 | (96) | 166 |

EXISTING EXPENDITURE COMMITMENTS

| EXPENDITURE PROJECTION | 2013/14 | | 2014/15 Estimate £000 | 2015/16 Proj £000 | 2016/17 Proj £000 | 2017/18 Proj £000 | 2017/18 Proj £000 |
|--|------------------------|-----------------------|-----------------------|-------------------|-------------------|-------------------|-------------------|
| | Original Estimate £000 | Revised Estimate £000 | | | | | |
| Core Expenditure: | | | | | | | |
| Core Base Expenditure | 6,934 | 6,934 | 5,684 | 4,323 | 4,083 | 4,218 | 4,218 |
| Treasury Management | 178 | 178 | 495 | 519 | 841 | 706 | 706 |
| Inflation Projection | 5,176 | 5,176 | 5,951 | 6,746 | 7,563 | 8,399 | 9,258 |
| 2013/14 agreed Savings | (1,501) | (1,501) | (855) | (1,368) | (1,336) | (1,340) | (1,340) |
| 2013/14 agreed Spending | 589 | 589 | 545 | 923 | 1,015 | 1,123 | 1,123 |
| 2013/14 Budget Changes | (181) | (181) | (188) | 0 | 0 | 0 | 0 |
| Total Core Expenditure | 11,195 | 11,195 | 11,632 | 11,143 | 12,166 | 13,106 | 13,965 |
| Non Recurring Exp: | | | | | | | |
| Pre 2012/13 approvals | 104 | 104 | 0 | 0 | 0 | 0 | 0 |
| Treasury Management | 662 | 662 | 0 | 0 | 0 | 0 | 0 |
| 2013/14 agreed Savings | (297) | (297) | (133) | | | | |
| 2013/14 agreed Spending | 1,091 | 1,091 | 293 | 0 | 0 | 0 | 0 |
| Carry Forwards | 677 | 677 | 19 | 0 | 0 | 0 | 0 |
| Use of Earmarked Reserves | 0 | 182 | 0 | 0 | 0 | 0 | 0 |
| Total non Recurring Expenditure | 2,237 | 2,419 | 179 | 0 | 0 | 0 | 0 |
| Total City Council Budget Requirement | 13,432 | 13,614 | 11,811 | 11,143 | 12,166 | 13,106 | 13,965 |
| Parish Council Precepts | 452 | 452 | 463 | 475 | 487 | 499 | 511 |
| Total Requirement | 13,884 | 14,066 | 12,274 | 11,618 | 12,653 | 13,605 | 14,476 |

RESOURCE PROJECTIONS

| RESOURCES PROJECTION | 2013/14 Original Estimate £000 | 2013/14 Revised Estimate £000 | 2014/15 Estimate £000 | 2015/16 Proj £000 | 2016/17 Proj £000 | 2017/18 Proj £000 | 2018/19 Proj £000 |
|---|---|--|----------------------------------|------------------------------|------------------------------|------------------------------|------------------------------|
| Projected External Finance: | | | | | | | |
| - Revenue Support Grant | (4,094) | (4,094) | (3,066) | (2,363) | (2,235) | (2,140) | (2,041) |
| - Retained Business Rates | (2,913) | (2,913) | (3,003) | (3,093) | (3,186) | (3,281) | (3,380) |
| - Business Rates Pooling | 0 | 0 | (500) | (500) | (500) | (500) | (500) |
| - Surplus on Collection Fund | (35) | (35) | (35) | (35) | (35) | (35) | (35) |
| - C/Tax for Parish Precepts | (399) | (399) | (409) | (421) | (433) | (445) | (457) |
| - Parish Council Tax Grant | (53) | (53) | (54) | (54) | (54) | (54) | (54) |
| - Council Tax Yield | (5,959) | (5,959) | (6,095) | (6,233) | (6,375) | (6,520) | (6,668) |
| Total Income based on 1.99% Tax increase Projections | (13,453) | (13,453) | (13,162) | (12,699) | (12,818) | (12,975) | (13,135) |
| Plus Approved Contributions from Balances: | | | | | | | |
| - Pre 20013/14 non recurring commitments | (766) | (766) | 0 | 0 | 0 | 0 | 0 |
| - 2013/14 non recurring commitments | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| - Pre 2010/11 recurring Carry Forwards | 1,012 | 1,012 | 0 | 0 | 0 | 0 | 0 |
| - Reprofiling | (677) | (677) | 0 | 0 | 0 | 0 | 0 |
| - Use of Earmarked Reserves | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| - Use of Earmarked Reserves | 0 | (182) | 0 | 0 | 0 | 0 | 0 |
| Total Use of Reserves | (431) | (613) | 0 | 0 | 0 | 0 | 0 |
| Total Projected Resources | (13,884) | (14,066) | (13,162) | (12,699) | (12,818) | (12,975) | (13,135) |

SAVING PROPOSALS

| Detail | 2014/15 £000 | 2015/16 £000 | 2016/17 £000 | 2017/18 £000 | 2018/19 £000 |
|---|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|
| Retained Business Rates & Pooling | (500) | (500) | (500) | (500) | (500) |
| Changes to Funding | (500) | (500) | (500) | (500) | (500) |
| Expenditure Reductions | | | | | |
| Pay Award Savings 2014/15 & 2015/16 | (223) | (454) | (466) | (478) | (490) |
| Inflation Savings | (200) | (200) | (200) | (200) | (200) |
| Invest to Save Schemes Completing | 0 | 0 | (35) | (35) | (35) |
| New Transformation Savings Required (Cumulative) | (1,000) | (1,000) | (1,000) | (2,100) | (3,100) |
| Total Savings | (1,423) | (1,654) | (1,701) | (2,813) | (3,825) |
| Increased Income | | | | | |
| New Homes Bonus 2011/12 | 0 | 0 | (243) | (243) | (243) |
| New Homes Bonus 2014/15 | 0 | (269) | (269) | (269) | (269) |
| Bring Site Recyclate Income | (64) | 0 | 0 | 0 | 0 |
| Housing Benefit Admin Grant | (150) | 0 | 0 | 0 | 0 |
| Total Additional Income | (214) | (269) | (512) | (512) | (512) |
| Total Savings | (2,137) | (2,423) | (2,713) | (3,825) | (4,837) |
| Split: | | | | | |
| Recurring | (923) | (2,423) | (2,713) | (3,825) | (4,568) |
| Non Recurring | (1,214) | 0 | 0 | 0 | 0 |

NEW SPENDING PRESSURES

| Detail | 2014/15 £000 | 2015/16 £000 | 2016/17 £000 | 2017/18 £000 | 2018/19 £000 |
|---|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|
| Recurring | | | | | |
| Revenue Support Grant | 0 | 250 | 250 | 250 | 250 |
| Total Changes to Funding | 0 | 250 | 250 | 250 | 250 |
| Treasury Management | 1,020 | 1,364 | 1,220 | 1,437 | 1,592 |
| Asset Review Income | 342 | 430 | 785 | 785 | 785 |
| Pensions Auto Enrolment | 127 | 127 | 127 | 127 | 127 |
| Additional National Insurance Costs | 0 | 0 | 250 | 250 | 250 |
| New Homes Bonus 2012/13 Ceasing | 0 | 0 | 0 | 0 | 408 |
| Total Recurring Pressures | 1,489 | 1,921 | 2,382 | 2,599 | 3,162 |
| Total Recurring Spending Pressures | 1,489 | 2,171 | 2,632 | 2,849 | 3,412 |
| Non-Recurring | | | | | |
| Apprentice Scheme | 32 | 56 | 0 | 0 | 0 |
| Car Parking Income Shortfall | 170 | 0 | 0 | 0 | 0 |
| New Homes Refuse & Recycling Scheme | 58 | 0 | 0 | 0 | 0 |
| Plastic & Card Recycling Income Shortfall | 67 | 0 | 0 | 0 | 0 |
| Rapid Response Team | 87 | 0 | 0 | 0 | 0 |
| Green Box recycling income shortfall | 53 | 0 | 0 | 0 | 0 |
| Events | 130 | 0 | 0 | 0 | 0 |
| Development Control Income Shortfall | 45 | 0 | 0 | 0 | 0 |
| Enterprise Centre rentals shortfall | 40 | 0 | 0 | 0 | 0 |
| Local Plan Inquiry | 175 | 0 | 0 | 0 | 0 |
| Continuation of Temporary posts ending | 38 | 0 | 0 | 0 | 0 |
| Bring Sites Recycling Income shortfall | 64 | 0 | 0 | 0 | 0 |
| Total Non Recurring | 959 | 56 | 0 | 0 | 0 |

PARISH PRECEPTS 2014/15

| Parish Council | Precepts Paid 2013/14 £ | Precepts Requested 2014/15 £ | Percentage Increase |
|---------------------|-------------------------------|------------------------------------|---------------------|
| Arthuret | 36,201 | | -100.00 |
| Beaumont | 5,290 | | -100.00 |
| Bewcastle | 3,441 | | -100.00 |
| Brampton | 70,355 | | -100.00 |
| Burgh-by-Sands | 12,596 | | -100.00 |
| Burtholme | 1,724 | | -100.00 |
| Carlatton & Cumrew | 1,566 | | -100.00 |
| Castle Carrock | 4,244 | | -100.00 |
| Cummersdale | 5,656 | | -100.00 |
| Cumwhitton | 3,407 | | -100.00 |
| Dalston | 39,528 | | -100.00 |
| Denton Upper | 1,005 | | -100.00 |
| Farlam | 2,985 | | -100.00 |
| Hayton | 14,350 | | -100.00 |
| Hethersgill | 5,673 | | -100.00 |
| Irthington | 4,875 | | -100.00 |
| Kingmoor | 7,117 | | -100.00 |
| Kingwater | 979 | | -100.00 |
| Kirkandrews-on-Esk | 6,392 | | -100.00 |
| Kirklington | 1,840 | | -100.00 |
| Midgeholme | 0 | | 0.00 |
| Nether Denton | 3,051 | | -100.00 |
| Nicholforest | 3,426 | | -100.00 |
| Orton | 3,315 | | -100.00 |
| Rockliffe | 2,462 | | -100.00 |
| Scaleby | 4,862 | | -100.00 |
| Solport & Stapleton | 2,640 | | -100.00 |
| Stanwix Rural | 37,666 | | -100.00 |
| St Cuthbert Without | 21,415 | | -100.00 |
| Walton | 4,526 | | -100.00 |
| Waterhead | 981 | | -100.00 |
| Westlinton | 1,873 | | -100.00 |
| Wetheral | 83,911 | | -100.00 |
| | | | |
| TOTAL | 399,352 | 0 | -100.00 |

Parish Precepts are still awaited from most parishes as meetings are being held throughout January to set precept levels

COUNCIL RESERVES

| Council Reserves | Actual 31/03/13 £000 | Revised 31/03/14 £000 | Proj 31/03/15 £000 | Proj 31/03/16 £000 | Proj 31/03/17 £000 | Proj 31/03/18 £000 | Proj 31/03/19 £000 |
|---|-------------------------------------|--------------------------------------|-----------------------------------|-----------------------------------|-----------------------------------|-----------------------------------|-----------------------------------|
| Revenue Reserves | | | | | | | |
| General Fund Reserve | (2,542) | (2,111) | (2,188) | (2,600) | (2,600) | (2,600) | (2,600) |
| Projects Reserve i | 0 | 0 | 0 | (615) | (611) | (707) | (541) |
| Sub Total | (2,542) | (2,111) | (2,188) | (3,215) | (3,211) | (3,307) | (3,141) |
| Collection Fund | (65) | | | | | | |
| EEAC Reserve | (56) | (16) | 0 | 0 | 0 | 0 | 0 |
| Transformation Reserve | (495) | 0 | 0 | 0 | 0 | 0 | 0 |
| Building Control | 17 | | | | | | |
| Licensing Reserve | (14) | (14) | (14) | (14) | (14) | (14) | (14) |
| Cremator Reserve | (143) | 0 | 0 | 0 | 0 | 0 | 0 |
| Welfare Reform Reserve | (200) | (200) | (200) | (200) | (200) | (200) | (200) |
| Conservation Fund | (116) | (116) | (116) | (116) | (116) | (116) | (116) |
| LSVT Warranties | (488) | (488) | (488) | (488) | (488) | (488) | (488) |
| Total Revenue Reserves | (4,102) | (2,945) | (3,006) | (4,033) | (4,029) | (4,125) | (3,959) |
| Capital Reserves | | | | | | | |
| CLL Reserve | (522) | (522) | (522) | (522) | (522) | (522) | (522) |
| Usable Capital Receipts | (6,679) | (4,083) | (1,956) | (1,463) | (13) | 0 | 0 |
| Borrowing Requirement | 0 | 0 | 0 | (5,000) | 0 | 0 | 0 |
| Potential Borrowing Requirement | 0 | 0 | 0 | 0 | 0 | (968) | (1,752) |
| Set Aside Capital Receipts | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Asset Investment Reserve ii | (833) | (408) | (408) | (408) | (408) | (48) | (48) |
| Lanes Capital Reserve | (354) | (369) | (384) | (399) | (414) | (429) | (444) |
| Total Capital Reserves | (8,388) | (5,382) | (3,270) | (7,792) | (1,357) | (1,967) | (2,766) |
| Total Available Council Balances | (12,490) | (8,327) | (6,276) | (11,825) | (5,386) | (6,092) | (6,725) |
| Other Reserves iii | (96,010) | | | | | | |
| Total Reserves | (108,500) | | | | | | |

(i) refer to paragraph 6.2 for further details;

(ii) The Balance on the asset investment reserve as recorded on the balance sheet is £47,643, however capital receipts of £785,023, are held as available resources in the Capital Adjustment account for Asset Investment Reserve.

(iii) These reserves are of a technical nature and are not cash backed. They are not available either to fund expenditure or to meet future commitments.

SECTION E - PROPOSED BUDGET DISCIPLINE AND SAVING STRATEGY

1. The Council has adopted a 5-year financial strategy as set out in its Medium Term Financial Plan to assist in the integration of financial planning with the priorities set out in the Carlisle Plan. The current medium term financial projections point to a shortfall in the Council's budgets, which will require additional savings to be identified. In addition, the scope for the Council to continue support for initiatives in future years and to redirect resources to priority areas will be dependent on the extent to which the Council is successful in realising savings and redirecting resources. The requirement to identify savings or raise additional income in future years is a continuing and increasing pressure facing the Council.

1. The savings outlined in this document are necessary to ensure that the Council continues to meet the challenges of approximately 38% reduction in RSG (and significant reductions in other revenue and capital grants) over the five years commencing 2011/12. However due to its success to date in identifying transformational savings, the Council now has a solid financial base in order to set its 2014/15 budget. In the circumstances the Council can adopt a more measured approach in spreading the further savings required over the next 5 years whilst maintaining a safe and healthy financial future for the Council.

2. The savings strategy developed during 2010/11 will continue to concentrate on the following areas to deliver the savings required to produce a balanced longer term budget, however the exact work programme will be dependant on progress with the Transformation programme.
 - Asset Review – this focuses on producing a Development and Investment Plan for the City Council's property portfolio with the aim of delivering additional income or reduced costs on a recurring basis.
 - Service delivery models – As part of the transformation programme, alternative options for service delivery are being considered in order to make significant financial savings whilst still delivering good standards of service. The options under consideration will include shared services and commissioning of services.
 - As part of the transformation programme a review of those services which do not fall within the Council's core priorities or which are not statutory will continue to be undertaken to ensure that services are properly aligned to what the Council wants to achieve.

Additionally the Council will look at:

- (i) Major review of Waste Services;
 - (ii) Discretionary funding to major partners, e.g. Tullie House £250,000;
 - (iii) One off expressions of interest in voluntary redundancy limited to strict business case criteria effective from 1 April 2014 only, funded in 2014/15 from salary savings
 - (iv) Digital by default – Council wide exercise to encourage residents to interact with the Council electronically, e.g. savings in postage, printing, stationery.

3. Members and Officers are reminded that it is essential to maintain a disciplined approach to budgetary matters and as such:
 - Supplementary estimates will only be granted in exceptional circumstances.

- Proposals seeking virement should only be approved where the expenditure to be incurred is consistent with policies and priorities agreed by the Council.
4. In order to continue the improvements in the links between financial and strategic planning, the Joint Management Team will continue to meet regularly to progress forward planning on these issues.

STATUTORY REPORT OF DIRECTOR OF RESOURCES

1. In setting its Budget Requirement, the Council is required under the Local Government Act 2003 (Section 25) to consider:
 - (i) The formal advice of the statutory responsible financial officer (Director of Resources) on the robustness of the estimates included in the budget and the adequacy of the reserves for which the budget provides;
 - (ii) The Council has to determine what levels of borrowing, if any, it wishes to make under the Prudential Code that governs local authority borrowing.

2. **Robustness of the Estimates**

Whilst relevant budget holders are responsible for individual budgets and their preparation, all estimates are scrutinised by Financial Services staff, the Senior Management Team and the Joint Management Team prior to submission to members.

The Council's revenue and capital budgets are integrated in that the financial impact of the proposed capital programme is reflected in the revenue estimates.

The Council has no history of overspending against budget, indeed, until recently there has tended to be a degree of underspending. However improved budget monitoring backed up by specific action where appropriate and base budget procedures have proven effective in addressing this issue.

There are risks however involved in projecting budgets particularly over the medium term and the year-end position will never exactly match the estimated position in any given year. Areas of specific risk in the current five-year period under consideration are:

- The Transformation programme is expected to achieve savings of £4.939million between 2014/15 and 2018/19, in order to meet the expected cuts in grants from central government and other budgetary pressures identified in this budget process. This will ensure that a balanced budget is produced and where Council reserves are replenished over the longer term.
- The level of interest receipts and return on Treasury Management activities are subject to market rates. Members are advised of this risk every year and it should be noted that in the current economic climate with low base rates, investment income returns in the medium term are very difficult to predict. The Council is also having to deal with a reduced number of counterparties it is able to place deposits with. Coupled with this is the increasing cost of Minimum Revenue Provision through the reduction in the amount of available capital receipts the Council has. Both of these factors place a significant pressure on the Revenue budget over the next 5 year period.

The main risks to the robustness of the estimates is the impact of the Transformation programme. The use of reserves will be necessary to fund this budget in the short term however it is not acceptable in the longer term and should only be seen as a short term fix. The proposals to be put in place need to bring reserve levels back to an acceptable level in the following 5 years. This is dependant upon the necessary steps being taken to resolve the ongoing projected deficit, as part of the Transformation programme. Specifically it will require the delivery of the savings proposals identified and continuing work to deliver further savings. Regular budget monitoring, particularly in the area of

the Transformation programme is imperative during this period. The level of the Council's future Capital Programme in taking account of a significant reduction in capital receipts also needs to be clarified.

- Central contingencies – there have been no contingency budgets built in to the existing estimates. This means that any unforeseen expenditure that cannot be contained within existing budgets will require a supplementary estimate to cover any costs. The budget proposals will significantly limit the capability to deal with any of these events and these may have to be found from within other budgets and reserves should the need arise.

2. Adequacy of Reserves

The level and usage of the Council's Reserves is undertaken annually as part of the Medium Term Financial Plan.

The appropriateness of the level of reserves can only be judged in the context of the Council's longer term plans and an exercise has been undertaken to review the level of reserves through the use of a risk assessment matrix. The findings of this exercise suggested that the minimum level should be set at £2.6m as a prudent level of General Fund Reserves which will be required as a general working capital/ contingency to cushion the Council against unexpected events and emergencies. Details of the Risk Assessment are shown in **Appendix I**. However, given the short term commitments highlighted in the budget proposals, it is necessary that the current General Fund reserve be used to fund the short term deficits. Stringent plans will be required in order to replenish the level of reserves in the following years and the budget proposed must identify the steps necessary to do this.

The Council's policy on reserves is that wherever possible reserves should not be used to fund recurring expenditure, but that where it is, this should be made explicit and steps taken to address the situation in the following years. The deficit projections must therefore be addressed and the Executive must set out in its Budget Discipline and Saving Strategy how it expects Officers to address the situation in setting the 2014/15 budget and preparing for the 2015/16-budget cycle.

Based on current projections, Council Reserves will fall to below minimum recommended levels in the years 2013/14 to 2014/15. Necessary steps are being taken to resolve the ongoing projected deficit by the delivery of savings proposals currently identified and identification of further savings via the Transformation Programme. It is accepted that the level of reserves will need to reduce until the impact of the transformation is effective and that the £2.6m General Fund Reserve is breached in the short term but that this is replenished over the following 5 years through a stringent savings strategy.

3. Determination of Borrowing

The new Prudential Accounting regime enables the Council to borrow subject to meeting criteria of affordability. The draft Prudential Indicators have been established and these will be finalised for Council approval once decisions on the overall Capital Programme have been made.

For the period under review the need for borrowing will be kept under consideration and will be dependent on the level of capital receipts being generated and the potential of future capital projects. Due to projects currently under consideration, the capital programme for 2014/15 to 2018/19 may require the use of Prudential Borrowing (including internal borrowing) to sustain levels depending on the levels of capital receipts that can be generated in the future. If borrowing is required, full option appraisals will be carried out.

Report to Executive

Agenda
Item:

A.2(b)

Meeting Date: 15 January 2014
 Portfolio: Finance, Governance and Resources
 Key Decision: Yes: Recorded in the Notice Ref:KD30/13
 Within Policy and Budget Framework YES
 Public / Private Public
 Title: PROVISIONAL CAPITAL PROGRAMME 2014/15 TO 2018/19
 Report of: DIRECTOR OF RESOURCES
 Report Number: RD70/13

Purpose / Summary:

The report provides an update to RD65/13, which was considered by the Executive on 16 December and has been updated to reflect the Executive’s budget proposals together with any other known changes.

The report summarises the implications of the changes on the proposed programme for 2014/15 to 2018/19 in light of the capital pressures identified, and also summarises the estimated capital resources available to fund the programme.

Recommendations:

The Executive is asked to:

- (i) Make recommendations to Council on the Provisional Capital Programme for 2014/15 to 2018/19 in light of the capital bids submitted to date together with the estimated available capital resources, and to approve carry forwards (£710,000) from 2013/14 into 2014/15;
- (ii) Recommend that any capital scheme for which funding has been approved by Council may only proceed after a full report, including business case and financial appraisal, has been approved by the Executive, following detailed consideration by the Corporate Programme Board.

Tracking

| | |
|------------------------|---|
| Executive: | 16 December 2013, 15th January 2014 |
| Overview and Scrutiny: | 6 January 2014 |
| Council: | 4 February 2014 |

1. BACKGROUND

- 1.1 This report provides an update to RD65/13 which was considered by the Executive on 16 December and summarises the revised capital programme for 2013/14 and proposed capital programme for 2014/15 to 2018/19, together with the proposed methods of financing.
- 1.2 A Corporate Programme Board of senior officers continues to take the lead on the prioritisation of investment and the monitoring and evaluation of schemes. This is to improve performance monitoring and business case analysis of capital projects.

2. CAPITAL RESOURCES

- 2.1 There are several sources of capital resources available to the Council to fund capital expenditure, the main ones being:
- Borrowing (Prudential Code - see paragraph 5.2)
 - Capital Grants e.g. DFG, specific capital grants
 - Capital Receipts e.g. proceeds from the sale of assets
 - Council Reserves e.g. Projects Reserve
- 2.2 In accordance with the Capital Strategy, the Director of Resources will make recommendations on the most effective way of financing the Capital Programme to optimise the overall use of resources.
- 2.3 It should be noted that capital resources can only be used to fund capital expenditure and cannot (with the exception of the Council's own Reserves), be used to fund revenue expenditure. There are strict definitions of what constitutes capital expenditure.
- 2.4 It should also be noted that the resources available to support the capital programme can only be estimated during the year. The final position is dependent in particular on how successful the Council has been in achieving Capital Receipts from the sale of assets against its target i.e. the more capital receipts generated, the less is required to be taken from Borrowing and Council Reserves (and vice versa).
- 2.5 The cost of borrowing £1m to fund the capital programme will result in a charge to the revenue account in the next full year of approximately £85,000. This is made up of £45,000 for the cost of the interest payable (4.50% of £1m equates to £45,000) and a principal repayment provision of 4% of the outstanding sum (4% of £1m equates to £40,000).

3. REVISED CAPITAL PROGRAMME 2013/14

- 3.1 The capital programme for 2013/14 totalling £4,760,200 was approved by Council on 16 July 2013 as detailed in the 2012/13 out-turn report (RD11/13).
- 3.2 The revised capital programme for 2013/14 now totals £7,403,900 as detailed in **Appendix A**. This is a result of the reprofiling exercise and review of the capital programme that has been carried out and other in year adjustments, and is subject to approval by Council.
- 3.3 **Appendix B** details the revised anticipated resources available and their use to fund the capital programme. These have been revised to take account of revised projections and valuations of asset sales.
- 3.4 It is anticipated that there will be a significant shortfall on anticipated capital receipts generated during 2013/14, estimated at a net figure of £19 million below the current projections. The reductions relate to the removal of significant capital receipts from the capital programme until more certainty over when they will be realised is available.

| Source | Original Updated £ | Revised £ | Difference £ |
|---|-----------------------|--------------------|-------------------|
| PRTB Agreement | (150,000) | (150,000) | 0 |
| Lovells Sales | (160,000) | (160,000) | 0 |
| Asset Sales - General | (500,000) | (500,000) | 0 |
| Asset Sales - Asset Review (Reprofiling) | (21,218,000) | (2,218,000) | 19,000,000 |
| Anticipated Capital Receipts 2013/14 | (22,028,000) | (3,028,000) | 19,000,000 |

- 3.5 A summary of the revised programme for 2013/14 is shown below:

| Summary Programme | £ | Appx |
|--|--------------------|----------|
| 2013/14 Original Capital Programme | 4,760,200 | A |
| Reprofiling (result of review of programme) | (710,000) | |
| Other adjustments | 3,353,700 | |
| Revised Capital Programme (Sept 2013) | 7,403,900 | A |
| Estimated Capital Resources available | (11,846,998) | B |
| Projected (Surplus) capital resources | (4,443,098) | |

4. NEW CAPITAL SPENDING PROPOSALS 2014/15 TO 2018/19

4.1 The existing and new capital spending proposals are summarised in the following table.

| Capital Scheme | App/ Para | 2014/15 £000 | 2015/16 £000 | 2016/17 £000 | 2017/18 £000 | 2018/19 £000 |
|--|--------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| <u>Current Commitments:</u> | | | | | | |
| Vehicles & Plant | 4.3 | 220 | 1,109 | 1,221 | 1,113 | 383 |
| Planned Enhancements to Council Property | 4.4 | 350 | 300 | 300 | 300 | 300 |
| Disabled Facilities Grants | | 863 | 863 | 863 | 863 | 863 |
| Arts Centre | | 1,015 | 0 | 0 | 0 | 0 |
| Harraby School and Community Campus Capital Contribution | | 500 | 500 | 0 | 0 | 0 |
| Old Town Hall/Greenmarket | | 1,400 | 38 | 0 | 0 | 0 |
| Leisure Facilities | | 0 | 5,000 | 0 | 0 | 0 |
| Public Realm Work S106 | 4.4 | 660 | 0 | 0 | 0 | 0 |
| Total Existing Commitments | | 5,008 | 7,810 | 2,384 | 2,276 | 1,546 |
| <u>New Spending Proposals</u> | | | | | | |
| ICT Shared Service | 4.5 | 210 | 197 | 205 | 204 | 195 |
| Asset Management Plan | 4.6 | 1,800 | 0 | 0 | 0 | 0 |
| Sheepmount Road | 4.7 | 30 | 0 | 0 | 0 | 0 |
| Bitts Park Access | 4.8 | 10 | 0 | 0 | 0 | 0 |
| CCTV Initiative | 4.9 | 89 | 0 | 0 | 0 | 0 |
| Enterprise Centre / West Walls | 4.10 | 70 | 0 | 0 | 0 | 0 |
| Total New Proposals | | 2,209 | 197 | 205 | 204 | 195 |
| TOTAL POTENTIAL PROGRAMME | | 7,217 | 8,007 | 2,589 | 2,480 | 1,741 |

4.2 Many of the new spending proposals have not yet been considered by the Corporate Programme Board. Therefore should they be approved for inclusion in the Council's Capital Programme as part of this budget process, the release of any earmarked reserve would be subject to verification of the business case by the Corporate Programme Board and a report to the Executive as appropriate.

Likewise details of the proposals for spend in committed areas will be subject to a full report and Business Case to the Corporate Programme Board before the release of any earmarked reserve.

4.3 The anticipated budgets for replacement of the Council's vehicle fleet are included in the table above and have been amended to reflect revised requirements within service areas.

4.4 Public Realm S106 and Planned Enhancements to Council Properties have been revised upwards in 2014/15 to include carry forwards from 2013/14. The suggested prioritisation for the 2014/15 Planned Enhancements to Council Properties is as follows:

| Property | Project | £ |
|-------------------------|--|----------------|
| Tullie House Museum | Re-cover flat roof over education room | 20,000 |
| Tullie House Museum | Renew rooflights at education room area | 20,000 |
| Morton Community Centre | Re-cover flat roof over the reception area | 30,000 |
| Enterprise Centre | Re-cover flat roofs | 60,000 |
| West Walls | Stone repairs | 20,000 |
| Civic Centre | Refurbish / rewire floor 3 and 4 | 150,000 |
| Civic Centre | Carry forward from 2013/14 | 50,000 |
| | Total | 350,000 |

4.5 ICT hardware and software replacement programme.

4.6 Provision for acquisitions in accordance with the Asset Management Plan has been removed and replaced with expenditure budgets for required improvement works.

4.7 To create safe access and ancillary hard standing areas at Sheepmount.

4.8 To create permanent hard standing access for vehicles in connection with the events held at Bitts Park.

4.9 To provide capital funding to support the Cumbria Wide CCTV Initiative

4.10 Enhancements to the Enterprise Centre and West Walls.

5. POTENTIAL CAPITAL RESOURCES AVAILABLE

5.1 The table below sets out the estimated revised resources available to finance the capital programme for 2014/15 to 2018/19 based on the announcements by Government in the spending review.

| Source of Funding | Para | 2014/15 £000 | 2015/16 £000 | 2016/17 £000 | 2017/18 £000 | 2018/19 £000 |
|---|------|-----------------|-----------------|-----------------|-----------------|-----------------|
| Capital Grants: | | | | | | |
| • Disabled Facilities Grant | 5.3 | (663) | (663) | (663) | (663) | (663) |
| • General Grants/Contributions | 5.4 | (660) | 0 | 0 | 0 | 0 |
| External Borrowing | 5.5 | 0 | (5,000) | 0 | 0 | 0 |
| Capital Receipts: | | | | | | |
| • Generated in year – General | 5.6 | (260) | (260) | (260) | (260) | (260) |
| • Generated in year – Asset Business Plan | 5.7 | (3,256) | (1,340) | 0 | 0 | 0 |
| • Generated in year – PRTB | 5.8 | (150) | (150) | (150) | (150) | 0 |
| Direct Revenue Financing / Invest to Save | 5.9 | (101) | (101) | (66) | (66) | (34) |
| TOTAL | | (5,090) | (7,514) | (1,139) | (1,139) | (957) |

- 5.2 The Prudential Code, which was introduced in 2004, gives authorities freedom to borrow to fund capital schemes subject to the over-riding principles of Affordability, Prudence and Sustainability. Whilst the new freedoms could significantly impact on the capital resources available to the Authority, the principles referred to in effect mean that the Council is limited by the ongoing cost of any borrowing (i.e. the cost of prudential borrowing falls to be met from the General Fund recurring expenditure). The Prudential Code requires authorities to develop their own programmes for investment in fixed assets, based upon what the authority and local taxpayers can afford, and subject to a full Business Case and Options appraisal process. Further details on the Code can be found elsewhere on the agenda in the Treasury Management Report (RD71/13).
- 5.3 Disabled facilities grant allocation will not be announced until January 2014, although it has been assumed that this grant will be protected at the 2013/14 levels. A further report will be presented to the Executive once the 2014/15 allocation has been received.
- 5.4 Section 106 contributions towards Public Realm Work.
- 5.5 External borrowing to fund Sands Centre.
- 5.6 Capital receipts from the sale of fixed assets, including the sale of the Council's interest in land on the Raffles estate and other specific asset disposals.
- 5.7 Capital receipts from the sale of Assets as part of the Asset Management Plan have been reprofiled between years to reflect sales and purchase activity to date.

5.8 The Preserved Right to Buy (PRTB) sharing arrangement with Riverside Group is for a fifteen year period with the Council being entitled to a pre-agreed reducing percentage of the receipts. Right to Buy sales are predicted to be in line with the original projections.

5.9 Direct revenue financing in relation to invest to save schemes.

6. SUMMARY PROVISIONAL CAPITAL PROGRAMME 2014/15 TO 2018/19

6.1 A summary of the estimated resources compared to the proposed programme year on year is set out below:

| | 2014/15 £000 | 2015/16 £000 | 2016/17 £000 | 2017/18 £000 | 2018/19 £000 |
|--|-----------------|-----------------|-----------------|-----------------|-----------------|
| Estimated in year Resources available (para 5.1) | (5,090) | (7,514) | (1,139) | (1,139) | (957) |
| Proposed Programme (para 4.1) | 7,217 | 8,007 | 2,589 | 2,480 | 1,741 |
| Projected (Surplus)/Deficit | 2,127 | 493 | 1,450 | 1,341 | 784 |
| Cumulative B/Fwd Balance | (4,443) | (2,316) | (1,823) | (373) | 968 |
| Cumulative year end Position | | | | | |
| • Capital (Surplus) / Deficit | (2,316) | (1,823) | (373) | 968 | 1,752 |

6.2 The Council may need to consider additional borrowing from 2017/18 onwards unless the significant receipts removed from the capital programme (see para 3.7) are realised before this time.

7. CONSULTATION

7.1 The Executive's draft budget was issued for consultation on 16 December. The consultation feedback will be considered by the Executive on 15 January, following which the Executive will make final budget recommendations to Council on 4 February 2014.

8. CONCLUSION AND REASONS FOR RECOMMENDATIONS

The Executive is asked to:

- (i) Make recommendations to Council on the Provisional Capital Programme for 2014/15 to 2018/19 in light of the capital bids submitted to date together with the estimated available capital resources, and to approve carry forwards (£710,000) from 2013/14 into 2014/15;

- (ii) Recommend that any capital scheme for which funding has been approved by Council may only proceed after a full report, including business case and financial appraisal, has been approved by the Executive, following detailed consideration by the Corporate Programme Board.

9. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

- 9.1 The capital programme includes a range of positive projects that will directly benefit the people of Carlisle.

Contact Officer: Peter Mason

Ext: 7270

**Appendices
attached to report:**

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

CORPORATE IMPLICATIONS/RISKS:

Chief Executive's – not applicable

Economic Development – not applicable

Governance – The Council has a fiduciary duty to manage its resources properly and for the benefit of its community. In doing so it is required to take account of the advice it receives from its chief finance officer, the Director of Resources. The Council must have a balanced budget to deliver its services and also achieve and sustain an appropriate level of reserves.

Local Environment – not applicable

Resources – Contained within the report

| Scheme | 2013/14 Original July 2013 £ | 2013/14 Revised Nov 2013 £ | Notes |
|--|---|---|--------------|
| Disabled Facilities Grants | 863,000 | 863,000 | |
| Planned Enhancements to Council Property | 300,000 | 250,000 | 1 |
| Vehicles, Plant & Equipment | 570,500 | 570,500 | |
| IT Equipment | 3,000 | 3,000 | |
| ICT Shared Service | 222,300 | 222,300 | |
| Public Realm Work S106 | 370,000 | 10,000 | 1 |
| Clean Up Carlisle | 20,500 | 20,500 | |
| Arts Centre | 250,000 | 50,000 | 1 / 2 |
| Public Realm Work | 100,000 | 100,000 | |
| Paternoster Row | 100,000 | 100,000 | |
| Harraby School & Community Campus Contribution | 600,000 | 600,000 | |
| Castleway S106 | 346,800 | 46,800 | 1 |
| Document Image Processing | 13,500 | 13,500 | |
| PCIDSS | 30,600 | 30,600 | |
| Families Accommodation Replacement | 608,600 | 608,600 | |
| Old Town Hall | 298,500 | 298,500 | |
| Old Town Hall Phase 2 | 0 | 62,000 | 3 |
| Kingstown Industrial Estate | 32,900 | 32,900 | |
| Connect 2 Cycleway | 11,700 | 11,700 | |
| Trinity Church Multi Use Games Area | 2,100 | 2,100 | |
| Play Area Improvements | 6,200 | 6,200 | |
| Castle Street Public Realm Improvements | 10,000 | 10,000 | |
| Asset Review Purchases/Expenditure | 0 | 2,712,500 | 2 |
| Customer Contact Centre | 0 | 40,000 | 2 |
| Employee Payment & Resource Management System | 0 | 70,000 | 2 |
| Empty Homes | 0 | 305,700 | 2 |
| Bring Sites Vehicle | 0 | 227,000 | 2 |
| Purple Sacks | 0 | 69,500 | 2 |
| Cenotaph | 0 | 67,000 | 2 |
| TOTAL | 4,760,200 | 7,403,900 | |

Notes:

1. Budget reprofiled to future years.
2. Other variations relate to virements between schemes or additional/reduced contributions as set out in previous Executive reports.
3. Budget brought forward from future years.

REVISED CAPITAL PROGRAMME 2013/14 – PROPOSED FINANCING

| Source of funding | 2013/14 Original £ | 2013/14 Revised £ | Notes |
|--|--------------------------|-------------------------|-------|
| Capital Grants: | | | |
| • DFG | 663,000 | 663,000 | |
| • General | 37,900 | 320,600 | 1 |
| Capital Receipts: | | | |
| • B/fwd from previous year | 7,463,798 | 7,463,798 | |
| • PRTB receipts | 150,000 | 150,000 | 2 |
| • Generated in year | 660,000 | 660,000 | |
| • Generated in year (Asset Review) | 22,218,000 | 2,218,000 | 3 |
| Capital Contributions | | | |
| • General | 716,800 | 56,800 | 4 |
| Use of Reserves/Internal Borrowing | 45,500 | 0 | 5 |
| Direct Revenue Financing | 123,000 | 314,800 | 6 |
| TOTAL FINANCE AVAILABLE | 32,077,998 | 11,846,998 | |
| TOTAL PROGRAMME (SEE APP A) | 4,760,200 | 7,403,900 | |
| PROJECTED SURPLUS CAPITAL RESOURCES AVAILABLE | 27,317,798 | 4,443,098 | |

Notes:

- Capital grant has been increased to include new funding for Empty Properties and Cenotaph Improvements.
- Revised projections from Riverside Group for 2013/14 will be provided in a future report to the Executive.
- The anticipated receipts from the Asset Management Plan have been reduced in line with revised projections.
- Changes to general receipts relate to S106 Public Realm Works (£660,000). These have been reprofiled into 2014/15 in line with revised projections.
- Resources have been removed from the capital programme.
- Changes to Direct Revenue Financing relate to Customer Contact Centre (£40,000), Employee Payment and Resource Management System (£14,000), Town Clocks Invest to Save (£3,100), Solar Panels (£15,200), Empty Homes (£50,000) and Purple Sacks (£69,500).

| | |
|----------------------------|--------------------------------------|
| Report to Executive | Agenda Item: A.2(c) |
|----------------------------|--------------------------------------|

Meeting Date: 15 January 2014
 Portfolio: Finance, Governance and Resources
 Key Decision: Yes: Recorded in the Notice Ref:KD30/13
 Within Policy and Budget Framework YES
 Public / Private Public

Title: TREASURY MANAGEMENT STRATEGY STATEMENT,
 INVESTMENT STRATEGY AND MINIMUM REVENUE
 PROVISION STRATEGY 2014/15
 Report of: DIRECTOR OF RESOURCES
 Report Number: RD71/13

Purpose / Summary:

This report sets out the Council’s Treasury Management Strategy Statement for 2014/15, in accordance with the CIPFA Code of Practice on Treasury Management. The Investment Strategy and the Minimum Revenue Provision (MRP) Strategy for 2014/15 are also incorporated as part of the Statement. So too are the Prudential Indicators as required within the Prudential Code for Capital Finance in Local Authorities. The draft Statement was considered by the Executive on 16 December 2013 prior to the consultation period on the budget proposals for 2014/15. It has also been considered by the Resources Overview & Scrutiny Panel and the Audit Committee will consider it on 24 January 2014.

Recommendations:

The Executive is asked to approve, for recommendation to Council on 4 February, the Treasury Management Strategy Statement for 2014/15, which incorporates the Investment Strategy and the MRP Strategy, together with the Prudential Indicators for 2014/15.

Tracking

| | |
|------------------------|--|
| Executive: | 16 December 2013, 15 January 2014 |
| Overview and Scrutiny: | 6 January 2014 |
| Audit Committee: | 24 January 2014 |
| Council: | 4 February 2014 |

1. BACKGROUND

- 1.1 The CIPFA Code of Practice on Treasury Management in Local Authorities was first issued in 1992 and updated in 1996 and 2001. The City Council formally adopted this Code in March 2002 and adopted the 2011 revision in February 2012. The updates made are minor, and centre around the changes in housing finance, Localism Act and the introduction of General Powers of Competence.
- 1.2 Under the requirements of the revised Code, the Council will receive each year the following reports:-
- Annual strategy and plan in advance of the year
 - A mid year review
 - Annual report after its close.

2. TREASURY MANAGEMENT STRATEGY STATEMENT

- 2.1 As required under the Code, the Treasury Management Strategy Statement for 2014/15, which also incorporates both the Investment Strategy for that year and the Minimum Revenue Strategy, is set out in **Appendix A**. The Strategy Statement was issued as part of the consultation period on the draft budget for 2014/15. The schedule of approved investment vehicles is contained in **Appendix B**. **Appendix C** includes a summary of current economic forecasts on interest rates that have been utilised in preparing the Strategy.
- 2.2 Also included within Appendix A are the **Prudential Indicators** that must be determined under the requirements of the CIPFA Prudential Code for Capital Finance in Local Authorities. These requirements came into operation on 1 April 2004 under the provisions of the Local Government Act 2003. Part 1 of the Act allows a local authority to borrow money for any purpose that is within its control or for the purposes of the prudent management of its financial affairs. The main purpose for borrowing money is to fund capital expenditure although some short-term borrowing is permitted to cover temporary cash flow needs.
- 2.3 Since 1 April 2004 there has been no statutory limit to the amount that can be borrowed. There is, however, a requirement for full compliance with CIPFA's Prudential Code; the key objectives of which are to demonstrate that the proposed capital investment plans have been assessed by the Council as affordable, prudent and sustainable. Section 3(1) of the Act puts a duty on the Council to determine before the start of the financial year and keep under review the maximum amount that it can afford to borrow. This amount is called the **Authorised Limit** and is discussed in Appendix A.

2.4 The Prudential Indicators will be monitored via the quarterly Treasury Management monitoring reports.

3. CONSULTATION

3.1 The Council has appointed Capita Asset Services Treasury Services as its Treasury Advisers and they have been involved in the Strategy and proposals contained within this report.

4. CONCLUSION AND REASONS FOR RECOMMENDATIONS

The Executive is asked to approve, for recommendation to Council on 4 February, the Treasury Management Strategy Statement for 2014/15, which incorporates the Investment Strategy and the MRP Strategy, together with the Prudential Indicators for 2014/15.

5. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

5.1 To ensure the Council's investments are in line with the appropriate policies including the Treasury Management Strategy Statement.

Contact Officer: Steven Tickner Ext: 7280

Appendices attached to report:
Appendix A – Treasury Management Strategy Statement
Appendix B – Approved Investment Instruments
Appendix C – Interest Rate Forecasts
Appendix D – Treasury Management Policy Statement

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

CORPORATE IMPLICATIONS/RISKS:

Chief Executive's – not applicable

Economic Development – not applicable

Governance – The Council has a fiduciary duty to manage its resources effectively for the benefit of its area and the delivery of its services. Treasury Management is an important

part of this function and it is appropriate that the Council has a strategy and takes account of the available specialist internal and external advice. The Treasury Management Strategy forms part of the Budget and Policy framework and, therefore, ultimately requires approval by Council.

Local Environment – not applicable

Resources – contained within the report.

Treasury Management Strategy Statement

Minimum Revenue Provision Policy Statement and Annual Investment Statement

Carlisle City Council

2014/15

1. INTRODUCTION

- 1.1 The Local Government Act 2003 and supporting regulations requires the Council to 'have regard to' the CIPFA Prudential Code and the CIPFA Treasury Management Code of Practice to set Prudential and Treasury Indicators for the next 3 years to ensure that the Council's capital investment plans are affordable, prudent and sustainable.
- 1.2 The Act therefore requires the Council to set out its treasury strategy for borrowing and to prepare an Annual Investment Strategy (as required by Investment Guidance subsequent to the Act and included as paragraph 9 of this report); these set out the Council's policies for managing its investments and for giving priority to the security and liquidity of those investments.
- 1.3 The Department of Communities and Local Government has issued revised investment guidance which came into effect from 1 April 2010. There were no major changes required over and above the changes already required by the revised CIPFA Treasury Management Code of Practice 2009 and 2011.
- 1.4 The Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management (revised November 2011) was adopted by this Council in February 2012. The updates made were minor, and centred around the changes in housing finance, Localism Act and the introduction of General Powers of Competence.
- 1.5 The suggested strategy for 2014/15 in respect of the following aspects of the treasury management function is based upon officers' views on interest rates, supplemented with leading market forecasts provided by the Council's treasury consultants. The strategy covers the following issues:
- Treasury limits in force that will limit the treasury risk and activities of the Council;
 - Prudential and Treasury Indicators;
 - Current treasury position;
 - Borrowing requirement;
 - Prospects for interest rates;
 - Borrowing strategy considerations;
 - Debt rescheduling opportunities.

- Investment Strategy
- Minimum Revenue Provision Strategy

1.6 It is a statutory requirement under Section 33 of the Local Government Finance Act 1992, for the Council to produce a balanced budget. In particular, Section 32 requires a local authority to calculate its budget requirement for each financial year to include the revenue costs that flow from capital financing decisions. This, therefore, means that increases in capital expenditure must be limited to a level whereby increases in charges to revenue from: -

- increases in interest charges caused by increased borrowing to finance additional capital expenditure, and
- any increases in running costs from new capital projects are limited to a level which is affordable within the projected income of the Council for the foreseeable future

2. TREASURY LIMITS 2014/15 TO 2016/17

2.1 It is a statutory duty, under S.3 of the Local Government Act 2003 and supporting regulations, for the Council to determine and keep under review how much it can afford to borrow. The amount determined is termed the 'Affordable Borrowing Limit'.

2.2 The Council must have regard to the Prudential Code when setting its Affordable Borrowing Limit. This essentially requires it to ensure that total capital investment remains within sustainable limits and in particular, that the impact upon its future council tax levels is 'acceptable'. It is important to understand, however, that the Indicators themselves, which are set out in paragraph 3, do not have an inherently right or wrong answer. They are not intended as comparator information between different authorities but are designed to support and record local decision making.

3. USE OF TREASURY CONSULTANTS

3.1 The authority has, like most other authorities, employed treasury advisers for specialist advice and assistance for many years. In the case of this authority, this role has long been fulfilled by Capita Asset Services Treasury Services.

3.2 Capita Asset Services provide specialist advice on both borrowing and investment matters. They also supply other relevant information and hold regular client seminars which help provide up to date training in what is an important and continually changing field. That said, it is important to recognise that responsibility

for all treasury matters lies solely with the City Council and this responsibility is not delegated to Capita Asset Services or any other third party. The Council has regard to the advice and information supplied by Capita Asset Services along with advice and information from a variety of other sources. Such advice is valued and the authority is in frequent contact with Capita Asset Services but this does lessen the ultimate responsibility of the City Council in dealing with treasury matters and taking relevant decisions.

4. CURRENT PORTFOLIO POSITION

The Council's treasury portfolio position at 30 November 2013 comprised:

| Table 1 | | Principal £m | £m | Ave Rate % |
|-----------------------------|--------|-------------------------|-------------|-----------------------|
| Fixed Rate Funding | PWLB | 0 | 15.0 | 8.76 |
| | Market | 15.0 | | |
| Variable Rate Funding | PWLB | 0 | 0 | 0.00 |
| | Market | 0 | | |
| Other Long Term Liabilities | | | 0 | 0.00 |
| Gross Debt | | | 15.0 | 8.76 |
| Total Investments | | | 21.3 | 0.85 |

5. PRUDENTIAL AND TREASURY INDICATORS 2014/15 - 2016/17

5.1 The Prudential and Treasury Indicators have been based on current projections for capital spending and resources in 2014/15 to 2016/17. The Council has ensured that future years' capital programmes have been set in accordance with the principles contained within the City Council's Capital Strategy and Asset Management Plan.

| PRUDENTIAL INDICATOR AFFORDABILITY INDICATORS | 2012/13 actual | 2013/14 revised estimate | 2014/15 estimate | 2015/16 estimate | 2016/17 estimate |
|---|-------------------|--------------------------------|---------------------|---------------------|---------------------|
| | £000 | £000 | £000 | £000 | £000 |
| Capital Expenditure | 4,798 | 7,404 | 7,217 | 8,007 | 2,589 |
| Ratio of financing costs to net revenue stream | 9.08% | 8.04% | 11.93% | 13.50% | 14.54% |
| Net borrowing requirement in year | 0 | 0 | 0 | 5,000 | 0 |
| Capital Financing Requirement as at 31 March | 6,017 | 10,701 | 12,776 | 18,944 | 22,435 |
| Annual change in Cap. Financing Requirement | N/A | 4,684 | 2,075 | 6,168 | 3,491 |
| Incremental impact of capital investment decisions | | | | | |
| Increase in council tax (band D) per annum (£) | N/A | 0.63 | 14.27 | 16.81 | 24.22 |

5.2 The estimates of financing costs include both current capital commitments and the draft capital programme as presented elsewhere on the agenda. In the case of this authority, it is assumed that any support from central government towards the costs of capital expenditure programmes in the next three years will be by means of a capital grant.

| PRUDENTIAL INDICATOR TREASURY MANAGEMENT INDICATORS | 2012/13 actual £000 | 2013/14 revised estimate £000 | 2014/15 estimate £000 | 2015/16 estimate £000 | 2016/17 estimate £000 |
|--|---------------------------|--|-----------------------------|-----------------------------|-----------------------------|
| Authorised Limit for External Debt: | | | | | |
| - Borrowing | 37,500 | 37,500 | 37,500 | 37,500 | 37,500 |
| - Other Long Term Liabilities | 100 | 100 | 100 | 100 | 100 |
| TOTAL | 37,600 | 37,600 | 37,600 | 37,600 | 37,600 |
| Operational Boundary for external debt: | | | | | |
| - Borrowing* | 32,500 | 32,500 | 32,500 | 32,500 | 32,500 |
| - Other Long Term Liabilities | 100 | 100 | 100 | 100 | 100 |
| TOTAL | 32,600 | 32,600 | 32,600 | 32,600 | 32,600 |
| Upper Limit for fixed interest rate exposure: | | | | | |
| - Net principal re. Fixed rate borrowing/investments | 100% | 100% | 100% | 100% | 100% |
| Upper Limit for variable rate exposure | | | | | |
| - Net principal re. Variable rate borrowing/investments | 100% | 100% | 100% | 100% | 100% |
| Upper Limit for total principal sums invested for over 1 year | 50% | 50% | 50% | 50% | 50% |

| Maturity structure of any fixed rate borrowing during 2013/14 | Upper limit | Lower limit |
|---|-------------|-------------|
| Under 12 months | 100% | 0% |
| 12 months and within 24 months | 100% | 0% |
| 24 months and within 5 years | 100% | 0% |
| 5 years and within 10 years | 100% | 0% |
| 10 years and above | 100% | 0% |

5.3 In respect of its external debt, it is recommended that the Council approves the above authorised limit for its total external debt, gross of investments, for the next three financial years. The limit separately identifies borrowing from other long term liabilities such as finance leases. The Council will be asked to approve these limits and to delegate authority to the Director of Resources, within the total limit for any individual year, to effect movement between the separately agreed limits for borrowing and other long term liabilities in accordance with option appraisal and best value for money. Any such change would be reported to the next available Council meeting.

5.4 The authorised limit is consistent with the authority's current commitments, plans and proposals for capital expenditure and its financing. **However the overall authorised limit is not to be exceeded without prior Council approval.**

5.5 The operational boundary is based upon the same estimates as the authorised limit but without the headroom included within the authorised limit to allow for unusual cash movements. As with the authorised limit, the Council is asked to delegate authority to the Director of Resources to effect movement between the separately agreed limits for borrowing and other long-term liabilities. The operational boundary can be exceeded in exceptional circumstances without prior Council approval providing that it remains within the authorised limit.

5.6 The City Council's current limits for maximum levels of fixed and variable rate funding are both 100% and this is as recommended by the treasury advisers.

5.7 Prudence and Sustainability

The City Council has adopted the CIPFA Code of Practice on Treasury Management in the Public Services and adopted the 2011 version of the Code in February 2012.

The current minimum level of specified investments is set at 50%. It is recommended that this level be continued into 2014/15.

5.8 Monitoring of the Prudential Indicators will be incorporated into the quarterly Treasury Transaction reports presented to the Executive.

6. PROSPECTS FOR INTEREST RATES

6.1 The Council has appointed Capita Asset Services Treasury Services as a treasury adviser to the Council and part of their service is to assist the Council to formulate a view on interest rates. The following table gives the Capita Asset Services view although it should be noted that there are some very differing views among the various economic forecasters regarding the future pattern of these rates:

| Year | % |
|---------|-------|
| 2013/14 | 0.50% |
| 2014/15 | 0.50% |
| 2015/16 | 0.50% |
| 2016/17 | 1.25% |

6.2 Until 2013, the economic recovery in the UK since 2008 had been the worst and slowest recovery in recent history. However, growth rebounded in quarter 1 and 2 of

2013 to surpass all expectations. Growth prospects remain strong looking forward, not only in the UK economy as a whole, but in all three main Capita Asset Servicess, services, manufacturing and construction. One downside is that wage inflation continues to remain significantly below CPI inflation so disposbale income and living standards are under pressure, although income tax cuts have ameliorated this to some extent.

6.3 A rebalancing of the economy towards exports has started but as 40% of UK exports go to the Eurozone, the difficulties in this area are likely to continue to dampen UK growth. The US, the main world economy, faces similar debt problems to the UK, but thanks to reasonable growth, cuts in government expenditure and tax rises, the annual government deficit has been halved from its peak without appearing to do too much damage to growth.

6.4 The current economic outlook and structure of market interest rates and government debt yields have several key treasury mangement implications:

- Although Eurozone concerns have subsided in 2013, Eurozone sovereign debt difficulties have not gone away and there are major concerns as to how these will be managed over the next few years as levels of government debt, in some countries, continue to rise to levels that compound already existing concerns. Counterparty risks therefore remain elevated. This continues to suggest the use of higher quality counterparties for shorter time periods;
- Investment returns are likely to remain relatively low during 2014/15 and beyond;
- Borrowing interest rates have risen significantly during 2013 and are on a rising trend. The policy of avoiding new borrowing by running down spare cash balances has served well over the last few years. However, this needs to be carefully reviewed to avoid incurring even higher borrowing costs, which are now looming ever closer, where authorities will not be able to avoid new borrowing to finance new capital expenditure and/or to refinance maturing debt, in the near future;
- There will remain a cost of carry to any new borrowing which causes an increase in investments as this will incur a revenue loss between borrowing costs and investment returns.

6.5 This challenging and uncertain economic outlook has several key treasury mangement implications:

- The Eurozone sovereign debt difficulties provide a clear indication of high counterparty risk. This continues to suggest the use of higher quality counterparties for shorter time periods;

- Investment returns are likely to remain relatively low during 2013/14 and beyond;
- Borrowing interest rates continue to be attractive and may remain relatively low for some time. The timing of any borrowing will need to be monitored carefully;
- There will remain a cost of carry – any borrowing undertaken that results in an increase in investments will incur a revenue loss between borrowing costs and investment returns.

7. BORROWING STRATEGY

7.1 The Capita Asset Services forecast for the PWLB new borrowing rate is as follows:

| | Dec-13 | Mar-14 | Jun-14 | Sep-14 | Dec-14 | Mar-15 | Mar-16 |
|----------------|--------|--------|--------|--------|--------|--------|--------|
| Bank Rate | 0.50% | 0.50% | 0.50% | 0.50% | 0.50% | 0.50% | 0.50% |
| 5yr PWLB Rate | 2.50% | 2.50% | 2.60% | 2.70% | 2.70% | 2.80% | 3.20% |
| 25yr PWLB Rate | 4.40% | 4.40% | 4.40% | 4.50% | 4.50% | 4.60% | 5.00% |
| 50yr PWLB Rate | 4.40% | 4.40% | 4.40% | 4.50% | 4.60% | 4.70% | 5.10% |

7.2 The Council is, as stated above, not currently expecting to have any recourse to borrowing in 2014/15. It is anticipated that a combination of capital grants and internal resources will be used to meet most, if not all, capital commitments in the new financial year. Nevertheless, the use of external borrowing is planned for future years. This is particularly the case in respect of any future major capital projects which are planned to require an element of external borrowing as a part of the total funding package. The Director of Resources will therefore continue to monitor the interest rate market as regards borrowing opportunities as well as in respect of investment policy.

7.3 Policy on borrowing in advance of need

7.3.1 The Council will not borrow more than or in advance of its needs purely in order to profit from the investment of the extra sums borrowed. Any decision to borrow in advance will be within forward approved Capital Financing Requirement estimates, and will be considered carefully to ensure that value for money can be demonstrated and that the Council can ensure the security of such funds.

7.4 External v. Internal Borrowing

- 7.4.1 This Council currently has a difference between gross debt and net debt (after deducting cash balances).
- 7.4.1 The general aim of this treasury management strategy is to reduce the difference between the two debt levels over the next three years in order to reduce the credit risk incurred by holding investments. However, measures taken in the last year have already reduced substantially the level of credit risk (see paragraph 9) so another factor which will be carefully considered is the difference between borrowing rates and investment rates to ensure the Council obtains value for money once an appropriate level of risk management has been attained to ensure the security of its investments.
- 7.4.2 The next financial year will continue to be one of historically abnormally low Bank Rate. This provides a continuation of the current window of opportunity for local authorities to fundamentally review their strategy of undertaking new external borrowing.
- 7.4.3 Over the next three years, investment rates are therefore expected to be below long term borrowing rates and so value for money considerations would indicate that value could best be obtained by avoiding new external borrowing and by using internal cash balances to finance new capital expenditure or to replace maturing external debt (this is referred to as internal borrowing). This would maximise short term savings.
- 7.4.4 However, short term savings by avoiding new long term external borrowing in 2014/15 will also be weighed against the potential for incurring additional long term extra costs by delaying unavoidable new external borrowing until later years when PWLB long term rates are forecast to be significantly higher.
- 7.3.6 Against this background caution will be adopted with the 2014/15 treasury operations. The Director of Resources will monitor the interest rate market and adopt a pragmatic approach to changing circumstances, reporting any decisions to the appropriate decision making body at the next available opportunity.

8. DEBT RESCHEDULING

- 8.1 There is unlikely to be much scope for debt rescheduling in either the current financial year or in 2014/15. Only one substantial sum of long term debt remains on the authority's books. This is the £15m stock issue which dates from 1995 and is not due to mature until 2020. The current view is that a premature repayment is not recommended because of the size of the premium payment that would be incurred. The position remains under review, however, if circumstances should change.

9. INVESTMENT STRATEGY

9.1 Principles

- 9.1.1 The City Council will have regard to CLG's Guidance on Local Government Investments and the 2011 revised CIPFA's Treasury Management in Public Services Code of Practice and Cross Sectoral Guidance Notes ("CIPFA TM Code").
- 9.1.2 The Council's investment priorities are:
- The security of capital
 - The liquidity of its investments
- 9.1.3 The Council will also endeavour to achieve the optimum return on its investments commensurate with proper levels of security and liquidity. Security of principal will always be the primary consideration. The risk appetite of this Council is low in order to give priority to security of its investments.
- 9.1.4 The borrowing of monies purely to invest or to on lend and make a return is unlawful and the Council will not engage in any such activity. Any borrowing in advance of need will only be undertaken after a full financial assessment of the costs and benefits of drawing down any such funding.
- 9.1.5 Investment instruments identified for use in the financial year are listed below under the 'Specified' and 'Non Specified' Investment categories. Individual counterparty limits will be set through the Council's Treasury Management Practices – Schedules which will be authorised by the Director of Resources.
- 9.1.6 Total investments with any one counterparty or group currently will not exceed £4m to ensure a reasonable spread of investments in terms of counterparties. Investments with HSBC shall not exceed £6m. However, Lloyds group and RBS Group will not exceed £8m as these establishments are currently funded by a majority shareholding by the UK Government.
- 9.1.7 This Annual Investment Strategy states which instruments the Council may use for the prudent management of its treasury balances during the financial year under the headings of **Specified Investments** and **Non Specified Investments**. These are listed in **Appendix B**. Essentially, specified investments are those with a maturity of up to one year which have a suitable credit rating or are otherwise guaranteed e.g. by HM Government. All other investments are non specified.

9.1.8 Credit ratings will be used as one means of assessing the credit quality of rated counterparties although it is recognised that reliance should not be placed on credit rating alone. The minimum short term rating for a bank will be either F1 (Fitch) or P1 (Moody's). For a rated UK building society, a similar rating would be anticipated although the proposed criteria do give authority to the Director of Resources to approve, if considered appropriate, the addition of other building societies with both a F2 (Fitch) and a P2 rating (Moody's). This is still a high quality credit rating but recognises the very strong record of the UK building society movement over many years in protecting the capital of all depositors. The Strategy already allows discretion to the Director to include as counterparties non credit rated building societies whose assets total at least £1bn. There are some six societies in this category. Any such investment would be subject to an assessment of such a society as a suitable counterparty. There are, for example, good reasons why many building societies do not have a credit rating but there are other means of making an appropriate financial judgment.

9.1.9 Any investments with institutions that do not have a credit rating e.g. many smaller building societies or investments for periods over one year would be classed as non specified investments. **However it is important to stress that both the specified and non specified investments in Appendix B are perfectly legal instruments in which the City Council may invest.** This includes for example many building societies as only the larger societies have an individual credit rating although there are other criteria by which a judgement can be made as to their credit quality.

9.1.10 The minimum percentage of its overall investments that the Council will hold in specified investments is 50%.

9.2 Investment Strategy

9.2.1 With bank base rate at 0.5% and not generally expected to increase from this level until at least the end of 2016, investment conditions will continue to be difficult. The view of Capita Asset Services is that bank rate will be at the following levels at each year end:

| Year | % |
|---------|-------|
| 2013/14 | 0.50% |
| 2014/15 | 0.50% |
| 2015/16 | 0.50% |
| 2016/17 | 1.25% |

- 9.2.2 Clearly, these projections can only be best estimates at this stage and the risk is to the downside i.e. if the economic recovery is slower than expected, then interest rates are like to rise more slowly. At this stage, the budget has assumed an average yield of 1.0% on its investments in the next financial year. This allows for the fact that there are some higher value, longer term investments placed. This forecast will, however, be reviewed further during the budget cycle. Every 0.1% fall in average yield will cost the Council approximately £35,000.
- 9.2.3 In this situation, the authority will continue to try and seek value in its investments by placing them out for longer periods where possible e.g. six months to one year, to meet future cash flow needs, subject to retaining some sums for shorter periods to meet liquidity requirements and also to take advantage of any particular investment opportunities. Much of the basic framework of the authority's cash flows is already known for the next financial year and use will be made of this information in determining investment periods. The money market is monitored daily and use will be made of a plurality of sources of financial information in determining investment opportunities. All investments will be placed only with institutions that conform to the criteria set out in the Investment Strategy.
- 9.2.4 The investment income budget will, as ever, be carefully monitored in the coming financial year and reported to members via the regular Treasury Transactions reports.

9.3 End of Year Investment Report

In line with current practice, the Council will receive a report on its investment activity as part of the Annual Treasury Report at the end of the financial year. It should also be noted that best practice now requires a mid year report on the treasury function. This has long been the practice within the City Council where quarterly reports are presented to the Executive. In addition, the Audit Committee has taken on the role of the 'specialist committee' that oversees treasury matters.

10. THE MINIMUM REVENUE PROVISION STRATEGY

- 10.1 The Council implemented the new Minimum Revenue Provision (MRP) guidance in 2008/09, and will assess their MRP for 2014/15 in accordance with the main recommendations contained within the guidance issued by the Secretary of State under section 21(1A) of the Local Government Act 2003.

- 10.2 No requirement is currently anticipated to undertake any long term borrowing in either 2013/14 or 2014/15 although the authority will need at this stage to keep its options open. This is particularly so if any major capital project requires an element of long term borrowing as part of the overall funding package.
- 10.3 Notwithstanding this possibility, the City Council is still obliged to make proper provision for the repayment of its outstanding debt. Capital expenditure is generally expenditure on assets which have a life expectancy of more than one year e.g. land, buildings, vehicles etc. It would usually be impractical to charge the entirety of such expenditure, which is often funded by borrowing, to the revenue account in the year it was incurred. Instead, this is spread over a longer period to try and match the years over which these assets will benefit the community. The manner of spreading these costs is through the Minimum Revenue Provision (MRP). Until recently, the MRP was calculated according to detailed and complex regulations. It is now determined under Guidance.
- 10.4 The only statutory duty that a local authority has under the new MRP regime is *'to determine for the current financial year an amount of minimum revenue provision that it considers to be prudent'*. The Guidance, which authorities must 'have regard to' provides four options for calculating the MRP as set out below. It is important to realise, however, that there is no obligation to follow any of these options and that it is up to each authority to decide upon the most appropriate method of making a prudent provision, having had regard to the Guidance.
- 10.4.1 Regulatory Method (Option 1)
This method is based upon the Regulations that were first promulgated in 2003 for the calculation of the MRP. It is based upon 4% of the authority's capital financing requirement (CFR). The CFR is a measure of the authority's level of outstanding debt. From this sum, the authority may subtract (if it is a negative figure) a technical adjustment known as 'Adjustment A'
- 10.4.2 Capital Financing Requirement Method (Option 2)
This is very similar to the regulatory method but it does not take account of Adjustment A.
- Option 2 is the method currently approved by the City Council for use in 2013/14. The City Council's Adjustment A was a positive figure and it is allowed in such circumstances to disregard Adjustment A. To use Option 1 would have incurred an increased MRP liability for the City Council.

Options 1 and 2 can be used for borrowing incurred before 1 April 2008, whether supported or unsupported, and for supported borrowing after that date. Supported borrowing is borrowing that is notionally funded within the revenue support grant allocation. The Council may therefore use either option 1 or option 2 but because of the 'Adjustment A' factor, option 2 has previously been recommended.

10.4.3 Asset Life Method (Option 3) and Depreciation Method (Option 4)

One of these methods may be used for new schemes that require the Council to undertake any unsupported borrowing after 1 April 2008. They are fairly similar except that option 3 is based upon the estimated life of an asset whilst option 4 assumes that an asset will still be worth something after its useful life has expired. They can, however, also be used for supported borrowing incurred either before or after that date. To date, this authority has not undertaken any unsupported borrowing.

10.5 The authority has no firm plans at present to undertake any borrowing which is either supported or unsupported. Options 3 and 4, moreover, are particularly appropriate where assets can be identified that match past borrowing decisions. This situation does not apply to the City Council.

10.6 The City Council implemented the new MRP guidance in 2008/09. In that year its MRP charge was Nil because its opening CFR was also Nil. In 2013/14, the opening CFR was £6.0m which will result in an MRP of £240,000 (4% of the CFR) in this financial year. In future years, the CFR will increase to the extent that capital expenditure is not met by capital grant or revenue contributions. This expenditure will, however, be met under current plans by the set aside capital receipts as the Council still possesses the cash represented by these receipts. It is less likely to be funded from borrowing.

APPROVED INVESTMENT INSTRUMENTS

Specified Investments

All such investments will be sterling denominated, with **maturities up to maximum of 1 year**, meeting the minimum 'high' rating criteria where applicable. **A maximum of £4m of the investment portfolio** will be placed with any one counterparty or banking group, or a maximum of **£8m of the investment portfolio for Lloyds Group banks and RBS Group Banks and £6m with HSBC Bank (with £2m being limited to investments less than 1 month in duration)** whether by way of specified or non-specified investments except for building societies without a credit rating where **the limit will be £2m.**

| Fixed Term Deposits with fixed rates and maturities:- | Minimum 'High' Credit Criteria | Use |
|---|--|-------------------------------------|
| Debt Management Agency Deposit Facility | Government backed | In-house |
| Term deposits – local authorities | --High level of security | In-house |
| Term deposits – U K banks** | Short-term F1 (Fitch) or P1(Moodys) | In-house |
| Term Deposits – UK building societies** | Short Term F1 (Fitch) or P1 (Moodys) or as determined by the Director of Resources | In-house |
| Fixed term deposits with variable rate and variable maturities: - | Minimum 'High' Credit Criteria | Use |
| Callable deposits | Short-term F1 (Fitch) or P1 (Moodys) | In-house |
| Certificates of deposits issued by UK banks and building societies | Short-term F1 (Fitch) or P1 (Moodys) | In-house buy and hold |
| UK Government Gilts | Government backed | In-house buy and hold |
| Bonds issued by multilateral development banks | AAA | In-house on a 'buy-and-hold' basis. |
| Bonds issued by a financial institution which is guaranteed by the UK government | AAA | In-house on a 'buy-and-hold' basis. |
| Collective Investment Schemes structured as Open Ended Investment Companies (OEICs): | Minimum 'High' Credit Criteria | Use |
| - | | |
| 1. Money Market Funds | Short-term AAA | In-house |
| 2. Enhanced Cash Funds | Short-term AAA | In-house |
| 3. Government Liquidity Funds | Short-term AAA | In-house |

** If forward deposits are to be made, the forward period plus the deal period should not exceed one year in aggregate.

Non-Specified Investments:

A maximum of 50% will be held in aggregate in non-specified investments

1. Maturities of ANY period.

| | Minimum Credit Criteria | Use | Max % of total investments | Max. maturity period |
|---|--|----------|----------------------------|----------------------|
| Term deposits with non credit rated UK Building Societies | As approved by the Director of Resources. Minimum asset base of £1bn | In-house | 50 | 364 days |

2. Maturities in excess of 1 year

| | Minimum Credit Criteria | Use | Max % of total investments | Max. maturity period |
|---|-------------------------------------|-------------------------------------|----------------------------|----------------------|
| Term deposits – local authorities | Any authority | In-house | 50 | 3 Years |
| Term deposits – UK banks and building societies | Long-term A (Fitch) or A2 (Moody's) | In-house | 50 | 3 Years |
| Fixed term deposits with variable rate and variable maturities | Minimum Credit Criteria | Use | Max % of total investments | Max. maturity period |
| Certificates of deposits issued by UK banks and building societies | Long-term A (Fitch) or A2 (Moody's) | In house on a 'buy and hold basis' | 50 | 3 Years |
| UK Government Gilts | Government backed | In house on a 'buy and hold basis' | 50 | 3 Years |
| Bonds issued by multilateral development banks | AAA | In-house on a 'buy-and-hold' basis. | 50 | 3 Years |
| Bonds issued by a financial institution which is guaranteed by the UK government | AAA | In-house on a 'buy-and-hold' basis. | 50 | 3 Years |
| Collective Investment Schemes structured as Open Ended Investment Companies (OEICs) | Minimum Credit Criteria | Use | Max % of total investments | Max. maturity period |
| 1. Bond Funds | Long-term AAA | In-house | 50 | 3 Years |
| 2. Gilt Funds | Long-term AAA | In-house | 50 | 3 Years |

The Council uses Fitch (primarily) or Moody's ratings to derive its counterparty criteria. All credit ratings will be monitored monthly. The Council is alerted to changes in credit ratings through its use of the Capita Asset Services creditworthiness service. If a downgrade results in the counterparty/investment scheme no longer meeting the Council's minimum criteria, its further use as a new investment will be withdrawn immediately.

INTEREST RATE FORECASTS

The data below shows a variety of forecasts published by a number of institutions. The first three are individual forecasts including those of UBS and Capital Economics (an independent forecasting consultancy). The final one represents summarised figures drawn from major City banks and academic institutions. The forecast within this strategy statement has been drawn from these diverse sources and officers' own views. Revised forecasts will be provided when they become available.

1. INDIVIDUAL FORECASTS

Capita Asset Services Interest Rate Forecast 14 November 2013

| | Dec-13 | Mar-14 | Jun-14 | Sep-14 | Dec-14 | Mar-15 | Mar-16 |
|-----------------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|
| Bank Rate | 0.50% | 0.50% | 0.50% | 0.50% | 0.50% | 0.50% | 0.50% |
| 5yr PWLB Rate | 2.50% | 2.50% | 2.60% | 2.70% | 2.70% | 2.80% | 3.20% |
| 25yr PWLB Rate | 4.40% | 4.40% | 4.40% | 4.50% | 4.50% | 4.60% | 5.00% |
| 50yr PWLB Rate | 4.40% | 4.40% | 4.40% | 4.50% | 4.60% | 4.70% | 5.10% |

Capital Economics interest rate forecast – 14 November 2013

| | Dec-13 | Mar-14 | Jun-14 | Sep-14 | Dec-14 | Mar-15 |
|-----------------------|---------------|---------------|---------------|---------------|---------------|---------------|
| Bank Rate | 0.50% | 0.50% | 0.50% | 0.50% | 0.50% | 0.50% |
| 5yr PWLB Rate | 2.30% | 2.30% | 2.30% | 2.30% | 2.30% | 2.30% |
| 25yr PWLB Rate | 4.25% | 4.25% | 4.25% | 4.25% | 4.25% | 4.25% |
| 50yr PWLB Rate | 4.40% | 4.40% | 4.40% | 4.40% | 4.40% | 4.40% |

UBS interest rate forecast (for quarter ends) – 14 November 2013

| | Dec-13 | Mar-14 | Jun-14 | Sep-14 | Dec-14 |
|-----------------------|---------------|---------------|---------------|---------------|---------------|
| Bank Rate | 0.50% | 0.50% | 0.50% | 0.50% | 0.50% |
| 5yr PWLB Rate | 2.38% | - | - | - | - |
| 25yr PWLB Rate | 4.25% | 4.25% | 4.25% | 4.25% | 4.25% |
| 50yr PWLB Rate | 4.40% | 4.40% | 4.40% | 4.40% | 4.40% |

TREASURY MANAGEMENT POLICY STATEMENT

Carlisle City Council defines treasury management as:

“The management of the organisation’s cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.”

Carlisle City Council regards the successful identification, monitoring and control of risk to be the prime criteria by which the effectiveness of its treasury management activities will be measured. Accordingly, the analysis and reporting of treasury management activities will focus on their risk implications for the authority.

Carlisle City Council acknowledges that effective treasury management will provide support towards the achievement of its business and service objectives. It is therefore committed to the principles of achieving best value in treasury management, and to employing suitable performance measurement techniques, within the context of effective risk management.

Report to Executive

Agenda
Item:

A.2(d)

Meeting Date: 15 January 2014
 Portfolio: Finance, Governance and Resources
 Key Decision: Yes: Recorded in the Notice Ref:KD30/13
 Within Policy and Budget Framework YES
 Public / Private Public

Title: PROVISIONAL PENSION FUND VALUATION
 Report of: DIRECTOR OF RESOURCES
 Report Number: RD68/13

Purpose / Summary:

This report provides details of the provisional Actuarial Valuation of the Cumbria Local Government Pension Scheme as at 31 March 2013 in respect of the City Council. The financial implications arising from the valuation, as set out within the report, must be considered and approved by members of the Executive. The appendix to the report provides a summary of the present state of the pension fund based upon the most recent annual report, supplemented by more recent information received as part of the actuarial process.

Recommendations:

The Executive is requested to:

- (i) Note the information received from the County Council;
- (ii) Approve the contribution rate of 13.6% (up from 11.8%) to be applied in the period 2014/15 to 2016/17 for future service cost and to approve the deficit recovery contributions payable as a lump sum over the same period; and
- (iii) Note the 19 year deficit recovery period.

Tracking

| | |
|------------------------|------------------------|
| Executive: | 15 January 2014 |
| Overview and Scrutiny: | Not applicable |
| Council: | Not applicable |

1. INTRODUCTION

- 1.1 The City Council is an employing authority within the Local Government Pension Scheme (LGPS) as administered by Cumbria County Council (the administering authority). This is a funded scheme which means that both the Council and its employees, who are members of the scheme, pay contributions into a fund independent of the Authority's own assets. The employer's contribution rate is determined every three years following an actuarial valuation of the assets and liabilities of the fund. Different rates will apply to different employers dependent upon the future pension liabilities that they will each have to accommodate.
- 1.2 The Pension Fund is revalued every three years and the provisional results of the actuarial valuation as at 31 March 2013 have recently been received from the Fund's Actuary. The new contribution results arising from the valuation will apply for the three year period commencing 1 April 2014.

2 PROVISIONAL VALUATION RESULTS

- 2.1 For the next three year period, no options have been provided for future service contribution rates; instead a fixed contribution rate (of pensionable pay) has been provided based upon a default 19 year deficit recovery period. There is no option to extend this recovery period (however a shorter recovery period can be adopted if required) and no option for a phased implementation.
- 2.2 The provisional results also provide details of the future funding of past service costs. In previous years the actuary provided 2 options; (1) to continue funding past service costs as a percentage of pensionable pay, or (2) to pay an lump sum expressed as a £ amount. However option 1 is no longer permitted and the deficit recovery has only been provided as a cash lump sum. Members will recall that the City Council agreed to fund past service costs as a lump sum as part of the 2010 valuation as it prevented contributions to the scheme falling due to reductions in staff numbers. The Council has benefitted from this decision with only a marginal increase required to overall contributions as part of the 2013 revaluation process.
- 2.3 Table 1 below sets out the assumptions set out in the provisional results of the 2013 Valuation with Table 2 (paragraph 2.4) comparing these to the sums that have been set aside as contained in the revenue budget. It should be noted that these sums are all based upon the current level of payroll costs with no specific provision made for any changes arising from the transformational process, shared services or inflation etc.

Table 1: Valuation assumptions and Provisional Results

| | | | | |
|--|-------------------|----------------|-----------------|-------------|
| Current Assumptions | | | | |
| Pensionable Pay | £10.932m | | | |
| Recovery period | 19 years | | | |
| Future Service Rate | 11.8% | | | |
| Past service cost | Approx £1.061m | | | |
| 2013 Valuation provisional results | 2014/15 | 2015/16 | 2016/17 | Para |
| Default rate (19 years) | | | | |
| • Future service | 13.6% | 13.6% | 13.6% | 2.1 |
| • Past service | £972,100 | £1,022,600 | £1,064,600 | 2.2 |
| Estimated total employer contributions per actuary: | | | | |
| 2010 Valuation | £2,443,300 | £2,443,300 | £2,443,300 | |
| 2013 Valuation | £2,453,500 | £2,504,000 | £2,546,000 | |
| Variation Cost/(Saving) (note 1) | £10,200 | £60,700 | £102,700 | |

Note 1 - the additional costs for 2015/16 and 2016/17 are indicative only as the true cost will be based upon the percentage of the overall pensionable pay which will be subject to fluctuations.

- 2.4 The financial implications of implementing these provisional results are summarised in Table 2 below:

Table 2: Financial Implications

| CUMBRIA LOCAL GOVERNMENT PENSION SCHEME | | | |
|--|--------------|--------------|--------------|
| 2013 Valuation Contribution Rates (19 Year Fixed) | | | |
| | 2014/15 | 2015/16 | 2016/17 |
| | £000 | £000 | £000 |
| Current Rate (11.8%) | 1,563 | 1,563 | 1,563 |
| Lump sum | <u>1,061</u> | <u>1,061</u> | <u>1,061</u> |
| Current budget provision | 2,624 | 2,624 | 2,624 |
| Proposed Rate | | | |
| Future service (13.6%) | 1,481 | 1,481 | 1,481 |
| Lump sum (note 1) | <u>972</u> | <u>972</u> | <u>972</u> |
| | 2,453 | 2,453 | 2,453 |
| Saving and Potential contribution to Reserves (note 2) | 171 | 171 | 171 |

Note 1 - The lump sum amount will be subject to annual increases in line with CPI plus a fixed percentage and will increase to £1.023m and £1.065m for 2015/16 and 2016/17 respectively. However for the purposes of this report, no inflation has been assumed to ensure like for like comparisons.

Note 2 – The provisional results can therefore be accommodated within the existing budget provision with the potential to release funds back into reserves; however given the uncertainty regarding the financial impact of auto enrolment and the impact of the proposed changes to the 2014 Pension Regulations with regard to the definition of pensionable pay, it would be prudent to retain the revenue budget and assess the financial impact as part of the 2014/15 outturn position.

3. CONSULTATION

Consultation to Date

The issue of the triennial review has been raised in various reports brought to members during the budget process but the results of the actuarial valuation were only received towards the end of December 2013 and for this reason could not be presented to the Executive until this meeting.

4. CONCLUSION AND REASONS FOR RECOMMENDATIONS

The Executive is requested to:

- (i) Note the information received from the County Council;

- (ii) Approve the contribution rate of 13.6% (up from 11.8%) to be applied in the period 2014/15 to 2016/17 for future service cost and to approve the deficit recovery contributions payable as a lump sum over the same period; and
- (iii) Note the 19 year deficit recovery period.

To ensure that the Cumbria Local Government Pension Scheme is adequately resourced in the medium term in order that all the employing bodies can meet their future liabilities falling on the Fund. In particular, actuaries have assessed the contributions that the City Council will have to make in the next three years in order to be able to adequately fund these liabilities in the longer term.

5. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

To ensure that future pension liabilities are adequately provided for with the annual budget process.

Contact Officer: Alison Taylor Ext: 7290

Appendices Appendix A – The Local Government Pension Scheme attached to report:

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

CORPORATE IMPLICATIONS/RISKS:

Chief Executive's – not applicable

Economic Development – not applicable

Governance – not applicable

Local Environment – not applicable

Resources – contained within the report.

The Cumbria Local Government Pension Scheme

The Cumbria Local Government Pension Scheme is one of around 100 separate local authority pension funds within the UK. These funds provide pensions for most local authority employees. The actuarial reserves of the pension funds are owned by the fund members and pensions paid out under the scheme are chargeable to the pension funds and not to the authorities that administer them. As at 31 March 2013, there were approximately 49,000 members of the Cumbria Pension Scheme of which over 16,000 were active members, over 19,500 members had preserved pensions and around 13,500 members and dependants are currently in receipt of benefits. 105 separate employers are members of the scheme as either scheduled bodies e.g. the City Council or as admitted bodies e.g. several of the community centres in Carlisle.

Local authority pension funds are funded schemes unlike, for example, police and fire service pensions which are met out of current expenditure on a pay as you go principle. Teachers' pensions, in contrast, are provided through a nationally funded scheme administered by 'Teachers Pensions' on behalf of the Department for Children, Schools and Families.

The Cumbria Fund has a diversified portfolio, a strategy which spreads the risk associated with any particular form of investment while facilitating the growth potential of the Fund. At as 31 March 2013, the Fund was invested in the following classes of assets:

| Investment Assets | £000m | % |
|--------------------------|----------------|-------------|
| Overseas Equities | £499.9m | 30% |
| UK Equities | £453.6m | 27% |
| Index Linked Bonds | £261.6m | 16% |
| Fixed Interest Bonds | £260.5m | 16% |
| Property | £92.2m | 6% |
| Alternatives | £64.7m | 4% |
| Cash | £11.9m | 1% |
| Total | £1.645m | 100% |

The Fund is currently managed by five separate fund managers which, again, is a strategy designed to spread risk in terms of the performance achieved by each manager.

For the year ending 31st March 2013, against a background of market volatility, the Cumbria Scheme achieved an overall return of 13.9% as compared to the local authority universe average of 13.8%. The performance continues to be attributed to the fund managers adopting a defensive investment strategy; however performance is most sensibly viewed over a period of several years and set out below are comparative performance figures over the past decade.

| | Fund Return per annum | Ranking (1-100) |
|---------------------------|-----------------------|-----------------|
| Year to 31 March 2013 | 13.9% | 52 |
| 3 years to 31 March 2013 | 9.1% | 22 |
| 5 years to 31 March 2013 | 6.4% | 51 |
| 10 years to 31 March 2013 | 9.2% | 43 |

Over a three year time frame the Scheme has outperformed against its own return benchmark and ranks at 22 out of 100 Local Government Schemes in the country; this is largely attributable to Cumbrian LGPS's strategy of holding a higher than the average LGPS allocation to bonds (32% compared with an LGPS average of 18%). Pension schemes are by their nature long term investment vehicles and, looking at the medium to longer term, the Scheme has marginally underperformed against its own benchmark. This performance ranks it 51 and 53 out of 100 Local Government Schemes in the country for the 5 year and 10 year periods respectively.

Three years ago the Fund had a funding level of 79% which relates to the ratio between a fund's assets to its future liabilities. As at 31 March 2013, this level had dropped slightly to 78%. However the scheme is designed to become fully funded over the long term and short term deviations are to be expected. Therefore, as the fund currently remains significantly short of this target, employer contribution rates are unlikely to fall in the years ahead unless the Fund's investments achieve an exceptional performance to enable the 100% level to be achieved ahead of current actuarial projections.

| | |
|------------------------------|-----------------------------------|
| <h1>Report to Executive</h1> | Agenda Item: A.4 |
|------------------------------|-----------------------------------|

Meeting Date: 15th January 2014
 Portfolio: Culture, Health, Leisure and Young People
 Key Decision: Yes: Recorded in the Notice Ref:KD.029/13
 Within Policy and Budget Framework YES
 Public / Private Public

Title: CARLISLE SPORTS & PHYSICAL ACTIVITY STRATEGY
 Report of: The Deputy Chief Executive
 Report Number: SD 01/14

Purpose / Summary:

This report returns the overall Sports and Physical Activity Strategy for 2013 – 17 and related Sports Facilities Strategy to Carlisle City Council’s Executive following consultation with the Council’s Community Overview and Scrutiny Panel.

The purpose of this report is to present a clear framework for sports and physical activity development and facilities development across Carlisle for approval and adoption by the City Council’s Executive.

Recommendations:

It is recommended that Executive consider and approve the proposals arising from both the attached Carlisle Sports and Physical Activity Strategy and the Sports Facility Strategy.

Tracking

| | |
|------------------------|---|
| Executive: | 18th November 2013 & 15th January 2014 |
| Overview and Scrutiny: | 9th January 2014 |
| Council: | |

1. BACKGROUND

- 1.1** The Sports and Physical Activity Strategy (Appendix A) proposes the City Council's vision for Carlisle to become more active, healthy and successful by creating opportunities and overcoming barriers to take part in sport and physical activity. The Sport and Physical Activity Strategy is underpinned by and dependent on specific work around the provision of indoor and outdoor facilities and pitches.

The Carlisle Sports Facilities Strategy 2013-23 (Appendix B) proposes a framework for the development of indoor facilities across the city to successfully support and enable the Sport and Physical Activity Strategy. The Carlisle Sports Facilities Strategy 2013-23 is therefore also included in this report for approval and adoption by Carlisle City Council's Executive.

While the two documents are stand alone texts, they are co-dependent and together form a platform for an integrated sports development, participation and investment programme in future years.

There is a third element of the Sports Development Strategic Framework which is a Playing Pitch Strategy (outlining the development needs and provision of outdoor pitches and facilities across Carlisle over the same period), This is currently also in draft format but is currently subject to final consultation with Sport England (who have offered some strategic planning related lessons learned from other authorities and are keen to offer this advice in direct relation to Carlisle's playing pitch strategy). The finalised Playing Pitch Strategy will be brought to Executive as soon as this advice has been reviewed.

The Sport and Physical Activity Strategy has been developed in consultation with partners and key stakeholders across the city. It is necessary in order to focus existing Council resources on areas of greatest need; bring partners together and align resources towards shared and explicit objectives; and to support applications for external grant funding by demonstrating a clear strategy for sports development over the coming years.

However, any Sports Development Strategy is clearly dependent on the availability of and access to adequate and appropriate facilities and venues. The City Council and its partners commissioned Kavanagh, Knight & Page (KKP) to undertake a current and future needs assessment of sports facilities. By assessing current and future supply of, and demand for, sports facilities in Carlisle, options for the type and location of new schemes can be considered and a facility development plan could be formulated.

KKP has submitted its final report on the needs-assessment and has supported work with the council and its partners to develop a Sports Facilities Strategy. Both the assessment of need and subsequent Facilities Strategy is centred on three types of facility: sports halls, swimming pools and health & fitness.

2. PROPOSALS

2.1 Sports and Physical Activity Strategy

2.1.1 Objectives

The Sport and Physical Activity Strategy breaks the City Council and its partners ambitions down into a series of clear objectives. Explicitly these are:

- Working in partnership, provide and promote high quality opportunities for adults of all abilities to become involved in sport and physical activity on a regular basis.
- Working in partnership to facilitate opportunities for children and young people of all abilities to become involved in sport and physical activity on a regular basis.
- To provide and promote high quality and safe opportunities for all Carlisle residents especially disabled, socially excluded or under represented groups.
- To support talented performers and assist them to reach their personal dreams and goals.
- To support the ongoing development of coaching and volunteering capacity within the sport and physical activity sector in Carlisle.
- To encourage access to a range of quality places in Carlisle to play sport and take part in physical activity.
- To maintain and develop the culture of working in partnership that delivers on its promises to local communities and funding bodies.

2.1.2 Anticipated Costs / Key Issues

The proposed Sports and Physical Activity Strategy does not make any new direct budgetary demands on the City Council (above and beyond the budgetary implications of the supporting Sports Facilities Strategy which are detailed in the next section of this report). However it does provide a clear framework for the Council to prioritise and allocate the direct and indirect resources it commits to sports development in the coming years. It also documents shared objectives which allow partners to align resources and maximise all available resource across Carlisle. Crucially it provides a clear vision for Sports Development across Carlisle which is critical in accessing external funding and grant support.

2.2 Sports Facility Strategy

2.2.1 Facilities

Sports Halls - Carlisle is achieving lower levels of supply which cannot meet demand and this imbalance will continue given the predicted increase in the population. Due to the dual use of the Sands Centre as a sports hall and an Arts and Entertainment centre, there is a shortage of consistently-available space in the sports hall. This has a detrimental affect on other sports halls in Carlisle as these are constantly full due to the lack of space available across Carlisle. Longer-term participation rates in sport are also affected and in turn will hinder the delivery of the Carlisle Sport and Physical Activity strategy. There is a demonstrable need for an additional sports hall in Carlisle.

Swimming Pools - Although the study highlights that supply is currently meeting demand, there are issues relating to the level of pool space which is available for community use. A further consideration is the level of quality of the swimming pool provision in Carlisle, with KKP's report highlighting the unwelcoming and dated nature of The Pools, which reduces demand. There are also concerns about the quality of three other key pools in the district: Richard Rose Morton, Richard Rose Central Academy and Trinity. There is therefore a demonstrable need for a new 8 lane swimming pool alongside a smaller teaching pool.

Health & Fitness - Although the current fitness offer in Carlisle meets with demand, the majority of this provision is in the private sector. KKP's study identifies that more needs to be done to meet the needs of some of the more deprived communities, and

to improve the quality of fitness provision in the district. Improving the facilities for group fitness programmes (such as aerobics) help to both increase income and drive up sport participation rates. There is a need to improve the current health & fitness offer in the district.

Playing Pitches - There is demand for the development of at least one 3G football pitch in Carlisle and possibly two in a phased approach. The development of one or more 3G football pitches in Carlisle would allow for organised sports games to be played along with new formats of football at junior level. This approach will take the pressure off over-used playing pitches and allow local Sports clubs to develop and expand. It will also free up current sports hall space currently being used for five-a-side football, which should allow other sports the space and capacity to develop.

2.2.2 Location

A three-pronged approach should be taken to provision of sports facilities in Carlisle, with a clear focus on a 'flagship' facility at the Sands Centre complimented by significant facility development at Harraby and Morton. This will meet local need in the east and west of the city and will be integral to a City-wide offer.

The Sands Centre - A new swimming pool, a new sports hall and an improved health & fitness offer is best located at the Sands Centre. Provision here maximises both existing infrastructure and the opportunities for business development, mitigating initial capital costs and presenting opportunities to reduce revenue cost. Other reasons for locating new facilities at the Sands Centre include:

- The Sands Centre is already the recognised 'flagship' facility in Carlisle.
- The Sands Centre is well located in the town centre.
- A significant level of infrastructure, such as car parking, already exists.
- A management and staffing structure would not have to be duplicated.
- It presents innovative pricing and cross-selling opportunities, combining both the swimming pool and fitness offer. For example, female participation rates are based on swimming and fitness; combining the offer provides chances to increase income.

- It provides the opportunity to link with the College and University. Both could become anchored tenants, utilising facilities during the day (off-peak hours). By providing teaching and learning opportunities at the Sands Centre, the Sands Centre could become a sporting hub for both the University and the College; effectively providing 'the student experience at the Sands Centre'.

Harraby - Harraby should be the priority site for a 3G football pitch. Football pens (smaller pens) can be utilised to increase the financial viability, and long-term sustainability, of the scheme. Improvements should also be made to the existing sports hall, and the changing rooms should be improved to allocate for the extra provision of football on the site. The development of the site should be based on a multi-sport approach, with engagement with local clubs and governing bodies of sport.

Morton - Provision at Morton should focus on the development of a sports village, which could include a 1km closed road cycle track, a cricket centre and a gymnastics centre. Improvements should also be made to the existing pool. This is likely to be a phased development. A 3G football pitch at the site should also be considered, should the funding opportunity arise, accompanied by 3G football pens to increase the financial viability of the scheme.

2.2.3 Anticipated Costs

Consultation with key partners, including a KKP-affiliated architect, has provided information on provisional costings for sports facilities in Carlisle.

| New | Sands Leisure Centre | Harraby Leisure Centre | Richard Rose Morton Leisure Centre |
|--------------------------------|--|--------------------------------|---|
| | 8 lane pool | 3G ATP | 3G ATP |
| | large teaching pool | 4 smaller 3G ATP football pens | 1km Closed Road |
| | Sports Hall | | Cricket Centre |
| | | | Gymnastics Centre |
| Upgrade / Refurbishment | 100 station fitness | changing facilities | 30 station fitness |
| | Dedicated Arts and Entertainments hall | Sports Hall | swimming pool |
| Budget cost | £8.5- 9.0 million | £1.6 million | £5-6 million |

2.2.4 Key Issues

Funding - If the City Council accepts the recommendation to develop a further sports hall at the Sands Centre, alongside a new swimming pool and improved health and fitness facilities, there will be a funding gap between the capital cost of such a scheme and the capital allotted in the City Council's 2015/16 capital budget.

There is a need and opportunity to secure financial support from partners to support the capital development of the scheme. Conversations have been held with the University of Cumbria, Carlisle College and the Richard Rose Trust regarding joint-working to bring a scheme forward. However, it should be noted that financial contributions from partners are most likely to come in the form of medium / longer term revenue commitments via block booking or usage contracts with Carlisle City Council or its leisure contractor. This could be used to offset the costs of additional capital funding from the City Council.

Though supportive of the City Council's plans, all partners have outlined that, before agreeing to consider contributing to the development of any scheme, there is a need for a firm commitment and vision from the City Council on its plans for new sports facilities.

Carlisle is a priority area for Sport England, and therefore opportunities may exist for capital funding from Sport England and support from some national governing bodies (NGBs). Opportunities to utilise internal budgets to contribute to the development of new sports facilities have been explored, and funding and/or support from the health sector would also be sought to mitigate costs and develop a comprehensive public health and fitness offer for local residents.

Finally, there is a clear need to explore the opportunities to offset capital commitment to the project through recurring revenue savings on the leisure contract. The Medium Term Financial Plan anticipates £250,000 of required savings for a £5million capital provision. However, in order to deliver a scheme in-line with the aspirations and recommendations of this strategy this would involve exploring savings on the contract above and beyond the levels needed to support the existing £5million provision within the Medium Term Financial Plan.

Management & Programming - There is currently a fragmented approach to sports facilities in Carlisle and this may be hindered by a lack of a single operator. The creation of a single operator, managing a range of sporting facilities across Carlisle, would enable a more strategic approach to be taken, both in terms of promotion and pricing, but also in terms of programming.

This recommendation for a single operator needs to be considered within the context of the leisure facility contract with CLL, which comes to an end on 30 November 2017. In April 2012, the Director of Governance set out his view on the duties and obligations imposed if the City Council were to cancel the existing contract with CLL and create a new one, or if the City Council amended the current contract with CLL.

He concluded that taking either approach would likely require the City Council to go through a competitive tendering process. Such a tendering process will have to

consider the recommendations by KKP, as well as the possible repercussions of accepting partner funding for the Sands Centre scheme on the future income of a contractor.

3. CONSULTATION

- 3.1** The Sports and Physical Activity Strategy has been developed in full consultation with partners and key stakeholders who have all contributed to the development of this final draft.

A steering group consisting of Carlisle City Council, Cumbria County Council, the University of Cumbria, Carlisle College, Richard Rose Morton Academy, Active Cumbria and Carlisle Leisure Limited has guided the facility project. As part of the detailed evidence base Carlisle City Council Officers, national governing bodies of sports officers, education representatives, local sports clubs and public and private facility providers have been consulted.

After initial presentation to Carlisle City Council's Executive in November 2013 the Sport and Physical Activity and Sports Facilities Strategies were referred to the Community Overview and Scrutiny Panel for their consideration. The minutes of that panel reflecting all the comments made accompany this report before Carlisle City Council Executive.

4. CONCLUSION AND REASONS FOR RECOMMENDATIONS

- 4.1** It is recommended that both the Sport and Physical Activity Strategy and the Sports Facilities Strategy are approved and pursued by Carlisle City Council in order to support increased participation in Sports and Physical Activity across the district and the well documented health and well being benefits this brings to all communities.

5. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

5.1 This report contributes to the Carlisle Plan priority:

We will work more effectively with partners to achieve the City Council's priorities.

Contact Officer: Darren Crossley

Ext: 7004

Appendices attached to report: Sports & Physical Activity Strategy 2013/17
Carlisle Facility Strategy 2013/15

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

CORPORATE IMPLICATIONS/RISKS:

Chief Executive's -

Community Engagement –

Economic Development –

Governance – The Carlisle Sports and Physical Activity Strategy and the Sports Facility Strategy are not part of the Council's reserved Budget & Policy Framework (Article 4 of the Constitution). They, therefore, fall to be approved by the Executive following due consideration.

Local Environment –

Resources - There are no direct financial implications of adopting the Carlisle Sports and Physical Activity Strategy and the Sports Facility Strategy; however as mentioned within the report, the Council has earmarked £5million within the 2015/16 Capital Programme, funded from borrowing, to improve sports and leisure facilities within the district. These Strategies, once approved, will be used to inform the preferred scheme of improvements, which should be fully supported by a robust business case/plan. This business case/plan should, if necessary, address any potential shortfall in funding whether this be through working with partners or attracting and securing other sources of external funding. Full compliance with the Council's policies on External Funding, Partnership Working and Contract Procedure Rules will be fundamental in the successful delivery of this capital project.



**Carlisle City Council
Sport and Physical Activity Strategy
2013-17**



www.carlisle.gov.uk

Foreword

Carlisle City Council has an excellent track record in using sport and physical activity to encourage participation, promote social inclusion and support community cohesion. They play a significant role in improving the quality of life for people of all ages. We want to maximise the impact that sport and physical activity has in Carlisle by working collaboratively, ambitiously and determinedly, towards clear, defined and inspiring goals.

The London 2012 Olympic and Paralympic Games have been the biggest, and best, celebration of sport and culture the UK has ever seen. Carlisle is well placed to use the opportunity the Games presented to get more local people involved in sport, physical activity, coaching and volunteering. The aim is to inspire Carlisle residents and change people's habits for a lifetime by unlocking the wider benefits of sport and physical activity.

On a local level, if we are to maximise the impact of the strategy, it is imperative that we link to existing plans and partnerships, to achieve our aim of sustaining and increasing participation in sport and physical activity.

We will raise the profile of sport and physical activity through:

- Creative participation
- Creative volunteering opportunities
- Creative places
- Creative partnerships

Whilst it is recognised that these aims are ambitious and challenging, the benefits will be enormous. We are confident that we can make a real difference and create a sporting city for all to enjoy.



Carlisle City Cllr Anne Quilter

Portfolio Holder for Culture, Health, Leisure & Young People

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Introduction

Carlisle is in the north of Cumbria and covers an area of 93 square miles, including a wide range of communities, including deprived urban areas and affluent wards.

The district's rural areas contain outstanding natural landscapes, attractive market towns and dispersed settlements.

With a population of 107,500 the district of Carlisle is home to the largest number of residents in the county. Of Cumbria's six districts, Carlisle also has the greatest proportion of working age residents and the second greatest proportion of residents from Black and Minority Ethnic (BME) groups.

Average life expectancy in Carlisle is only marginally lower than county and national averages. However, there is significant variation in life expectancy across Carlisle's wards, and the district is rated highest in the county in terms of low birth weight babies and years of life lost to cancer. The wards where crime and disorder is prevalent and the wards with the lowest life expectancies in the district tend to be deprived areas characterised by high levels of unemployment and child poverty.

While average educational standards are comparable with the average for the North West region and average levels of unemployment are relatively low across the district, there are geographical concentrations across some of Carlisle's urban wards and pockets in the rural areas where levels of educational achievement are low and levels of unemployment are high. Although the University of Cumbria attracts students to Carlisle, high level qualifications are still less prevalent and average earnings are relatively low.



Zumba in the city centre

Sport and physical activity are valued in their own right for friendship, fun and enjoyment. They bring people together, break down barriers and help to build communities. Sport and physical activity play a key part in helping us to live longer, healthier and more active lives, and promote overall well-being by reducing stress, anxiety and depression. As such, increasing levels of activity present the opportunity for the biggest health gain across the whole population and should be considered a priority as a consequence. Indeed, the positive impact on emotional health and wellbeing is particularly important, as psychological equilibrium is a prerequisite for informed and balanced decision-making which is the foundation stone for overall quality of life. The positive contribution of participation in sport and physical activity was confirmed in the Chief Medical Officer's 2009 Annual Report which stated: "The benefits of regular physical activity to health, longevity, well-being and protection from serious illness have long been established. They easily surpass the effectiveness of any drugs or other medical treatment".

We recognise the need to develop and support active citizenship. We want our communities to be strong and vibrant as these are important to the quality of life of local people. A demonstration of this belonging is volunteering, which is a key contributor to achieving social cohesion objectives and aligns well with the coalition Government's 'Big Society' agenda. Sport makes the largest single contribution to total volunteering in England, with 26% of all volunteers being involved in sport. Sport contributes in the drive to deliver cohesive communities by demonstrating greater emphasis on supporting 'pro-social' behaviour, which is a positive step forward.



Rowing on Talkin Tarn

Our Vision

For Carlisle to become more active, healthy and successful by creating opportunities and overcoming barriers to take part in sport and physical activity.

Our Mission

To ensure sport and physical activity make a positive impact on people's lives.

What we want to achieve:

- Sustained and growing participation in sport and physical activity
- More quality coaches, volunteers, officials, sports clubs and facilities
- Improved health and wellbeing through sport and physical activity
- Raise aspiration, increase success and celebrate our Outcomes

Our Values

Throughout this process we will strive to be passionate, fun, innovative, consistent, creative and accountable.



A Talkin Tarn guided walk

Our Successes

Our new strategy gives us the opportunity to celebrate the excellent outcomes and successes of 2012. Building on these successes, we continue to encourage our partners to work with us to get more people to take part in sport and physical activity. The list below shows a snapshot of progress and achievements by Carlisle City Council during the last year:

- Carlisle Sports Awards - Supported Carlisle Sports Council to deliver a successful event to celebrate sport
- Commissioned the Carlisle and District Sport and Physical Activity Alliance Foundation (SPAAF) to deliver SAFE (Sport Activity Fitness Exercise) clubs around the City using sport as a tool to tackle anti-social behaviour
- Worked in partnership with the Cumberland Football Association to deliver football development initiatives including festivals for disabled athletes and coach education courses
- Funded through the Carlisle Athletics Development Plan, and in partnership with the Carlisle Sport and Physical Activity Alliance Foundation (SPAAF), 1,336 young people received athletics coaching during school time and through holiday schemes
- Together with Carlisle Leisure Limited (CLL) and the Carlisle SPAAF, we have successfully delivered tennis opportunities as part of the Tennis Development Plan to 2,495 people
- In partnership with CLL and the Carlisle SPAAF we have provided holiday sports opportunities to over 2,000 young people

- Targeted specific Back2Sports activities in partnership with England Netball and England Hockey to encourage people 16+ to participate in sport and physical activity
- Launched a new Gifted and Talented Support Scheme in partnership with CLL for young people competing at county, regional and national level

Park and Ride Event 2012, Bitts Park



- Delivered social inclusion sports coaching schemes on the Multi-Use Games Areas around Carlisle to over 2,000 young people
- A successful partnership with the University of Cumbria resulted in established student links, work placement opportunities and event industry experience as part of their degree courses
- Funded 19 coaches to attend coach education courses through the Coach Development Scheme
- Delivered a Rounders Activators Course with 25 attendees and a Tennis Leaders course with 15 attendees
- In partnership with Carlisle Sports Council, we have funded 13 Sports Clubs through the Club Development Scheme
- Successfully welcomed the Olympic Torch Relay to Carlisle and together with sports clubs and voluntary groups, held related sports activities at the event
- Successfully delivered the start Stage 4 of the Tour of Britain
- As lead partner, we have worked with Sport England, CLL, Richard Rose Morton Academy, Trinity School, Carlisle College and the University of Cumbria and Cumbria County Council to commission a Sports Facility and Playing Pitch Strategy for Carlisle.



Tour of Britain, Carlisle Stage Start 2012

Creative Participation: Adults

32.7% of adults (over 16) in Carlisle participate in sport at moderate intensity, for at least 30 minutes once per week (Active People Survey 6 2011- 12). Research suggests that by 2031 there will be a significant increase in the number of people in the over 65 category. The DCMS Strategy 'creating a Sporting habit for life' emphasises creating opportunities for teenagers and young people aged 14-25. Our Strategy will work to support these aims. The challenge for Carlisle is to identify the range of interventions that offer the highest probability of achieving sustained growth in adult participation year on year based on evidence and need and work with our partners to deliver them.

Our objectives: Working in partnership, provide and promote high quality opportunities for adults of all abilities to become involved in sport and physical activity on a regular basis by:

- Expanding the range of opportunities for participation at all levels
- Targeting and finding new ways of involving low and non-participant groups
- Working with education to provide opportunities for participation
- Working with partners to develop a co-ordinated approach to events.

Success will be measured by:

- An increase in the number of adults participating in regular sport and physical activity using a range of indicators measured through the Active People Survey as a data source.



Spinning at The Sands Centre

Creative Participation: Children & Young People

Childhood obesity is a significant issue in the city. 23.6% of reception age children are considered to be either overweight or obese and by the time they reach year 6 this has increased to 31.7 %. The challenge is to ensure we have a variety of programmes that motivate children and young people to become more active. We want to develop initiatives that improve their skills and build confidence and enthusiasm to take part in sport and physical activity. Along with key partners, the Carlisle SPAAF and CLL, we have agreed on the Olympic Legacy promise to 'Inspire the next generation'.

Our Objectives: Working in partnership facilitate opportunities for children and young people of all abilities to become involved in sport and physical activity on a regular basis by:

- Expanding the range of opportunities for participation within a formal and informal club setting
- Targeting and finding effective ways of involving those with low and non-participation in 14-25 age groups
- Supporting structures for participation in Sport in Club and School settings.

Success will be measured by:

- An increase in the number of young people age 14-19 participating in sport and physical activity



Holiday programme, Go4it 2012

Creative Participation: Inclusion

Social inclusion and equity are central to our sports development work. We continue to tackle social exclusion through the use of sport and physical activity as a tool to engage with local communities. 11.2% of disabled people aged 16 and over participate in sport and physical activity for 30 minutes per week. 75% of disabled people aged 16+ in Carlisle do not participate in sport and physical activity. Alongside this evidence, local statistics tell us that there are increasingly high numbers of young people in the NEET category (Not in Education Employment or Training).

The challenge is to work with partners to make sport and physical activity fully inclusive and accessible to all Carlisle residents. To challenge the barriers to sports participation, working directly with groups and individuals traditionally under-represented in sport and physical activity.

Our Objectives: To provide and promote high quality and safe opportunities for all Carlisle residents especially disabled, socially excluded or under represented groups by:

- Expanding the range of opportunities for participation at all levels
- Support the development of appropriate sports opportunities
- Encouraging and promoting the inclusion of disabled and socially excluded people.

Success will be measured by:

- An increase in the number of disabled people participating in sport and physical activity.



Wheelchair Basketball

Creative Participation: Talent

Our strategy recognises the need to encourage and motivate people to be the best they possibly can at any type of activity, alongside those striving for sporting excellence on a local, regional, national or international stage. As well as increasing and improving people's everyday levels of activity through active sport, active living and active recreation, we have a strong commitment across the whole spectrum of participation, including the Gifted and Talented Scheme with CLL and celebrating achievement through the annual Sports Awards event with Carlisle Sports Council.

Our Objectives: To support talented performers and assist them to reach their personal dreams and goals by:

- Promoting support packages for aspiring athletes with potential who are not yet on any funded programme
- Encouraging coaches to achieve relevant qualifications
- Working in partnership to identify potential talented performers
- Support Carlisle Sports Council to deliver the Carlisle Sports Award Ceremony.

Success will be measured by:

- An increase in the number of talented performers in receipt of support and funding
- An increase in the number of coaches supported through the Coach Funding scheme
- An increase in the number of talented performers attending talent camps and accessing funding.



The Sheepmount running track

Creative Volunteering

We value sports volunteering and the role it plays in communities, in contributing to the economy and to the overall health and well-being of the region. We want to capitalise on the London 2012 Olympic and Paralympic Games to get more people actively engaged in sport in their communities, either as leaders, organisers or participants. The Sport England Active People Survey (APS) suggests there has been a drop in the number of adults (age 16+) volunteering for at least one hour per week. APS 5 figures showed 5.3% of adults volunteering for at least one hour per week while APS 6 shows 4.1% of adults are volunteering at least one hour per week.

Our objectives: To support the ongoing development of coaching and volunteering capacity within the sport and physical activity sector in Carlisle by:

- Provide volunteering opportunities which may ultimately lead to paid employment
- Regularly recognising, rewarding and celebrating achievements through communications, conferences and awards
- Raising the awareness and adoption of minimum standards for deployment of coaches and volunteers.

Success will be measured by:

- An increase in the number of volunteers attending personal development programmes
- An increase in the number of young people and adults volunteering
- An increase in volunteering opportunities.



Colin Nixon, Chairman and coach at the Carlisle Villa Amateur Boxing Club

Creative Places

We will continue to work with partners to strive towards facilities that are high quality, well positioned, accessible and affordable for the whole community. We need to maximise the efficiency and the effectiveness of sports provision. Together with partners, we have commissioned a Sports Facility and Playing Pitch Strategy so that we can respond to the changing needs and expectations of our local residents, including its student population. It is important that we link any emerging facility and playing pitch findings with Sports Development plans. Carlisle currently has 44 Clubmark accredited clubs and a number currently working towards accreditation. We want to work with local clubs, Leagues and national governing bodies of sport to inform us what provision is required in an area to support the development of sport and physical activity opportunities.

Our objectives: To encourage access to a range of quality places in Carlisle to play sport and take part in physical activity by:

- Utilising data and intelligence to identify and better align provision to reflect local community sport need and increase participation
- Maximising the potential of capital programmes and fully examining joint developments between key stakeholders
- Promoting the advantages of Clubmark and supporting the process of accreditation with Carlisle Sports Council
- Working with educational establishments to become more widely accessible to community sports groups
- Looking to establish quality facility provision aligned to the Carlisle Sports Facility Strategy.



Success will be measured by:

- Producing a Sport Facilities Strategy and playing pitch strategy
- An increase in the number of sports organisations with recognised accreditation standards.

Exercise class at The Sands Centre Carlisle

Creative Partnerships

We are committed to working in partnership. Our key partners include. Active Cumbria, Carlisle College, the University of Cumbria, Carlisle SPAAF, Sport England, Riverside Housing, Cumbria County Council, CLL, Carlisle Youth Zone, Cumbria Police, Richard Rose Federation, the Cumberland Football Association and Carlisle Sports Council. Significant levels of sport and physical activity are delivered through a network of organisations outside of the council and there are many examples of how working together has been effective and successful. Innovative solutions will be sought in partnership with organisations who share the same commitment and passion for increasing participation and bringing about healthier lifestyles.

Our objectives: To maintain and develop the culture of working in partnership that delivers on its promises to local communities and funding bodies by:

- Provide leadership, co-ordination and structures which allow people and organisations to work together more effectively
- Attracting investment through identified funding sources and encouraging partners to work collaboratively in pursuing them
- Continually appraising performance in order to identify improvements and further business opportunities
- Develop the Active Carlisle Partnership
- Work with the SPAA Foundation to deliver high quality sporting activities
- Work with Carlisle Leisure Limited to maximise the benefit of the leisure contract

- With partners, develop joint programmes in partnership with Carlisle College and the University of Cumbria.

Success will be measured by:

- The levels of investment secured and case studies of partnership projects.

SPAAF launch 2012 at The Sheepmount



Implementation

This strategy will be supported by a delivery plan to ensure that the Strategy actions are implemented. Sports plans will be shaped through a joined up strategic approach based on need, facility provision, funding and partnership working. Current Sports will be developed and other sports will be supported through work with national governing bodies of sport, local clubs and partners.

We have developed a clear delivery system in Carlisle, working in partnership with amongst others, the Carlisle SPAAF and CLL. Our sport and physical activity provision also involves working with local sports clubs, the University of Cumbria, Carlisle College, Active Cumbria, the School Games Organiser, Carlisle Sports Council and local volunteer groups to develop a system that is able to deliver clear outcomes. We propose to have an annual report that will highlight the work we are doing through the strategy in order to monitor progress and shape future work.

Conclusion

We have to take into account both local and external pressures. These include new national, regional and county strategies for sport and the needs and aspirations of organisations and individuals. Our Sport and physical activity Strategy's key focus is to increase participation through a range of opportunities for people to be involved with sporting activities regardless of race, ethnicity, gender or ability and also aligns to the Carlisle Plan and the Joint Strategic Needs Assessment which recognises these key priorities. Active Carlisle, supported by public, voluntary and third Sector partners, has been aligned to support the aims and objectives of the City Council's Sport and physical activity strategy as well as Active Cumbria's Strategy for Sport. National governing bodies of sport are also engaged with local delivery plans. We are committed to providing opportunities for everyone in Carlisle and accept our overall strategic responsibility for the development of a sporting city. There are strong reasons for being optimistic about our chances of success.

This Strategy for Sport and Physical Activity will enable partners to understand our priorities and how we are channelling our resources to deliver sport and physical activity. It also provides us with an opportunity to celebrate the excellent outcomes and successes of 2012. Building on this work we can continue to encourage our partners to work with us to get more people participating in sport and physical activity.



Carlisle Facility Strategy 2013-25

Introduction

Key providers in Carlisle have come together to produce a Facility Strategy for the city as part of its overall vision for sports and physical activity. It is part of the recognition that alongside maintaining and managing existing provision, it must identify opportunities for future development of sports provision and, if necessary, the rationalisation of facilities and services. The Strategy provides a comprehensive overview of current and future demand for both indoor and outdoor sports facilities. Its key objectives are:

- To analyse supply and demand for indoor and outdoor sports facilities
- To identify gaps in provision and opportunities for future development
- To provide recommendations for the future.

Carlisle City Council (CCC) has identified an ambition to deliver change across the city. This is driven by its new administration which is declaring that Carlisle is 'open for business'. The high level of ambition can be measured in the range of projects the City Council would like to see delivered in the short, medium and longer term, such as:

- Replacement swimming pool for the city and additional sports hall space and improved ancillary areas
- The delivery of improved community and sports and recreation facilities across the city
- Expansion of the Carlisle knowledge economy in partnership with the University of Cumbria and Carlisle College
- Major housing growth
- Redeveloped shopping area in the city centre.



Approach

The Sports Facilities Strategy is presented across two documents. An Indoor Sports Facilities Needs Assessment, which focuses on indoor built sports facilities (e.g. sports halls, swimming pools etc) and a Playing Pitch Strategy, which concentrates on outdoor sports pitch provision (eg football, rugby, cricket, tennis, bowls etc).

Both documents provide a picture of current sports provision in the city; taking into account local current and future demand expressed through consultation with clubs, leagues, facility providers, National Governing Bodies of Sport and council officers and education providers. Based on this information each document establishes an action plan on a site-by-site/area basis in order to help prioritise investment and partnership working.

This strategy incorporates the key immediate priorities highlighted in the playing pitch strategy and facility needs assessment. Other medium and long term recommendations will be explored with the relevant lead partner to investigate the potential of a project.

For a complete Sports Facilities Strategy, both the Indoor Sports Facilities Needs Assessment and the Playing Pitch Strategy should be read in conjunction with one another. This Strategy presents a vision for Carlisle and builds upon the conclusions identified in the Sports Facilities Needs Assessment and the Playing Pitch Strategy.

Partners across the city will need to identify its vision and objectives for its leisure assets for the coming years. This should also take on board the findings of this report and the Playing Pitch Strategy, as well as other contributing factors such as the economic climate and the priority that leisure has in relation to other services and external partnerships.

The vision for this Strategy reflects national, regional and local policies and strategic planning processes. In particular the vision is consistent with aspirations to improve health and well-being by increasing the number of people who are physically active and be inclusive and open to all groups. The vision is to:

To create a high quality sport and leisure offer across the city, working with private, public and voluntary sectors, that delivers vibrant and animated programmes of activity to ensure that all residents and visitors have the opportunity to engage in activities and experiences as part of a fulfilled and active lifestyle.



Strategic Objectives

The proposed vision is based upon a clear, achievable framework of strategic objectives (not in any priority and summarised text below) which should be adopted as policy. Partners should adopt the following strategic objectives to enable it to achieve the vision of the Strategy:

OBJECTIVE 1

- **Develop and establish a facility hierarchy which establishes defined roles and functions for specific facility types.**

OBJECTIVE 2

- **Commit to key facility development projects to bring facilities up to standard fit for the future.**

OBJECTIVE 3

- **Define and implement a city-wide community use policy.**

OBJECTIVE 4

- **Take a clear strategic approach to integrated facility programming on a city-wide basis.**



OBJECTIVE 1

Develop and establish a facility hierarchy which establishes defined roles and functions for specific facility types.

The intention is that sports facilities in Carlisle will operate within a hierarchy in which specific facilities have distinct roles and functions; carry differing levels of operational weight and related staffing.

Similarly it is important that facilities have a defined function from the users perspective. Hence core facilities deliver orchestrated physical activity geared to extended participation and improving health whilst key community facilities offer accredited clubs opportunities to develop their sports. Neighbourhood facilities should be available for static groups which offer limited sports development value.

Key principles are as shown in the table overleaf, whilst broad principles are illustrated in the hierarchy diagram shown below.

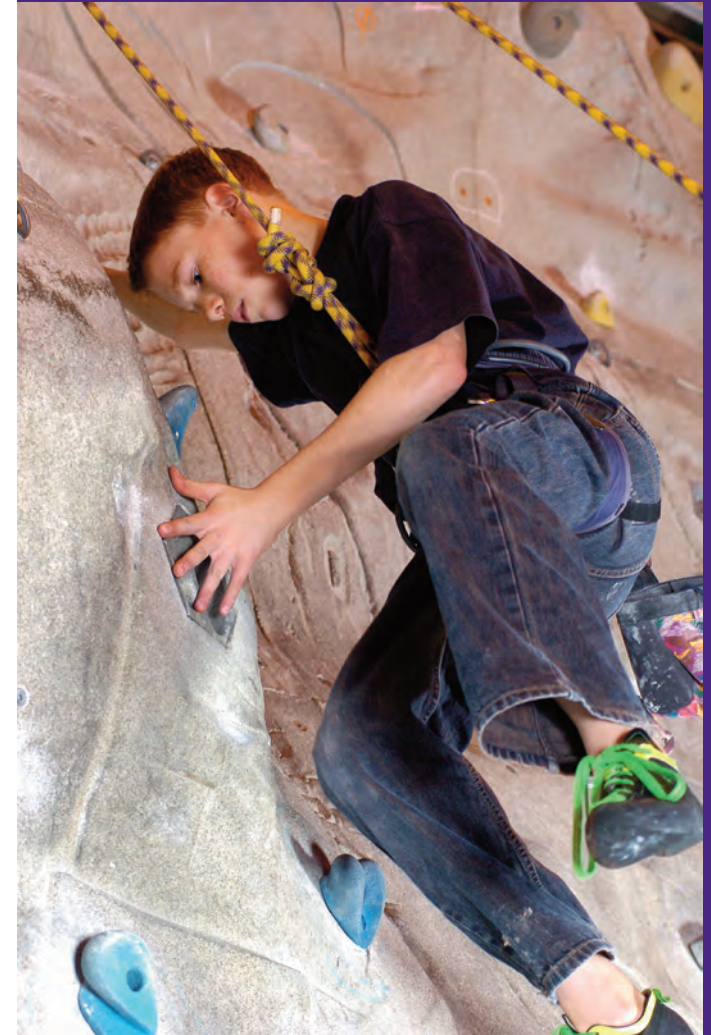
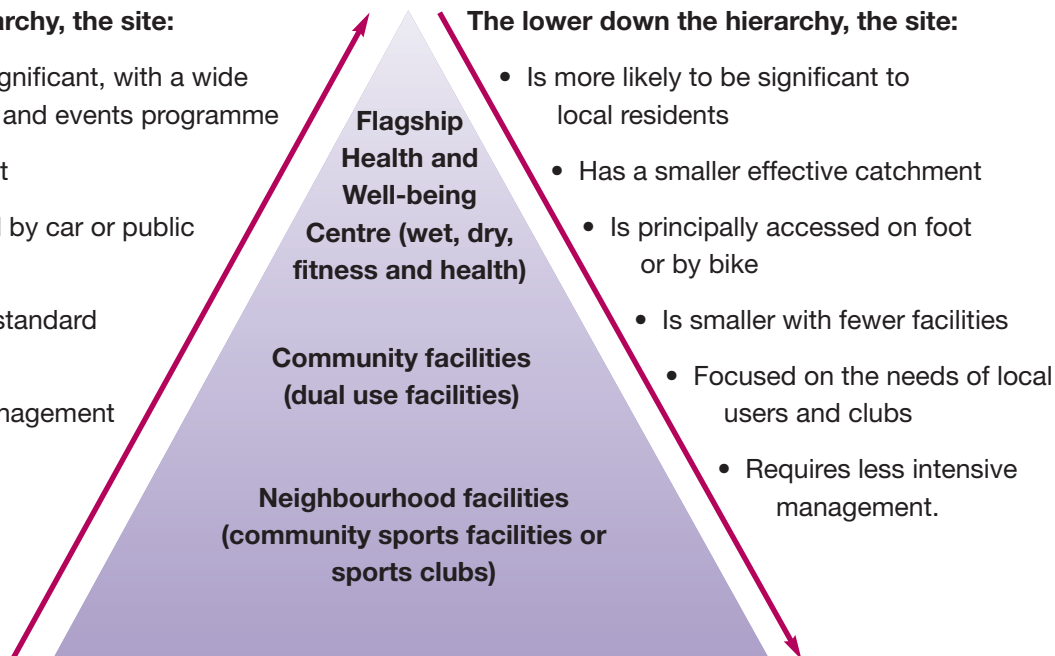
Figure 2.1: Facility Hierarchy – Core Principles

The higher up the hierarchy, the site:

- Is more strategically significant, with a wide range of activity areas and events programme
- Has a larger catchment
- Is principally accessed by car or public transport
- Is larger with regional standard facilities
- Requires thorough management and programming.

The lower down the hierarchy, the site:

- Is more likely to be significant to local residents
- Has a smaller effective catchment
- Is principally accessed on foot or by bike
- Is smaller with fewer facilities
- Focused on the needs of local users and clubs
- Requires less intensive management.



Proposed Facility Hierarchy – Site Designation and Definition

| Designation | Role and Function |
|---|--|
| Level 1: Health and Well-being Centres | <ul style="list-style-type: none">• Stand-alone community health and well-being facility designed to meet the sport and physical activity and well-being needs of a bespoke segment of the city.• Mix of wet, dry and fitness activity areas.• Provides a wide a range of opportunities for residents and visitors to participate in sport and physical activity contributing to the quality of life of residents across Carlisle.• Potential venue which can host city-wide and local events.• Highly visible and centrally located to accommodate the access requirements of the whole city.• Potential to accommodate a primary performance venue for ‘secondary sports’ or a secondary venue for ‘primary sports’.• Provides/programmes opportunities for local people to try new activities, develop their skills and progress to significant performance levels.• Core venue for health and fitness activities across the city.• Core venues to accommodate the city’s Learn to Swim programmes.• Core facility for the city’s entertainment programme. |
| Level 2: Community | <ul style="list-style-type: none">• Contributes to quality of life of residents within the local community and provides a range of opportunities to participate in sport and physical activity.• Generally sports facilities on school sites which are designed to meet community need and have contractual dual use agreements.• Increases/ improves quality of PE and school sport opportunity for young people attending the school upon which it is based.• Provides a base for the provision of opportunity (delivered by a range of providers) for local people to develop their skills and try new activities.• Provides options for a range of sports organisations to develop skill, participate and compete within their chosen activity.• Supports voluntary sports sector to raise standards with respect to coaching, coach education, administration and volunteer development in chosen sport.• Facility use to reflects demographic profile of the local community. |
| Level 3: Neighbourhood | <ul style="list-style-type: none">• Contributes to quality of life of the neighbourhood, accommodating a range of opportunities to participate in sport and physical activity.• Predominantly sports facilities on school sites which operate within a lettings policy.• Provides opportunities for range of sports organisations to participate, train and compete in their chosen activity.• Facility use to reflect demographic profile of the local community. |



OBJECTIVE 2

Commit to key facility development projects to bring facilities up to standard.

Facility Development

In light of the detailed research undertaken in the Facility and Playing Pitch Needs Assessments we would propose that the following key facility developments would be required to bring Carlisle's leisure stock up to modern day standards:

- Develop a replacement swimming pool, additional sports hall and improved health and fitness facilities.
- To develop facilities in strategically appropriate places across the city to include:
 - A one kilometre closed road circuit for cycling
 - At least two new floodlit 3G artificial grass pitches
 - Small sided artificial turf outdoor football pens
 - Improved health and fitness facilities
 - Develop appropriate sport and recreation facilities that encourage active recreation for the family
 - Refurbishment of current swimming pools where appropriate.
- To develop partnerships with the NHS in order to identify common objectives and efficient ways of partnership working to deliver on the public health agenda.
- Work with partners as identified in the needs assessment to prioritise and deliver facility development opportunities based on current provision, potential for funding and links to the wider developments.
- Ensure that the provision of sports education at post 16 level is embedded in the Sports Facility Strategy and this use is reflected in plans for investment.



OBJECTIVE 3

Define and implement a city-wide community use policy.

Defining community use

It is clear that there are variable definitions of community use currently in play in Carlisle by the range of operators of community sports facilities. Therefore, there is a need for strategy partners to take the lead in defining what community use should be and the objectives to be achieved from it.

Therefore, the following definition of community use should be applied to all facilities in Carlisle:

The efficient, effective animation and use of leisure facilities and services for the benefit of local communities so that their use directly assists the achievement of key (national and local) targets such as:

- **Improving the quality of life for residents in Carlisle**
- **Improving educational achievement and enabling people to move into sustainable employment**
- **Connecting local people to local services to enable them to have a happier and more fulfilled life**
- **Contributing to people having a more active, less sedentary lifestyle**
- **Increasing participation in sport and physical activity.**

By adopting the above definition and a related approach to managing facilities and services, this requires the partners to:

- Develop, use and apply their knowledge and understanding of the demographic profiles and needs of local residents
- Reflect the health, education and leisure needs, including addressing public health issues, supporting the education and skills development of young people and individuals
- Develop and keep up to date, accurate knowledge and understanding of community need, via engaging and consulting on a regular basis with local representative agencies such as youth clubs, tenants and residents associations, older peoples groups, local pressure groups etc
- Develop and maintain detailed knowledge and understanding of the whole sporting infrastructure across the city.
- Understand and appreciate the strategic definitions of 'need' applied across the city by key partner agencies such as health, housing, regeneration, etc
- Commit to the achievement of strategic impacts and outcomes within the local area.



Adopting the above approach to managing facilities will enable partners to:

- Provide variety across the programme accommodating a broad range of sport and activity from educational and recreational through to performance.
- Offer a combination of direct delivery and intervention via partners (e.g. sports clubs, health partners, National Governing Bodies (NGBs), education).
- Collect management information and intelligence to underpin actions to extend the reach of the service, which will:
 - Introduce new people and communities to existing activities and club opportunities
 - Introduce existing customers to new activities and club opportunities
 - Enable operators to develop innovative programmes and processes to improve
 - Service impact among hard to reach groups.
- Continually re-present the sport and leisure offer to local communities.
- Develop the various services offered in such a way that people in local communities are able to make informed choices about them.



OBJECTIVE 4

Take a more strategic approach to facility programming on a city-wide basis.

Facility programming

- Ensure that all facilities, including schools, are programmed and animated to their maximum capacity reflecting local needs and contexts, to assist CCC to meet its wider strategic objectives.
- Ensure that the operation of all sites facilitate the collection of management information and that this is used to inform strategic and operational decision making in the future; particularly in relation to the planning of service delivery.
- Develop an effective monitoring and evaluation process for all facilities on the back of being furnished with appropriate management information.
- Ensure, where possible, that all school sports facilities are accessible to the local community for as much time as is feasibly possible (ie a minimum of 20 to 30 hours per week). As such this type of access should be written into future community use agreements.
- Ensure that the cost of accessing facilities is appropriate for different client groups and does not become a significant barrier to participation.
- Develop a leisure management contract which ensures the operator takes on an advocacy and leadership role in the management and letting of sports facilities across the area.
- Align to the aims and objectives of the health and wellbeing board.
- Ensure that educational use of all facilities for post 16 year olds forms part of the strategic programming of facilities.



Action Planning

The following action plan provides an initial overview of what needs to be undertaken to implement the recommendations outlined within the above study. It is appreciated that actions may not be phased in the following way and that the short to medium term is somewhat fluid. However, the key focus is to ensure that Carlisle has a cohesive and integrated offer for residents where the 'whole' is greater than the sum of the parts and that each facility has a specific role to play in this.

| Action | Issues addressed | Commentary | Timescale | Strategic Objectives met | Strategy Cross reference |
|---|--|---|-----------|--------------------------|--|
| <ul style="list-style-type: none"> Adopt the strategy and action plan as City Council policy and identifying funds to implement the infrastructure changes. | <ul style="list-style-type: none"> Creating a clear direction of travel for the City Council and its partners. Positioning sports facilities firmly within the City Council's capital programme. | <ul style="list-style-type: none"> Provides an opportunity to ensure all partners are committed to the strategy and action plan. First stage in developing an integrated offer for resident. | Immediate | 1, 2, 3, 4 | Delivers on recommendations of Indoor Facility Needs Assessment and links with some provision of the Playing Pitch Strategy recommendations. |
| <ul style="list-style-type: none"> Investigating with Sport England and other agencies (eg NGBs, academy sponsors, private sector, education partners) the potential sources of funding to deliver the investment. | <ul style="list-style-type: none"> Address any funding shortfall the City Council may have. Ensures partner buy-in to any facility development (eg the University of Cumbria). | <ul style="list-style-type: none"> Partnership funding will be key to delivering the City Council's wider aspirations. Opportunity to develop a wider offer, especially at The Sands Centre. | Immediate | 2 | Delivers on Facility and Playing Pitch Strategy recommendations. |
| <ul style="list-style-type: none"> Allocate investment in the development of a swimming pool, sports hall and improved health and fitness at The Sands Centre. | <ul style="list-style-type: none"> The current in-balance of programming between entertainment and sport. The quality of the swimming offer in the city. Quality of fitness offer at The Sands Centre Ability to accommodate teaching and learning of sport related courses at The Sands Centre. | <ul style="list-style-type: none"> Cohesive sport, physical activity and entertainment offer in the centre of the city. Potentially enhances the development of sport related courses at the University of Cumbria and Carlisle College. Maximises the financial efficiency by having a combined facility. | Immediate | 1, 2 | P25, 26, 28, 30, 35 of Indoor Facility Needs assessment. |

| Action | Issues addressed | Commentary | Timescale | Strategic Objectives met | Strategy Cross reference |
|---|--|---|--|--------------------------|---|
| <ul style="list-style-type: none"> Rationalise The Pools facility and identify the way forward for the Turkish baths. | <ul style="list-style-type: none"> Pools site rationalised when new pool at The Sands Centre becomes operational. Retains Turkish Baths facility in line with the Listed Building Status. | <ul style="list-style-type: none"> Potential alternative use of The Pools site to be considered. Although Turkish Baths is retained, this does not mean that it must be operational. Potential to develop a partnership with the commercial sector to redevelop the site as part of a wider offer. | <ul style="list-style-type: none"> Once new facility at The Sands Centre becomes operational. | 1, 4 | P 27, 31, 47 of Indoor Facility Needs Assessment. |
| <ul style="list-style-type: none"> Rationalise other smaller scale swimming pools as appropriate (eg Trinity and potentially Richard Rose Morton Central Academy). | <ul style="list-style-type: none"> Facilities become obsolete once a new pool is developed at The Sands Centre. | <ul style="list-style-type: none"> Potential for school to 'buy into' use of The Sands Centre. | <ul style="list-style-type: none"> Once new facility at The Sands Centre becomes operational. | | P47 of Indoor Facility Needs Assessment. |
| <ul style="list-style-type: none"> Develop a Community use and programming policy which enables the development of a wide range of sporting opportunity across the city. | <ul style="list-style-type: none"> The high amount of use of sports halls for football training and 5-a-side. Lack of appropriate time and space available within sports halls to develop other sports. The general lack of a co-ordinated offer across the city. | <ul style="list-style-type: none"> Potential to limit the use of indoor football to younger players (eg Under 8's) and force others outdoors Can only be implemented once new 3G floodlit provision has been developed. | <ul style="list-style-type: none"> Incrementally implemented on the basis of 3G developments. | 3, 4 | Page 39, 40, 41, 43, 44 of Indoor Facility Needs Assessment. |
| <ul style="list-style-type: none"> Develop a new fitness and football development centre at Harraby Learning campus in partnership with Cumbria County Council. | <ul style="list-style-type: none"> Lack of provision in the East of the city Provide a more balanced level of provision alongside the The Sands Centre and Richard Rose Morton as the core offer. | <ul style="list-style-type: none"> Opportunity to develop new facilities in line with Learning Campus development. Need to consider how community are integrated into the management of the overall site. | <ul style="list-style-type: none"> In line with the campus development. | 1, 2 | P34, P49 Playing Pitch Strategy P30, 32, 36, 37 of Indoor Facility Needs Assessment. |

| Action | Issues addressed | Commentary | Timescale | Strategic Objectives met | Strategy Cross reference |
|--|--|--|---|--------------------------|--|
| <ul style="list-style-type: none"> • Work in partnership with governing bodies of sport to deliver facilities. | <ul style="list-style-type: none"> • Provide a range of specialist sports facilities in line with NGB aspirations. • Existing pool in need of refurbishment • Specialist provision will require financial underpinning. | <ul style="list-style-type: none"> • Develop links with cricket, cycling, football, swimming, cycling and gymnastics as a priority and seek financial assistance from NGBs. | <ul style="list-style-type: none"> • Phased approach in line with NGB aspiration, funding and match funding. | 1, 2 | P30, 32, 36, 37 of Indoor Facility Needs Assessment. |
| <ul style="list-style-type: none"> • Develop an integrated sport and physical activity offer across Carlisle which is encompassed in an integrated leisure management contract across all key facilities. | <ul style="list-style-type: none"> • Lack of co-ordination across facility providers. • Separate leisure management contracts (at various stages) which are not monitored and measured in a consistent way. | <ul style="list-style-type: none"> • Opportunity to develop a single leisure management contract and gain efficiencies. • Partner buy-in to a single way of operating and co-ordination of programming. • Clear line of responsibility and accountability for delivery. | <ul style="list-style-type: none"> • In line with contract renewals and facility development. | 3, 4 | P28, 29, 33, 37 of Indoor Facility Needs Assessment. |

Report to Executive

Agenda
Item:

A.5

Meeting Date: 15 January 2014
 Portfolio: Communities and Housing
 Key Decision: Yes
 Within Policy and Budget Framework YES
 Public / Private Public

Title: PRIVATE SECTOR HOUSING ENFORCEMENT
 Report of: DIRECTOR OF ECONOMIC DEVELOPMENT
 Report Number: ED 05/14

Recommendations:

That Members of the Executive:

1. Approve the Enforcement Policy for Private Sector Housing comprising appendix one of this report.

Tracking

| | |
|---------------|-------------------------|
| Executive: | 16 December 2013 |
| Community O&S | 9 January 2014 |

1. BACKGROUND

- 1.1 In 2011 Carlisle City Council commissioned a Private Sector Housing Stock Condition survey. The results of that survey in 2012 revealed that 86% of the districts housing stock was in the private sector, with 14.5% of the total stock owned and managed by private sector landlords. This was up from 9.7% in the 2001 census.
- 1.2 In the district there is estimated to be a total of 7160 private rented dwellings, with around 21% of these properties containing a Category 1 hazard under the Housing Health and Safety Rating System and 34.3% classed as non Decent under the Decent Homes Standard revised 2006
- 1.3 The Housing Act 2004 introduced the Housing Health and Safety Rating System (HHSRS) as a statutory system for assessing housing conditions in England and Wales. The system places a duty on the Council to take statutory action where any Category 1 hazard is identified in a property.
- 1.4 The Government is actively encouraging Local Authorities to look more to the private rented sector to fulfil their housing obligations, and meeting Carlisle's housing needs is a key priority within the Carlisle Plan. The 2011 Housing Need and Demand Survey noted that part of the gap between the likely future need for affordable housing and future supply is likely to be met by the Private Rented Sector. The study also noted that in 2009 and 2010, the Private Rented Sector housed 463 households in housing need per annum, supported by Local Housing Allowance (LHA). As this pattern looks set to continue, there is a clear role for the Council to engage private sector landlords and institutions to ensure that the standard of housing meets legal obligations and the supply continues to be available to meet housing need.
- 1.5 Against the backdrop of the growth in the private rented sector and the private sector house condition survey a significant change of programme is underway in Economic Development. The key elements of the change in programme comprise:
 - The development of a private sector enforcement policy and related amenity standards for Houses in Multiple Occupation (appendix one).
 - A comprehensive staff training programme within the Private Sector Housing team.

- The development of a targeted proactive engagement and inspection programme of private sector landlords.
- The installation of a database to support a proactive engagement and inspection regime.
- Fit for purpose procedures and policies.
- A review of the existing landlord accreditation scheme.

2. THE PRIVATE SECTOR HOUSING ENFORCEMENT TEAM

- 1.1 The Private Sector Housing Team delivers a range of statutory and non-statutory services in a range of property types and tenures across Carlisle.
- 1.2 Mandatory licensing applies to HMOs of three or more storeys, with five or more occupiers forming two or more households. Social housing and HMO's owned by the Police, Health Service, Universities and some other listed Health organisations are exempt, as are buildings converted into self-contained flats. There are around 100 HMOs which are currently licensed with the authority.
- 2.3 Approximately 500 known HMOs fall outside the Mandatory Licensing Scheme. These are often two storey properties or self contained flats converted before 1991; many of these properties are occupied by single person households such as students, professionals and overseas residents.
- 2.4 Since 2009 the Council has operated a Landlord Accreditation Scheme, with the Council working in close partnership with landlords, local landlord associations and private rented sector stakeholders. The aim of the Scheme is to promote good standards and management practice by landlords and to assist both landlords and tenants to undertake their respective responsibilities. There are currently 132 landlords participating in the Accreditation Scheme, covering just over 500 properties. Landlords of both licensed and unlicensed HMOs participate in the Accreditation Scheme as do landlords of single privately rented properties.
- 2.5 The experience gained in operating a Landlord Accreditation Scheme since 2009 has shown that its administration is resource intensive and the scheme is only fit for purpose if the information it contains is up to date and the scheme code of standards is being correctly policed by the authority. As it is the landlord that is accredited and not the property, changes of ownership can go unreported and there are no guarantees that the accredited landlord is notifying the authority when they

have purchased new properties. The Authority can not therefore confirm property standards within the code of practice are being met.

2.6 The complexities of administering the scheme are not unique to Carlisle, and a Cumbrian wide approach to accreditation, involving a third party in the accreditation process is currently being developed.

2.7 There are an undetermined number of single household privately rented properties in Carlisle. Some of these will be known to the Private Sector Housing Team where they are included in the Accreditation Scheme but other properties are only identified when they are the subject of a housing complaint.

2. THE DRAFT ENFORCEMENT POLICY

2.1 The draft policy at appendix 1 and appendix 1a outlines how the Council proposes to utilise fairly and consistently all the powers contained within the Housing Act 2004 to achieve improvements to housing, health and the environment in the City. The policy ensures that we protect vulnerable occupants and provides the foundation for strategic targeted enforcement.

3. CONSULTATION

4.1 It is suggested that the Enforcement Policy attached at appendix one is placed on the Council's website.

4.2 At its meeting on 9th January Community Overview & Scrutiny Panel considered the report and policy.

4. CONCLUSION AND REASONS FOR RECOMMENDATIONS

5.1 That Members of the Executive:

1. Approve the Enforcement Policy for Private Sector Housing comprising appendix one of this report.

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5.2 The recommendation above will ensure a consistent, proportionate and transparent approach to private sector housing enforcement.

6. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

6.1 It is considered the proposals will support the following priorities:-

- Addressing the current and future housing needs of the City by ensuring that housing is safe and meets minimum standards.
- Promoting partnership working with the private sector.

Contact Officer: Margaret Miller

Ext: 7330

**Appendices
attached to report:**

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

CORPORATE IMPLICATIONS/RISKS:

Chief Executive's - No Implications.

Economic Development – No implications.

Governance – The Housing Act 2004 specifies the Council's enforcement powers in relation to private sector properties. An enforcement policy of the type proposed ensures that the officers know the framework in which they are working and within which they must base their decisions. It is an important guide in the exercise of their delegated powers. Similarly, those on the receiving end of enforcement action will have appropriate knowledge of how their cases should be dealt with. There are provisions for charges to be levied by the Council (s49) and these have been separately approved by the Council.

Local Environment – No implications.

Resources – This policy will be enforced by the Private Sector Housing Team funded from existing base budgets.

DRAFT

Private Sector Housing Enforcement Policy

2013

Enforcement Framework

This Policy is based on the principles of openness, clear standards, proportionality, consistency of approach, targeting to areas of greatest need, and transparency as contained in the Enforcement Concordat issued by the Cabinet Office.

The Policy recognises the Human Rights Act 1998 and the Code of Practice for Crown Prosecutors and complies with the Police and Criminal Evidence Act 1984, the Regulation of Investigatory Powers Act 2000 and the Criminal Procedures and Investigations Act 1996.

This policy explains how the enforcement tools, provided by the Housing Act 2004 and other legislation will be used fairly and consistently to improve regulatory outcomes without imposing unnecessary burdens, in recognition of the Regulators Compliance Code where this applies to the legislation enforced by the Private Sector Housing Team. In some instances the Council may decide that a provision of the Code is either not relevant or outweighed by another provision. Any decision to depart from the Code will be properly reasoned and documented.

PART 1: GENERAL ENFORCEMENT

The following range of enforcement options will be applied to private sector housing enforcement:

- No action
- Informal Action
- Statutory Action
- Simple Caution
- Prosecution
- Works in Default
- Emergency Measures

No action

No action can be taken where cases fall outside the team's legislative remit. In other cases, the individual circumstances of the case may lead the officer to determine that no action should be taken. Whenever possible, the customer will be given advice on ways they can deal with the matter themselves.

Informal action

Informal action includes both verbal advice and advisory letters. This stage will usually precede any formal or statutory action. Informal action will be appropriate where:

- There is no legislative requirement to serve a formal notice
- The circumstances are not serious enough to warrant formal action
- Past history suggests that informal action can reasonably be expected to achieve compliance
- There is confidence in the landlord/person responsible

- The consequences of non-compliance will not pose a significant risk to occupiers or other affected persons
- Remedial work within a suitable timescale can be agreed

Statutory action

The Council will serve a formal notice where they have a statutory duty to do so, taking account of the following matters:

- Where informal action has not achieved compliance
- There are significant contraventions of legislation but prosecution is not appropriate
- There is a lack of confidence that there will be a suitable response to an informal approach
- There is a history of non-compliance with informal action
- Standards are poor, with little awareness or regard for statutory requirements
- The consequences of non-compliance could be potentially serious for the health and safety of the occupier or public health
- Prosecution is intended, but action needs to be taken to remedy conditions which pose an immediate risk to health and safety

Only officers authorised to do so can take statutory action. Please refer to the Council's Scheme of delegation for further information.

Statutory notices will be served in accordance with the relevant legislation and will specify:

- The reasons for the enforcement action being taken including an explanation of what is wrong, what is needed to put things right and what will happen if the notice is not complied with.
- A reasonable timescale for compliance having regard to the seriousness of the defects or contraventions
- Written information explaining the right of appeal against the notice and method for doing so

Formal/Simple Caution

A Simple/Formal Caution may be offered as an alternative to prosecution in order to:

- Deal quickly and simply with less serious offences
- To divert less serious offences away from the Courts, and
- To reduce the likelihood of repeat offences

A Simple/Formal Caution will only be offered where:

- There is evidence of the offenders guilt sufficient to give a realistic prospect of conviction
- The offender admits the offence
- The offender clearly understands the significance of the Caution and gives informed consent to being cautioned, and
- The use of a Caution is considered to be in the public interest

Prosecution

The Council recognises that the decision to prosecute is significant and could have far reaching consequences upon the alleged offender. The Council will only instigate

legal proceedings where there is sufficient, admissible and reliable evidence that an offence has been committed by an identifiable individual or company, that there is a realistic prospect of conviction and that prosecution for the offence is in the public interest.

In making the decision to prosecute the case will be considered, in line with the guidance in the Code for Crown Prosecutors 2013 and Crown Prosecution Service Policies and Guidance.

Enforcement under the Housing Act 2004

The Housing Act 2004 requires local authorities to base their enforcement decisions in respect of all types of residential property on assessments under the Housing Health and Safety Rating System (HHSRS). The system is based on twenty-nine possible hazards, and is structured around an evidence based risk assessment process. Local Authorities must inspect properties to determine whether there are Category 1 or Category 2 hazards present, using the method prescribed by regulations, having regard to Operating Guidance issued by the Secretary of State.

Assessment of hazards is a two stage process, addressing first the likelihood of an occurrence and then the range of probable harm outcomes. These two factors are combined using a standard method to give a score in respect of each hazard identified. The decision to take enforcement action is based on three considerations:

- (a) the hazard rating score determined under HHSRS;
- (b) whether the local authority has a duty or power to act, determined by the presence of a hazard score above or below a threshold prescribed in the regulations, and
- (c) the authority's judgement as to 'the most appropriate course of action' to remove or reduce the hazard taking into account the most vulnerable potential occupant and the actual occupants.

Duties and Powers

The Council must take appropriate action in respect of a Category 1 hazard (bands A-C) and may do so in respect of a Category 2 hazard (bands D-J).

The courses of action available to the Council where it has either a duty or a power to act are to:

- Serve an Improvement Notice requiring remedial works
- Make a Prohibition Order, which closes the whole or part of a dwelling or restricts the number or class of permitted occupants
- Suspend the Improvement Notice or Prohibition Order
- Serve a Hazard Awareness Notice
- Take Emergency Remedial Action (Cat 1 hazards only)
- Serve an Emergency Prohibition Order (Cat 1 hazards only)

- Make a Demolition Order (Cat 1 hazards only)
- Declare a Clearance Area (Cat 1 hazards only)

For the purposes of assessing the hazard, it is assumed that the dwelling is occupied by the most vulnerable household (irrespective of what household is actually in occupation or indeed if it is empty). However, for the purposes of deciding the most appropriate course of action, regard is had to the actual household in occupation. Where an authority takes action and the property owner does not comply, the Act retains the powers available to authorities to act in default. It also enables them to charge and recover charges for enforcement action.

Decision Rules

The Council will have regard to the statutory guidance document 'The Housing Health and Safety Rating System: Enforcement Guidance' when deciding the most appropriate course of action.

Whether the Council has a duty to act in respect of a Category 1 hazard, or the power to act in respect of a Category 2 hazard, in either case the Council is obliged to give a formal statement of reasons for the action it intends to take.

The Council will take account of factors such as:

- Extent, severity and location of hazard
- Proportionality - cost and practicability of remedial works
- Multiple hazards
- The extent of control an occupier has over works to the dwelling
- Vulnerability of current occupiers
- Likelihood of occupancy changing
- The views of the current occupiers

Consideration must also be given to whether consultation is required with other enforcing bodies. In particular where the hazard of fire is identified there is a duty to consult with the fire authority as prescribed under section 10 of the 2004 Act.

Category 1 Hazards

Where an assessment and rating of a property has resulted in a Category 1 hazard, the council will serve Statutory Notice. Where this formal action is being considered and the person responsible agrees to take action to resolve the matter, the Council may agree to defer formal action for a reasonable time. Deferred action will not be considered where there is an imminent risk to public health or safety.

Category 2 Hazards

In addition to the Council's duty to take action where a Category 1 hazard exists, the Council will generally exercise its discretion to take the most appropriate course of action where a Category 2 hazard exists in the following situations:

(a) Band D Hazards

There will be a general presumption that where a Band D hazard exists, Officers will consider action under the Housing Act 2004 unless that would not be the most appropriate course of action.

(b) Multiple Hazards Where a number of hazards at Band D or below create a more serious situation, where a property appears to be in a dilapidated condition, or where the conditions are such as to be affecting the material comfort of an occupying tenant.

(c) Exceptional Circumstances

In exceptional circumstances where (a) and (b) above are not applicable, the Director of Economic Development may authorise the most appropriate course of action to be taken.

Level to Which Hazards are to be Improved

The Housing Act 2004 requires only that the works specified when taking the most appropriate course reduce a Category 1 hazard to Category 2 hazard. For example Band C and Band A hazards need only be reduced to Band D. The Council will generally seek to specify works which achieve a significant reduction in the hazard level and in particular will be to a standard that should ensure that no further intervention should be required for a minimum period of twelve months.

Tenure

In considering the most appropriate course of action, the Council will have regard to the extent of control that an occupier has over works required to the dwelling. In normal circumstances, this will mean taking the most appropriate course of action against a private landlord and in most cases this will involve requiring works to be carried out.

Registered Social Landlords (Housing Associations) are also subject to enforcement, however where RSLs have a programme of works to make their stock decent, the Council will liaise as appropriate with the landlord over any works necessary to deal with Category 1 and 2 hazards in advance of any planned improvements.

If an RSL is planning works which would deal with the hazard, depending on the risk to the tenants, it may be appropriate to issue a Suspended Improvement Notice rather than an Improvement Notice, or to allow extra time on an Improvement Notice.

However, if the RSL fails to respond to any such request for information, or if the proposed timescale is not considered acceptable based on the severity of the hazard, the Council will consider the need to pursue more urgent action.

With owner occupiers, in most cases they will not be required to carry out works to their own home and the requirement to take the most appropriate course of action will be satisfied by the service of a Hazard Awareness Notice.

However, the Council may in certain circumstances require works to be carried out, or to use Emergency Remedial Action or serve an Emergency Prohibition Order, in respect of an owner occupied dwelling. This is likely to be where there is an imminent risk of serious harm to the occupiers themselves or to others outside the household, or where the condition of the dwelling is such that it may adversely affect the health and safety of others outside the property. This may be because of a

serious, dangerous deficiency at the property. Another example is a requirement to carry out fire precaution works to a flat on long leasehold in a block in multiple occupation.

Vacated Properties with Statutory Notice

In cases where properties are subject to a statutory notice and the property is subsequently vacated, all notices or orders will be reviewed to consider whether the notices or orders may be varied, suspended or revoked. The Council will seek to deter landlords from undertaking retaliatory eviction and will not consider that removal of a tenant achieves compliance with any Notice served, except in overcrowding situations where it was a specific requirement of the notice.

Action with Agreement

The Act also makes provision for remedial works to be carried out by agreement. This is where the local authority arranges for the works to be carried out at the request of the person responsible and they are then charged for the full cost. If the costs incurred cannot be paid they must be placed as a charge against the property.

Powers of Entry

Most of the legislation enforced by the Private Sector Housing Team includes the power for authorised officers of the local housing authority to gain entry onto property for the purpose of carrying out the authority's duties under that legislation.

If an officer is unsuccessful in gaining entry by informal means, the Council will consider obtaining a warrant from a Justice of the Peace to provide for the power of entry by force if necessary. If prior warning of entry is likely to defeat the purpose of the entry then a warrant can be obtained.

The Council also has the power to require documents to be produced in connection with its enforcement (Parts 1 - 4 of the Housing Act 2004) by a notice. The notice will specify the consequences of not complying.

Copies of documents can be obtained and kept by the Council.

Power to Charge for Enforcement Action

In accordance with Sections 49 and 50 of the Housing Act 2004, the Council reserves the right to charge and recover the reasonable costs incurred in taking the most appropriate course of action.

The Council will charge where a formal notice or order is required to remove hazards, or when emergency remedial action is necessary, with charges levied on the basis of actual time spent by officers on the chargeable activities and the appropriate hourly rate for those officers, as approved by Executive on 2 September 2010

This charge may be waived if the landlord makes representations and agrees the extent of the works and timescales prior to the service of the notice. If there is an appeal against the Notice then the charge will not be applied until the appeal is resolved and if the notice is upheld.

A demand for payment of the charge must be served on the person from whom the Council seek to recover it. The demand becomes operative, if no appeal is brought against the underlying notice or order, at the end of the period of twenty-one days beginning with the date of service of the demand. As from the time when the demand becomes operative, the sum recoverable by the authority is, until recovered, a charge on the premises concerned.

Costs spent carrying out emergency remedial action may be recovered separately. If the Secretary of State prescribes a maximum amount that may be charged to recover administration and other expenses incurred in taking enforcement action the Council will limit any charge accordingly.

Works in Default

The Council may carry out works in default of a statutory notice. The cost of the works, plus the Councils reasonable administration charges based on an officer hourly rate, will be charged to the responsible party and recovered through the civil court.

Charges may be made for abortive costs in preparing to carry out work in default where an order has been placed and the owner then carries out the work required. Where there is no prospect of the money being recovered, the debt may be placed on the property as a land charge.

Emergency Measures

The Council may use emergency enforcement powers under housing legislation where there is an imminent risk of serious harm. In such circumstances the Council will take whatever remedial action it considers necessary to remove an imminent risk of serious harm. This could include taking remedial action in respect of a hazard and the subsequent recovery of reasonable expenses or prohibiting the use of all or part of a property.

Such emergency measures will only be taken where the use of emergency powers is the most appropriate course of action. Where emergency measures are taken, the owner of the property or other relevant person will be advised of the method of appeal against the action taken.

Licensing of Houses in Multiple Occupation

Duty to Licence HMO's

Section 61 of the Housing Act 2004 places a duty on the local housing authority to licence certain types of HMO. The Council must take all reasonable steps to ensure applications are made. A charge will be made for the issue of an HMO licence. This charge will be published and reviewed annually.

Each licence application must be dealt with systematically and will require a degree of checking before a licence can be issued. Checks must be carried out within agreed timescales and a Notice either granting or refusing a licence must be issued before the licence itself is issued.

Amenity standards within licensed HMOs

The provision of amenities in Licensed HMOs will be in accordance with the Licensing and Management of Houses in Multiple Occupation and other houses

(Miscellaneous Provisions) (England) Regulations 2006 as amended. A revised set of amenity standards are included in appendix one.

HHSRS and its Link to HMO Licensing

The Council does not need to consider HHSRS before an HMO licence is issued. However, if during the licensing process the Council has reason to be concerned about the likelihood of Category 1 or 2 hazards, it will take action as described in this policy.

In HMOs the assessment of hazards is made for each unit of accommodation, which will reflect the contribution of conditions in the common parts and other areas connected to the unit of accommodation. If an enforcement notice is served on an HMO and it reverts to single occupation, the Council will consider whether the impact of the hazard has diminished and take appropriate action.

Part 2 of the Housing Act 2004 introduces mandatory licensing of certain types of HMO. Mandatory licensing has been introduced to tackle the types of HMO where unsatisfactory housing conditions are most likely to be found.

Local Authorities may also introduce Additional and Selective licensing schemes within their area. These schemes are not currently operated in Carlisle and are discretionary.

Fit and Proper Person and Management

The purpose of HMO licensing is to ensure that the most high risk and poorly managed properties are targeted. The requirement that the licence holder should be a fit and proper person is to ensure that tenants are protected, and the Act stipulates criteria that the licence holder must meet to be regarded as fit and proper.

Where the proposed manager or licence holder is not a fit and proper person, the applicant should be given the opportunity to review the current situation and make proposals that do meet these criteria. If this is not possible, it may be necessary to refuse the licence.

Provision of False or Misleading Information

It is an offence under the Act to provide false or misleading information. On conviction a fine of up to level 5 on the standard scale can be incurred.

Where the HMO licence application form has been signed this is a declaration that information provided is correct. Should contradictory information come to light, prosecution will be considered.

Granting a Licence

Where an application for a licence has been received and the Council is satisfied that the proposed licence holder is fit and proper, that the house is suitable for multiple occupation and the application submitted is valid, the Council must grant a licence.

Each licence must only relate to one HMO and can last for up to five years. In some cases it may be necessary to grant the licence for less than five years.

Refusing a Licence

A licence can be refused if the Council is not satisfied that the criteria stipulated in the Act have been met.

If a licence is to be refused, the Council will give serious consideration to the consequences of this decision. Depending on the reasons for the refusal it may be appropriate to consider the options available for dealing with the property.

Where a licence is refused the Council has a duty to take on the management of the property by serving an Interim Management Order. A management order should be the last resort and other avenues will be considered before instigating this action, including a Temporary Exemption Notice

All reasonable steps will be taken to assist the proposed licence holder or owner of the property to either take action to allow the property to become licensed or to take the property out of use as an HMO.

Revoking a Licence

A licence may be revoked under a number of circumstances, stipulated in the Act. In deciding to revoke the licence consideration must be given to the consequences of doing so. If the property is to remain a licensable HMO then the Council must make an interim management order. If it is no longer an HMO no further action is required.

Varying a Licence

A licence may be varied where either the licence holder makes a request or the Council feels it is relevant to do so. It may be varied where there has been a change in circumstances, which also includes the discovery of new information.

Penalties

There are a number of possible offences relating to HMO licensing. The Council will consider taking action where there is evidence of an offence and it is appropriate to take such action.

Offences include:

- Managing or having control of an unlicensed HMO that should have a licence. Prosecution can result in fines of up to £20,000.
- Allowing the HMO to become occupied by more than the agreed number of households or persons on the licence. Prosecution can result in fines of up to £20,000.
- Breaching licence conditions. A breach of licence conditions can lead to prosecution and can result in fines of up to £5,000 per breach.

Other penalties include:

Rent Repayment Orders - if a person has committed the offence described above, in that no licence is being held for a property that should have one, then the Council or tenants can apply for a rent repayment order. The residential property tribunal can award this order, which requires the appropriate person to repay all rents and other periodical payments, and housing benefit for the period up to a licence being issued. The Order will state the amount to be repaid.

Termination of Tenancies - Landlords will not be able to issue any section 21 notices under the Housing Act 1988 (recovery of possession on termination of a shorthold tenancy), whilst the HMO is unlicensed.

Interim Management Orders and Final Management Orders

The Council has a duty to make an Interim Management Order in respect of an HMO where there is no reasonable prospect of it being licensed in the near future or it is necessary to protect the health, safety and welfare of the occupants.

An order can also be served in circumstances that the Council thinks are appropriate with a view to ensuring the proper management of the house pending the licence being granted.

Where a licence has been revoked for any reason and the property remains a licensable HMO an interim management order must be made if there is no reasonable prospect of the property regaining its licence.

Once an interim management order has been served the Council must take over the management of the property for up to twelve months. This includes carrying out any remedial works necessary to deal with the immediate risks to health and safety. If there is still no prospect of a licence being granted after twelve months then a final management order must be made which may be in force for up to five years. If after five years there is no prospect of the property being licensed a further management order must be made.

The Council is under a duty to issue interim and final management orders where necessary. The Council will instigate this action where necessary but as a last resort. All practical steps should be taken to assist the owner of the property to satisfy the licensing requirements. Management orders can be varied or revoked at any time as a result of a request from the owner or by the Council.

Temporary Exemption Notices

A Temporary Exemption Notice (TEN) may be issued where an HMO that is due to be licensed is to be taken out of use as a licensable HMO. A person having control or managing an HMO can notify the Council of its plans and request that the property be exempt from licensing. The Council must then consider this representation and if appropriate, serve the temporary exemption notice. A TEN remains in force for a period of three months, after which the property must have a license if it is still in such a condition as to require one. If further notification is received and the authority considers that there are exceptional circumstances a second TEN may be served which will remain in force for a further three months.

Complaints

In the event that an individual or company is not satisfied with the Private Sector Housing Service or they do not agree with the action taken by the investigating officer, they should first contact the Private Sector Housing Technical Team Manager who will escalate the complaint to a Senior Manager if appropriate. If this does not resolve your complaint the Council also has a formal complaints system.

Carlisle City Council

Amenity Standards in Licensable Houses in Multiple Occupation (HMO) **(Draft Standard 2013)**

These standards apply the National Minimum Standards contained in the Licensing of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 as amended.

The document only covers those HMOs that require to be licensed, but is offered to managers and owners of non-licensed HMOs as good practice.

Council officers would be able to advise about standards which may be appropriate where a particular HMO has a layout or amenity provision which varies from the specified standard but where the facilities provided have an equivalent benefit.

Advice and information on HMOs can be obtained by contacting the Private Sector Housing Team, Civic Centre, Carlisle, by e-mail housing@carlisle.gov.uk , by telephone Tel 01228 817320 or by visiting www.carlisle.gov.uk

Housing Health and Safety Rating System (HHSRS)

The amenity standards for HMOs will be considered along with the requirements of the Housing Health and Safety Rating System which apply to all accommodation types, including HMOs. All HMOs have to be assessed to ensure there are no category 1 hazards within 5 years from an HMO licensing application.

A short guide to the 29 hazards and the background of HHSRS is available on Carlisle City Councils website. Where there are specific references in HHSRS guidance to matters included in the amenity standards, these are referenced below.

Applicable HMO Amenity Standards

1. Space Heating

Each unit of living accommodation must be equipped with an adequate means of space heating. In accordance with HHSRS guidance the Council encourages landlords to provide energy efficient means of space heating and insulation where possible. Such heating provision must be capable of being operated at any time and tenants should be in control of heating to their rooms.

Supplemental heaters such as portable paraffin or oil heaters and liquefied petroleum gas heaters (LPG) (Bottled Gas Heaters) shall not be acceptable under any circumstances, whether provided by the landlord or the tenant as they are likely to present a hazard under HHSRS.

2. Washing Facilities

Where all or some of the units of living accommodation in an HMO do not contain bathing and toilet facilities for the exclusive use of each individual household, there must be an adequate

number of bathrooms, toilets and wash hand basins for the number of persons sharing the facilities. The following guidelines will apply:

| | |
|-----------------|---|
| 5 Persons | 1 bathroom/shower room and 1 separate WC with WHB, The WC and WHB can be contained within a second bathroom |
| 6 - 8 Persons | 2 Bathrooms/shower rooms each with a WC and WHB |
| 9- 11 Persons | 2 Bathrooms/shower rooms each to include a WC with WHB and a separate WC with WHB or a third bathroom. |
| 12 - 15 Persons | 3 Bathrooms/shower rooms each to include a WC and WHB. |

Notes;

- Having regard to the age and character of HMOs in Carlisle and the size and layout of the accommodation provided, it will not normally be reasonably practicable or desirable to require the provision of wash hand basins within individual units of accommodation.
- All baths, showers and wash hand basins in an HMO must be capable of providing an adequate supply of cold and constant hot water.
- All bathrooms/ shower rooms must be suitably and adequately heated and ventilated. Energy efficient means of heating and hot water is encouraged.
- All bathrooms/shower rooms and toilets in an HMO must be of adequate size and layout and fit for purpose.
- All bathrooms and toilets in an HMO must be suitably located in relation to the living accommodation within the HMO. Where practicable, the facility should not be more than one floor distant from any user.

In accordance with HHSRS guidance, wall and floor surfaces in bathrooms and WC compartments should be designed, constructed and maintained so they are capable of being kept clean and hygienic.

3. Kitchen Facilities

Where the individual units of accommodation do not contain any facilities for the cooking of food there must be a kitchen, suitably located in relation to the living accommodation and of such layout and size and equipped with such facilities so as to adequately enable those sharing the facilities to store, prepare and cook food. The following guidelines will apply:

Shared Kitchens Standards

| | |
|-----------|--|
| 5 persons | 1 kitchen with <ul style="list-style-type: none"> • 1 sink and draining board with an adequate supply of cold and constant hot water • One cooker with 4 ring hob and oven |
|-----------|--|

| | |
|-----------------|--|
| | <ul style="list-style-type: none"> • 3 double sockets • 0.5m of worktop per person • 0.4m³ of combination of dry, refrigerated & frozen food storage per person • Appropriate refuse disposal facilities should be provided. • Appropriate extractor fans, fire blankets and fire doors, should be provided |
| 6 - 8 persons | <p>1 Kitchen with dining area/livingroom attached, adjacent or on the same floor.</p> <ul style="list-style-type: none"> • 2 sinks and draining boards with an adequate supply of cold and constant hot water. A double drainer may be acceptable or the provision of a dishwasher in place of the second sink • 1 large oven & 6 ring hob or 2 x 4 ring hobs with ovens • 4 double sockets • 0.5m of worktop per person • 0.4m³ of combination of dry, refrigerated & frozen food storage per person • Appropriate refuse disposal facilities should be provided. • Appropriate extractor fans, fire blankets and fire doors should be provided |
| 9 - 11 Persons | <p>1 Kitchen with large dining area/livingroom attached, adjacent or on the same floor.</p> <ul style="list-style-type: none"> • 2 sinks and draining boards with an adequate supply of cold and constant hot water. The provision of a dishwasher in place of the second sink may be acceptable • 2 x 4 ring hob and ovens • 4 double sockets • 0.5m of worktop per person • 0.4m³ of combination of dry, refrigerated & frozen food storage per person • Appropriate refuse disposal facilities should be provided. • Appropriate extractor fans, fire blankets and fire doors, should be provided |
| 12 - 15 Persons | <p>2 kitchens and 1 living/dining area. Each kitchen to be equipped with:</p> <ul style="list-style-type: none"> • 1 sink and draining board with an adequate supply of cold and constant hot water • One cooker with 4 ring hob and oven • 3 double sockets • 0.5m of worktop per person • 0.4m³ of combination of dry, refrigerated & frozen food storage per person |

| | |
|--|--|
| | <ul style="list-style-type: none"> • Appropriate refuse disposal facilities should be provided. • Appropriate extractor fans, fire blankets and fire doors, should be provided |
|--|--|

If catering services are provided, then the Council will consider such circumstances and negotiate with the individual landlord to determine the standards to suit the occupiers' needs.

Units of living accommodation, without shared basic amenities. (e.g bedsits)

The minimum requirements are:

- Two rings or hotplates together with an oven or grill.
- Sink with draining board and an adequate supply of cold and constant hot water
- At least 1 double electrical socket for kitchen appliances only.
- At least 1m of worktop per person.
- At least 0.4m³ of combination of dry, refrigerated & frozen food storage space per person.
- Appropriate refuse disposal facilities should be provided.
- Appropriate extractor fans, fire blankets and fire doors, should be provided

Notes:

- In accordance with HHSRS guidance, impervious finishes should be provided adjacent to cookers, sinks, drainers and worktops. All joints between a sink, a drainer or a worktop and the adjacent wall surface should be adequately sealed.
- In accordance with HHSRS guidance, dry goods storage facilities must be free from disrepair or dampness and the storage unit must have smooth, easily cleaned surfaces. This makes the space in a sink unit below the sink unsuitable.
- In accordance with HHSRS guidance, cookers and worktops should be sited away from doors or thoroughfares and other potentially hazardous areas.

4. Refuse, Storage and Disposal

Refuse and recycling bins and containers shall be provided in sufficient numbers for the needs of the household, and acceptable means of disposal provided.

All refuse containers should be located on hard standings with suitable access for cleansing of the area and removal of containers. Such hard standing should be located in an area away from habitable rooms and wherever practical, at the rear of a property.

5. Electricity Supply

Electricity socket outlets shall be provided to individual rooms or lettings to a minimum standard as follows:

| | |
|---|--|
| Living Rooms | 2 double sockets |
| Bedrooms | 2 double sockets |
| Bedrooms, containing cooking facilities | 2 double sockets and 1 additional double socket above the work surface for the use of portable kitchen appliances. |

All socket outlets shall be located in positions which permit their safe, convenient and proper use at all times, having regard to likely room layouts. They should not be positioned where vulnerable to damage, likely to be obstructed or where the resulting appliance cables are likely to pose a health and safety hazard.

Electric cookers shall be provided with a dedicated cooker point outlet suitable for the rating of the cooker and fixed electric space or water-heating appliances shall be provided with a separate dedicated electric point.

All landlords must also provide an up to date electrical safety report from an NICEIC registered electrician or other suitably qualified electrician on the condition of the whole existing electrical system. This should be undertaken every 5 years.

6. Space Standards for Rooms

Room sizes must comply with the following standards set for each individual type of let.

| No. of people | Shared lounge | Shared kitchen | Room size (m ²) |
|---------------|---------------|----------------|-----------------------------|
| One | Yes | Yes | 6.5 |
| One | No | Yes | 10 |
| One | No | No | 13 |
| Two | Yes | Yes | 10 |
| Two | No | Yes | 14 |
| Two | No | No | 20.5 |

Shared lounges

Shared lounges must be of sufficient size and have sufficient soft furnishings, to allow at least two thirds of the occupiers to sit together and socialise.

Measurement of rooms

Room sizes are calculated by taking wall to wall measurements directly above the height of the skirting board. In general, where the layout of the room prevents some parts of it being properly used these areas will be excluded from the assessment of size. This includes areas which can only be used for access (e.g. some “L” shaped rooms with a narrow area in front of a doorway) are excluded.

Also excluded are all parts of rooms located below sloping ceilings etc where the maximum ceiling height is less than 1.5m. The minimum standards apply to each room and the equivalent amount of space cannot be made up by using two smaller rooms.

Management of HMOs

The Management Regulations impose duties on both the managers and the tenants of an HMO. The duties imposed are to ensure the good order, repair and, as appropriate, cleanliness of the following:

- (a) Means of water supply and drainage.
- (b) Parts of the house in common use.
- (c) Installations in common use.
- (c) Living accommodation.
- (d) Windows and ventilation.
- (e) Means of escape from fire, including any fire apparatus.

The Manager is also given certain responsibilities in respect of the disposal of refuse and litter, and the taking of reasonable precautions to protect tenants and lodgers from dangers resulting from structural conditions in the premises.

Regulatory Reform (Fire Safety) Order 2005

Landlords of HMOs that require to be licensed will need to comply with the Regulatory Reform (Fire Safety) Order 2005, (often referred to as the RRO or just Fire Safety Order). For further information please visit the Communities & Local Government website for the sleeping guide which relates to HMOs. You can also obtain further information from Cumbria Fire and Rescue Services.

Further information on Fire safety measures applicable to HMO's can also be accessed in the Fire Safety measures guidance produced by LACORS adopted by the City Council in the Summer of 2008.

Building and Planning Regulation Approval

Some of the works to HMOs will require Building Regulation or Planning approval including change of use for houses occupied by more than 6 people; installation of plumbing and electrical works; thermal insulation or for structural alterations. Meeting Building Regulation and Planning regulation standards does not imply that the house meets HMO standards and will be free from HHSRS hazards. Landlords submitting an application for Building Regulations or Planning regulations should include HMO in the title of the application to enable the development to be identified so that we may advise you as to any requirements we might have. For further information on any Planning or Building regulations please contact Planning or Building control directly.

Report to Executive

Agenda
Item:

A.6

Meeting Date: 15th January 2014
 Portfolio: Economy and Enterprise
 Key Decision: Yes: Recorded in the Notice Ref:KD.034/13
 Within Policy and Budget Framework: Yes
 Public / Private: Public

Title: LOCAL PLAN PREFERRED OPTIONS CONSULTATION - STAGE TWO
 Report of: Director of Economic Development
 Report Number: ED 01/14

Purpose / Summary:

The consultation on the first stage of the Preferred Options resulted in 1138 comments, objections, suggested sites for development and expressions of support. These have all been assessed, and have resulted in a number of suggested changes. In addition, work on the City Centre Masterplan has progressed and been incorporated in the Local Plan. The intention is therefore to allow the public to view and comment on the updated Local Plan Preferred Options – Stage Two, before progressing towards Publication in the summer of 2014.

Recommendations:

The Carlisle District Local Plan Preferred Options – Stage Two be made available for consideration by Environment and Economy Overview and Scrutiny Panel and that subject to any additional information arising from the Scrutiny Panel be reported back to Executive on 10th February to consider referral to Council on 4th March for approval to commence public consultation on 10th March.

Tracking

| | |
|------------------------|--|
| Executive: | |
| Overview and Scrutiny: | |
| Council: | |

1. BACKGROUND

- 1.1** Preparation of the Carlisle District Local Plan (CDLP) has been ongoing since the advent of the NPPF in March 2012, during which time an extensive evidence base has been produced, covering topics as diverse as flooding, travellers, renewable energy and the viability of affordable housing requirements. There has also been extensive engagement with local communities and stakeholders, and three consultation exercises on the Key Issues, Issues and Options and the Preferred Options – stage one.
- 1.2** To begin, officers were working on producing a Local Development Framework, (a suite of separate documents including a Core Strategy, Development Control policies and Site Allocations), each with its own time frame. However, a change to the planning system was brought about by the Government in March 2012 in the form of the NPPF. This resulted in the requirement for local planning authorities to produce a local plan.
- 1.3** The CDLP will therefore set out a strategy and policies for the long-term vision for Carlisle, detailed development management policies and site allocations for a range of uses including housing.
- 1.4** The development management, strategic policies, site allocations and vision form the CDLP 2015 – 2030. The Plan will provide a statutory planning policy framework for Carlisle District which will provide developer and community confidence in decision making. This framework will enable the development and expansion of quality homes and businesses, the delivery of infrastructure, and help to foster a wider cultural and leisure offer.
- 1.5** The Consultation on the CDLP Preferred Options in the summer of this year generated 1138 comments. The responses raised issues that needed to be reflected in the CDLP and time allowed for a second round of public consultation on the CDLP Preferred Options.

2. PROPOSALS

- 2.1** This report presents the Preferred Options – Stage Two that have been updated in response to the consultation that was held over the summer. One of the key outcomes from the previous consultation was the opinion that the housing target for

the District should be raised to 665 dwellings per annum over the Plan period, matching the growth projections from the Housing Needs and Demands Study.

- 2.2** Suitable new housing sites submitted through the consultation process have been assessed and included in the CDLP Preferred Options – Stage Two along with existing sites allocated for a range of development including housing, employment and community uses. The allocations will help to meet the objectives of the strategic housing and employment policies.
- 2.3** Appendix 1 shows the preferred locations for a range of housing to meet the needs of current and future population. The sites have all been assessed against a range of factors including location, landscape, biodiversity, heritage, access, flooding etc. These allocations will be shown on the Local Plan Policies Map, which will also show existing established land uses such as areas of housing, employment, retail etc, and areas of land which are protected such as parks, playing fields, other protected landscapes and sites which are important for nature conservation.
- 2.4** Work is also currently being undertaken on a City Centre Masterplan, following the findings in the retail study that by 2021 Carlisle could accommodate an additional 16 900sq m of retail floorspace. The Masterplan was subject to a period of public consultation in November – December 2013 and the responses have helped inform the Local Plan. The Masterplan and will be an important piece of evidence to help inform the Local Plan and polices may well be expanded as new information becomes available.
- 2.5** Drawing on the findings of the County wide Gypsy and Traveller Study a further allocation of Gypsy and Traveller sites have been proposed in the Local Plan.
- 2.6** The Preferred Options Site Allocations have been identified through a variety of sources including:
- sites previously assessed and consulted on through the SHLAA;
 - sites recently submitted to the Council;
 - a review of land allocations in the current Local Plan;
 - a review of sites in other corporate strategic documents such as the Asset Management Plan.
 - Carlisle Employment Land Study
 - Carlisle Retail Study
 - County wide Gypsy and Traveller Study
- 2.7** Further work on updating the evidence base has been commissioned to test the viability of the Local Plan. This work is crucial to determine whether the policies in

the Local Plan will support sustainable development rather than constraining it. This work will be finalised in the New Year and its findings will be incorporated in the CDLP.

- 2.8** In terms of housing, all of the Preferred Options site allocations put forward in this report are required in order for the Council to meet its proposed annual housing target of 665 per year, with an urban/rural split of 70/30%. The effect of removing a site will be the need to allocate an equivalent alternative elsewhere.
- 2.9** Some of the sites are part of much larger sites put forward through the SHLAA process, particularly in the rural area, where a number of large sites were submitted for assessment. Given the need to ensure that rural allocations reflect the scale, form, character and function of a village and landscape in which they are located, a number of rural housing allocations are small sections of much bigger sites which were originally submitted. Some housing sites have been removed in response to the first stage of the Preferred Options Consultation but some sites have been extended and some new sites have been added.
- 2.10** Within and around the urban area of Carlisle, the sites have been allocated taking into account infrastructure capacity issues such as highways, the potential of the sites to integrate with the existing urban form. Officers are in contact with each of the neighbouring authorities and statutory bodies to help determine the impacts of infrastructure requirements and fulfil the duty to cooperate. This work is ongoing and discussion on infrastructure capacity will continue. There has also been some input of the work of the Local Enterprise Partnership in CDLP and the forthcoming Strategic Economic Priorities which are still at a draft stage as this report is being prepared.
- 2.11** Within the rural area, the sites reflect a move away from a hierarchical approach to settlements, and respond to policy in the NPPF which recognises that villages work in clusters, with development in one village having the potential to sustain services in a village nearby.
- 2.13** The Preferred Options site allocations are intended to come forward from the start of the Plan period, 2015. For years 11 – 15, i.e. 2025 – 2030, a broad location for growth has been identified in the area of Carlisle south, spreading westwards from junction 42 of the M6 to Durdar, with potential to expand further in a later plan period. The ultimate aim of this area of development would be to enable the construction of a southern relief road, linking junction 42 with the newly opened western relief road, (CNDR).

- 2.14** There have been a number of other updates to the CDLP based on the consultation responses and other information officers have been made aware of. The text that is highlighted signifies the additional text while the text that has been struck out has been removed.
- 2.15** Alongside the public consultation of the CDLP there a number of assessments that will be published at the same time. These will include a Sustainability Appraisal, a Habitats Regulations Assessment, and Equalities Impact Assessment, a Health Impact Assessment, a Gypsy and Traveller Accommodation Assessment, a Viability Assessment and an updated Rural Proofing Report.
- 2.16** Following on from the Preferred Options, the next stages in the plan preparation are:
- Publication** - autumn 2014 (comments can only be made on the 'soundness' of the plan, not general comments about the content and wording of policies)
- Submission** - winter 2014 (plan submitted to the Secretary of State)
- Examination** - spring 2015 (independent examination by Inspector)
- Adoption** - summer 2015.

3. CONSULTATION

- 3.1** A 4 week consultation is proposed between 10th March and 7th April 2014. The 4 week consultation period has been proposed to avoid the purdah period of the Local and European Elections being held on 22nd May 2014. A consultation strategy has been drawn up with the Communications Team to ensure that a range of opportunities are available to engage the public and stakeholders. The production of the Local Plan is a period of continuous dialogue that has to be flexible to changing circumstances and responses received after the 7th April will still be considered in the future preparation of the Local Plan.

4. CONCLUSION AND REASONS FOR RECOMMENDATIONS

- 4.1** Approval for the Preferred Options – Stage Two, will enable the Local Plan, to meet the timescale set out in the Planning Service Project Plan. Having an up to date Local Plan is a central requirement of Government Planning policy, and provides an effective policy framework to guide development over the plan period, and on which to make decisions on planning applications. It also gives certainty and confidence to developers and the community.

5. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

5.1 The Local Plan will enable the delivery of key elements of the vision within the Carlisle Plan, in particular:

- support the growth of more high quality and sustainable business and employment opportunities;
- address Carlisle's current and future housing needs;
- develop vibrant sports, arts and cultural facilities

Contact Officer: **Jillian Hale -** **Ext: 7191**
 Helen Jackson - **7182**

Appendices **Appendix 1 – Preferred Sites and alternative sites, (plans)**
attached to report:

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**

CORPORATE IMPLICATIONS/RISKS:

Chief Executive's - The Local Plan will help to deliver the objectives of the Carlisle Plan.

Community Engagement – The Local Plan policies will help deliver the housing strategy and address community issues when development proposals are considered.

Economic Development – The Local Plan provides the basis for delivering economic growth and guiding development proposals throughout the District.

Governance – The Local Plan is prepared under the Planning and Compulsory Purchase Act 2004 and the Planning Act 2008 (as amended by the Localism Act 2011).

Local Environment – The Local Plan is prepared under the Planning and Compulsory Purchase Act 2004 and the Planning Act 2008 (as amended by the Localism Act 2011).

Resources - The preferred options report is produced within the Council's own planning policy resources with the use of existing budgets to undertake the required evidence base.

Planning Carlisle's Future

Carlisle District Local Plan 2015 - 2030

Preferred Options Consultation-
Stage Two



Images courtesy of D&H photographers & www.sistudios.co.uk

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For enquiries and to request copies of this document, including in an alternative format such as large print, Braille, audio tape or another language, please contact the Investment and Policy Team on the details below;

Investment and Policy

Carlisle City Council

Civic Centre

Carlisle

Cumbria

CA3 8QG

Email: ipc@carlisle.gov.uk

Tel: 01228 817569

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1 Introduction

The New Local Plan

1.1 This new Local Plan is central to the future development of Carlisle District. It sets out the long term spatial vision of the District for the next 15 years and beyond, including our strategic objectives, spatial strategy and Development Management policies. The Local Plan will indicate in broad terms what development will be delivered in the District, and where.

1.2 The Plan seeks to set the policy framework to support the development of a thriving economy in Carlisle District whilst protecting those things that are important to us all. With a drive for the District to grow, the plan identifies a number of sites for new employment, new housing and new infrastructure to accommodate the growth needed to achieve the vision and objectives of this plan.

1.3 The Plan identifies the Council's preferred location of new development across the towns and villages of Carlisle District and the detailed planning policies that will be used to determine planning applications. We acknowledge that the Plan is ambitious but we know from the supporting evidence that it needs to be.

1.4 The following sections in the introduction set out how the Plan has developed, how it fits into the national context, how we have evidenced our approach, how we have engaged with neighbouring Councils, and, importantly, how you can be involved as the Plan evolves.

1.5 To date, working to the requirements of the 2004 Planning and Compulsory Purchase Act, the preparation of the Plan has focused on the development of a 'Core Strategy'. This has included strategic policies to define the quantity and distribution of new development across the District and identify strategic development sites essential to the delivery of the Plan as a whole. We have now modified this approach, taking the opportunity to develop a Local Plan as recommended by the National Planning Policy Framework. This opportunity has made it possible for us to adopt an innovative approach to plan preparation, to both accelerate the detail of the Plan and to provide greater certainty for developers and communities. **Your responses to the Key Issues, Issues and Options and Preferred Options – Stage One Consultations have been taken on board and used to inform this Preferred Options- Stage Two document.**

1.6 **A Preferred Options – Stage Two consultation will allow the public the opportunity to comment on the changes and alternative sites that have been considered since the Preferred Options- Stage One consultation from July-September 2013.**

1.7 The emerging Local Plan will provide a new framework for development to 2030. It includes a comprehensive range of policies to determine planning applications as well as identifying development sites essential to the delivery of the Plan. This revised approach will ensure that the Plan will be finalised at the earliest possible opportunity, and that deliverable development sites will be available across the District to deliver the Plan as soon as it is

adopted. It also embraces the concept of Localism, should local communities wish to promote additional development through Neighbourhood Development Plans.

1.8 The Plan identifies a clear strategy for Carlisle centred upon the ambition to make sure that the District's economy is strong and able to generate employment opportunities and high quality jobs. Active community involvement at each key stage of plan preparation has helped to mould the Plan and previous consultation responses can be viewed on our website at www.carlisle.gov.uk/localplan

The Localism Act and the National Planning Policy Framework

1.9 The Localism Act has introduced a number of important reforms to the planning system. The National Planning Policy Framework is a streamlined framework replacing the previous Planning Policy Guidance Notes and Statements. The Carlisle Local Plan embraces and reflects these changes.

The Localism Act 2011

1.10 The Act set out its intention to abolish all regional level plans. The North West Regional Spatial Strategy (RSS) has now been revoked (20th May 2013).

1.11 The Act also introduces the concept of Neighbourhood Development Planning (NDP) for smaller areas. The Development Plan will therefore now comprise the Carlisle District Local Plan (i.e. this Local Plan), any Neighbourhood Plans that may be prepared by parish councils, or in un-parished areas by Neighbourhood Forums and also the Cumbria Minerals and Waste Local Plan (MWLP). NDPs allow communities to develop a vision of what their area should be like and make decisions on where certain types of development should go. They go through a formal preparation process but importantly need to be in line with the strategic policies of the Carlisle Local Plan and are about facilitating development, not stopping it. Within Carlisle District one Neighbourhood Planning Area has been approved, covering Dalston Parish. The Council will continue to work with the Parish Council as this progresses. The Cumbria Minerals and Waste Local Plan (MWLP) contains mineral and waste specific policies for use in determining planning applications for waste or quarry developments in Cumbria. Certain policies in the CMWLP, once adopted, will need to be transposed into this plan, such as the illustration of the Mineral Safeguarding Areas onto the Local Plan proposals map.

1.12 The Localism Act introduces a Duty to Co-operate, requiring the Council to work with neighbouring authorities and a wide variety of public bodies on cross boundary planning issues and issues of common concern (see paragraphs 1.13-1.14).

The National Planning Policy Framework

1.13 The National Planning Policy Framework (NPPF) (2012) states that each local authority should produce a Local Plan for its area which can be reviewed in whole or in part. Additional planning documents should only be used where justified. This is different from the previous Local Development Framework system with its suite of documents and an overarching Core Strategy. The NPPF does however, reiterate that planning should be genuinely 'plan led' when determining planning applications.

The Duty to Cooperate

1.14 The Duty to Cooperate ensures that local authorities undertake a wide range of engagement and discussions with relevant local authorities and public organisations to ensure that there has been in the past, and will be in the future a high level of cooperation in the plan making process. Regular liaison meetings have been held with consultees to ensure that issues of common concern continue to be taken into account as the Plan evolves. Notably, the Council has and will continue to work with all neighbouring authorities, Cumbria County Council and other relevant organisations such as the Environment Agency and United Utilities.

1.15 As an outcome of this cooperation the Plan seeks to recognise the economic, social and environmental linkages with neighbouring areas and has provided opportunities for joint working and policy development. At the end of the process a duty to cooperate statement will be published.

Supporting Documents and Evidence Base

1.16 The Carlisle Local Plan Preferred Options Stage Two is accompanied by a number of other documents, some of which are essential to the delivery of the Plan.

1.17 The Draft Infrastructure Delivery Plan identifies the strategic and local infrastructure necessary to deliver the development proposals in the Carlisle District Local Plan. New development is often dependent on the delivery of essential infrastructure including flood prevention, transport improvements and sewage treatment works. Similarly, the development of new sustainable communities requires the provision of health, education and community facilities as well as access to jobs, to create sustainable communities for the future. The Infrastructure Delivery Plan will be reviewed and updated throughout the lifetime of the Plan to identify and ensure the timely delivery of essential infrastructure.

1.18 Section 206 of the Planning Act 2008 (The Act) confers the power to charge Community Infrastructure Levy (CIL) on certain bodies known as charging authorities and came into force on 6 April 2010 through the Community Infrastructure Levy Regulations 2010 (now amended by the Community Infrastructure Levy (Amendment) Regulations 2011). This provides the enabling powers for Local Authorities to apply CIL to development proposals to support infrastructure delivery which in turn will support delivery of this Development Plan.

1.19 The Council is yet to make a judgement as to whether a CIL should be adopted. Any final decisions will be subject to viability studies being undertaken and an Examination in Public.

1.20 A number of supporting documents and evidence papers have contributed to the preparation of the Plan, including:

- Duty to Co-operate (Ongoing);
- The Sustainability Appraisal of the Plan (ongoing);
- Rural Proofing of the Plan (ongoing);

- Habitat Regulations Appraisal of the Plan (ongoing);
- Housing Needs and Demand Study (SHMA) (2011);
- Affordable Housing Economic Viability Assessment (2013)
- Strategic Housing Land Availability Assessment (ongoing);
- Employment Land Review (2010);
- Strategic Flood Risk Assessment (2011);
- Green Infrastructure Strategy (2012);
- Cumbria Landscape Character Guidance Toolkit (2011);
- Retail Study (2012);
- Cumbria Renewable Energy Capacity & Deployment Study (2011);
- Carlisle Playing Pitch Strategy and Action Plan (2013);
- Cumbria Gypsy & Traveller Accommodation Assessment (2013);
- City Centre Master Plan (ongoing);
- Infrastructure Delivery Plan (ongoing);
- Statement of Community Involvement (updated 2013);
- Viability Assessment of Local Plan (ongoing);
- Cumbria Surface Water Management Plan;
- Health Impact Assessment (ongoing);
- Equality Impact Assessment (ongoing);
- An Economic Review of Carlisle (2013);
- Rural Masterplanning (ongoing);
- 3rd Cumbria Local Transport Plan (2011-2026).

Rural Masterplanning

1.21 The City Council has been working with Parish Councils and rural communities in 23 of the larger villages and small towns to help determine future options for the location of housing and other new development in our rural areas. The work has built on work that had been carried out in collaboration with the Commission for Architecture and the Built Environment (CABE). Detailed settlement profiles are being or have been drawn up for each village. Residents of the villages and the surrounding area have been given the opportunity to contribute their aspirations for future development within their village.

1.22 The profiles look at existing services and their capacity, for example the number on the school roll, frequency of bus services, viability of the shop/pub etc. We have also been looking at how villages relate to each other, for example, where the children go to primary school, access to public transport and health care, and where the nearest shop is located. The surrounding landscape is also assessed and important views into and out of villages identified, together with areas of wider landscape which frame the edge of the village and are unlikely to be suitable for development. This information has been used to inform this plan and will continue to be a useful tool when assessing planning applications. Settlement profiles are available on our website.

Sustainability Appraisal

1.23 Sustainability Appraisal (SA) is a statutory process integrated into the preparation of all aspects of the Carlisle District Local Plan. The process measures the potential impacts of

the Plan on a range of economic, social and environmental considerations, and includes the requirements of Strategic Environmental Assessment legislation.

1.24 At the First Stage Preferred Options, the Plan was subject to a draft SA. This has been reviewed and updated to include the new sites that have since been selected as Preferred Options and new Policies that have been created in response to the consultation. This results of this exercise is evident within the Second Stage Draft Sustainability Appraisal. All policies and proposals in the Preferred Options Local Plan have been subject to SA and, where appropriate, changes made to incorporate SA recommendations. Where the recommendations have not been incorporated into the Plan an explanation is provided.

1.25 The detailed SA appraisal will be published on the Councils website for consultation concurrently with this stage of the Plan.

Habitat Regulation Appraisal

1.26 Habitats Regulation Appraisal (HRA) is integral to the development of land use plans such as the Carlisle Local Plan as it provides a statutory process to assess the potential impact on Natura 2000 sites. Natura 2000 sites are of exceptional importance in respect of rare, endangered or vulnerable natural habitats and species within Europe: they include Special Protection Areas (SPAs) designated under the European Union 'Wild Birds' Directive; Special Areas of Conservation (SACs) designated under the EU 'Habitats Directive'; European Marine Sites (EMS) and Ramsar Sites. As the Habitats Directive applies the precautionary principle, plans can only be adopted if no adverse impact on the integrity of site(s) in question is proven. To ascertain this a Screening Assessment, (the Habitats Regulations Appraisal) followed by an Appropriate Assessment, where necessary, will be undertaken.

1.27 In order to comply with the requirements of the Habitat Regulations a Screening Assessment was undertaken at the Issues and Options stage of the Core Strategy. This not only informed the HRA of the Preferred Options, but also identified areas that would require Appropriate Assessment. The draft HRA Report which accompanies this Second Stage Preferred Options has been submitted to Natural England for comment.

Equality Impact Assessment

1.28 Undertaking an Equality Impact Assessment (EQIA) ensures that everything we do promotes equality and allows us to assess any risk of discrimination before introducing new policies. We will continue to incorporate the principles of EQIA into all elements of the Plan as it develops. An Equality Impact Assessment on the Preferred Options Local Plan is available to view alongside this consultation, together with a report into 'Rural Proofing'.

Health Impact Assessment

1. 29 A Health Impact Assessment (HIA) seeks to measure the potential health impacts of a policy, programme or project on the wider population. Carrying out a HIA on the Local Plan has helped to ensure that the proposals outlined in the plan have been judged against the effects it may have on the health of the population. Ultimately the HIA aimed to reduce health inequalities, contribute to improved health and contribute to better decision making. As planning has a key role to play in the delivery of healthy sustainable communities it is

important that it has been assessed against health principles. The Healthy City Steering Group (HCSG) undertook a desktop HIA of the policies within the first Preferred Options document. The group provided two conclusions which have been taken into consideration when progressing with the Local Plan. We will continue to incorporate the principles of HIA and include the Healthy City Steering Group into all elements of the Plan as it develops.

Viability of the Plan

1.30 The Local Plan should be deliverable. The NPPF states that the allocated sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable. Current advice on viability testing of Local Plans concentrates mainly on the costs of providing affordable housing. As such the Council has undertaken an Affordable Housing Economic Viability Assessment, which is part of its evidence base. The purpose of the study was to establish the appropriate level of affordable housing to be required on sites across the District, having regard to the likely economic viability of land for housing within the area.

1.31 To assess affordable housing viability across the District, the study used a traditional residual appraisal method, which is widely recognised as the preferred method to assess viability. The evidence in this study has been used to inform Policy 24 – Affordable Housing, which makes provision for different requirements across different zones.

1.32 It was recognised that further work was required on viability as the Plan progresses through Preferred Options towards publication, in particular a more detailed examination of policies other than the affordable housing policy, to determine whether there is likely to be a cost implication for development. In particular, Policy 33 – Delivering Infrastructure, Policy 34 – Sustainable Transport, Policy 36 – Broadband Access, Policy 40 Planning Obligations, Policy 43 – Development Energy Conservation and Efficiency and Policy 65 – Open Space. The viability assessment of the whole Plan has been commissioned and will be completed prior to the Second Stage Preferred Options Consultation.

Site Allocations and the Policies Map

1.33 Proposed sites for development will be shown as allocations on the Local Plan policies map alongside committed sites that have been granted planning permission. The map will also show existing land uses such as areas of housing, employment and the City Centre, and areas of protected land such as parks and playing pitches, amenity open space, community uses, nature conservation sites including the two Areas of Outstanding Natural Beauty in the District, Hadrian's Wall World Heritage Site Frontiers of the Roman Empire (Hadrian's Wall): World Heritage Site and Buffer Zone and Conservation Areas.

1.34 In relation to existing land uses, some designations will not be transferred over to the new Local Plan Policies Map, as follows:

Offices

1.35 In relation to existing offices in the City Centre, they are currently shown as Primary Office Area. The current Local Plan has a policy relating to office development within this area. Discussions with Development Management officers have highlighted that there is an issue with vacant offices which are for sale or to let. It is considered beneficial to allow a wider range of uses in these circumstances, to increase the vibrancy of these areas.

1.36 Within the NPPF offices are defined as a main town centre use. It is considered that policy within the NPPF relating to commercial development is sufficient to decide any planning applications, and that a separate local plan policy and map designation is not required.

1.37 Within the rural area, small scale rural offices are not subject to a sequential approach, i.e. they are not subject to a 'town centre first' approach. Provision for rural offices is made in Policy 13 44 – Rural Diversification. This approach complies with Government policy in the NPPF.

Urban Fringe Landscape

1.38 The Urban Fringe Landscape definition on the current Local Plan proposals map was intended to protect the open character of the area and protect them from pressure from development. Feedback from the Issues and Options stage of the Plan indicated community support for a criteria based landscape policy that would protect and enhance all landscapes, not just those covered by specific designations. Therefore Policy 62 60 – Landscapes, sets out an approach whereby all proposals for development are assessed against the surrounding landscape's key characteristics, local distinctiveness and capacity for change, using the Cumbria Landscape Character Assessment and Toolkit. This provides decision makers with the means to assess the impact of a development on any of the different landscape character areas in the district.

1.39 As such, Urban Fringe Landscape will not be shown on the new Local Plan Policies Map.

Settlement boundaries

1.40 The current adopted Local Plan shows settlement boundaries for Carlisle, Brampton, Longtown and 20 rural villages. In the rural areas in particular, settlement boundaries were very tightly drawn, resulting in limited scope for new development. Feedback received so far, in particular through the Issues and Options consultation, and the Rural Masterplanning consultations has highlighted that many communities consider that settlement boundaries are too restrictive. The NPPF advocates a significant shift away from a hierarchical approach, and does not advocate the use of settlement boundaries, stating that:

"to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example where there are groups of smaller settlements, development in one village may support services in a village nearby".

1.41 National policy also states that in rural areas local planning authorities should be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing.

1.42 As such settlement boundaries will not be shown on the Local Plan Policies Map.

New allocations

1.43 The allocations form part of the overall Local Plan for Carlisle District, which will cover the period 2015 – 2030. The allocations need to be read in conjunction with the relevant policy which will set out criteria that any planning applications will need to comply with. By setting out specific land allocations in this way, the Plan will provide local communities, land owners, developers and infrastructure providers with a clear indication of the future pattern of development across the district. They indicate that the principle of development on such sites is acceptable.

Monitoring

1.44 Following the introduction of the Localism Act Councils have greater freedom to establish their own set of indicators which are appropriate to their area. Many of the existing indicators, previously reported within the Annual Monitoring Reports, will be retained but others are deemed as less useful and are proposed to be removed or replaced. The report builds upon the traditional monitoring of house building and employment sites and monitors the Council's performance against the Local Development Scheme.

1.45 The Annual Monitoring Report is produced once per year. A series of indicators have been identified to assess the relative effectiveness of each policy, specific to Carlisle. The report covers the financial year prior to its publication and includes contextual information regarding the current picture of development across the District.

Stages of Plan Preparation and Next Steps

1.46 Preparation of the Carlisle Local Plan has been ongoing since 2010, starting with the collection of a comprehensive evidence base. We subsequently published three consultation documents and undertook extensive public engagement.

1.47 The Core Strategy Key Issues Paper (January-March 2011) consulted the local community and a variety of stakeholders and on the Council's initial thinking on the issues facing Carlisle and those that the Core Strategy could try to address. We had a fantastic response to the consultation, with over 1500 representations made.

1.48 Responses to the Key Issues Consultation then fed into the production of the Issues and Options Paper which we consulted on between September and October 2011. Contained within the document we asked a number of questions and provided a range of options as to how we should address some of the issues you identified as being the most important for Carlisle to address. It also set out the spatial vision for the District which has been used to guide this Preferred Options stage. We had over 100 responses to this consultation.

1.49 Responses to these two previous stages of consultation then went on to form the Preferred Options – Stage One document and consultation from July-September 2013. This consultation was well publicised and we had a good response with over 1000 detailed comments relating to Policies and Site Allocations.

1.50 All of the comments we have received have been used to inform each subsequent stage of the Plan, including this Preferred Options- Stage Two document. Once the consultation on Preferred Options – Stage Two is complete the comments received will again be assessed and, where appropriate, changes will be made and incorporated into the next version of the Plan, towards Publication Stage.

Next Steps

1.51 The project plan for the preparation of the Carlisle District Local Plan 2015-2030 is available in our published Local Development Scheme available on our website.

1.52 Following consultation on the Preferred Options – Stage Two between March and April 2014 and in order to give sufficient time to consider the responses, which may include significant numbers of representations on proposed housing sites and other plan policies, the Publication document will be published in September 2014.

1.53 Following a six week publication period which provides an opportunity for formal representations to be made to the inspector about the plan's soundness, it will be formally submitted to the Secretary of State in November 2014 with the Examination in Public to follow and thereafter the Adoption of the plan in 2015.

Getting Involved

1.54 The Council's Statement of Community Involvement sets out how the Council will undertake consultation on the emerging Carlisle District Local Plan to ensure it reflects the views of stakeholders and the community.

1.55 The Preferred Options – Stage Two document is where the Council, identifies the scope and content of the preferred plan in detail. This consultation is the final key participation opportunity for you to get involved in shaping the emerging plan. The Plan has been refined as a consequence of the feedback you gave us at each previous consultation stage. A summary of the comments received to the Preferred Options- Stage One is contained within the body of the Plan, before each policy.

How can I give my views?

1.56 You can send your responses in a number of ways, but we would like to encourage you to submit your views online, via the Local Plan consultation feedback form at: www.carlisle.gov.uk/localplan.

1.57 This method should save you time and it will allow us to process and consider your comments more quickly.

1.58 You can also send us your comments by e-mail to: lpc@carlisle.gov.uk.

1.59 As well as being available on our website this document is also available to view at all local libraries and inside the Civic Centre. Paper copies of the document and response forms are available on request using the contact details below:

Investment and Policy
Carlisle City Council
Civic Centre
Carlisle
Cumbria
CA3 8QG
Email: ipc@carlisle.gov.uk
Tel: 01228 817569

~~**1.59** For enquiries and to request copies of the document, including in an alternative format such as large print, Braille, audio tape or another language, please contact the Investment and Policy Team on the details below.;~~

~~Investment and Policy
Carlisle City Council
Civic Centre
Carlisle
Cumbria
CA3 8QG
Email: edadmin@carlisle.gov.uk
Tel: 01228 817193~~

1.60 All comments and completed response forms should be received by: 7th April 2014.

2 Vision and Objectives

Vision

By 2030 Carlisle will have an established prominence in the region with a good an excellent supply of quality market and affordable homes houses, businesses, accessible services and a wide cultural offer. This will lead to enhanced health and wellbeing of the population and a strong sense of community. Carlisle will be a more sustainable District providing those who live in, work in or visit the area with a vibrant City surrounded by high quality urban and rural environments with prosperous market towns and thriving villages. As Carlisle continues to grow the District's heritage assets, important natural landscapes and wildlife species and habitats will be protected and enhanced.

Objectives

Spatial Strategy and Strategic Policies-

- 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;
- to support strong, vibrant and healthy communities, by meeting the housing needs of present and future generations, in a high quality environment with accessible local services;
- to contribute to protecting and enhancing our natural, built and historic environment (including improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy).

Sustainable Development – To promote a sustainable pattern of well designed development to support the vision for managed growth.

Economy – To create opportunities for economic growth by increasing the working age population, the skills available, the diversity of the economy and the physical infrastructure to deliver it.

Housing – To enable the development of a range of high quality, energy efficient housing, in a variety of locations, to meet the aspirations of the existing community and those wishing to move to the area, and which will help build communities and support economic growth.

Infrastructure - To ensure the provision of efficient and integrated infrastructure networks needed to support new and existing development, facilitate economic growth and deliver the plan strategy.

Climate Change and Flood Risk – To reduce emissions of greenhouse gases and avoid inappropriate development in areas at greatest risk of flooding in order to ensure that the District is more resilient and less vulnerable to the effects of climate change and can successfully adapt to its effects. whilst allowing essential safe development in flood risk areas without increasing the risk of flooding elsewhere; therefore ensuring Carlisle is more resilient and less vulnerable to the impacts arising from climate change.

Health, Education and Community – To create a thriving, successful and healthy community for all.

Historic Environment – To conserve, enhance and promote Carlisle's heritage and opportunities provided by the historic landscape to generate maximum social and economic benefit whilst ensuring that proposals are sympathetic to the elements that make Carlisle and Cumbria special.

Green Infrastructure – To protect, enhance and increase the provision of the green and blue infrastructure across the District for benefit of residents, visitors and the wider natural environment

Spatial Portrait

2.1 This spatial portrait aims to describe the District's geography, environment, economy, social and cultural characteristics and movement patterns i.e. a snapshot of the District as it is now. It also highlights the key issues associated with the District as a whole.

2.2 Carlisle's identity is largely shaped by its extensive rural hinterland. It has an important agricultural economy, and is set in an area of high landscape value, including a coastal and upland landscape recognised as being of national importance. The historic core of the city is traversed by rivers that are internationally important for biodiversity, and a World Heritage Site strides across the District.

2.3 The District of Carlisle covers an area of approximately 1,042 sq km and is situated in the far north of the County of Cumbria, bounded by the Scottish border to the north, Northumberland to the east, Allerdale to the west and Eden to the south. The City of Carlisle forms the principal urban area and lies within the south western part of the District. The remainder of the District is predominantly rural in nature, with the exception of Longtown to the north and Brampton to the east, and a number of smaller villages which are scattered predominantly to the west and east of the city.

Local Character and Distinctiveness

2.4 Carlisle has an attractive and varied landscape. The District includes two Areas of Outstanding Natural Beauty (AONB), (Solway Coast and the North Pennines) as well as five main rivers the Eden, Esk, Caldew, Petteril and Lyne, and many becks and burns. The North Pennines AONB is also a European Geopark. The River Eden and its tributaries are of international importance for their biodiversity, being designated as both a Site of Special Scientific Interest (SSSI) and a Special Area of Conservation (SAC). Carlisle has a range of other sites of European nature conservation importance including the Upper Solway Flats and Marshes Ramsar site and Special Protection Area (SPA), the Solway Firth (SAC), the Irthinghead Ramsar site and the North Pennine Moors (SPA). These form part of a network of internationally important wildlife sites within the European Union known as Natura 2000.

2.5 In addition, the District is home to many rare and endangered species such as the red squirrel, great crested newt and otters, as well as habitats such as lowland raised bogs, blanket bogs and upland hay meadows.

2.6 The landscape and wildlife in Carlisle and surrounding districts underpins the economy of the area, through people's work and leisure activities, and their sense of local identity. Delivery of targeted biodiversity and landscape enhancements, therefore, has a significant contribution to make towards social inclusion and sustainable economic development, and logically forms an integral part of all aspects of the Sustainable Community Strategy (The Community Plan for Carlisle).

2.7 The District has approximately 455 ha of public open space, which ranges from amenity open space (land which is recognised as making a contribution to the visual amenity and enjoyment of an area), to natural/semi natural greenspace, parks/gardens, allotments, play areas and outdoor sports facilities. Within the centre of the city, and located immediately next to the River Eden are two linked and important urban parks, Rickerby Park and Bitts Park. Rickerby Park is a natural park with mature trees and grazed by sheep and cattle. Bitts

Park has a more formal layout with landscaped beds and trees, together with playing pitches, children's play area and tennis courts etc.

2.8 The District is rich in heritage ranging from **Frontiers of the Roman Empire (Hadrian's Wall): World Heritage Site** ~~Hadrian's Wall World Heritage site~~ which crosses the district from Gilsland in the East to Burgh by Sands in the West, to the City walls, Carlisle Cathedral and Tullie House which are all Grade I Listed Buildings. In addition to these there are approximately another ~~4550~~ **1139** Listed Buildings and 19 Conservation Areas including areas within the City, **the historic market towns of Brampton and Longtown** and Dalston as well as some of the smaller villages. **The District's Heritage is an extremely important asset, which contributes significantly to the character and attractiveness of the area and is a major draw for tourism.**

2.9 Carlisle District also has a number of locally listed buildings and structures of **architectural and historic significance**, these are important in creating the locally distinctive character that can be seen in parts of the District. This List will be added to ensure Carlisle's local history continues to be protected alongside both the nationally and internationally recognised assets.

Social Characteristics

2.10 Population data collated from the 2011 Census, released in July 2012, showed that the usual resident population of the District had risen by 6.7% since 2001 to 107,500. Whilst the rate was slower than the average for England and Wales it was the highest in Cumbria.

2.11 In line with national trends, growth in Carlisle will most notably be seen in the number of older people living in the District where it is predicted that there will be a 57% increase by 2032. Approximately 68% of the population currently live within the urban area of Carlisle. In the rural areas a key feature is the sparse distribution of residents; on average there are 97 people per hectare in Carlisle's rural areas (compared to 477 regionally and 378 nationally).

Movement Patterns

2.12 The M6 motorway runs through the District linking the City of Carlisle to southwest Scotland, Northwest England and beyond. Carlisle benefits from three motorway junctions at Carleton (J42), Rosehill (J43) and Kingstown (J44). Additionally the Carlisle Northern Development Route (CNDR) provides a western link from the A595 to the M6 at junction 44. It also provides a combined pedestrian and cycle route along its 8.25km length.

2.13 From Carlisle City there is a network of 'A' roads including the A69 which links the District to Newcastle in the North East, the A7 to the Scottish Borders to Edinburgh and the A595 to Workington and Cockermouth on the West Coast of Cumbria.

2.14 In terms of rail travel, the West Coast Main Line provides the only north/south high speed rail link serving the City, as well as links via Northern Rail to Manchester Airport. There are rail links to Newcastle and the west coast and also the historic Carlisle/Settle line which is important for tourists, commuters and freight.

2.15 Travel to work is heavily dependent on private car usage with 54.3 % people working in Carlisle District choosing to drive to work (Source: Office of National Statistics (ONS))

Census 2001) despite the fact that nearly 55% of people travel less than 5km to their place of work. This level of car usage is partly due to accessibility to public transport across the District which varies considerably outside the urban area, with a number of areas having a very limited service or no service at all.

Housing

2.16 Housing Stock as of 31 March 2010 ~~2012~~ was 48,120 ~~50,660~~ (source ONS Local Profiles). Nearly 85% belong to the private sector at 40,694 ~~43,080~~ with the Housing Associations Registered Providers holding a stock of 7,402 ~~7,490~~ and as the local authority housing was transferred to a Housing Association in December 2002 the local authority now only owns 24 ~~20~~ properties (source ONS Local Profiles).

2.17 From the 2001 census owner occupation within the district was 71% which was slightly below the Cumbrian percentage of 72% but higher than that of the North West which was 69%. The percentage living in social rented properties were 18%, 16% and 20% with the private rented sector accounting for 8%, 12% and 8% respectively.

2.18 A house condition survey undertaken in 2005 and Registered Social Landlord data 2009 identified 27% of the private sector and 12% of the social sector dwellings failed the decency standard in the urban area and 43% and 10% respectively in the rural area.

2.19 Housing in Carlisle is generally more affordable in respect of house price/earning ratio at 4.7% ~~5%~~ than is the case for England nationally which is 6.6% ~~6.5%~~. (source ONS Local Profiles 2012) However, variations in average house prices across the District identify parts of the rural area where average house prices are in excess of ten times the annual income, creating problems of housing need due to affordability.

2.20 Average household as determined by DCLG ~~from the 2001 census consisted of 2.3~~ has reduced to 2.2 persons and is expected to further reduce to 2.17 by 2016 and 2.14 by 2021. This compares to 2.21, 2.18 and 2.15 respectively for the County and 2.36, 2.35, 2.33 for England. ~~persons within the district which is the same for the County.~~

Economy

2.21 Carlisle is a free standing city which is not directly influenced by a major conurbation. It acts as a significant employment base and the main professional centre for Cumbria as well as parts of south west Scotland.

2.22 Historically, the economy of Carlisle was based around easy access to a railway network and the textile industry which has over time declined and been replaced by other forms of manufacturing. A large proportion of Carlisle's working population are still employed in the manufacturing sector. However, the wholesale/ retail trade provides employment for the largest proportion of the workforce. Employment in non-service industries, such as agriculture, manufacturing and construction are all higher than the national average. Carlisle is an important centre for agricultural services. Carlisle lies at the centre of a large rural livestock market. Within the rural area Brampton and Longtown act as employment hubs along with Dalston to a lesser extent. All three settlements have industrial estates which provide employment opportunities for people within their locality as well as the wider area.

2.23 Whilst Carlisle benefits from good connections to the M6 as well as being situated on the West Coast Main Line, there can still be a perception by businesses from outside the area of remoteness and isolation which may detract from Carlisle's attractiveness as a business location. This is further compounded by a gap in skills partially as a result of underperformance in education and low aspirations as well as a poor level of retention of graduates.

Tourism

2.24 Tourism is of major importance to Carlisle as a generator of economic prosperity and employment with the District receiving 7 million visitors in 2012 (STEAM Report). It is essential that the tourism potential of the District is promoted and exploited to maximise the benefits it can bring to the area, including a large number of jobs. Carlisle's heritage is central to its attractiveness as a tourist location with Hadrian's Wall Path National Trail crossing the District, Carlisle Castle, the Cathedral and many more attractions.

2.25 Carlisle lies at the heart of a wealth of historic and modern attractions. From Roman remains to Norman stronghold, medieval market town to contemporary city, Carlisle has museums, art galleries, national sporting events, outdoor and indoor recreation, heritage tours, award-winning parks and nature reserves. Carlisle Racecourse lies on the edge of Carlisle, whilst in the wider rural area are a wealth of historic churches, Talkin Tarn country Park, Lanercost Priory founded in 1197 as an Augustinian Priory, and stunning countryside including the two Areas of Outstanding Natural Beauty.

Culture and Heritage

2.26 Protecting heritage whilst supporting economic growth is something that the City Council is actively engaged in. The historic core of the city includes Carlisle Castle, Tullie House Museum, Carlisle Cathedral precinct, the City Walls, the Courts, the Market Cross, the Old Town Hall and the Guildhall. The high quality environment in and around Carlisle District contributes towards Carlisle's appeal as a visitor destination and provides potential for economic diversification within the rural area; opportunities of this nature are already being supported along the route of the Hadrian's Wall Path National Trail with the development of accommodation and refreshment facilities.

Education

2.27 Education levels within the District have been historically low. However, there has been investment made in respect of the education offer in the district which is continually improving this standard.

Post 11 years

2.28 Over the last few years significant changes and investment have been made which has resulted in all post eleven education in the city, which was managed by the County Council, now having Academy Status.

Further Education

2.29 Carlisle College is the main provider of further education but also provides education opportunities for students aged over 14 with vocational and skills training for a growing number of young and mature students. It is helping to expand the skills base locally.

2.30 Outdated buildings have been replaced over the last few years with investment of around £20m. ~~Carlisle College also provides courses in collaboration with the College of the Arts based at Brampton Road Campus of the University of Cumbria.~~

Higher Education

2.31 The University of Cumbria was established August 2007. There was a peak in applications in 2011, a year when there was an 'application boom' in the Higher Education marketplace nationally due to the changes in student fees. Since then, there has been a slight decrease of -3% but, compared to 2010, a much more representative year for applications, the university has seen a rise of +2.4% overall.

Social

2.32 The English Indices of Deprivation 2010¹ (which updated the 2007 indices) show that Carlisle District is 109th out of 326 nationally (with 1 being the highest) with 5 Lower Super Output Areas² in the 10% worst nationally which indicates great disparity throughout the district and a slightly worsening position from the 2007 indices (ranked 122nd out of 354 nationally).

2.33 The Green Infrastructure Study March 2011 further supports the inequality across the District as it identified that the 10 most deprived super output areas of the District have on average 27% less green infrastructure cover than the 10 least deprived.

Health

2.34 Carlisle became a World Health Organisation Healthy City in 2009. Since then, the City Council has worked closely with organisations such as the NHS, Riverside and Carlisle Leisure and has gained from the Healthy City approach and network. A healthy city is one that continually creates and improves its physical and social environments and expands the community resources that enable people to mutually support each other in performing all the functions of life and developing to their maximum potential.

Flooding and Climate Change

2.35 The position of Carlisle at the meeting point of three rivers makes it vulnerable to the risk of flooding. In 2005 the District experienced the worst floods since 1822 which resulted in the death of 3 people and severely affected many homes and businesses. Flood defences have recently been completed offering a good level of defence against future flood risk. However, caution must still be taken when considering proposals for development in high risk areas benefitting from defences.

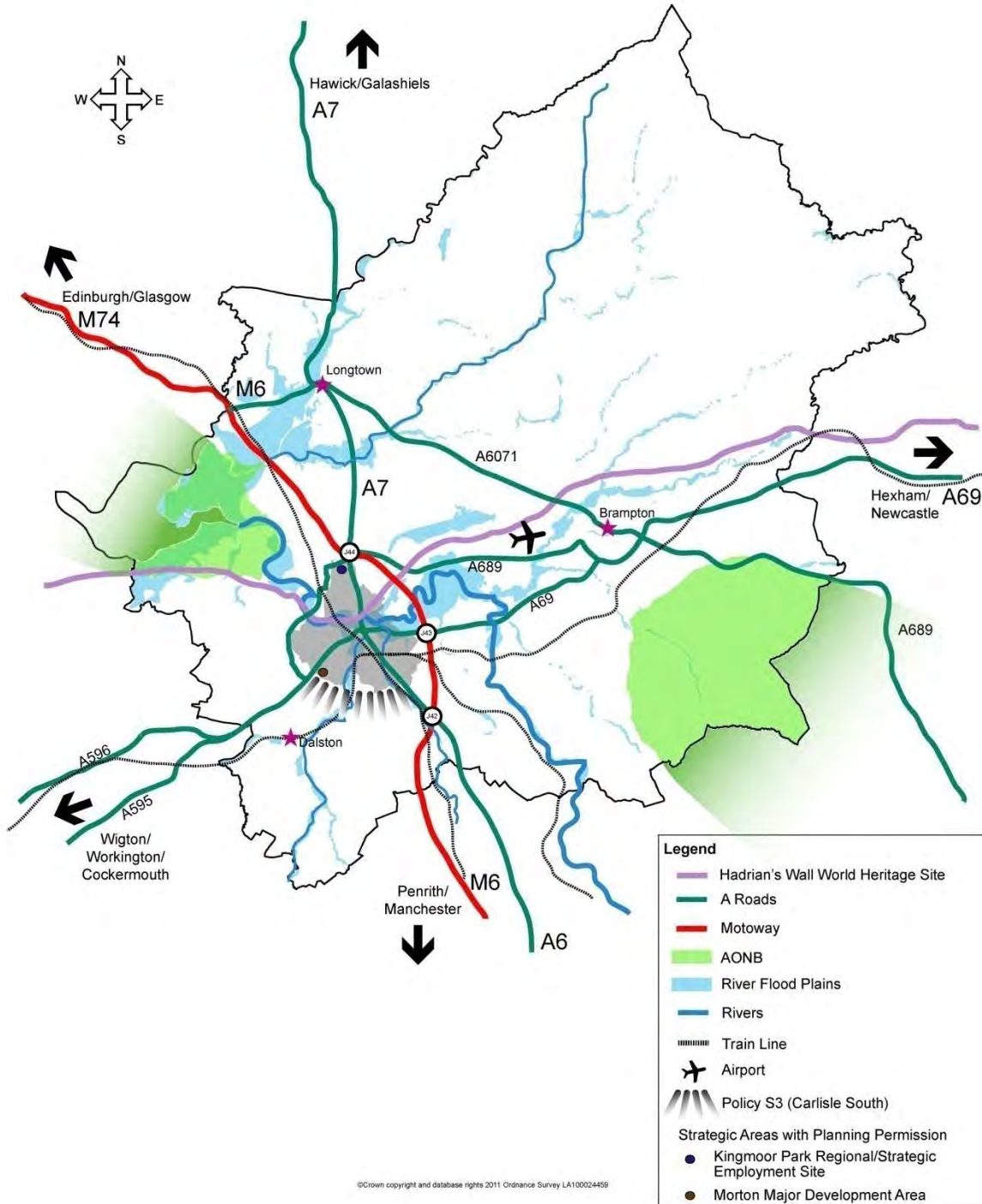
2.36 Specific data for the impacts of climate change on Carlisle are not readily available, but information is available on a regional basis that gives a good indication of the potential impacts. Between now and 2080, if we continue to discharge high amounts of greenhouse gases, the District could expect an impact on the following:

¹ <http://www.communities.gov.uk/publications/corporate/statistics/indices2010>

² **Lower Super Output Areas** – are homogenous small areas of relatively even size (around 1,500 people) of which there are 32,482 in England.

- more extreme weather conditions causing disruption to front line services like refuse/ recycling collections;
- higher energy costs for buildings and transport as climate change impacts on markets and trade;
- health related problems for example waterborne diseases linked to warm weather impacting on health services;
- drier summers could lead to droughts affecting parks, allotments and nature reserves putting pressure on water resources and local biodiversity;
- wetter weather patterns in the summer affecting the agricultural economy through impact on crop and grass growth.

Map 1 - Key Diagram



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3 Spatial Strategy and Strategic Policies

Consultation Update - First stage preferred options July - September

- Objective not considered to be consistent with NPPF, specifically three roles of sustainable development.

Objective

- 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.
- to support strong, vibrant and healthy communities, by meeting the housing needs of present and future generations, in a high quality environment with accessible local services;
- to contribute to protecting and enhancing our natural, built and historic environment (including improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy).

Sustainable Development

Consultation Update - First stage preferred options July - September

- support for the policy;
- the Plan should test the resilience of every policy;
- a policy is required to help reduce future rural transport costs;
- no mention of small sustainable communities;
- would like policy to include reference to supporting sustainable growth of University;
- too much emphasis in the policy that development will be supported, this weakens the social and environmental roles of sustainable development;
- all proposals should pursue the ideals of sustainable development;
- policy should contain reference to working proactively with communities;
- concerns that economic development/growth as advocated in the NPPF over-ride other considerations.

Policy S1 - Sustainable Development

When considering development proposals the Carlisle City Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants, and communities, jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions of the area.

Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
- specific policies in that Framework indicate that development should be restricted.

Justification

3.1 The principle of sustainable development was first defined in 1987 in 'Our Common Future' also known as the Brundtland Report. This Report formed the basis of the 1992 Earth Summit in Rio. Rio+20 took place in June 2012, and the commitment to sustainable development was renewed in order to ensure the promotion of economically, socially and environmentally sustainable future for the planet and for present and future generations.

3.2 The current United Kingdom Sustainable Development Strategy (Securing the Future), sets out five guiding principles of sustainable development:

- living within the planet's environmental limits;
- ensuring a strong, healthy and just society;
- achieving a sustainable economy;
- promoting good governance;
- using sound science responsibly.

3.3 The NPPF draws out the three dimensions to sustainable development:

- an economic role – contributing to building a strong, responsive and competitive economy; and
- a social role – supporting strong, vibrant and healthy communities; and
- an environmental role – contributing to protecting and enhancing our natural, built and historic environment.

3.4 These roles are interdependent, and to achieve sustainable development, economic, environmental and social gains will be achieved through all aspects of planning. The Local Plan therefore guides new development to sustainable locations, and seeks to ensure that all new development results in an enhanced quality to the built, natural and historic environment, as well as to overall quality of life for everyone. As part of the commitment towards delivering sustainable development Carlisle is part of the Food City network that seeks to promote sustainable food production to consider health and well being, environmental sustainability, local economic prosperity and strengthening communities.

3.5 The purpose of planning is therefore to help achieve sustainable development. The presumption in favour of sustainable development will be implemented through the development management process. However, policies protecting AONB, Sites of Special Scientific Interest, and the intrinsic value and beauty of the countryside etc can not be overridden by the presumption.

Alternative Option

3.6 The NPPF states that Local Plans should be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally (paragraph 15). This clear expectation in the NPPF that Local Plans should provide a policy to reflect the presumption in favour of sustainable development means that a policy is required therefore there are no reasonable alternative options in respect of this policy.

Which Local Plan policy is Superseded:

3.7 This policy supersedes Policy DP1 – Sustainable Development Locations in the Carlisle District Local Plan 2001 – 2016.

Spatial Strategy

Consultation Update - First stage preferred options July – September

The housing numbers in the Local Plan were considered too conservative and should be increased to reflect the economic growth figure of 665 homes per year following the evidence of the Housing Needs and Demands study. There was also a request for greater clarity of the urban and rural areas in the Local Plan and which villages share services. There were differing opinions on whether Allerdale and Carlisle shared a housing market area but a submission from Allerdale confirmed that Allerdale and Carlisle do not share a Housing Market Area and there are no cross boundary issues in terms of capacity to deliver future housing targets.

A number of other key messages received included:

- Suggest more emphasis on the use of existing developed/brownfield sites for new development.
- Re-word the start of the policy as it repeats Policy S1
- If the Council pursued a lower housing target it would have adverse impacts on the amount of affordable housing being brought forward.
- Reconsider bringing housing allocations into the first five years of the Plan period rather than from years 6-10.
- Smaller settlements in the district should be allowed to grow to ensure that local services remain viable.
- Bring forward the timescales and detail of Carlisle South sooner in the Plan rather than in years 11-15.
- Support for maintain enhance the importance of the environment, heritage and landscape aspects, address the impact of climate change, particularly in relation to flooding and the aims to achieve high standards of design and sensitivity to character, setting and cultural heritage.
- Greater steer from the Council on its North vs South economic strategy. Land around J42 should be utilised for employment purposes.
- Full support for the principle of developing employment land at Kingmoor Park including Brunthill and an employment facility at Harker.
- Carlisle City Centre is a sub regional centre and complimentary to Wigton.
- Frustrations at the lack of information on the City Centre in the absence of the City Centre Masterplan.
- No proper accurate assessment has been made in the Plan of the historic environment and role that heritage plays has not been reinforced; and
- Make reference to localised surface water flooding as an area of risk.

Policy S2 – Spatial Strategy

~~When considering development proposals across the City, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. The Council will work proactively to find solutions which mean proposals that accord with planning policies can be approved wherever possible and to secure development that improves the economic, social and environmental conditions in the area.~~

Carlisle City Council will support the delivery of new housing, economic growth and diversification through the strategy:-

- ~~Deliver at least 9000 dwellings over~~ 665 dwellings per annum for the next 15 years, 70% located in the urban area of Carlisle, and 30% in the rural area ~~which averages 600 houses/year~~. Sites have been allocated for years 0-10 in the Plan period. For years 11 – 15 the preferred option is to identify a broad location for growth ~~for the expansion of the urban area for~~ Carlisle South;
- 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;
- Develop a high value employment area to attract high value jobs in a location which utilises the M6 corridor, and an employment facility at the Harker Industrial Estate that requires a major electricity supply due to its proximity to Harker substation;
- Strengthen the City as a focus of high educational achievement with primary, secondary, college and University facilities that support future economic growth;
- Develop employment land at Kingmoor Park (including Brunthill), and south west of Morton, whilst also improving the overall qualitative offer of employment land within Carlisle.
- Maintaining and enhancing the importance of environmental, heritage and landscape assets;
- Make the use of public transport, walking and cycling easy, to reduce non-essential car use;
- Address the impact on climate change, renewable energy, air quality, green infrastructure, recycling/waste, flooding issues and the water environment.
- Contribute to individual and community wellbeing, health and safety and social inclusivity;
- Achieve high standards of design and sensitivity to character, setting and cultural heritage.

Justification

3.8 In taking the Local Plan forward the Council recognises the importance of the Spatial Strategy closely matching the main objectives of the corporate “Carlisle Plan”, which sets out key priorities for the City Council (2013-16).

3.9 The Local Plan will enable the delivery of key elements of the vision within the Carlisle Plan, in particular:

- support the growth of more high quality and sustainable business and employment opportunities;
- address Carlisle’s current and future housing needs;
- develop vibrant sports, arts and cultural facilities.

3.10 The City of Carlisle forms the principal urban area and lies within the south western part of the District. The remainder of the District is predominantly rural in nature, with the exception of Longtown to the north and Brampton to the east, and a number of smaller villages which are scattered predominantly to the west and east of the city. The NPPF moves away from the conventional planning model of a hierarchy of settlements in the rural areas, and instead advocates that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby.

3.11 The Carlisle Housing Needs and Demands Study (HNDS), 2011, shows that Carlisle’s population has been growing at a faster rate than the County or the Region, growing by 3.5% between 1999 – 2009. To deliver the strategy, the Plan focuses housing delivery on the City of Carlisle, whilst also allowing a proportion of housing to come forward in the rural areas. This approximates to 70% in urban Carlisle, and 30% in the rest of the rural area, which includes Brampton and Longtown. The Plan aims to achieve this mix through allocating specific sites for housing across the district, and setting out a policy based approach for housing on non-allocated sites (the evidence of urban and rural areas in the District are outlined in the HNDS).

~~The Local Plan housing strategy aims to meet the housing needs for the District for both open market, affordable and special needs housing. It does this with reference to the evidence set out in the HNDS on current and future demographic trends, market trends, the needs of different groups in the community.~~

3.12 The Carlisle Employments Sites Study along with work on the Local Economic Assessment and Economic Potential identify the strengths of the local economy along with indicators of where improvements are required to sustain economic growth. One of the key issues has been the quality and choice of employment locations for companies to invest. The strategy sets out the key areas to address the longer term needs and ensure that appropriate sites are brought forward to strengthen the local economy as well as providing for investment and redevelopment for existing businesses.

3.13 The university plays an important role in the future of Carlisle as it provides a link between educational and employment. The University can attract people to the City and provide a skilled workforce to support inward investment opportunities The Plan encourages

the University to develop and grow; thereby contributing to the local economy in the Carlisle District and regionally across Cumbria so that Carlisle becomes recognised as a 'University City'.

3.14 The Carlisle retail Study 2012 found that there was limited spare capacity in the initial years of the plan period and therefore any development should aim to reinforce the city centre as the prime retail location. This is in accordance with section 2 of the NPPF to ensure that the vitality of town centres remains. For Carlisle this means that the city centre should remain the main focus of retail development. The Carlisle City Centre Masterplan is currently being finalised and has highlighted potential development options for the future of the City Centre; in particular the site options for the future expansion of the retail centre.

3.15 Carlisle's heritage is central to its attractiveness as a tourist location with Hadrian's Wall Path crossing the District. The City Council recognises the value of its heritage assets and their importance in giving the area a strong, distinctive identity and real sense of place. Tourism, arts and cultural development is of major importance to Carlisle as a generator of economic prosperity and employment. It is essential that the tourism potential of the District is promoted and exploited to maximise the benefits it can bring to the area.

3.16 Carlisle City Council recognises the importance of protecting our environment and using the natural resources available to us to their fullest through renewable energy generation and energy efficient design and materials. Central to this is ensuring that the District is resilient to the effects of climate change through ensuring that new development is directed away from areas at risk of flooding and that new development manages its potential effects responsibly. Carlisle Green Infrastructure Strategy: The Big Green City, which recognises the fundamental role green infrastructure and the natural environment play in creating an identity for the district and for Carlisle as a green city. Biodiversity, landscape and green spaces are to be protected, ultimately for the sake of their own natural value, but also for the well being and good health of the district's citizens and visitors.

Broad Location for Growth: Carlisle South

Policy S3 – Broad Location for Growth: Carlisle South

Land is allocated for a major mixed-use urban extension at Carlisle south as indicated on the key diagram. The urban extension is phased to be delivered from 2025 onwards.

If monitoring shows that a five year supply of housing sites (+ 20%) is not being maintained, then the phasing of Carlisle South will be altered to bring it forward earlier than proposed.

The development of this area will be in accordance with a masterplan which will be approved as a supplementary planning document. The proposed uses will include housing, schools, local employment and retail sites, community facilities, open space and other infrastructure.

The purpose of the masterplan will be as follows:

- to provide more detail on how the strategic requirements set out in this policy will be delivered;
- to set a framework to guide the preparation of future planning applications;
- to provide a framework against which future planning applications will be assessed.

Justification

3.17 The NPPF states that in order to deliver a wide choice of high quality homes, and to boost significantly the supply of housing, local planning authorities should:

“identify a supply of specific, developable site or broad locations for growth, for years 6-10 and, where possible, for years 11-15”.

3.18 The NPPF also states that the supply of new homes can sometimes be best achieved through planning for larger scale development, such as new settlements or extensions to existing villages and towns that follow the principles of Garden Cities. Paragraph 52 states:

“Working with the support of their communities, local planning authorities should consider whether such opportunities provide the best way of achieving sustainable development. In doing so, they should consider whether it is appropriate to establish Green Belt around or adjoining any such new development”.

3.19 Policy 19 sets out the overall housing target, the urban rural split, other criteria relating to meeting housing need, and a table of allocations including site sizes and yield. Policy 19 takes the Plan up to 2025.

3.20 This Policy, (Policy S3), takes the Plan to 2030, by setting out a broad location for growth. The NPPF introduces the term ‘broad locations for growth’. This is considered to be an area of land of such a size that it would deliver a strategic number of houses for the district, in a loosely defined location, where the Plan indicates future development for housing and a range of complementary uses would be appropriate in principle.

3.21 It would prejudice the strategy of the Plan if individual sites within the Carlisle South area came forward incrementally within the first 10 years of the Plan period. It would also prejudice the delivery of infrastructure.

3.22 The identification of Carlisle South in the Plan does not imply that the whole area should be developed. Within this wider area, specific and linked development sites will be identified and allocated for specific uses, taking account of infrastructure needs and land constraints. The policy makes specific provision for a masterplan to be produced which will set a framework for future planning applications.

3.23 The following sets out the rationale behind allocating Carlisle South as a strategic location for growth.

Population growth

3.24 The Carlisle Strategic Housing Market Assessment (SHMA) known as the Housing Need and Demand Study (HNDS) shows that Carlisle's population has been growing at a faster rate than the County or the Region, growing by 3.5% between 1999 – 2009. The City is a key centre for services and employment in Cumbria, has above average jobs density and strong labour market self containment. The City's role will therefore continue to be as a centre for housing, employment and services for a wide hinterland.

3.25 It is therefore expected that population and demographic dynamics as well as employment growth will drive demand for housing over the longer term to 2030.

3.26 The Strategic Housing Land Availability Assessment as of ~~March 2012~~ (update to be undertaken to include new sites submitted as part of consultation on preferred options) shows housing potential for approximately 8212 houses over the next 15 years which averages 533 houses/year. This is subject to change as more sites come forward.

Summary of benefits of approach

3.27 The benefits of delivering a large scale urban extension can be summarised as follows:

- opportunity to comprehensively shape the physical form and social fabric of an area to create a sustainable place in an area-based as opposed to piecemeal approach;
- meet housing shortage and provide range of types and tenures to meet need and demand;
- help realise economic potential of an area and create new jobs;
- provide strategic public transport provision and highways network to support the development and the wider area;
- effective way of capturing uplift in land value and funding infrastructure;
- create comprehensively planned and owned green infrastructure;
- maximise low carbon living and effective use of resources;
- secure better community engagement, governance, stewardship and ownership.

Environmental sustainability

3.28 Environmental sustainability can be delivered by less dense and greener urban development, even if this means developing on green fields as part of an urban extension.

This can bring increased opportunity to create quality urban greening and better places to live, which will contribute to the climate change, health and biodiversity agenda. Attractive green areas created as part of a strategic urban extension can encourage active behaviour, and trees and other vegetation can help to reduce carbon dioxide and particulates.

Biodiversity

3.29 Opposition to the development of greenfield sites, especially one on this scale, is often based on the loss of biodiversity. However, biodiversity is frequently higher in urban areas than in green fields. This is largely due to farmland being intensively managed resulting in a very little diversity of species and habitat. However, urban habitats tend to be of a larger variety – residential gardens, allotments, parks, verges, railway land, community gardens.

3.30 A strategic site has the potential to integrate biodiversity into the overall layout of open spaces and wildlife corridors.

Better design opportunities

3.31 Prior to the NPPF, national policy was to pursue a 'brownfield first' approach. Within Carlisle district a target of % development on brownfield sites was achieved between *** Whilst this brought many benefits, including regeneration of vacant and previously used land, the classification of gardens as brownfield and the drive for higher densities resulted in town cramming and a reduction in urban green space. In addition, some new development did not respect the character of the neighbourhood in which it was located.

3.32 The recent focus on building flats in the city, whilst bringing redundant buildings back into use, does not provide versatile enough accommodation to adapt to changing households, especially growing families, or provide people with gardens.

Infrastructure needs

3.33 The allocation of this site is required to deliver infrastructure which is central to the delivery of the Local Plan and its objectives.

3.34 There are critical capacity issues within Carlisle for the highways network, the waste water network and the provision of primary and secondary education. In relation to the highways network, there are significant road capacity issues for Carlisle both within the road network and at motorway junctions. A strategic allocation can deliver an accessible environment with integrated transport being planned from the outset of the development.

3.35 The NPPF states that planning policies for large scale residential developments should promote a mix of uses in order to provide opportunities to undertake day to day activities including work on site. In addition key facilities such as primary schools and local shops should be located within walking distance of most properties.

3.36 The utilities network for waste water within the City of Carlisle is also limited in capacity and will require upgrading to facilitate sporadic new development. This can lead to

disruption to the public. A strategic allocation can provide an integrated water network for both clean and waste water, and a dedicated sewerage treatment works.

3.37 United Utilities preferred approach is to see a brand new supply line brought into the city, as would be triggered by a large development focused in a single area, such as the proposals for south Carlisle. This would be more preferable to attempting to upgrade existing pipelines to accommodate smaller developments scattered across the edges of the city.

Education

3.38 One of the biggest challenges to planning for infrastructure relates to education provision. The policy landscape for schools is changing with the Academy Programme and the Free School Programme having the potential to change how new school places are funded in the future. Currently all of the primary schools within Carlisle are at capacity. Whilst there is limited capacity within secondary schools, they will also be full by 2020.

3.39 The NPPF states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities are encouraged to take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. In particular, great weight should be given to the need to create, expand or alter schools.

3.40 A strategic allocation will enable the building of new primary schools, and a new secondary school, with associated playing fields.

Alternative options for broad locations for growth – 2025 - 2030.

3.41 During the first consultation on the Preferred Options CDLP (July to Sept 2013) no other alternatives for broad locations for growth were submitted.

3.42 The alternative approach to a strategic allocation is to have sporadic development within and on the edge of the city, as no other strategic sites were submitted as part of the SHLAA process. The map at Appendix 1 shows sites that were submitted as part of the SHLAA process, and which are considered to have potential for housing development.

3.43 This alternative option of spreading the development around the City on smaller sites was supported by the majority of respondents to the earlier Issues and Options Consultation. However, this option has been rejected due to the difficulties of providing for the required levels of infrastructure, which could have adverse environmental, economic and social implications.

3.44 It is considered that smaller allocations would not have the critical mass to provide the necessary community and educational infrastructure on site. Financial contributions towards off-site provision from smaller sites spread around the City are considered unlikely to provide a timely sustainable alternative to on site-provision.

3.45 The cumulative impact of sporadic growth is also likely to be greater than that of a comprehensively planned single large development. In particular there would be considerable localised impacts on the highways network in parts of the City which are currently at capacity.

3.46 In terms of green spaces, any housing development will generate additional demand for public open space and bring additional pressure on existing city parks and open spaces. It is unlikely that smaller housing developments would be able to provide anything other than local open space to meet the demand generated by the new development.

3.47 Furthermore, a dispersal strategy leading to a large number of development sites spread around the edges of the City, required to meet the annual housing target, is also likely to have significant landscape and other environmental impacts.

3.48 In conclusion, the scale of the strategic allocation is determined by the need to achieve the critical mass to meet the main infrastructure needs, especially in respect of primary school facilities, for which there is currently an acute shortage of places in the town, and secondary education provision, which will be at capacity by 2020.

Design

Consultation Update - First stage preferred options July – September

Local character was a strategic overarching issue and its importance to influence new development in order to maintain and enhance the District's distinctiveness. This highlighted the importance that should be placed on achieving high quality design in all development proposals.

Policy S4 - Design

All new development proposals will be assessed against the following design principles. Proposals should:

1. respond to the local context and the form of surrounding buildings in relation to height, scale, and massing and historic street patterns and by making use of appropriate materials and detailing;
2. take into consideration any important landscape or topographical features and respect local landscape character;
3. reinforce local architectural features to promote and respect local character and distinctiveness;
4. ensure all components of the proposal, such as buildings, car parking, access routes, open space and landscaping are safe and well related to one another to ensure a well integrated, successful and attractive development;
5. ensure there is no adverse effect on the residential amenity of existing areas, or adjacent land uses, or result in unacceptable standards for future users and occupiers of the development;
6. ensure the retention and enhancement of existing trees, shrubs, hedges and other wildlife habitats where possible. Where environmental features are lost as a result of the proposal, appropriate mitigation measures should be put into place and on-site replacement of those features will be sought;
7. include landscaping schemes (both hard and soft) to assist the integration of new development into existing areas and ensure that development on the edge of settlements is fully integrated into its surroundings;
8. ensure that the necessary services and infrastructure can be incorporated without causing unacceptable harm to retained features, or cause visual cluttering;
9. ensure that the layout and design incorporates adequate space for waste and recycling bin storage and collection; and
10. seek to utilise locally sourced traditional materials to help to which retain and enhance the local character of existing and new buildings and their environments. The reinstatement of existing traditional materials will also be sought, in consultation with the Local Highways Authority, following repairs to roads, pavements, kerbs and underground services.

Justification

3.49 Good design should be the aim of everyone involved in the development process. It is essential to improving environmental quality by producing attractive, vibrant and sustainable places with a strong sense of place, in which people want to live, work and recreate. These principles will help to ensure that the development itself is not only well designed, but also complements and enhances the existing environment. Developments should also seek to

encourage a healthy lifestyle through the provision of opportunities for walking and cycling, and safe places to play where these are appropriate.

3.50 Applicants will be required to demonstrate how design matters have influenced the detail of their scheme. The use of locally sourced materials that reinforce local distinctiveness can help new developments to integrate more successfully into the local surroundings. The encouragement to utilise such materials does not seek to stifle opportunities for innovative design and use of modern building methods but respond appropriately to the local character area.

3.51 Surface materials can have a significant impact upon the character of an area (particularly within conservation areas), and can be an important design element of a new development. Roads, footpaths and other areas of hard landscaping should be designed to cultivate a 'sense of place' and to contribute positively to the character of an area. Retention and/or reinstatement of materials such as setts, cobbles, sandstone kerbs and flags will therefore be expected sought, in consultation with the Local Highways Authority, where works are carried out on roads and pavements in order to not degrade the character and quality of the area.

3.52 The inclusion of a landscaping scheme should be treated as an essential consideration in the design process, not an afterthought. Landscaping schemes can take two forms: soft landscaping which includes tree and shrub planting; and hard landscaping concerning paving, walls etc. Where appropriate, the Council may require the partial implementation of a landscaping scheme prior to the completion of the development in order to reduce the impact of the construction works on site in the interim period. The proposed development should be situated to reflect the mature growth of species above ground and landscaping schemes should take account of the position of underground services.

3.53 In areas where there are no significant local traditions or where positive character elements are lacking, proposals should seek to create a strong and attractive local identity through intelligent, innovative and imaginative design.

3.54 In addition to this policy consideration must also be given to any additional design guidance/policies or site specific supplementary planning documents including those set out in Neighbourhood Plans.

Alternative Options

3.55 The Government attached great importance to good design as it is a key aspect of sustainable development. The NPPF states that Local Plans should develop robust and comprehensive policies that set out the quality of development that will be expected. Therefore the alternative option to have no policy would not meet the policy objectives of the NPPF.

Which Local Plan policy is Superseded:

3.56 Policies CP5 Design and CP7 Use of Traditional Materials have been combined and refreshed in this new design policy.

Green Infrastructure

Consultation Update - First stage preferred options July – September

1. Developer contribution requirements must be flexible and not endanger the viability of development;
2. General support for the concept of Local Green Spaces, though some concern that the designation is not used merely as an attempt to block development;
3. Strong support for the policy from the Environment Agency;
4. A list of weirs to be removed by the EA and culverts that are intended to be opened up has been provided, in line with policy intentions to make city and district waterways more accessible and visible;
5. Data provided by EA on water bodies and their ecological status across the district, which could be used to construct a 'Green Infrastructure Vision';
6. Need to mention cross boundary green infrastructure links and the need to ensure their protection and enhancement;
7. Home Builders Federation objects to the policy – want clarification on how and when contributions will be sought from developers, particularly in areas where surplus green infrastructure exists;
8. Allotments should be recognised individually as types of green infrastructure;
9. Green space on Corporation Rd, Rickergate suggested as a potential Local Green Space;
10. Suggestion that wild meadows could be incorporated into parks, which could help stop the decline in bee population but also save on maintenance in the long term;
11. Policy should reference the proposed English Coastal Route and afford it appropriate protection;
12. Provide reference to ancient woodlands in addition to reference already present in policy 64;
13. Clarify whether the policy applies to all new development types – i.e. commercial, residential, etc;
14. Incorporating Local Plan 2008 policy LC9 into Policy S4 has meant that specific mention of protecting the Carlisle Goods Avoiding Line has been dropped. Reference to protecting this route should be included in S4 or supporting text;
15. The phrase “exceptional overriding need” should be clearly defined.

Policy S5 - Green Infrastructure

Conditions, legal agreements and developer contributions will be used to secure new and integrated provision of green and blue infrastructure on, or associated with, new development. Existing assets will be protected in order to establish a holistic, healthy and accessible green and blue infrastructure network.

New development will work towards delivering, where appropriate and achievable, outcomes of Carlisle Green Infrastructure Strategy.

Wherever possible new development will be expected, either on site or through contributions to assets elsewhere, to:

1. be well connected to and accessible from existing green infrastructure links such as footpaths, bridleways and cycle routes and seek to connect settlements through the creation of new links and green corridors or through the enhancement of existing ones;
2. not compromise the routes of existing green infrastructure links. Where route diversions are required the Council, in consultation with the Cumbria Highway Authority, shall ensure that they are appropriate and of similar or better quality than the original;
3. protect and enhance key ecological habitats and wildlife corridors, including watercourses, wetlands, wildflower meadows, woodlands and parklands;
4. improve the urban environment through appropriate and sensitive landscaping on site;
5. include provision for biodiversity through species-appropriate landscaping, suitable levels of lighting, the installation of artificial shelters (such as bird boxes) or other forms of habitat creation, enhancement, restoration and maintenance; and
6. ensure that any Sustainable Drainage Systems (SUDS) are designed to compliment and integrate with existing green and blue infrastructure on a site and within the wider area.

The lines of disused railways which have potential for future recreation/green transport use will be protected.

Key projects which would significantly contribute to the green and blue infrastructure network across the District and beyond will be supported.

The Council will continue to work with neighbouring authorities and other partners to ensure green infrastructure assets that cross authority borders are protected and enhanced through a comprehensive and connected policy approach.

Where a green infrastructure asset is damaged through development, the developer will be expected to replace or mitigate for this damage. Any replacement or mitigation measure will be expected to be of similar or better quality to that lost and be deployed as closely as possible to the affected green infrastructure asset.

Local Green Space:

Local communities wishing to designate highly valued areas as Local Green Space will be supported. Local Green Spaces designations will need to demonstrate local significance in terms of their beauty, historic significance, recreational use, tranquility or richness of wildlife. They will also need to be closely located to the community they serve and not cover excessively extensive tracts of land. Once designated, Local Green Spaces will be protected from development unless exceptional, overriding need or public interest can be demonstrated.

Justification

3.57 The NPPF expects planning authorities to plan positively for the creation, protection, enhancement and management of green infrastructure and ecological networks, such as habitats, green spaces and connecting corridors and sustainable transport links.

3.58 Green Infrastructure should be planned into new development, particularly development which may be vulnerable to the impacts of climate change, in order to assist with adaptation and mitigation measures. **The Delivering Infrastructure and the Planning Obligations policies in this Local Plan should be referred to when considering contributions for Green Infrastructure within new development.**

3.59 Access to good quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Local communities are encouraged to identify and protect green (and blue) areas of particular importance and value to them through the local plan process and the designation of land as Local Green Space – such designations would then be protected from harmful development other than in exceptional circumstances. A Local Green Space must be closely related to the community that wishes to protect it. Communities will be expected to demonstrate that the site is of local significance, due to either its; natural beauty and how it improves the character of a settlement or neighbourhood; historical significance; frequent recreational use; tranquil atmosphere; or its richness of wildlife, particularly if it provides key habitat for endangered species. Proposals for the designation of a Local Green Space solely as a means to prevent development will not be accepted.

3.60 The Green Infrastructure (GI) Strategy looks at the green infrastructure assets within the district council's boundary and proposes a number of ways they may be capitalised upon for the benefit of the environmental, social and economic sectors. New development should make the most of the district's rich natural environment and its excellent access to both the countryside and urban green spaces alike. New development, be it residential, commercial or industrial, should have elements of green infrastructure integrated into the design. Provision should be made on site for green infrastructure through landscaping and open space provision and connectivity to existing green spaces and the wider green infrastructure network should be ensured. **Any updated and/or successor version of the Green Infrastructure Strategy should be referred as and when they supersede the current version.**

3.61 Where development is needed on the edge of the city care should be taken at the planning stages to ensure that aspects of green infrastructure are well integrated into the design and that the development reflects, enhances and capitalises on the open and semi-rural nature of such locations.

3.62 The strategy highlights a particular lack of accessible green space within the city centre, emphasising the value this places on those green spaces that are present and the importance of ensuring that they are protected and enhanced wherever possible. Beyond the city centre, those communities with the greatest deficit of high quality green space or with the greatest need for such areas should be a priority in terms of establishing local connections to the Green Infrastructure network and in terms of creating new open spaces and enhancing existing ones.

3.63 In terms of blue infrastructure within the urban area, there are 3 rivers that run through the City. These waterways tend to be hidden from view however. Methods of opening up views of the rivers and incorporating them, where possible (such as through the

development of river features like Holme Head Weir) into future development should be explored.

3.64 Productive landscapes also fall under the definition of green infrastructure. These landscapes can help power the rural economy through forestry, agriculture and tourism will be protected from inappropriate development.

3.65 The strategy highlights the importance of biodiversity in ensuring a high quality natural environment within Carlisle, and in some instances the urban landscape can be just as species rich as parts of the open countryside, if not more so. Through planning, the protection of biodiversity should be a key consideration with measures to enhance and create habitat included within development where possible and appropriate. Green connections and corridors, particularly along the river banks, between wildlife sites should be enhanced and established where the opportunity arises.

3.66 Across the district large extents of the routes of former railway lines are still present. Some have been used as cycle paths whilst others simply left to grow wild. Whilst it is unknown whether these neglected routes will be brought back into use either as foot/cycle paths or even as reinstated railway lines, these former railways, such as the former Carlisle Goods Avoiding Line, should continue to be protected from development that would compromise their route. This will ensure they can be brought back into use if and when they are required.

Alternative Option

Do not include a Green Infrastructure policy within the Local Plan

3.67 This option is not considered reasonable as it would not be in accordance with national policy. Not having a policy would fail to recognise the importance of Green Infrastructure within the Carlisle plan area and could lead to the unacceptable and avoidable loss of natural assets. It is also contrary to comments received during issues and options consultation which request the Council to proactively consider green infrastructure within strategic planning policy.

Which Local Plan policy is Superseded:

3.68 For the most part this is a new policy. Policies LC9 – disused railway lines and LE4 – River Corridors have been incorporated into the green infrastructure policy.

Regeneration and Strategic Retail in the City Centre and Botchergate

Consultation Update - First stage preferred options July – September

This round of consultation included the responses that were received as part of the consultants work on the Carlisle City Centre Masterplan. There was support for the City Centre to be the focus of retail and other town centre uses, but retaining the historic character of the centre and retaining it as a public space. The consultants work on the Masterplan is still ongoing, but will form an important piece of evidence, but there was a frustration that there was not more detail in the policy.

A number of other key points are listed below:

- Improvements to Nicholas Gate Retail Park will offer sites to potential new retailers which require larger floor plates and improve the retail offer of the City Centre;
- Absence of a detailed policy for the City Centre is a serious omission;
- Other functions of the City Centre are missed and need to be reflected i.e. other services (offices), residential, parking, public transport, public space, tourism, heritage, small businesses;
- Infrastructure Delivery Plan will need to show how it will deal with transport links to the City Centre;
- Essential that town centre regeneration sites are viable;
- Internet shopping needs to be reflected in the future plans of the City Centre;
- Positive towards a mix of uses in Botchergate and consideration of a 'saturation policy' – not just bars, fast food outlets and shops.

Policy S6 – Regeneration and Strategic Retail in the City Centre and Botchergate

Carlisle City Centre will be the principal focus for high quality comparison retail, supported by a range of leisure, tourism, heritage and other main town centre uses. ~~In particular there will be opportunities for future development between the railway station and the pedestrianised area of the City Centre.~~

Proposals for development should be able to demonstrate:

- enhancements to the public realm;
- preservation and enhancement of the character, appearance and wider setting of the City Centre, and Portland Square/Chatsworth Square Conservation Areas;
- potential for use of upper floors as residential.
- delivery of the City Centre Masterplan

The Carlisle City Centre Masterplan has identified development opportunities for the future expansion of the Primary Shopping Area to meet retail need/demand post 2018, in line with the recommendations of the Carlisle Retail study (2012), these potential development options are outlined as follows:

Area North of Lowther Street including Rickergate – this area comprises 3 potential development sites :

a) land to the south of the Civic Centre including the low rise buildings connected to the Civic Centre

b) Lowther Street Car park

c) Refurbishment opportunities at the Market Hall

Citadel – this area focuses on the land and buildings to be vacated by Cumbria County Council as a result of their planned move to William Street car park which presents a significant opportunity for the development of retail, office and leisure uses. The station is also included within this area as it is recognised that there is scope for improvements to the public realm to the area around the station to improve car parking and/or enhanced transport interchange opportunities with improved connectivity to the rest of the City Centre.

Within Botchergate, proposals which focus on the consolidation and improvement of the leisure and retail uses, or can demonstrate diversification into other uses such as office, residential, cultural and other services will be acceptable, subject to meeting the above criteria.

In addition to the above sites a strategic regeneration opportunity at Caldew Riverside has been identified for a comprehensive mixed-use development including retail (in line with the existing planning consent for a supermarket). Any additional retail and leisure development above and beyond that already permitted, as part of a mixed-use regeneration scheme, would need to demonstrate compliance with the sequential and impact tests.

Justification

3.69 This policy has the aim of proactively planning for the enhancement of Carlisle as a vital and vibrant city centre destination for both retail and leisure.

3.70 Carlisle is a sub-regional centre serving a large hinterland with little competition from other sub-regional or regional centres. It is located in relative geographical isolation, and has relatively high levels of expenditure retention.

3.71 The Carlisle Retail Study 2012 shows that there is no immediate need to allocate a site for new comparison provision in the City Centre in the early phase of the Local Plan, up to 2018. However, whilst there is relatively limited short term quantitative need, there is substantial quantitative need in both the City Centre, and on a City wide basis, in the latter phases of the Local Plan. This growth in need is mainly due to projected population and expenditure growth.

3.72 It is recognised that a 'do nothing' scenario would lead to a relative decline in the overall competitiveness of the City Centre. In response to this a City Centre Masterplan is being prepared which will have been prepared which looks at current constraints such as lack

of available modern floorspace, retailers in constrained units, and unsatisfied retail requirements etc. The Masterplan identifies sites and refurbishment opportunities to accommodate where new substantial retail/leisure development in the City Centre, where the can could be accommodated. whether any uses can be relocated, and if necessary, where else retail uses can be accommodated. Additionally pedestrian connectivity with these sites and the existing primary shopping area, traffic implications of such development, a review of car parking provision as well as bus and train station facilities are also considered. The Masterplan will also look at current constraints such as lack of available modern floorspace, retailers in constrained units, and unsatisfied retail requirements etc.

3.48 The Masterplan may identify suitable sites to accommodate new substantial retail development within the City Centre.

University Development

Consultation Update - First stage preferred options July – September

During the consultation there was recognition that having a stand only policy for the University was a positive step, but it needed to emphasise further the importance of the relationship between University and City. There was recognition that any further expansion should relate well to the urban area.

A number of other key messages received during consultation included:

- Reflections on how important the City and the facilities it offers help create a positive the 'student experience' in Carlisle;
- Greater emphasis on the power of the University to attract people to the city and provide a skilled workforce to support inward investment opportunities;
- Encourage young people locally to progress through the educational system to achieve higher levels of achievement ;
- Greater emphasis on the University as a key collaborative enabler in achieving sustainable growth ambitions, particularly in reference to the development of a younger demographic within the City
- Welcome a specific policy for 'University Development' to enable the University to develop and grow.

Policy S7- University Development

To ensure the continuing development of higher education in Carlisle, proposals for the expansion of University higher education will be acceptable providing that;

1. it is of a scale that reflects the surrounding area; or
2. it results in the refurbishment of a vacant building; and
3. does not detract from the amenity and quality of the surrounding environment; and
4. satisfactory access can be achieved

Justification

3.73 The University of Cumbria has now become well established in Carlisle having brought together previous further education higher education offers in Carlisle. They continue to operate from the original premises around the City rather than a single campus. In order to develop a future strategy for higher education the University of Cumbria have been reviewing their existing operations and the use of premises as part of a new Masterplan for their presence in Carlisle. The Council are continuing to work with the University to discuss how their future aspirations can be considered, where appropriate, in the Local Plan. This policy protects the existing sites for their continued use but also makes provision for expansion as a key facilitator of raising skills and educational attainment in Carlisle.

3.74 The University needs the flexibility to adapt its development so that it can respond to ever-changing education initiatives and challenges. It is recognised that any further expansion should relate well to the urban area.

3.75 To ensure the continued success of all higher education institutions the following range of higher education and related uses will be supported;

- academic, teaching, research and continuing professional development facilities;
- residential accommodation for staff and students;
- arts, cultural, sports and social facilities ancillary to higher education uses;
- conferences;
- knowledge based activities which need to be located on the campuses due to sharing of research work, personnel or other university related functions; and
- any other uses which are considered to be ancillary to the university including support services for the uses identified above including any further expansion of their teaching and research operations, other facilities and student accommodation at their existing sites and campuses as shown on the Policies Map, namely:
 - Carlisle University - Fusehill Street, Brampton Road, Newcastle Street and Milbourne Street
 - Carlisle College - Victoria Place

Alternative Options

No university development policy

3.76 This option would mean a lack of support for the future plans for the University of Cumbria and a lack of recognition of the important role they play as part of the local economy. It is important that the university is allowed to grow however in recent years with the introduction of fees it is more difficult to confirm exact plans as this has had an impact on student numbers nationally. Nevertheless a lack of policy could stifle the future role the University will perform in the City.

Which Local Plan policy is Superseded:

3.77 This policy supersedes Policy DP8 in the Carlisle District Local Plan 2001-2016.

4 Economy

Objective

To create opportunities for economic growth by increasing the working age population, the skills available, the diversity of the economy and the physical infrastructure to deliver it.

4.1 For some time the City Council has been committed to delivering **sustainable** economic growth for its residents, businesses and visitors. This has been reinforced in the Council's corporate "Carlisle Plan" setting out key priorities for the City Council. This Local Plan will be one of the mechanisms to help deliver economic growth by ensuring that the planning regime is supportive of existing businesses and provides the environment for businesses to invest and expand.

4.2 The Carlisle Employments Sites Study along with work on the Local Economic Assessment and Economic Potential Study identify the strengths of the local economy along with indicators of where improvements are required to sustain economic growth. One of the key issues has been the quality and choice of employment locations for companies to invest. This plan will address the longer term needs and ensure that appropriate sites are brought forward to strengthen the local economy as well as providing for investment and redevelopment for existing businesses **alongside social and environmental improvements**.

Employment and Commercial Growth Land Allocations

Consultation Update - First stage preferred options July – September

Comments were supportive of the policy but there were still concerns regarding limited opportunities being available given the dominance of key parties in the property market. Some of the wording needs to be amended and although it was recognised that the Harker site is a good location being next to the electricity sub station for a data centre. However, there are question marks over whether the whole site allocated is for a data centre or would other industrial developments be on the site and could the transport system accommodate this growth. There was also a request to clarify that the data centre would not be a call centre.

A number of other key points are listed below:

- Lack of legend visible on the map for the employment areas.
- Disagreement to any plans to build any more houses or industrial development on the back of Alexandra Drive and to the west of Barley Edge – traffic issues.

Provision of non-B Class Uses, such as retail, within employment locations could promote the creation of sustainable communities, by serving the retail and top-up needs of local communities

Policy 1 – Employment and Commercial Growth Land Allocations

Undeveloped land at Kingmoor Park (including Brunthill), (30 ha) and land to the south west of Morton (8 ha) is allocated for the development of B1 (Business), B2 (General Industrial) and B8 (Storage and Distribution).

Undeveloped land at Kingmoor Park (including Brunthill), (30 ha)-is allocated for the development of B1 (Business), B2 (General Industrial) and B8 (Storage and Distribution). Land to the South West of Morton (8ha) is allocated for the development of a business park (B1 use), to ensure compatibility with the proposed surrounding land uses. Sui generis uses may be appropriate in Primary Employment Areas dependant upon the nature of the use but only where their would be no negative use on other exiting businesses.

Develop a high value employment area, as part of the Carlisle South Masterplan, to attract high value jobs in a location which utilises the M6 corridor.

Land is allocated at the Harker Industrial Estate for employment development that would require a major electricity supply due to its proximity to Harker substation.

Land is allocated around Gearshill Farm to the North of junction 44 for employment development that would require a major electricity supply due to its proximity to Harker substation.

In the rural area, within the boundary of Carlisle Airport, development that is related to airport activities will be acceptable. In addition, enabling employment development that would facilitate the further operational development of the airport will be acceptable. In the case of the latter, applicants will have to provide evidence of how their proposals will facilitate

retention and/or expansion of aviation related activities.

The Council will support the exploration of opportunities to utilise the site to maximise its economic potential of the MOD Longtown munitions base.

Justification

~~4.3 The current adopted Local Plan identifies three employment allocations to meet the differing needs and demands of a range of employment sectors. One of these sites, land south of Park Road at Durrhill, was allocated in response to the need for a premier pedigree livestock centre. However, this is no longer an identified need, and therefore the site has been deleted.~~

4.3 The Carlisle Employment Land Study identified that whilst there was sufficient land for employment in Carlisle there were qualitative issues with the sites which were available for employment uses. ~~In addition there were also issues with limited opportunities given the dominance of key parties in the property market for employment sites.~~

4.4 The study recognised that in order to address these concerns there was potential to improve the employment sites offer in Carlisle but this needed to react to special circumstances rather than continue with generic B class uses.

4.5 The study saw little potential to expand outside the M6 corridor although it did not consider the full context of future growth which this local plan seeks to achieve. The Local Plan has a commitment to ensuring opportunities for maximising the economic potential of the M6 corridor in line with the Strategic Investment Priorities of the Cumbria Local Economic Partnership (LEP). Land to the South of Carlisle will be identified for longer term employment use as part of the Carlisle South Masterplan to take advantage of the good links with the M6 and provide additional employment opportunities alongside significant housing development and infrastructure improvements. Locating additional employment land to the South of the City will also help to rebalance the level and quality of provision to the North.

4.6 The Carlisle Economic Partnership Economic Review of Carlisle (January 2013) identifies infrastructure as one of its key priorities within which enhancing and developing key employment sites at Carlisle motorway junctions is highlighted as a key action. The sites identified for allocation within the Plan take advantage of the M6 corridor in line with this priority.

4.7 It is recognised that specific economic needs may not be met by existing employment allocations, for example developments in storage of information and data requirements such as data centres. Such uses have specific locational requirements including close access to a power supply. In order to provide adequate land for such uses a new site is allocated to the north near to the power supply at Harker Sub Station. ~~However, any use would have to minimize any increase in traffic levels due to the capacity of the existing highway network and Junction 44 of the M6.~~ However, any use of this area would have to be accommodated within the capacity of the existing highway network, including Junction 44 of the M6, or provide sufficient improvements to ensure the highway network has sufficient capacity to accommodate the proposed use.

4.8 Within the rural area, the Council has a continuing requirement to support the development of the airport for aviation and associated business uses. It is considered that merging Policy S6 within this policy is considered more appropriate as they are related issues and provide a clear rationale to support sustainable economic development in the Local Plan. The NPPF states that when planning for airports, plans should take account of their growth and role in serving business, leisure, training and emergency service needs.

4.9 The location of the airport in open countryside between Carlisle and Brampton would make it unlikely that development that would generate significant traffic movement would be acceptable. Such developments should be located where the need to travel would be minimised and the use of sustainable transport nodes maximised.

4.10 Enabling development, i.e. development that would facilitate further development that is essential or conducive to the efficient operation of the airport, will be acceptable, provided that the scale of such development is appropriate to the operation of the airport and the surrounding environment.

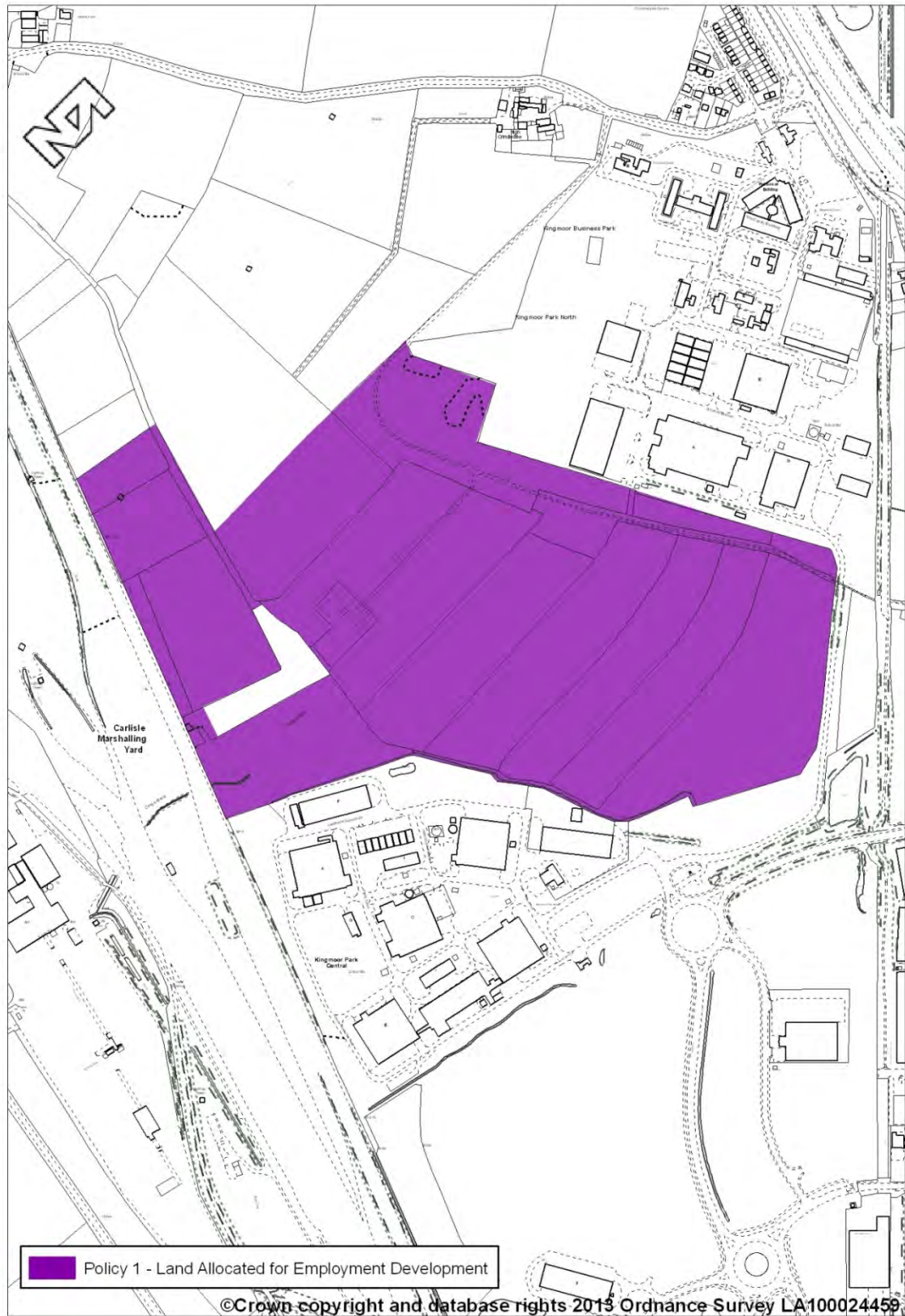
4.11 The potential of the Longtown munitions base is significant site due to its scale and the economic importance to the District. The recent announcement by the MoD to retain the site and explore commercial opportunities in areas such as logistics supply of: biomass fuel, food and retail, nuclear decommissioning/new build, and coal, is seen as very positive for the District. The site also has the potential as an effective dry port facility for onward distribution and redistribution creating linkages with the Port of Workington. The potential economic benefits of the Longtown site are highlighted in the Cumbria LEPs Strategic Economic Plan 2014-2024. Exploiting the potential of linkages with the Port of Workington is also identified as a priority key action within the Carlisle Economic Partnership Economic Review of Carlisle (January 2013).

Employment and Commercial Growth Land Allocations

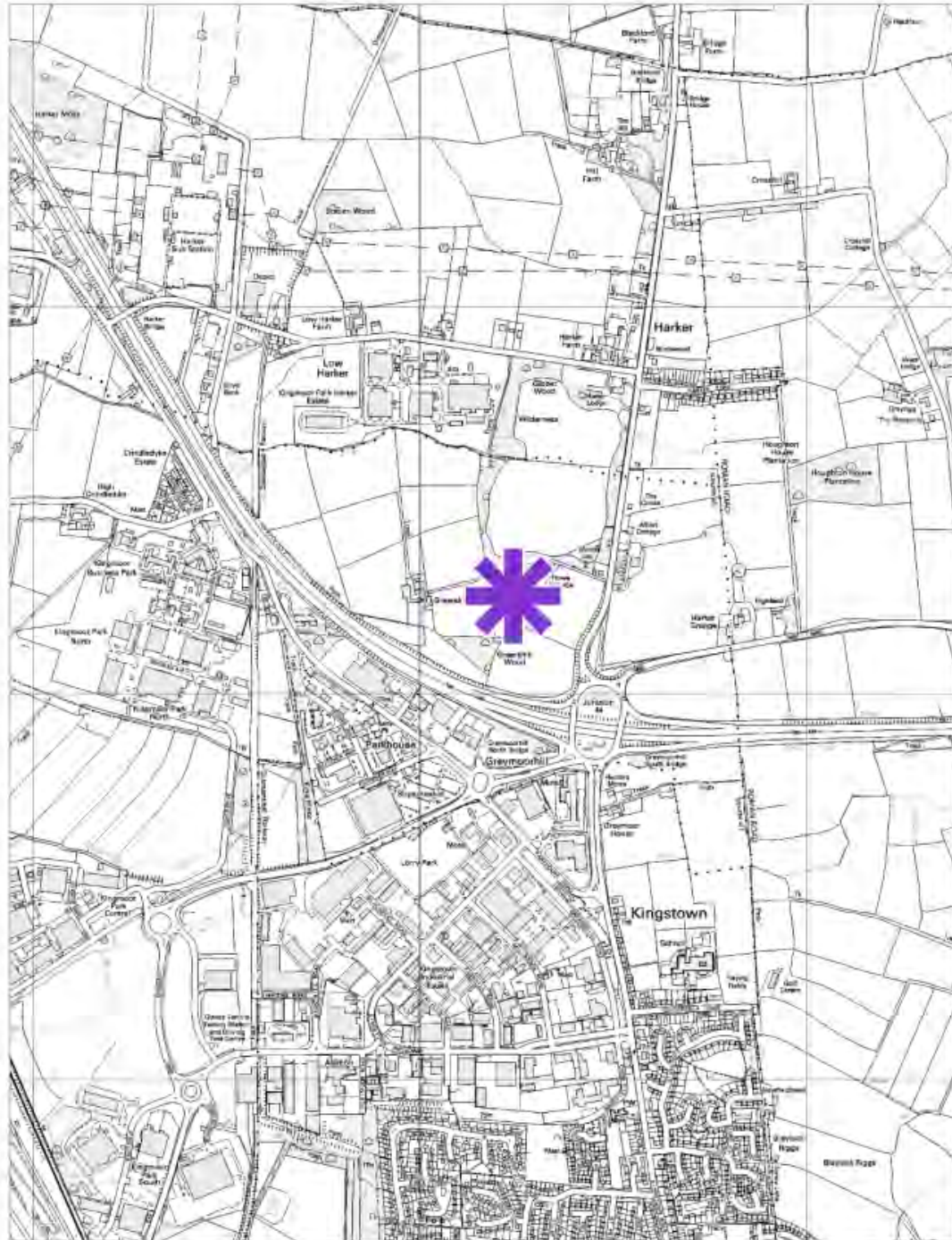
Map 2 Land at Morton –



Map 3 - Land at Brunthill



Map 4 - Land at Harker North of J44 of the M6



Primary Employment Areas

Consultation Update - First stage preferred options July – September

There is support for the aims of Policy 2 and the Council's acknowledgement that the change of use of buildings or land within employment areas can remove adverse effects on neighbouring residential properties or local amenity.

There were many representations that objected to their sites being classified as Primary Employment Areas and rather should be identified as an area of Mixed Commercial development. However, some were keen to see their sites maintained as a Primary Employment Area allocation.

A number of other key points are listed below:

- development of Class A1 uses within employment areas be altered from "small component" to "appropriate scale". This change would bring the policy more in line with guidance within the Framework.
- The economic value of sport to area should not be overlooked.
- Acknowledgement that commercial sports (not retail) are a Bona Fide use on Industrial and Business parks creating employment as well as inputting into the local economy.
- The documents which comprise of the package of papers upon which comments are sought do not include a Policy Map which is District Wide.
- The primary employment area includes a variety of heritage assets. No assessment has been made in the plan of these areas or heritage assets been identified to inform this policy.

Concern expressed in the Local Plan regarding piecemeal and random implications of a relaxation of policy impacting upon attractive employment areas could be addressed by drawing a policy distinction between such sites and those more unattractive areas where redevelopment should be positively encouraged.

Policy 2 - Primary Employment Areas

Within Primary Employment Areas proposals for B1, B2 and B8 Uses will be acceptable. Sui generis uses may be appropriate in Primary Employment Areas dependent upon the nature of use but only where there would be no negative impact on other existing business premises. Proposals must demonstrate that any additional traffic generated by proposals can be satisfactorily accommodated on the surrounding road network.

In addition to B1, B2 and B8 uses there may be scope to accommodate the following types of uses on sites:

-Industrial/commercial training facilities

-Specialised leisure uses which cannot be accommodated centrally because of their scale or operational requirements/impacts.

-Small scale ancillary facilities which support the functioning of the Primary employment

area.

Trade counters and retailing from employment premises will be restricted to that ancillary for the main operation of the B1/B2/B8 business. Planning conditions may be imposed to ensure that the use remains ancillary to the main operation. ~~Use Class A1 premises will not be allowed on primary employment areas unless it is a small component of a servicing area for that employment area e.g. Kingmoor Park Hub or have been well-established in the existing employment area. Other Class A premises will be restricted in scale and permitted development rights to change to A1 may be removed~~

Where there is no reasonable prospect of an entire employment site being used for employment use; interventions to improve the attractiveness of the site are not feasible and; its release would not impact on the wider strategy for employment land or the availability of local provision, applications for alternative uses of land or buildings should be treated on their merit having regard to market signals and the relative need for different land uses to support sustainable local communities.

Permission will be given for redevelopment or change of use where the site adversely affects neighbouring residential properties or local amenity and this adverse effect is removed. Permission will only be granted where the proposed alternative development would be appropriate in terms of scale and design to the surrounding area and the amenity of adjacent premises would not be prejudiced.

~~Sui generis uses may be appropriate in Primary Employment Areas dependent upon the nature of use but only where there would be no negative impact on other existing business premises.~~

In the Sandysike/Whitesyke areas proposals for the redevelopment and extension to existing industrial and warehousing premises will be acceptable provided that:

1. the proposal does not have an adverse impact on the landscape; and
2. the proposal does not involve the loss of existing tree cover; and
3. where appropriate, opportunities are taken to reinforce existing landscaping; and
4. adequate access and appropriate parking are provided.

Justification

4.12 Primary Employment Areas are the existing employment areas particularly in Carlisle, Brampton, Longtown and Dalston along with smaller sites in the rural area. They are typically the industrial and business estates already established and home to a variety of large scale strategic employers as well as local employment and small scale business start up units. The wide variety and nature of these areas means that it is difficult to treat them all with equal policy direction. However, they all have varying degrees of similar issues particularly when there is interest from non-traditional employment uses and alternative sites are limited.

4.13 The National Planning Policy Framework contains a clear direction to secure economic growth and support from the planning system. This policy is designed to ensure that business located in employment areas can expand and invest and if required reconfigure their sites to help provide further employment opportunities. It also recognises that other types of uses can co-exist to make the areas more sustainable.

4.14 The NPPF recognises that Local Plans should support existing business sectors taking into account where they are expanding or contracting. This policy will recognise employment first in primary employment areas but also recognises the NPPF reference in paragraph 22 that different land uses can support sustainable local communities.

4.15 The Carlisle Employment Sites Study of June 2010 acknowledged the great variety in the quality of employment sites with some performing more sustainable functions than others. The consultation on the Key issues did not reveal a desire to remove any particular employment area at the moment although some sites were less attractive and less sustainable. This policy will help to encourage investment in all employment areas with the key aim of retaining employment uses to provide the wide variety of sites required for existing business in Carlisle district, whilst also allowing for flexibility where there is no reasonable prospect of a site being used for employment use and interventions to improve the attractiveness of the site are not feasible.

Alternative Option

Relaxation of Primary Employment Areas

4.16 Whilst the NPPF does recognise that some employment allocations may need to change over time, this option would mean that piecemeal change could occur across the whole of the employment areas throughout the district. This random policy could have harmful effects on all employment areas and those which currently rate as attractive and sustainable could be undermined by higher value uses driving out employment. This would be harmful upon the economy and limit the opportunity for existing business to confidently invest in their area. This would be contrary to supporting economic growth and could affect the sustainability of existing employment sites.

Which Local Plan Policy is Superseded:

4.17 This policy supersedes Policy EC1 Primary Employment Areas in the Carlisle District Local Plan 2001-2016.

Mixed Commercial Use Areas

Consultation Update - First stage preferred options July – September

Similar to the comments received for Policy 3 there was a number of sites that respondents objected to including the identification of the land as a Primary Employment Area on the Policy Map and its exclusion as a Mixed Commercial Area. However, there were those who supported for the policy approach for Mixed Commercial Areas.

There was a recommendation that the sequential approach towards retail development within mixed use areas is brought in line with national guidance to ensure that the policy is sound and be positive towards sustainable development.

A respondent pointed to the NPPF requiring policies to contain a positive strategy for the conservation and enhancement of the historic environment. The primary employment area includes a variety of heritage assets, but no assessment has been made in the plan of these areas.

A selection of other key comments:

- A comment that the policy was inconsistent with Polciy S5 which supports proposals for ‘the consolidation and improvement of the leisure and retail uses’ within Botchergate, none of which are Class B uses.
- Recommend a review of the policy to emphasise that abroad range of economic uses could be supported in this area of the City and therefore not restricting economic growth to only the B use classes of development.
- The policy is not in accordance with the NPPF requirement for having too narrow a sequential test for Class A1 and A2 uses; omitting reference to viability and also limiting the possibility those sites might be acceptable to edge of centre locations only.
- The policy should include criteria that establish the scales of commercial/town centre development for which an impact assessment would be required where the proposed development is not on allocated sites / town centre locations.
- Reference should be made to appropriate parking provided and traffic generated by proposals can be satisfactorily accommodated on the surrounding road network point.
- Policy 3 would be more clear and effective if it were to be re-titled Policy 3 – Business Areas.

Policy 3 - Mixed Commercial Use Areas

Within Mixed Commercial Areas, proposals for a range of uses B1 (Business), B2 (General Industrial) and B8 (Warehousing) uses will generally be acceptable. A1 (Retail) and A2 (Financial and Professional) will only be acceptable if a sequentially preferable location within a Primary Retail Area Primary Shopping Area is either not available or suitable for the proposed use, and that the proposed site can be defined as an edge-of-centre location. Additionally retail developments over 200m² and A2 development over 2,500m² applicants will be required to undertake an impact assessment.

Proposals for residential development may be acceptable, subject to a satisfactory relationship with existing uses, and provided that there would be no loss of operational employment land.

In all cases the following criteria must be met:

1. the relationship of the site to the highway network is satisfactory and any additional traffic generated by proposals can be satisfactorily accommodated on the surrounding road network; and
2. access to the site is satisfactory; and
3. appropriate parking provision can be is provided; and
4. the scale of development is appropriate in relation to the site and the amenity of adjacent uses is not prejudiced.

~~Proposals for residential development may be acceptable, subject to a satisfactory relationship with existing uses, and provided that there would be no unacceptable loss of employment land.~~

Justification

4.18 The NPPF contains a clear direction to secure economic growth and support from the planning system. It is not specific about any single type of employment. Neither does it restrict its definition of supporting economic growth to only the B class uses of development. It is therefore anticipated that other uses will seek to create employment opportunities during the plan period. As a consequence they must have somewhere to locate and have access to a wide range of services. The Mixed Commercial Use areas provide a wide range of uses without being too prescriptive over the type of business which should be carried out in those locations.

4.19 Rather than having fixed employment uses in these areas it allows the areas to change. This change includes the potential to revert to residential use as long as this doesn't impact on the businesses remaining in the area through impact on amenity or business operation such as conflicts arising from noise or transport. A change to residential use in some areas may help improve those communities and provide the necessary footfall required to maintain some of the existing businesses.

Alternative Option

No mixed commercial areas

4.20 This option would mean a lack of policy direction for a large area of mixed uses without safeguarding existing businesses. Whilst the NPPF recognises that long term protection should not prevent businesses from being able to move or redevelop in an area neither is it intended to have negative impacts on existing businesses as a consequence. Without this policy piecemeal redevelopment of areas could be detrimental to those businesses remaining in an area and this policy allows a mix to develop in the context of surrounding uses.

Which Local Plan Policy is Superseded:

4.21 This policy supersedes Policy EC2 – Mixed Commercial Areas in the Carlisle District Local Plan 2001-2016.

Primary Retail Shopping Areas

Consultation Update - First stage preferred options July – September

Respondents were keen to see the outcomes of the City Centre Masterplan to be able to provide meaningful comments to the Policy.

A selection of other key comments:

- The Local plan needs to recognise a more business like approach to the city centre.
- The local plan should be used to set an objective to repopulate the city centre as a bustling community hub encouraging the varied uses that are needed to develop this hub.
- Policy should encourage successful independent retailers into the city centre.
- Change of use policies should encourage wider uses that are needed to make the city centre more commercially successful.
- The Local Plan should encourage the development of a city centre business plan covering all aspects of city centre life, not just planning.
- Parking provision should be considered
- Commercial concerns do not outweigh the importance of other functions for primary retail areas and have significance for a local community beyond their retail value as a meeting place and adjunct to other services.
- The Primary Shopping Area should include those secondary frontages which are contiguous and closely related to it, including retail uses along Botchergate.
- In Carlisle, primary and secondary retailing extends from the heart of the City Centre along the full length of Botchergate, including at St Nicholas Gate Retail Park.
- The primary shopping area covers an area from West Tower Street to beyond Lancaster Street.
- Shaddongate / Caldewgate could be included in this designation with the prospects of better spin off to the City Centre Core than areas such as St Nicholas.

Policy 4 - Primary Retail Shopping Areas

Proposals for the redevelopment, refurbishment or adaptation of existing shop premises within the Primary Retail Shopping Area will be permitted provided that:

1. proposals are complementary to, enhance, or do not adversely affect the townscape of the area; and
2. traffic generated by proposals can be satisfactorily accommodated on the surrounding road network; and
3. satisfactory access for service vehicles can be provided, should the scale of the proposal require such provision.

Any change of use which is permitted should make provision for views into the building or for a window display in keeping with the character of the frontage;

Within the Primary Retail Shopping Area planning permission will not be granted for the change of use of ground floor shops to non-retail uses where this would lead to an

unacceptable concentration of such uses undermining the vitality and viability of streets as shopping streets.

The **Primary retail Shopping Area** is to be used as the main town centre reference for any sequential test to be undertaken.

Justification

4.22 The NPPF specifically mentions that emphasis should be retaining the vitality of town centres. The Government has supported this through additional research and review from Mary Portas on how town centres can meet the challenges of modern shopping demands.

4.23 The Carlisle Retail Study 2012 also recognised that the City Centre must remain the key focus for retail development and that its sub-regional role as a shopping destination should be strengthened. Although survey work indicated that it has a strong attraction and high retentive rate of spend in the local area a modest enhancement will help secure its long term attractiveness. To this end the city centre retail area must be protected and ensure that it can adapt to changing trends.

4.24 The main policy objective within the primary **retail shopping** area is to maintain its vitality and viability with high levels of representation of retailing at ground floor level. Changes of use which could result in concentrations of non-retail uses and the creation of lengths of "dead" frontage are contrary to this objective. The City Council will therefore resist proposals for changes of use, or the conversion of retail premises to other uses which would result in a loss of retail provision and have an impact of the vitality and viability as a retail area reducing customer choice and the diversity of retail offer. Restaurants and cafes may be permitted because of their contribution to vitality of the **primary retail area primary shopping area**.

4.25 The Carlisle City Centre Masterplan alongside the Carlisle Retail Study has helped to establish the extent of the Primary Shopping Area recognising those areas where retail development is concentrated (including secondary frontages which are adjoin and closely related to the primary shopping frontages) as well as the potential development opportunity sites identified in policy S6.

Alternative Option

No defined primary **retail shopping area and policy**

4.26 This option would mean that it would be difficult to resist changes to the city centre that detracted from Carlisle's well established strong position as a retailing sub-regional centre with a wide catchment area for north Cumbria and Southern Scotland. Whilst it is recognised that retailing is changing and there will be changes to the city centre make up of business premises, it is important to retain the vitality and viability of the city centre. As a consequence any proposals to change away from the retailing dominance should demonstrate that they would not adversely impact on city centre vitality and viability.

Which Local Plan Policy is Superseded:

4.27 This policy supersedes Policy EC4 – Primary Retail Area in the Carlisle District Local Plan 2001-2016.

Primary Shopping Frontages

Consultation Update - First stage preferred options July – September

There was support for this policy but with support to allow greater flexibility in allowing non A1 uses in areas designated for primary shopping frontage. City Centre Masterplan will provide the evidence of updating the primary shopping frontages in the City Centre and there was disappointment that this was not yet available.

Policy 5 - Primary Shopping Frontages

Within the ~~Primary Retail Area~~ Primary Shopping Area, Primary Shopping Frontages are defined on the Policy Map. At street level proposals should aim to continue A1 retail use as much as possible in order to retain the vitality and viability of the ~~Primary Retail Area~~ Primary Shopping Area. Other uses, including Business Use (B1), Financial and Professional Services (A2), Restaurants and Cafes (A3) and Drinking Establishments (A4) or other leisure uses suitable for the city centre can be considered within Primary Shopping Frontages where it can be demonstrated that A1 retail is not a viable continued use and where they would not adversely impact upon the viability of the city centre as the ~~Primary Retail Area~~ Primary Shopping Area. Any changes of use within the Primary Shopping Frontage area should aim to either retain, enhance or replace to improve as much of the shop front design and layout as possible.

Justification

4.28 This policy is inline with the NPPF and allows for the positive, promotion of a competitive town centre environment and outlining a strategy for the management and growth of the city centre over the next 15 years. The extent of the city centres and ~~primary retail areas~~ primary shopping areas is defined on the policies map.

4.29 The continued vitality and viability of the city centre is paramount. Maintaining areas of clearly defined primary shopping frontages will plays a part role in this, but there also needs to be recognition of recent changes in the retail sector with the growth of online retailing and the impact of past out-of-town retail parks and the affect this has had on the high street as a retail destination. In order to ensure the continued vitality and viability of the city centre it is becoming apparent that a more flexible approach is required as centres increase their role as destinations for leisure related uses, i.e. eating, drinking and socialising.

4.30 A1 retail uses currently dominate the ground floor of the ~~Primary Retail Area~~ Primary Shopping Area and Carlisle is still the premier retailing destination for Cumbria and indeed parts of south west Scotland. However, there are a number of vacant units within the city centre, including within the designated primary frontage area. Vacancies within the primary retail frontage are on a downwards trend but it must still be taken into consideration that these vacant units can represent a vulnerability to the ~~Primary Retail Area~~ Primary Shopping Area if left vacant for a significant amount of time, especially within primary shopping frontages. The primary shopping frontage policy must therefore allow for possible alternative uses of a unit where continued A1 use is no longer viable and unlikely to be viable in the

long term, provided that the alternate use, be it for a bar, cafe, restaurant, or any other leisure/commercial use, is appropriate to the city centre and would not jeopardise Carlisle's position as the primary retail destination for the County and beyond.

Alternative Options

1) No primary shopping frontages policy within the Core Strategy

4.31 This is not a realistic alternative option. Having no policy on this in the Local Plan would remove the Planning Authority's ability to protect primary shopping frontages in the ~~Primary Retail Area~~ Primary Shopping Area and could cause severe harm to the vitality and vibrancy of the city centre.

2) Increase restrictions on converting primary shopping uses to restrict A3 and A4 uses (bars and restaurants) within the city centre

4.32 This option would fail to take into account the changing nature of the city centre as a retail destination and could impact upon its viability and vitality if vacant units are unable to change to alternative, yet city centre appropriate, uses. As such, it is not considered a suitable option.

Which Local Plan Policy is Superseded:

4.33 This policy supersedes Policy EC6 – Primary Shopping Frontages in the Carlisle District Local Plan 2001-2016

Retail Proposals outside the Primary Retail Area Primary Shopping Area

Consultation Update - First stage preferred options July – September

At the previous consultation there was some concern that the policy was too restrictive and not reflecting the national guidance.. Comments included:

- Proposed threshold of 200sqm for impact assessment is not supported by sufficient evidence to justify such a threshold.
- Criteria against which retail proposals on edge or out-of-centre sites will be determined should be amended to reflect national policy.
- Consideration should be given for out of centre sites that contribute towards the delivery of other Plan objectives.
- The need test was replaced in the NPPF by the impact test.
- Greater reference to the historic assets for development sites for retail development.

Policy 6 - Retail Proposals outside the Primary Retail Shopping Area

Proposals for retail use will not be permitted outside the city centre except on sites allocated in this Plan. Outside of those allocations, if a qualitative and quantitative need can be demonstrated and it can be shown that no more sequentially preferable site exists, and it can be demonstrated through an impact assessment that the scheme would not have an impact on the vitality and viability of the City Centre or existing, committed and planned investment in a centre or centres in the catchment area of the proposal development may be permitted only where all of the following criteria are met:

1. there is an essential requirement to transfer bulky customer loads from store to car;
2. the site is widely accessible by public transport;
3. the proposal is of a scale which will not seriously affect the viability, vitality or regeneration of the City Centre;
4. additional traffic can be satisfactorily accommodated within the surrounding road network;
5. there will be no harm to the visual character of the area or the amenities of adjoining land uses; and
6. there will be no unacceptable effect on overall travel patterns.

Proposals for the extension of floorspace (including the use of a mezzanine floor) at existing

larger stores or retail warehouses will also be considered in relation to the above criteria.

This policy will apply to any retail proposals over 200m².

Justification

4.34 The NPPF mentions large stores in paragraph 26 when it considers that proposals for retail, leisure and office development should undertake a sequential test. The aim of section 2 of the NPPF is to ensure that the vitality of town centres remains. For Carlisle this means that the city centre should remain the main focus of retail development.

4.35 The Carlisle Retail Study 2012 found that there was limited spare capacity in the initial years of the plan period and therefore any development should aim to reinforce the city centre as the prime retail location. In order to achieve this with the limited capacity available, the threshold to introduce the sequential test should be considerably reduced, so that smaller units should consider the city centre first. The threshold should be set at 200m².

4.36 In order to ensure that the city centre remains the focus it is therefore important that sufficient sites are set aside in the plan through allocations to allow for the growth envisaged by the retail study. With these locations identified it is therefore possible to provide the stronger policy to resist development in inappropriate locations.

Alternative Option

Allow out of centre growth for comparison retail

4.37 The retail study identified capacity for comparison goods post 2021. It would be possible to allow out of centre expansion of retail parks and their redevelopment to provide a stronger competitive edge to the likes of Gretna retail park. Whilst this is feasible it would lead to the deterioration of the city centre. Carlisle has only limited retail park development and has focused over many years on protecting and enhancing the city centre offer. This has to provide a strong and resilient city centre which although struggling in the current economic climate has remained a desirable retail destination. It would be inappropriate to allow that to deteriorate by allowing piecemeal retail development expanding the remit of existing retail bulky goods stores or further out of town development.

Which Local Plan Policy is Superseded:

4.38 This policy supersedes Policy EC5 Large Stores and Retail Warehouses in the Carlisle District Local Plan 2001-2016.

Neighbourhood Shopping Parades

Consultation Update - First stage preferred options July – September

The previous consultation was supported with Neighbourhood shopping parades recognised as having an important role in supporting communities. There was specific support received for the designation of Stanwix Neighbourhood shopping parade. There was reference to try and encourage a balance of the types of retail outlet permitted in a particular parade to try and encourage an increased variety of units coming forward across Carlisle.

Policy 7 - Neighbourhood Shopping Parades

Proposals for small scale retail development within defined neighbourhood shopping parades will be acceptable providing that:

1. it is well related to existing shopping provision; and
2. it does not adversely affect the amenity of any adjacent residential areas; and
3. appropriate access, parking and security arrangements can be achieved; and
4. the design of any new development is attractive and in keeping with the character of the locality; and
5. it would not affect the viability or vitality of the city centre

Proposals for small scale commercial uses other than local convenience and comparison retailing and local services will be acceptable where it can be demonstrated that they are needed to support an existing retail use.

Proposals for new shopping parades within neighbourhoods will be supported where they are sustainably located and an identified need for them can be demonstrated.

Justification

4.39 The NPPF is keen to promote the idea of healthy communities, which involves ensuring neighbourhoods provide the local services and facilities that the community needs to meet its day to day requirements.

4.40 The NPPF states that to service the community needs, planning policies and decisions should:

- plan positively for the provision and use of shared space, community facilities (such as local shops) and other local services to enhance the sustainability of communities and residential environments;
- guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day to day needs;
- ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community; and

- ensure an integrated approach to considering the location of housing, economic uses and neighbourhood shops.

4.41 The Carlisle Retail Study was produced in autumn 2012. Whilst its main focus was on the retail sector within the city centre, it also considered the role of small neighbourhood shopping parades within the urban area which serve the immediate day to day shopping needs of the community at a neighbourhood level.

4.42 Neighbourhood shopping centres are identified as performing a shopping top-up function for local residents. The Council should seek to maintain the convenience offer within these local centres as appropriate. The exact boundaries of local centres have been identified on the policies map.

4.43 The following neighbourhood shopping parades have been identified within the city:

- Petteril Bank Road, Upperby Bridge;
- Central Drive/Pennine Way, Harraby;
- Blackwell Road, Currock;
- Boundary Road/Upperby Road, Upperby;
- Wigton Road, Caldewgate;
- Stonegarth, Morton;
- Newlaithes Avenue, Morton;
- Holmrook Road, Whernside;
- Shady Grove Road, Raffles;
- Warwick Road;
- Scotland Road, Knowefield;
- Victoria Road, Botcherby;
- Denton Street;
- Orton Road/Wigton Road, Morton.

4.44 In 2012, Department for Communities and Local Government published a report into the role of neighbourhood centres – *Parades of Shops: Towards an understanding of performance & prospects*. This report attempted to analyse the performance of neighbourhood shopping parades across the country, drawing from a number of case studies. The recommendations in that report have informed this policy. Planning for neighbourhood shopping parades is flexible, recognising the integral role they play in within local communities – not just for their retail or service offer, but also for their social function, as well as allowing businesses to adapt to changing circumstances and grow into areas other than retail, such as small scale manufacturing and other more commercial land uses (maintenance/repair shops, workshops, dress makers, etc). Neighbourhood shopping parades also play an important role in place shaping, as the appearance of a parade has an important impact on the perception of the local neighbourhood itself. Run down and poorly maintained parades can lead to perceptions of anti-social behaviour, crime and deprivation. There is evidence that investment in the public realm, Closed Circuit TV, parking provision and other amenity improvements in and around neighbourhood centres can improve the economic performance and social perceptions of the area.

Alternative Options

No neighbourhood shopping parades policy within the Local Plan

4.45 This option would rely on national policy, which does not provide local context in terms of identifying and subsequently protecting and enabling the enhancement of neighbourhood shopping parades within the city.

Which Local Plan Policy is Superseded:

4.46 This policy supersedes Policy EC7 – Neighbourhood Facilities in the Carlisle District Local Plan 2001-2016.

Morton District Centre

Consultation Update - First stage preferred options July – September

There was support for the development of a food store at Morton District Centre, but that the policy was too restrictive for potentially curtailing any competition in the market regardless of whether it was in a centre or outside of a centre.

Policy 8 – Morton District Centre

Land is allocated at Morton for a District Centre to accommodate a foodstore with a capacity of 8 175sq m gross.

Any other foodstore applications elsewhere in the City will be required to demonstrate that they would not undermine the planned delivery of the Morton scheme, or impact on its trading viability. ~~or impact on the viability of other committed or operational foodstores in the City.~~

Justification

4.47 The Carlisle Retail Study August 2012 recommends that the District Centre allocation for Morton should be retained though the emerging Local Plan in order to provide sufficient policy protection to ensure that the foodstore anchor is delivered.

4.48 However, it is recognised that there is potential to introduce a wider range of comparison retail and service uses as part of the Morton District Centre to meet the wider needs of existing and future residents.

4.49 A capacity assessment of current foodstore commitments across the City shows that there is no requirement for new convenience provision in the City over the emerging Local Plan period through to 2030. This position will be monitored when committed foodstore schemes are trading, and regular main food shopping patterns established.

Map 5 - **Morton District Centre**



Shop Fronts

Consultation Update - First stage preferred options July – September

The response to this policy corresponded with the policies in the Heritage chapter to reflect Conservation Area Appraisals when considering shop fronts. It was suggested that the policy could be expanded to include a description of the historic retail environment within the city and main market towns with an assessment made of their character and heritage assets. There was also a comment that the existing SPG on shop fronts dating from 1994 may need to be updated.

Policy 9 - Shop Fronts

Well designed and appropriate shop fronts whether original or reproduction should be retained wherever practicable and if necessary restored when the opportunity arises and it is considered pertinent to do so by the Local Planning Authority. New shop fronts should create a strong sense of place with a local context and relate in scale, proportion, materials and decorative treatment to the relevant façade of the building and, where appropriate, to adjacent buildings and/or shop fronts, with consideration being given to Supplementary Planning Guidance 'Shopfronts Design Guide' or successor documents.

Within a conservation area changes to shop fronts and new shop fronts will be acceptable only where the design contributes to the preservation and enhancement of the area's character, appearance and setting, and provided the following criteria are met:

1. any original or period features are to be retained or restored;
2. the proposal relates well in scale, height, proportions, materials and detailing to other parts of the building, adjoining shop fronts and the street scene generally;
3. the proposal does not involve a single shop front spanning two or more frontages; and
4. Does not involve the use of inappropriate modern shop front features

In the Botchergate Conservation Area, the Council shall support proposals for shop front renovation, restoration and new shop fronts that are in line with the Botchergate Conservation Area Management Plan and that actively work towards enhancing the street scene within that area.

The use of roller shutters that would obscure displays and architectural features on shop fronts will not be permitted in any location. Applicants wishing to install security measures on shop fronts are encouraged to consider alternative measures and must seek to ensure that, if shutters are to be used, they are well designed and integrated with the frontage, maintaining an active shop front even when the unit is closed.

Justification

4.50 The NPPF does not specifically mention shop fronts within policy. It does however place great emphasis on how local planning authorities should aim to achieve high standards of design within public spaces. Development, such as the creation of a new shop

front or which would impact upon an existing, high quality shop front, should seek to establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit. It should also respond to local character and history, and reflect the identity of local surroundings and materials, whilst not preventing or discouraging appropriate innovation.

4.51 There are a number of well designed and traditional shop fronts in the plan area, particularly in the City Centre, Botchergate, Brampton, Longtown and Dalston. Special care is needed when dealing with proposals which might detract from the character of a building and, where it is considered appropriate and pertinent, the traditional features of well designed and high quality shop fronts should be retained whenever alterations are being carried out.

4.52 The Council has also produced Supplementary Planning Guidance on the design of shop fronts. Published in 1994 the guidance is still relevant and offers useful information on how people wishing to install new shop fronts or alter existing ones can do so in keeping with the traditional styles of frontages across the city and wider district. Applicants will be encouraged to have regard to the document, and any future successor documents when planning new development of this type.

4.53 The Botchergate Conservation Area Management Plan was published in June 2012. It highlights the Botchergate conservation area in particular as an area which could benefit from the protection of traditional shop fronts and the restoration of fronts that have fallen into disrepair or been lost through unsympathetic refurbishment. It also highlights how past schemes to redevelop areas with poor shop fronts have successfully brought back a traditional aesthetic to parts of the conservation area, such as the shops on the ground floor of Stanley Hall, as well as areas of low architectural value that could provide opportunities to reintroduce well designed, high quality shop fronts to help improve the visual amenity of Botchergate as a whole. Weight should be given to the approach set out in this document when considering applications concerning shop fronts within Botchergate.

4.54 Security shutters have a significant impact in the street scene. Highly visible crime prevention measures such as security shutters work against the creation of a vital, vibrant and attractive shopping environment, have a detrimental effect on townscape and impact negatively on the overall perception of an area. When closed, solid security shutters present a blank frontage and have a deadening effect on the character of the street. Areas no longer benefit from passive surveillance by shoppers and passers-by, thereby making shops more vulnerable to attack. For these reasons solid external roller shutters will not be permitted by the Council. In order to minimise their impact on the building and the general character of the area, the Council encourages the use of security measures other than solid external shutters. Security is best considered at the early stages of designing a new shopfront so that measures can be integrated into the overall scheme, rather than added on as an afterthought. This should take on board the principle set down on shop front design as above.

4.55 There are a number of protective measures that can be taken which do not detrimentally affect the appearance of the property, which the Council recommends as alternatives to security shutters. These are set out below: -

- use of reinforced stall risers and mullions;
- use of toughened or laminated glass;
- sub-dividing and reinforcing the glazing into smaller areas;
- use of alarms and camera surveillance systems in the property;
- installing physical barriers to protect shop windows and doors, preferably through their incorporation into the shop frontage, or as part of an overall street improvement scheme, providing no obstruction to shoppers, emergency accesses, or road sweeping operations is caused;
- installing good internal lighting visible from the street;
- bringing life back into the building through the residential use of the upper floors;
- avoid door recesses which create hiding places;
- avoid glazing at ground level, especially in doors.

Alternative Option

No shop fronts policy within the Local Plan

4.56 This option would mean that planning for shop fronts would have to rely on generic design guidance within the NPPF, which would not provide local context or specific policy to encourage the development of new high quality shop fronts and the preservation and restoration of existing fronts of value.

Which Local Plan Policy is Superseded:

4.57 This policy supersedes Policy EC8 – Shopfronts in the Carlisle District Local Plan 2001-2016.

Food and Drink

Consultation Update - First stage preferred options July – September

Comments received in response to the policy felt it needed to better reflect the wider area of the District and not just the City Centre and District Centres i.e. employment areas and large areas of residential development. This policy also raised issues of the night time economy and the impact that it has on the City Centre, particularly around Botchergate. The Police were concerned about the concentration of its resources in having to manage this area on an evening and the University were keen to dissipate the concentration of the evening economy in this area, whilst recognising its importance to the 'student experience'. There was support for the policy to try and diversify the offer of the City Centre from primarily a retail area to a mix of uses including food and drink that would encourage more people into the City Centre.

Policy 10 - Food and Drink

The Council shall aim to facilitate the creation of a vibrant and viable food and drink sector within Carlisle City Centre and other district centres.

Within the Plan area, proposals for uses within Use Class A3 (restaurants and cafes), A4 (drinking establishments) and A5 (hot food takeaways) will be approved provided that:

1. the proposal does not and will not involve unacceptable disturbance to occupiers of nearby residential property; and
2. the proposal would not cause unacceptable levels of traffic generation or highway obstruction, particularly where customers are collecting food from takeaways; and
3. the proposal does not involve unacceptable intrusion into open countryside; and
4. the proposal, whether new development or conversion, compliments surrounding development or the character of the existing building; and
5. throughout the Plan area opening hours will be imposed having regard to the surrounding uses, the character of the area and possibility of disturbance to residential areas; and
6. the proposal could not be considered to be contributing towards an oversaturation of a particular use or business type within a locality.

Proposals for A3, A4 and A5 related uses should be situated in accessible locations within or adjacent to existing centers in line with the sequential approach outlined in the NPPF unless material considerations dictate otherwise. Other suitable areas could include on large industrial estates (for A3/A5) and large housing estates (for A4 uses) where the provision of food and drink uses could lead to the creation of a more sustainable pattern of development.

Justification

4.58 The NPPF states that planning policies should support the viability and vitality of town centres and encourage competition and greater provision of customer choice. Local planning authorities should seek to facilitate appropriate growth and diversification of pubs, bars, restaurants, takeaways, nightclubs and other town centre leisure attractions, in order to improve the range of actives available within a town centre, particularly in the evening.

4.59 The NPPF also looks at the importance of safeguarding community facilities, both in rural and urban areas. It states that planning authorities should plan positively for the provision of shared space, community facilities (such as public houses) and other local services to enhance the sustainability of communities and residential environments. Policies should guard against the loss of valued facilities and services and also ensure that established ones are able to develop and modernise in a sustainable way.

4.60 The primary evidence base document for this policy is the Carlisle Retail Study published in October 2012. It highlights how the Vue Cinema on Botchergate is a key anchor for the evening leisure offer in the city centre and currently meets the need for cinema facilities within the district. It states that whilst there is an existing restaurant sector that is informally emerging within the city centre, there exists capacity to expand this restaurant offer, with an eye to attracting larger, nationally recognised restaurant chains perhaps through the creation of a new restaurant quarter within or well related to the city centre. It also recommends that the Council should aim to maintain and effectively manage the existing provision of pubs and other late night establishments within the city through the planning process. Some environmental management concerns are highlighted around the dominance of hot food takeaways in and around Botchergate.

4.61 The Retail Study did not explore food and drink policies outside of the city, namely in the main service centres of Brampton and Longtown. In these areas the food and drink offer is largely made up of cafes and pubs during the day, whilst the evening economy largely revolves solely around small town public houses. The Campaign for Real Ale (CAMRA) has carried out extensive research into the decline of public houses in rural areas. It is against this backdrop that planning policies should aim to facilitate the development of appropriate evening service in these towns. This policy looks to enable the new development of pubs and other services within the city and other service centres, reference should therefore be made to Policy 49 Sustaining Rural Facilities and Services when considering the need to retain public houses.

4.62 The Carlisle Food City initiative seeks to enable Carlisle to sustain itself and its citizens from within its own footprint in terms of food. Schemes such as Fairfood Carlisle and Sustainable Brampton aim at increasing opportunities to grow their own food either in private gardens or allotments or collectively through group efforts on community gardens. The Council will aim to support these projects through planning policy where it can. Permission for new community gardens should be granted in suitable locations.

Alternative Options

1) No food and drink policy within the Local Plan

4.63 This option would rely on national policy, which current provides only general comment on ensuring the vitality and viability of town centres. It does not mention the evening economy specifically and would therefore not be inline with the Council's aims to create a better and more vibrant environment within Botchergate, the City Centre and beyond.

2) Introduce a ban on new hot food takeaways within 400m of a school, park, youth centre or other youth orientated facility

4.64 This is an option that has been explored by other planning authorities across the country as a means of tackling childhood obesity. Whilst the principle is commendable, it remains to be seen just how effective such a policy could be and therefore the practicalities of such an approach are questionable. Should consultation on this issue see a desire for a policy along these lines then the Council shall undertake further evidence to assess the viability of including wording to this effect.

3) Restrict new A5 uses within Botchergate

4.65 There was strong community feedback during consultation from the Issues and Options and in the recent Carlisle Retail Study suggesting that Botchergate has become significantly oversaturated with hot food takeaways. Wording could be included in policy to restrict the development of new A5 uses within the area. However, this could be overly restrictive and it may be better to allow the market to regulate itself, letting competition and demand control the number of hot food takeaways along Botchergate.

Which Local Plan Policy is Superseded:

4.66 This policy supersedes Policy EC10 – Food and Drink in the Carlisle District Local Plan 2001-2016.

Arts, Culture, Tourism and Leisure Development

Consultation Update - First stage preferred options July – September

This policy covers so many different land uses that clarification was requested to determine which uses were applicable. Allotments were not considered appropriate within this policy and should have their own designation or be considered as Open Space. Others sought clarification over whether the policy applies to hotels and hotel related leisure facilities with the inclusion of a sequential test. A response highlighted that leisure facilities should not be categorised as public or private and the policy should be amended to reflect both.

The links between tourism and the economy were represented and how this policy can assist economic and physical regeneration but with a suggestion to allocate sites for hotels or other attractions. The Councils intention to use the Old Fire Station in the City Centre as an Arts centre was considered a positive idea. Whilst advocating sustainable modes of travel such as cycling or long distance walking it was felt that these benefits could be emphasised further in the Policy with reference to Green Infrastructure and their links with tourism i.e. English Coastal Route.

The economic and social value of the arts was stressed and how they serve both residents and visitors. It was also suggested that valued existing facilities should be reflected in the policy in line with national guidance to guard against unnecessary loss of valued facilities. Also to ensure that established facilities and services are retained and able to develop for the benefit of the community.

Through reviewing comments to the Plan it was identified that Policy 11 – Leisure Development and Policy 12 – Arts, Culture and Tourism Development should be merged to create a more robust Policy. This has been taken forward.

Policy 11 Arts, Culture, Tourism and Leisure Development

Proposals will be supported where they contribute towards the development and/or protection of arts, cultural, tourism and leisure offer of the District and support the economy of the area provided that the following criteria are met:

1. the scale and design of the development is compatible with the surrounding area; and
2. if the proposal is for land outside of a town centre, a sequential test has been applied and assessed and no central sites are deemed available or appropriate, unless there is a clear need for a hotel or other related leisure use to support tourism outside of the city centre; and
3. there will be no unacceptable impact upon existing town centres; and
4. there would be no unacceptable adverse impact on the landscape/townscape; and
5. the proposal does not have an adverse impact on the amenity of the surrounding area and land uses; and
6. adequate access by a choice of means of transport, including sustainable modes of travel such as cycling or long distance walking, and appropriate car parking is provided; and
7. the distinctive environment, culture and history of the area are safeguarded, retaining any existing historic buildings and street patterns where appropriate.

Frontiers of the Roman Empire (Hadrian's Wall): World Heritage Site is a major attraction for sustainable tourism and proposals for new tourism development which aim to promote the enjoyment and understanding of the WHS whilst meeting the above criteria will be permitted.

Justification

4.67 Tourism, arts, cultural and leisure development is of major importance to Carlisle as a generator of economic prosperity, employment and enjoyment. It is essential that the tourism and leisure, arts and cultural potential of the District is promoted and exploited to maximise the benefits it can bring to the area in terms of both physical regeneration and benefits to the local community in terms of cultural diversity, its contribution to physical and mental health and wellbeing and to wealth generation. This could include the development of an arts centre within the City for residents and visitors alike. Carlisle's heritage is central to its attractiveness as a tourist location with Hadrian's Wall Path National Trail crossing the District, the English Coastal Path and the historic City Centre including Carlisle Castle, Tullie House Museum, Carlisle Cathedral precinct, the City Walls, the Courts, the Market Cross, the Old Town Hall and Guildhall.

4.68 Carlisle City Council recognises the value of these sectors and actively seeks to promote arts, culture, tourism and leisure development, including the accommodation offer for tourists, in line with the tourism strategy for Cumbria 'Making the Dream a Reality' (2008-2018) and any updates to this. However, it must be recognised that to ensure sustainability, care must be taken to protect the broader fabric upon which these industries depend, such

as our heritage, culture and natural landscape. Therefore, proposals will generally be most acceptable where they have the least environmental impact and maximum economic benefit. This Policy seeks the promotion and retention of this type of these assets unless the facility is no longer needed, or it can be established that the services provided by the facility can be served in an alternative location or manner that is equally accessible by the local community.

4.69 The NPPF acknowledges the importance of arts, culture, tourism and leisure development as covered in this Policy (including theatres, museums, galleries and concert halls, hotels and conference facilities) as main town centre uses and as such the Council will encourage this type of development within Carlisle City Centre. Provided a development is over 2,500sqm in floor space, any proposals outside of a town centre for leisure development should be subjected to a sequential test in order to establish that there are no suitable, more centrally located sites available to accommodate the proposed development. Development covered by this policy could include improvements to or the development of facilities including clubs or gymnasias, and hotel related facilities as well as the development of cultural facilities such as a theatre, art gallery, museum or library. Such proposals, provided they meet the above criteria, will improve the standard and variety of tourist and leisure provision in the District.

4.70 In addition, sustainable rural tourism and leisure developments that aid rural diversification and therefore benefit communities and visitors will be supported where they are in line with this Policy. In particular where they respect the character of the countryside, including supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres, whilst ensuring that such development is of a suitable scale, and design and sited with great care and sensitivity to its rural location. Use of land on the periphery of villages for open space purposes is likely to be acceptable. The Plan recognises the importance of access to the natural environment and the benefits and opportunities that the green infrastructure of the District can have on Arts, Culture, Tourism and Leisure Development.

4.71 New development should normally be accessible by public transport, walking and cycling. However, for some developments in the rural area this may not be possible, especially if associated with a diversification scheme in an area with poor public transport links.

4.72 Proposals that would result in the loss of an art, cultural, tourist or leisure facility would be required to demonstrate that the current use is no longer viable and there is currently no requirement for an alternative community use, and that there is adequate alternative provision in the locality.

Alternative Option

No Arts, Cultural, Tourism and Leisure Development policy in the Local Plan

4.73 This would require policy to defer to national guidance, which only discusses the need for leisure development within towns and cities to be sequentially tested. The preferred option builds on this and provides criteria and context for proposals to be assessed against, it also allows for leisure development outside of towns and cities to be considered where appropriate. To defer to national guidance would mean losing this context as it is considered

that this policy helps to add detail for development of arts, cultural, tourism and leisure development specifically within Carlisle District.

Which Local Plan Policy is Superseded:

4.74 Policy LC1 – Leisure Development and Policy EC15: Tourism Development in the Carlisle District Local Plan 2001-2016.

Leisure Development

Consultation Update – First stage preferred options July – September

This policy covers so many different land uses that clarification was requested to determine which uses were applicable. Allotments were not considered appropriate within this policy and should have their own designation or be considered as Open Space. Others sought clarification over whether the policy applies to hotels and hotel related leisure facilities with the inclusion of a sequential test. A response highlighted that leisure facilities should not be categorised as public or private and the policy should be amended to reflect both.

Policy 11 – Leisure Development

Proposals for leisure development will be acceptable provided that:

1. the development is of an appropriate scale for the locality;
2. if the proposal is for land outside of a town centre, a sequential test has been applied and assessed and no central sites are deemed available or appropriate; and
3. there will be no unacceptable impact upon existing town centres;
4. the site is accessible by public transport, walking and cycling; and
5. appropriate car parking and satisfactory access can be achieved; and
6. the proposal does not have an adverse impact on the amenity of the surrounding area and land uses.

Justification

4.61 The NPPF considers leisure use to be a main town centre use and, as such, provided it is over 2,500sqm in floor space, any proposals outside of a town centre for leisure development should be subjected to a sequential test in order to establish that there are no suitable, more centrally located sites available to accommodate the proposed development.

4.62 Leisure development covered by this policy could include improvements to or the development of private outdoor facilities including the development of clubs or gymnasias, and hotel related facilities as well as the development of cultural facilities such as a theatre, art gallery, museum or library. Such proposals, provided they meet the above criteria, will improve the standard and variety of leisure provision in the District.

4.63 In rural areas, favourable consideration will be given to leisure development which aids rural diversification. However, such development should be of a suitable scale, and be designed and sited with great care and sensitivity to its rural location. Use of land on the periphery of villages for open space purposes is likely to be acceptable.

~~4.64 New leisure development should normally be accessible by public transport, walking and cycling. However, for some developments in the rural area this may not be possible, especially if associated with a diversification scheme in an area with poor public transport links.~~

~~Alternative Option~~

~~No leisure development policy in the Local Plan~~

~~4.65 This would require policy to defer to national guidance, which only discusses the need for leisure development within towns and cities to be sequentially tested. The preferred option builds on this and provides criteria and context for proposals to be assessed against, it also allows for leisure development outside of towns and cities to be considered where appropriate. To defer to national guidance would mean losing this context.~~

~~Which Local Plan Policy is Superseded:~~

~~4.66 Policy LC1 – Leisure Development in the Carlisle District Local Plan 2001-2016.~~

Arts, Culture and Tourism Development

Consultation Update – First stage preferred options July – September

The links between tourism and the economy were represented and how this policy can assist economic and physical regeneration but with a suggestion to allocate sites for hotels or other attractions. The Councils intention to use the Old Fire Station in the City Centre as an Arts centre was considered a positive idea.

Whilst advocating sustainable modes of travel such as cycling or long distance walking it was felt that these benefits could be emphasised further in the Policy with reference to Green Infrastructure and their links with tourism i.e. English Coastal Route.

The economic and social value of the arts was stressed and how they serve both residents and visitors. Arts and culture should be as prominent as tourism.

It was suggested that valued existing facilities should be reflected in the policy in line with national guidance to guard against unnecessary loss of valued facilities. Also to ensure that established facilities and services are retained and able to develop for the benefit of the community.

The Policy should mention specific elements of the District's heritage such as Carlisle Castle and Cathedral, Citadel and West Walls, the Racecourse, historic quarter and various museums and parks. It should also reference the tourism strategy for Cumbria.

Policy 12 – Arts, Culture and Tourism Development

Proposals will be supported where they contribute towards the arts, cultural and tourism offer of the District and support the economy of the area provided that the following criteria are met:

1. the scale and design of the development are compatible with the surrounding area; and
2. there would be no unacceptable adverse impact on the landscape/townscape; and
3. adequate access by a choice of means of transport, including sustainable modes of travel such as cycling or long distance walking, and appropriate car parking can be achieved; and
4. the distinctive environment, culture and history of the area are safeguarded

Hadrian's Wall World Heritage Site (WHS) is a major attraction for sustainable tourism and proposals for new tourism development which aim to promote the enjoyment and understanding of the WHS whilst meeting the above criteria will be permitted

Justification

4.67 Tourism, arts and cultural development is of major importance to Carlisle as a generator of economic prosperity and employment. It is essential that the tourism potential of the District is promoted and exploited to maximise the benefits it can bring to the area. Carlisle's heritage is central to its attractiveness as a tourist location with Hadrian's Wall Path National Trail crossing the District.

4.68 The NPPF recognises the importance of arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities) as main town centre uses and as such the Council will encourage this type of development within Carlisle City Centre. In addition, it supports sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors. In particular where they respect the character of the countryside, including supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres.

4.69 Tourism development will be considered favourably where it will assist in the economic and physical regeneration of an area and be of benefit to the local community. Opportunities should be taken for tourism development to promote the distinctive environment, culture and history of the area as a tourist attraction. Proposals for tourism development in the rural area should seek to conserve and enhance the special features and diversity of the different landscape character areas.

4.70 The tourist industry is of major importance both at a national and local level generating economic prosperity and employment. Carlisle City Council recognises the value of these sectors and actively seeks to promote arts, culture and tourism. However, it must be recognised that to ensure sustainability, care must be taken to protect the broader fabric upon which the tourist industry depends such as our heritage, culture and natural landscape. Therefore, proposals will generally be most acceptable where they have the least environmental impact and maximum economic benefit.

Alternative Option

No Arts, Cultural and Tourism Development policy in the Local Plan

4.71 By not including a policy on this in the Local Plan, applications for development must be assessed against the NPPF. Whilst the NPPF supports this type of development, it is considered that this policy helps to add detail for development specifically within Carlisle District.

Which Local Plan Policy is Superseded:

4.72 This policy supersedes Policy EC15: Tourism Development in the Carlisle District Local Plan 2001-2016.

Caravan, Camping and Chalet sites

Consultation Update - First stage preferred options July – September

Responses were positive and would encourage inward investment and visitor spend to the District's economy. Additional criteria should be added to consider heritage impact and criteria amended to cover extensions to existing sites as well as new on site facilities.

Policy 12 - Caravan, Camping and Chalet Sites

Proposals for the development of and extension to caravan, camping and chalet sites will be acceptable provided that:

1. The siting and scale of the proposal does not have an unacceptable adverse effect on the character of the local landscape and historic environment or its setting; and
2. The site is adequately landscaped; and
3. The site is contained within existing landscape features; and
4. Adequate access and appropriate car parking can be are provided; and
5. The potential implications of flood risk have been taken into account within a site specific Flood Risk Assessment where necessary; and
6. Clear and reasoned justification has been provided as to why the development needs to be in the location specified.

In addition, the Council will consider the need to impose seasonal restrictions through the use of planning conditions to avoid continual residential use of a site.

Justification

4.75 There are 13 existing licensed caravan sites in the District as well as a number of camping pitches and chalet sites. Most of the sites are used for short stays by those visiting the District to explore the range of attractions on offer, from Hadrian's Wall which crosses the District to Carlisle Castle in the heart of the City. Caravan, camping sites and chalets are therefore a valuable tourist facility.

4.76 Proposals for both static and touring caravan sites as well as chalets will be judged against the above criteria. In certain circumstances, seasonal restrictions will be applied by the use of planning conditions to avoid the continual residential use of a site. The scale, siting and proposed landscaping of the proposal will be particularly important in determining its acceptability. Where caravan, camping and chalet sites are to be located next to rivers, the implications of potential flooding will need to be properly addressed.

4.77 In addition to the need to obtain planning permission, caravan, camping and chalet site operators must obtain a site licence. The site licence covers such matters as the number and standard of spacing of the caravans and hygiene. The City Council's Environmental Health Section issues site licences. In addition it is important that all consents relating to water management (e.g. drainage, discharge and abstraction) are in place before caravan sites become operational.

4.78 This policy reiterates support for the sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside, in line with the NPPF. This includes supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres.

Alternative Option

No Caravan, camping and chalet Sites policy in the Local Plan

4.79 By not including a policy on caravan, camping and chalet sites in the Local Plan, this would mean that applications for this type of development would only be assessed against the NPPF. It is not considered that there is enough detail contained within the NPPF to ensure that tourism caravan sites are appropriately located or serviced.

Which Local Plan Policy is Superseded:

4.80 This policy supersedes Policy EC15: Tourism Caravan Sites in the Carlisle District Local Plan 2001-2016.

Rural Diversification

Consultation Update - First stage preferred options July – September

The policy was supported with its intention to enable existing and new rural businesses to expand and become more self sufficient due to the changing role of agriculture. Some people wanted to see the policy go further and have a more positive approach to start up business in particular for young people living in the rural area and wanting to remain there and for diversification. However some felt that limits on size and compatibility within the policy would disadvantage the agricultural community and potentially incur additional costs upon a project which may make it uneconomical and contrary to the NPPF. There was also a response for the policy to help reduce future transport costs in areas where limited or no public transport is ever likely to exist.

Policy 13 - Rural Diversification

Development proposals to diversify and expand upon the range of sustainable economic activities undertaken in rural areas will be supported and encouraged both through the conversion of existing buildings and well designed new buildings. Any new building must be well related to an existing group of buildings to minimise its impact, blending satisfactorily into the landscape through the use of suitable materials, design and siting. Proposals should:

1. Be compatible with the existing rural setting ~~agricultural operations in the rural area~~; and
2. Be in scale and character with its surrounding landscape and buildings; and
3. ~~Be capable of~~ Provide ing-adequate access and parking arrangements;
4. Not to lead to an increase in traffic levels beyond the capacity of the surrounding local highway network.

Justification

4.81 Whilst the preferred location for new development will be in villages, changes in agriculture over recent decades have resulted in a decline in farm-related jobs. As a result there is now a need to strengthen the economy in rural areas by supporting the sustainable growth and expansion of all types of business and enterprise in rural areas. There are often opportunities for reusing or adapting surplus existing rural land and buildings for commercial, industrial, recreational or environmental uses such as guesthouses, farm shops, rural workshops or other business premises, helping the countryside to diversify, flourish and sustain itself. The City Council recognises the important and changing role of agriculture and the need for new employment in the rural area. ~~New employment opportunities may also be created within the rural area as the provision and availability of rural broadband spreads/expands.~~

4.82 The use of surplus rural buildings for the provision of tourist holiday accommodation can help to retain the buildings in the countryside whilst helping to boost the rural economy. Conversion of rural buildings to holiday accommodation can, when skilfully undertaken, involve minimal alteration and therefore have little impact on the surrounding countryside. Nevertheless schemes must be sensitive to their environments and measures must be taken to mitigate any potential environmental impacts. The NPPF supports sustainable rural tourism and leisure developments where they respect the character of the countryside. This type of development is important in areas where identified needs are not met by existing facilities in rural service centres.

4.83 Traditional, redundant and underused buildings may provide habitats for wildlife such as bats or barn owls. For those species protected by the Wildlife and Countryside Act 1981, the City Council will seek to ensure a survey is carried out and suitable precautions taken for the protection of the species and their habitat before permission will be granted. Other environmental diversification schemes may help to improve the ecological value of the rural area whilst helping to provide local employment such as schemes to implement the Cumbria Local Biodiversity Action Plan.

Alternative Option

No Rural Diversification policy in the Local Plan

4.84 By not including a policy within the Local Plan on rural diversification, the NPPF would be used to determine any applications for this type of development in the rural area. It is considered that a policy is required to reaffirm the importance of protecting the rural area from inappropriate development and as such a criteria based policy will be used to assess the appropriateness of the development in the location.

Which Local Plan Policy is Superseded:

4.85 This policy supersedes Policy EC11: Rural Diversification in the Carlisle District Local Plan 2001-2016.

Farm Shops *Policy to be removed and applications of this type will be determined using Policy 14 Rural Diversification*

Consultation Update - First stage preferred options July – September

Comments received recommend removing points 1 and 2 of the policy criteria but there was support for the policy in terms of employment and farm diversification opportunities. However, after reviewing the Policies contained within the Plan, it is considered that the content of this Policy would be covered by Policy 14 Rural Diversification and as such Policy 15 - Farm Shops will be removed.

Policy 15 – Farm Shops

Proposals for the establishment of, or extension to, farm shops will be permitted provided that:

1. The enterprise would not undermine the viability and vitality of existing village shops/facilities; and
2. The range of goods sold are restricted to ensure the operation remains as a farm shop which is agricultural in character; and
3. The retail use has to be in association with an established agricultural holding; and
4. The scale, design and landscaping of new or converted facilities respects local landscape character; and
5. Such facilities are capable of being developed within the curtilage of an existing group of buildings; and
6. Adequate access and highway safety will not be compromised

Justification

4.84 Carlisle has a vast rural hinterland and as such agricultural operations provide opportunities to sell locally produced goods. Farm shops can provide opportunities to diversify and support existing agricultural holdings in the rural area and help meet a demand for local produce in a sustainable way. It is, however, necessary to safeguard existing rural shops and services. Proposals will be considered acceptable where it can be demonstrated that no adverse impact will be generated as a result of a farm shop scheme and provided it meets the requirements set out within the policy.

4.85 The NPPF recognises the importance of planning in contributing towards supporting a prosperous rural economy through its reference to the promotion of the development and diversification of agricultural and other land-based rural businesses.

Alternative Option

No Farm Shops policy in the Local Plan

~~4.86 It is not considered that there is enough guidance contained within the NPPF to determine applications of this type adequately for Carlisle as it does not adequately reflect the importance of agriculture to our District. Therefore a policy is required on this.~~

~~**Which Local Plan Policy is Superseded:**~~

~~4.87 This policy supersedes Policy EC14: Farm Shops in the Carlisle District Local Plan 2001-2016.~~

Agricultural Buildings

Consultation Update - First stage preferred options July – September

The Policy was considered acceptable, in principle, but should only refer to the agricultural buildings which would not be covered by permitted development rights as set out in the General Permitted Development Order (GPDO). There were other concerns that the policy may put additional cost upon a project. For example criterion two is considered too restrictive in terms of the use of 'scale and form' in being able to expand the farm business and replace old farm building with new, which are often larger.

Policy 14 – Agricultural Buildings

Proposals for new farm agricultural buildings and extensions to existing agricultural buildings or other structures which fall outside of Permitted Development rights will be permitted provided that;

1. The building or structure is sited where practical to integrate with existing farm agricultural buildings and/or take advantage of the contours of the land and any existing natural screening; and
2. The scale and form of the proposed building or structure relates to the existing group of farm buildings, unless otherwise justified; and
3. The design and materials used reflect the overall character of the area; and
4. The proposal would not have an unacceptable impact on any adjacent properties.

Justification

4.86 The development of farm agricultural buildings and other structures of a certain scale not requiring full planning permission instead require an 'Agricultural Determination' from the City Council. The purpose of this arrangement is to enable the Council to comment on the siting and design of particular proposals, whilst not obliging farmers the applicant to submit formal applications for planning permission.

4.87 The siting of a new agricultural building can have a considerable impact on the surrounding landscape. New buildings should therefore, where possible, integrate with both the surrounding landscape and farmstead as a whole. It may be possible to do this by using natural contours in the land or existing natural screening such as woodland, trees or mature hedgerows. The aim is not to hide a new building from sight, but to soften its outline and integrate it with the surrounding landscape. Any new planting should therefore reflect the vegetation type already existing in the locality.

4.88 New buildings should normally form part of a group rather than stand on their own and should relate to existing buildings in scale and colour. However, there may be occasions when a large building of modern design is required on a farm largely comprising traditional

buildings. To avoid visual conflict, such buildings should be designed to minimise their impact by such measures as breaks in roof slope or differing roof heights and by linking the building into the landscape by planting groups of trees to soften its outline. In exceptional circumstances such buildings may be better sited away from the group.

4.89 In sensitive areas such as within the setting of a listed building, in a conservation area or AONB, it will normally be appropriate to use traditional or sympathetic materials and the colours chosen should be compatible with the setting or surrounding countryside. Many traditional buildings are important for protected species including bats and barn owls. Where such species are thought to be present in or adjacent to the existing buildings, a survey should be undertaken to determine whether bats or barn owls are present. The adopted North Pennines AONB Building Design Guide 2011 and Planning Guidelines 2011 provide further information on development of agricultural buildings in the rural area.

Alternative Option

No agricultural buildings policy in the Local Plan

4.90 It is considered that this policy is important as a basis for assessing and determining applications for agricultural determinations, as this is not fully covered by the NPPF.

Which Local Plan Policy is Superseded:

4.91 This policy supersedes Policy LE25: Agricultural Buildings in the Carlisle District Local Plan 2001-2016.

Equestrian Development

Consultation Update - First stage preferred options July – September

People responding to the previous consultation stated how Equestrian development is a significant component of recreational activities and it is considered proactive to incorporate a policy of this nature into the Plan. The policy was seen to be potentially providing employment opportunities and opportunities to set up business in the future, but improvements were suggested by referring to the good practice guidance set out by the British Equestrian Federation and have robust business plans.

Some responses felt that that the policy is more restrictive than the NPPF and that the criteria reduces flexibility, especially as if a new free standing building was proposed it would still need to satisfy the landscape impact test in criterion 1.

Policy 15 - Equestrian Development

Schemes relating to the development of stables, horse riding arenas and/or riding centres in the rural area will be permitted provided that:

1. There will be no unacceptable impact upon the landscape and character of the area; and
2. Adequate access arrangements and car parking ~~are provided~~ ~~can be achieved~~; and
3. The building or structure is sited where practical to integrate with existing buildings and/or take advantage of the contours of the land and any existing natural screening; and
3. The scheme will be well contained within existing landscape features; and

~~Additionally the development of horse riding arenas and/or riding centres should ensure that;~~

44. The scheme will not have a detrimental effect upon nearby properties or surrounding land uses; and
2. ~~The scheme reuses an existing building(s) where possible and any associated new build, where necessary and appropriate, should be located within or adjacent to an existing building or group of buildings; and~~
35. The surrounding roads and bridleways are adequate and safe for the increased use by horseriders, with the roads being suitable for all users; and
46. Any lighting requirement will not impact on surrounding uses; and,
57. The intensity of use is appropriate for the character of the area.

Justification

4.92 Horse riding and keeping are popular leisure activities attracting a wide range of people, as well as being an intrinsic part of rural life. Carlisle District has seen an increase in

the number of proposals for equestrian development; this trend is likely to continue due to changes in the rural economy providing scope for diversification in rural businesses. The NPPF supports sustainable rural tourism and leisure developments where they respect the character of the countryside. Supporting information and good practice guidance for this type of development is available from the British Equestrian Federation which is the national governing body for horse sports in the UK (www.bef.co.uk).

4.93 Horse keeping can be an appropriate use in the countryside provided that care is taken over the siting and location of buildings and that access to roads and bridleways is adequate. As with all developments care must be taken to ensure the design of the development is appropriate. Associated buildings should be situated in one block or a tight grouping to reduce visual impact on the landscape and means of enclosure should reflect local characteristics. Proposals likely to damage sensitive areas, such as important habitats or landscapes, will not be acceptable.

4.94 Conditions may be imposed upon applicants to ensure that jumps and other equipment are removed and stored out of site to help reduce the visual impact, of the operation, on the landscape. High standards of maintenance and management are required to ensure that the activities do not adversely effect the countryside and that the horses are well accommodated and cared for. Additionally, in some cases personal consents may be placed on this type of development to restrict their use to that of the applicant.

4.95 There is a highways safety issue associated with increasing levels of horse riders on the roads, therefore schemes which would give rise to excessive numbers of horses on the surrounding roads will not be favourably considered.

Alternative Option

No Equestrian Development policy in the Local Plan

4.96 Without a policy relating to equestrian development, applications for development would rely on the NPPF. It is considered that due to the rural nature of the District it is valuable to have a policy focussing on this use in order to guide this type of development.

Which Local Plan Policy is Superseded:

4.97 This policy supersedes Policy LE24: Equestrian Development in the Carlisle District Local Plan 2001-2016.

Advertisements

Consultation Update - First stage preferred options July – September

Responses wished to seek the definition of amenity to be broadened to include aural as well as visual and further clarification regarding advertisements on listed buildings but based on comments from the Planning Inspectorate this policy will be removed from the Plan. The control of advertisements is covered by the Town and Country Planning (Control of Advertisements) (England) Regulations (2007) and as such there is no need to duplicate this in planning policy. Issues to do with design/highway safety are covered adequately within other policies within the Plan.

Policy 18- Advertisements

Proposals for advertisements within the district will be permitted providing they are not detrimental to visual amenity and do not prejudice public or highway safety. All of the following criteria will be used to assess suitability:

1. Size;
2. Location;
3. Illumination;
4. Design
5. Materials
6. Means of fixture; and
7. Impact upon the street scene/local environment/landscape

Proposals for the display of advertisements within conservation areas will need to demonstrate how the historical aesthetic has been taken into consideration in the design of the advertisement. Proposals which are of an inappropriate scale, illumination or material, would lead to clutter or obstruct or detract from the character or appearance of the conservation area or the architectural features of the buildings on which they are displayed will not be permitted.

Discontinuance action will be taken to remove posters and other material considered to cause substantial injury to the character or appearance of a conservation area.

In addition, proposals for the display of advertisements outside of Carlisle, Brampton or Longtown fall under the Area of Special Control of Advertisements designation. Within the Area of Special Control proposals for advertisements will be permitted providing:

1. They comply with Regulation 21 of the Advertisement Regulations (2007); and
2. They respect the high environmental value of the Plan area; and
3. Where appropriate the complement and enhance significant areas of townscape importance

Justification

4.100 The NPPF states that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

4.101 Legislation for the control of adverts comes from the Town and Country Planning (Control of Advertisements) (England) Regulations (2007). The act provided a definition of what was meant by advertisements. This included:

- Hoardings
- Balloons
- Blinds and canopies with lettering
- Flags with logos
- Fascia signs and projecting signs on shops
- Pole signs at petrol filling stations
- Sign boards at factories
- Advance signs and billboards alongside the highway
- Menu boards at restaurants and cafes
- Posters
- Notices announcing the visit of a travelling fair or circus

4.102 Advertisements can be of high importance to the local economy and are essential to commercial activity. When well designed they can also contribute to a sense of vibrancy within a town or city centre. However, they can also run the risk of being overly dominant of the street scene and, in some instances, lead to issues with highway safety if road signs are obscured. Care within conservation areas must also be taken to ensure that advertisements have taken the historic character of the area into account and do not damage its historic integrity. The Council will require evidence of how the impact on a heritage asset has been taken into account be demonstrated.

4.103 The Town and Country Planning (Control of Advertisements) (England) Regulations (2007) state that applications for the display of adverts should be assessed according to their location and siting, dominance in the street scene, style and size, materials, colour and finish, and, where appropriate, levels of illumination.

4.104 The Area of Special Control of Advertisements covers the entire plan area, excluding Carlisle, Longtown and Brampton. Regulation 21 in the Town and Country Planning (Control of Advertisements) (England) Regulations (2007) sets out the range and type of adverts that can be displayed in an area of special control. Within this area the range and type of advertisements which may be displayed without express consent is more restricted and greater controls will be exercised over the design and materials used to respect the high environmental quality and unspoilt character of the rural area. In particular, the use of traditional materials should be considered and where lighting is appropriate or necessary it

~~should be subdued and concentrated directly on the sign or advertisement rather than lighting a wider area or angled up to the sky.~~

~~Alternative Option~~

~~No advertisements policy in the Local Plan~~

~~4.105 This would require policy to defer to national guidance which offers only general principles for the control of advertisements. The preferred option above is considered to provide more local context and provide clarity as to how advertisement proposals will be assessed.~~

~~Which Local Plan Policy is Superseded:~~

~~4.106 Policies EC17 – Advertisements and EC18 – Areas of Special Control of Advertisements in the Carlisle District Local Plan 2001-2016.~~

5 Housing

Objective

To enable the development of a range of high quality, energy efficient housing, in a variety of locations, to meet the aspirations of the existing community and those wishing to move to the area, and which will help build communities and support economic growth.

5.1 The Local Plan housing strategy aims to meet the housing needs for the District for both open market, affordable and special needs housing. It does this with reference to the evidence set out in the Housing Needs and Demand Study Nov 2011 (HNDS) on current and future demographic trends, market trends and the needs of different groups in the community. To deliver the strategy, the Plan focuses housing delivery on the City of Carlisle, whilst also allowing a proportion of housing to come forward in the rural areas. The Plan aims to achieve this through allocating specific sites for housing across the district, and setting out a policy based approach for housing on non-allocated sites.

Housing strategy and delivery

Consultation Update - First stage preferred options July - September

- approximately 40 new proposed housing sites were submitted;
- objections were received to some of the allocated housing sites on the following grounds:
 - primary school capacity;
 - highways capacity;
 - scale;
 - loss of view;
 - loss of green fields;
 - drainage issues;
 - no more housing needed.
- the housing target should be more ambitious;
- it is vital that the housing strategy meets the housing needs for the district;
- target conflicts with Policy S2;
- the policy does not make an allowance to accommodate previous under-delivery (backlog);
- the proposed level of growth does not cause cross boundary issues (in terms of capacity to deliver) with Allerdale. Carlisle and Allerdale do not share Housing Market Areas;
- support for the ratio of 70% of housing development to be directed to the urban area of Carlisle, and 30% to the rest of the district, (the rural area including Brampton and Longtown);
- housing target will create an issue with public transport capacity;
- rural area should only get 25% of district housing target;
- housing allocations should be made in villages to the west of the CNDR;
- village level surveys should be carried out to assess housing need;
- the policy should highlight the contribution of the broad location at Carlisle South to the Local Plan's housing requirement;
- a housing trajectory should be included in the policy;
- increase in housing not matched by any increase in employment opportunities opportunities;
- it is unclear how sites have been assessed;
- policy should state that all brownfield sites should be developed first before any greenfield land is released;
- one or more new villages should be created rather than extending existing villages;
- brownfield sites, potential brownfield sites and derelict buildings should be identified in the Plan;
- all new housing development should have solar panels;
- public transport operator has commented on implications of each proposed development site on public transport infrastructure.

Policy 16 - Housing Strategy and Delivery

Planning permission will be granted for housing proposals that will:

1. Contribute to achieving an average annual district housing target of 550–650 665 houses per year;
2. Seek to achieve 70% of all new housing development will be located in the urban area of Carlisle, and 30% in the rural area;
3. Provide a mix of dwelling types, sizes and tenures which help meet identified local housing need and contribute to the development of mixed and sustainable communities;
4. ~~Provide specialist housing for vulnerable people including for the ageing population such as extra care accommodation in sustainable locations, taking account of the need to provide for a variety of care needs and flexibility to accommodate differing requirements of ageing care; (moved to Policy 30)~~
5. Contribute to the development of brownfield sites which are in sustainable locations;

The following table sets out allocated housing sites in the urban and rural areas. These sites are also shown on the Local Plan policies map. The sites make provision to deliver the housing target to 2025. From 2025 onwards, development will be in the broad location of Carlisle South, (as detailed in Policy S3), which will include a sustainable urban extension and delivery of the strategic rural requirement.

Current Position Statement

| | Urban Carlisle | Rural | Total |
|--|-------------------|--------------|---------------|
| Housing required 2015 to 2030 [split as per criteria 2] | 6,975 | 3,000 | 9,975 |
| Backlog from 2008 to September 2013 [actual split] | 827 | 66 | 893 |
| Delivery required 18 months from Sep 2013 to 2015 | 540 | 135 | 675 |
| TOTAL NEED FROM SEP 2013 TO 2030 | 8,342 | 3,201 | 11,543 |
| Existing Permissions as at 30 September 2013 | 3,023 | 496 | 3,519 |
| Windfall [18 months @ 50 per annum plus 15 year @ 100 per annum [historic split 64/36] | 1,008 | 567 | 1,575 |
| Authority to Issue permissions [* in allocation list] | 384 | 260 | 644 |
| Less Permissions unlikely to be delivered [see 5 yr supply] | -100 | | -100 |

| | | | |
|--|--------------|--------------|--------------|
| Permissions contributing to total need | 4,315 | 1,323 | 5,638 |
| | | | |
| 18 Months Delivery to 2015 @ 450 per annum 80/20 | 540 | 135 | 675 |
| | | | |
| Permissions contributing to Plan Period | 3,775 | 1,188 | 4,963 |
| | | | |
| Need to be met from Allocations | 4,027 | 1,878 | 5,905 |
| | | | |
| DELIVERY | | | |
| | | | |
| 5 Years 2015 to 2020 | | | |
| Requirement including backlog | 2,600 | 1,022 | 3,622 |
| Permissions contributing to Plan Period adjusted for known phasing (see 5 yr supply Sep 2013 for reduction figs) | 2,539 | 1,188 | 3,727 |
| 50% Total Allocations excluding Authority to Issue urban = 3,035/2 - 384 rural = 1,428/2 - 260 | 1,134 | 454 | 1,588 |
| C/F to next period | 1,073 | 620 | 1,693 |
| | | | |
| 5 Years 2020 to 2025 | | | |
| Requirement including backlog | 2,601 | 1,022 | 3,623 |
| B/F from last period | 1,073 | 620 | 1,693 |
| Known Phasing 50% remaining Crindledyke & Morton | 618 | | 618 |
| Remaining Allocations [see table] | 1,517 | 714 | 2,231 |
| C/F to next period | 607 | 312 | 919 |
| | | | |
| 5 Years 2025 to 2030 | | | |
| Requirement including backlog | 2,601 | 1,022 | 3,623 |

| | | | |
|--|--------------|------------|--------------|
| B/F from last period | 607 | 312 | 919 |
| Known Phasing 50% remaining Crindledyke & Morton | 618 | | 618 |
| Development Required From Strategic Sites | 1,376 | 710 | 2,086 |

Housing Allocations for Carlisle District

| District Target: | Urban (Carlisle) | Rural | Total |
|--|---------------------|---------|-------|
| Overall District target | 550/650 per year | | |
| Windfall allowance @ 50/year | 750 | | |
| Net planning permissions outstanding: | 3 471 | | |
| Less 2 year's potential completions: | 900 | | |
| Allocated sites Urban Carlisle: Total 3,035 | Area: (hectare) | Yield: | |
| Land to the south east of junction 44 – Carl 01 | 8.03 | 217 | |
| Land north of California Road, east of Carl 1 | 6.54 | 200 | |
| Land east of Lansdowne Close/Lansdowne Court | 2.50 | 75 | |
| *Land bounded by Hammonds Pond, Oaklands Drive and Durdar Road (12/0793) | 12.5 | 318 | |
| Site of Pennine Way Primary School – Carl 02 | 3.57 | 112 | |
| Land south of Edgehill Road, adjacent to former NCTC – Carl 03 – Withdrawn – site no longer available, (Cumbria County Council). | 4.37 | 130 | |
| Land north of Moorside Drive/Valley Drive – Carl 04 | 4.96 | 140 | |
| Land between Carlton Road and Cumwhinton Road – Carl 05 | 1.47 | 204 | |
| Land at Garden Village, west of Wigton Road – Carl 06 | 5.05- 6.08 | 139 169 | |
| Land at Newhouse Farm, south-west of Orton Road – Carl 07 | 30.19 | 509 | |
| Land north of Burgh Road – Carl 08 | 2.83 | 66 | |

| | | |
|--|----------------------|------------------|
| Former Belah School site, Eden Street – Carl 09 Withdrawn - site no longer available, (Cumbria County Council). | 2.34 | 59 |
| Land off Windsor Way – Carl 10 | 10.60 | 300 |
| *Former Dairy site, Holywell Crescent, Botcherby, (13/0655) | 1.51 | 66 |
| Site of former Morton Park Primary School, Burnrigg | 1.67 | 54 |
| Site to the rear of Border Terrier, Ashness Drive/ Ellesmere Way | 0.4 | 15 |
| Land off Raiselands Road | 0.4 | 12 |
| Land to the rear of Reeth Road/Queensway | 0.65 | 20 |
| Land off Tree Road, south of Chertsey Mount | 0.53 | 20 |
| Land at Greta Avenue | 0.4 | 8 |
| Former Printworks, Newtown Industrial Estate | 1.4 | 40 |
| Land east of Beverley Rise | 1.01 | 30 |
| Land north of Carlton Clinic, east of Cumwhinton Drive | 6.80 | 150 |
| Allocations carried forward from previous Local Plan | | |
| Laings site, Dalston Road – Carl 11. 13/0778 application for foodstore on 0.68ha of site. | 2.56 1.88 | 90 60 |
| Harraby Green Road – Carl 12 | 1.05 | 45 |
| Durranhill Road – Carl 13 | 3.32 | 65 |
| Land at Carleton Clinic – Carl 14 | 4.19 | 100 |
| Land to rear of Hilltop Hotel, London Road/Tree Road | 1.18 | 40 |
| Allocated sites Rural Area: Total 1,428 | Area: | Yield: |
| <u>Brampton</u> | | |
| Land south of Carlisle Road – Bram 1 | 10.9 | 200 |
| Land west of Kingwater Close – Bram 2 | 2.31 | 65 |
| Land east of Gelt Rise – Bram 3 | 0.77 | 25 |

| | | |
|---|------|-----|
| Land north of Greenfield Lane – Bram 4 | 5.66 | 153 |
| <u>Longtown</u> | | |
| Site of former Lochinvar School – Long 1 | 5.04 | 136 |
| Site available amended by Cumbria County Council | 3.56 | 106 |
| <u>Burgh by Sands</u> | | |
| Land to the west of, and including, Highfield | 0.59 | 10 |
| <u>Cummersdale</u> | | |
| Land east of Cummersdale Road – Cumm 1 | 0.38 | 14 |
| <u>Cumwhinton</u> | | |
| *Land adjacent to Beech Cottage, (12/0856) | 0.6 | 15 |
| Land west of How Croft – Cumw 1 | 0.76 | 25 |
| Land north of St John's Hall, B6263 – Cumw 2 | 0.6 | 20 |
| <u>Dalston</u> | | |
| Land at Buckabank – Dals 1 Site deleted following grant of pp for 121 houses central Dalston. PP considered sufficient allocation for Dalston, and preferable site. | 2.68 | 15 |
| *Land between Station Road/Townhead Road | 5.4 | 121 |
| <u>Houghton</u> | | |
| *Land at Hadrian's Camp, (12/0610) | 5.1 | 96 |
| <u>Harker</u> | | |
| Kingmoor Park Harker Estate | 10.7 | 300 |
| <u>Moorhouse</u> | | |
| Land east of Monkhill Road | 0.8 | 10 |
| <u>Linstock</u> | | |
| Linstock North – Lins 1 | 1.28 | 10 |
| <u>Rockcliffe</u> | | |

| | | |
|--|------|-------|
| Rockcliffe East – Rock1 Withdrawn following objections from County Highways. Access severely constrained. Highly unlikely to be resolved. | 0.89 | 20 |
| Rickerby | | |
| Land at Tower Farm | 0.8 | 10 |
| Scotby | | |
| Land to the west of 37-65 Scotby Road – Scot 1 | 1.26 | 44 |
| Land at north eastern end of village, south of A69, east of Scotby Road. | 1.30 | 44 |
| *Land at Broomfallen Road, (12/0790) | 1.5 | 28 |
| Warwick Bridge | | |
| Warwick Bridge/Little Corby North – Warw 1 | 1.55 | 66 |
| Wetheral | | |
| Wetheral South – Weth 1 New site proposed, opposite side of road. More balanced extension to village could potentially be achieved through development on both sides of road. | 3.49 | 98 50 |
| Land west of Steele’s Bank | 1.6 | 50 |
| Wreay | | |
| Land west of Wreay School – Wrea 1 | 1.16 | 10 |

The sites allocated under this Policy are detailed in Appendix 1.

Those sites denoted with * have Planning Committee authority to issue planning permission subject to the signing of a S106 agreement.

The backlog is spread over the whole of the Plan period. Allocations and windfalls will be monitored closely and if supply from either declines, additional allocations will be brought forward.

Justification

5.2 The delivery of housing across the district is linked to three important issues of both national and local significance – how to accommodate an ageing population whilst retaining mixed communities, how to promote sustainable growth, and how to provide the physical and social infrastructure that is required to support housing growth.

5.3 This policy has taken into account the following factors:

- the Council has maximised its opportunities for developing brownfield land, and the number of brownfield sites remaining is diminishing;
- a peripheral scattered approach to new housing around the edge of Carlisle may not be the most sustainable option as some sites may be a considerable distance from the centre;
- choosing a strategic location for new housing development can deliver integrated community, retail, employment and education infrastructure;
- providing housing development within or on the edge of the city enables good access to existing services and public transport;
- whilst a small number of housing sites within the Strategic Housing Land Availability Assessment are located within the City, the majority are on the periphery, with one or two very large sites.

5.4 One of the key issues facing the district is the provision of a range of new housing to help meet the needs of the whole community. Planning for a range of housing types (including for the elderly) will enable more balanced communities with a mix of people creating opportunities for better neighbourhoods.

5.5 This Policy identifies an annual average housing target across the district of 550—650 665 to ensure an adequate supply of new homes, including affordable homes, to meet the needs of the community. In meeting these requirements the focus must be on delivering attractive and sustainable communities and neighbourhoods where people want to live. To achieve this, account must be taken of the implications for infrastructure and services across the whole district.

5.6 To assess the housing capacity of the City, and in accordance with Government requirements, the City Council has prepared a Strategic Housing Land Availability Assessment (SHLAA).

5.7 The SHLAA currently demonstrates that there is land available which has the potential to deliver 8212 houses.

5.8 With reference to the proposed housing allocations, it has been important to ensure that the sites are deliverable over the Plan period. To be considered deliverable, sites should be available and offer a suitable location for development now, and be achievable with a realistic prospect that housing can be delivered on the site within five years. In particular, development of the site must be viable.

5.9 The Council can currently demonstrate at least a five year supply of housing land + 20%, (Appendix 1) . and therefore there is no requirement to allocate sites for housing for the first five years of the Plan period. The allocations are therefore intended to be brought forward in years 6—10. The allocations included in Policy 19 are intended to be delivered throughout the Plan period, broadly in accordance with the housing trajectory. From 2025 onwards, any shortfall will be met by the implementation of the Carlisle South (Policy S3), which identifies a broad location for growth, in line with paragraph 47 of the NPPF.

5.10 The National Planning Policy Framework (NPPF) states that local planning authorities should:

- boost significantly the supply of housing;
- deliver a wide choice of high quality homes;
- widen opportunities for home ownership;
- create sustainable, inclusive and mixed communities;
- ensure the local plan meets the full, objectively assessed needs for market and affordable housing, identify key sites which are critical to the delivery of the housing strategy over the plan period, and identify a supply of specific, developable sites, or broad locations for growth for years 6-10 and where possible 11-15.

5.11 The housing target is based on evidence from the Housing Needs and Demand Study 2011 (HNDS) and the SHLAA. The HNDS states that within the District, the ONS mid-year population estimates (for 2009) suggest that some 8,200 people lived in the Rural West area, 25,800 in Rural East with the majority (70,700) living in the main Carlisle urban area. This approximates to 70% in urban Carlisle, and 30% in the rest of the rural area. As such, Policy 19 seeks to achieve 70% of the housing target to be delivered in urban Carlisle, and 30% in the rest of the District (the rural area including Brampton and Longtown).

5.12 The HNDS concludes that an estimated 545 homes per annum are required to 2025 just to maintain stable employment levels. In the longer term it is expected that economic growth would drive additional net in-migration to the district. Projected housing requirements driven by trend based economic growth would result in a higher housing requirement at around 665 per annum.

5.13 Therefore given the need to plan for employment growth, and to provide housing to meet a broad range of needs, the Local Plan has set an appropriately ambitious housing target.

Which Local Plan Policy is Superseded:

5.14 This Policy supersedes Local Plan Policy H1: Location of New Housing Development and Proposal H16: Residential Allocations in the Carlisle District Local Plan 2001 – 2016.

Housing Development (not on allocated sites)

Consultation Update - First stage preferred options July - September

- support for policy as it provides flexibility in allowing housing on non-allocated sites;
- policy should require community consultation to be carried out for all development proposals;
- community views should override all other considerations;
- policy does not contain a settlement hierarchy approach;
- policy needs to be even more flexible;
- village clusters should be defined;
- there is no evidence that villages work in clusters;
- some housing development should be allowed in all villages, even those with no services;
- regret the removal of settlement boundaries;
- there should be a requirement for developers to make a financial donation to the communities they build in.

Policy 17 - Housing Development (Not on Allocated Sites)

New housing development on sites that have not been specifically allocated other than those allocated under Policy 19 will be acceptable within Carlisle, Brampton, Longtown, and villages within the rural area provided that:

1. the development will enhance or maintain the vitality of the rural community within the settlement where the housing is proposed;
2. the scale of the proposed development is well related to the scale, form, function and character of the existing settlement;
3. the layout of the site and the design of the houses is visually attractive as a result of good architecture and landscaping;
4. on the edge of settlements the site is well contained within existing landscape features and does not lead to an unacceptable intrusion into open countryside;
5. in the rural area there are either services in the village where the housing is being proposed, or in a village or other settlement nearby there is good access to one or more other villages with services, or to the larger settlements of Carlisle, Brampton and Longtown;
6. the proposal does not adversely affect the amenity of adjacent uses;
7. existing areas of public open space are protected provided;
8. satisfactory access and car parking is provided;

The landscape impact of developments will be assessed against the Cumbria Landscape Character Guidance and Toolkit.

Applicants will be expected to demonstrate through consultation with the local community how the proposed development will enhance or maintain the vitality of rural communities. Housing development will be acceptable through the change of use and redevelopment of commercial buildings and land where there is an identified need for housing in the area and there are no strong economic reasons why such development would be inappropriate.

Justification

5.15 Within the built up areas of Carlisle, Brampton and Longtown, particularly but not exclusively within the Primary Residential Areas, there are likely to be opportunities for new residential development, either through the development of vacant sites, the conversion of vacant buildings, or as part of a larger mixed use scheme. Residential development in these areas will be acceptable, subject to the stated criteria in the above policy.

5.16 The size of the rest of the District and the number of villages within it gives a wide choice about where to locate new housing. If housing is located in sustainable locations it can bring many benefits including wider choice for households.

5.17 The majority of Carlisle District is rural. Recent population estimates show that 34000 people live in the rural area. Nearly 30% of this rural population is aged 60 or over. The above policy makes provision for small scale housing in the villages in the rural area. This aims to provide a flexible basis with which to make provision for rural housing.

5.18 Most new residential development in the rural area will be focussed in sustainable locations. This means villages which have, or have easy good access to, for example, a primary school, post office, shop and frequent public transport within 400m walking distance. Other facilities such as a village hall, church, pub, and other local businesses can all add to the overall sustainability of a location.

5.19 It is recognised that within many parts of the rural area it may will be difficult to achieve all of the above. ~~Therefore housing development should be located in a village which either has its own range of local services, or is close to another village or larger settlement with a range of local services and facilities.~~ The NPPF states that in rural areas LPAs should be responsive to local circumstances and plan housing development to reflect local needs. It goes on to say that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.

The local circumstances for Carlisle District are very specific in that there is a large rural area with many villages scattered throughout. The villages vary in size and the level of services that they support. There are some very small villages which support a primary school, for example Raughton head and Wreay, and some much larger villages with few or no services, such as Brisco and Low Row. There are also a number of primary schools, churches, village halls and pubs which lie entirely outside any recognised village, for example Stoneraise Primary School, and Blackford Primary School.

Accessibility to services will therefore be one consideration in assessing applications for housing under this policy. Housing will also be acceptable where it will enhance or maintain the vitality of rural communities. This will need to be demonstrated by the applicant, and could include, for example, a young family moving to the village, someone wishing to work from home, people moving into a village to support other family already living there etc.

5.20 As the Plan no longer defines settlement boundaries, sites will be more acceptable where they are physically contained by existing landscape features such as hedges, trees, woodland or topography, and do not adversely impact on wider views into or out of a village.

5.21 The NPPF states that applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably. As such, applicants will be expected to demonstrate that they have complied with this national policy requirement".

Alternative Options

Continue to Categorise Settlements and Define Settlement Boundaries

5.21 The Local Plan currently defines Local Service Centres with settlement boundaries. National policy in the NPPF does not advocate this approach. Policy in the NPPF states that in rural areas housing should be located where it will enhance or maintain the vitality of rural communities, for example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Settlement boundaries first appeared

in the 2008 Local Plan. They were drawn up in response to RPG/RSS policy. They were set at a time of historical and lower levels of housing requirement. RSS has now been abolished, and the housing target for the District is much higher. Current settlement boundaries are tightly drawn around Carlisle, Brampton and Longtown, and the 20 villages listed in Policy H1 of the Local Plan. This means that there is very little, if any, further scope for development in the future, as Policy H1 largely prevents development outside the boundary.

5.22 Feedback from various consultation exercises including a number of workshops indicates that there is a level of support for relaxing or removing the settlement boundaries to allow for rural housing development of a scale appropriate to the size of the village, especially where this would help to sustain existing services and facilities.

5.23 Therefore whilst we considered the approach of continuing with a hierarchy of settlements, this can lead to a 'sustainability trap', whereby certain settlements are never going to be considered sustainable due to their lack of services. This denies local people to ability to solve their own housing problems, or local farmers and businesses the ability to build necessary dwellings.

Which Local Plan Policy is Superseded:

5.24 This policy supersedes Policy H1 – Location of New Housing Development and Policy H2 – Primary Residential Areas in the Carlisle District Local Plan 2001 – 2016.

Residential Density

Consultation Update - First stage preferred options July - September

- support for policy;
- policy should be amended to require new development to respond to local character, establish a strong sense of place, use design to create attractive and safe places to live; and
- each site should be assessed on its own merits and density figures removed.

Policy 18 - Residential Density

~~New housing proposals should optimise the potential of the site to accommodate development, particularly in Carlisle, Brampton, Longtown, and other larger villages. The density of new development should also aim~~ The density of new housing proposals should optimise the potential of the site to respond to local character and establish a strong sense of place, using design to create attractive and safe places to live.

The density of new housing development should also contribute to the design objectives set out in Policy S3 Design.

Density is likely to vary depending on the accessibility and character of the locations being considered. Higher densities (30-50dph) will be more appropriate within Carlisle, Brampton, Longtown and the larger village centres that have good access to public transport and a range of local services and facilities.

Medium densities (30dph) will be more appropriate towards the edge of settlements. Lower densities will be acceptable in and on the edge of smaller settlements in order to respond to local character and context.

Justification

5.25 Specifying a housing density enables Councils to manage the amount of dwellings built in certain areas. Density is calculated by dividing the number of dwellings on a site by its size. For example, a housing site of 1 hectare which yielded 40 dwellings has a density of 40 dwellings per hectare (dw/Ha).

5.26 Previous planning policy at a national level aimed for high density urbanisation and to have 60% of new housing on brownfield sites. The National Planning Policy Framework has removed the requirement to have regard to a national minimum density for housing. Whilst the NPPF continues to encourage building on brownfield sites, it does so less strongly than in earlier guidance. It also discourages building on gardens.

5.27 The main aim of this policy is to optimise the use of land to deliver housing development which creates an attractive, safe, well designed environment which contributes positively to making places better for people to live in. Where housing is developed at a higher density, this can reduce the land take for development. It can also increase support for local services and facilities, including public transport, shops and local businesses.

However, this policy is flexible enough to set density ranges that suit local needs in the district

5.28 In certain areas, especially in the City, there are pockets of high or very high density housing. If development opportunities arise in these areas, it can be appropriate to provide lower density housing to create a more balanced housing stock, and provide the opportunity for a more mixed community.

5.29 Housing densities will be applied flexibly to support design and sustainability objectives in the Plan. The Policy aims to help broaden the range and mix of homes available to meet identified housing need.

5.30 The main considerations in assessing housing density will be:

- does the development function well, establish a strong sense of place and respond to local character?
- is the development visually attractive?
- is there adequate garden space for each plot, including space for storing materials to be recycled?
- can appropriate levels of parking be provided?

Alternative Option

5.31 The NPPF states that local planning authorities can set out their own approach to housing density to reflect local circumstances. It is considered that this policy is required to ensure new housing contributes to achieving a sense of community, and maintaining a variety of housing, whilst meeting a range of housing needs.

Which Local Plan Policy is Superseded:

5.32 This policy supersedes Policy H53: Residential Density, in the Carlisle District Local Plan 2001-2016.

Affordable Housing

Consultation Update - First stage preferred options July - September

- the flexibility in the policy is supported;
- the policy should required a greater percentage of affordable housing in the rural area;
- commuted sums should never be acceptable;
- smaller housing schemes in the rural area do not generally deliver affordable housing;
- more one bed flats required;
- policy based on evidence from the Affordable Housing Economic Viability Assessment. However, other policies in the Plan will have a cost implication but viability impact work not yet available;
- most rural communities prefer small scale developments that reflect local styles;
- shared ownership could be mentioned in policy;
- village level survey of affordable housing needs should be carried out;
- affordable requirements should not be negotiable;
- properties should remain affordable for their lifetime; and
- all developments should contain an element of shared ownership.

Policy 19 - Affordable Housing

Within Zone A, all sites of 5 units and over will be required to provide 30% of the units as affordable housing. Where this does not equate to a whole unit a commuted sum will be required to make up the contribution.

Within Zone B, all sites of 10 units or over will be required to provide 25% of the units as affordable.

Where intermediate housing is to be provided at a discounted market value, a discount of 30% will be sought and the discounted sale will be required to be in perpetuity.

The affordable housing provided shall comprise a mix of Social and Affordable Rent, and Intermediate Housing, the mix to be determined by the need at the time.

Where a developer seeks to depart from the policy, a financial appraisal will be required to justify any lower level of affordable housing, and prove that the requirements of the policy make the site unviable.

Justification

5.33 The NPPF states that in order to deliver a wide choice of high quality homes, LPAs should use an evidence base to ensure that the Local Plan meets the full, objectively assessed needs for market and affordable housing. In rural areas, LPAs should be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing.

5.34 In addition, in order to ensure viability and deliverability, the NPPF states that the viability of schemes must be taken into account in both plan making and decision taking. Therefore the scale of affordable housing required by this policy has been calculated following the undertaking of an Affordable Housing Economic Viability Assessment, (AHEVA), which assesses the viability of a range of housing developments across the district using a residual valuation appraisal method.

5.35 The AHEVA states that to ensure delivery of affordable housing across the district, it is necessary that an appropriate affordable housing threshold maintains viability.

5.36 Within Zone B the AHEVA suggests that the previous Local Plan target of 30% of units in the urban area is the maximum that development can support, and if the Council should seek additional S106 obligations e.g. for open space etc, the policy will have to be flexible on the level of affordable housing sought.

5.37 The AHEVA also recommends a 30% affordable housing target with a higher percentage of social rented units in Zone A. However, Policy 22 sets a differentiated target and site threshold for the two zones, in order not to stifle the delivery of housing to meet local needs.

5.38 The policy contains a viability cushion in line with advice in the Harman guidance, 'Viability Testing Local Plans'. Therefore when the requirements of this policy make a site unviable, the Council will expect the developer to submit an appraisal such as the Homes and Communities Development Appraisal Tool or similar, before a departure from the policy will be allowed.

5.39 Land Registry figures for February 2013 show that average house prices in Cumbria are the lowest since 2005, with the average price being £122 074. However, the Carlisle Housing Need and Demand Study (HNDS) (Nov 2011) shows that incomes in Carlisle District are still on average lower than the rest of Cumbria, the North West and Great Britain. This has resulted in a significant number of households requiring help with their housing either through social rented property or housing benefit, and as such being unable to buy their own homes.

5.40 The HNDS also shows that just under a quarter of households in the district are unable to afford market housing without the need for some form of subsidy. Households in Carlisle urban area are considerably less likely to be able to afford market housing than households in the rural area.

5.41 The study identified a net shortfall of affordable housing of 708 homes per year, if all households in housing need were to be provided with an affordable home. Although this demand will be partially met by the private rented sector supported by housing benefit, Policy 22 aims to strike a balance on an appropriate affordable housing requirement.

5.42 At parish level, in September 2013 Dalston Parish Council commissioned Cumbria Rural Housing Trust to carry out a parish level survey to evidence the need for affordable housing within the community up to 2018. The survey provides an evidence base for Dalston Neighbourhood Development Plan (NDPS). The City Council will continue to support and encourage parish level surveys to evidence NDPs and other community led plans.

5.43 Housing markets are recognised as having a significant effect on the ability of the district to attract and retain people with a broad skill range. The Carlisle Economic Potential Study recognises that there are certain skill shortages in the district. Having a balanced housing market will attract a broader range of people to the district.

5.44 The maximum proportion of affordable housing on larger housing schemes is an important factor to consider in trying to achieve balanced and mixed communities. Large developments (e.g. schemes of over 20 houses) of entirely affordable housing could potentially lead to community cohesion issues with the surrounding area and also fail to contribute to mixed communities.

5.45 The siting of affordable housing within a development also needs careful thought to ensure that it is not concentrated within one area of the site, but is integrated throughout the development. This approach will provide greater opportunities for community cohesion.

5.46 In relation to the tenure split of affordable housing 50% should be social or affordable rented with the remaining 50% for affordable home ownership (often referred to as intermediate housing). However, it is important to allow for flexibility to ensure that marginal schemes remain viable. Demand for intermediate housing (such as shared ownership) can vary with market conditions and as a result there may be occasions where an increased proportion of social rented housing will be acceptable.

5.47 Shared ownership involves the purchase of an initial share of a property, and paying rent to a not-for-profit organisation for the remaining amount. The initial share purchased is normally between 25% and 75% of the full market value, and this share can generally be increased if requested. In most cases (except in protected rural areas), it is possible to increase the share to 100% of the property. Flexibility is therefore important to address housing need whilst ensuring mixed communities are created.

5.48 In determining the type of affordable housing to be provided, the Council's Housing Service will advise developers of the appropriate type and mix of units for each site to ensure local need is being met. This will help deliver the priorities in the Carlisle Housing Strategy 2012-2016, especially the need to 'work closely with local communities to address their housing needs and preferences, and support community based development initiatives.

5.49 Off-site provision, (or financial contributions towards the provision of affordable housing) will only be agreed in exceptional circumstances where such an approach can be robustly justified, (in accordance with paragraph 50, bullet point four of the NPPF), (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities.

5.50 Evidence will be required to show that the affordable housing cannot be managed effectively on the site, and that providing the affordable housing elsewhere will significantly widen housing choice and encourage a better social mix. Where off-site provision or contributions are agreed, it will be on the basis of the developer providing the same ratio of affordable housing to market housing as would have been provided on-site.

Alternative Option

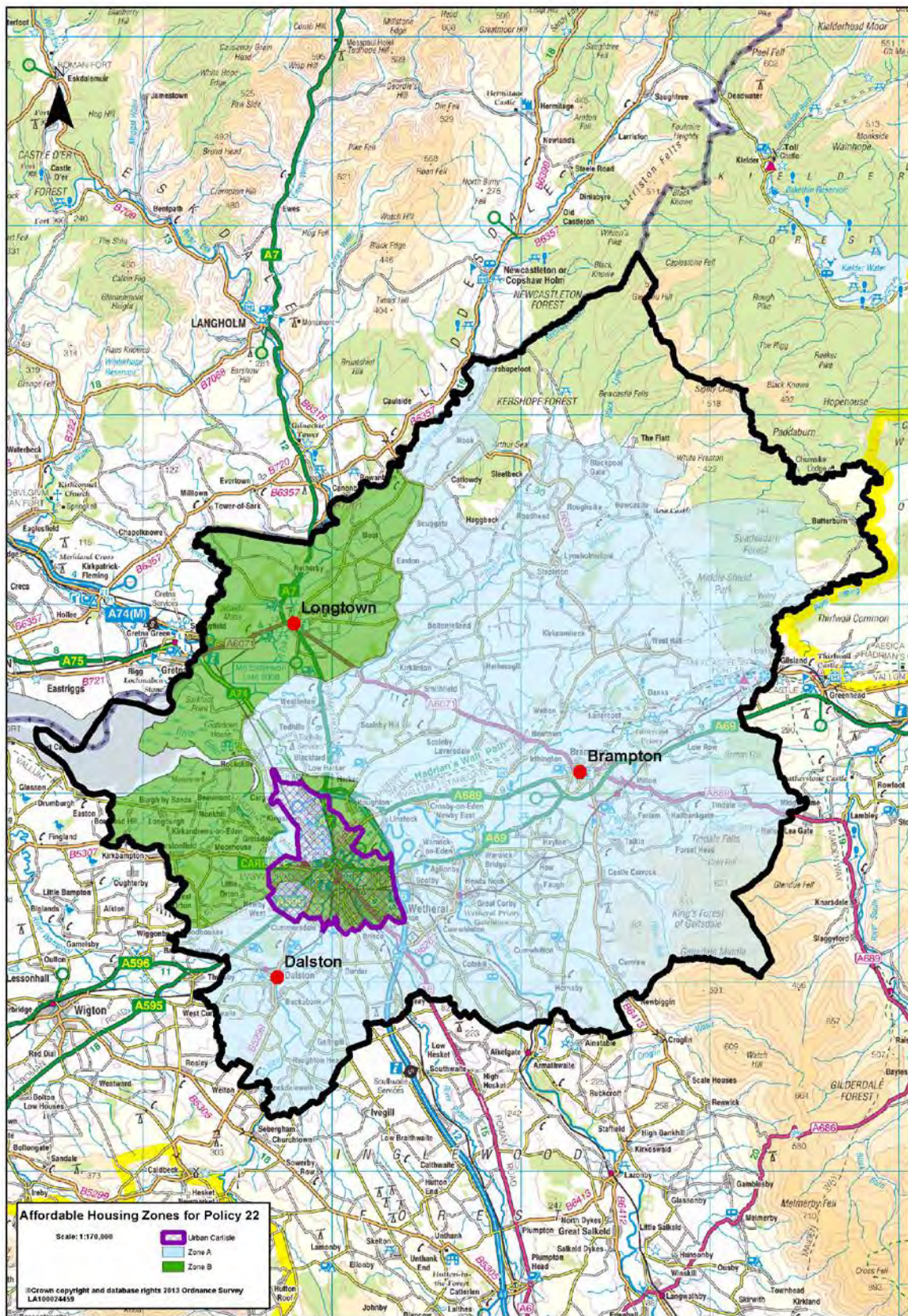
5.51 An affordable housing policy is required in order to help deliver the need for affordable homes as identified in the Carlisle Housing Need and Demand Study.

5.52 The percentage targets and thresholds set out in the policy are not as high as the AHEVA suggests. This is to reflect the fact that most small sites in the rural area are for fewer than 5 houses, and tend not to be speculative, but to be for an identified local need. Setting the threshold and targets too high may stifle delivery of housing for local people.

Which Local Plan Policy is Superseded:

5.53 This policy supersedes Policy H5: Affordable Housing, in the Carlisle District Local Plan 2001-2016.

Map 6 - Affordable Housing Zones Map



Rural Exception Sites

Consultation Update - First stage preferred options July - September

- policy needs to include reference to 'community right to build';
- community opinion should be afforded greater weight than the need for open market housing (to deliver affordable);
- criterion 4 should be removed;
- new development should relate well to existing development;
- policy does not adequately protect the rural landscape;
- clarity required as to what would be considered a rural exception site;
- support for flexibility in policy to allow open market where needed to deliver affordable.

Policy 20 - Rural Exception Sites

In the rural area dwellings will be permitted on small sites where open market housing would not be acceptable, subject to the following criteria:

1. the development is for affordable housing to meet an identified local need;
2. the affordable housing will be retained for local people need in perpetuity;
3. the proposal can demonstrate that the development can be delivered;
4. the site is close to a settlement which provides a range of local services and facilities, or has good public transport links to a larger settlement with a wider range of services and facilities.

In the following exceptional circumstances an element of open market housing will be allowed on rural exception sites:

- a) excessive development costs due to site constraints;
- b) the Registered Provider can demonstrate that the additional revenue created by the development of open market housing is essential to enable the delivery of affordable housing on the site;
- c) the amount of open market housing is the minimum required to achieve site viability.

Justification

5.54 The NPPF makes provision for a proportion of market housing to be built on rural exception sites where it would facilitate the provision of significant additional affordable housing to meet local needs.

5.55 The rural area can be the least affordable place to live in the district. In 2008, the Government's 'Living working countryside' Matthew Taylor review of the rural economy and affordable housing found that while people working in rural areas tend to earn significantly less than those working in urban areas, rural homes are more expensive than urban homes.

5.56 The popularity of rural areas and migration from urban areas add to the pressures on rural housing affordability.

5.57 In the rural area, opportunities for delivering affordable housing can be limited. The Affordable Housing Economic Viability Study (AHEVA) notes that rural exception sites land values are generally lower, thereby creating an opportunity to deliver affordable housing. Rural exception sites can contribute towards the supply of affordable housing, and help to meet specific identified local needs. Such sites can only be used for affordable housing in perpetuity. The type, tenure and size of the homes must meet an identified local need. Local is defined as within the parish.

5.58 Examples of the type of land that would qualify as an exception site include:

- land within or adjacent to a small village where open market housing would normally be constrained;
- land close to a larger village with a range of services and facilities;

5.59 The policy aims to ensure that rural communities remain sustainable by making provision for households in local need, for example:

- existing residents needing separate accommodation in the area, e.g. grown up children, or growing families.
- workers who provide important services and need to live closer to the local community;
- people who require family support, e.g. the elderly;

5.60 Villages throughout the district vary enormously in size. It is therefore important that the development of a rural exception site is in scale with the adjacent village. **The landscape impact of proposals will be assessed against the Cumbria Landscape Character Guidance and Toolkit.**

5.61 The policy states that only small sites will be considered acceptable. Normally when housing sites are developed where there is an element of affordable housing to be included, the affordable element is pepper-potted around the site rather than concentrated in a particular part. This is to ensure integration within the scheme, and comply with national policy which states the need to create sustainable, inclusive and mixed communities.

5.62 With a rural exception site, unless there are exceptional circumstances, the whole site will contain affordable units. It is therefore important that the number and type of houses to be developed enables the creation of sustainable, inclusive and mixed communities, including opportunities for integration with the adjacent settlement. Hence only small sites will be considered acceptable.

5.63 Schemes are more likely to be successful with the involvement, support and knowledge of the parish council and the local community.

5.64 The occupancy of the houses will be controlled by a Section 106 agreement to ensure that the affordable housing is available in perpetuity to meet local needs. This prevents the houses being sold or rented at open market rates.

5.65 The S106 must include the name of the parish where the local need has been identified. It may also include a list of neighbouring parishes to be referred to if, at some point in the future, one or more of the houses becomes vacant and there are no applicants from the parish.

Alternative Option

5.66 The preferred option is to include a policy to allow the development of affordable housing on sites where open market housing would not be allowed, for example because it is not within or immediately adjacent to a settlement. (This does not mean that sites in isolated locations would be acceptable). Such land can be more cheaply available. The aim of the policy is to increase the opportunities to deliver affordable housing.

5.67 The NPPF states that LPAs should consider whether allowing some market housing would facilitate the provision of significant additional affordable housing to meet local needs. Because most of the rural villages within the district are small in size, it is considered that sites delivering 'significant additional affordable housing' would be out of scale with these villages. However, the policy does make provision for some open market housing in exceptional circumstances such as sites where there are high development costs due to severe site constraints.

5.68 A reduction in HCA grant funding means that new ways to bring forward affordable housing need to be explored.

Which Local Plan Policy is Superseded:

5.69 This policy supersedes Policy H6: Rural Exception Sites in the Carlisle District Local Plan 2001-2016.

Housing for Rural Workers

Consultation Update - First stage preferred options July - September

- support for policy;
- policy should be amended to include provision for new houses of exceptional quality or innovative design;
- policy should state preference for commercial/live-work before residential;
- sustainability tests in justification too onerous;
- policy should seek to avoid new isolated homes in the countryside;
- policy could help deliver local workers homes for rent;
- 'full time worker' requires further definition;
- policy too restrictive;
- policy does not adequately protect the rural landscape;
- removal of occupancy condition (para 5.67), - dwelling should only require marketing for 6 months.

Policy 21 - Housing for Rural Workers

In the open countryside new houses for rural workers will be permitted where there is an essential need to live permanently at or near their place of work in the countryside provided that:

1. evidence is provided to demonstrate need for a full time worker to be available at all times for the enterprise to function properly;
2. such evidence is to demonstrate that the business has been established for two years, and has been profitable for at least one year, is currently financially sound, and has a clear prospect of remaining so;
3. the housing need can not be met by housing nearby;
4. the house would be appropriate in terms of size, scale and design for its location.

Justification

5.70 Most rural workers will live in villages or the market towns of Longtown and Brampton, or in existing properties connected to their place of work. However, there will be specific circumstances where the nature and demand of the rural enterprise require a worker to live at the place of business in the countryside.

5.71 This policy is aimed at making provision for rural workers with a need to live permanently at or near their place of work in the rural area, and that the need can not be met by housing nearby. The definition of a rural worker is not simply limited to someone employed in agriculture or forestry, but can include, for example, those employed in equestrian or other land based enterprises, water based businesses, rural arts and crafts, etc.

5.72 Applicants for such dwellings will need to demonstrate that there is a clearly established existing functional need, that the need relates to a full time worker, and that the enterprise concerned has been established for at least two years, and been profitable for at least one year. The business should also provide evidence that there is a clear prospect of it remaining financially sound.

5.73 The applicant will also be expected to demonstrate that the need for a dwelling could not be met by existing housing for sale in the area. This would require a basic search for houses for sale in the immediate locality and a brief indication as to why they are not suitable to meet the need for the rural worker, for example, on the grounds of location or price. The proposal must also meet all other planning policy requirements such as access, design, impact on the landscape etc. The landscape impact of proposals will be assessed against the Cumbria Landscape Character Guidance and Toolkit.

5.74 Houses permitted under this policy will be subject to a condition limiting initial and successive occupation to a rural worker solely or mainly employed at their place of work nearby.

5.75 An application for the removal of such an occupancy condition will only be permitted where it can be demonstrated that:

- there is no longer a need for the dwelling in relation to the enterprise/business;
- the dwelling has been marketed for sale or rent for 6 months at a price that reflects the occupancy condition.

Alternative Option

5.76 The NPPF advises local planning authorities to avoid new isolated homes in the countryside unless there are special circumstances such as the essential need for a rural worker to live permanently at or near their place of work in the countryside. There are no further details provided. This policy therefore determines what this means for Carlisle District.

5.77 The preferred option is to include a policy to allow rural workers to live permanently at or near their place of work in the countryside. This policy is consistent with the NPPF and has qualifying criteria to ensure that it delivers the right type of house to meet an identified need. The policy will also address the shortage (as identified in the Housing Need and Demand Study Nov 2011) of all types of housing in the rural area, including affordable housing, and contribute to wider rural economy and enterprise objectives.

Which Local Plan Policy is Superseded:

5.78 This policy supersedes Policy H7: Agricultural, Forestry and Other Occupational Dwellings in the Carlisle District Local Plan 2001-2016.

Other housing in the open countryside

Consultation Update - First stage preferred options July - September

- support for policy;
- policy should be amended to include provision for new houses of exceptional quality or innovative design;
- policy should state preference for commercial/live-work before residential;
- sustainability tests in justification too onerous;
- policy should seek to avoid new isolated homes in the countryside;
- policy could help deliver local workers homes for rent;
- 'full time worker' requires further definition;
- policy too restrictive;
- policy does not adequately protect the rural landscape;
- removal of occupancy condition (para 5.67), - dwelling should only require marketing for 6 months.

Policy 22 - Other Housing in the Open Countryside

New housing will be allowed in the open countryside in the following circumstances:

1. replacement dwellings, providing that any dwelling to be demolished has no heritage value;
2. conversion of structurally sound redundant and disused buildings;

Such development should:

- a) lead to an enhancement of the immediate setting of the building;
- b) reflect the identity of local surroundings and materials in terms of both the new dwelling and any curtilage development such as garages or boundaries;
- c) be of a scale appropriate to the plot size;
- d) be able to access the road network without the need to construct access tracks which would have an unacceptable impact on the landscape.

~~The conversion of very remote rural buildings will be subject to sustainability tests.~~ Proposals for the conversion of very remote rural buildings will require additional information to be submitted with the application as set out in paragraph 5.76. 'Very remote' is considered to be more than 10 miles from a settlement with a shop.

Justification

5.79 There are a number of opportunities within the rural parts of the district to create new dwellings either through the demolition and replacement of substandard dwellings or through the conversion of redundant or disused buildings as follows:

5.80 Replacement dwellings: the demolition of dwellings will generally be required because of their poor condition or unsuitability for current living standards, which can not be

addressed by renovation. Applicants will need to show that the dwelling to be replaced has not been abandoned.

5.81 Conversion of redundant and disused buildings: many rural buildings such as barns, mills and stables make a significant contribution to the character and quality of the countryside around Carlisle. To avoid their loss and to prevent them from becoming derelict eyesores this policy makes provision for their conversion and re-use. Conversions must aim to retain and enhance any architectural quality and character of the building and its rural setting.

5.82 Any building to be converted should be visually worth retaining due to its contribution to the rural landscape. This will exclude modern agricultural or industrial buildings. There must also be good access to water, drainage and energy services.

5.83 Buildings to be converted should be structurally sound. Proposals which require the substantial reconstruction of the external walls or roof will not be acceptable. Structural surveys may be required in order to demonstrate that a building is structurally sound.

5.84 Carlisle is the second largest district in England and covers 400 square miles. As such, there are likely to be some very remote rural buildings in areas with poor accessibility along unclassified roads, remote from services, facilities and employment, and where the only option for travel is by car. The conversion of redundant or disused buildings in such locations is unlikely to be sustainable, and any proposals will require ~~a sustainability test~~ **additional information** to be submitted by the applicant to show the following:

- how the site will access utilities such as energy and water supply;
- how the site will access the road network;
- the occupier's place of work, and other travel trips likely to be generated, e.g. nearest school;
- how the building will contribute to energy efficiency.

5.85 All proposals under this policy should seek to optimise the potential to improve the character and quality of the site. A high standard of design will be required resulting in a development which is visually attractive as a result of good architecture and appropriate landscaping. The design of new houses in the open countryside is required to promote or reinforce local distinctiveness but be open to appropriate innovation. New dwellings should not be more obtrusive in the landscape than the existing dwellings that it is to replace, or the building that is being converted.

5.86 In all cases the creation of new dwellings should avoid introducing suburban character or features, such as extensive areas of tarmac or pavements, close boarded timber fencing or leylandii hedges.

5.87 Where a courtyard development of several dwellings is proposed, the gardens and courtyard should normally be left as a single communal space.

5.88 Many rural buildings can be habitats for a variety of wildlife including bats and barn owls. These species are sensitive to disturbance and therefore at risk from building works. They are also protected under the 1981 Wildlife and Countryside Act. An ecological survey

will also be required where such species are present. The survey should identify the species present, identify any impacts and consider avoidance, mitigation, and new benefits.

Alternative Option

5.89 The preferred option is to include a policy to allow new dwellings in the countryside through either replacement of existing dwellings or through the conversion of redundant and disused buildings.

5.90 Whilst the NPPF does not refer to replacement dwellings, it is considered necessary to have a policy enabling their development, as the City Council receives a significant number of planning applications for such development.

5.91 The NPPF makes policy provision for the conversion of redundant and disused buildings to residential. Due to the large rural area within the district and the changing requirements of agriculture, there are many agricultural buildings which are no longer used.

Which Local Plan Policy is Superseded:

5.92 This policy supersedes Policy H8: Conversion of Existing Premises and Policy H10: Replacement Dwellings in the Rural Area in the Carlisle District Local Plan 2001-2016.

Dwellings Through The Conversion Of Heritage Assets to Housing. And/ Or Housing as Enabling Development

Consultation Update - First stage preferred options July - September

- support for policy;
- would like criterion added about adequate access and appropriate car parking;
- policy should be deleted. There should be other policies covering the different types of heritage assets, and these should be used to assess the impact of proposals on the historic environment;
- policy needs minor amendment to recognise that such development could enhance the historic environment;
- policy needs to define what constitutes an adequate sized building to convert.

Policy 23 - Dwellings Through The Conversion Of Heritage Assets to Housing. And As Housing as Enabling Development

Proposals for the conversion to a dwelling of any building which is classed as a heritage asset will be acceptable providing that:

1. the proposal represents the optimal viable use of the heritage asset;
2. an assessment of the significance of the heritage asset including any contribution made by its setting is submitted with the application;
3. the proposal does not significantly adversely affect the special interest and characteristics of the building;
4. the building is of adequate size to be converted to residential use without the need for extensions or alterations which would have a significant adverse effect on the character of the building;
5. the design and the materials used for both the building and its setting including boundaries maintain or enhance the form, character and setting of the building;
6. adequate access and appropriate car parking can be provided.

In addition, enabling development in the form of new housing that would secure the future of a heritage asset will be acceptable providing that the following criteria are met:

- a. the development will not materially harm the significance of the heritage asset and its setting;
- b. the development will secure the long term future of the heritage asset;
- c. sufficient grant or subsidy is not available from any other source;
- d. the proportion of enabling development proposed is the minimum required to secure the future of the heritage asset;
- e. the development brings public benefit through securing the future of the heritage asset, and this outweighs any negative effects of conflict with any other planning policies.

Justification

5.93 Within the district there are a number of buildings which can be considered as heritage assets. Heritage assets for the purpose of this policy are most likely to including historic buildings that are either on the statutory list or the local list, (the full definition of heritage assets is included in the glossary). These buildings may be suitable for a range of uses from stables to tea rooms, but where the optimal viable use would be for housing, this policy will apply.

5.94 The building to be converted should be capable of providing adequate internal living space (kitchen/bathroom, living space etc) without the need for extensions, unless it can be demonstrated that such an extension would not have a significant adverse effect on the character of the building. An assessment of the character and setting of the heritage asset will have been submitted as required by criterion 1. It is important that the significance of the heritage asset is enhanced or better revealed in any alterations or extensions.

5.95 In many cases the setting of a heritage asset will be significant. It is therefore important that proposals for the conversion of a heritage asset also include details of how the surrounding curtilage including boundaries will be altered to accommodate gardens, parking etc.

5.96 Proposals should ensure that the historic fabric and features of the building are retained and that details such as door and window openings are in keeping with the character of the building. Where a building is included on the statutory list, proposals should not have a detrimental effect on the architectural and/or historic interest of the building.

5.97 Older buildings can provide valuable habitats for species that are protected under the Wildlife and Countryside Act 1981, such as barn owls and bats. The tendency of bats to hibernate in winter makes them especially vulnerable. As such proposals for conversion of heritage assets should include the following details;

- a survey of the building to identify current or past use by wildlife;
- where bats and barn owls are present, during and after conversion adequate access to roof space is maintained;
- where appropriate, alternative nesting or roosting sites are made available close to the site;
- details of the timing of works to avoid disturbance during the breeding or hibernation season.

5.98 There is a statutory requirement to notify Natural England on proposals where development would have an impact on protected species.

Alternative Option

5.99 No alternative option was considered. The District has a significant number of listed buildings and other heritage assets, including buildings on the local list. This policy will help to retain such buildings when they are no longer suitable for their current use, and add to housing supply across the whole of the District.

Which Local Plan policy is superseded?

5.100 This policy supersedes Policy H8: Conversion of Existing Premises in the Carlisle District Local Plan 2001 – 16.

Development in Residential Gardens

Consultation Update - First stage preferred options July - September

- support for the policy;
- criterion should be added stating that tandem developments will be unacceptable;
- criterion should be added preventing the hard surfacing of more than 50% of the garden area of a house;
- wording lacks clarity;
- concerns over density;
- criterion 4 should cover 'loss in levels of natural light';
- policy should apply to gardens of offices, schools, hotels etc;
- gardens are important for heritage, amenity, air quality, wildlife – criterion should reflect this.

Policy 24 – Development in Residential Gardens

Proposals for housing development in existing residential gardens will be permitted providing that the following criteria are met:

1. the scale, design and siting of the proposal would not result in a cramped form of development out of character with the surrounding environment;
2. a safe and attractive garden area, which reflects that predominant in the area, can be created for both the proposed new house and the existing house;
3. the proposal, by way of design, siting and materials integrates into the surrounding built, natural, and where necessary historic environment;
4. there is no unacceptable loss of amenity living conditions to surrounding properties by overlooking, loss of light, overbearing nature of the proposal or increase in on street parking;
5. the proposal does not prejudice the development potential of an adjacent site;
6. adequate access and car parking can be achieved.

Justification

5.101 National planning policy makes provision for local plan policy to resist inappropriate development of residential gardens, for example where development would cause harm to the local area. The Natural Environment White Paper (Securing the value of nature, 2011), states that natural networks include private gardens and that these can help to conserve wildlife in environments that have become fragmented by human activities.

5.102 Gardens contribute significantly to the character and quality of housing areas within the city, and also within the market towns and many villages within the rural area. Mature gardens can also help to mitigate factors contributing to climate change, for example trees which absorb carbon dioxide. Proposals for housing development in existing gardens, especially backland development, can often be contentious.

5.103 There will be instances where development of part of a residential garden for housing will be acceptable. However, such proposals also have the potential to cause significant amenity problems to existing properties including loss of privacy, loss of daylight, overlooking, visual intrusion by a building or structure, noise disturbance, reduced space around buildings, loss of car parking, and loss of mature vegetation including screening. There can also be increased water run off due to an increase in hard surfaces.

5.104 For sites to be acceptable there needs to be an appropriate plot depth and configuration, in order to allow new housing to be developed which results in a quality environment for both new and adjacent residents. Garden development, especially on rear gardens, on restricted plot depths is unlikely to be acceptable, especially where overlooking issues can not be overcome.

5.105 The form and scale of any new development should respect the local character of the immediately surrounding area. In particular, the scale, number of storeys and massing of new housing development should not exceed that of existing dwellings adjacent to the site.

5.106 Backland sites can result in piecemeal proposals being submitted for land which are physically connected to much larger areas with greater potential for a more comprehensive form of development. Proposals which block the development potential of adjacent land, for example through land locking, are unlikely to be acceptable.

5.107 This policy also relates to tandem development. This is a form of backland development where a new dwelling is placed immediately behind an existing dwelling and uses the same access. This type of development is nearly always unacceptable because of the impact on the amenity of the house at the front of the site.

5.108 The NPPF states that good design should contribute positively to making places better for people.

5.109 Where trees, hedges or other landscape features which make a positive contribution are present on the site, they should be retained and integrated into the design of the new development.

5.110 Private residential gardens are no longer classed as previously developed land, and any housing development permitted in gardens will not count towards the windfall allowance in the Council's five year supply of housing land.

Alternative Option

5.111 The NPPF states that Local Planning Authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area. Private residential gardens are also now excluded from the definition of previously developed land. The current Local Plan policy refers to backland development (i.e. development in large back gardens), and there have been 31 planning applications over the last five years where this policy has been used. It is therefore considered necessary to include a policy to set out criteria to guide acceptable development of private residential gardens.

Which Local Plan Policy is Superseded:

5.112 This policy supersedes Local Plan Policy H9: Backland Development.

House Extensions

Consultation Update - First stage preferred options July - September

- passive haus or similar standards should apply to all new developments;
- amend criterion 4 to relate to on street parking;
- principles of policy supported, provided that conservation areas adequately protected;
- comment regarding government relaxation of permitted development rights.

Policy 25 – House Extensions

House extensions and alterations should be designed to:

1. relate to and complement the existing building in scale, design, form and materials;
2. be visually subservient to the main building;
3. provide a satisfactory relationship between old and new fabric;
4. ~~not lead to overlooking, overpowering or overshadowing of neighbouring properties~~ ensure there is no loss of amenity to surrounding properties by overlooking, overbearing nature of the proposal, or increase in on street car parking caused by the loss of an existing garage or off street parking space;
5. ensure adequate natural light within the building, garden and amenity space.
6. maintain the established spatial character and pattern of the street scene and be a positive addition.
7. ~~in streets characterised by relatively small gaps between buildings, any extension or alteration at first floor level does not come to within a minimum of one metre of the side boundary.~~
8. retain gaps where they are characteristic of the area and contribute to the street scene.

Justification

5.113 The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

5.114 The council is committed to achieving good design in all new development and spaces, including extensions and alterations to existing residential buildings.

5.115 Many people choose to adapt their existing homes to cater for changes in lifestyle rather than move house. House extensions involve any extension of the living space, including basements, roof conversions and conservatories.

5.116 The design of an extension should respond to the characteristics of the specific site, as well as the distinctiveness of the wider setting. Often the best approach is to reflect the style of the existing building, especially in conservation areas and for listed buildings. In other locations extensions of a more contemporary design may be appropriate.

Consequently, any proposal will need to demonstrate that through its scale, density, layout, siting, character and appearance, it has been designed to respect the property and its surroundings.

5.117 Most proposals should be visually subservient to the existing property. The scale of the extension that is likely to be acceptable will depend on the size of the plot, the size of the original dwelling and the impact on neighbours and the street scene. Further detailed policy is contained in the adopted 2011 SPD Achieving Well Designed Housing.

Changes to permitted development rights

5.118 ~~Not all house extensions require planning permission. At the end of 2012 the government consulted on extending permitted development rights for homeowners and businesses.~~

5.119 ~~Permitted development only covers the planning aspects of the development. It does not remove requirements under other regimes (e.g. building regulations, the Party Wall Act or environmental legislation). While these permitted development rights may apply to listed buildings outside protected areas, they only grant planning permission and do not remove the requirement for separate listed building consent. Moved to glossary.~~

5.120 The consultation seeks views on the Government's proposals to amend the Town and Country Planning (General Permitted Development) Order 1995 (as amended) to grant increased permitted development rights allowing (amongst other things) homeowners to build larger extensions.

5.112 ~~The Government aims that the proposed changes will make it quicker, easier and cheaper to build small scale single storey extensions and conservatories, while respecting the amenity of neighbours. Changes to permitted development rights will not apply in conservation areas, World Heritage Sites, AONB's or SSSI's and separate listed building consent will also be required.~~

5.121 This policy will therefore apply to all applications for development which are not covered by permitted development rights, although it also provides useful guidance, together with the SPD Achieving Well Designed Housing, for extensions being constructed under permitted development rights.

Alternative Option

No alternative policy options were considered.

5.122 Extensions and alterations to existing dwellings are a way of enabling a growing family to stay in their home, or adapt to their changing needs, whether to care for an elderly relative or make provision for someone with a disability. A significant number of planning applications are received each year for house extensions. These applications have the potential to add significantly in design terms to the street scene. However, poorly designed extensions can have an impact on neighbours' privacy and amenity, and on the character of an area. This

policy therefore provides a policy framework for making decisions on applications.

Which Local Plan Policy is Superseded:

5.123 This policy supersedes Local Plan Policy H11: Extensions to Existing Residential Premises in the Carlisle District Local Plan 2001-2016.

Houses in Multiple Occupation and Subdivision of Dwellings Large Houses in Multiple Occupation, Subdivision of dwellings, and Student Accommodation

Consultation Update - First stage preferred options July - September

- policy supported;
- policy should refer to student accommodation;
- external character and appearance of buildings should be maintained.

Policy 26 – Large Houses in Multiple Occupation and Subdivision of Dwellings, and Student Accommodation

Proposals for the subdivision of dwellings and the creation of houses in multiple occupation will be acceptable providing that:

1. effective measures are proposed to minimise the effects of noise and other disturbance to neighbouring residential properties;
2. adequate space is provided for the storage of refuse and recycling bins;
3. the proposal would not adversely affect the character of the surrounding area, for example through increased on-street parking;
4. the proposal does not lead to the creation of substandard units of accommodation.

~~Additionally, within the area defined on the Policies Map no new HMO's will be acceptable.~~

Proposals for student housing will have to demonstrate how they will contribute towards mixed and balanced communities. Such proposals must:

- a) not lead to the loss of existing good quality family housing;
- b) be supported by evidence of direct links with the University of Cumbria;
- c) not lead to an intensification of student accommodation/HMOs which would be detrimental to residential amenity, or place unacceptable pressure on local infrastructure;
- d) have good public transport or walking and cycling links to the University sites, and also to local services and facilities;
- e) provide adequate internal and external space standards including for the storage of bicycles, refuse and recycling bins;

Student housing will be subject to a planning obligation to ensure that it is only occupied by students attending a specified educational institution.

Justification

5.124 A Large HMO is a house with more than six people sharing. These are unclassified by the Use Classes Order and in planning terms are described as being sui generis. This policy therefore applies to large HMOs. The General Permitted Development Order give Permitted Development rights for change of use from dwelling houses to small scale houses

in multiple occupation. Small scale is defined in Circular 08/2010 as small shared houses or flats occupied by between three and six unrelated individuals who share basic amenities.

5.125 The Housing Act 2004 definition of a House in Multiple Occupation (HMO) is as follows:

- three or more unrelated people are sharing facilities;
- buildings comprising non-self-contained flats;
- houses converted to self contained flats before 1991 and not in accordance with the 1991 Building Regulations;
- a self-contained flat converted to 1991 Building Regulations standards (or later), if occupied by more than three unrelated persons.

5.126 The Act also makes provision for mandatory licensing of certain HMOs, and for such licensing schemes to be operated by the City Council.

5.127 Under the Act, HMOs which need to be licensed are those where:

- the HMO or any part of it comprises 3 storeys or more and
- the HMO is occupied by 5 or more persons and
- these persons are living in two or more single households

5.128 Where an HMO is situated in a part of a building above business premises, each storey of the business premises is included when calculating the number of storeys for the HMO.

5.129 Because of the shared occupancy of the properties, HMOs, such as bedsits and shared houses, require a higher standard of management than other private rented property and are subject to additional regulation. Some of these regulations relate to the management of the HMOs and this helps safeguard the health and safety of people who live in them who can be amongst the most vulnerable and disadvantaged members of the community. This type of housing is a valuable housing option for many people.

5.130 HMO licensing has been operated in Carlisle since 2006. For more information on HMO licensing, please contact the Private Sector Housing Team, at the City Council e-mail housing@carlisle.gov.uk.

5.131 Certain areas in Carlisle have a concentration of HMOs, in particular Warwick Square/Aglionby Street/Warwick Road, and Chatsworth and Portland Squares. Whilst the nature of the buildings in these locations (three storey Victorian houses) can be successfully converted, there are often problems with lack of parking or sufficient outdoor space for storage of bins and recycling bags. This can have an unacceptable impact on the amenity of neighbours, and on the character of the street scene, especially in the conservation areas. ~~As such no new large HMO'S will be acceptable within the area defined on the Policies Map due to the detrimental effect this has had on the area in terms of residential amenity and parking.~~

5.132 This policy also applies to proposals to subdivide larger houses into two or more dwellings. This can provide additional smaller units of housing, often at less cost than new build, and can often preserve the life of an older building. Such proposals must ensure adequate internal living space, as well as complying with other policy criteria.

Alternative Option

5.133 There are clusters of HMOs within certain areas of the City where there are higher concentrations of three storey Victorian houses. These areas generally have a tight knit urban form and lack any off street parking. They are also covered by a large Conservation Area designation. Whilst HMOs can meet a specific housing need, there is also potential to change the character of an area, and have an unacceptable impact on the amenity of neighbouring occupiers. As such a policy to guide planning applications for HMOs is considered necessary.

Which Local Plan Policy is Superseded:

5.134 This policy supersedes Local Plan Policy H12: Subdivision of Houses and Houses in Multiple Occupation.

Special Needs Housing to Meet Specific Needs

Consultation Update - First stage preferred options July - September

- institutional housing should not be counted in final housing figures;
- the Council is encouraged to take a multi-agency approach to the provision of shelters;
- need to further consider whether land should be allocated for specialist housing accommodation;
- village level specialist housing survey required;
- housing for the elderly should be discouraged in certain locations, e.g. locations with no services;
- housing for the elderly can be in a variety of locations, does not need to be close to services;
- move away from term 'special needs'; use 'older people' rather than 'the elderly'; and
- 'Lifetime Homes Standards' should be defined'.

Policy 27 - Special Needs Housing to Meet Specific Needs

Proposals for new housing development must also ensure adequate internal living space.

Proposals that provide specialist housing for vulnerable people including for the ageing population, such as extra-care accommodation, and which take account of the need to provide for a variety of care needs and flexibility to accommodate differing requirements of ageing care will be supported.

In order to encourage new homes that are adaptable for the lifetime of the occupiers, proposals for dwellings meeting Lifetime Homes Standards will be supported by the Council.

Proposals for new development to meet a particular housing need, e.g. the elderly older people, or supported or other specialist accommodation will be acceptable where they are in suitable sustainable locations, for example, close to a range of services and facilities.

Justification

5.135 The Housing Need and Demand Study (Nov 2011) identifies that there are 24% of all households in the District where one or more members has identified needs requiring support. In addition, nearly one third of all households contain only older people. Carlisle has an ageing population which is expected to increase over the next 20 years. This poses a challenge in terms of delivering the right type of housing to meet the needs of this population. The age profile for Carlisle District is slightly older than found regionally or nationally, with a greater proportion of people in all age groups from 45 onwards. Within the rural area there is a much larger proportion of people aged 45 and over than in the urban area. Nearly 30% of the population of each rural Housing Market Area (HMA) is aged 60 or over. Cumbria County Council have produced an 'Extra Care Housing Strategy 2011-2029',

which identifies that 340 extra care units are required in the district up to 2019. There will be continuing dialogue with the County Council on how this can be delivered.

5.136 These figures have implications for the delivery of housing over the plan period and therefore it is essential to ensure that the needs of older people are met over the plan period. New specialist housing for vulnerable people should aim to give all people who require provision of care more choice and control over where and how they live and how they receive care.

5.137 This policy encourages the provision of housing to maximise the independence and choice of older people and those members of the community with specific needs. When assessing proposals for the development of residential care homes, extra care housing and other similar schemes the Council will have regard to the local need for the accommodation proposed, and the ability of future residents and staff to access a range of local services such as shops, community facilities and public transport.

5.138 Older people or others with specialist housing needs often want to stay within the community in which they have been living, or move to be close to family or others who are able to help support them. Whilst such locations may not benefit from local services and facilities, they are still considered sustainable in terms of the community/family support for the particular housing need.

5.139 The Council will also support evidence based proposals for annexes or extensions to existing houses to accommodate an elderly, disabled or otherwise dependant person.

5.140 Proposals for Lifetime Homes, or which include an element of lifetime homes, will help to ensure a supply of adaptable and accessible homes that can respond to the changing needs of individuals and families. In addition, Lifetime Homes are ordinary homes designed to include 16 design criteria that can be applied to new homes at minimal cost. Each design feature is intended to add to the comfort and convenience of the home, and support the changing needs of those who live there at different stages of their lives. Lifetime Homes are intended to be flexible and adaptable. They are designed to create and encourage better living environments for everyone, from small children to coping with temporary or permanent disability, or reduced mobility in later life. The Lifetime Homes website has further information on the 16 design criteria.

5.141 Housing for people with a range of special needs will also be necessary. The Cumbria County Council 'Adult Social Care in Carlisle District Plan 2012-14' identifies extra care housing as a key form of support. Carlisle has a number of such schemes where people are offered support in extra care schemes, rather than residential care, enabling them to stay at home for longer.

Alternative Option

5.142 No alternative approach was considered. The proposed policy is consistent with government policy to deliver a wide choice of good quality homes. The NPPF requires local planning authorities to plan for a mix of housing, reflecting local demand.

Which Local Plan Policy is Superseded:

5.143 This policy supersedes Local Plan Policy H13: Special Needs Housing

~~Traveller Site Provision~~ Traveller and Travelling Showpeople Provision

Consultation Update - First stage preferred options July - September

- two additional criteria required in policy: that site should have good access for large vehicles and caravans; that sites should have substantial natural landscape screening or include proposals for this;
- policy should have criteria preventing industrial processes/activities;
- no business uses should be allowed;
- insert correct reference to 'people of the Showmans' Guild';
- would like criterion added that sites have adequate land for associated livestock, to prevent fly grazing;
- the objective of the policy should be to provide domestic accommodation for travellers;
- waste disposal, water, sewerage and infrastructure rules should apply;
- policy should include provision for sites for travelling showpeople;
- policy should identify sites to meet traveller provision.

Policy 28 - Traveller and Travelling Showpeople Site Provision

Proposals which will contribute to achieving the provision of additional pitches will be considered favourably where they meet the following criteria:

1. the site has reasonable access to key services and facilities including schools, shops, GP and health care and other community facilities;
2. the location of the site is such that it is possible to promote peaceful and integrated co-existence between the site and the local community;
3. there are opportunities to access these facilities by public transport, walking or cycling;
4. water and sewerage infrastructure connections are available or can be made available;
5. the site has existing landscaping screening, or can be landscaped to minimise any impact on surrounding countryside;
6. there would be no unacceptable impact on the amenity of adjacent land uses including residential uses;
7. site management measures are included within the proposals;
8. any additional business uses that are intended to be carried out on the site will not have an unacceptable impact on the residential use of the site or the amenity of any adjacent land uses;
9. the site should have, or be able to provide, adequate access for large vehicles and caravans.

Justification

5.144 The Housing Act 2004 places a duty on local authorities to carry out an assessment of the accommodation needs of gypsies and travellers in the district. In May 2008 the Cumbria Gypsy and Traveller Accommodation Needs Assessment (GTAA) was published to provide evidence of current provision and future need up to 2016. A review of the Cumbria GTAA is currently underway and will provide an up to date picture of need within the District and any site provision requirements up to 2030. This will ensure that any under provision is identified and can be addressed to ensure that an appropriate level of supply is maintained in places where travellers can access education, health, welfare and employment infrastructure. The review is due to be completed prior to commencement of the preferred options consultation therefore this policy will be updated once the findings are available.

5.145 Government policy on travellers is contained in the CLG document 'Planning policy for traveller sites' states that local planning authorities should make their own assessment of need for the purposes of planning. This will help in identifying land for sites and will also ensure that both plan making and decision taking help to reduce the number of unauthorised developments and encampments and make enforcement more effective.

5.146 There are currently a number of licensed gypsy sites in the district including: Ghyll Bank Park, Low Harker Dene, (which is owned by Carlisle City Council), and the privately owned Hadrian's Park and Hawthorns. There are also a number of pitches provided through personal consents to cater for the needs of single family units. ~~Carlisle District also has a permanent site for Travelling Showpeople at Willowholme.~~ There is also a permanent site for people of the Showman's Guild at Willowholme in Carlisle.

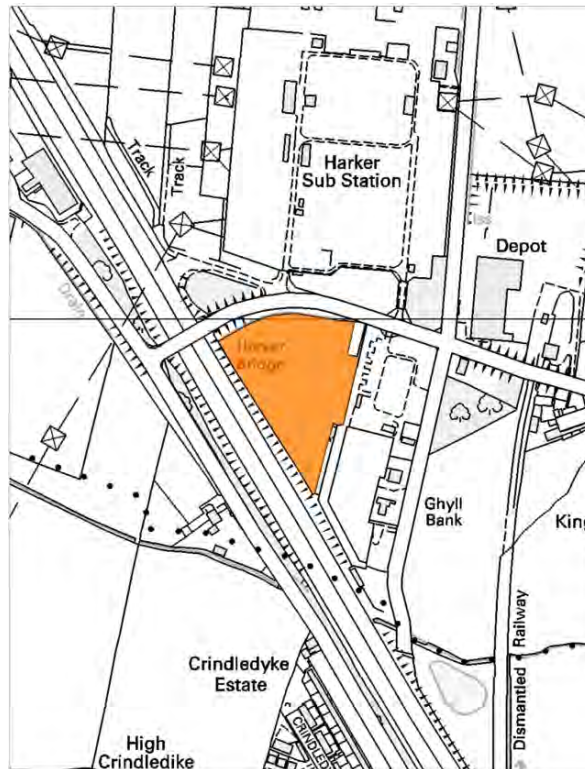
5.147 It is likely that there will be a continuing need for gypsy and traveller accommodation in the District. Research from the Equalities and Human Rights Commission (EHRC) indicates a national need to meet the current shortage of pitches in England. This will be evidenced by the findings of the GTAA.

Which Local Plan Policy is Superseded:

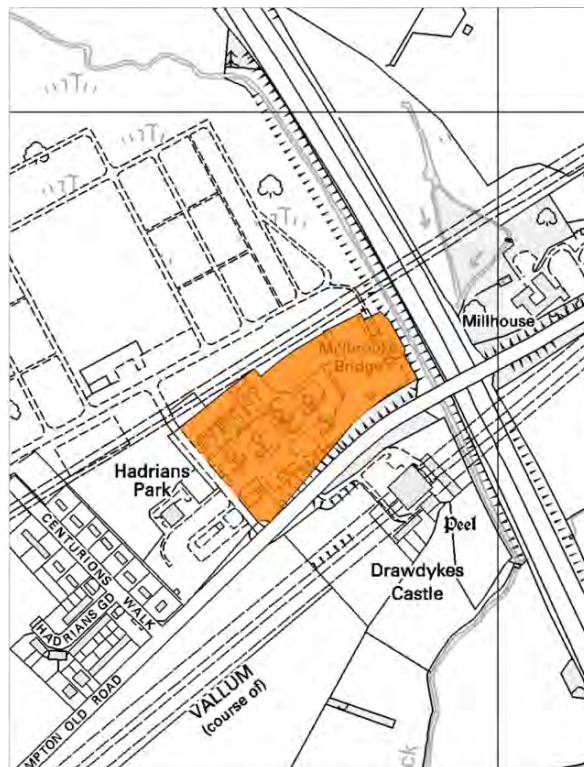
5.148 This policy supersedes Policy H14, Gypsies and Travellers and H15 Travelling Showpeople, of the adopted Carlisle District Local Plan 2001 – 2016.

Traveller and Travelling Showpeople Provision

Map 5 Low Harker Dene



Map 6 Hadrians Park



Other Uses in Primary Residential Areas

Consultation so far/ What you told us:

There were few comments received relating to this Policy however there was general support for a Policy that seeks to protect the amenity of residential areas.

Policy 29 - Other Uses in Primary Residential Areas

The amenity of residential areas will be protected from inappropriate development where that development:

1. is for a use inappropriate for residential areas; and/or
2. is of an unacceptable scale; and/or
3. leads to an unacceptable increase in traffic or noise; and/or
4. is visually intrusive.

Justification

5.149 One of the Core Planning Principles of the NPPF relates to ensuring a good standard of amenity for all existing and future occupants of land and buildings. The City Council therefore aims to protect and maintain the residential character of the areas identified as being primarily in residential use.

5.150 Within residential areas it is necessary to prevent development that would be detrimental to the surrounding residential area. In order to protect residential amenity, the City Council will resist any planning application which seeks to introduce a use which is clearly non-conforming and threatens the residential character of an area.

5.151 Certain proposals for non-residential uses within established residential areas including small local shops, public houses and small businesses may be acceptable provided the applicant can demonstrate that the benefits of the scheme will be in the community's interest.

5.152 There are uses, however, either through the type of use, its scale, or because it would generate an unacceptable level of traffic, noise or other adverse effects such as impact on the safety or health of residents that would result in an overall loss of amenity. Such development is not acceptable in residential areas and will not be permitted.

Alternative Option

No Residential Amenity policy in the Local Plan

5.153 Do not include a policy on residential amenity within the Local Plan. In not including a policy on this it would have to be ensured that the amenity of residential areas is

safeguarded through the implementation of other policies within this plan. A design policy may go some way to ensuring residential amenity however it may not be able to block inappropriate development in these more sensitive areas.

Which Local Plan Policy is Superseded:

5.154 Local Plan Policy CP6: Residential Amenity

6 Infrastructure

Objective

To ensure the provision of efficient and integrated infrastructure networks needed to support new and existing development, facilitate economic growth and deliver the plan strategy.

6.1 Infrastructure is a key consideration for new development and will play a fundamental role in delivering the Local Plan strategy. The policies in this chapter aim to ensure key infrastructure provision is in place to allow new development to function in a sustainable fashion. They also seek to ensure that infrastructure to be included as part of development proposals is appropriate in scale and location. Policies will draw from the evidence contained within the Carlisle Infrastructure Delivery Plan (IDP) which identifies what infrastructure currently exists across the district, highlighting any deficits and the likely funding arrangements that will be needed to address them. Where deficits do exist, policies in this chapter will seek to meet them through viable and appropriate planning obligations.

Delivering Infrastructure

Consultation Update - First stage preferred options July – September

There was a great deal of support for this policy with comments welcoming the list of key infrastructure identified by the Council. A range of other comments are listed below:

1. There should be a definition of “Community Services” perhaps with a description of the types of facilities and services to obviate the need to provide examples
2. The policy should also consider infrastructure that encourages self sufficiency and support efforts to create communal sustainability efforts.
3. It is important to ensure that existing infrastructure is maintained to an appropriate standard as well as ensuring that required new infrastructure is secured.
4. There should be a viability assessment for this policy – any infrastructure requirements should be transparently assessed.
5. Allotments should be specifically mentioned in the list of infrastructure
6. This policy should be backed up by a completed and comprehensive Infrastructure Delivery Plan
7. Green Infrastructure and flood defences should be put in place prior to the development commencing
8. United Utilities request that early engagement with them at the pre-application stage should be encouraged in policy
9. English Heritage request that Historic Parks & Gardens and the Public Realm are referenced in the infrastructure types
10. The policy is considered to be unsound and lacking justification and appropriate alternative options.
11. The distinction between CIL and S106 agreements should be clearly stated.
12. There should be a plan wide cumulative economic impact assessment of policies and obligations upon development in Carlisle.
13. The City Council must work closely with the County Council to ensure that the final infrastructure delivery plan is robust and reflects the principles of the “Duty to Cooperate”.

Policy 30 - Delivering Infrastructure

New development will not be permitted:-

- where there is insufficient infrastructure available to support the proposed development; or
- where the proposed development would place unacceptable strain on existing infrastructure.

Unless arrangements can be made for the required infrastructure as the development is progressed.

New development will be not permitted on land required to provide infrastructure required to support the delivery of the plan, unless it directly relates to the infrastructure required.

Where a development requires the creation of new infrastructure the Council will look to secure funding through planning obligations. A fee may also be sought as part of the Community Infrastructure Levy (CIL) to help address infrastructure deficits identified in the Carlisle Infrastructure Delivery Plan (IDP).

Early engagement at pre-application stage by all parties with infrastructure providers will be encouraged for all development proposals. Applicants proposing major development must be able to demonstrate they have engaged in pre-application discussions with relevant infrastructure providers.

Justification

6.2 The NPPF states that planning policy should seek to identify and address potential barriers to new development such as gaps in infrastructure provision. Restricting development in areas until adequate provision of infrastructure is available in an area will ensure that what is required and viable is delivered through the planning process as a means of enabling development to go forward.

6.3 Key infrastructure that the Council would expect to see in place before a development commences includes:

- Primary and secondary school placements
- Clean water supply
- Foul water drainage and network capacity
- Energy supply
- Adequate highway capacity and achievable access

6.4 Other infrastructure requirements may also need to be addressed before development can commence. These requirements will likely be location specific and can include:

- Flood defences and mitigation measures
- Replacement, enhanced or new open space/sports facilities
- Children's play areas
- Public transport accessibility
- Parks and Gardens (including maintenance)
- Public Realm improvements
- Green Infrastructure connections (footpaths/cycleways)
- Broadband internet access
- Off street parking
- Electronic vehicle charging points

- Community facilities and other services that provide for the health and wellbeing, social, educational, spiritual, recreational, leisure and cultural needs of the community.
- Community gardens and allotments
- Health facilities
- Landscaping
- Replacement/New habitat

6.5 The Infrastructure Delivery Plan (IDP) will be used to identify any infrastructure deficits that may impact upon proposals for new development. Issues may also be raised during consultation on a planning application by relevant infrastructure bodies. New development which would likely put unacceptable strain on existing infrastructure, or which is proposed in an area where key infrastructure does not exist, will only be approved once the applicant has demonstrated how infrastructure requirements, to the satisfaction of the relevant infrastructure body, will be met before construction has been completed on the proposal site.

6.6 The IDP shall provide evidence for seeking developer contributions from applicants where a specific infrastructure issue would directly affect and/or result from a development proposal. The IDP will also provide supporting information for the introduction of a Community Infrastructure Levy, which would seek contributions from applicants towards wider infrastructure deficits that have been identified across the district.

Alternative Options

Allow development in areas with insufficient infrastructure

6.7 This would be a highly unsustainable approach which could cause significant problems for all new and existing development across the district. If no regard is given to infrastructure capacity then the deliverability of new development and, ultimately, the entire plan's strategic objectives could be brought into question. This option is therefore not considered a viable policy choice.

Which Local Plan Policy is Superseded:

6.8 This is a new policy

Sustainable Transport Policy

Consultation Update - First stage preferred options July – September

There was support for this policy but respondents often wished to see measures taken forward in the Policy that fell beyond the City Council remit as ultimately some of the responses such as adopting the guidance from Manual For Streets is the responsibility of the Highway Authority which is Cumbria County Council. A range of other comments are listed below:

1. There should be a requirement for impact traffic assessments not just for the immediate access of new development but also on the wider network.
2. In light of the success of the CNDR the Council should speedily progress plans for a southern bypass
3. It should be encouraged that roads in every new housing estate are adopted by Cumbria Highways.
4. The plan should set out specific, detailed proposals and routes for the establishment of a network of cycleways throughout the rural area to be built within the lifetime of the plan.
5. Park and Ride schemes for the should be proposed within the plan
6. The policy should recognise the importance of cross-border transport linkages
7. The links with green infrastructure provision could be made more overt within the justification section
8. The policy should be stronger on the provision of electric charge points, requiring the developer to provide reasons for not including charging points.

Policy 31 - Sustainable Transport

In order to reduce reliance on the private car and the need to travel new development shall be focused into areas with the greatest availability of services and facilities or in locations with good public transport connections to service centres. Development likely to generate significant levels of transport within isolated and poorly accessible areas will be resisted unless an overwhelming environmental, social or economic need can be demonstrated.

New development that will be accessible to the public will be expected to provide safe and convenient access to cyclists and pedestrians. All new development must demonstrate/provide convenient access to public transport.

Land identified for specific transport projects such as a Public Transport Interchange in the City Centre Master plan or new transport links proposed in the Local Transport Plan or by another relevant body (road, rail, cycleways, bridleways and footpaths) will be protected from unrelated development that could compromise the future viability of such schemes.

Proposals in line with the aims and policies of the Local Transport Plan will be supported.

Travel Plans & Transport Assessments:

Development which triggers the size thresholds presented in National or Local Highway Authority guidance will be required to provide Travel Plans and/or Transport Assessments to

support applications, showing:

1. how the needs of cyclists and pedestrians will be met and prioritised on site;
2. how the movement of freight and goods by rail will be maximised where possible and appropriate;
3. how the site will safely and conveniently connect to public and green transport routes;
4. how the accessibility needs of more vulnerable people have been taken into account;
5. how the impact of heavy goods vehicles accessing the site, where this is a required aspect of operations, will be minimised, including restrictions on operating hours and how route plans involving the movement of HGVs will avoid residential areas where possible; and
6. how all other sustainable transport concerns will be addressed.

Sustainable Vehicle Technology:

Developers will be encouraged to include sustainable vehicle technology such as electric vehicle charging points within proposals. If provision is not included within proposals, developers should provide reasons as to why it has been excluded.

Justification

6.9 Carlisle is an important transport hub not just for Cumbria but on a regional level as well. It is the last (or first if travelling south) stop on the M6 before crossing the Scottish Border. It also sits on the start of the A69 trunk road, one of but a few strategic west-east road routes in the North of England, providing a vital logistical link to and from Newcastle and the north-east. In terms of rail travel and freight, Carlisle also sits on the West Coast mainline, providing quick and easy access to London, Glasgow and Edinburgh. There are also direct rail links to Newcastle and Leeds. The Cumbria coastal railway runs from Carlisle to Lancaster (via Barrow), providing direct rail links to West Cumbria including Sellafield and the Port of Workington. Whilst the City Council is not responsible for managing rail or road links, it is recognised that the City plays a strategic transport role and it is important that the Local Plan ensures that development is sustainably planned in line with that.

6.10 The NPPF states that planning policy should seek to promote proposals which would result in reductions in greenhouse gas emissions and congestion. Local Planning Authorities should ensure that new development is planned in such a way that reduces the need to travel and prioritises the movements of pedestrians and cyclists and other sustainable transport uses in order to achieve safe and secure access for all. New development should capitalise upon and enhance links to existing green infrastructure networks wherever possible or should seek to create new networks if none are present.

6.11 The NPPF suggests that Travel Plans and Transport Assessments should be used by LPAs to make sure that new development conforms to the principles of sustainable transport. Travel Plans will be used to assess whether development has made all practical steps to ensure that:

- The delivery and movement of goods and supplies is as efficient as possible (i.e. by rail);
- Pedestrians and cyclists have been given the highest consideration in terms of accessing the site and there is good access to the public transport network;
- Road and street layouts are designed to be safe and secure and minimise the conflicts between traffic and pedestrians and cyclists;
- Opportunities to incorporate facilities for electric vehicle charging points have been considered; and
- The needs of people with disabilities have been addressed
- The wider impact of development on the transport network has been considered.

6.12 The Cumbria Local Transport Plan provides clear direction for district councils when creating transport policies in their Local Plans. The LTP states that transport policy should be sustainable, new development should be designed in ways that reduce the need to travel by being located close to service centres or public transport routes and prioritise green transport connections such as cycleways and pedestrian links.

~~6.12 Area specific proposals for the Local Transport Plan 3 are currently in draft, they mention key strategic links such as the Carlisle Southern Development Route as well as a number of sustainable transport projects including improving pedestrian access in the city centre, new cycle/foot ways and improvements to existing routes. Route plans for any of these projects are not yet in a form that could be mapped and safeguarded. Once they have been formalised by Cumbria Highways they shall be protected under this policy from any unrelated, compromising new development.~~

6.13 Proposals for development will be assessed in line with the most up to date National or Local Highway Authority thresholds in order to determine whether it is necessary for travel plans and transport assessments to be submitted.

6.14 The Manual for Streets was produced by the Department for Transport in 2007 and provides valuable guidance on how to achieve accessible and well designed streets and neighbourhoods. In order to ensure a high quality living environment for residents, the Council will encourage its use within development proposals. In keeping with the Manual for Streets, the Council will expect new development to integrate well with existing development particularly regarding cycle and pedestrian access and connections. Foot and cycle paths will need to be both convenient and safe, not only from a traffic point of view but also through ensuring that neither a sense of fear is created nor crime encouraged through the isolating of the route from other activities and street users, especially at night.

6.15 The Council will continue to work with Cumbria Highways to ensure that new estate roads and streets, particularly those designed using the Manual for Streets, are of a standard that can be adopted by the highways authority.

6.16 Electric vehicle technology is still in its infancy, there is however a strong push from national Government to encourage the development of infrastructure to support its growth. As of April 2013 there are no publicly accessible charging points within the Carlisle district. Points exist at Gretna services, Haltwhistle and at various places within the Lake District National Park (as part of the Park's drive to promote green tourism). Whilst there is not currently the level of demand for charging points within Carlisle to justify making their inclusion within development a requirement the Council would still seek to encourage an increase in provision wherever possible. As this technology grows in prominence this stance may need to be reviewed to ensure the providing of charging points is a mandatory part of development.

Alternative Options

1) Set Carlisle specific thresholds for Travel Plan/Transport Assessment requirement

6.17 Thresholds are currently set within the Cumbria Transport Plan and are used countywide by local planning authorities. Cumbria County Council is also the transport authority. There is no reason to detract from the highway authority's policy on this issue as they have both the technical expertise and supporting evidence for the justification of these thresholds as part of the LTP.

2) Make electric vehicle charging points a mandatory requirement

6.18 National policy is encouraging local planning authorities to give consideration to the requirement for including electronic vehicle charging points within new development. At present the Council does not consider there to be the demand for this technology within the district and would therefore not look to make such provision mandatory.

Which Local Plan Policy is Superseded:

6.19 This policy supersedes Policies T5 – Rail Freight, T6 – Public Transport, DP5 – Trunk Roads and CP16 – Public Transport, Pedestrians and Cyclists in the Carlisle District Local Plan 2001-2016.

Car Parking

Consultation Update - First stage preferred options July – September

There was a complaint that roads on some new developments are not wide enough to accommodate parked cars and traffic and how garages are rarely used for cars but overflow storage. There were also calls for joint working between the City and County Council to establish a joint approach to parking.

Policy 32 - Car Parking

Where appropriate, proposals for new development will be expected to provide a minimum number of parking spaces per each new dwelling/sqm of floor space depending on type and location, in consultation with Cumbria County Council as the Highway Authority.

In areas suffering from significant on-street parking problems, greater provision will be sought where possible, or alternative measures to address the issues will be explored. In all areas the need to encourage the use of alternative means of travel, other than the private car, shall be an important consideration when applying parking standards. Provision for convenient and secure bicycle parking will also be expected to be provided in line with standards. A minimum standard for disabled parking spaces within new development shall continue to be required.

Off and on street parking provision will be required to be well designed and appropriate for the street scene, particularly within conservation areas. Proposed car parking provision that would have a significant adverse impact upon the street scene, landscape or historical quality of an area will be resisted. The Council shall expect developers to have regard to the Manual for Streets when considering parking design.

Justification

6.20 The NPPF removes policy for national parking standards, leaving it up to each Local Planning Authority to set their own through their Local Plan. This will allow for authorities to better address local parking issues.

6.21 Parking standards for new development should take into account:

- The accessibility of the development
- The type, mix and use of the development
- The availability of and the opportunities for public transport
- Local car ownership levels;
- The availability and number of Parking Permits within the locality; and
- An overall need to reduce the use of high-emission vehicles

6.22 Parking standards have, in the past, been set at a county level, in the Parking Guidelines for Cumbria (1997). These guidelines are maximum parking standards and as such are no longer in line with national policy. The Council, working with Cumbria Highways, will produce an SPD to set minimum parking standards for the district. New development will be expected to be in line with the standards presented within the SPD. Carlisle City Council is also working on a car parking strategy which will be used to inform car park provision, particularly within the city centre. This should be referred to once it is available.

6.23 Carlisle Parking Services have raised the issue of increasing levels of on-street parking in residential areas. There is a need to look at more appropriate off street parking requirements for new development. A minimum requirement for parking as opposed to a maximum allowance is considered a logical solution to this as it would help to ensure adequate provision of off street parking in new developments. Ultimately, more spaces are needed in new development; for residential development each dwelling should have at least two dedicated parking spaces associated with it. Where garages have been included within a residential proposal, they must be of adequate size to accommodate a vehicle before they can be counted as a parking space. Garages that are less than 6m in length and 3m in width are not considered large enough to comfortably accommodate the average modern family car and will not be counted as car parking spaces. For commercial and leisure areas, it may be acceptable for different uses to share parking space which can count towards meeting the required spaces for both businesses, assuming it can be adequately demonstrated that anticipated peak usage will occur at different times of the day as to avoid conflict.

6.24 Carlisle Parking Services have indicated that there are no capacity problems with current commercial car parks, where they exist. However, should proposals to build new offices for Cumbria County Council on the William/Cecil Street car park go ahead then significant off street parking capacity in Botchergate will be lost. Replacement provision will need to be identified and developed before any work starts in order to ensure on-street parking does not become an issue in the area.

6.25 There is virtually no off-street parking provision in some parts of the city, such as on and around Warwick Road, and this can result in significant issues with inappropriate on-street parking. There are also parking problems on the Kingstown industrial estate in the north of the city, where piecemeal take up of units has meant that insufficient parking spaces have been provided leading to congestion issues on the estate roads as people struggle to find a place to park. A more flexible approach to parking standards in these areas may be required.

6.26 Issues also arise due to a lack of parking in the other larger settlement centres – particularly in Brampton where town centre spaces are used largely by workers rather than visitors or shoppers. Issues with commuter parking exist in Longtown and Dalston. However, a new car park has recently been established in Dalston which should alleviate some of the issues there.

Alternative Options

1) Encourage the use of maximum parking standards for new development in the district

6.27 Previously, maximum parking standards were used for new development, effectively limiting the amount of spaces that could be provided. It was considered that this would encourage the use of more sustainable transport by making it more difficult to access development using a private motor vehicle. Whilst this principle had merit in theory, it has created some issues within Carlisle in practice leading to a lack of available parking spaces to accommodate vehicles across different parts of the district. This has led to significant issues with obstructive and often inappropriate on-street parking within some areas. It is considered that a more flexible approach to parking standards, which ensures a minimum provision of off-street parking associated with new development, targeting problem areas and use types in particular, would be a more sustainable approach.

2) Do not set standards and use a case by case approach to assessing parking requirements in new development

6.28 This option would rely on professional judgement to assess the level of parking provision required on new development. Whilst this would be the most flexible approach to ensuring parking is provided, it could also introduce the risk of inconsistency. This approach could also lack transparency, where no clear standards are available for developers to consider, this could leave the Council open to challenge and is therefore not considered to be a viable option.

Which Local Plan Policy is Superseded:

6.29 This policy supersedes Policy T1 – Parking Guidelines for Development and T2 – Parking in Conservation Areas and T3 – Parking Outside of Conservation Areas in the Carlisle District Local Plan 2001-2016.

Broadband Access

Consultation Update - First stage preferred options July – September

The issue of broadband coverage cannot be taken in isolation and the consultation revealed peoples understanding that improved broadband access relied on different parties, but its importance for social and economic reasons were highlighted. Introducing free Wi-Fi in the city centre and speed of broadband access is important in allowing businesses to operate effectively and it helps individuals access the services more effectively.

Policy 33 - Broadband Access

New development must be able to demonstrate how it will contribute to and be compatible with local fibre or internet connectivity. Applicants will be expected to demonstrate the anticipated connectivity requirements of the development, known nearby data networks and their anticipated speed (fixed copper, 3G, 4G, fibre, satellite, microwave, etc), and realistic assessments of connection potential or contribution to any such networks.

All new development must aim to connect to the internet with a minimum symmetrical speed of 25Mbps with realistic capacity for future upgrading. Where this can not be achieved proposals should still include, as a minimum, suitable ducting to accommodate fibre optic cabling, connecting to either:

- The public highway; or
- A community led local access network
- Another location that can be justified through the connectivity statement

Applicants proposing major development schemes are encouraged to engage with local broadband groups and Parish Councils, where present, to explore how ducting and/or fibre can be provided to benefit the local community and establish whether any community broadband projects are active within the local area and how development may contribute to and integrate with them.

Within the City Centre, proposals to create a free, public wi-fi network will be supported. Where permission for wi-fi equipment is required, either on buildings or as part of the public realm/street furniture, it should be approved provided that it would not be excessively obtrusive within the street scene.

Justification

6.30 The National Planning Policy Framework recognises the vital role broadband technology plays in enhancing the provision of local community facilities and services. This policy therefore aims to support the expansion of high speed broadband across the district, particularly in rural areas where there has been a market failure regarding the viability of providing high speed and holistic connectivity.

6.31 The Fibre to the Home Council Europe (FTTH) reported that in 2012/13 the UK had not yet achieved 1% household coverage of superfast, fibre optic broadband (100Mbps), falling

dramatically behind other European countries such as Lithuania (31%), Sweden (23%), Bulgaria (17%) and Latvia (17%). The Government has expressed its intention to invest in broadband networks across the country, aiming to ensure every household has access to at least 2Mbps and that 90% of homes have access to at least 25Mbps by 2015. It is widely recognised however that speeds of at least 100Mbps will be required to ensure the functionality of emerging workplace practices such as cloud computing.

6.32 Across the district broadband access varies significantly. Only a small part of the city, in and around the CA1 postcode area, has access to fibre optic cable broadband technically capable of speeds of up to 75Mbps. Average broadband speeds across the city are around 7.6Mbps, however in outlying areas such as Belah and Garlands speeds can drop significantly and struggle to achieve over 1Mbps. Rural parts of the district have generally much lower connection speeds. In Brampton the average speed is 3Mbps and in Longtown and the larger villages speeds struggle between 2 and 2.5Mbps. In the most rural parts of the district speeds are unlikely to be more than 500Kbps.

6.33 This policy seeks to balance the viability of new development with that of ensuring the wider, long term viability of the country in terms of access to superfast broadband. It also seeks to support community broadband initiatives. Provision needs to be made to ensure new development contributes towards the Government's target of 25Mbps by 2015. However, it would be remiss not to consider the likely requirements of homes and businesses over the 15 years of this plan and encourage applicants to consider ways of allowing for future upgrades to networks within their plans. Applicants will, ~~in a Connectivity Statement~~, be required to actively demonstrate that they have considered broadband connectivity within their proposals and, where necessary, justify why they cannot achieve a 25Mbps connection on the site. Where they cannot achieve a 25Mbps connection they should still ensure the development is ready to embrace fast, fibre optic broadband once it is available by ensuring ducting, capable of carrying fibre cables, is provided up to the public highway or any community led broadband networks in the area.

6.34 Within the City Centre, a scheme known as Digital Carlisle is currently trying to establish a free and publicly accessible wi-fi network. The Local Plan should seek to support this as much as possible as it could play an important role in enhancing the city centre environment for the benefit of residents, visitors and businesses. The network may require the installation of wi-fi hubs. These should be incorporated into the street scene as subtly as possible, either as part of the street furniture or on the upper walls of buildings.

Alternative Option

No broadband policy in the Local Plan

6.35 This would require policy to defer to the National Planning Policy Framework, which only briefly mentions the importance of broadband infrastructure. The NPPF does not provide a clear method for ensuring broadband connectivity is considered by applicants. This option is therefore considered both weak and unsuitable.

Which Local Plan Policy is Superseded:

6.36 This is a new policy

Waste Minimisation and the Recycling of Waste

Consultation Update - First stage preferred options July – September

The responses received felt that the number of homes to be served by communal refuse points should be limited to ensure they don't become too overloaded. There was also a suggestion that the Council recycling target of 50% of all household waste disposed of sustainably either through recycling or composting should be much higher – suggestion of 80%.

Policy 34 - Waste Minimisation and the Recycling of Waste

Development proposals should be able to demonstrate that they have taken every possible step to reduce the amount of waste likely to be produced by the development and, where appropriate, maximise the opportunities for the recycling and composting of waste to be produced, preferably on site.

All new development should follow the principles of sustainable waste management and must include details of facilities for the storage, collection and recycling of waste produced on-site for both during and after construction. On new housing estates of 20 or more new dwellings developers will be encouraged to make provision for collective, accessible and secure waste and recycling areas that create a single, sheltered point for waste storage and collection to serve a number of dwellings.

Developers will be expected to provide waste storage units for every new dwelling or unit within a new development, either as large euro-bins for collective waste areas or smaller wheelie bins for individual dwellings. These bins must meet Council standards for quality, size, colour and design, and must be in place before any dwelling is occupied.

Justification

6.37 The principles for sustainable waste management are set out in a range of national legislation and guidance, including the still current Planning Policy Statement 10: Planning for Sustainable Waste Management, the national Waste Strategy for England 2007 and, to a lesser extent, the National Planning Policy Framework – though work is underway on the National Waste Management Plan for England, which should provide up to date national guidance once it is published. Similar principles are set out in the Cumbria Minerals and Waste Development Framework, which is the main waste planning document for the county. Planning authorities should seek to reduce the amount of waste going to landfill. This means ensuring that every possible step has been taken by new development to ensure sustainable methods of waste disposal are encouraged and, on larger sites, required by planning policy.

6.38 Carlisle City Council currently aims to have at least 50% of all household waste disposed of sustainably either through recycling or composting. The Council is well on track to meeting this target with around 49.46% of all household waste in 2011/12 being recycled or composted. This figure has seen a significant increase in recent years with only 25.73% of waste being recycled or composted in 2004/5. To ensure that this trend is maintained all new development must be required to follow the principles of sustainable waste management.

6.39 Developers will be encouraged to set aside areas on new housing estates for collective waste storage in order to provide a single point for collection. This should make it easier for refuse collection services to work on an estate and also alleviate levels of disturbance to residents that may arise from refuse trucks travelling door to door – collective waste sites must be accessible to refuse trucks. Collective waste areas must also be secure, to prevent fly tipping, and sheltered from the elements and animal interference. Recycling provision could also be provided along side these collective waste areas. Collective waste areas should be accessible and larger estates may require multiple sites – one euro-bin should be provided for every 8 households using the storage area, or every 12 if recycling facilities are not available. Collective waste sites should be within easy walking distance from any given front door on an estate, and special arrangements will need to be put in place to assist people with mobility issues.

6.40 When considering how waste should be stored on a property where collective waste points will not be available, developers must be able demonstrate that it has been considered within a design and access statement. Where possible, waste storage areas should be discreetly located outside and afforded some protection from the elements. When considering how waste should be located for collection, developers must ensure that kerb-side placement is achievable.

6.41 Developers will be expected to provide bins for each new dwelling or unit within a new development. These bins, either euro-bins or smaller wheelie bins for individual dwellings, must meet Council standards for design, quality, colour and size. They must also bear the Council's logo to ensure they can be immediately recognised by the refuse teams. It is recommended that developers order their bins through the Council's waste services team. Bins must be provided before dwellings/units are occupied on site.

6.42 All construction projects in England over £300,000 must have a Site Waste Management Plan (SWMP). Applicants proposing such projects should complete their SWMPs in line with Government guidance.

Alternative Options

1) Require Waste Audits to accompany applications for major development

6.43 This was a requirement in the previous Local Plan (2008) policy CP14, which policy 37 replaces. It was not a statutory requirement and it was rarely requested. It could be brought back into policy if it is considered to be still relevant and a worthwhile requirement to accompany planning applications.

2) Do not include a waste management/recycling policy within the Local Plan

6.44 This would mean that the requirement to demonstrate how waste will be managed in new development would be handled through the NPPF/PPS10. Having a Carlisle specific policy allows the Council to promote the principles of recycling on all new development during and after construction. Not having a clear idea of how waste will be managed over the lifetime of a development could lead to serious issues in the future.

Which Local Plan Policy is Superseded:

6.45 This policy supersedes Policy CP14 – Waste Minimisation and the Recycling of Waste in the Carlisle District Local Plan 2001-2016.

Drainage on Development Sites

Consultation Update - First stage preferred options July – September

Minor amendments to the text were suggested by the Environment Agency and United Utilities and there was support from a respondent for the consideration to be given to the rural community and farm land when it comes to looking at the impact of drainage systems across the wider catchment. Although already covered by policy the message of not permitting surface water into the sewers was put forward and there was some concern that rural remote communities could be disadvantaged on the basis of additional costs due to restrictions imposed by this policy.

Policy 35 – Foul Water Drainage on Development Sites

Development **should** not be permitted where inadequate foul water treatment and surface water drainage infrastructure exists, or where such provision cannot be made within the time constraints of planning permission **unless the developer can demonstrate acceptable alternative private solutions**. Development which would involve surface water draining into the foul water sewerage network will not be permitted.

Where United Utilities can demonstrate that connection to the public sewerage system is not possible, alternative on-site treatment methods and septic tanks associated with a new development **will** be permitted provided they are of an environmental standard to the satisfaction of the Environment Agency.

Justification

6.46 The NPPF requires Local Planning Authorities to consider infrastructure when deliberating over planning applications. Working with other organisations, authorities are expected to ensure adequate provision of infrastructure, including waste water treatment and other utilities. In instances where utility capacity is an issue, authorities should look at ways of creating additional provision in order to ensure sustainable development can still be achieved.

6.47 Foul and surface water drainage are managed through two different systems and must be considered separately. Surface water must not drain into the foul water sewerage network as it can quickly overload the network's capacity. Applicants are expected to ensure adequate surface water drainage systems are in place and sufficient capacity exists within the sewer network before development can commence.

6.48 The quality of groundwater and surface waters and associated water-based recreation, fisheries and nature conservation must be protected against the risk of pollution from the inadequate provision of foul water sewerage and sewage treatment facilities. Development proposals which necessitate the use of septic tanks and sewage treatment package plants may, if not designed correctly or located appropriately, result in an increased risk of pollution to groundwater and surface waters. Such systems will only be permitted if it can be demonstrated that connection to the public foul water sewerage system is not feasible, taking into account cost and/or practicability.

6.49 United Utilities manage and monitor capacity within the waste water treatment network. The Council relies on feedback from them in order to ascertain whether sufficient capacity exists within the network to accommodate new development or where it may be necessary to co-ordinate development in line with any upgrading work. This will be dependent on detailed proposals; developers are encouraged to speak to United Utilities at the earliest opportunity.

6.50 At present, the Council has been made aware the Wetheral and Great Corby waste water treatment works is nearing capacity, discussions surrounding solutions to resolve this are ongoing between the Council and United Utilities. Any development proposals that are confirmed as impacting on this treatment works may require a co-ordinated approach with any upgrading works.

Alternative Option

No Drainage policy in the Local Plan

6.51 This would require policy to defer to national guidance, which would not address directly the need to ensure utility capacity in terms of drainage, nor does it make reference to onsite provision such as septic tanks/package treatment plants. The NPPF also does not make the distinction between foul and surface water drainage, which must be kept separate. If there was no local policy on this there would be a policy gap, whereby the Council would not be able to influence the provision of foul and surface water infrastructure to be appropriately included within new development.

Which Local Plan Policy is Superseded:

6.52 This policy supersedes Policy CP12 – Foul and Surface Water Sewerage and Sewage Treatment in the Carlisle District Local Plan 2001-2016.

Satellite Receiving Equipment

Consultation Update - First stage preferred options July – September

There was concern over the practicality of ensuring dishes are not visible from public view points within conservation areas, however this policy is covered by the GPDO and is therefore not considered relevant to be included in the Local Plan.

Policy 39 - Satellite Receiving Equipment

Satellite receiving dishes and antennas that fall outside of the definition of permitted development and, as such, require planning permission will be acceptable provided that the equipment:

1. Is sited to minimise its visual impact; and
2. Is sited so that no part of projects above the highest part of the roof or chimney; and
3. Would not result in significant cluttering of a building if other dishes/antenna are present; and
4. In conservation areas, is located so as not to be visible from any public view point.

Justification

6.46 There is no mention of the installation of satellite dishes or antennas within the National Planning Policy Framework. The Town and Country Planning (General Permitted Development) Order 1995 (as amended), however, describes how and when receiver equipment can and cannot be considered permitted development. This policy must be applied in cases where:

- The size of the dish or antenna (excluding any projecting feed element, reinforcing rim, mountings and brackets) when measured in any dimension would exceed:
 - i. 45 centimetres when installed on a chimney
 - ii. 90 centimetres when installed on or within the curtilage of a dwelling house, other than on a chimney
 - iii. 70 centimetres in any other case; or
- The highest part of a dish or antenna to be installed on a roof or a chimney would, when installed, exceed in height:
 - i. the highest part of the roof (if installed on a roof);
 - ii. the highest part of the chimney (if installed on a chimney); or

- ~~There is already a satellite dish or antenna on a dwelling house or within its curtilage; or~~
- ~~In the case of land within an AONB, the Hadrian's Wall World Heritage Site or a designated conservation area, an application would consist of the installation of equipment on:~~
 - i. ~~a chimney~~
 - ii. ~~a building which exceeds 15 metres in height~~
 - iii. ~~a wall or roof slope which fronts a highway.~~

~~6.47 The number and siting of satellite dish antennas in residential areas can have a major visual impact. As satellite television and broadband services increase in popularity and prevalence more dishes may be erected. This policy seeks to ensure that significant, adverse impact to street scenes, landscape or historical quality of a building does not occur as a result of over-cluttering of equipment on buildings, particularly on those comprising of multiple residences.~~

~~6.48 Listed building consent will be required before a satellite dish antenna may be placed anywhere on a listed building.~~

Alternative Options

1) No Satellite Receiving Equipment policy in Local Plan

~~6.49 This would require policy to defer to national guidance which currently does not mention satellite receiving equipment. Whilst there are regulations that detail when satellite dishes and antenna can and can't be considered permitted development there is no policy detailing how permission for equipment will be assessed in planning, should it be deemed necessary. Not having this policy would leave a policy gap.~~

2) Specify the number of dishes or antennas that would constitute over cluttering of a building

~~6.50 This option would specify how many dishes/antennas would be permissible on a building before additional equipment would be refused due to unacceptable levels of cluttering. This would be an inflexible policy, which would fail to take into account the individual circumstances and location of different applications. What might be acceptable in one location for a certain size of building may not be in another. It would remove the ability to assess each case on its own merit and is therefore not considered a suitable option to take forward.~~

Which Local Plan policy is Superseded:

~~6.51 This policy supersedes Policy EC20 — Satellite Receiving Equipment in the Carlisle District Local Plan 2001 — 2016.~~

Planning Obligations

Consultation Update - First stage preferred options July – September

There was general acceptance that developer contributions would be expected in the Local Plan but there were questions raised on how these contributions were to be determined, whether through S106 or through CIL. There was disappointment at the lack of information regarding CIL but an acceptance that the introduction of a CIL is currently under review. There is support that the Plan should be deliverable and that development sites should not be subject to too many onerous requirements.

One respondent noted 'it is essential that the policy goes further to ensure that Carlisle City Council will seek to 'strike a balance' between the level of contribution to ensure sustainable development and the realities of economic viability'.

Another response pointed to Building Regulations and how they are considered to be the appropriate vehicle to attain required energy conservation values and the market could make its own decisions whether it chose to exceed Building Regs or not and not a policy in the Local Plan.

A range of other comments are listed below:

1. .Allotment provision should be included within the list of infrastructure
2. Clarification on the wording and intentions of this Policy would be helpful. More clarification needed on the 'crime and disorder' criteria listed in the policy – is it CCTV? Shortfalls in emergency service provision? Enhanced street lighting?
3. Reference should be made to the Housing Delivery Group "Viability Testing Local Plans" document
4. Lack of a viability assessment to support policy could be an issue.
5. Policy should include the historic environment and heritage at risk as things contributions may be sought for.

Policy 36 - Planning Obligations

Carlisle City Council will work with partners to deliver infrastructure, services and community facilities to improve the sustainability of its communities. In accordance with the provisions set out within national policy, the City Council will require new developments to secure infrastructure improvements which are necessary to make the development acceptable by planning condition or obligations.

Planning obligations may also be required for maintenance payments, to meet the initial running costs of services and facilities and to compensate for the loss or damage caused by the development.

The infrastructure, facilities and services to which development may be required to contribute include (this list is not exhaustive):

- affordable housing;
- green infrastructure;
- sport;

- recreational space
- art;
- broadband internet and communications infrastructure;
- transport/traffic improvements;
- community facilities;
- archaeology, the historic environment including heritage at risk;
- amenity space/landscaping;
- community gardens and allotments;
- training and employment;
- crime and disorder measures (such as CCTV, enhance streetlights, etc)
- emergency services provision; or
- any other infrastructure deficit identified in the Carlisle Infrastructure Delivery Plan (IDP) or infrastructure providers

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. No more than five contributions secured through Section 106 agreements may be pooled for any one particular infrastructure project. Section 106 agreements will be subject to viability and reasonableness tests in line with national best practice.

Justification

6.53 There are a number of policies in this Plan which aim to improve the local environment for existing residents of the District and new occupants, In order to ensure that any new development proposals are integrated a number of measures will be considered. Planning Obligations are a way of integrating new development into the surrounding environment especially where development proposals may have a direct impact on others. Given the wide range of local issues which may arise the City Council is setting out its priorities for planning obligations in a separate document.

6.54 The Carlisle Infrastructure Delivery Plan (IDP) will identify any deficits in infrastructure provision in the district. It will also highlight what funding arrangements would be required to address these deficits. Where there are gaps in funding, it is likely that developer contributions will be needed to ensure infrastructure is provided where and when it is needed.

6.55 In accordance with the NPPF and to ensure that the Plan remains deliverable, planning obligations must not over burden developers and run the risk of making schemes unviable. Planning obligations must be economically viable. However, where there is a critical infrastructure deficit, which would be needed to support a new development, permission may be refused if the applicant is unwilling or unable to contribute to providing what is required. Carlisle City Council will seek to strike a balance between the level of contribution to ensure sustainable development and the realities of economic viability, having regard to the Council's emerging viability study.

6.56 The Council may seek to adopt a Community Infrastructure Levy (CIL). This would also seek to secure contributions to infrastructure across the district. Further detail as to how this

would work will be included within a Supplementary Planning Document should the Council wish to adopt a CIL.

Alternative Option

No Planning Obligations policy in the Local Plan

6.57 This would require policy to defer to national guidance which would lack any link to the Carlisle Infrastructure Delivery Plan, an important mechanism for ensuring infrastructure needs across the district are met through developer contributions.

Which Local Plan policy is Superseded:

6.58 This policy supersedes Policy IM1 – Planning Obligations in the Carlisle District Local Plan 2001 – 2016

7 Climate Change and Flood Risk

Objective

To reduce emissions of greenhouse gases and avoid inappropriate development in areas at greatest risk of flooding in order to ensure that the District is more resilient and less vulnerable to the effects of climate change and can successfully adapt to its effects. ~~whilst allowing essential safe development in flood risk areas without increasing the risk of flooding elsewhere; therefore ensuring Carlisle is more resilient and less vulnerable to the impacts arising from climate change.~~

7.1 Carlisle City Council recognises the importance of protecting our environment and using the natural resources available to us to their fullest through renewable energy generation and energy efficient design and materials. Central to this is ensuring that the District is resilient to the effects of climate change through and ensuring that new development is directed away from areas at risk of flooding and that new development manages its potential effects responsibly.

Renewable Energy

Consultation Update - First stage preferred options July – September

In general the Policy is supported however there is concern that there may be some ambiguity over criterion 6 of the Policy in relation to where a proposal may impact the settings of designated areas and a tightening up on the definition of what is classed as 'unacceptable visual impact'.

There was the general point that the Plan should support communities to become more self-sufficient by encouraging community led renewable energy generation. It was felt that the Policy should give greater reference to various options of energy generation from renewable sources such as from water power; tidal; reuse of old water driven mills and new sites on water courses, solar farms, anaerobic digesters and woodfuel.

An suggested improvement to the Policy was to include additional criteria to ensure that large-scale renewable scheme developers undertake adequate community engagement at pre-app stage, and that the views of the community are taken into account by developers.

Policy 37 - Renewable Energy

Proposals for renewable energy will be favourably considered provided that all of the following criteria are satisfied:

1. there is no unacceptable visual impact on the immediate and wider landscape, and townscape or historic environment;
2. there is no adverse impact on biodiversity;
3. any new structures would be sensitively incorporated into the surrounding landscape/ townscape and/or habitat and respect the local landscape character;
4. measures are taken to mitigate any noise, smell or other nuisance or pollutants likely to affect nearby occupiers, amenities and/or neighbouring land uses;
5. any waste arising as a result of the development is minimised and dealt with using a suitable means of disposal;
6. there would be no unacceptable levels of harm to features designated as of local, national or international importance, or their settings;
7. adequate provision can be made for access and parking and the development would not adversely impact on the road network;
8. there would be no unacceptable conflict with any existing recreational facilities or routes;
9. effects on civil or military aviation and/or other defence assets such as RAF Spadeadam,

the Eskdalemuir Seismic Recording Station and the VLF transmitter at Skelton have been fully considered;

10. there would be no unacceptable cumulative effects when proposals are considered together with any known proposals in the planning system, extant planning approvals or other existing renewable energy developments, within and adjacent to Carlisle District.

Justification

7.2 The City Council has signed up to the Nottingham Declaration (2007) and in doing so acknowledged that climate change is occurring. It also committed the City Council to adapt to the impacts of climate change and to achieve a significant reduction in greenhouse gas emissions, both within its own activities and to encourage all sectors to do so. Renewable energy is the collective term used for repeatedly occurring natural energy sources. These include energy from the sun, wind, sea, the fall of water and biomass, wind, biomass, waste, hydropower, solar, heat pumps, woodfuel and others as technologies develop. Certain combustible industrial, agricultural or domestic waste materials and anaerobic digestion plants are also regarded as renewable sources of energy however applications for this type of renewable energy development which import off-site waste materials would come under the remit of Cumbria County Council as the Waste Planning Authority. The Government is committed to sourcing 15% of its total energy (across the sectors of transport, electricity and heat) from renewable sources by 2020 alongside a UK carbon budget to reduce emissions by 80% from 1990 levels by 2050. Renewable energy sources can help to diversify energy supply and reduce harmful emissions to the environment, however most forms of renewable energy require specific environmental conditions and therefore can only be developed where the resource exists. The Overarching National Policy Statement for Energy (EN-1) advises that a diverse mix of all types of power generation is beneficial so that we are not dependent on any one type of power generation, therefore ensuring security of supply. Additionally the value of renewable energy generation is recognised as a means of achieving a low-carbon economy. National policy is central to the development of local policy and includes a strong message that local authorities should promote and encourage, rather than restrict, the development of renewable energy sources.

7.3 The Cumbria Renewable Energy Capacity and Deployment Study (September 2011) considers a range of renewable energy sources, translating potential into realistic deployable capacity up to 2030 in order for Cumbria to meet Government energy targets. It states that Cumbria needs to significantly increase its current level of deployment (of all types of renewable energy) if the County is to meet the target figure considered deployable by 2030. The study looks at the overall potential technical capacity from wind, biomass, energy from waste, hydropower, solar and heat pumps. Applicants should have regard to this and any future studies in the formulation of development proposals.

7.4 Carlisle District contains a number of important landscapes and heritage assets. Proposals for renewable energy should ensure that they will not adversely affect their special character. Special consideration should be given to: **Frontiers of the Roman Empire (Hadrian's Wall): World Heritage Site** Scheduled Ancient Monuments, Listed Buildings, Conservation Areas and Registered Historic Parks and Battlefields. Proposals for schemes

close to the district's boundary with Northumberland National Park should take into account the impact of the development on the natural beauty and heritage of the area. Development in or likely to have an unacceptable impact on nationally and internationally designated sites will be restricted regardless of whether the policy criteria are met, however projects may be allowed in these areas if it can be demonstrated that the wider environmental, social and economic benefits outweigh any adverse effects. The Cumbria Landscape Character Guidance and Toolkit 2011, or any successor documents, should be used to assist in identifying areas that are capable of successfully integrating renewable energy developments. The Solway Coast AONB Management Plan and the North Pennines AONB Management Plan should be referred to when considering proposals which could have an impact upon these designations. Views from within and towards the Solway Coast and North Pennines AONBs as well as other public viewpoints should also be given consideration, and any proposals for renewable energy schemes that may affect Frontiers of the Roman Empire (Hadrian's Wall): World Heritage Site should be in accordance with the Management Plan.

7.5 The Council is in support of the principle of renewable energy provided it meets the criteria set out in the policy. It will seek to foster community involvement in larger scale renewable energy projects, and recommends that developers of renewable energy projects engage in active consultation and discussion with local communities at an early stage in the planning process. The Council will also seek to consider, where appropriate, the opportunity for developing renewable energy projects in association with new large-scale developments, for example district heating networks. It will also positively support community-led initiatives for renewable and low carbon energy where they are in line with this policy, for example community led anaerobic digestion schemes.

7.6 Proposals for renewable energy developments will almost always have some local environmental implications. Any significant adverse impact will be weighed against the wider social, economic and environmental benefits including those of reducing emissions. Some renewable energy projects may be subject to an environmental impact assessment (EIA). This will be the case where a scheme is likely to have significant environmental implications for the surrounding area during its development and/or operation. Further information on EIA can be found in Planning for Renewable Energy: A Companion Guide to PPS22 or any subsequent revisions of this document.

7.7 Proposals for all renewable energy developments should consider the environmental effects of the distribution lines between the development and the point of connection to the national grid. Consideration should also be given to the environmental impact of access tracks where these are required to construct and maintain the proposed development.

7.8 Additionally, the RSPB will be consulted where development has the potential to impact significant populations of sensitive birds species or their habitats, and Friends of the Lake District will be consulted where renewable energy development has the potential to impact on high value landscapes.

7.9 In addition to this Local Plan Policy, Policy 38 - Wind Energy provides further guidance to assess wind energy developments.

Alternative Options

1) Do not include a Renewable Energy policy within the Local Plan;

7.10 It is considered that a policy on Renewable Energy is valuable in drawing applicants' attention to the criteria contained within the policy which is specific to Carlisle District in terms of development of appropriate types of renewable energy. It is also important to recognise the contribution the District could make towards achieving national renewable energy targets and therefore it is vital to have a Local Plan policy to encourage and support this type of development.

2) Set a target percentage for on site renewable energy generation;

7.11 It is considered that setting a percentage target for on site renewable energy for new development will not be appropriate as there is no available evidence to support this policy direction. This is also not something that is supported at a national level.

Which Local Plan policy is Superseded:

7.12 This policy supersedes Policy CP8 – Renewable energy in the Carlisle District Local Plan 2001 – 2016.

Wind Energy

Consultation Update - First stage preferred options July – September

This topic generates strong feelings with concern at the proliferation of wind turbines in the area to the West of Carlisle and their major negative impact on the landscape, environment, residents, and amenity of the area.

People were keen to see additional detailed guidance against to determine what would constitute unacceptability for local amenity in relation to noise, amplitude modulation (radio waves), shadow flicker, low frequency sound or vibration, health and well-being, air quality/emissions and 'scale and impact' should be also defined. It was suggested that large-scale renewable scheme developers undertake adequate community engagement at pre-app stage so that the views of the community are taken into account by developers.

There was also support for small scale development of wind turbines and community led renewable energy generation.

Another comment related to setting a distance of 2000 metres between any proposed wind farm and the nearest dwelling with other comments that this type of development should not be allowed within 1000 metres of residential property;

Policy 38 - Wind Energy

Proposals for the development of wind turbines need to consider their individual and cumulative effects and will be assessed against the following criteria;

1. Location, scale and visual impact in relation to the character and sensitivity of the immediate and wider surrounding landscape and townscape;
2. Local amenity in relation to noise, amplitude modulation, shadow flicker, low frequency sound or vibration, ~~air quality/emissions~~;
3. Effects on nature conservation features, habitats, biodiversity and geodiversity, including sites, habitats and species; ~~avoiding significant adverse effects of sites of international nature conservation~~;
4. ~~Impact on the significance of heritage assets including effects on the context of the impact on Frontiers of the Roman Empire (Hadrian's Wall): World Heritage Site Hadrian's Wall World Heritage Site and conservation of its Outstanding Universal Value, Scheduled Ancient Monuments, listed buildings, historic structures, historic parks and gardens, parks, battlefields or designated conservation areas, including their settings (dependent on site specific assessment);~~
5. Effects of any new structure on existing services such as highways infrastructure and telecommunications;
6. ~~Effect on any existing recreational facilities or routes;~~
7. Effects on civil or military aviation and/or other defence assets such as RAF Spadeadam, the Eskdalemuir Seismic Recording Station and the VLF transmitter at Skelton
8. ~~Cumulative effects when proposals are considered together with any known proposals in the planning system, extant planning approvals or other existing renewable energy developments within and adjacent to Carlisle District.~~

Additionally it is expected that appropriate operational requirements have been satisfied (including accessibility and suitability of road network, ability to connect to the grid, proximity of any feedstock where relevant) and appropriate measures are included for the removal of structures and the restoration of sites, when sites become non-operational.

Justification

7.13 The Local Plan has a duty to encourage the use of renewable energy sources as a means of reducing greenhouse gas emissions and providing positive resilience to the impacts of climate change.

7.14 The Climate Change Act (2008) set legally binding carbon budgets for the UK which aim to reduce UK carbon dioxide emissions by 34% by 2020 and, in line with European guidelines, at least 80% by 2050. The UK Renewable Energy Strategy 2009 includes a target of delivering more than 30% of our electricity generated from renewable sources by 2020. In addition to these targets the NPPF includes a strong message that we should promote and support the delivery of renewable and low carbon energy and associated infrastructure in moving towards a low carbon economy. Wind energy is widely considered to be a proven, viable and rapidly developing energy technology, with the UK having access to 40% of the entire European wind resource (EN-1). This policy will play a role in contributing towards these reduction targets.

7.15 The Cumbria Renewable Energy Capacity and Deployment Study (September 2011) considers a range of renewable energy sources, translating potential into realistic deployable capacity up to 2030 in order for Cumbria to meet Government energy targets. It states that Cumbria needs to significantly increase its current level of deployment (of all types of renewable energy) if the County is to meet the target figure considered deployable by 2030 and encourages the continued deployment of commercial wind as it provides the cheapest option for energy generation and gives the highest carbon savings. Wind energy proved to be the largest single resource in Cumbria with Carlisle having a significantly lower capacity than other Districts within the County. The study takes into account the protection offered to landscapes within AONB's. The study provides general guidance in relation to capacity per square kilometre of large (125m to tip), medium (90m to tip) and small (65m to tip) turbine development. In relation to landscape capacity, the study identifies that Carlisle has 9% of the wind energy capacity for the County. Despite this, Carlisle is identified as having the highest potential capacity for accessible small scale resource due to the urban nature of the District.

7.16 The Cumbria Wind Energy SPD was adopted by the Council in 2008 to help guide the siting and design of turbines and to indicate the capacity of each landscape character type within Cumbria for wind energy. This document therefore provides a steer for the development of wind energy and will be used to guide development of this kind. It also reiterates that wind energy development can have wider landscape and visual effects than other forms of renewable energy development. Development proposals should take this document into account. In relation to this, the City Council is currently working with Cumbria County Council and a number of other Cumbrian authorities on the development of a Cumulative Impact of Vertical Structures Study. This study will look at the cumulative effect of a number of tall structures in the landscape (turbines, pylons, telecoms, masts etc) and will be used to assess instances where it is considered that the landscape has reached the point of saturation. This study will be used when determining applications of this type when completed (expected end 2013).

7.17 The Solway Coast AONB Management Plan and the North Pennines AONB Management Plan should be referred to when considering proposals which could have an impact upon these designations. Proposals for schemes close to the district's boundary with Scotland, Northumberland, Eden District and Allerdale Borough should also take into account the impact of the development on the landscape and heritage of the area. Additionally, the Cumbria Landscape Character Guidance and Toolkit 2011, or any successor documents, should be referred to as this helps to identify areas that are capable

of successfully integrating renewable energy developments. Additionally proposals that could impact on Frontiers of the Roman Empire (Hadrian's Wall): World Heritage Site or its Outstanding Universal Value should be assessed against the aims and objectives of the Frontiers of the Roman Empire (Hadrian's Wall): World Heritage Site Management Plan.

7.18 Proposals for renewable energy developments will almost always have some local environmental implications. Any significant adverse impact will be weighed against the wider social, economic and environmental benefits including those of reducing emissions and greenhouse gasses. Some renewable energy projects may be subject to an environmental impact assessment (EIA). This will be the case where the scheme is likely to have significant environmental implications for the surrounding area during its development and/or operation. Further information on EIA can be found in [Planning for Renewable Energy: A Companion Guide to PPS22 or any subsequent revisions/updates of this document](#) online at the National Planning Practice Guidance webpage. Additionally, within Carlisle District it should be noted that there are a number of landscape and functional constraints that may limit this type of development in certain locations, including within the North Pennines and Solway Coast AONB's, Carlisle Airport Safeguarding area, Eskdalemuir Seismic Recording safeguarding area and the MOD safeguarding zone.

7.19 It is important that new energy infrastructure does not significantly impede or compromise the safe and effective use of any defence assets. Where proposed development may have an effect on civil or aviation and/or other defence assets, an assessment of potential effects should be set out in an Environmental Statement (as outlined in EN1- Overarching National Policy Statement for Energy). This requires any applicant to have assessed the impacts of their proposed development upon civil and military aerodromes, aviation technical sites and other defence interests.

7.20 Proposals for the development of wind turbines are expected to provide supporting evidence including Landscape, Visual and Environmental Assessments and must demonstrate that any negative impacts can be satisfactorily mitigated. They must also take into consideration the Cumbria Wind Energy SPD, Cumbria Renewable Energy Capacity and Deployment Study 2011; the Cumbria Landscape Character Guidance and Toolkit (2011) and/or any successor-related documents.

7.21 It is recognised that related to applications for wind energy development there is guidance available considering visualisation standards, with the aim of improving the accuracy of submitted photomontages. It is considered by some that photomontages that are currently submitted to Planning Authorities throughout the country are substandard and do not accurately represent the impact that a proposal may have on the landscape. The City Council will work with the County Council and other Cumbrian authorities to establish the best approach to take for our area.

7.22 Development in or likely to have an unacceptable impact on nationally and internationally designated sites will be restricted even if the above criteria are met, however projects may be allowed in these areas if it can be demonstrated that the wider environmental, social and economic benefits outweigh any adverse effects.

7.23 The Council will seek to foster community involvement in wind energy projects, and recommends that developers of renewable energy projects engage in active consultation

and discussion with local communities at an early stage in the planning process. The Council will also seek to consider, where appropriate, the opportunity for developing community-led initiatives for wind energy schemes where they are in line with this policy.

7.24 Proposals for all renewable energy developments should consider the environmental effects of the distribution lines between the development and the point of connection to the national Grid. Consideration should also be given to the environmental impact of access tracks where these are required to construct and maintain the proposed development.

7.25 The RSPB will be consulted where development has the potential to impact significant populations of sensitive birds species or their habitats, and Friends of the Lake District will be consulted where renewable energy development has the potential to impact on high value landscapes.

7.26 Furthermore, England has no minimum separation distance in planning law or guidance, although noise limits suggest a minimum separation distance of 350 metres for a typical wind turbine. The Government has rejected the idea of a separation distance for England and as such it is considered inappropriate for the Council to stipulate a minimum separation distance. Separation distances will therefore be considered on a site-by-site basis, taking account of topography, orientation and residential amenity. If during the timeframe of this plan this changes, decisions will be made in line with national planning policy.

7.27 Applications for large wind farms with deployable capacity greater than 50MWe are not determined by the City Council; instead development consent must be gained from Secretary of State via submission to the Infrastructure Planning Commission.

Alternative Options

1) No Wind Energy Policy in the Local Plan

7.28 An alternative approach would be to have no wind energy policy in the Local Plan, relying on national policy and other Local Plan policies to guide development. This was rejected as it does not reflect the local importance of wind energy and would not promote national priorities or strategic objectives.

2) Wind Energy Policy included within wider Renewable Energy Policy

7.29 An alternative to not include a stand alone policy on wind energy and instead determine wind turbine applications using a renewable energy policy such as that contained within the Current Local Plan. It is clear that across the District there are a greater number of applications for wind energy than other renewable energy technologies. It is therefore considered that a stand alone policy on wind energy would be beneficial to applicants and officers in guiding development of this type to appropriate locations across the District.

3) Adopt a negative policy towards large scale wind

7.30 This was considered to address some community concerns regarding wind development by providing a clear message in policy. It was rejected as the preferred option as it would be against national policy and likely to fail the Government's 'test of soundness'

as the approach is not informed by evidence and therefore would be very unlikely to be implemented. Additionally, the policy would not help promote national priorities or strategic objectives, as it would rely on other technologies to help meet national renewable targets, which is contrary to the findings of the evidence base.

4) Establish 'areas of search' for wind development

7.31 This alternative option was also considered, as it would provide additional policy material on wind development by establishing areas of search for wind development. Adopting such a policy would assess the District and identify those areas that would be appropriate for wind development and establish the potential capacity. This would reflect some local concerns about inappropriate developments in some areas, and provide certainty for developers while reducing their costs and time. This was not considered to be the preferred approach as it may not generate community support once areas have been identified and therefore would be difficult to implement. It would also focus applications for development primarily to these areas and may make applications for development in these locations difficult to oppose. It also makes a presumption that areas out with the identified areas of search would automatically not gain permission, which may in fact not be the case.

5) Include specific criteria indicating 'setback' distances from residential developments

7.32 Criteria could be developed to protect residential dwellings from commercial wind development close by. This approach was rejected because it would have to be evidence based, and as each potential site varies, setting one threshold for the whole of the District would be complex, difficult to justify and open to challenge. Furthermore, the preferred option has criteria to protect amenity and health on a case-by-case basis and this is considered to be the best method to protect dwellings from potential harm.

Which Local Plan policy is Superseded:

7.33 This policy supersedes Policy CP8: Renewable Energy in the Carlisle District Local Plan 2001 – 2016.

Development, Energy Conservation and Efficiency

Consultation Update - First stage preferred options July – September

This Policy received a mix response, those in favour and keen to see the Policy go further, including reference to Passivhaus and bringing forward more the timetable of zero carbon homes and zero carbon non-domestic buildings from 2016 and 2019 respectively to start immediately. However, there were also those who felt the Policy had gone too far and placed additional burdens on development. Questions were asked where the evidence was to justify the Policy.

Policy 39 - Development, Energy Conservation and Efficiency

The built form of development should make the fullest contribution to climate change adaption and carbon reduction. Development will be expected to seek to improve greenhouse gas CO₂ emissions savings above the Building Regulations baseline, and set out how improvements are achieved within a Design and Access statement or within an energy statement in cases of change of use, as part of the planning application. Developments not achieving improvements over the baseline energy standards will not be supported unless applicants can demonstrate that it is not feasible to do so.

Development proposals must take into account the need for energy conservation and efficiency in their design, layout and choice of materials. The principles should be introduced in the early stages of the design process in order to consider the orientation of buildings to maximise solar gain coupled with high levels of insulation to reduce heating costs and introduce options for alternative methods of heating, including air source heat pumps and ground source heat extraction. The efficient and effective use of land, including the reuse of existing buildings and the use of environmentally sustainable and recycled materials is also expected within the design.

Developers should also consider the possible incorporation of other small-scale sources of renewable energy like photovoltaic cells and will also be encouraged to include systems for collecting rain water to enable its re-use. Special consideration should be given to the historic environment when assessing applications that incorporate any renewable energy/energy efficiency technologies that could impact on a historic structure or its setting.

The Council will encourage all major developments to explore the potential for a District Heating Network or Decentralised Energy Network. Proposals for renewable, low carbon or decentralised energy schemes will be supported provided they do not result in unacceptable harm to the local environment which cannot be successfully mitigated. This includes support for community led renewable energy schemes/projects.

Justification

7.34 The Council seeks to ensure the high quality of development proposals and to promote energy efficiency and sustainable sources of energy supply. The policy sets out a supportive framework for delivering low and zero carbon energy infrastructure to demonstrate the

Council's commitment in delivering energy security and climate change initiatives. The Council is committed to ensuring that all new development maximises energy efficiency in its design and materials used, in line with the NPPF.

7.35 It is acknowledged that buildings, which are energy efficient and hence cheaper to run, have enhanced market appeal. The layout, location and design of a development can have a fundamental impact on energy efficiency. Higher density developments and south facing aspects can both help to produce milder urban microclimates as well as maximising natural light. Design should aim to maximise solar gain (where appropriate) as well as natural ventilation, utilising appropriate materials and increasing opportunities to recycle heat and rainwater. Energy efficient housing also has health benefits through providing warmer housing in winter months. The Passivhaus standard is one such energy performance standard where the heating requirement is reduced to the point where a traditional heating system is no longer considered essential. A typical Passivhaus uses up to 90% less heating/cooling energy use, equating to 60-80% overall energy savings, therefore providing an extremely energy efficient building. The Council would welcome applications for this type of energy efficient development.

7.36 Applicants should be able to demonstrate how they have attempted to minimise energy use and heat loss through careful and imaginative design, location and construction techniques. The Council has produced a SPD on Energy Efficiency (March 2011) which provides further detailed guidance on energy conservation for developers in the consideration of development proposals.

7.37 The NPPF recognises the important role of planning in supporting a move to a low carbon future. As well as striving for energy efficiency improvements in existing and proposed buildings, the Government advises that local standards for building's sustainability should be consistent with the Government's zero carbon buildings policy and should adopt these nationally described standards.

7.38 Building Regulations set the minimum standards for the design and construction of new buildings (& extensions) with energy efficiency standards dealt with under Part L. Progress towards 'zero carbon' will be made through progressive tightening of the Building Regulations. The Government's target is for new homes to be zero carbon by 2016 with the ambition for non-domestic buildings to be zero carbon by 2019. ~~There are proposed changes to energy efficiency standards in Part L of the Building Regulations however these have been consulted upon and no firm regulations have been produced as yet.~~ The Government has published changes to energy efficiency standards under Part L of the Building Regulations with a view to implement these on the 6th April 14. Changes to Building Regulations and the move to zero-carbon buildings will increase energy efficiency and encourage greater use of decentralised and renewable energy. Related to the development of zero carbon homes is 'allowable solutions'. This is an economical way for developers to compensate for the CO2 emissions reductions that are difficult to achieve through normal design and construction by making a payment to carbon-savings projects. This is something that will become more frequent as 2016 approaches. ~~these changes are due in 2013. The requirement for development to demonstrate a higher standard than the current Building Regulation baseline will apply until a higher national or locally determined standard is required. Where it is considered that it is not viable or feasible to exceed baseline carbon reduction targets or connect to a district heat network, this should be explained in full as part~~

~~of the application. These standards will be applied robustly but flexibly, should their achievement jeopardise the viability of a particular development. Developments not achieving improvements over the baseline energy standards will not be supported unless applicants can demonstrate that it is not feasible to do so.~~

7.39 The Code for Sustainable Homes and BREEAM's (Building Research Establishment Environmental Assessment Method) integrated approach to construction uses the principle of the energy hierarchy to maximise cost effectiveness and minimise fuel costs. Applicants will therefore be encouraged to use the Code and BREEAM as a mechanism to ensure that buildings are built to a standard that reduces carbon emissions. Despite this a set level of the Code will not be prescribed as the code is not mandatory. Instead Development will be expected to seek to improve CO₂ emissions savings above the Building Regulations baseline.

7.40 It is important to note that as well as planning to mitigate and reduce the impacts of climate change, we must also recognise that some level of climate change is now unavoidable. There is therefore a need to start adapting to the predicted impacts we are likely to see in the future.

Alternative Options

1) No Development, Energy Conservation and Efficiency policy within the Local Plan;

7.41 By not including a policy on this within the Local Plan applications would be guided by the NPPF and the Energy Efficiency SPD. Whilst this would provide some guidance to developers, it is considered important that a policy is included within the Local Plan in order to provide locally specific advice for developers.

2) Adopt a Local Plan Policy which sets binding targets in relation to energy efficiency;

7.42 This would be introduced using Code for Sustainable Homes and BREEAM prior to these levels being adopted nationally. It is considered that whilst this would help to demonstrate that the Council is committed to energy efficiency and a low carbon future; this may risk the viability of a number of schemes. It is also important that there is local evidence to support the approach in terms of viability. It is considered that at this time there is no available local evidence to support this.

Which Local Plan policy is Superseded:

7.43 This policy supersedes Policy CP9: Development, Energy Conservation and Efficiency in the Carlisle District Local Plan 2001 – 2016.

Flood Risk and Development

Consultation Update - First stage preferred options July – September

Flooding is an issue that Carlisle is all too aware of and comments received were keen to see that the policy would be stringently applied. There was a suggestion that the Policy should restrict all development on Flood Zone 3 with particular reference to the difficulties proposed in obtaining house insurance in these areas.

The Environment Agency supportive of the work that has been done to understand flood risk within the District and the positive approach to avoiding new development within areas at risk and suggested a couple of small but important changes to allow the Policy to better reflect the local flood risk situation at Carlisle;

The Environment Agency also expressed concern that recently minor flooding has been experienced from smaller watercourses in the north east of the city. A range of other comments are listed below:

1. Reference should be included within the Policy relating to the role of trees and woods in helping to alleviate flooding as the speed of certain types of flooding can be significantly reduced by appropriate woodland planting thus allowing more time to respond to the situation and evacuate if necessary
2. Suggestion that where sites can satisfy the Sequential Test and/or Exceptions Test, in accordance with the NPPF, they should not be discounted as potential development sites.

Policy 40 - Flood Risk and Development

The Council will seek to ensure that new development does not result in unacceptable flood risk or drainage problems by requiring new development to:

1. be located away from Flood Zones 2 and 3 wherever possible, with the exception of water compatible uses and key infrastructure (as defined in the Technical Guide to the NPPF); and
2. be supported by a Flood Risk Assessment for all proposals within Flood Zones 2 and 3 and for proposals within Critical Drainage Areas within Flood Zone 1 or on sites larger than 1 hectare within Flood Zone 1 to identify;
 - that no other lower risk alternative site exists; and
 - how access and egress can reasonably be maintained at times of flood risk; and
 - that adequate floodplain storage capacity can be provided and that the capacity of the water supply, drainage and sewerage networks can accommodate new development; and
 - development will not interfere with flood flows; and
 - mitigation measures will be provided where necessary; and
 - the development will not increase flood risk to people and property elsewhere; and
 - that where flood defences exist the residual risk of flooding that remains behind defences must be considered. This should include reference to overtopping of defences in extreme events and possible breach analysis.
3. take account of the Council's Strategic Flood Risk Assessment (or the most up to date flood risk information available) Level 1 and 2) along with any advice or guidance from the Lead Local Flood Authority (Cumbria County Council), the Environment Agency and the NPPF; and
4. satisfy the Sequential and, if necessary, the Exception test as set out within National Guidance, for proposals within Flood Zones 2 and 3 on sites that have not been allocated within the Local Plan; and
5. ~~where appropriate and feasible,~~ incorporate sustainable drainage systems (SUDs); and
6. take into account the potential impacts of Climate Change.

Justification

7.44 The Council recognises the impact that flooding has had on our District and the potential for flood events to occur more frequently as a result of climate change. The most significant flood event in recent years occurred in January 2005, when flooding affected approximately 2700 residential properties across the catchment, Carlisle City being badly affected. As well as high flood risk in the urban area, there is also significant risk of flooding in the rural area. It is therefore important that planning policies provide a framework to ensure that flood risk to people and property is not increased as a result of development.

7.45 The Primary source of flood risk in Carlisle District is fluvial flooding (where flooding occurs in the floodplains of rivers when the capacity of water courses is exceeded as a result of rainfall or snow and ice melts within catchment areas further upstream). Carlisle City is vulnerable from the River Eden, River Petteril and the River Caldew, both independently and, in wider flood events concurrently. Carlisle is also at risk from a number of main watercourses, namely Dow Beck, Gosling Sike, Parham Beck and Wire Mire Beck. The main urban areas at risk of flooding are: Denton Holme, Willow Holme, Carlisle City Centre, Etterby Terrace, Rickerby, Warwick Road and Harraby Green.

7.46 Within the District the floodplain areas of the Rivers Eden, Caldew, Esk, Lyne, Irthing and Petteril, and their tributaries, have remained largely undeveloped and fulfil an important role as storage areas for floodwater. Therefore future development will continue to be directed away from floodplains and wider flood risk areas. ~~The boundaries of indicative floodplains and flood zones are~~ Further information on the risk of flooding is available on the Environment Agency's website, www.environment-agency.gov.uk and is ~~are~~ regularly updated. ~~Rather than showing Flood Zones, which are based on the worst case scenarios i.e. no flood defences, maps will show a more realistic picture of flood risk which takes flood defences into account. The maps give a general indication of the extent of flood zones 1, 2 and 3 however they do not take account of the protection afforded by flood defences.~~ Flood risk at any specific location may be influenced by local factors- such as existing formal or informal flood defences and the capacity of existing drainage systems or road/rail culverts. Flood defence works have been completed within the City along the Rivers Eden, Caldew and Petteril and in the rural area along the River Eden at Crosby-on-Eden. Elsewhere there are maintained flood embankments at Low Crosby and some privately owned flood embankments at Warwick Bridge.

7.47 Extensive areas of the District (both urban and rural) are within Flood Zone 3 (High Probability of Risk or Functional Floodplain). The safeguarding of the floodplains is all the more important because of concerns about climate change which may, in all probability, result in an increased frequency of severe weather events, increased winter rainfall and sea level rise which could affect the coastline and Solway Firth estuary and main rivers. Flood events are becoming more frequent and more widespread. Flooding of residential properties is also associated with risks to the health of the public. The Environment Agency will be consulted on development proposals that are within, or close to, the boundaries of flood plains and on those proposals which are vulnerable in relation to their flood zone definition. ~~Cumbria County Council as Lead Local Flood Authority will similarly be consulted on areas vulnerable to localised flooding.~~ Priority will be given to the development of sites in Flood Zone 1 (Low Probability of flooding).

7.48 New developments usually result in an increase in impermeable roofs and paving where they replace existing permeable surfaces. These changes can reduce percolation and increase surface water run-off with the potential to either create or exacerbate flooding problems elsewhere. In order to provide solutions to the potential negative effects of new development, a site-specific flood risk assessment (FRA) will be required for all proposals within Flood Zones 2 (Medium Probability of Risk) and 3 (High Probability and Functional Floodplain); and for proposals within Critical Drainage Areas within Flood Zone 1 (Low

Probability) or on sites larger than 1 hectare within Flood Zone 1 to identify flood risk mitigation measures. The FRA should follow the guidance in the Technical Guide to the National Planning Policy Framework and the Environment Agency Standing Advice. Proposals for development in flood risk areas should always seek to include permeable surfaces in order to reduce the potential impact of surface water run-off. Additionally, the natural environment and trees in particular can play a huge part in helping to absorb surface water run-off by creating hedges, tree belts and wooded areas where they will help soak up rainfall and slow down water runoff.

7.49 The City Council will encourage the use of Sustainable Drainage Systems (SUDs) as a means of reducing the overall flood risk, controlling pollution from urban run-off and, where possible, creating new wildlife habitats and amenity space. Applications for the use of SUDs will, in future, be made to Cumbria County Council as the SUDs Approval Body (SAB) who will adopt, inspect and maintain SUDs in all new development.

7.50 In certain circumstances it is necessary for a Sequential Test to be undertaken in order to steer new development to areas with the lowest probability of flooding. Here, development should not be allocated or permitted where there are reasonably available sites that are appropriate for the proposed development in areas with a lower probability of flooding. Where the Sequential Test has been undertaken but no suitable sites have been found in zones of lower probability of flooding, and there is an exceptional need for the development, the Exception Test should be applied as outlined within the NPPF. Allocated sites within the Local Plan have been sequentially tested and therefore a separate Sequential Test will not be required.

7.51 A Stage 1 Strategic Flood Risk Assessment (SFRA) has been produced for the whole District with a Stage 2 SFRA carried out for those parts of the City Centre that benefit from flood defences in order to provide breach modelling of the flood defences. The SFRA should be used during the preparation of Flood Risk Assessments in order to assess the risk of flooding to a site from all sources. A further part of the Level 2 study is required to be carried out later in 2013 when the Environment Agency complete new modelling for the City. There are restrictions on development in close proximity to existing flood defences under the Environment Agency's Flood Defence Byelaws. There is a requirement to obtain consent from the Environment Agency for development within 8 metres of the foot of any artificial river embankment serving as a flood protection barrier or, if there is no embankment, within 8 metres of the top of the bank or wall which confines the river. Additionally, when development takes place on land adjoining a main river or ordinary watercourse it has become common practice for planning authorities to require the developer to leave a strip of land, at least 5-8m wide, free from development along one or both sides of a watercourse, in order to provide access for future maintenance and space for the watercourse in flood. The Environment Agency is responsible for providing land drainage consent for works in or near main rivers. Similarly, Cumbria County Council as Lead Local Flood Authority (LLFA) is responsible for providing consent for works in or near ordinary (smaller) watercourses.

7.52 The policy outlined here effectively highlights the councils aim to steer new development away from flood risk areas where possible, in line with the NPPF and

associated Technical Guide. Where development is considered to be acceptable in these areas, opportunities to reduce the causes and impacts of flooding will be taken.

Alternative Options

No flood risk policy in the Local Plan

7.53 An alternative to the preferred policy option is not to have a policy on flood risk and rely on the NPPF and associated Technical Guide to provide advice relating to flood zones. This is not considered to be a beneficial option due to flooding being a big issue across Carlisle District. It is therefore considered important to have a flood risk policy within the Local Plan in order to emphasise the importance of flooding in relation to new development.

Which Local Plan policy is Superseded:

7.54 This policy supersedes Policies LE26: Undeveloped Land in Floodplains and LE27: Developed Land in Floodplains in the Carlisle District Local Plan 2001 – 2016.

Sustainable Drainage Systems

Consultation Update - First stage preferred options July – September

The policy was supported in terms of detailed/full planning applications and reserved matters applications, but it is considered too onerous in respect of outline planning applications. Another respondent asked for assurances that adequate flood storage is in place with new development to prevent flooding of local farmland.

Policy 41 - Sustainable Drainage Systems

Where practical Sustainable Drainage Systems (SUDs) should be incorporated as the means for the disposal of surface water drainage measure in the first instance.

SUDs should be incorporated into development proposals when the following conditions apply:

1. The development will generate an increase in surface water run-off; and
2. The rate of surface water run-off is likely to create or exacerbate flooding problems.

Where SUDs are incorporated, the applicant will submit a drainage strategy including: following details shall be provided:

- Include an indicative drainage strategy to demonstrate how sustainable drainage will be incorporated into the development, including;
- the type of SUDs;
- hydraulic design details/calculations; and
- pollution prevention and water quality treatment measures together with details of pollutant removal capacity as set out in the CIRIA SUDs Manual C697 or equivalent and updated local or national design guidance.

Justification

7.55 Surface water flooding can be a serious problem in some areas. Sustainable Drainage Systems aim to reduce this by using devices or a series of complementary devices to control surface water run off as near to its source as possible. These can help to reduce the need for investment in flood management and protection measures by mitigating any additional flood risk that new development might generate. The NPPF and associated Technical Guide emphasise that the use of sustainable drainage systems should be given priority. Where Outline planning applications are submitted, a condition will be attached to state that drainage will be dealt with at reserved matters stage however it will be expected that where practical Sustainable Drainage Systems (SUDs) should be incorporated as the means for the disposal of surface water in the first instance.

7.56 SUDs aim to reduce surface run off, to slow the velocity of run off and to allow settlement of contaminants such as dust, oil litter and organic matter which otherwise tends to flow rapidly into the sewer system, placing a burden on the sewerage network and

increasing flood risk downstream as piped systems have limited capacity. SUDs help prevent this by mimicking natural features that slow down the rate that water drains away thereby reducing the amount of surface runoff entering into sewers. Examples of SUDs techniques include porous surfaces, filter drains and strips, trenches, ponds, wetland basins, soakaways, green roofs and swales or wide, shallow depressions.

7.57 SUDs can help to create enjoyable and high quality environments which encourage biodiversity and amenity, benefit water resources, reduce pressure on the sewer network and help to mitigate the negative impacts of climate change. They work effectively in both rural and urban areas and help support new development without adding to the risk of flooding or pollution. They will also contribute to achieving improvements to comply with the Water Framework Directive.

7.58 The use of SUDs should be considered at the earliest possible stage in the preparation of a planning application, in conjunction with the landscaping scheme. Applicants will be required to demonstrate that surface water disposal will be controlled so that pre and post development run-off rates are at least equivalent. SUDs solutions will be appropriate on most types of development where the area or impermeable surface is to be increased, particularly in areas of the District where culvert capacity and floodplain constraint problems exist. The City Council will also support retrofitting of SUDs within existing developments to achieve integrated water management.

7.59 Under the Flood and Water Management Act 2010, Cumbria County Council is established as a Lead Local Flood Authority (LLFA). ~~When finalised~~ It is expected that from April 2014 the County Council will have new powers and duties for managing flooding from local sources, namely Ordinary Watercourses, surface water (overland runoff) and groundwater in the administrative area of Cumbria. One of the new roles of the County Council as LLFA will be to approve applications for drainage systems, in their capacity as SUDs Approving Body (SAB), and adopt, inspect and maintain SUDs in all new development over a prescribed threshold. This is an additional requirement to planning permission. All new surface water drainage will be required to meet the provisions for SuDS approval as required under the Flood & Water Management Act 2010 before the LLFA adopts the system. No development will be allowed to proceed without approval of the surface water drainage system from the SAB. Furthermore, connection of the surface water drainage from a development to a watercourse or an adopted sewer will not be allowed until SAB approval is granted. It is expected that the SAB approval process will have the same status as Building Regulations approval.

7.60 The Department for Environment, Food and Rural Affairs (Defra) has consulted on National Standards to be used in England in order to manage surface runoff in accordance with Schedule 3 to the Flood Water and Management Act 2010. The National Standards set out what is required in order to obtain approval from the SUDs Approving Body (SAB) and for operating and maintaining SUDs which the SAB adopts. This guidance should be referred to, when finalised, in preparing SUDs for approval.

7.61 A Stage 1 and Stage 2 Strategic Flood Risk Assessment (SFRA) has been produced for the District which advocates that SUDs should be considered for every new development site. Additionally the SFRA provides advice relating to the use of SUDs and states that connecting new developments into the Untied Utilities drainage system is not sustainable and that effort should be made to attenuate surface water runoff on site so it does not put pressure on the existing drainage system or increase runoff into watercourses via the sewer network. The SFRA also identified that the permeability of the soil within Carlisle is mainly low with some small areas of medium and high permeability soils, therefore the implementation of SUDs may largely be restricted to attenuation systems however this is an indicative estimate and should be investigated at a site specific level.

7.62 Proposals for sustainable drainage systems should include provisions for future maintenance of these systems, and developers should consult the City Council, the Environment Agency and Cumbria County Council on such proposals.

Alternative Option

No Sustainable Drainage Systems policy in the Local Plan

7.63 In not including a policy within the Local Plan on drainage systems it should be relayed upon that when applications for new developments are submitted, the Council's internal Drainage Engineer will be consulted and will highlight any issues. Additionally Building Regulations monitor the type of drainage systems that are used in developments in order to sign these off. This is not considered to be a suitable option as where there may be issues with drainage there would not be a policy to refer to.

Which Local Plan policy is Superseded:

7.64 This policy supersedes Policy CP10: Sustainable Drainage Systems in the Carlisle District Local Plan 2001 – 2016.

8 Health, Education and Community and Wellbeing

Objective

To create a thriving, successful and healthy community for all

8.1 Carlisle's status as a WHO Healthy City adds additional focus to the health and wellbeing benefits that are attainable from good design and development. Health and Education and Community is a significant topic area. It covers a variety of issues, not all of which are traditionally considered to be within the remit or influence of the planning system. However, Carlisle City Council recognises the importance of protecting and enhancing the health and wellbeing of the District's population. The Local Plan guides development of different uses, scale and location. As such it is important that the policies contained within the plan aim to protect education, health and wellbeing, and community and strive to ensure that it would not be compromised as a result of new development. For example, through the local plan, new development takes account of issues such as; enabling walking and cycling, the provision of formal and informal community meeting spaces and sports facilities and green spaces, the provision of local shops, reducing the fear of crime and supporting the development of education and health facilities. Health and wellbeing is therefore an underlying theme for which consideration will be given when applications for development are considered. The links between health, education and community and wellbeing and planning are also highlighted by the NPPF which states that 'the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities'.

8.2 The Healthy City Steering Group has identified a number of Policies within the Plan that are most relevant to a Health City. As a result, applications of a certain type, scale or that trigger the subset of Policies that are most relevant to a Healthy City, may be the subject of a Health Impact Assessment. A Health Impact Assessment assesses the potential impacts of proposed plans and projects on the social, psychological and physical health of communities. It is a tool to appraise both positive (e.g. creation of new jobs) and negative (e.g. generation of pollution) impacts on the different affected subgroups of the population that might result from the proposal being implemented. This will add value and assist decision making in the Planning Process.

Doctors' Surgeries and Health Centres

Consultation Update - First stage preferred options July – September

The greatest concern in relation to this policy was the how accessible a doctors surgery or health centre would be to those trying to get to it. There was a complaint that it is irrelevant if the facility is accessible by public transport as there is no public transport in some of the rural parishes and support for developing the facilities in the urban area where residents currently travel.

There were specific concerns raised about the designation of the medical centre at Brampton and the effect that this could have on the centre of Brampton and its businesses if the medical centre is located 'out of town'

Policy 42 - Doctors' Surgeries and Health Centres

Proposals for the development of further medical centres, health centres or doctors' surgeries will be judged against the following criteria:

1. The proposed location is well related to Carlisle, or in the rural area a larger village centre and is accessible by, or can be made accessible by public transport;
2. Appropriate car parking standards can be achieved;
3. The amenity and quality of the surrounding environment, including residential amenity, is safeguarded;
4. Satisfactory access to the site can be achieved.

Development proposals must ensure that there is no reduction in the level of service to residents of the District.

Justification

8.3 Carlisle became a World Health Organisation Healthy City in 2009. Since then, the City Council has worked closely with organisations such as the NHS, Riverside and Carlisle Leisure and has gained from the Healthy City approach and network. A healthy city is one that continually creates and improves its physical and social environments and expands the community resources that enable people to mutually support each other in performing all the functions of life and developing to their maximum potential.

8.4 One of the core planning principles of the NPPF is that planning policies should 'take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs'. This policy will therefore support development of health facilities through the above criteria.

8.5 In recent years planning approval has been granted for the development of the **North Carlisle Medical Centre** a ~~Primary Care Centre~~ and pharmacy in the Stanwix area of the City. The new medical centre will also be home to Carlisle Partnership NHS Foundation

Trust and will have provision for a pharmacy. ~~comprise 3 medical practices including Stanwix Medical Centre, relocating from Scotland Road, and new branch surgeries for Fusehill Medical Centre and St Paul's Medical Centre. In addition there will be some Primary Care Trust facilities.~~ The new development will provide flexible modern facilities to replace current inadequate facilities. It will be at the heart of the community which it serves. In addition to this, for the rural area, there has been an indication that a site for a medical centre will be required in Brampton **in the long-term**, over the course of the plan period. As such a site located off Carlisle Road has been identified for this purpose. It is expected that this will come forward through the delivery of new housing adjacent to the site. **It is important that sites are accessible by public transport. Where there is not currently bus service provision, routes may be amended to serve new developments in order to improve their accessibility.**

Alternative Option

No Doctors' Surgeries and Health Centres Policies within the Local Plan

8.6 It is considered that whilst the NPPF is supportive of the provision of local health services, facilities and strategies, it is important that this is considered within a localised context and as such this policy is important for assessing any future proposals for such development within the District.

Which Local Plan policy is Superseded:

8.7 This policy supersedes Policy LC13: Doctors' Surgeries and Health Centres in the Carlisle District Local Plan 2001 – 2016.

Educational Needs

Consultation Update - First stage preferred options July – September

There was a general point of concern raised with the provision of school places to meet the future needs of the population with the level of growth being targeted. It is considered that where the size of a development requires a new school, it should be built as soon as the extra places are needed and that no further houses should be built until the school provision was in place;

Policy 43 - Educational Needs

Proposals for the development of education facilities should be provided within existing educational sites in the first instance with the presumption in favour of the need to expand, alter and improve existing school facilities. Where there is a need for new educational facilities outside of an existing site, the location should be close to the intended catchment in order to minimise travel in line with sustainable development principles.

Carlisle City Council will endeavour to continue to work with the education authority (Cumbria County Council) to identify what new demand will be generated from development as well as helping to identify suitable new education sites should this be required.

Justification

8.8 There are currently 48 Primary schools within the District, 18 are located within the urban area with 30 located in the wider rural area. There are two additional schools within the urban area that are expected to be developed alongside housing developments at Crindledyke and Morton. Most rural schools are located within villages, however there a number that are located in the open countryside which serve wide, yet sparsely populated rural communities. Cumbria County Council, the local education authority, anticipates a significant increase in new starters at Primary Schools, based on recent birth rates. As these pupils progress through the education system the County Council anticipate that they will start impacting upon secondary school capacity from 2020 onwards. This is set to become a major issue, particularly in light of the city's ambitions to grow over the Local Plan period. Given the extent of new development that shall be built within the city over the next 15 years it is highly likely that a number of new primary schools will be required. To assist in the delivery of necessary school places, developer contributions will play a significant role in meeting the needs of the development in line with Policy 40, Planning Obligations, and existing education, health and other community uses allocations will be retained to allow for future provision.

8.9 It is anticipated that, to meet the effects of proposed developments there may be a requirement for more primary and secondary school places in different parts of Carlisle City, Brampton, Cummersdale, Dalston, Cumwhinton, Linstock, Rockcliffe, Scotby and Wetheral.

8.10 There are currently 6 secondary schools within the district. Four are located within the city itself, including a small Roman Catholic secondary school. There is one school located in the Key Service Centre of Brampton and one in the large village of Dalston, both serving the wider rural area. If Carlisle is to grow significantly over the next decade, inline with aspirations presented in the emerging Local Plan, then the strain on secondary schools towards 2019 may pose a significant issue for the district if Carlisle is to ensure a good standard of secondary education for all.

8.11 Where housing developments or the cumulative impact of a number of housing developments in an area gives rise to the need for extensions, refurbishment and/or remodelling to provide additional capacity (including nursery capacity, as appropriate) at existing schools, the County Council will look to the landowner/developer or a consortium of landowners/developers to fund the cost of providing the additional capacity at existing schools at the appropriate time, including the cost of acquiring additional land if necessary.

8.12 There are two options to overcome the issue of school capacity, either supporting the expansion of existing schools or securing the construction of an entirely new school to meet any need arising from significant levels of new development. Expanding schools may be the quickest and cheapest solution to immediate problems in the short-term but there are concerns that this would be merely a stop-gap measure and, whilst it could allow for capacity to meet the anticipated increase in pupil numbers from 2019 onwards, it would likely not account for the additional capacity requirements generated by significant levels of new development within the city over the course of the next 15 years.

8.13 Alternatively anyone can set up a free school. A free school (an all-ability state-funded school) could be set up by a wide range of proposers, including charities, universities, businesses, educational groups, teachers and groups of parents, as a result of what parents feel there is a demand for.

8.14 Over the last few years significant changes and investment have been made to the District's secondary schools.

8.15 The NPPF recognises the importance of ensuring that there is a sufficient choice of school places available to meet the needs of existing and new communities, and that Council's should give great weight to the need to create, expand or alter schools; and work with schools promoters to identify and resolve key planning issues before applications are submitted. It is considered that this policy will contribute towards this.

8.16 In addition to school facilities, Carlisle College is the main provider of further education in the District. It provides education opportunities for students aged over 14 and vocational and skills training for a growing number of young and mature students and is helping to expand the skills base locally. Significant investment has been made and continues to be made to the College facilities. ~~The college also provides courses in collaboration with the College of the Arts based at Brampton Road Campus of the University of Cumbria.~~ This policy is therefore supportive of any future expansion plans for the college.

Alternative Option

No Educational Needs Policy within the Local Plan

8.17 It is considered important to have a policy on education within the Local Plan in order to demonstrate the current situation within the District and to help plan for future requirements.

Which Local Plan policy is Superseded:

8.18 This policy supersedes Policy LC11: Educational Needs in the Carlisle District Local Plan 2001 – 2016.

Sustaining Rural Facilities and Services

Consultation Update - First stage preferred options July – September

People were positive towards this policy and were keen to make sure that it wasn't undermined in the future and therefore wished to see greater clarification on how the policy would be enforced to ensure that people do not abuse the changes of use of a village shop or pub. There was also a call to clarify the definition of 'locality' for the purpose of this policy and that allotments should be included in the list of important community facilities.

It was considered that the relevant parish council should be consulted as a matter of routine.

Policy 44 - Sustaining Rural Facilities and Services

The change of use of rural facilities such as a rural shop, public house, doctor's surgery, dental surgery, school, bank, church/chapel, village hall, allotments or other facility considered important to the community will only be permitted where it can be demonstrated that:

1. Its current use is no longer viable and there is currently no requirement ~~scope~~ for an alternative community use; and
2. There is adequate alternative provision in the locality to serve the local community, ~~unless the facility is listed as an asset of community value~~; and
3. All options for their continuance have been fully explored; and
4. Where an asset is listed on a community asset of value register, the Council will wish to see 6 months marketing

Proposals for the development of or extension to rural services and facilities, including proposals which will assist in their retention, will be permitted provided that:

1. The scale and design does not adversely affect the local built environment and respects local landscape character; and
2. It does not have an adverse impact upon residential amenity; and
3. Appropriate parking and servicing arrangements can be made.
- 4.

Policy Justification

8.19 Carlisle City Council will seek the retention of shops and services in rural areas in accordance with sustainability objectives. The value of such facilities to the local community is a material consideration when considering applications that would result in a loss of the resource.

8.20 Shops and facilities in rural villages are important for delivering a valuable service and social focus for the local community, particularly for those without access to private transport. However, one of the major challenges facing small rural settlements is their ability to retain local services and facilities which are essential for maintaining villages as sustainable communities. Whilst it is often difficult to define 'locality' as this differs across the

District, in general it is where there is an identifiable local population that a service or facility serves. It is however recognised that in more sparsely populated rural areas this may be more difficult to define.

8.21 It is not always possible to prevent closure of shops, etc when it is uneconomic for their use to continue. Therefore, proposals involving the loss of local services will only be permitted where the Council is satisfied that the existing use is no longer viable and there is no market for the business as a going concern after proof of advertising it as such for a period no less than six months. Evidence should include for example, a record of numbers of enquiries to take over the business, evidence of viability and proof that the property has been adequately marketed at an appropriate value in trade papers and advertisement boards. In circumstances where permission is granted, the Council will seek to retain the shopfront to enable the reinstatement of a shop in the premises if the future opportunity should arise. This policy does not restrict changes of use allowed under the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended).

8.22 One of the Core Planning Principles within the NPPF is supporting thriving rural communities. It is considered that the retention of this policy will help in achieving this. The NPPF also recognises that to achieve sustainable development, planning has a social role to play in supporting strong, vibrant and healthy communities, by ensuring there are accessible local services that reflect the community's needs and support its health, social and cultural well-being. In order to support a prosperous rural economy, the NPPF seeks to promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.

8.23 Linked closely to this policy is the Community Right to Bid. This is a new right created through the Localism Act that gives community groups the right to prepare and bid to buy community buildings and facilities that are important to them including a village shop, pub, community centre, allotment, parks, library etc before they are privately sold. Here, Carlisle City Council has created a Community Asset Register to hold all of these 'assets of community value' identified by the community. If an owner of a listed asset wants to sell it they have to notify the local authority. The local authority then, in turn, has to notify any interested parties. If local groups are interested in buying the asset they have 6 months to prepare a bid to buy it before the asset can be privately sold. This came into effect in September 2012 and further details can be found on the City Council website.

Alternative Option

No Sustaining Rural Facilities and Services policy in the Local Plan

8.24 Without a policy advocating the retention and expansion of rural facilities and services, there is concern that this may lead to the loss of these facilities unnecessarily. Due to the requirement to show that there are no other alternative community uses available to take up the said unit, this provides a real incentive to advertise for other community uses. Without this policy this may be lost.

Which Local Plan policy is Superseded:

8.25 This policy supersedes Policy EC13: Sustaining Rural Facilities and Services in the Carlisle District Local Plan 2001 – 2016.

Access, Mobility and Inclusion

Consultation Update - First stage preferred options July – September

There were limited number of responses to this policy and those that did made comment were supportive of it.

Policy 45 - Access, Mobility and Inclusion

Development proposals should make provision for easy, safe and inclusive access to, into, within and egress from buildings and facilities. The layout and design of developments should meet the requirements of accessibility and inclusion for all potential users regardless of disability, age or gender. The Council will have regard to the following criteria when assessing development proposals:

- The design of entrances and exits and ease of permeation through and between developments, street furniture, circulation areas and pedestrian routes;
- The location of any development proposal in relation to its potential users;
- Accessibility to all transport modes and provision of adequate parking with the appropriate number of parking bays designated for disabled people;
- Provision of on-site facilities such as public toilets and appropriate signage.

~~Additionally, where there is a requirement to submit a Design and Access Statement as part of a development scheme it should~~

Applicants should demonstrate:

- a) ~~demonstrate~~ their approach to inclusive design; and
- b) ~~acknowledge~~ compliance with Part M of the Building Regulations (Access to and use of buildings) and refer to BS8300:2009 (British Standards - Design of buildings and their approaches to meet the needs of disabled people – Code of practice) where appropriate.

Justification

8.26 The NPPF recognises the importance of planning positively for the achievement of high quality and inclusive design for all development to ensure that the built environment including buildings and surrounding spaces can be accessed and used by everyone. It also acknowledges that it is important that sites for new development are accessible and that securing high quality and inclusive design goes beyond aesthetic considerations. Development shall be designed to contribute to good place-making through high-quality and sustainable design which creates a strong locally-distinctive sense of place that is safe, inclusive and accessible to all, and that promotes social interaction and a healthy and active lifestyle.

8.27 Carlisle City Council therefore considers that access to new buildings and public open space, their approach, space around them and space within them should be designed in a way to allow freedom of movement for all. Poorly designed buildings and surrounding spaces create insurmountable obstacles to people with various disabilities as well as the elderly and many others. Such obstacles can severely restrict everyday activities and reduce

quality of life. The council is committed to creating an environment which is inclusive and accessible to all users. The Council also has a statutory obligation as a local planning authority to consider access in determining certain types of planning application.

8.28 Manual for Streets was produced by the Department for Transport 2007 and provides valuable guidance on how to achieve well designed streets and neighbourhoods. In order to ensure a high quality living environment for residents, the Council will aim to encourage its use within development proposals. All new development which would require access to the public highway must satisfy the Highways Authority in terms of design and the achievability of the access. Development that cannot achieve satisfactory access will not be approved.

8.29 Statutory requirements relating to the provision of access are contained within the Equality Act 2010 and Part M of the Building Regulations 2004 incorporating 2010 and 2013 amendments. Part M sets out minimum standards on the design and construction of buildings to make them accessible to all. However, the Council considers it desirable for access provision to be made beyond the minimum standards embodied within this legislation and will endeavour to achieve higher overall standards of access provision across the board.

8.30 Creating an inclusive 'barrier free' environment where everyone can participate equally and fully is an essential objective of sustainable development. The Equality Act 2010, reinforces this view giving disabled people important rights of access to everyday goods, services and facilities. This policy has been written with reference to 'Planning and Access for Disabled People: A Good Practice Guide' ODPM 2003 and ensures that the needs of people with varying needs are taken into account when proposals for development are considered. English Heritage have published Easy Access to Heritage Buildings (December 2012) in order to assist with improved access to listed and other historically important buildings.

8.31 It is recognised that in certain circumstances, such as the protection of particular buildings or the character of an area, the most satisfactory layout and design for accessibility and inclusion may not be practical. The onus in this situation will lie with the applicant to demonstrate to the Council, by way of a Design and Access Statement with their planning application how they have sought to balance these competing objectives. Consideration should also be given to the guidance 'Better Access' produced by Carlisle City Council, regarding building details and accessibility for all and BS8300:2009 BSI British Standards 'Design of buildings and their approaches to meet the needs of disabled people – Code of Practice'.

Alternative Option

No access, mobility and inclusion policy in the Local Plan

8.32 An alternative option would be to not include an access, mobility and inclusion policy within the local plan. This is not considered to be a suitable option as this would mean that in order to ensure sufficient thought has been made to creating developments that provide adequate access, mobility and inclusion for all, the only way to enforce this would be through the standards set in building control legislation, often after planning permission has been granted. It is considered that whilst this ensures that correct standards are adhered to, this is

not suitable on its own as it is at the planning stage that access, mobility and inclusion can be wholly worked into a development proposal and not incorporated as an afterthought.

Which Local Plan policy is Superseded:

8.33 This policy supersedes Policy CP15: Access, Mobility and Inclusion in the Carlisle District Local Plan 2001-2016

Planning Out Crime

Consultation Update - First stage preferred options July – September

The only comments received to this policy were to make amendments to reflect updates that the Council had been made aware of.

Policy 46 - Planning Out Crime

The design of all new development must contribute to creating a safe and secure environment, integrating measures for security and crime prevention and minimising the opportunity for crime.

The following points should be applied to all development proposals:

1. developers should demonstrate how security measures form an integral part of the design;
2. developments should be laid out and buildings positioned with the intention of creating active and vibrant neighbourhoods and maximising natural surveillance opportunities;
3. public and private spaces should have clearly defined boundaries, utilising appropriate physical treatments and promoting the concept of defensible space;
4. footpaths and cycleways should be designed to maximise legitimate use. Routes must serve the development and not present opportunities for concealment, unobserved access, or an excess of routes that could aid escape a choice of escape routes;
5. good lighting is essential to deterring criminal and anti-social activity. Spaces must be evenly illuminated to an appropriate level, whilst avoiding nuisance, annoyance and unnecessary spill or pollution;
6. landscaping schemes require careful and sensitive consideration to ensure that they do not create secluded areas, impede surveillance opportunities, or position elements that could be exploited as climbing aids;
7. developers should indicate what physical security measures have been incorporated into the design to resist crime (for example, the specification of doors and windows compliant with PAS 24:2012 BS-PAS24 and BS 7950, provision of an intruder alarm system, or provision of a separate fused electrical spur to permit future installation of a system, etc);
8. the deployment of (Closed Circuit Tele Vision)CCTV may be considered necessary in certain circumstances.

Developers should, at the earliest stage possible, consult the Police Crime Prevention Design Advisor for advice on measures to be incorporated for designing out crime. Advice will be given based on current crime trends or particular crime risk, in accordance with Secured by Design principles. Carlisle City Council encourages applicants to apply to Cumbria Constabulary for the Secured by Design and/or the ParkMark Safer Parking Award(s), where appropriate.

~~All Design and Access Statements should detail how crime prevention measures have been considered.~~

Justification

8.34 The NPPF recognises the role that planning policy can play in creating safe, secure and accessible environments through good design. This policy will help to ensure that developments create environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. The NPPF also advocates that the design of developments should encourage the active and continual use of public areas. This is something that the 'Delivering Safer and Stronger Communities' chapter of the Community Plan for Carlisle also strives to achieve in order to make the District a safer place to live, work and visit.

8.35 Section 17 of the Crime and Disorder Act 1998 makes it a duty for local authorities to exercise its various functions with due regard to the likely effect and to do all it reasonably can to prevent crime and disorder in its area. The Carlisle and Eden Community Safety Partnership is responsible for developing a crime and disorder reduction strategy and an audit every three years. The purpose of the strategy is to work together to make Carlisle (and Eden) a safer place in which to live, work and visit. The City Council takes an active role in the Carlisle and Eden Community Safety Partnership and will continue to use its planning policies to assist in this process.

8.36 The planning system can be instrumental in producing environments that are well managed, lively and attractive, which discourage crime and anti social behaviour, e.g. through overlooking and active frontages. The Council considers it important that people feel safe in the environments in which they live and move about in. Developers will therefore be expected to adopt designs for new development that take fully into account the security of property and people. However, the approach to design should still be sensitive to local circumstances. It is evident that insensitive approaches to crime prevention can result in an increased fear and perception of crime by creating environments which appear threatening and as such are avoided.

8.37 In 2009 the City Council adopted a supplementary planning document (SPD) 'Designing Out Crime'. The SPD seeks to improve the safety and security of developments and aims to strike a balance between the need to reduce crime and create a high standard of appearance in the design and layout of developments. This document provides advice to applicants relating to incorporating safety and security measures into developments and is used to assess and determine planning applications. The adopted SPD 'Achieving Well Designed Housing' (April 2011) focuses on the development of/within residential areas, it emphasises that designing out crime is a key consideration at the concept stage of any development. It seeks to promote safe and secure environments and to design spaces and networks which minimise opportunities for crime or anti-social behaviour.

8.38 Additional guidance on creating successful spaces and achieving good design is detailed within Manual for Streets and Manual for Streets 2 produced by the Department for Transport or successor documents.

Alternative Option

No planning out crime policy in the Local Plan

8.39 By not including a policy within the Local Plan on planning out crime, it would have to be ensured that developments take account of crime reduction measures as suggested within national policy (NPPF). Additionally it should be ensured that design and access statements highlight where appropriate crime prevention measures have been considered as part of the development.

Which Local Plan policy is Superseded:

8.40 This policy supersedes Policy CP17: Planning Out Crime in the Carlisle District Local Plan 2001 – 2016.

Safeguarding Zones

Consultation Update - First stage preferred options July – September

This policy relies on a lot of technical information supplied to the Council and the consultation revealed a few suggestions to improve its effectiveness. There was the suggestion to include an additional paragraph within the Justification section to explain what submission requirements will be expected for development within these areas and a comment that the Policy and associated appendix should include reference to the Essar Oil (UK) Major Accident Hazard pipeline which passes north-south through the District and has to be taken into account during the consideration of site allocations and planning applications.

Policy 47 - Safeguarding Zones

Within the Safeguarding Zones as shown in Appendix 2, development proposals of a certain type and scale (e.g. wind turbines) will be the subject of consultation with one or more of the following consultees: Ministry Of Defence (Eskdalemuir Seismic Research Station, RAF Spadeadam, MOD Longtown), Very Low Frequency (VLF) transmitter at Skelton, Carlisle Airport and/or National Air Traffic Services, Essar Oil UK (Major Accident Hazard Pipeline); and the Coal Authority. Any proposals that impact upon the operations of these bodies will require mitigation where possible to minimise their impact, or where this is not feasible, permission will be refused.

Justification

8.41 The Local Plan recognises the role it has to play in protecting sensitive areas/uses from inappropriate development that may have an adverse impact on their operations. It is therefore considered appropriate to include a policy safeguarding such areas.

8.42 The NPPF highlights the importance of working with the Ministry of Defence's Strategic Planning Team to ensure that they have the most up to date information about defence and security needs in their area. This policy will therefore ensure that the MOD and the other relevant bodies listed above are adequately consulted on planning applications that may affect their operations.

8.43 The Coal Authority has defined high risk areas, where the legacy of past coal mining activity poses a potential risk to land stability and new development. Most planning applications for non-householder development within the high risk areas will need to be accompanied by a Coal Mining Risk Assessment, prepared by a competent person. The spatial extent of these high risk areas is illustrated in Appendix 2.

8.44 Further information on the type, scale and location of development which would trigger consultations with these bodies can be found in appendix 2. The Local Planning Authority will identify where consultation is required and appropriate consultation will be carried out.

Alternative Option

No Safeguarding Zone policy in the Local Plan

8.45 If a policy on safeguarding zones was not included, it would have to be ensured, by some other means, that development will not have an inappropriate impact on these sensitive areas. This policy will help in making developers aware of the requirements that their proposals may trigger in these areas and who will be consulted on these applications. This policy will allow planning officers to support the views of their consultees where the development would have an effect on their operations. It will help planning officers in justifying their reasoning to the applicant and highlights the importance of considering the opinions of these consultees and the safety of the public when determining applications.

Which Local Plan policy is Superseded:

8.46 This policy supersedes Policy LE23: MOD Safeguarding Zone in the Carlisle District Local Plan 2001 – 2016.

Pollution

Consultation Update - First stage preferred options July – September

Responses to the consultation on this policy made reference to the section on artificial light and that application involving floodlights should be accompanied by robust lighting report and strategies as part of any submission for planning permission and that the application is assessed by suitably qualified lighting engineers. There was another suggestion to include a paragraph within the justification to highlight that proposals for sensitive uses (such as residential development) should be located away from existing sources of pollution.

Policy 48 - Pollution

Development will not be permitted where it would generate, either during construction or on completion, significant levels of pollution (from contaminated substances, odour, noise, dust, vibration, light and insects) which cannot be satisfactorily mitigated within the development proposal or by means of compliance with planning conditions.

Justification

Proposals for sensitive uses (such as residential development) should be located away from existing sources of pollution. New development schemes must be able to demonstrate they are compatible with surrounding land uses, both in terms of its impact upon those uses and the impact of the surrounding land uses upon the amenities of future residents/ users. New development should be located an acceptable distance away from existing operational businesses with the potential for noise, odour or traffic generation.

Construction and Demolition Sites – Noise, Dust and Light Management

8.47 It is essential to have effective noise and dust emission control measures in place for every activity carried out on site, not only to protect the health and safety of the on-site workforce, but also local residents and members of the public in the locality. In order to successfully control demolition and construction activities, it is important to evaluate the risk from pollutants emitted from site. It is envisaged that this approach will bring additional benefits, such as a reduction in the number of nuisance complaints; the majority of which relate to dust and noise emitted from construction activities.

Applications for development proposals which, by virtue of the nature and/or scale are considered by the Council to be likely to give rise to an adverse impact during construction, demolition and/or generate construction waste, will be expected to be accompanied by a Construction Management Method Statement.

Planning and noise

8.48 The National Planning Policy Framework (March 2012) states that planning policies and decisions should aim to:

- avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;

- mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;
- recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established;
- identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

8.49 Effective land use planning can help prevent or mitigate potential noise impacts. The express inclusion of noise in the National Planning Policy Framework means that it will be a material consideration in local planning decisions. Where noise may be an issue, a noise impact assessment may be required as an integral part of the process for making those decisions and should be sought at the earliest possible stage of the planning process.

8.50 By avoiding the location of noise sensitive uses near to noise-producing premises, noise problems can often be prevented. Where this is not possible, noise controls need to be incorporated into new noise-producing developments and mitigation measures may be prudent for new noise sensitive developments such as housing, schools, hospitals, nursing homes and places of worship.

8.51 While a grant of planning consent cannot excuse any nuisance subsequently caused by the development, applicants for schemes which may give rise to noise issues are strongly advised to discuss their proposals with their local environmental health department at an early stage.

Air Quality

8.52 The Environment Act 1995 established the current framework for the National Air Quality Strategy and placed statutory duties upon local authorities in respect of Local Air Quality Management. Since 1996 Carlisle City Council has been monitoring air pollution levels in Carlisle and comparing the results with the national air quality objectives.

8.53 For the majority of key pollutants measured across the district the concentrations have been found to be well below the government's health based objectives. However the nitrogen dioxide (NO₂) annual average concentrations have been found to be currently above the health based objective level in 6 areas of the City.

Six Air Quality Management Areas (AQMAs) have been declared in Carlisle since 2005 as a result of NO₂ exceedences. The declaration of these AQMA's placed a duty on Carlisle City Council to draw up an Air Quality Action Plan, which details the local measures from which air quality improvements can be realistically achieved.

8.54 The highest concentrations of nitrogen dioxide have been found in areas of congested, slow moving vehicles. Traffic derived air pollution can be addressed through efforts to reduce dependency on private cars and in turn reduce congestion. Reducing Heavy Good Vehicle (HGV) movements in built up areas, improving the road network and utilising cleaner engine technology will contribute to delivering Air Quality Objectives.

8.55 Developers must have regard for the Air quality implications of new developments. Large new developments often require the preparation of an Air Quality Impact Assessment to accompany the planning application. Further information on when an Air Quality Assessment is required is available on the Council's website under Air Quality. Developers must consider all aspects of the development including emissions to air and the increased traffic volume that the development may create. Planning applications should include mitigation measures to offset the negative impacts and financial contributions may be necessary for further progression such as improvements to the local transport infrastructure. Air Quality information is available on the Council's website with a guide for developers.

Artificial Light

8.56 Over the last decade there has been a greater awareness of the adverse effects of light pollution. There are three main types of light pollution: sky glow, glare and light trespass. Intrusive light can cause road safety problems, harm wildlife and create physiological problems for residents. ~~Such pollution wastes energy and results in the burning of unnecessary fossil fuels by power stations which is unsustainable.~~ The Campaign for the Protection of Rural England (CPRE) has given publicity to the evidence from satellite data of the spread of light pollution across the country especially into rural areas. This is caused by extensions of street lighting with new developments, floodlights for sports pitches and buildings, and by security lights on buildings. The Government has made it clear that the intrusiveness of lighting particularly in the countryside should be kept to a minimum and has urged that Local Planning Authorities recognise the cumulative adverse impacts of lighting on countryside character which decreases the sense of remoteness and blurs the distinction between urban and rural areas. Lighting should be as energy-efficient as possible or run off renewable energy and minimise upward light pollution. Applications involving floodlights for sports pitches should be accompanied by a robust lighting report and strategies as part of their submission for planning permission. Landscaping measures such as mounding and planting may in some situations help to protect residential amenity and reduce light spillage and glare.

Insects

Likely sources of insect nuisance

8.57 It is expected that the following developments will generate most complaints of insect nuisance:

- Poultry houses / farms
- Sewage treatment works
- Manure / silage storage areas
- Animal housing
- Stagnant ditches and drains
- Landfill sites / refuse tips
- Waste transfer premises
- The commercial parts of mixed commercial / residential blocks of buildings (i.e. excluding the residential premises contained therein)
- Trade or business premises (e.g. contaminated goods, kitchen areas)
- Slaughterhouses
- Used car tyre recycling businesses

Applications for these developments may require planning conditions agreeing methods and strategies to control insect populations.

Alternative Option

No pollution policy in the Local Plan

8.58 By not including a policy on pollution within the local plan, it should be ensured that applications that will be affected by/will cause pollution of any type will be determined after consultation with the Council's Environmental Health department the Environment Agency. Without a pollution policy within the Local Plan, this may lead to developments that could have an adverse effect on the environment and associated ecological features.

Which Local Plan policy is Superseded:

8.59 This policy supersedes Policy CP13: Pollution in the Carlisle District Local Plan 2001 – 2016.

Protection of Groundwaters and Surface Waters

Consultation Update - First stage preferred options July – September

The policy generated very few responses but with fracking generating a lot of attention in the media recently a response felt the policy should include a statement that there shall be no fracking in the District.

Policy 49 - Protection of Groundwaters and Surface Waters

Proposals for development which would cause demonstrable harm to the quality, quantity and associated ecological features of groundwater and surface waters or impact on human health will not be permitted.

Justification

8.60 The supply of water is a material consideration in determining planning applications. Planning permission may be refused where inadequate water supplies exist or cannot be provided within the time constraint of the planning permission. Where such provision is possible planning conditions may be imposed to ensure that suitable arrangements are in place for this service. New developments will need to be located and designed so that they will minimise or eliminate the environmental impact of additional demand, thus making a contribution to sustainable development. The wider effects of an increased demand as a result of development will need to be considered together with the availability of resources. In line with the NPPF it is important to ensure that permitted operations do not have unacceptable adverse impacts on the flow and quantity of surface and groundwater.

8.61 Climate change could affect both the demand for water and its availability. Changes in climate will also affect groundwater resources and river regimes, which will influence the availability of water for abstraction.

8.62 Groundwater resources are an invaluable source of water for public supply, industry and agriculture, as well as sustaining the base flows of rivers. The Permo- Triassic Sherwood Sandstone formation comprises a major aquifer in the District together with abstractions from the Rivers Eden and Gelt. These sources are under pressure from excessive extraction and from pollution and once polluted they are difficult to rehabilitate leading to a long term deterioration in the quality of the receiving watercourse. Samples of main river water quality from the District's Rivers Eden, Caldew, Roe, Petteiril and Lyne have recorded very good/good classifications, while the Esk was recorded as very good. Demand for water is increasing as a result of growth of population and industrial/commercial activity. Initiatives that result in water re-use and will be encouraged.

The Eden and Esk Abstraction Licensing Strategy (2013) gives information about how much surface water and groundwater is available for further abstraction from the main rivers and tributaries. It also outlines the strategy for managing water resources through abstraction licensing.

8.63 The Environment Agency has statutory responsibility for managing water resources and has developed a strategy for the proper management and protection of the groundwater

resource ('Underground, Under Threat – The State of Groundwater in England and Wales'). This (or any successor documents) will be used as a guide to determine the suitability of developments in relation to groundwater impact. The Environment Agency has also established Source Protection Zones for public water supply and other human consumption uses.

8.64 The Flood and Water Management Act 2010 created Lead Local Flood Authorities (LLFA) in Flood Risk Management. The management of flood risk from surface water, ground water and ordinary watercourses ('local' flood risk) will be the responsibility of the Lead Local Flood Authority, in Cumbria that will be Cumbria County Council.

8.65 In instances where it is considered that development may have a negative effect on the quality of surface waters and/or groundwater, especially in relation to certain agricultural practices including the development of slurry lagoons, where these are clay lined, the Environment Agency will be notified, as a statutory consultee, and will assess whether the development fully complies with the terms of the Control of Pollution (Silage, Slurry and Agricultural fuel oils) Regulations 1991 (as amended 1997) and Protecting our Water, Soil and Air – the Code of Good Agricultural Practice for Farmers, Growers and Land Managers.

Alternative Option

Do not include a Protection of Groundwaters and Surface Waters Policy in the Local Plan

8.66 Without a policy outlining the importance of the protection of groundwaters and surface waters within the Local Plan, this may lead to developments that could have an adverse effect on the watercourse and associated ecological features. This would help to ensure that development is directed to the most sustainable sites.

Which Local Plan policy is Superseded:

8.67 This policy supersedes Policy CP11 – Protection of Groundwaters and Surface Waters in the Carlisle District Local Plan 2001 – 2016

Hazardous Substances

Consultation Update - First stage preferred options July – September

The policy received support to ensure that development is not a risk or creates a risk due to the presence of Hazardous Substances.

Policy 50 - Hazardous Substances

Planning permission will not be granted for new development which would be subject to risk from existing hazardous installations. The same consideration will apply to proposals for new installations that would involve the use, movement or storage of hazardous substances (e.g. certain gases, liquids and explosive chemicals) and pose an unacceptable risk to the health or safety of users of the site, neighbouring land and/or the environment.

Justification

8.68 Within the Plan area there are a number of notifiable hazardous substance installations, including high pressure pipelines and major hazard sites. Whilst these are subject to stringent controls under existing health and safety legislation it is considered prudent to control the kinds of development in the immediate vicinity of such installations. To ensure adequate separation of hazardous installations and housing or other incompatible uses, the City Council will take into account the advice of the Health and Safety Executive concerning off-site risks to the public arising from any proposed development which would introduce one or more hazardous substances.

8.69 Applicants should have regard to Planning Advice for Developments near Hazardous Installations (PADHI) which provides the Health and Safety Executive's advice on land use planning near hazardous installations. The aim of this is to manage population growth close to such sites to mitigate the consequences of a major accident should one occur. When determining applications for development around major hazards the Council will consult with the Health and Safety Executive.

Alternative Option

No hazardous substances policy in the Local Plan

8.70 By not including a hazardous substances policy within the Local Plan, the NPPF would be relied upon for guidance relating to Hazardous Substances. Whilst there is some information contained herein, it is considered important that a local plan policy is included in order to highlight this as there are a number of major hazard sites and major hazard pipelines within the Local Authority area.

Which Local Plan policy is Superseded:

8.71 This policy supersedes Policy LE31: Hazardous Substances in the Carlisle District Local Plan 2001 – 2016.

Land Affected by Contamination

Consultation Update - First stage preferred options July – September

The policy did not generate a lot of responses but there were calls to include reference to community growing projects and/or farming/agriculture in the policy.

Policy 51 - Land Affected by Contamination

Development will be acceptable on land that is contaminated or where contamination is suspected, subject to; ~~other policies contained within this plan if:~~

- 1) Adequate contaminated land assessments prepared by a suitably competent person are submitted prior to any planning decision being taken, to determine whether or not unacceptable risks to human health or the environment arise from the proposals; and
- 2) Where necessary, suitable mitigation and/or remediation is carried out to ensure safe development.

As a minimum, land should not be capable of being determined as contaminated land under Part 2A of the Environmental Protection Act 1990.

Justification

8.72 Within the District there are many historic and current land uses that have the potential to impact on the quality of the land and result in land contamination concerns. Former industrial and commercial processes, lower environmental standards, poor waste management practices together with accidental or deliberate release of chemicals into the environment may all result in land contamination. The NPPF encourages the re-use of existing resources, including the conversion of existing buildings and the effective reuse of land that has been previously developed (brownfield land). It also promotes consideration of development on land of lesser environmental value. All of these aspects support the redevelopment of potentially contaminated sites.

8.73 The NPPF states that:

- Where a site is affected by contamination, the responsibility for securing a safe development rests with the developer and/or landowner;
- After remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and
- Adequate site investigation information, prepared by a competent person, is presented.

8.74 Development of a site with land contamination considerations is an ideal way to secure an improvement in the environment providing that it results in a safe development that creates no unacceptable risks to human health or the environment.

Certain types of development are particularly sensitive to land contamination e.g. housing, schools, hospitals, allotments, community growing projects, farming/agriculture and children's play areas. It is imperative that all developers have a comprehensive understanding of the history of a site; not just knowledge of the current or immediately

previous use in the case of a derelict site. This will assist both the developer and the LPA in determining the likelihood of risks from potential land contamination and ultimately save costs.

8.75 Identification of potential problems at an early stage can assist with the processing of planning applications and accelerate the development of sites. Since remediation of land contamination can incur significant costs it is important that the risks are identified and understood both by the developer and the LPA before a planning decision is taken. It is strongly recommended that pre-application advice is sought from the LPA and the Council's Environmental Health Department regarding potential contaminated land issues. This will prevent unnecessary works being carried out and may also prevent delays in the application process and development commencing.

8.76 The requirement for a development to be sustainable and viable also extends to the remediation technology to be applied. For some developments, the technology required may impact on the design of the proposed development. If potential land contamination issues are not identified and an assessment of the risks undertaken this may result in refusal of permission. The LPA must be satisfied that:

- Where there is information available to the LPA that suggests the possibility of contamination or of unacceptable risk these concerns have been addressed or excluded within supporting information submitted with any application;
- Any unacceptable risks identified can be adequately dealt with in order that the completed development is suitable for its intended use and no unacceptable risks remain either to human health or the wider environment;
- Any steps needed to deal with unacceptable risks are either already in place or can be secured through suitable planning conditions.

8.77 The assessment of potentially contaminated sites should be carried out through a phased process. Ongoing dialogue with the LPA at each phase is recommended to ensure that the work undertaken is sufficient and necessary.

8.78 Where development is proposed on a site known to be contaminated or have the potential to be contaminated as a result of industrial activity (e.g. gasworks, petrol stations, filled ground, steelworks, railway land) a preliminary risk assessment will be required. This must be carried out by a suitably qualified person to the current British Standards and approved guidance.

Alternative Option

No land affected by contamination policy in the Local Plan

8.79 By not including a policy on this within the Local Plan this would rely on the information contained within national planning policy guidance. Whilst this supports the remediation of contaminated land it is considered that it is important to include a policy on this within the Local Plan as our statutory consultees highlight that this is a priority for Carlisle and also as the actual or possible presence of contamination is a material planning consideration. The exclusion of a contaminated land policy from the Local Plan would not

provide the necessary clarity to developers and may lead to unnecessary delays in the application process.

Which Local Plan policy is Superseded:

8.80 This policy supersedes Policy LE29: Land Affected by Contamination in the Carlisle District Local Plan 2001 – 2016.

Location of New Cemetery Provision

Consultation Update - First stage preferred options July – September

The policy received support to from the County Council to help guide the identification of a new cemetery.

Policy 52 - Location of New Cemetery Provision Grounds

Proposals for the development of new cemetery grounds will be judged against the following criteria:-

1. the proposed site should be of a sufficient scale to accommodate burial needs for the foreseeable future, with a clear rationale for the size of the site proposed;
2. the site should be in an appropriate location, away from flood risk and with suitable ground conditions;
3. there will be convenient access to the site from across the City by a choice of sustainable transport options;
4. the use of the site and its operation is acceptable in terms of impact on adjoining uses;
5. there is no, or minimal, visual impact of cemetery use on the landscape and/or townscape;
6. there must be good reasons to expect that the site will be available for burial purposes within a reasonable timescale and that competing uses will not preclude its use for that purpose.

Justification

8.81 Proposals elsewhere in this Local Plan encourage the growth of Carlisle as a place to live and work. It is therefore important that the City is able to provide facilities for its people over their whole life cycle.

8.82 The aim of this policy is to enable the delivery of cemetery ground(s) across the city to meet the identified future need for this type of facility. Currently there are three cemeteries within the City, the largest being Carlisle Crematorium and Cemetery (Richardson Street) with smaller cemeteries at Upperby and Stanwix.

8.83 Whilst there may be some potential for small scale expansion at Richardson Street and to some extent at Upperby, Stanwix is completely landlocked. It is therefore imperative that additional cemetery ground is identified within this plan period to cater for future need.

8.84 The NPPF recognises that planning has a social role to play in creating accessible local services that reflect the communities needs and support its health, social and cultural well-being. This type of community development is therefore supported by the NPPF in order to meet the development needs of the area.

Alternative Options

1) No cemetery policy in the core strategy

8.85 If a policy on new cemetery sites was not included within the Local Plan, this may make it difficult in planning terms for a site to be identified for this use in the future when a need is more imminent. The Council has a duty to provide and maintain such facilities to cater for its population, therefore without a policy regarding this in the local plan, the Council would not be fulfilling its duty effectively.

2) Adopt a policy that continues the use of existing cemeteries until a time when capacity is reached and a new site will be located at that time as per the Local Plan

8.86 As described above in the policy justification, whilst there remains short term provision of burial ground within the City, this is set to decrease significantly during the timeframe of this plan. It is important that a new site is identified prior to capacity being reached in order to identify a site and have appropriate infrastructure in place prior to capacity being reached.

Which Local Plan policy is Superseded:

8.87 This is a new policy

9 Heritage Historic Environment

Objective

To conserve, enhance and promote Carlisle's heritage and opportunities provided by the historic landscape to generate maximum social and economic benefit whilst ensuring that proposals are sympathetic to the elements that make Carlisle and Cumbria special.

9.1 Carlisle City Council recognises the value of its heritage assets and their importance in giving the area a strong, distinctive identity and real sense of place. The following policies therefore seek to support proposals which protect and enhance the District's historic resources whilst enabling them to be utilised to their full potential.

Hadrian's Wall World Heritage Site Frontiers of the Roman Empire (Hadrian's Wall): World Heritage Site

Consultation Update - First stage preferred options July – September

The production of this policy coincides with many other local authorities producing a Local Plan and who share the line of the World Heritage Site the opportunity to provide a consistent policy approach across boundaries and the policy was supported by a neighbouring authority.

Some felt that the policy could go further to retain the character of the site by restricting new structure to a height limit e.g. 10 metres.

There were also detailed comments relating naming of Hadrian's Wall and how it is actually part of a Frontiers of the Roman Empire World Heritage Site that stretches across to Germany and some detailed changes to reflect the importance of the site.

Policy 53 - Hadrian's Wall World Heritage Site Frontiers of the Roman Empire (Hadrian's Wall): World Heritage Site

There is a presumption in favour of preserving the fabric, integrity and authenticity of archaeological sites that form part of the outstanding universal value of the World Heritage Site. Development will not be permitted where there is an unacceptable impact on the Hadrian's Wall Military Zone World Heritage Site Frontiers of the Roman Empire (Hadrian's Wall): World Heritage Site.

Proposed development in the Buffer Zone should be assessed for its impact on the Outstanding Universal Value of the World Heritage Site, and particularly on key views both into and out of it: development that would have an adverse impact on Outstanding Universal Value should be refused; and

Proposed development outside the boundaries of the Buffer Zone will be carefully assessed for their effect on the Outstanding Universal Value, and any that would have an adverse effect on it should be refused.

New development will not be permitted on currently open land on the line of the wall. New development within the Hadrian's Wall World Heritage Site Frontiers of the Roman Empire (Hadrian's Wall): World Heritage Site and its buffer zone, which enhances or better reveals its significance will be supported.

Justification

9.2 The NPPF defines a World Heritage Site as a designated heritage asset of the highest significance. Substantial harm to, or loss of such a site should be wholly exceptional. Local planning authorities are encouraged to look for opportunities for new development within world heritage sites and their settings to enhance or better reveal their significance.

9.3 Hadrian's Wall is an internationally know icon of the north of England, valued by those who live and work in the area as part of their geographic and social identity, and visitors to the area. It has recreational, social and economic value. The Hadrian's Wall Path National Trail and the Hadrian's Cycleway provide significant access opportunities for large numbers of cyclists and walkers.

9.4 A five year rolling management plan is a Government requirement for a world heritage site. The current plan covers the period 2008 – 2014. It provides an essential framework for the management of the site to ensure its preservation for present and future generations. ~~The Plan encompasses the wall itself and a 10 mile buffer zone on either side.~~

9.5 The buffer zone for ~~Hadrian's Wall World Heritage Site~~ **Frontiers of the Roman Empire (Hadrian's Wall): World Heritage Site** was established in the 1996 Management Plan. In the City of Carlisle it highlights areas where non-scheduled archaeological remains can be given focussed protection through the implementation of this policy. It also protects the visual setting of the site, particularly in the rural areas, although it is also important to have regard to the possible impact of major developments outside the defined buffer zone.

9.6 Those parts of Hadrian's Wall that are not scheduled are not included as part of the world heritage site, although they lie within the buffer zone.

9.7 Formal Environmental Impact Assessment (EIA) will be required for significant developments affecting ~~Hadrian's Wall World Heritage Site~~ **Frontiers of the Roman Empire (Hadrian's Wall): World Heritage Site** and its buffer zone.

Alternative Options

9.8 The NPPF states that Local Planning Authorities should set out in their local plan a positive strategy for the conservation and enjoyment of the historic environment. A world heritage site is classed as a heritage asset of the highest significance. As part of the development of the first Hadrian's Wall Management Plan, all the partnership local planning authorities agreed a three level policy approach, as set out in the above policy.

Which Local Plan Policy is Superseded:

9.9 This policy supersedes Policy LE5 – Hadrian's Wall World Heritage Site and LE7 – Buffer Zone on Hadrian's Wall World Heritage Site of the adopted Carlisle District Local Plan 2001-2016.

Scheduled and Other Nationally Important Ancient Monuments

Consultation Update - First stage preferred options July – September

The policy was supported but with grammatical improvements. There were also changes suggested to the wording of the preservation of archaeological sites.

Policy 54 -Scheduled and Other Nationally Important Ancient Monuments

Development will not be permitted where it would have an unacceptable harm to the significance of a scheduled Monument, or other nationally important non designated site or assets of archaeological interest or their setting where it will have an unacceptable impact on scheduled and other nationally important ancient monuments and their settings.

Proposals that affect non designated assets of archaeological interest will be judged on the significance of the assets and the scale of harm to establish whether the development is acceptable in principle. The Council will seek to ensure mitigation of damage through the preservation of the remains in situ as a preferred solution. When in situ preservation is not justified, the developer will be required to make adequate provision for excavation and recording of assets by the developer to a level that is proportionate to their significance and to the scale of the impact of the proposal. The information will need to be made publicly accessible in the County's Historic Environment Record. Development will be permitted on other know sites and monuments of archaeological significance, together with land for which there is no archaeological information, but where there are reasonable grounds for believing remains to be present, provided that the site can be adequately preserved or appropriate arrangements for excavation and recording can be made.

Proposals that will have an impact on an area where there are reasonable grounds for the potential of unknown assets of archaeological interest to be, should be accompanied by an assessment of the significance of the asset and how that significance will be affected by the proposed development. The level of information required will be proportionate to the assets significance and to the scale of impact of the proposal, and may require, where necessary, archaeological desk-based assessment and field evaluation.

All proposals will be required to include a description of the significance of the heritage asset affected, including any contribution made by their setting. In addition, developers will be required to submit a desk based assessment, and where necessary a field evaluation, of the archaeological interest.

Justification

9.10 The NPPF defines scheduled monuments as 'Heritage Assets'. These have a degree of significance meriting consideration in planning decisions, because of their heritage interest. They include designated heritage assets and those identified by the local planning authority.

9.11 Scheduled monuments are valuable as a resource for research, education, leisure, tourism and regeneration, and for their influence on perceptions of identity and sense of

place. However, they are also a finite, irreplaceable and fragile resource and are vulnerable to a wide range of human activities and natural processes.

9.12 The Ancient Monuments and Archaeological Areas Act 1979 makes provision for the designation of scheduled monuments. The Act places a duty on the Secretary of State for Culture, Media and Sport to compile and maintain a schedule of 'monuments', (in consultation with English Heritage). Once included in the schedule, a monument (together with land in or on which it is situated, plus any land essential for its support and preservation) has legal protection.

9.13 The process of scheduling must have regard to the non-statutory criteria for determining national importance. Scheduling may not be the most appropriate way of securing the long-term preservation of a monument for the benefit of future generations, even if it otherwise meets the statutory definition and non-statutory criteria.

9.14 For example, depending on the nature of a monument and the threats to which it is subjected, the Secretary of State may decide that it is adequately protected if it is already designated under another statutory regime (such as those designed to protect military remains or nature conservation interests) or that its conservation could be adequately managed through the planning system.

9.15 Therefore, the fact that a monument is not designated as a scheduled monument does not necessarily imply that it is not nationally important. Nationally important, but non-scheduled monuments are therefore subject to this policy, as are other sites within the district which are known to have archaeological interest, but are not scheduled.

9.16 Scheduled monument consent (SMC) is separate from the statutory planning process. However, the two processes may run in parallel when the granting of planning permission is required. Development affecting the setting of a scheduled monument is dealt with wholly under the planning system and does not require SMC.

Alternative Options

9.17 There are no reasonable alternative options considered for this policy.

Which Local Plan Policy is Superseded:

9.18 This policy supersedes Policies LE6 – Scheduled/Nationally Important Ancient Monuments; LE9 – Other Known Sites and Monuments of Archaeological Significance; LE8 – Archaeology on Other Sites and LE10 – Archaeological Field Evaluation in the Carlisle District Local Plan 2001-2016.

Local Listings

Consultation Update - First stage preferred options July – September

The importance of the policy was reflected in the comments received and how the policy will help set out what development at, or close to these buildings is considered important. The Local List relies on the records being kept up to date and publicly available and there were complaints that the information on the Council website is unclear and should be improved.

There was also the suggestion that the reference to Local Listings should be changed to It would be preferable to read “Locally important heritage assets”, to ensure that all heritage assets that are undesignated would be given consideration and not just those that have been included on a local list.

Policy 55 - Local Listings

Throughout Carlisle District there are a number of buildings and structures of historic and architectural significance that help to create the locally distinctive character of the area. The Council recognises the positive contribution these structures make to Carlisle's townscape streetscape and/or landscape and therefore will designate them under the Local List strengthening and there will be a the presumption in favour of their retention when considering development proposals.

Development which would remove, harm or undermine the significance of a locally listed asset, or its contribution to the character of the area will only be permitted where the public benefits of the development would outweigh the harm.

Only in exceptional circumstances will the loss of a local list building/structure be permitted, where this is the case the following may be required:

- An appropriate level of survey and recording which may also include archaeological excavation;
- Provision of replacement buildings of comparable quality and design;
- The salvage of special features for reuse in the replacement development;
- ~~The use of road or building names in any new development which reflects the historic origins of the area, maintaining a link with the past.~~

Justification

9.19 Within the City and in other locations there can be pressure for redevelopment potentially resulting in the loss of unlisted structures that whilst not of national importance, (and therefore not eligible for inclusion on English Heritage's register of Listed Buildings) may be of local heritage or townscape significance.

9.20 The Council have identified a number of buildings/historic structures which are of importance because of their contribution to the townscape of a particular area, or their local historic or architectural interest. Local lists play an essential role in protecting and reinforcing a sense of local character and distinctiveness by identifying those assets which whilst not listed by the Secretary of State are considered by the Council to be an important part of Carlisle's heritage. Local List buildings which make a particularly strong 'townscape' contribution are identified as 'key townscape frontage' on the local plan policies map. These include buildings which make a positive contribution to the character of the City's District's rural and urban conservation areas and many of the District's diminishing stock of vernacular buildings. Together these buildings and structures form a significant part of the District's built heritage which the Council considers is worthy of being retained. In order to limit the damage to those buildings and structures which form the areas locally distinctive character, proposals which would have an unacceptable impact on them will be resisted.

9.21 The local list will continue to be added to and monitored against assessment criteria guided by English Heritage's Good Practice Guide for Local Listings, to ensure a consistent approach is applied in the identification and management of Carlisle's significant local heritage assets.

Alternative Options

9.22 The NPPF states that local planning authorities should set out a positive strategy for the conservation and enjoyment of the historic environment within their Local Plans, therefore it is considered necessary to recognise the importance of locally significant buildings within the local plan rather than relying solely on the policy within the NPPF. It may however be considered appropriate for the detail of the local list i.e. assessment criteria to be included within a local listings supplementary planning document.

Which Local Plan Policy is Superseded:

9.23 This policy supersedes Policy LE16: Historic Structures and Local Listings in the Carlisle Local Plan 2001-2016

Development affecting Conservation Areas

Consultation Update - First stage preferred options July – September

Responses were supportive of the policy but were anxious that the planning department adhere to the policy in the future. The issue of maintaining an up to date conservation area appraisal and management plan was submitted and how vital these are for the policy as the respondent pointed out - without these, it would be difficult to assess the significance of the area and to determine its special qualities. While this policy is supported broadly, there was an amendment to criterion 6 to allow suitable flexibility otherwise to allow appropriate development, such as community infrastructure.

Other points raised include:

- The importance of maintaining buildings in conservation areas and not allowing them to slip into decay should also be addressed. This protects the buildings themselves but also prevents eyesores developing in conservation areas.
- The second paragraph refers to townscape improvement areas located on the proposals map. There appears to be no indication of where these are on the map.
- Clarification around the Local v National Listings would again be helpful.

Policy 56 - Development affecting Conservation Areas

Any new development or alterations to buildings in conservation areas should preserve or enhance those elements that have been identified within the respective conservation area appraisal as making a positive contribution to their special character and appearance. Proposals should seek to harmonise with their surroundings and be sympathetic to the setting, scale, density and physical characteristics of conservation areas, and protect important views into or out of such areas and should

Within Carlisle's the District's conservation areas there are a number of buildings which detract from their quality. The City Council will encourage the redevelopment or improvement of these buildings identified on the proposals map as townscape improvement areas.

Proposals for new development and/or alterations to buildings in conservation areas will be judged against the following criteria:

1. The development should preserve or enhance all features which contribute positively to the area's character or appearance, in particular the design, massing and height of the building should closely relate to adjacent buildings and should not have an unacceptable impact on the townscape or landscape;
2. The development should not have an unacceptable impact on the historic street patterns/boundaries, roofscape, skyline and setting of the conservation area, important open spaces or significant views into, out of and within the area;
3. Development proposals should not result in the amalgamation or redrawing of boundaries between traditional buildings and plots, or demolition and redevelopment

behind retained facades;

4. Wherever practicable traditional local materials or materials of similar appearance such as brick, stone and slate should be used and incongruous materials avoided;
5. Individual features both on buildings and contributing to their setting, should be retained e.g. doorways, windows, shopfronts, garden walls, railings, cobbled or flagged forecourts, sandstone kerbs, trees and hedges etc. Where features have deteriorated to the extent to which they have to be replaced, the replacement should match the original;
6. Proposals which would generate a significant increase in traffic movements and heavy vehicles or excessive parking demands will not be permitted since where these would be prejudicial to the character of the conservation area;
7. Proposals which would require substantial car parking and servicing areas which can not be provided without an adverse effect on the site and its surroundings will not be permitted.

Applications for outline planning permission will not be acceptable for proposals in conservation areas.

Demolition

There will be a general presumption in favour of the retention of buildings which make a positive contribution to the character/appearance of a conservation area. Demolition or other substantial loss to the significance of a building or feature that contributes positively to the conservation area will be permitted only where the harm is outweighed by the public benefits of the proposal. Applications for planning permission/conservation area consent for development proposals that would require the total demolition of unlisted buildings in conservation areas, must be accompanied by details of redevelopment and will be assessed against the following criteria:

1. the contribution of the building to the landscape/townscape streetscape; and
2. the structural condition of the building; and
3. the suitability of the building for an alternative viable use; and
4. the contribution which the demolition /redevelopment would make to broader conservation objectives; and
5. the inclusion of the building on the local list.

Proposals to utilise vacant land for car parking for interim or longer term use within conservation areas, will be resisted except in exceptional circumstances.

Development which would result in harm to a public or private open space that contributes positively to the character of a conservation area will be permitted only where this harm is outweighed by the public benefits of the proposals.

Justification

9.24 Carlisle District is a large and diverse area comprising the City of Carlisle and its rural hinterland. These settlements have evolved organically over centuries to become areas of outstanding architectural and historic interest. This is reflected in many of the rural settlements and parts of the urban area being designated as conservation areas.

9.25 There are many opportunities for the enhancement of conservation areas and these should be taken wherever possible. For example, the repair and refurbishment of buildings, revitalising vacant and underused buildings, or the carrying out of tree planting and paving works and other public realm improvements. Proposals for new buildings in conservation areas should be of high design quality and should be developed to complement and enhance their context. In order to promote the enhancement of conservation areas the City Council will carry out appraisals for each area highlighting the special characteristics of the area as well as any existing problems and make suggestions regarding their solution within an action plan.

9.26 The Council will also continue to review existing and designate new conservation areas in accordance with the NPPF, to ensure that the areas continue to justify their conservation areas status through their special architectural and historic interest thus ensuring the concept of conservation is not devalued through the inclusion of areas lacking special merit. A series of management plans for each conservation area will be prepared setting out the way in which development pressure and neglect will be managed to ensure the specific character of each area is maintained.

Alternative options

9.27 The NPPF states that local planning authorities should set out a positive strategy for the conservation and enjoyment of the historic environment within their Local Plans. Carlisle has a number of conservation areas which add greatly to the Districts attractiveness, it is therefore considered necessary to recognise the importance of these areas within the local plan and provide a specific local policy to guide the management and decision making for proposals in these areas rather than relying solely on the policy within the NPPF.

Which Local Plan Policy is Superseded:

9.28 Following discussion with the Development Management officers it was felt that policies LE17, LE19 and LE21 are useful in the determination of planning applications. Therefore the policy wording has been retained and refreshed and combined into one overarching policy.

Proposals affecting Listed Buildings, Historic Parks and Gardens and Battlefields

Consultation Update - First stage preferred options July – September

The responses to this policy recognised the importance of it to not only protect the historic character and assets of Carlisle but also the benefits these bring to the visitor economy and creating a sense of identity.

A suggested improvement to the policy was the separation of Listed Buildings, Historic Parks and Gardens and Battlefields into three individual policies. The NPPF requires a clear explanation of the considerations and approach to development proposals affecting each of the different assets types and how they should be determined. The three asset types that have been grouped together would be dealt with differently – for example historic battlefields are considered to be of the highest significance and therefore would be dealt with slightly different.

An overarching comment that was submitted against this policy pointed to the Plan needing to reflect the broader process of assessment and evaluation of individual assets and greater explanation of in the detail of the historic environment in the District making reference to specific elements of this.

~~Policy 61 - Proposals affecting Listed Buildings, Historic Parks and Gardens and Battlefields~~

~~Applications for works to Listed Buildings or historic parks, gardens and battlefields of special historic interest including: alterations or extensions, changes of use, or new development within the curtilage/or its setting must have regard to:~~

- ~~1. the importance of the heritage asset, its intrinsic architectural and historic interest and rarity, and its significance to the local distinctiveness and character of the district;~~
- ~~3. the setting of the heritage asset and its contribution to the local scene;~~
- ~~4. the extent to which the proposed works would bring substantial benefits for the community.~~
- ~~5. the present or future economic viability or function of the heritage asset~~

~~Additionally in the case of Listed Buildings:~~

- ~~9. the physical features of the building in particular scale, proportions, character and detailing (both internally and externally) and of any windows and doorways.~~
- ~~Any new development within the locality of a heritage asset should preserve its character and setting. The City Council will expect any new development to be sympathetic in scale, character and materials.~~

~~Demolition of listed buildings~~

~~There will be a strong presumption in favour of the preservation of listed buildings. Development proposals which would result in the total or substantial demolition of a listed building must include details of redevelopment and will only be approved in exceptional circumstances taking into account:~~

~~The intrinsic quality of the building and its contribution to the landscape/townscape;~~

~~The structural condition of the building~~

~~The efforts made to retain the building in its current use, or to find compatible alternative uses;~~

- ~~▪ The cost of repair and maintenance in relation to the importance of the building;~~
- ~~▪ The merits of the proposals for redevelopment.~~

Policy 57 – Listed Buildings

Listed buildings and their settings will be preserved and, where appropriate enhanced. The loss of any significance should be minimised and will be permitted only where any harm is justified by the public benefit of the proposal.

Applications for works to listed buildings including: alterations or extensions, changes of use, or new development within the curtilage/or its setting must have regard to:

- 1.the importance of the heritage asset, its intrinsic architectural and historic interest and rarity, and its significance to the local distinctiveness and character of the district;
- 2.the setting of the heritage asset and its contribution to the local scene;
3. the extent to which the proposed works would bring substantial benefits to the community.
4. the present or future economic viability or function of the heritage asset

Additionally in the case of Listed Buildings:

The physical features of the building in particular scale, proportions, character and detailing (both internally and externally) and of any windows and doorways.

Any new development within the locality of a listed building should preserve or enhance its character and setting. The City Council will expect any new development to be sympathetic in scale, character and materials.

Demolition of listed buildings

There will be a strong presumption in favour of the preservation of listed buildings. Development proposals which would result in the total or substantial demolition of a listed building must include details of redevelopment and will only be approved in exceptional circumstances taking into account:

- a) The intrinsic quality of the building and its contribution to the landscape/streetscape;
- b) The structural condition of the building
- c) The efforts made to retain the building in its current use, or to find compatible alternative uses;
- d) The cost of repair and maintenance in relation to the importance of the building; and
- e) The merits of the proposals for redevelopment.

Policy 58- Historic Parks and Gardens

Proposals affecting an historic park and garden should ensure that the development does not detract from the enjoyment, layout, design character, appearance or setting of that landscape, cause harm to key views from or wards these landscapes or, where appropriate, prejudice their future restoration.

Policy 59- Historic Battlefields

Proposals affecting the site or setting of a Registered Historic Battlefield, will only be permitted where it would not adversely affect the historic, archaeological or landscape interest of the site and not prejudice any potential for its interpretation.

Justification (policies 57, 58 & 59)

9.29 The Local Plan has an important role to play in protecting the registered heritage assets from inappropriate works that may have an adverse impact on their special character. It is therefore considered necessary to include a policy to provide clear and detailed guidance in addition to the NPPF.

9.30 The NPPF highlights the importance of conserving and enhancing the historic environment by stating that LPAs should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment.

9.31 The Council places great value on the significance and quality of the historic environment and its ability to promote tourism, commerce, business and a desirable environment to live, work, visit and enjoy. Therefore proposals utilising our historic resources should be supported where appropriate to allow maximum benefits to be gained from the assets to develop local distinctiveness and a sense of place that will underpin regeneration and economic development opportunities.

9.32 The Council will expect development proposals to demonstrate an understanding of the significance of heritage asset affected and to show how proposals minimise any adverse impacts on the asset and its setting. This will be set out in the form of a Heritage Statement to support any application for planning or listed building consent.

The Local Plan area contains several parks and gardens of visual and/or historic interest. These include the grounds of Corby Castle, which are listed in English Heritage's Register of Parks and Gardens of Special Historic Interest. English Heritage also hold a Register of Historic Battlefields of Special Historic Interest which includes an area of land within Carlisle District identified as the site of the Battle of Solway Moss. The historic significance of these assets must be protected, therefore any proposals within or adjacent to such areas must be sensitive to the existing landscape and consistent with their preservation and enhancement. The Council considers that similar consideration should also be given to development proposals within or adjoining historic parks and gardens of local significance in order to ensure the protection of the District's valuable historic environment.

9.33 Carlisle's finite historic environment should be promoted and protected. The Districts heritage assets are significant with the presence of a world heritage site, numerous scheduled ancient monuments and a large number of Listed Buildings, the presence of these assets make a significant contribution to the areas environmental quality.

9.34 Heritage assets are an irreplaceable resource which should be conserved in a manner appropriate to their significance. The destruction of historic buildings is very seldom necessary for reasons of 'good planning', and is more often the result of neglect, or of failure

to make imaginative efforts to find new uses for such buildings or to incorporate them into new development.

9.35 Given the importance of Carlisle's heritage, development that would involve the loss of designated heritage assets requires clear and convincing justification and must be wholly exceptional; this view is supported in the NPPF. Any proposals for the demolition of such assets must be justified either on the grounds that the harm is necessary to deliver public benefits that significantly outweigh that harm. Proposals for redevelopment must be able to provide clear and convincing evidence that all reasonable efforts have been made to sustain existing uses or find viable new uses and that there would be substantial benefits for the community which would decisively outweigh the loss resulting from demolition.

Alternative Options

9.36 As the National Planning Policy Framework (NPPF) states that local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment. Carlisle has numerous important heritage assets that make a significant contribution to the environmental quality of the District. Relying only on the NPPF and listed building legislation is not an acceptable or reasonable option.

9.37 The only alternative approach would be to provide two separate policies one to cover listed buildings and one policy for historic parks and gardens and battlefields.

Which Local Plan Policy is Superseded:

9.38 It is proposed that Local Plan policies LE12, LE13, LE15 and LE22 be merged and amended as there was considered to be an overlap in the policy guidance currently contained within the existing policies and references need to be updated to ensure that the policy is in compliance with the NPPF.

10 Green Infrastructure

Objective

To protect, enhance and increase the provision of the green and blue infrastructure across the District for benefit of residents, visitors and the wider natural environment

10.1 Green infrastructure is a broad concept that ranges from the strategically planned parks and open spaces of the city through to the rolling, open landscapes of the rural area. It covers both built networks for sustainable transport (public rights of way, cycle paths and bridleways) and naturally occurring wildlife corridors and ecosystems. The policies in this chapter aim to deliver the objectives of the Carlisle Green Infrastructure Strategy: The Big Green City, which recognises the fundamental role green infrastructure and the natural environment play in creating an identity for the district and for Carlisle as a green city. Biodiversity, landscape and green spaces are to be protected, ultimately for the sake of their own natural value, but also for the well being and good health of the district's citizens and visitors. The policies in this chapter also reflect the fact that the district's economy depends on the vitality of its natural environment and, as such, ensure that its preservation and enhancement are of the utmost importance.

Landscapes

Consultation Update - First stage preferred options July – September

The policy received strong support at the previous stage of consultation and pleased to see references to the Cumbria Landscape Character Toolkit and to light pollution prevention measures.

Policy 60 - Landscapes

All landscapes are valued for their intrinsic character. Proposals for development will be assessed against the criteria presented within the Cumbria Landscape Character Assessment Toolkit (or successor documents) with regard to a particular Landscape Character Area's key characteristics, local distinctiveness and capacity for change. The Council shall seek to protect all landscapes from excessive, harmful or inappropriate development, particularly those areas less able to accommodate significant change. Where the opportunity arises, the Council may seek the appropriate enhancement and restoration of valued landscapes should it be considered pertinent to do so.

~~Areas valued for their tranquility will be identified and protected from excessive noise and/or traffic generating development.~~ Landscapes valued for their intrinsically dark skies, such as the area around Kershope Forest in the rural north-east of the district, will be strictly protected from the adverse impact of artificial light pollution.

Justification

10.2 In line with the National Planning Policy Framework this policy sets criteria based policies against which proposals for any development on, or affecting, landscape areas will be assessed. It also seeks to limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes. Northumberland National Park and Kielder Water & Forest Park have been designated a Gold Tier Dark Sky Park, one of the largest in Europe. As Carlisle District bounds these areas, it is important that planning policy preserves the dark sky status on the periphery of the park. Whilst every effort to reduce light pollution should be made across the district, particular care should be taken in the areas north of Gilsland up and around Kershope Forest and Bewcastle. Under no circumstances should lights that beam light upwards or which would allow excess light to seep into the night sky be permitted in these areas.

10.3 The district is characterised by high quality and diverse landscapes from the remote upland moors and forests in and around Bewcastle, which offer some of the most intrinsically dark skies in Europe, to the lowland river valleys and farmland around Carlisle, all of which are valued and worthy of some degree of protection and enhancement. There are also two Areas of Outstanding Natural Beauty within the district – the Solway Coast AONB and the North Pennines AONB.

10.4 In 2011 Cumbria County Council, in association with the Cumbrian district planning authorities, produced the landscape character assessment toolkit for the whole of Cumbria. This toolkit provides decision makers with a means to assess the impacts of a development on any of the different landscape character areas found across Cumbria. The core principle is that all landscapes matter, not just those that form part of national designations. Every landscape character area is important and, whilst some may be more sensitive to change than others, the planning process should seek to protect all landscapes from harmful development. It is important to note, however, that this does not mean that development which incurs changes to landscapes should be resisted. Rather that new development should be appropriate to its surroundings be suitably accommodated within the landscape.

10.5 The toolkit suggests that planning policy at a local level should take a criteria based approach to assessing the appropriateness of a development within a given landscape character area.

10.6 There are two Local Nature Partnerships (LNPs) currently operating within the plan area that have been established to provide local support and expertise on natural environment issues. The Council shall continue to engage with both the Cumbria and the Northern Upland Chain LNPs and shall actively consult with them on planning applications involving landscape issues.

Alternative Options

1) No landscape policy in the Local Plan

10.7 This would require policy to defer to national guidance, which only offers policy protection to landscapes of national importance (i.e. Solway Coast/North Pennines AONB), leaving it to Local Authorities to protect locally important landscapes themselves. This approach may lead to the erosion of the visual quality of landscapes lying outside of these areas – lack of policy guidance would undermine the ability to protect and preserve.

2) Adopt a policy that continues the use of local landscape designations including the continued use of Urban Fringe Landscape as per the 2008 Local Plan

10.8 Local designations only cover areas identified on a map; there is no protection offered for areas outside these designations. Current local landscape designation boundaries do not fully reflect the areas defined in the Cumbria Landscape Character Guidance document and would thus make it difficult to refer to the evidence base for landscape impact assessment. This option is not in line with the NPPF, which favours a more criteria based approach over local landscape designations. The Cumbria Landscape Character Assessment Toolkit is an up to date and comprehensive resource and, as such, the local landscape designation approach cannot be justified. An urban fringe designation would also serve to restrict sites within developed areas of the urban fringe which would otherwise be suitable and sustainable locations for development.

Which Local Plan Policy is Superseded:

10.9 Policies DP10 Landscapes of County Importance, CP1 Landscape Character and LE1 Urban Fringe Landscape in the Carlisle District Local Plan 2001-2016.

Nationally Designated Landscape Areas Areas of Outstanding Natural Beauty

Consultation Update - First stage preferred options July – September

There was support for this policy and comments reflect the Plans commitment to the principles of duty to cooperate. Allerdale Borough Council and Carlisle share responsibility of the Solway Coast AONB and Allerdale were supportive of the policy. There were suggestions to the change of wording in the policy proposed by North Pennines AONB – based on Durham's AONB policy – providing more detail on what is or isn't acceptable within an AONB and issues that need to be taken into consideration. They also highlight that the principle in favour of sustainable development doesn't apply within AONB.

Policy 63 – Nationally Designated Landscape Areas

Within the Solway Coast and North Pennines Areas of Outstanding Natural Beauty (AONB) the protection of the natural beauty and historic integrity of the landscape will be afforded the highest priority. Only development that is locally sensitive and of high quality design or which actively seeks to enhance or protect landscape character or is otherwise of high national importance will be permitted within these national designations.

Policy 61 – Areas of Outstanding Natural Beauty

The North Pennines and the Solway Coast Areas of Outstanding Natural Beauty (AONB) will be conserved and enhanced. Development in or affecting the AONBs will only be permitted where it does not, individually or cumulatively, have a significant adverse impact on their special qualities or statutory purposes.

Major developments will only be permitted in the AONBs in exceptional circumstances where it can be clearly demonstrated to be in the public interest and where the following have been fully considered:

- a) The need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- b) The cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and
- c) Any detrimental effect on the environment, the landscape, and recreational opportunities, and the extent to which that could be moderated.

Development will be expected to be designed and managed to the highest environmental standards and be in accordance with the objectives of the AONB Management Plans. In the North Pennines, development will be expected to accord with the guidance provided in the North Pennines AONB Planning Guidelines and the North Pennines AONB Building Design Guide

Justification

10.10 Protection of the landscape and scenic beauty of Areas of Outstanding Natural Beauty is given great weight when considering development proposals in these areas. Only in exceptional circumstances should major development be approved within an AONB and only when it can be demonstrated that the development is in the public or national interest. It should be noted that the presumption for sustainable development, as outlined in the NPPF, does not apply within AONBs.

10.11 The district has a rich and varied landscape. There are two Areas of Outstanding Natural Beauty (AONB) in the district; The Solway Coast and the North Pennines. Both AONBs have adopted and up to date Management Plans. The Solway AONB also has its own locally specific Landscape Character Assessment document which supersedes the Cumbria Landscape Character Assessment when considering development within the AONB boundary. The prime purpose of an AONB designation is to protect the landscape rather than restrict development within the villages and towns that are located within it.

10.12 Proposals for development that are in line with or actively working towards delivering the objectives and outcomes of the Solway Coast and North Pennines AONB Management Plans shall be considered favourably.

10.13 The Council has adopted two Supplementary Planning Documents (SPDs) that address planning issues within the North Pennines AONB; The North Pennines AONB Planning Guidelines SPD and the North Pennines AONB Building Design Guide. Appropriate development inline with the aims and guidance in these documents will be supported.

10.14 Development proposals within the Solway Coast AONB or its setting should refer to the Solway Coast AONB Landscape Character Assessment when assessing the potential landscape impact of a scheme. The core principle of this document is that all landscapes within the AONB are important and, whilst some may be more sensitive to change than others, the planning process should seek to protect all landscapes within the AONB from harmful development. It is important to note, however, that this does not mean that development which incurs changes to landscapes should be resisted. Rather that new development should be appropriate to its surroundings be suitably accommodated within the landscape.

10.15 The relevant AONB management teams should be consulted on proposals within or close to AONBs. Any application for development with the potential to impact upon the setting of any Scottish National Scenic Areas should likewise be consulted upon with the appropriate NSA management teams north of the border

10.16 There are two Local Nature Partnerships (LNPs) currently operating within the plan area that have been established to provide local support and expertise on natural environment issues. The Council shall continue to engage with both the Cumbria and the Northern Upland Chain LNPs and shall actively consult with them on planning applications involving landscape issues.

Alternative Options

1) No landscape designation policy in the Local Plan

10.17 This would require policy to defer to national guidance, which, whilst offering some protection to areas of outstanding national beauty, would fail to provide for local context addressing the particular issues facing the designations with Carlisle District. There would also be no scope to provide specific mention of the Solway's Landscape Character Assessment or to provide support for the implementation of the management plans of the two AONBs within the district.

2) Restrict all development within Areas of Outstanding Natural Beauty

10.18 This option would be overly restrictive and could cause settlements and communities within AONB boundaries to stagnate, hampering growth that may be required to support existing services and removing potential funding from developer contributions for landscape improvements or habitat creation in the locality. It would ultimately be unsustainable.

Which Local Plan Policy is Superseded:

10.19 Policy DP9 Areas of Outstanding Natural Beauty in the Carlisle District Local Plan 2001-2016.

Biodiversity and Geodiversity

Consultation Update - First stage preferred options July – September

Respondents welcomed the inclusion of this Policy and will help to protect the biodiversity and geodiversity of the District whilst still enabling development.

However it was felt that the Policy could be further improved by highlighting the need for species surveys undertaken before an application is determined and encouragement to developers to access data from the Cumbria Biological Data Centre to inform planning applications. It should also reference the need for species and habitats surveys with directions on how this can be completed.

Policy 62 - Biodiversity & Geodiversity

Biodiversity and geodiversity assets across the district shall be protected and, where possible, enhanced.

Internationally Designated Sites:

Internationally designated sites of biodiversity conservation, including the Natura 2000 designations of Special Areas of Conservation (SAC), Special Protection Areas (SPA) and Ramsar Sites will be afforded the highest levels of protection. Development which would adversely affect or harm the integrity of such sites shall be resisted unless an overwhelming need for the development or vital national interest can be demonstrated, and no alternative sites are available, subject to mitigation. Proposals which may have an impact upon a Natura 2000 site must be accompanied by a Habitats Regulation Assessment (HRA). Any site subject to a HRA will not be subject to the presumption in favour of sustainable development.

Nationally Designated Sites:

Nationally designated sites such as Sites of Special Scientific Interest (SSSI) will be strictly protected from new development. Any proposal which would adversely impact upon the scientific interest of the site will be resisted, unless an overwhelming socio-economic need for the development or pressing national interest can be demonstrated, subject to mitigation.

Locally Designated Sites:

Local wildlife designations such as County Wildlife Sites, Local Nature Reserves and Ancient Woodlands, as well as Regionally Important Geological/Geomorphological Sites (RIGGS) shall also be afforded a high degree of protection from harmful development, unless a strong socio-economic need can be demonstrated or the development would otherwise be in the national interest.

Development affecting Biodiversity and Geodiversity:

All proposals for development that may impact upon habitat, species or geodiversity should, where appropriate:

- Maintain and (where appropriate) enhance conditions for priority habitats and species identified in the Cumbria Biodiversity Action Plan
- Maintain and (where appropriate) enhance recognised geodiversity assets identified in the Local Geodiversity Action Plan for Cumbria
- Ensure satisfactory and appropriate integration of wildlife corridors on site
- Seek to make species appropriate provision on site to encourage an increase in biodiversity where it is practical and viable to do so

Species and habitats surveys should be provided where the potential to impact upon bio- or geodiversity exists, whether informed by a Cumbria Biological Data Centre (CBDC) data search or by an initial assessment of the site to be of wildlife value. Species and habitats surveys must be carried out at the correct time of year by a qualified ecologist. Applicants should be encouraged to access data from the CBDC to inform their planning application.

Mitigation:

Where significant and overwhelming social or economic benefits and need can be demonstrated, ~~which may then allow for the potentially harmful development of a wildlife site,~~ proposals should only be approved once the Council and relevant partner organisations are satisfied that any necessary impacts can be mitigated through appropriate habitat creation, restoration or enhancement on site or elsewhere via planning conditions, agreements or obligations.

Where damage to a bio- or geodiversity asset takes place without justification or agreed mitigation measures under this policy, enforcement action will be sought to ensure the asset is fully restored, if possible, or replaced if restoration is unachievable.

Justification

10.20 The NPPF states that biodiversity should be planned for at a landscape-scale, across local authority boundaries. The components of local ecological networks, including international, national and local sites of importance for biodiversity, as well as any areas identified by local groups for habitat restoration and creation, have been identified and mapped.

10.21 This Local Plan aims to promote the preservation, restoration and re-creation of priority habitats, ecological networks and the recovery of priority species populations through policy. The protection of geological conservation interests will also be considered in response to new development proposals.

10.22 When considering planning applications and the need to conserve and enhance biodiversity, the following principles apply:

- Permission for development will be refused if significant harm resulting from development cannot be avoided, adequately mitigated or, as a last resort, compensated for;

- Proposals where the primary objective is to conserve or enhance biodiversity will be approved;
- The incorporation of biodiversity in and around developments will be encouraged, wherever the opportunity arises;
- Development which would result in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland will be refused unless the need for, and the benefits of, the development in that location clearly outweigh the loss

10.23 Any development likely to have a significant adverse effect on sites protected under the Birds and Habitats Directives would not be sustainable under the terms of the presumption in favour of sustainable development. If development is proposed on an internationally protected site, consent may only be granted if no suitable, less harmful alternative sites are available and an over-riding need, as defined in Regulation 62 (2) of the 2010 Habitats Regulations (as amended), can be demonstrated.

10.24 The Cumbria Biological Data Network has drawn up a list of key species and habitats for the county, detailing how they should be protected, preserved and enhanced. Key and endangered species present within Carlisle include:

- Bats (all species)
- Red Squirrel
- Water Vole
- Hen Harrier
- Reptiles (all native species)
- Otter
- Barn Owl
- Pink-footed Geese
- Barnacle Geese
- Whooper Swans
- Song Thrush
- Great Crested Newt

10.25 It is a criminal offence to harm or disturb protected species, including the destruction of nests, roosts and dens. As such, the protection of these species should be given a high priority within planning policy.

10.26 The extent of important habitats across the district has been mapped by the Cumbria Biological Data Network (CBDN) team is based at Tullie House Museum. Key habitat is important to protecting and enhancing biodiversity, and can be important to animal species beyond the key protected species listed above. Its loss should be prevented. Where resources allow the Council may, in consultation with Natural England, the Cumbria Biological Data Network and other relevant stakeholders, identify sites of significant biodiversity value or for the restoration and/or creation of new habitat to assist in revitalising key species within the district. Such sites will be protected from inappropriate development.

10.27 There are also two Local Nature Partnerships (LNPs) currently operating within the plan area that have been established to provide local support and expertise on natural environment issues. The Council shall continue to engage with both the Cumbria and the Northern Upland Chain LNPs and shall actively consult with them on planning applications involving biodiversity and geodiversity issues.

Alternative Options

1) Do not include biodiversity/geodiversity policy in the Local Plan

10.28 This option is not considered reasonable as it would not be in accordance with national policy, would fail to recognise the importance of biodiversity/geodiversity within the Carlisle plan area and could lead to the unacceptable and avoidable loss of natural assets. It is also contrary to comments received during issues and options consultation which request the Council to proactively consider biodiversity and geodiversity within strategic planning policy.

2) Resist all development that may potentially harm biodiversity and geodiversity assets

10.29 Though well intended, this option may have an adverse impact on the enhancement of natural assets as it would limit the opportunity to secure funding through planning obligations and agreements and would also remove the ability of developers to proactively make provision for wildlife on redeveloped sites. It may also prevent development from occurring in circumstances where satisfactory mitigation or compensatory measures could be implemented.

Which Local Plan Policy is Superseded:

10.30 Policies DP7 European Natura 2000 Sites, CP2 Biodiversity, LE2 Sites of Special Scientific Interest and LE3 Other Nature Conservation Sites.

Open Space

Consultation Update - First stage preferred options July – September

The Policy received support with as it seeks ensure that the people of Carlisle are able to easily access open space. Some respondents suggested specific areas of open space that should be formally recognised (Copse and the recreational field in Cummersdale) and in Dalston the designation of Green Space to the area between Dalston Bridge and Peter Lane and the area of land between Kingsway and the river.

Changes to the wording of the Policy included adding reference to the potential for SuDS to be incorporated into open space within the development site, inclusion of woodland as a type of open space and an emphasis of the links between GI and tourism.

There was concern that the policy was expecting too much from developers with developments to address existing deficiencies in open space or wider issues. The argument was put forward that development contributions should mitigate their own impacts only - in order to make the development acceptable in planning terms and be fairly and reasonably related in scale.

Advice was provided on guidance to determine how much new open space may be required with development - The Natural England Access to Natural Greenspace Standard.

Sport England stipulated that the policy needs to be influenced by the Carlisle Playing Pitch Strategy and until it is adopted it cannot support the policy. They also stress the need to recognise the need for ancillary facilities such as changing accommodation for playing fields and the role of Artificial Grass Pitches in the policy.

Policy 63 – Open Space

Development affecting Open Space

Proposals within designated areas of open space, as defined on the Policy Map, that relate to and complement the existing leisure use, or would be ancillary to it (such as changing rooms for sports pitches), and are appropriate in character and scale to the surroundings, will generally be acceptable. Development that would result in a partial or total loss of, or ~~would otherwise constitute a change of use within~~ an area of open space to non-sport or recreation uses shall not be permitted unless:

- An up-to-date needs assessment has been completed and clearly shows a surplus of open spaces within a given locality; or
- It can be demonstrated that alternative provision of the same or greater size, quality and accessibility will be provided nearby; or

- Development of a small part of the area of open space would enable investment to improve the quality of the rest of the site; or
- There is a strong and justifiable social or economic need for development and the open space is otherwise of low quality and has little community value.
- Statutory obligations have been fulfilled if it is proposed to dispose of statutory open space (such as statutory allotment land)

Strategic Areas of Open Space

All new dwellings within the urban area should be within 1km of a high quality and accessible area of open space of between 5 and 20 hectares and within 3km of an open space greater than 20 hectares which provide general facilities for recreation provision within a landscaped setting. Development which does not fulfill this requirement will be expected to contribute towards the upgrading of an existing open space to improve its accessibility or the creation of a new one to these standards.

Provision of Open Space

Standards for open space provision will be informed by an assessment of need and demand for the various types of open space, ensuring there is an adequate supply of accessible and high quality spaces across the district. Where deficits are identified new development will be expected to contribute to creating new open spaces or to upgrading an accessible area nearby. The Council's Playing Pitch Strategy (or successor documents) will be used to inform decisions for proposals involving or impacting upon sports pitches.

Recreation spaces within new development

New housing developments of more than 5 dwellings will be required to include informal space for play and general recreation on site according to the size of the proposal. Agreement will be sought from the developer that they will make arrangements to ensure any play equipment, grass cutting, and other grounds work is maintained in perpetuity.

On smaller housing sites, where on site provision is not appropriate the developer may be required to make commuted payments towards the upgrading of open space provision in the locality, especially if a deficit has been identified.

Justification

10.31 In line with national policy, existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

10.32 The NPPF highlights the importance of having an open space needs assessment as part of the evidence base for the Local Plan. A needs assessment is vital in identifying both deficits and surpluses of particular open space types across the district. Work on a Carlisle needs assessment is underway, and draft data regarding the need and demand for sports pitches and grounds already exists in the draft Playing Pitch Strategy (Feb, 2013). Further work needs to be carried out to assess the need and demand for other types of open space. Such an assessment will identify areas of both surpluses and deficits in open space provision, and will also attempt to anticipate how demands for new areas of recreational land will grow over the course of the plan period. **Anyone may conduct a needs assessment, and may wish to do so to support their application. Such assessment must be conducted using an appropriate methodology that has been agreed by the Council.**

10.33 Open space includes:

- parks
- gardens
- **areas of trees and woodland**
- amenity green space
- playing fields, **including artificial grass pitches**
- play areas
- outdoor provision for teenagers and young people
- allotments
- cemeteries and churchyards

10.34 An audit of open space across the district was completed in the 2005, though this now needs updating it can still be considered indicative of provision.

10.35 In some cases, where local deficits in open space provision exist, contributions may be sought from new development. However, the establishment of a new area of open space may not always be appropriate within a development site or land nearby may not be available to be used as open space. In these cases a developer may be asked to contribute to upgrading existing local space to improve either its quality or accessibility. This could involve planting, path laying, new play equipment, new foot/cycle paths connecting the space to the proposed development, or other improvements recommended by the Council. Contributions to open space – be they either the creation of a new site or the upgrading of an existing – should be made in consultation with the Council's Green Spaces team to ensure any work is in line with their strategies and plans, **particularly the Playing Pitch Strategy (and successor documents).**

10.36 New housing development will be expected to set aside informal space for play and general recreation, depending on the size of the proposal. These sites will be dedicated for

play and will be expected to provide appropriate equipment, play structures, opportunities for natural play and space for games. Such areas must be designed to avoid conflict with residents through issues with noise, but must also remain overlooked to ensure the safety of children using the site and discourage anti social behaviour.

Alternative Options

1) No open space policy in the Local Plan

10.37 This would require policy to defer to national guidance, which only offers general principles of open space protection, expecting local authorities to produce their own evidence for open space surpluses and deficits within their area. This option would mean that the protection of open space could not be locally distinctive and would not allow for the setting of locally appropriate standards that reflect the findings of the audit, green space strategy and emerging local needs assessment.

2) Include policy which protects all open space without exception

10.38 This policy would be too restrictive on new development. Whilst the protection of open space and other recreational facilities should be a priority, this option would fail to recognise that in some cases this is not viable and other uses for a site may be more appropriate. This would not lead to a flexible approach to green space management and may hamper the Council's ability to secure funding for improved provision and facilities through developer contributions.

3) Adopt Woodland Trust's standards for access to woodland

10.39 These standards would state that all development should be within 500m of an area of woodland at least 2Ha and within 4km of an area of woodland of at least 20Ha. The Council will consider including these standards if it is felt they would be pertinent to the district. It could be that given the district's large rural hinterland, which contains numerous areas of woodland and a number of significant forests, this standard is not required.

Which Local Plan Policy is Superseded:

10.40 Policies LC2 – Primary Leisure Areas, LC3 – Amenity Open Space, LC4 – Children's Play and Recreational Areas, LC5 – Playing Fields, LC6 – Surplus Playing Fields, LC7 – Allotments and LC10 – Golf Courses in the Carlisle District Local Plan.

Public Rights of Way

Consultation Update - First stage preferred options July – September

The responses agreed with the principles of the policy but felt the policy and / or supporting text need to provide greater context about how proposals requiring variation to a right of way would need to be considered is beyond the scope of the planning system.

Representations were also received seeking consultation with the local community and landowners when extensions and improvements were planned, with evidence of an established need for them and a clear outline of how and by whom they would be managed.

Another respondent was pleased the policy recognises the importance of Hadrian's Wall WHS as part of the green infrastructure but felt it needed to also refer to the English Coastal Route and offer it appropriate protection. It was suggested that any developments which infringe on the route should be examined for potential planning gain which may facilitate the route.

Policy 64 - Public Rights of Way

New development will be expected to ensure that all designated footpaths, bridleways, cycleways and other rights of way that it will impact upon are retained wherever it is viable and appropriate to do so. Proposals to close or divert existing rights of way will not be permitted unless an alternative route is available, or is to be established, which is attractive, serves the same area, is well integrated with the existing network and is not significantly longer than the original route. In addition to this, where possible, local improvements and extensions to the rights of way network may be sought as part of proposals.

Justification

10.41 The NPPF expects policy to protect and enhance public rights of way and access. Wherever possible, opportunities to provide better facilities for users, for example by adding links to existing rights of way networks, should be sought.

10.42 Carlisle District has an extensive system of public footpaths, cycleways and bridleways. These rights of way are a valuable resource, providing an essential leisure function. There are also a number of key national (and even internationally important) routes running through the district including routes along Hadrian's Wall and the English Coastal Route. It is important that they are safeguarded at all levels. When new development abutting footpaths is proposed, suitable landscaping and means of enclosure will be

required, provided such measures are inline with designing out crime guidance and best practise presented within the Manual for Streets.

10.43 Development proposals may sometimes present opportunities to provide new footpaths or improve existing ones in order to bring them to a standard suitable for use by all. Agreement will be sought between the Council and the developer(s) to explore this opportunity should it arise.

10.44 Proposals to stop up or divert a right of way must be sought in accordance with the Town and Country Planning Act 1990, either through the Secretary of State for Transport or through the Local Planning Authority, depending on which Section of the Act applies to the proposal. It should be noted that the grant of planning permission does not entitle developers to obstruct a public right of way. It cannot be assumed that because planning permission has been granted that an order under section 247 or 257 of the 1990 Town and Country Planning Act, for the diversion or extinguishment of the right of way, will invariably be made or confirmed. Development, in so far as it affects a right of way, should not be started and the right of way should be kept open for public use, unless or until the necessary order has come into effect.

Alternative Option

No rights of way policy in the Local Plan

10.45 This would require policy to defer to national guidance, which, whilst offering general protection for rights of way and requiring local authorities to seek integration of routes within the wider network, does not go on to suggest how development which would require changes to routes be considered in planning. The preferred option above allows for greater elaboration on this point and it is therefore considered preferable to have a policy in the Local Plan covering rights of way.

Which Local Plan Policy is Superseded:

10.46 Policy LC8 – Rights of Way in the Carlisle District Local Plan.

Trees and Hedgerows

Consultation Update - First stage preferred options July – September

Comments welcomed the policy in the Local Plan as it recognised Trees and Hedgerows as an important means of maintaining and enhancing these significant landscape features and to ensure that they are successfully incorporated into developments.

There were suggestions to include targets in the policy for the planting of new trees and creation of new woodland particularly when there is new development.

Another representation wished to see greater involvement of local residents in the consultation of trees which are "... considered important to the local community" etc.

Policy 67 - Trees and Hedgerows

Proposals for new development should provide for the protection and integration of existing trees and hedges, particularly those trees that ~~are considered important to the local community~~, contribute positively to an area, ~~contribute to the green infrastructure of the district~~ and/or are ~~otherwise~~ of specific natural and/or historic value.

Tree Surveys:

Where trees and hedges are present on a development site, and the Local Planning Authority considers it pertinent to do so, a survey, in accordance with the current and most up to date British Standard: BS 5837 and carried out and presented by a qualified arboriculturist, ~~will~~ be required to accompany a planning application. Tree surveys should also have regard to the current Carlisle Trees and Development Supplementary Planning Document.

Layouts will be required to provide adequate spacing between existing trees and buildings, taking into account the existing and future size of the trees, and their impact both above and below ground.

Proposals which would result in the unacceptable or unjustified loss of existing trees or hedges or which do not allow for the successful integration of existing trees or hedges identified within the survey will be resisted.

Tree Preservation Orders:

The City Council will protect existing trees and woodlands where it is expedient in the interests of amenity through tree preservation orders, and by the use of planning conditions requiring protective fencing around trees to be retained to prevent damage during site works in line with the current and most up to date British Standard: BS 5837.

Ancient Woodland:

Development which would result in the loss of any areas of recognised ancient woodland, or plantations on ancient woodland sites, will normally be resisted unless overriding significant social or economic benefits or need can be demonstrated.

Landscaping and Replanting:

Any proposals for onsite landscaping schemes should seek to incorporate the planting of native tree species where practicable. Where trees are lost due to new development, the Council shall expect developers to replant trees of an appropriate species on site where it is practicable to do so, or to contribute via planning conditions and/or legal agreement, to the replanting of trees in an appropriate, alternative location. The extent of replanting required shall be representative of the age, number and size of trees originally lost.

Justification

10.47 Trees and hedges add considerable value to our urban and rural environments, and are natural features in an ever-changing landscape. They can soften the impact of buildings and hard surfaces, contribute to the overall character of the development, help to hide unsightly views, provide shade, absorb noise and provide a screen from the wind. In addition, mature trees can give identity to an area, creating a real sense of place within communities.

10.48 Ancient woodland and veteran trees found outside of ancient woodland should be protected, inline with the NPPF, as irreplaceable habitat. Development that would result in their loss or deterioration should not be approved, unless an overriding social or economic need or benefit would outweigh the loss.

10.49 Carlisle City Council has adopted the Trees and Development Supplementary Planning Document (SPD). This document provides guidance on how trees and hedgerows should be incorporated into development schemes in a way that can both protect and enhance both the trees themselves as well as the overall natural quality of a development.

Alternative Option

1) Set targets for the planting of new trees and woodland in new development

10.50 This option could see targets set for the planting of trees and woodland as part of new development. It would encourage developers to plant additional trees as part of their proposals. Whether this would be practical to expect and manage is a matter for debate however.

2) Do not include a tree and hedgerow protection policy in the Local Plan

10.51 This option would leave the protection of valued trees and hedges to be covered solely by National policy. This is not considered reasonable as it would fail to provide clarity on how and when trees should be protected. It would fail to recognise hedgerows specifically as important habitat areas. National policy on the protection of trees is brief and a more locally specific policy is required to ensure more comprehensive protection.

Which Local Plan Policy is Superseded:

10.52 This policy replaces current Local Plan policy CP3 – Trees and Hedges on Development sites.

11 Monitoring and Implementation

11.1 Monitoring is an important tool for allowing the Council keep track of the impact the Local Plan is having on the district. The policies and sites included within the plan are all intended to help the Council meet the plan's objectives, which in turn will help deliver the plan's vision. Utopias don't happen overnight however, and 15 years is a long time; a lot can change. The plan needs to not only be able to respond to changing circumstances across the district, but to know when such a response is required. There also needs to be a way of measuring the success of policies and sites within the plan and the progress towards meeting the objectives. If it turns out that a policy is not doing what it was designed to do, or if a site simply isn't being delivered, there needs to be a way of recognising this and a means to bring about a change in policy or to introduce new site allocations into the mix.

11.2 This is where monitoring comes in. Each policy has been considered against the objectives of the plan in terms of what it is intended to achieve. A range of indicators are then used to measure the impacts of the policy, set against a target to indicate progress towards achieving the plan objectives. In addition to this, a trigger has also been used to flag up policies that are not working as intended, which is when the Council would need to begin considering policy and site alternatives and other remedial action.

Carlisle District Local Plan: Monitoring Framework

| Sustainable Development | | | | | | |
|-------------------------|----------------------|------------------------------|--|--|--|-----------------|
| Indicator | Data/ Performance | Target | Trigger | Proposed remedial action | Local Plan Policy | SA Objective |
| Net Housing Completions | | Annual - To match trajectory | Under delivery in three consecutive years which result in an overall shortfall over the last five years of 10% | Review 5 year supply of land Review applications for hold ups. Review allocations for developer interest. Consider implementing interim housing policy to increase delivery. And/or Consider bringing forward alternative allocations | S1, S2, S3, 16, 17, 20, 21, 22, 23, 24, 26, 27 | 1, 13 |

| | | | | | | |
|---|--|-----------------------------------|--|---|--|-------|
| Net Additional employment floorspace by type on allocated sites | | 2015: 2020: 2025: 2030: | Less than 80% of all employment developed on allocated sites over the plan period. | Review applications for hold ups. Review allocations for developer interest. Consider finding better sites if required. | S1, S2, S3, 1, 2, 3, 8, 13, 14 | 1, 2 |
| Applications assessed within 8/13 week timescales | | Minor Apps: 80% Major Apps 60% | 5% below | Consult development management for reasons for hold ups, are policies clear enough? | S1 | 1, 13 |
| Appeals dismissed | | 100% | Less than 90% | Consult development management for reasons for hold ups, are policies clear enough? | S1 | 1 |

| Economy | | | | | | |
|---|----------------------------------|--|--|---|---|--------------|
| Indicator | Data/ Performance | Target | Trigger | Proposed remedial action | Local Plan Policy | SA Objective |
| Net Additional employment floorspace by type on allocated sites | | 2015: 2020: 2025: 2030: | Less than 80% of all employment developed on allocated sites over the plan period. | Review applications for hold ups. Review allocations for developer interest. Consider finding better sites if required. | S1, S2, S3, 1, 2, 3, 8, 13, 14 | 1, 2 |
| Employment Land Available by type | 2015: 2020: 2025: 2030: | No net loss of employment uses on designated employment land over a 5 year period. | If target isn't met | Review available employment land in terms of quality and viability. Explore ways of finding more. | S1, S2, S3, 1, 2, 3, 8, 13, 14 | 1, 2, 5, 6 |
| Numbers of vacant shops | 2015: 2020: 2025: 2030: | No increase in the number of vacant units over a 5 year period | If target isn't met | Review applications for hold ups. Review allocations and city centre units for developer interest. | S1, S2, S6, 3, 4, 5, 6, 7, 8, 13 | 1, 2, 6, 14 |

| | | | | | | |
|--|--------|--|--|--|----|----------|
| Approvals for leisure/tourism use within the City Centre using Policy 11 | Annual | 90% Approvals using policy 11 | | Review applications for hold ups. Review allocations and city centre units for developer interest. | 11 | 1, 6, 17 |
| Completion of Morton District Centre | | Development commenced by 2016 Development completed by 2017 | No commencement by 2018 No completion by 2020 | Contact developer and assess reasons for lack of development. Review viability. | 8 | 1, 2, 6 |

| Housing | | | | | | |
|---|-------------------|---|--|--|--|--------------|
| Indicator | Data/ Performance | Target | Trigger | Proposed remedial action | Local Plan Policy | SA Objective |
| Net Housing Completions | | Annual - To match trajectory | Under delivery in three consecutive years which result in an overall shortfall over the last five years of 10% | Review 5 year supply of land Review applications for hold ups. Review allocations for developer interest. Consider implementing interim housing policy to increase delivery. And/or Consider bringing forward alternative allocations | S1, S2, S3, 16, 17, 20, 21, 22, 23, 24, 26, 27 | 1, 13 |
| Number of houses approved as windfall | | To maintain windfall allowance of 100pa | Drop in number windfall approvals within a year. Anything below 100. | Reconsider alternative sites - possibly bring some forward as allocations. | S1, S2, 17, 20, 21, 22, 23, 24 | 1, 13 |
| Challenges to requirement for affordable housing on viability grounds | | None | More than 25% of applications with affordability requirements being challenged by developer | Review applications for issues. Review S106 agreements. Review viability assessment. Consider affordability policy and requirements. | S1, S2, 19 | 1, 13 |

| | | | | | | |
|--|--|--|---|---|--|-----------------|
| Applications received on allocated housing sites | | At least one for 50% of sites by 2020 At least one per site by 2025 | No applications by 2016 Less than one for 50% of sites by 2020 Less than one per site by 2025 | Review allocated sites - consult owners for continued interest/estimated timescales for development, review alternative options for allocations for more preferable sites. Review SHLAA for other suitable sites that could be brought forward. | S1, S2, 16 | 1, 13 |
| Completions on allocated housing sites | | Development completed on 60% of allocations by 2025 Development completed on 90% of allocations by 2030 | No completions by 2017 Less than 50% completions by 2025 Less than 90% by 2030 | Review allocated sites - consult owners for continued interest/estimated timescales for development, review alternative options for allocations for more preferable sites. Review SHLAA for other suitable sites that could be brought forward. | S1, S2, 16 | 1, 13 |
| Net additional gypsy and traveller pitches | | 15 by 2020? | Less than 10 by 2017 Less than 15 by 2020 | Review applications/allocations for gypsy/traveller pitches. | S1, 28 | 13 |
| Major approvals that have been unimplemented for more than 2 years | | 0 by 2017 | More than 0 by 2017 | Review approval, contact applicant for indication when development will commence | S1, S2, 16, 17, 20, 21, 22, 23, 24, 26, 27 | 1, 13 |
| Percentage of urban vs rural completions | | 70% urban to 30% rural | Less than 50% urban by 2020 Less than 60% urban by 2025 Less than 70% urban by 2030 | Consult with development management to raise awareness of rural/urban split target | S1, S2, 16, 17, 20, 21, 22, 23, 24, 26, 27 | 1, 6, 7, 13, 16 |

| Infrastructure | | | | | | |
|--|------------------------------|---------------|--|---|----------------------------------|-------------------------|
| Indicator | Data/ Performance | Target | Trigger | Proposed remedial action | Local Plan Policy | SA Objective |
| Renegotiations to S106 agreements on viability | | None | 5 renegotiated agreements by 2020 | Review viability assessment and approach to legal agreements/obligations | S1, 30, 36 | 1, 2, 7, 12, 13, 14 |
| Approvals halted awaiting legal agreements for more than 6 months | | None | Any instance of development being delayed for more than 6 months | Review viability assessment and approach to legal agreements/obligations | S1, 30, 36 | 1, 2, 7, 12, 13, 14 |
| Completion of minimum parking standards SPD | | By 2015 | No SPD in time for Local plan adoption | Review policy - consider reverting to County standards | 32 | 1, 2, 7, 11 |
| Number permissions granted against UU advice on waste/clean water capacity grounds | | None | Any objection | Consult with UU to identify problem settlements. Make DM aware of issues | 35 | 3, 12, 13, 14, 15, 20 |
| Household waste sent for reuse, recycling or composting | | 50%? | Less than 50% | Consult DM and waste management services to identify issues and discuss how planning could address them. | 34 | 10, 20 |
| Applications under policy 31 that have not given reason or justification for not including provision for electric vehicles | | None | More than one per year | Ensure this is included within the validation check list. Raise awareness with DM. Consult with DM to see if there has been proposals to include provision. Assess relevance of policy and electric vehicle proliferation within the area | 31 | 7, 14, 18, 19, 20 |

| Climate Change and Flood Risk | | | | | | |
|---|------------------------------|--|--------------------------------|--|----------------------------------|-------------------------|
| Indicator | Data/ Performance | Target | Trigger | Proposed remedial action | Local Plan Policy | SA Objective |
| No. Planning applications granted contrary to EA/CCC advice on flooding and water quality grounds | | None | Any instance when this happens | Review approval to assess justification. Consult with flood authority. | S1, S2, S5, 40, 41, 49 | 1, 3, 4, 14, 20 |
| Approvals under policy 37 for large scale renewable energy | | 80% of applications under policy 37 are approved | Less than 80% over plan period | Consider applications for large scale renewable energy, what the issues are and review policy. | 37 | 1, 2, 8, 18, 19, 20 |
| Approvals for micro-renewable schemes | | 80% of applications to include provision under policy 39 | Less than 80% over plan period | Consult DM, ensure they are aware of the need to promote micro-renewable energy within development | S1, 37, 39 | 1, 2, 8, 13, 18, 19, 20 |

| Health and Wellbeing | | | | | | |
|---|------------------------------|--|-------------------------------|--|----------------------------------|-------------------------|
| Indicator | Data/ Performance | Target | Trigger | Proposed remedial action | Local Plan Policy | SA Objective |
| Total crimes per 1000 population | | N/a | Increasing trend over 5 years | Consult with Cumbria Constabulary to see what more planning can do to tackle crime and disorder | S1, S4, 46 | 14 |
| Development of new Medical Centre at Brampton | | Development commenced by 2018 Development completed by 2020 | No new Medical Centre by 2020 | Consult Brampton Medical practice/developer to establish whether interest is still there and what has caused delay | 42 | 12, 14 |

| | | | | | | |
|---|--|---|--|--|----------------|----------------|
| Identification of land for new cemetery | | xxHa identified by 2030 | No land identified by 2030 | Consult Greenspaces/Burial services to assess need for new cemetery. Consider more proactive approach to identifying land. | S1, S5, 52, 63 | 12, 14, 15, 16 |
| Applications refused on school capacity grounds | | None | Any instance where this is a given reason for refusal | Consult Cumbria County Council to discuss education capacity issues and possible solutions | S1, S2, 43 | 1, 2, 12, 14 |
| Delivery of educational provision on new development where required | | 100% on all relevant development sites | No delivery before appropriate phase of development commences on site | Raise issue with planning enforcement team. | S1, S2, 43, 36 | 1, 2, 12, 14 |
| Facilities listed as community assets | | N/A - assets chosen by communities as and when they feel it is required | The loss of any designated community asset that haven't gone through due process | Consult with DM for reasons as to why approval for change of use was granted | S1, S2, 44 | 1, 2, 12, 14 |

| Heritage | | | | | | |
|---|-------------------|------------------------|----------------------------------|---|-------------------|---------------|
| Indicator | Data/ Performance | Target | Trigger | Proposed remedial action | Local Plan Policy | SA Objective |
| No. Of Grade I and II listed buildings considered at risk | | Zero | An increasing trend over 5 years | Consult heritage officer. Consider options for reversing any increasing trends | S1, S2, 23, 57 | 1, 14, 16, 17 |
| Completion of Local List for buildings with local historic significance | | Listed created by 2018 | No list by 2020 | Consult heritage officer, identify reasons for delay and then suggest ways forward. | S1, 55 | 1, 14, 16, 17 |

| Green Infrastructure | | | | | | |
|---|----------------------|---|--|--|-------------------------|-----------------------------------|
| Indicator | Data/ Performance | Target | Trigger | Proposed remedial action | Local Plan Policy | SA Objective |
| Changes in areas of biodiversity importance | | No loss of areas of biodiversity importance | The loss of any part of an area of biodiversity importance | Consult with DM - assess reasons for allowing loss. Consider mitigation proposals. | S1, S5, 48, 62, 65 | 11, 12, 14, 15, 16, 18, 19, 20 |
| Net change in No. Of TPOs | | No unauthorised loss of TPOs | The unauthorised loss of a TPO to development | Consult with DM - assess reasons for allowing loss. Consider mitigation proposals. | 65 | 11, 12, 14, 15, 16, 18, 19, 20 |
| Open Space Audit and Needs Assessment Completed | | New audit completed before 2020 | No new audit by 2020 | Meet with green spaces team to discuss | S1, S5, 63 | 11, 12, 14, 15, 16, 18, 19, 20 |
| Completion of the cross-city cycle route | | By 2030 | Uncompleted by 2030 | Discuss with Sustrans/Highways to identify hold ups. | S1, S5, 30, 31 | 7, 11, 12, 14, 15, 16, 18, 19, 20 |
| Change in amount of public open space | | No loss of open space | More than 5Ha lost to development by 2020 | Discuss with greenspaces/DM. Why have areas been lost, what mitigation measures are in place. Raise open space up priorities for developer contributions | S1, S5, 30, 63 | 7, 11, 12, 14, 15, 16, 18, 19, 20 |

12 Glossary

NOTE

This list is intended only to provide a general explanation of terms used in the Local Plan and does not constitute precise definitions in law.

Affordable housing: Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.

Social rented housing is owned by local authorities and private registered providers (as defined in section 80 of the Housing and Regeneration Act 2008), for which guideline target rents are determined through the national rent regime. It may also be owned by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Homes and Communities Agency.

Affordable rented housing is let by local authorities or private registered providers of social housing to households who are eligible for social rented housing. Affordable Rent is subject to rent controls that require a rent of no more than 80% of the local market rent (including service charges, where applicable).

Intermediate housing is homes for sale and rent provided at a cost above social rent, but below market levels subject to the criteria in the Affordable Housing definition above. These can include shared equity (shared ownership and equity loans), other low cost homes for sale and intermediate rent, but not affordable rented housing.

Homes that do not meet the above definition of affordable housing, such as “low cost market” housing, may not be considered as affordable housing for planning purposes.

Affordable Housing Economic Viability Assessment – An assessment of the costs of any requirements likely to be applied to development, focussing on the implications of developers having to provide affordable housing and to ensure that planning policies would not render schemes unviable.

Air Quality Management Area (AQMA) – Where a national air quality standard or objective is not likely to be met we must declare an Air Quality Management Area and produce an Action Plan outlining how we intend to improve the air quality within that area.

Allocations of Land – the allocation of sites for housing, employment, waste management and treatment facilities, and open spaces.

Amenity Open Space -The Local Plan identifies areas of land within settlements which make so significant a contribution to their character and to the amenity and enjoyment of nearby residents and the public at large as to warrant long term retention as open space. Such designation does not signify that such areas are available for public access and use although this may be the case in some instances. Rather, it indicates an intention that

proposals for built development which would encroach on identified areas will not normally be granted planning permission.

Amplitude Modulation - a technique used in electronic communication, most commonly for transmitting information via a radio carrier wave.

Ancient Woodland- Natural England is responsible for compiling the inventory of ancient woodlands in Cumbria. The term is applied to woodlands which have existed from at least medieval times to the present day without being cleared for uses other than timber production. The inventory includes ancient semi-natural woodland which is defined as woodland which does not originate from planting, the distribution of species generally reflecting natural variations in site and soil.

Annual Monitoring Report (AMR) - Monitoring report recording the delivery of policies in the adopted plan.

Area of Outstanding Natural Beauty (AONB)- AONBs are relatively large areas of land designated under the National Parks and Access to the Countryside Act 1949 by the Countryside Commission. The primary objective of designation is conservation of the natural beauty of the landscape. AONBs differ from National Parks in that the promotion of recreation is not an objective of their designation, though these areas should be used to meet the demand for recreation so far as that is consistent with the conservation of natural beauty, and the needs of agriculture, forestry and other uses.

Area of Special Control of Advertisements- Part IV of the Town and Country Planning (Control of Advertisements) Regulations 1992 enables a Local Planning Authority to make Areas of Special Control Orders for submission to the Secretary of State for approval. Most of the Plan area has been designated as an Area of Special Control, excluding Carlisle, Brampton and Longtown. Within Areas of Special Control the display of advertisements with deemed consent (i.e. without the need for the formal approval of the Local Planning Authority) is subject to greater limitation.

Article 4 Direction- Article 4 of the Town and Country Planning (General Permitted Development) Order 1995 allows the Local Planning Authority to restrict the scope of permitted development rights in defined areas. Article 4 Directions must normally be approved by the Secretary of State.

Best and Most Versatile Agricultural Land- To assist in assessing land quality, the then Ministry of Agriculture, Fisheries and Food has developed a method of classifying agricultural land by grade. There are five grades with grade 3 divided into two grades (3a and 3b). The best and most versatile agricultural land falls into grades 1,2 and 3a. This land ranges from excellent (grade 1) to good quality (grade 3a).

Blue Infrastructure- The network of natural environmental components that lie within and between the city, towns and villages which provide multiple social, economic and environmental benefits. The physical components of blue infrastructure include waterways such as rivers, streams, marshes and lakes.

Brownfield Land- Previously-developed land which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure.

Business Park- Business Parks are defined in the Structure Plan as high quality employment sites aimed at light industrial and office developments, particularly those related to high-tech industries. There is potential for a business park site on land south west of Morton.

City Centre - City centres are the highest level of centre identified in development plans. In terms of hierarchies, they will often be a regional centre and will serve a wide catchment (as is the case in Carlisle). The centre may be very large, embracing a wide range of activities and may be distinguished by areas which may perform different main functions.

Community Infrastructure Levy - A local charge on most new developments. The money raised will be spent by the local authority on infrastructure. The justification for the charge is that new buildings have an impact on infrastructure need (i.e. new roads and schools), and should therefore contribute towards that provision.

Comparison Shopping – Comparison retailing is the provision of items not obtained on a frequent basis. These include clothing, footwear, household and recreational goods.

Convenience shopping – Convenience retailing is the provision of everyday essential items, including food, drinks, newspapers/ magazines and confectionery.

Conservation Areas

Conservation areas are 'areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance'. Such areas are designated by Local Planning Authorities under the Planning (Listed Buildings and Conservation Areas) Act 1990. Provisions relating to conservation areas are contained in the Act. The Local Planning Authority has additional powers over the demolition of buildings and the removal of trees within such areas, and certain permitted development rights are either reduced or removed.

Core Strategy – Development Plan Document as part of the Local Development Framework System to set out the vision, aims and strategy for spatial development within an area. This was replaced by the 'Local Plan' requirement in the NPPF.

County Wildlife Sites

Cumbria Wildlife Trust designates some sites, which do not meet the criteria set out by Natural England for SSSI's, as Wildlife Sites. They contain examples of important habitats with uncommon species of plants and animals.

Cumulative Effects - The state in which a series of repeated actions have an effect greater than the sum of their individual effects; noted here especially in the location of wind turbines.

Duty to Cooperate - The Localism Act 2011 introduced a Duty to Cooperate, which is designed to ensure that all of the bodies involved in planning work together on issues that are of bigger than local significance.

Ecology - The study of the factors that influence the distribution and abundance of species.

Edge of Centre- For retail purposes edge-of-centre, is a location that is well connected to and within easy walking distance (ie. Up to 300 metres) of the ~~primary retail area~~ **primary shopping area**. For all other main town centre uses, this is likely to be within 300m of a town centre boundary. In determining whether a site falls within the definition of edge-of-centre, account will be taken of local circumstances. For example, local topography will affect pedestrians' perceptions of easy walking distance from the centre. Other considerations include barriers, such as crossing major roads and car parks, the attractiveness and perceived safety of the route and the strength of attraction and size of the town centre. A site will not be well connected to a centre where it is physically separated from it by a barrier such as a major road, railway line or river and there is no existing or proposed pedestrian route which provides safe and convenient access to the centre.

Employment Land Review (ELR) – to assess the demand for and supply of land for employment.

Environmental Impact Assessment (EIA)- A process by which information about the environmental effects of a proposal are collected, and taken into account by the Planning Authority in forming their judgement about whether or not to grant planning consent. The Town and Country Planning (Environmental Impact Assessment etc.) Regulations 1999 as modified sets out the types of project for which an EIA is required.

European Marine Sites (EMS) - European Marine Sites (also known as Natura 2000 sites) are special Areas of Conservation (SACs) for habitats of European importance and Special Protection Areas (SPAs) for birds

Equalities and Human Rights Commission (EHRC)

Equality Impact Assessment (EIA) - a process designed to ensure that a policy, project or scheme does not discriminate against any disadvantaged or vulnerable people.

Evidence base - A range of technical reports and studies that have been or are being prepared to support the policies and proposals in the Local Plan.

Examination in Public – This is the examination of a local plan document by an independent planning inspector acting on behalf of the Secretary of State.

Flood Plain- All land adjacent to a watercourse over which water flows or would flow, but for the presence of flood defences, in times of flood. The limits of the flood plain are defined by the peak water level of an appropriate return period event on the watercourse or at the coast. On rivers this will normally be the greater of the 1 in 100 year return period flood or

the highest known water level. In coastal areas the 1 in 200 year return period flood or the highest known flood will be used.

Flood Risk Assessment (FRA)- An assessment or test of the risk of flooding from river, tidal, coastal, groundwater and/or local sources conducted to meet the requirements of PPS25 and Annex E. The FRA will provide a framework for robust and sustainable flood risk management solutions within (re)developing areas.

General Permitted Development Order- The Town and Country Planning (General Permitted Development) Order 1995 prescribes many of the procedures for the determination of planning applications and details those forms of minor development which may be undertaken without the need for application for an planning permission. (See also Article 4 Directions and Permitted Development).

Geology - The study of the origin, structure, chemical composition, and history of the Earth and other planets.

Geomorphology - The investigation of the origin of landforms on the Earth and other planets.

Green Infrastructure (GI) - The network of natural environmental components and green and blue spaces that lie within and between the city, towns and villages which provide multiple social, economic and environmental benefits. The physical components include parks, rivers, street trees, moorlands, marshes and country parks.

Gross Value Added (GVA) - Gross value added is the difference between output and intermediate consumption for any given sector/industry. That is the difference between the value of goods and services produced and the cost of raw materials and other inputs which are used up in production.

Gypsy and Traveller Accommodation Assessment - Assessment of Gypsy and Traveller accommodation needs in order to ensure that the needs and wider demand of the Gypsy and Traveller communities for suitable accommodation can be considered and met equally and fairly alongside other sectors of the community. (Part of the Evidence Base).

Habitats Regulations Assessment (HRA)- HRA assesses the likely impacts of the possible effects of a plan's policies on the integrity of the Natura 2000 sites (including possible effects 'in combination' with other plans projects and programmes).

Homes and Communities Agency (HCA)

Health Impact Assessment - A combination of procedures, methods and tools by which a policy, program or project may be judged as to its potential effects on the health of a population, and the distribution of those effects within the population.

Heritage Asset - A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).

Houses in Multiple Occupation (HMO)- A House in Multiple Occupation as defined in the 1985 Housing Act is one that is occupied by persons who do not form a single household.

Housing Need and Demand Study (HNDS) - The Assessment considers future housing requirements, in terms of the number of homes required to meet need and demand. It considers the mix of housing required, in both the affordable and market sectors. It also looks at the housing requirements of specific groups, including older people, Black and Minority Ethnic (BME) households, and those with support needs.

Infrastructure Delivery Plan - The Infrastructure Delivery Plan (IDP) will contain a list of all infrastructure needed to support sustainable growth, as set out in the emerging Local Plan. Infrastructure projects will be identified by location, cost and delivery timescale and funding. 'Infrastructure' has a broad definition and can apply to many projects including new roads, schools, community services, sports and leisure facilities and green infrastructure.

Key Townscape Frontage Buildings- Key Townscape Frontage Buildings are primarily located within conservation areas and are defined as buildings that make a contribution to the character of a particular area. Such conservation areas include the City Centre, Botchergate, Longtown, Brampton and Dalston.

Listed Building- The Secretary of State for Culture, Media and Sport, advised by English Heritage, compiles a list of buildings of 'special architectural or historic interest'. Any material alteration to or demolition/part demolition of a listed building, whether external or internal will require an application for listed building consent.

Localism Act –Received Royal Assent in November 2011. In relation to Planning, the Act abolished Regional Strategies but introduced a duty for interested parties to co-operate in the preparation of development plans and introduced Neighbourhood Planning.

Local Development Scheme (LDS) – provides information on how Carlisle City Council intends to produce its Local Plan. It sets out the planning policy documents that form the development plan for the Carlisle District area and their programme of preparation over a three year period.

Local Enterprise Partnership (LEP) - locally- owned partnerships between local authorities and businesses and play a central role in determining local economic priorities and undertaking activities to drive economic growth and the creation of local jobs. Carlisle is part of the Cumbria LEP.

Local Nature Reserves- Local Nature Reserves may be established by Local Authorities under section 21 of the National Parks and Access to the Countryside Act 1949. They are habitats of local significance which can make a useful contribution both to nature conservation and to the opportunities for the public to learn more about and enjoy wildlife.

Local nature reserves are predominantly ecological, but can also be established on geological sites.

Local Development Framework (LDF) – System of producing Development Plan Documents (LDF). Replaced by the National Planning Policy Framework in March 2012.

Local Planning Authorities (LPAs)

Local Strategic Partnership (LSP) – The Carlisle Partnership is a non-statutory, non-executive partnerships bringing together different agencies to support each other and work effectively together on economic, community and environmental issues that matter to local people including crime, employment, education, health and housing. Its aim to deliver sustainable economic, social and physical regeneration, improved public services, promotion of equality and inclusion, and improvements to the quality of life for local citizens, particularly those from deprived areas and disadvantaged groups. In order to achieve this, partners are required to assess local needs, plan services, set targets and monitor delivery.

Local Transport Plan 3 (Draft) (LTP3) - The Transport Act 2000 introduced a statutory requirement for local transport authorities to produce a Local Transport Plan (LTP) every five years and to keep it under review. It sets out the statutory framework for Local Transport Plans and policies.

Natura 2000- Natura 2000, created by the European Union, is a network made up of Special Protection Areas and Special Areas of Conservation. These designations form an internationally important network of wildlife sites.

National Nature Reserve- Areas of national and sometimes international importance which are owned or leased by Natural England or managed in accordance with their wishes. The essential characteristic of such areas is that they are primarily used for nature conservation.

National Planning Policy Framework (NPPF)- The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. It provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities.

Neighbourhood Plans – Introduced by the Localism Act, a 'Neighbourhood Planning' aims to give people greater ownership of plans and policies that affect their local area. It enables local people to put together ideas for development (relating to land-use or spatial matters) in their area via a "Neighbourhood Development Plan". Once adopted, this plan will form part of the statutory development plan with the District Council.

Office of National Statistics (ONS)

Open space- All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity.

Out of centre- A location which is not in or on the edge of a centre but not necessarily outside the urban area.

Out of town- A location out of centre that is outside the existing urban area.

Overarching National Policy Statement for Energy (EN-1)

Permitted Development- The Town and Country Planning (General Permitted Development) Order 1995 permits certain minor alterations and extensions to be undertaken without the need to apply for planning permission from the Local Planning Authority. Such development is known as permitted development.

Planning Obligations (also known as s106 agreements – of the 1990 Town & Country Planning Act)- are private agreements made between local authorities and developers and can be attached to a planning permission to make acceptable development which would otherwise be unacceptable in planning terms.

Preferred Options – sets out the preferred strategic policy direction for new development within the District for public consultation.

Primary Employment Areas- Primary Employment Areas are designated when the predominant use relates to employment. Also included within this designation is land that has planning permission and land allocated for employment use. Such areas are located within Carlisle, Longtown, Brampton and Dalston.

Primary Leisure Area- Primary Leisure Areas are the main focal points for leisure activities. Such locations include the Sands Centre, Tullie House, the Sheepmount, community centres, other areas of public open space and parkland as well as privately owned leisure facilities.
Such areas should be retained.

Primary Residential Areas- Primary Residential Areas are housing areas within Carlisle, Longtown and Brampton. These areas are predominantly residential, and they contain a number of other uses normally acceptable in housing areas such as churches, small shops and public houses.

Primary Retail Area Primary Shopping Area- The Primary Retail Area Primary Shopping Area contains all the important shopping streets and areas in the City Centre. All the major stores are included together with the streets with continuous shopping frontages and sites where shopping development is acceptable in principle. It also includes the main shopping streets in Brampton and Longtown.

Ramsar Site- Ramsar sites are wetlands of international importance, particularly as waterfowl habitats. Ramsar sites are listed by the Secretary of State. The provisions of the Ramsar Convention require the promotion of the conservation of the wetlands.

Regionally Important Geological/Geomorphological Sites (RIGS) - These are geological/geomorphological sites of local importance which complement the national network of geological SSSI's (see below). The aim of designation is to maintain and enhance specific features of rock and landform, and the dynamic natural processes which create them.

Register of Battlefields- Similar to the Register of Parks and Gardens of Special Historic Interest, the Register of Battlefields identifies a limited number of areas of historic significance where important battles are sufficiently documented to be located on the ground. This register is compiled by English Heritage.

Register of Parks and Gardens of Special Historic Interest- This is a register, produced by English Heritage, which identifies parks and gardens of visual and/or historic interest. There is currently two designations within the District.

Regional Spatial Strategies (RSS) – Regional level plan revoked by the Localism Act.

Rural Masterplanning – Joint working with Parish Councils to establish the capacity for development within the rural area informed by community opinion.

Scheduled Ancient Monument- The Secretary of State, advised by English Heritage, compiles a Schedule of Ancient Monuments which, by reason of period, rarity, fragility, potential etc. appear to be of national importance. Provisions relating to scheduled ancient monuments are contained in the Ancient Monuments and Archaeological Areas Act 1979 and the National Heritage Act 1983.

Section 106 Agreement- Planning Agreements (or 'Planning Obligations') are made under Section 106 of the Town and Country Planning Act 1990. Agreements may be made between a Local Planning Authority and a land owner (often a developer) or may be entered into unilaterally by such persons. Agreements are usually employed to restrict the development or use of land in ways which can not properly or conveniently be achieved by the imposition of conditions.

Site of Special Scientific Interest (SSSI)- Section 28 of the Wildlife and Countryside Act 1981 enables Natural England to designate areas of land which, by reason of their flora, fauna, or geological or physiographic features, it is in the national interest to conserve. To protect SSSI's from operations outside the scope of planning controls, Natural England specify to their owners and occupiers the operations which they consider to be harmful to their conservation interest.

Local authorities have a responsibility under the Countryside and Rights of Way (CRoW) Act 2000 to take reasonable steps to further the conservation and enhancement of the features for which an SSSI has been notified.

Special Area of Conservation (SAC)- Areas established under the EU Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora as contributing to the maintenance of a coherent Communitywide network of habitats called Natura 2000. SAC's

are selected for their contribution to the survival of species and habitats of European importance. The areas proposed as SACs are also SSSIs.

Special Protection Area (SPA)-Areas established under the EC Directive on the Conservation of Wild Birds in order to safeguard habitats of migrating birds and certain threatened species and thereby to conserve populations. All SPA's are also SSSI's.

Statement of Community Involvement - explain to the public how they will be involved in the preparation of Local Development Documents. It sets out the standards to be met by the authority in terms of community involvement.

Strategic Employment Sites- Strategic Employment Sites are defined in the Structure Plan as large sites of a minimum of five hectares, designed specifically to provide sites for large scale business, general industry, storage and distribution uses. The site should be close to the primary road network. Small scale uses would not normally be permitted on such sites.

Strategic Flood Risk Assessment (SFRA) – The SFRA informs knowledge of flooding, refines the information on the Flood Map and determines variations in flood risk from all sources of flooding across and from their area.

Strategic Housing Land Availability Assessment (SHLAA) - a technical study to inform planning policy development. It also assists in the monitoring of whether there is an adequate supply of deliverable housing land.

Sui Generis - Certain uses do not fall within any use class and are considered 'sui generis'. Such uses include: theatres, houses in multiple occupation, hostels providing no significant element of care, scrap yards. Petrol filling stations and shops selling and/or displaying motor vehicles. Retail warehouse clubs, nightclubs, launderettes, taxi businesses, amusement centres and casinos.

Sustainability Appraisal - A statutory assessment undertaken on Local Plan's to identify and evaluate the impacts of a plan on the community, economy and environment.

Sustainable Development

The Bruntland Report in 1987 brought a new approach when it proposed that an ongoing balance could be struck between economic growth and the needs of the environment through the concept of sustainable development. A definition of this concept is 'development that meets the needs of the present without compromising the ability of future generations to meet their own needs.'

Sustainable Drainage Systems (SUDs)- A sequence of management practices and control structures designed to drain surface water in a more sustainable way than some conventional techniques. SUDS manage surface water on site as near to source as possible by slowing down the rate of run-off and treating it naturally through such design techniques as porous pavements, infiltration trenches and basins, french drains, swales and passive treatment systems including filter strips, detention basins, retention ponds and wetlands.

This approach will allow the release of good quality surface water into watercourses and the groundwater resource.

Tree Preservation Order (TPO)- Under Section 198 of the 1990 Act a Local Planning Authority may, in the interests of amenity, make provisions for the preservation of individual trees or woodlands. TPOs prohibit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of trees without the prior consent of the Authority.

Use Classes Order- The Town and Country Planning (Use Classes) Order 1987 (as amended) contains a number of Classes into which most uses of land or buildings fall. The change of use of land or buildings, from one class to another, normally requires planning permission. The change of use of land or buildings within a particular Class does not involve development requiring planning permission.

Use Class A1 Shops - Shops, retail warehouses, hairdressers, undertakers, travel and ticket agencies, post offices (but not sorting offices), pet shops, sandwich bars, showrooms, domestic hire shops, dry cleaners, funeral directors and internet cafes.

Use Class A2 Financial and professional services - Financial services such as banks and building societies, professional services (other than health and medical services) including estate and employment agencies and betting offices.

Use Class A3 Restaurants and cafés - For the sale of food and drink for consumption on the premises - restaurants, snack bars and cafes.

Use Class A4 Drinking establishments - Public houses, wine bars or other drinking establishments (but not night clubs).

Use Class A5 Hot food takeaways - For the sale of hot food for consumption off the premises.

Use Class B1 Business Use - Offices (other than those that fall within A2), research and development of products and processes, light industry appropriate in a residential area.

Use Class B2 General industrial Use - Use for industrial process other than one falling within class B1 (excluding incineration purposes, chemical treatment or landfill or hazardous waste).

Use Class B8 Storage or distribution Use - Storage or Distribution warehouses including wholesale cash and carry. This class includes open air storage.

White Land - A general expression used to mean land (and buildings) without any specific proposal for allocation in a development plan, when it is intended that for the most part, existing uses shall remain undisturbed and unaltered.

Windfall Site- An informal term used to describe a site where planning consent (usually for housing) is granted despite that site not being allocated for development in the Local Plan.

World Heritage Sites- The World Heritage Convention from which World Heritage Sites derive was ratified by the UK in 1984. The Convention provides for the identification, protection, conservation and presentation of cultural and natural sites of outstanding universal value. Hadrian's Wall Military Zone was designated as a World Heritage Site in 1987.

Zero Carbon – that all emissions from a house or commercial property and the activities that take place within them must be net zero over the course of a year.

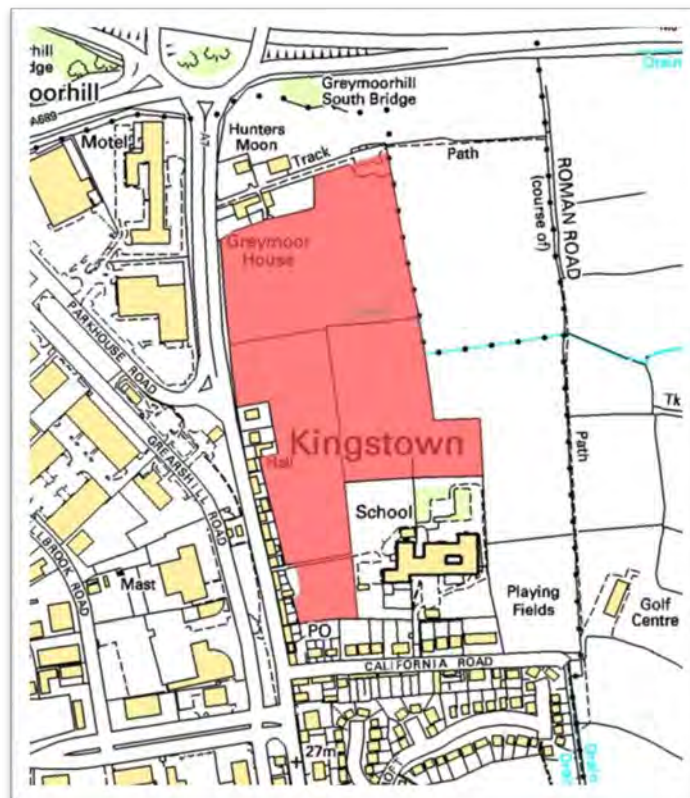
Appendix 1: Preferred Housing Allocations and Alternative Options

Preferred Housing Allocations

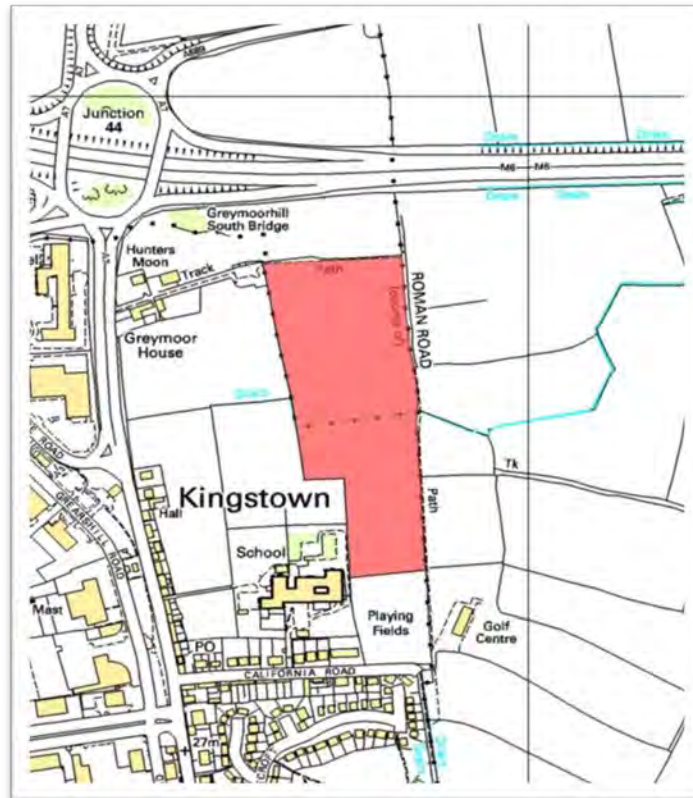
The following sites have been put forward as preferred options for housing allocations within the Local Plan 2015-30. Comments on the sites are invited during the second stage preferred options consultation.

Carlisle

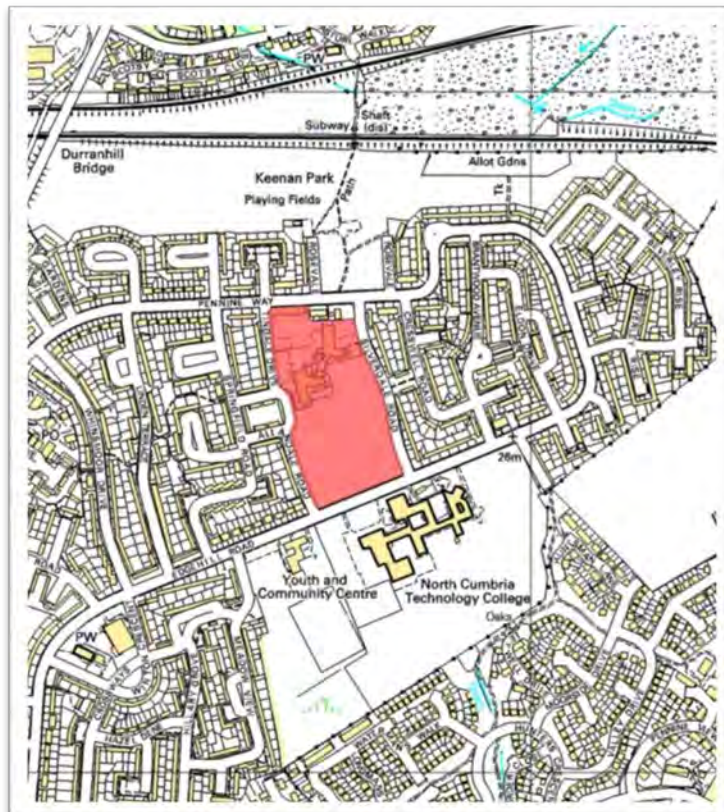
CARL1 - Land to the south east of Junction 44, Kingstown:



CARL2 – Land north of California Road, Kingstown:



CARL3 – Site of Pennine Way School, Harraby:



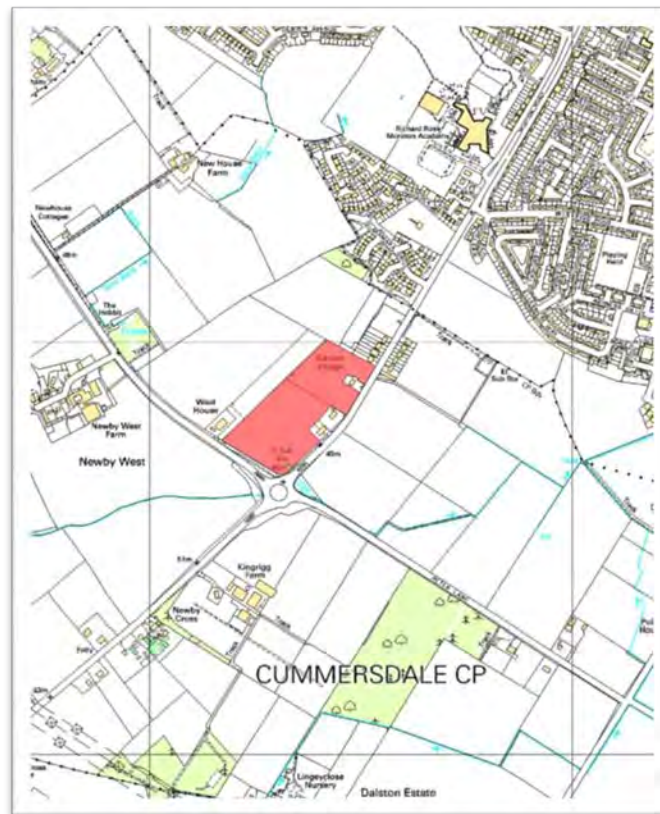
CARL4 – Land north of Moorside Drive/Valley Drive, Harraby:



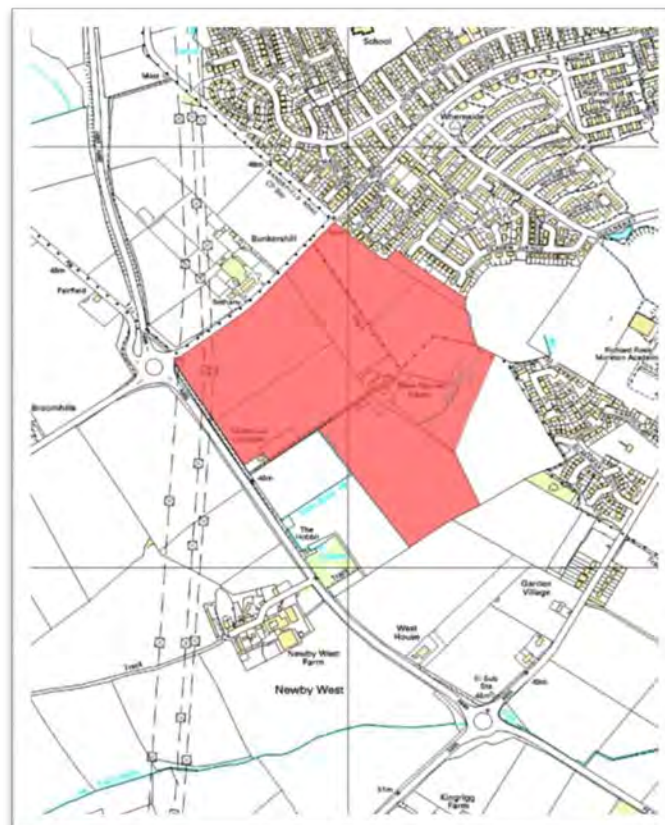
CARL5 – Land between Carlton Road and Cumwhinton Road, Harraby:



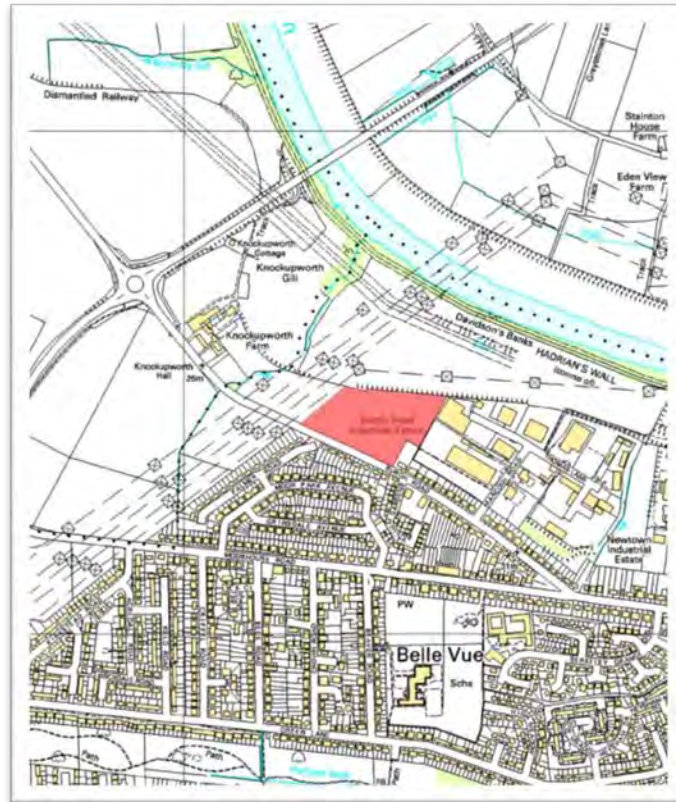
CARL6 – Land at Garden Village, west of Wigton Road, Morton:



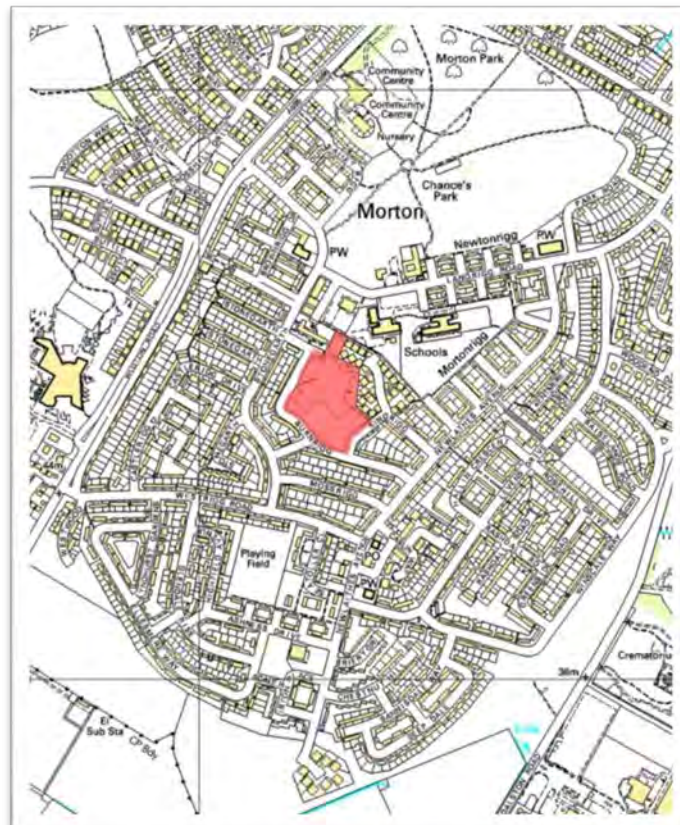
CARL7 – Land at Newhouse Farm, south-west of Orton Road, Morton:



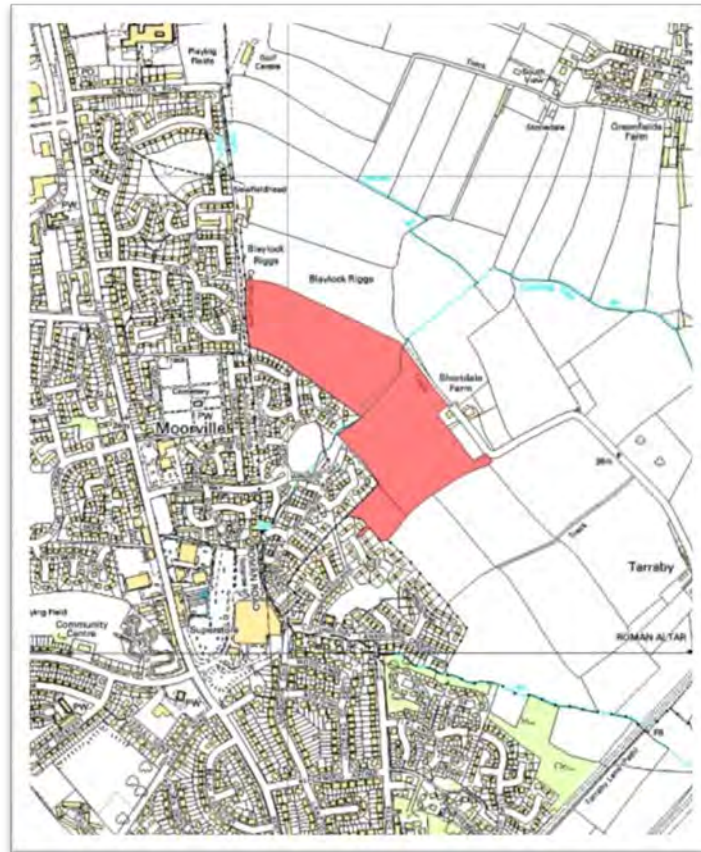
CARL8 – Land north of Burgh Road, Belle Vue:



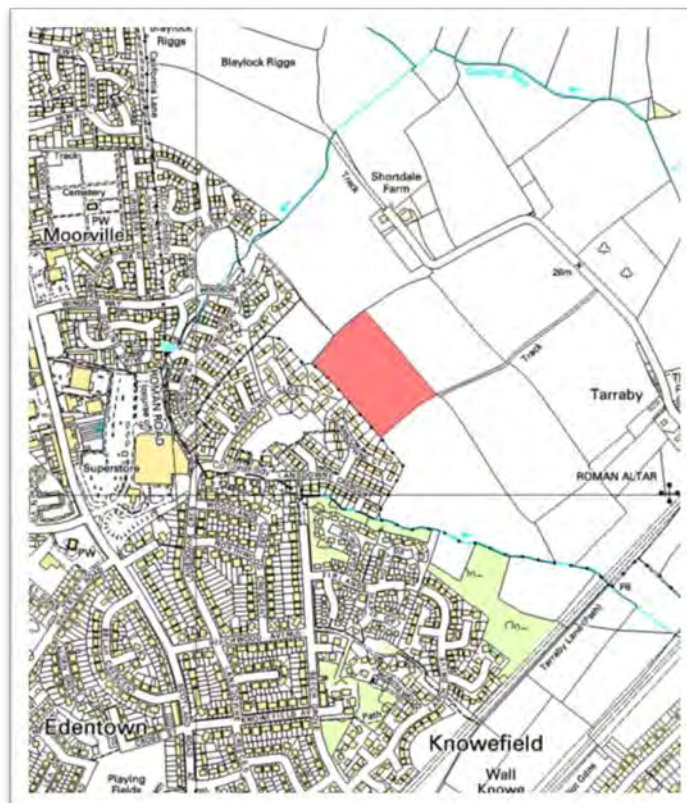
CARL9 – Site of Former Morton Park Primary School, Burnrigg:



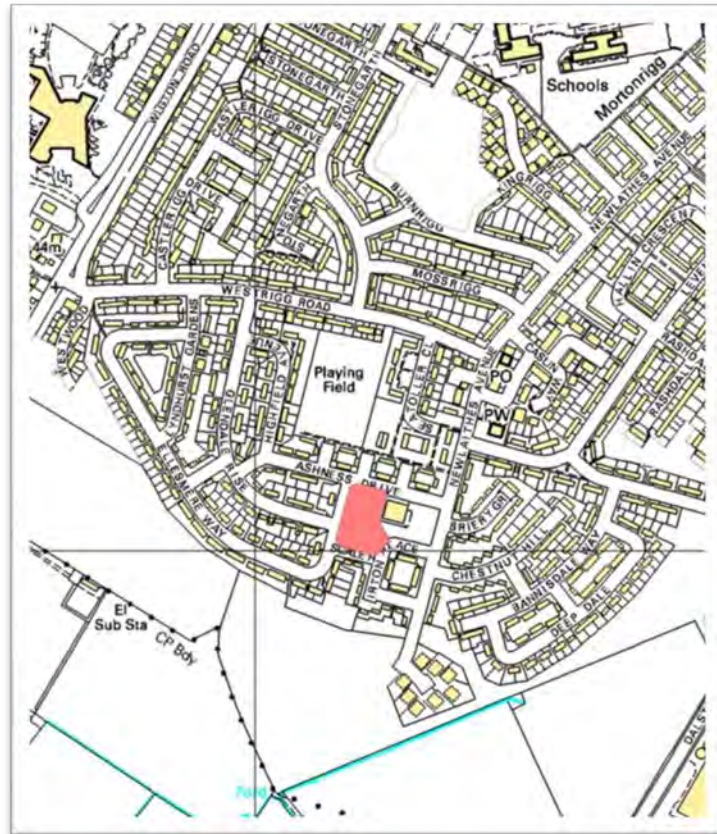
CARL10 – Land off Windsor Way:



CARL11 – Land east of Landsdowne Close/Landsdowne Court



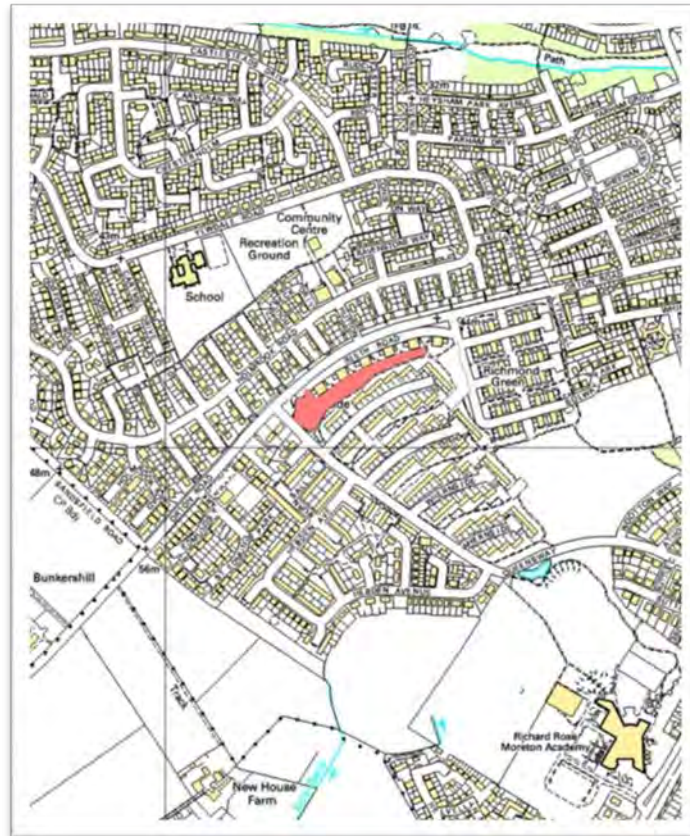
CARL12 – Land to the rear of Border Terrier, Ashness Drive/Ellesmere Way:



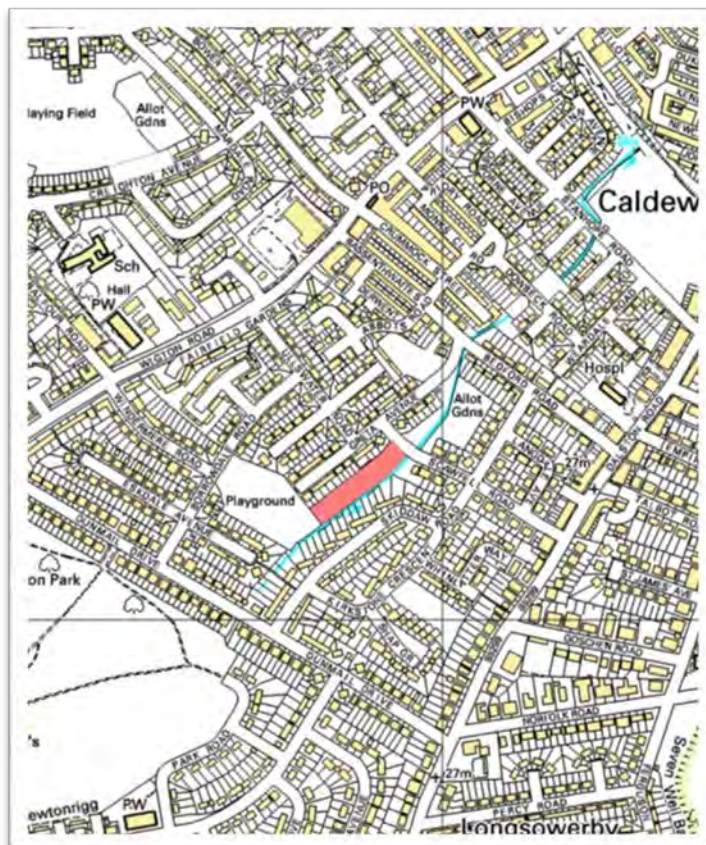
CARL13 – Land off Raiselands Road, Morton:



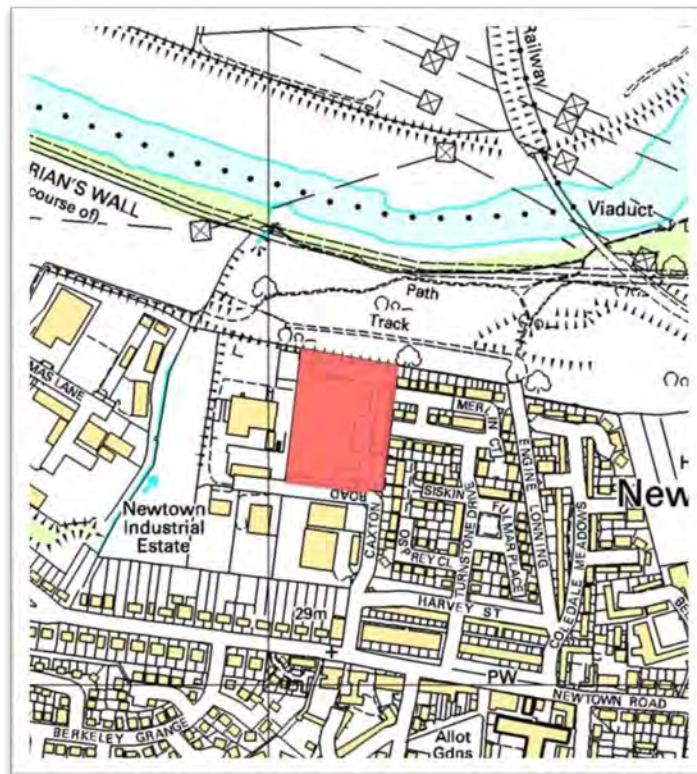
CAR14 – Land to the rear of Reeth Road/Queens Way, Whernside:



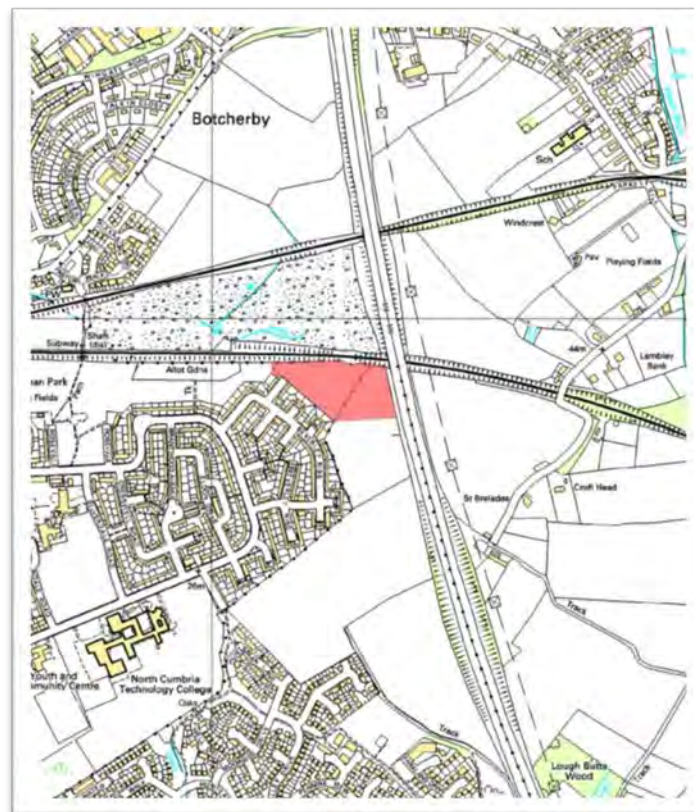
CARL15 – Land at Greta Avenue:



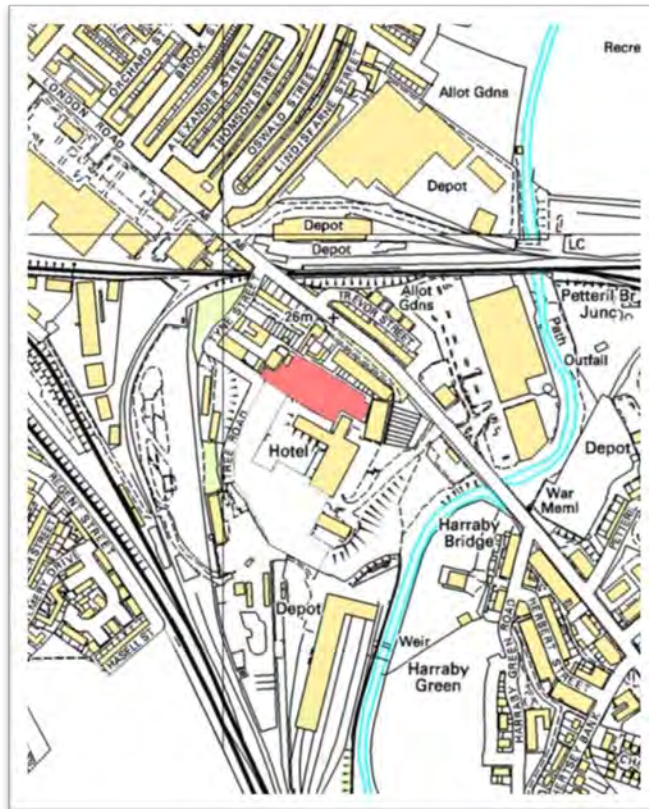
CARL16 – Former Printworks, Newtown Industrial Estate:



CARL17 – Land east of Beverley Rise, Harraby:



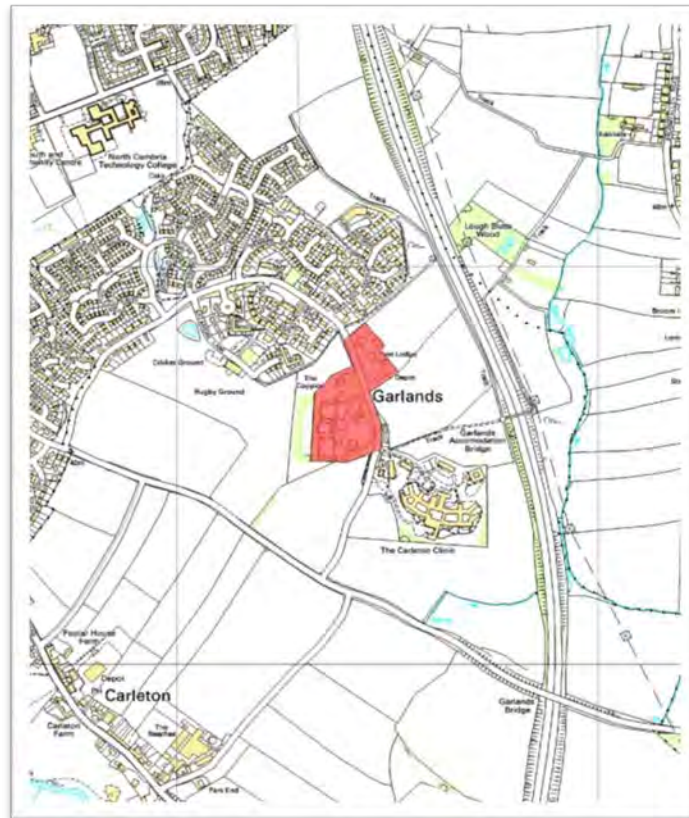
CARL18 – Land off Tree Road, south of Chertsey Mount:



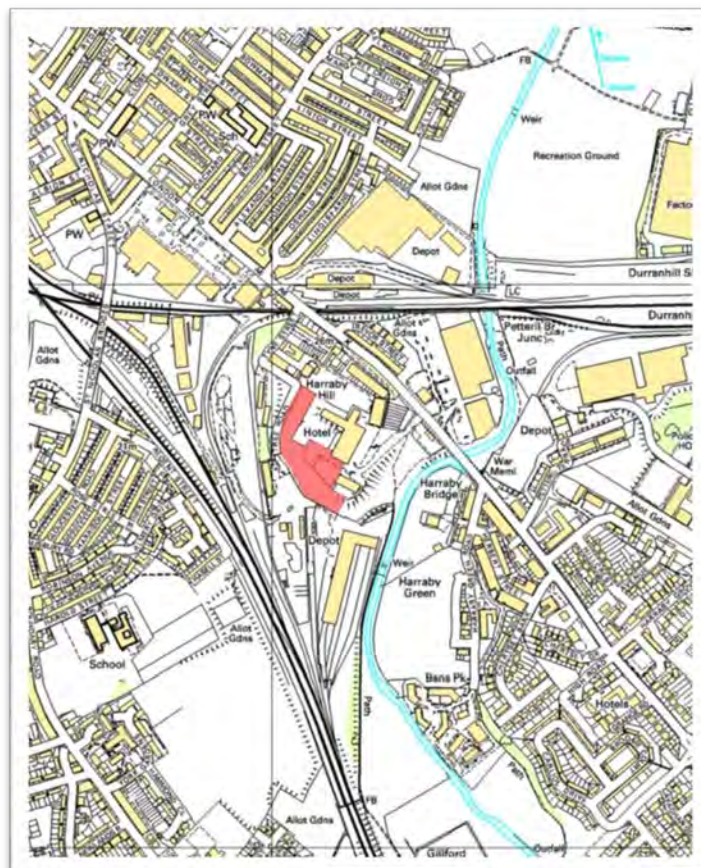
CARL19 – Land north of Carlton Clinic, east of Cumwhinton Drive:



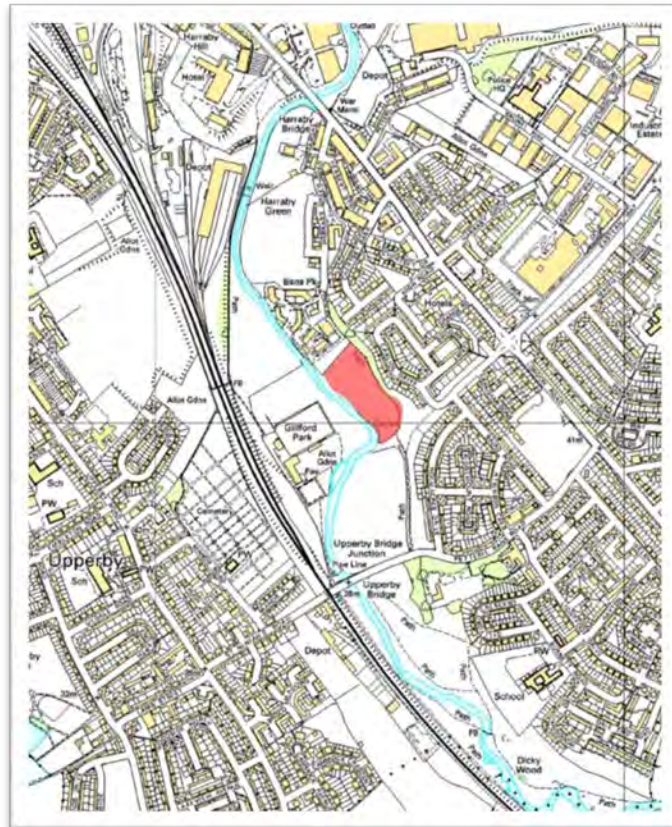
CARL20 – Land at Carlton Clinic:



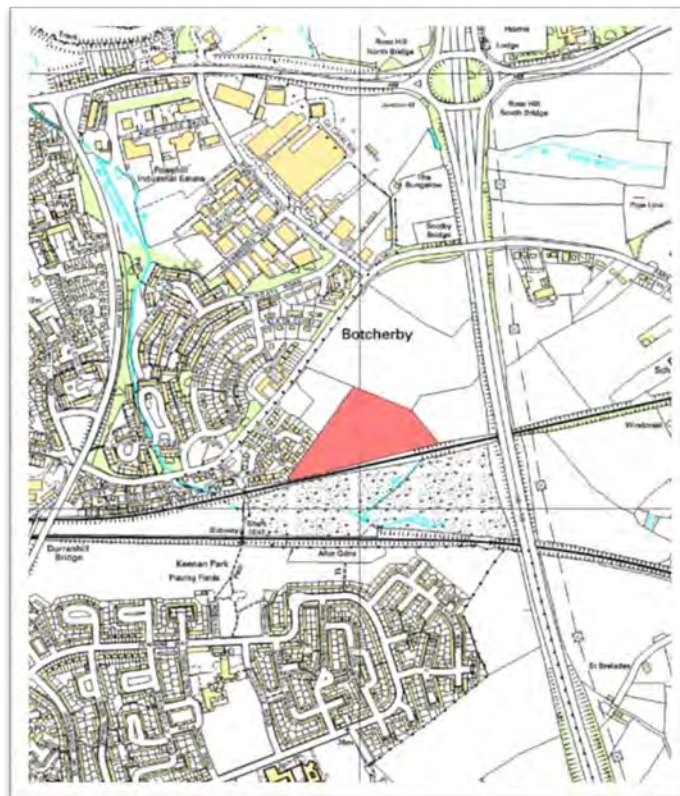
CARL 21 – Land to rear of Hilltop Hotel, London Road/Tree Road:



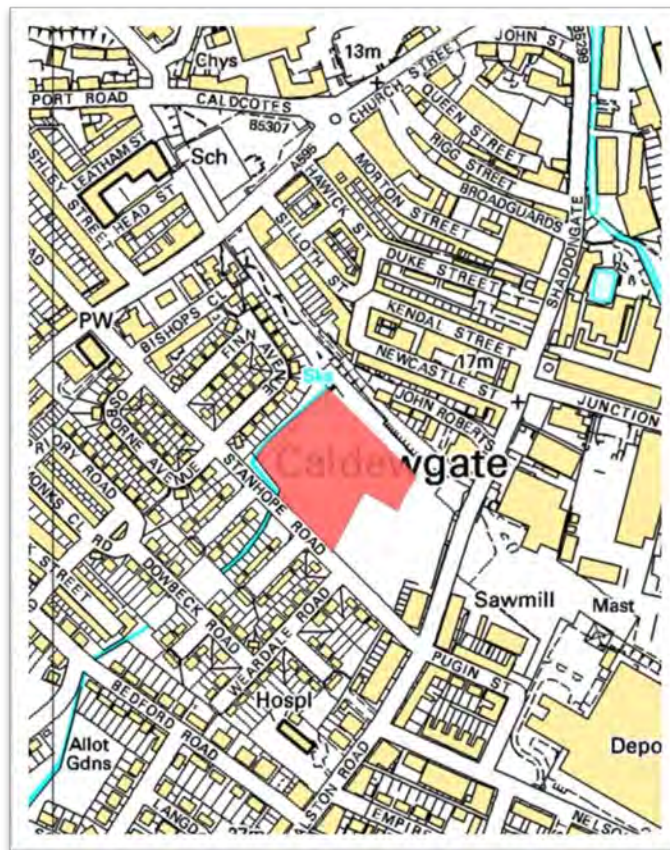
CARL22 – Harraby Green Road:



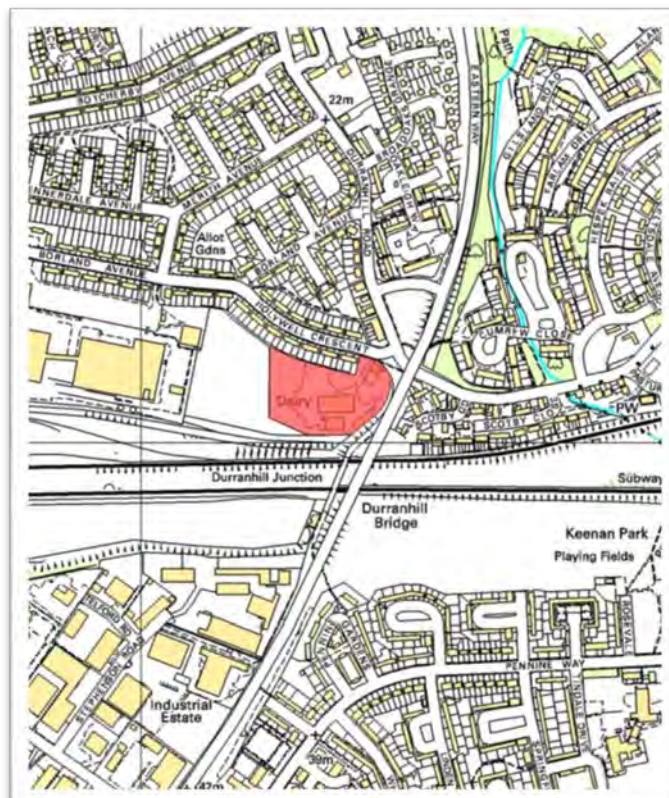
CARL23 – Durranhill Road, Botcherby:



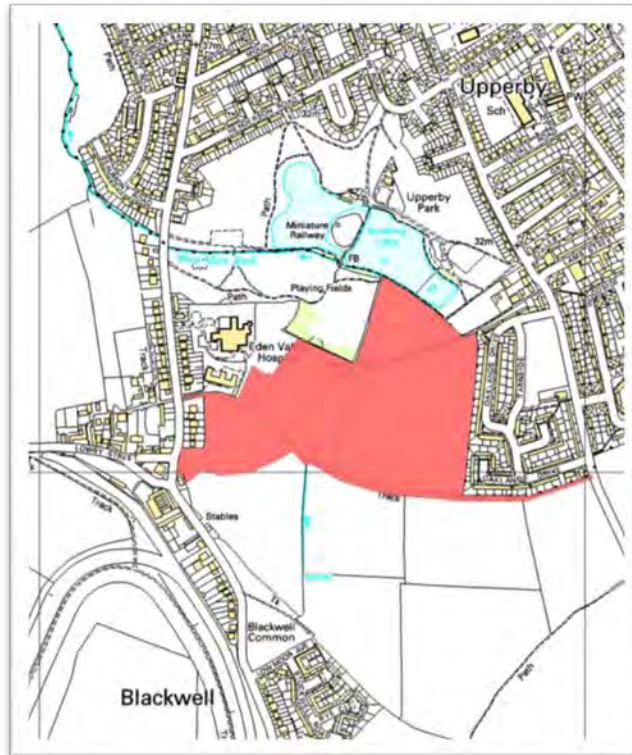
CARL24 – Laigns Site, Stanhope Road:



CARL25 – Former Dairy Site, Holywell Crescent, Botcherby:

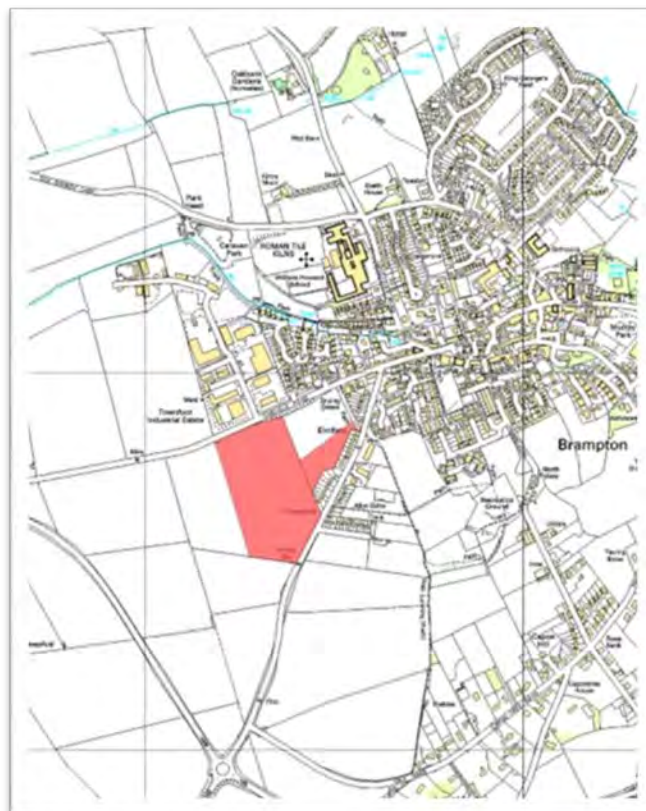


CARL26 – Land bounded by Hammonds Pond, Oaklands Drive and Durdar Road:

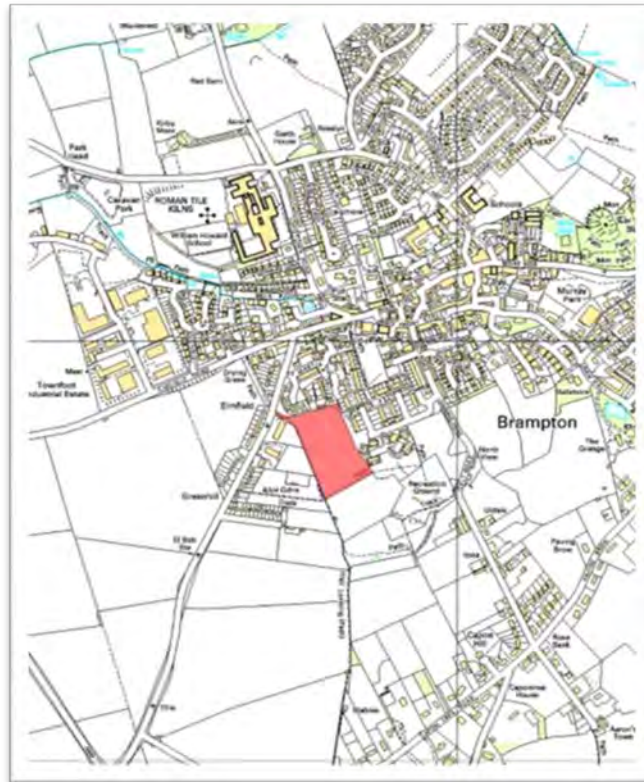


Brampton

BRAM1 – Land south of Carlisle Road:



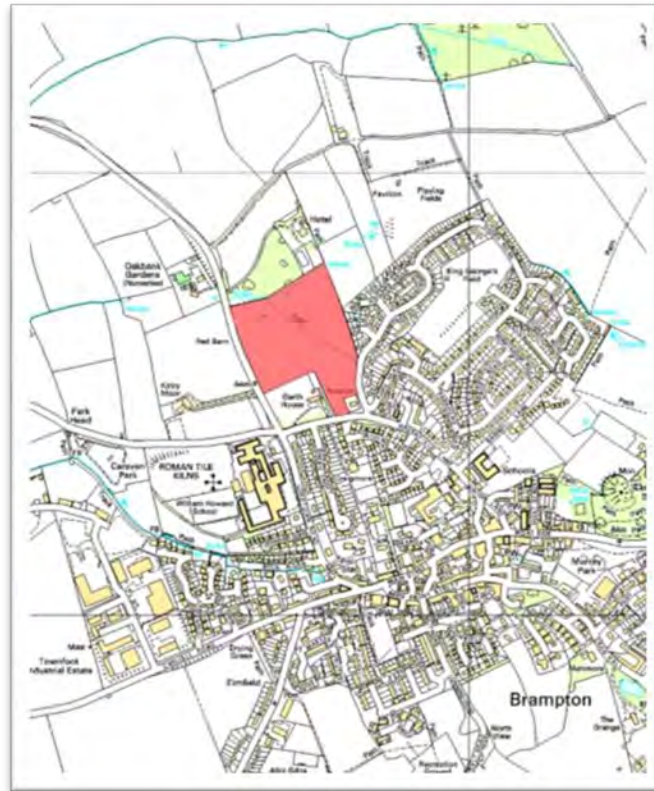
BRAM2 – Land west of Kingwater Close:



BRAM3- Land east of Gelt Rise:

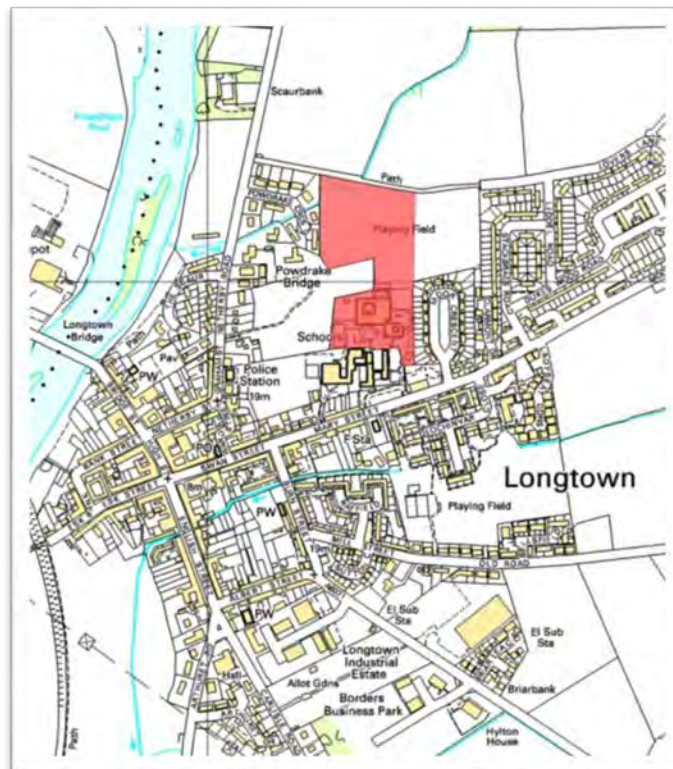


BRAM4 – Land north of Greenfield Lane:



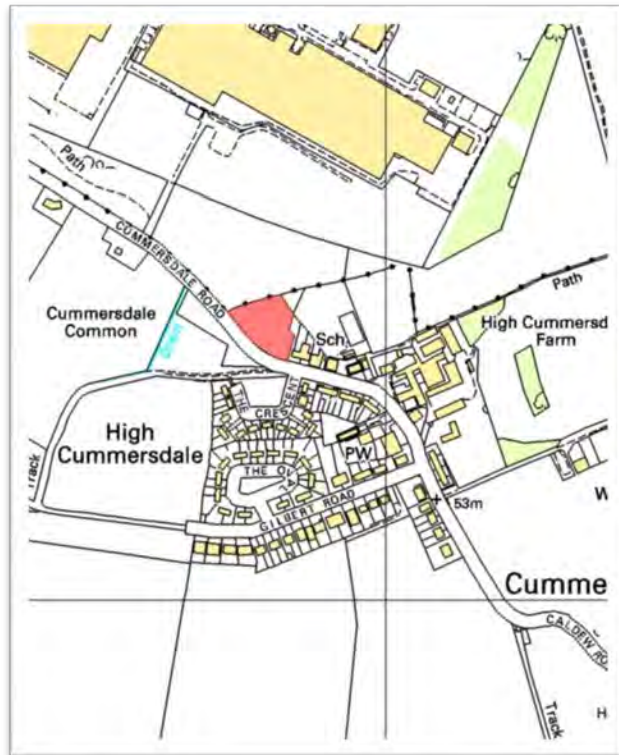
Longtown

LONG1 – Site of former Lochinvar School:



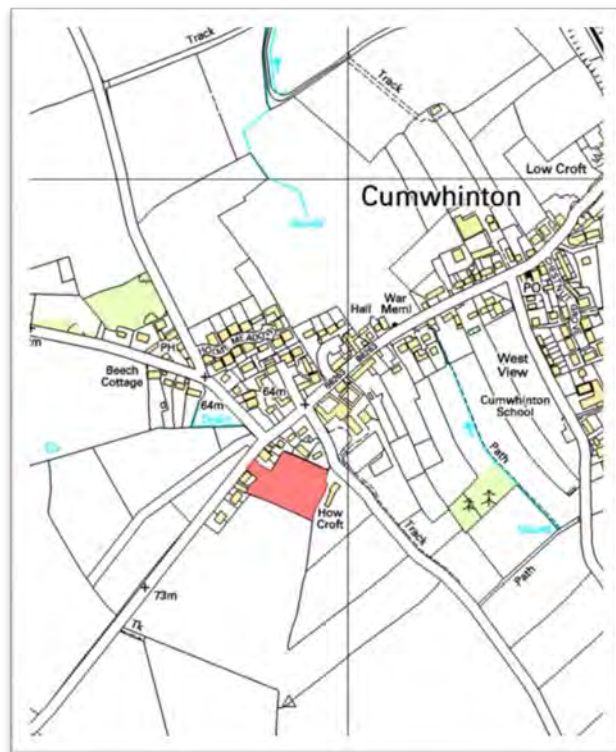
Cummersdale

CUMM1 – Land east of Cummersdale Road:

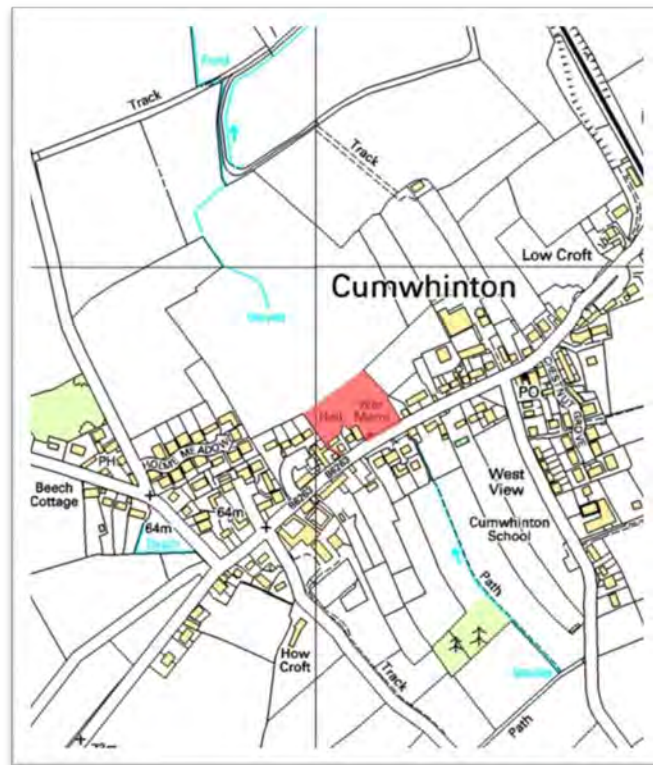


Cumwhinton

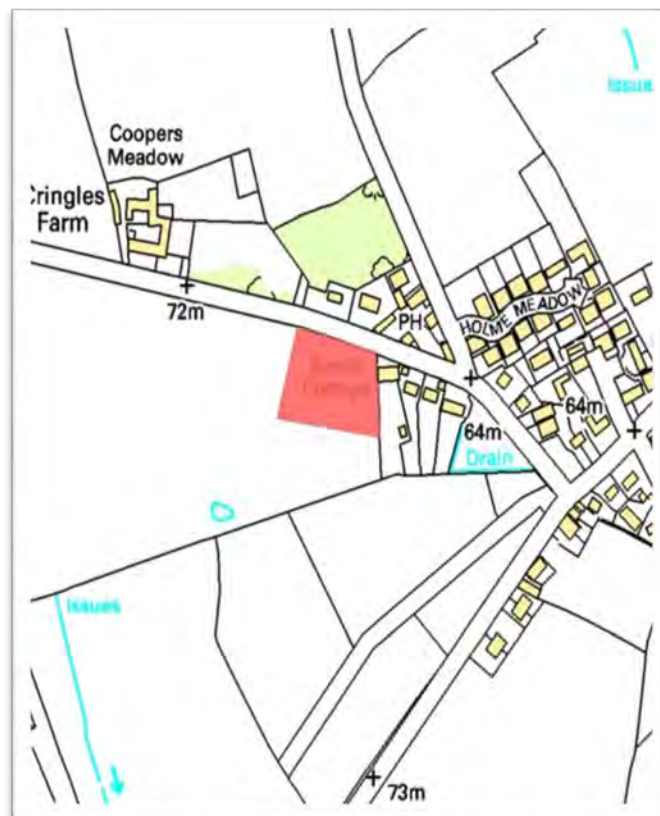
CUMW1 – Land west of How Croft:



CUMW2 – Land north of St John’s Hall, B6263:

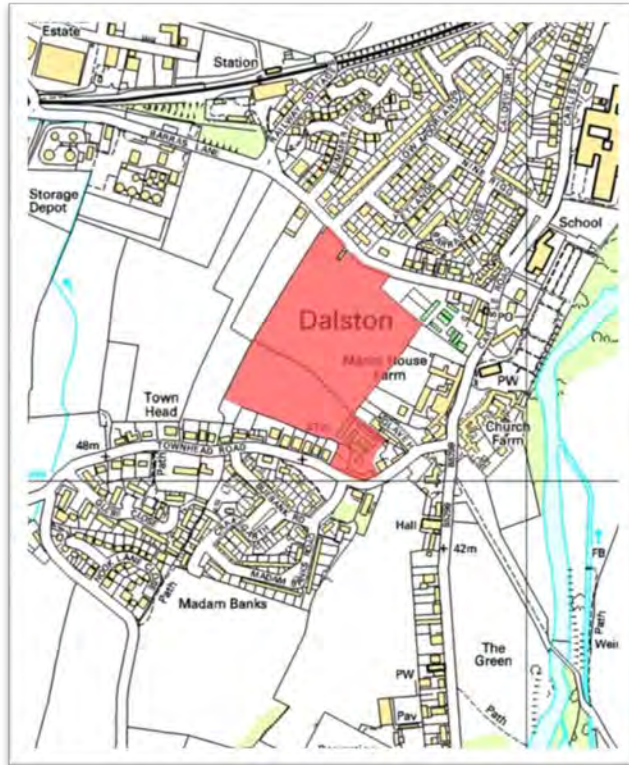


CUMW3 – Land adjacent to Beech Cottage



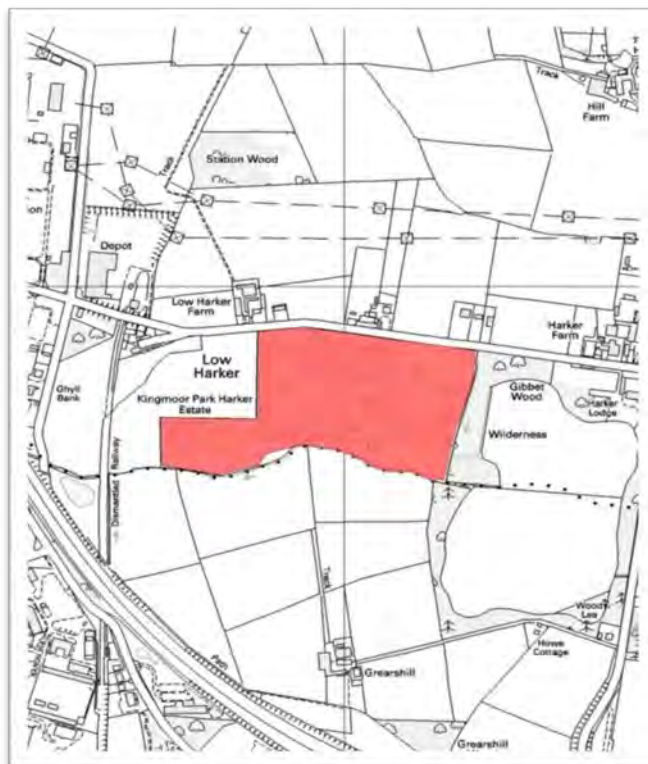
Dalston

DALS1 – Land between Station Road/Townhead Road:



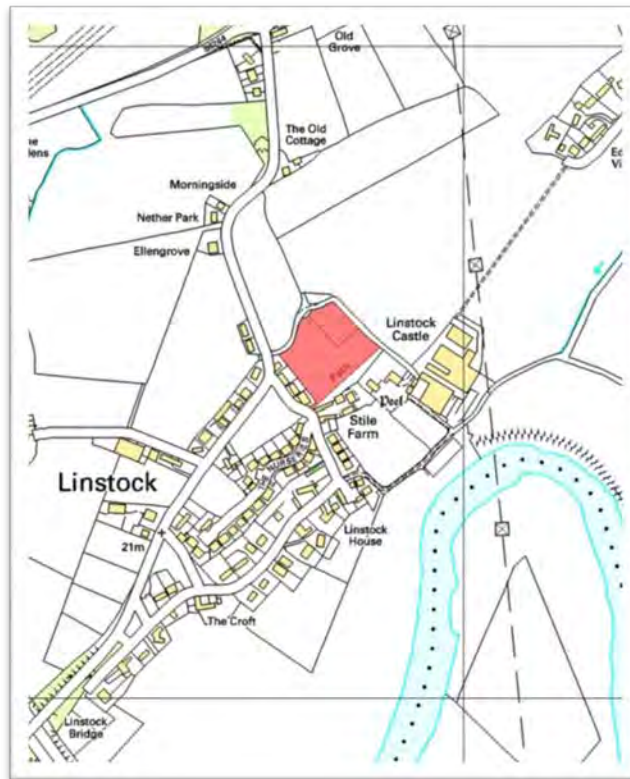
Harker

HARK1 – Kingmoor Park Harker Estate:



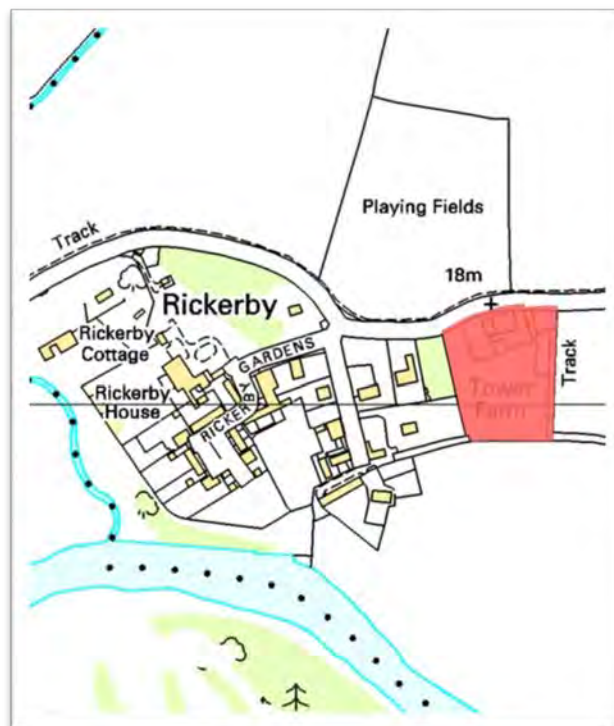
Linstock

LINS1 – Linstock North:



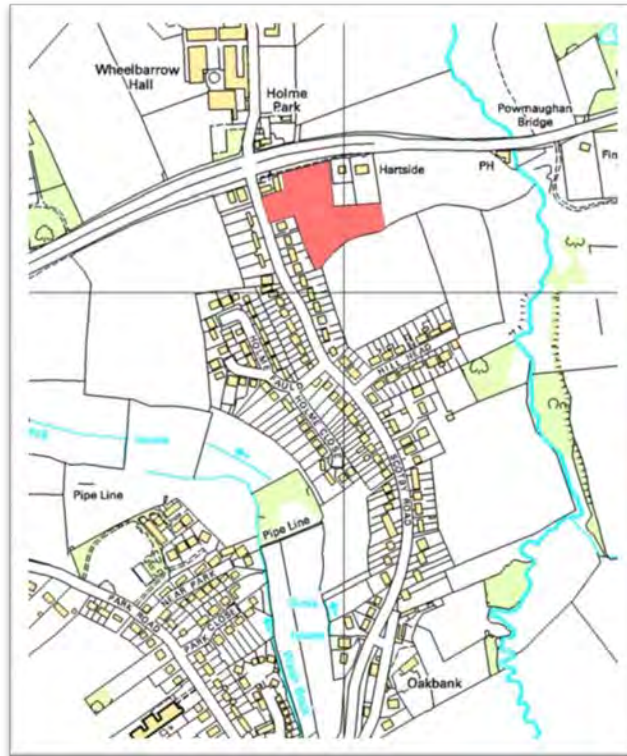
Rickerby

RICK1 – Land at Tower Farm:

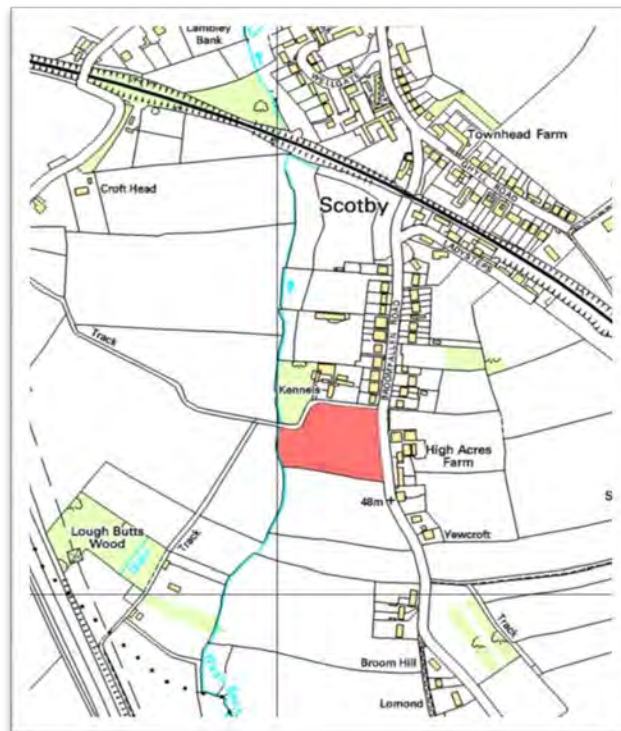


Scotby

SCOT1 – Land east of Scotby Road:

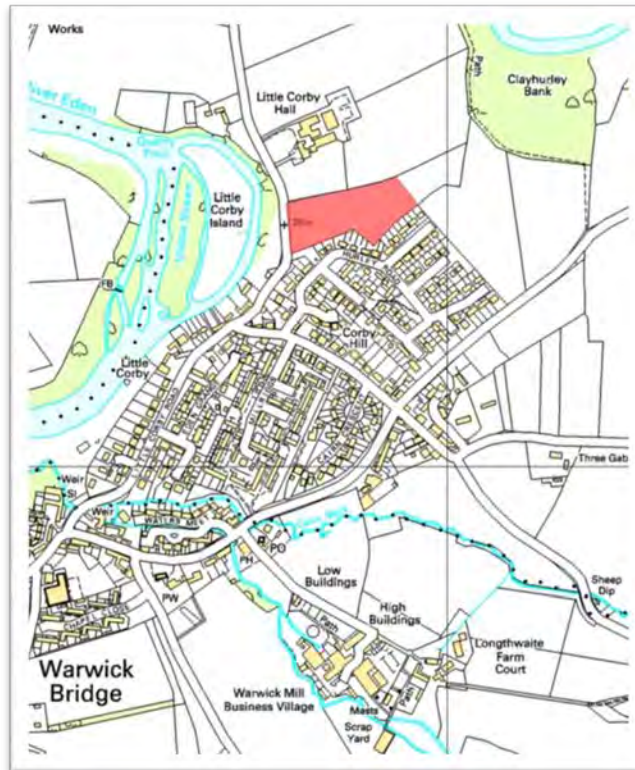


SCOT2 – Land at Broomfallen Road:



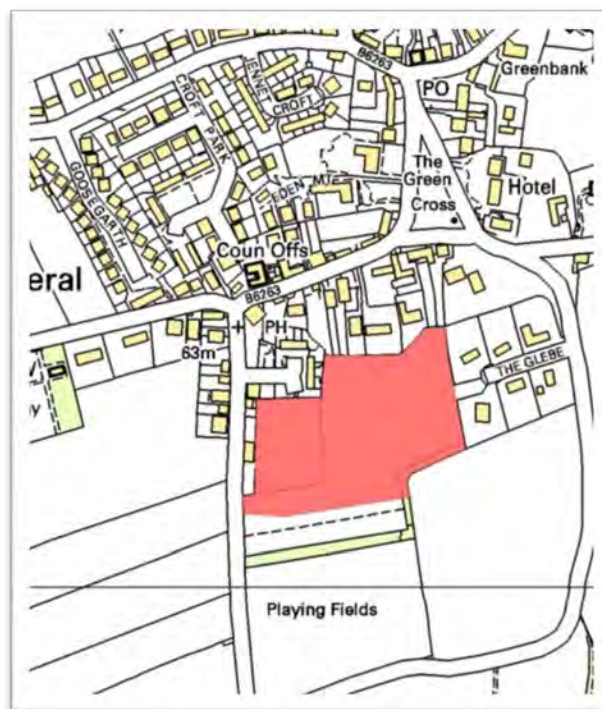
Warwick Bridge

WARW1 – Warwick Bridge/Little Corby North:

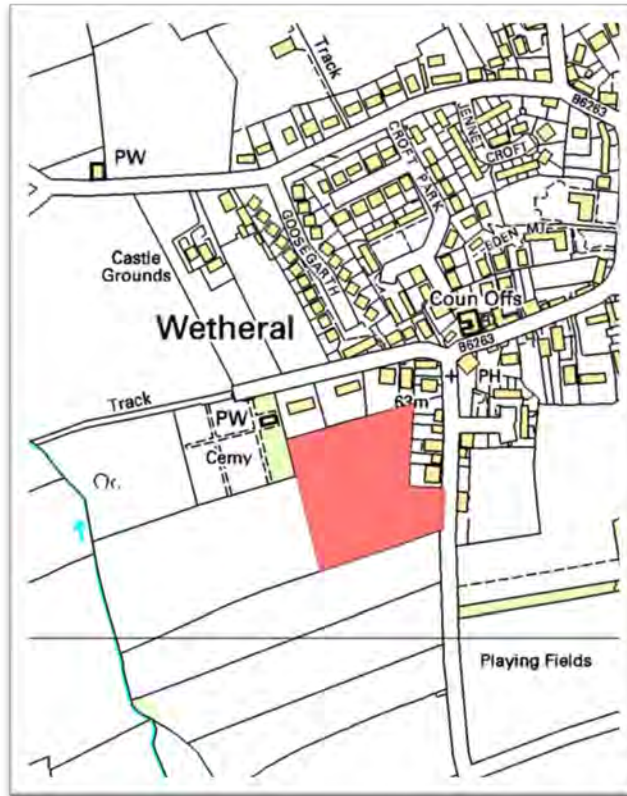


Wetheral

WETH1 – Wetheral South:

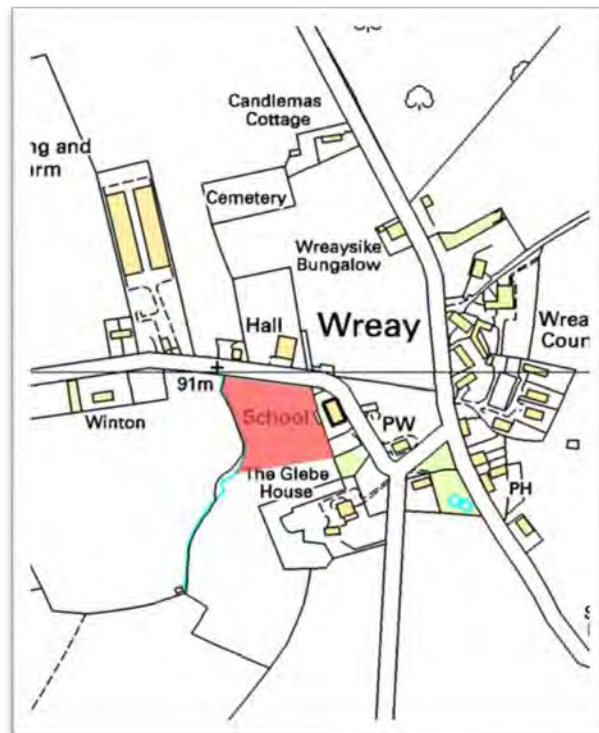


WETH2 – Land west of Steele’s Bank:



Wreay

WREA1 – Land west of Wreay School:



Appendix 1 Preferred Housing Allocations Alternative Options

The following sites are alternative options for housing allocations.

They have **not** been allocated for housing development. They have been included in the second stage Preferred Options consultation to show other sites that were considered as part of the process leading to the selection of sites.

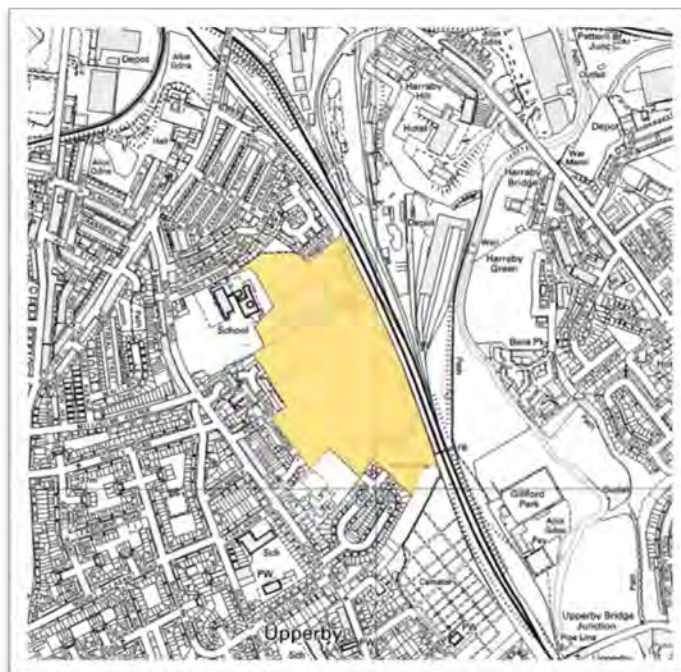
All sites have been assessed against a standard range of factors including location; landscape impact; biodiversity; impact on heritage assets; highways issues; flooding; other deliverability issues such as ownership; etc.

Comments will be invited on the alternative options, and the Council will consider any new information or evidence regarding their suitability and/or achievability for allocation. The status of sites included here as alternatives may be subject to change in response to the second stage Preferred Options consultation.

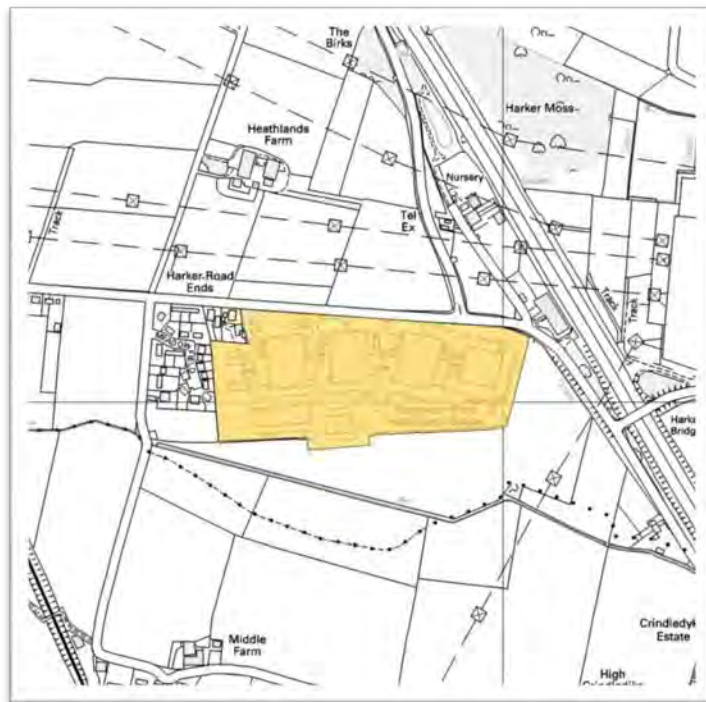
The alternative options should not be regarded as allocations. They are not proposals for development. Alternative sites will not be included within the Local Plan once the finalised version is published and subsequently adopted.

Carlisle

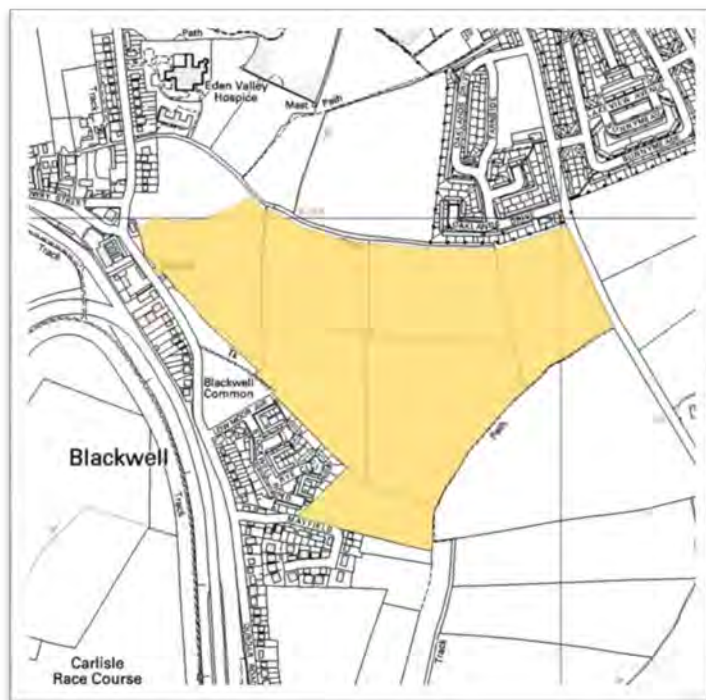
Land at York Gardens, Currock:



Heathlands Industrial Estate, Kingmoor:



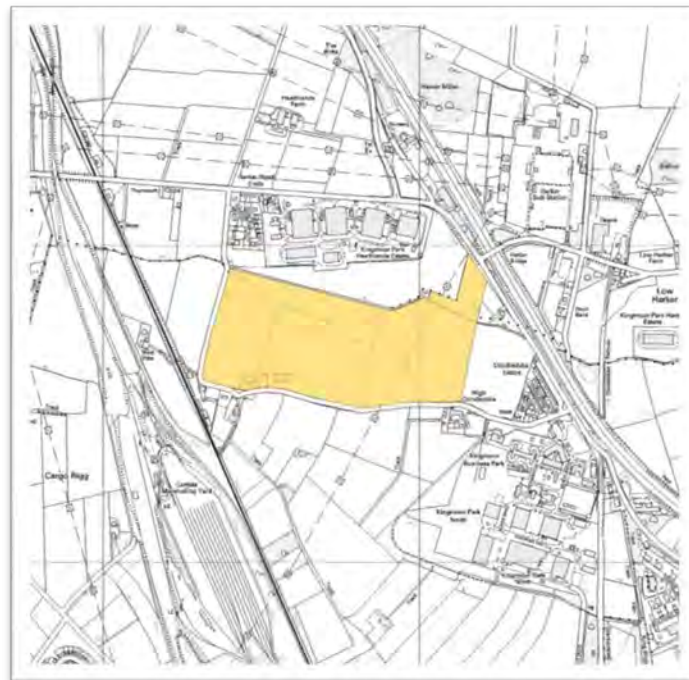
Land at Blackwell:



Land at High Crindledyke:



Land at Middle Farm, Crindledyke



Land at Etterby:



Land off Beverley Rise, Harraby:



Land at Deer Park, Belah:



Land off Brisco Rd, Upperby:

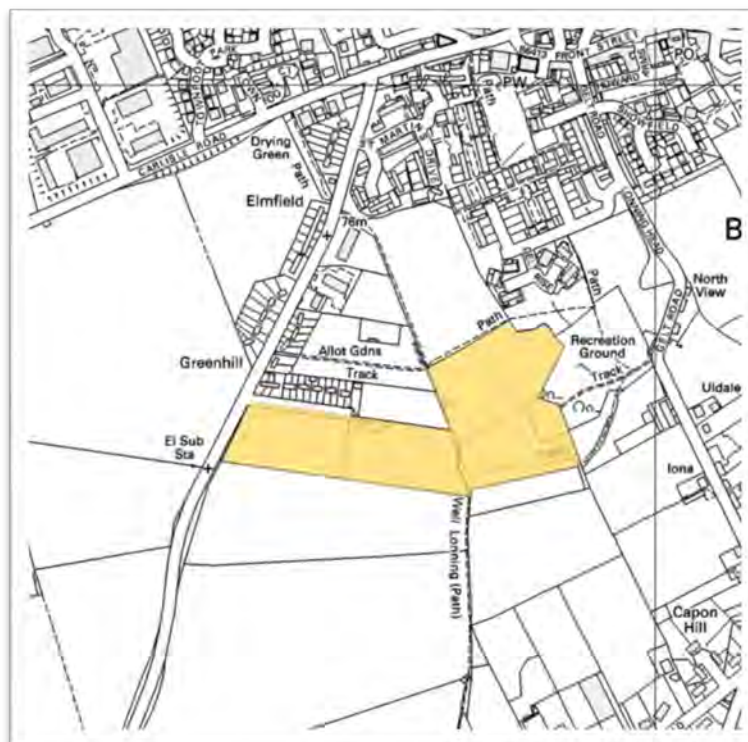


Land at Dene Crescent, Belah



Brampton

Land off Greenhill Rd:



Land off Old Church Lane:



Land off Capon Tree Road:

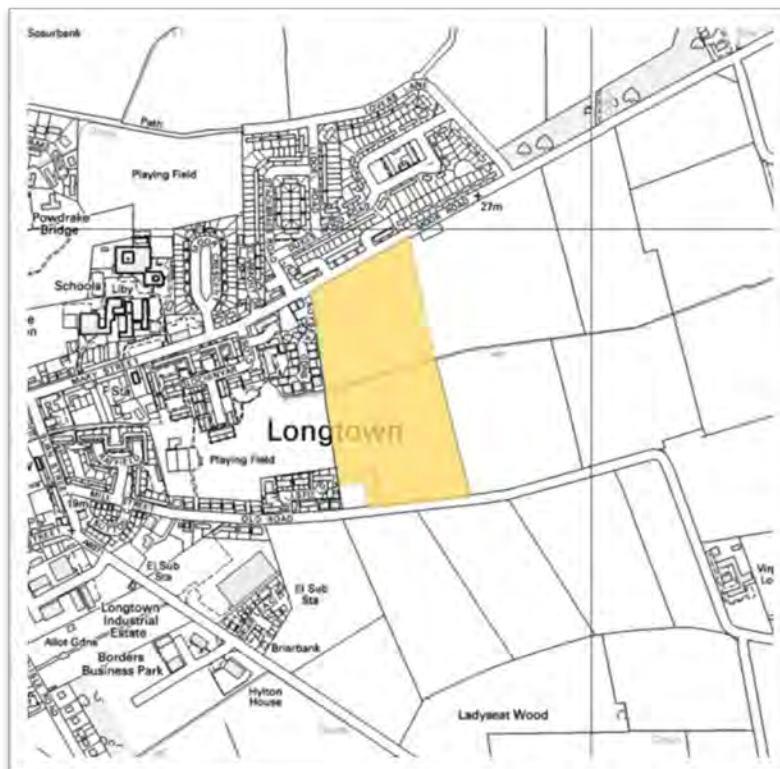


Longtown

Land off Old Road:



Land off Moor Road:

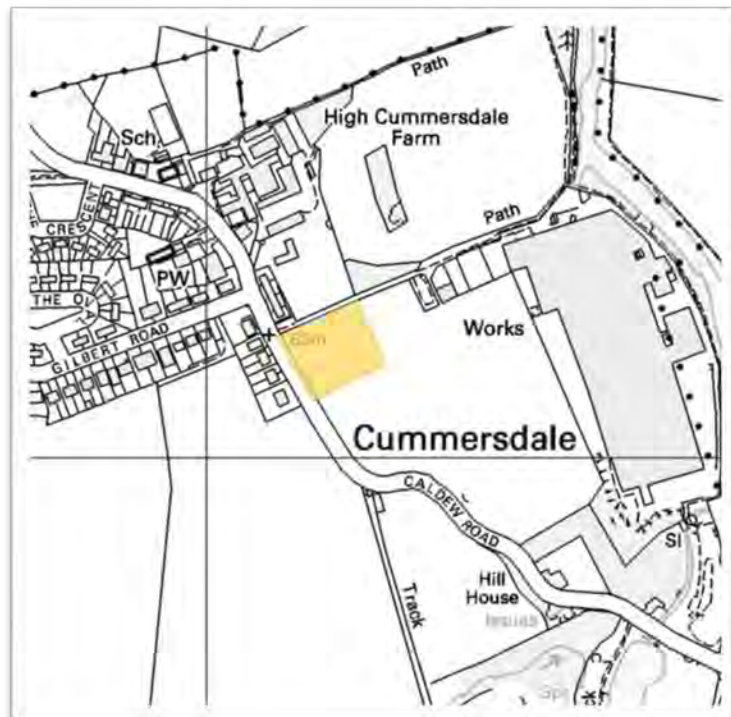


Land at Lochinvar Close

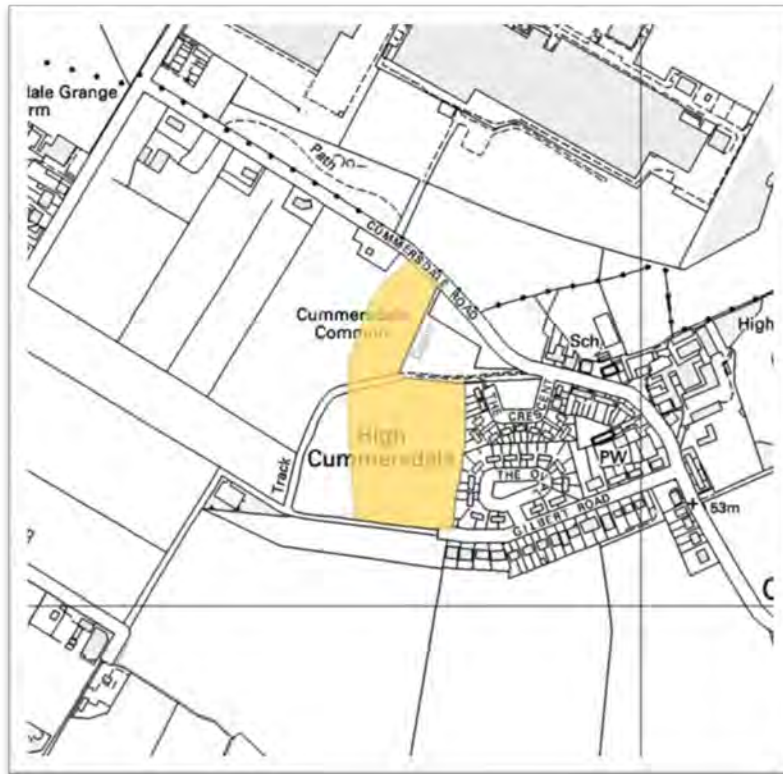


Cummersdale

Land off Caldew Road:



Land off Cummersdale Road:



Cumwhinton

Land north of B6263:

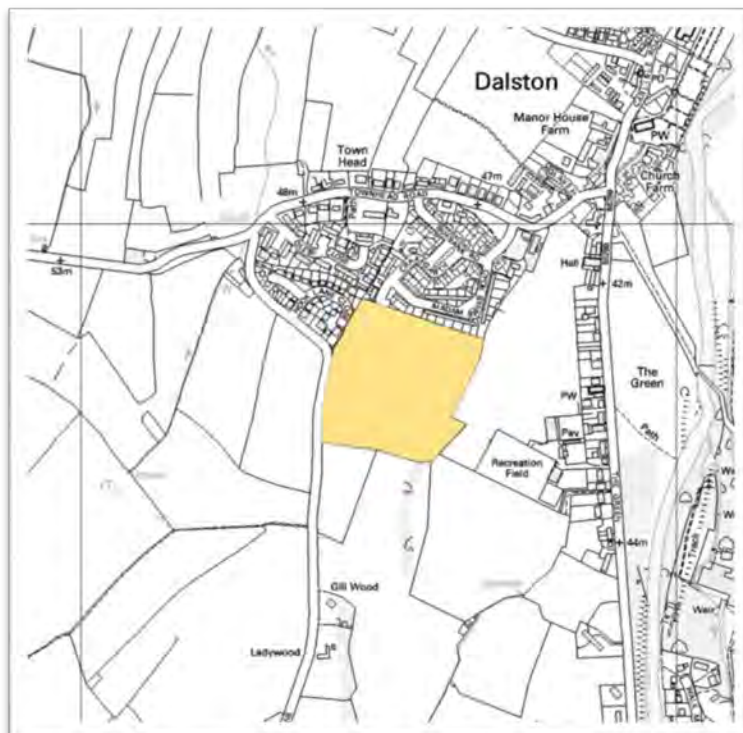


Dalston

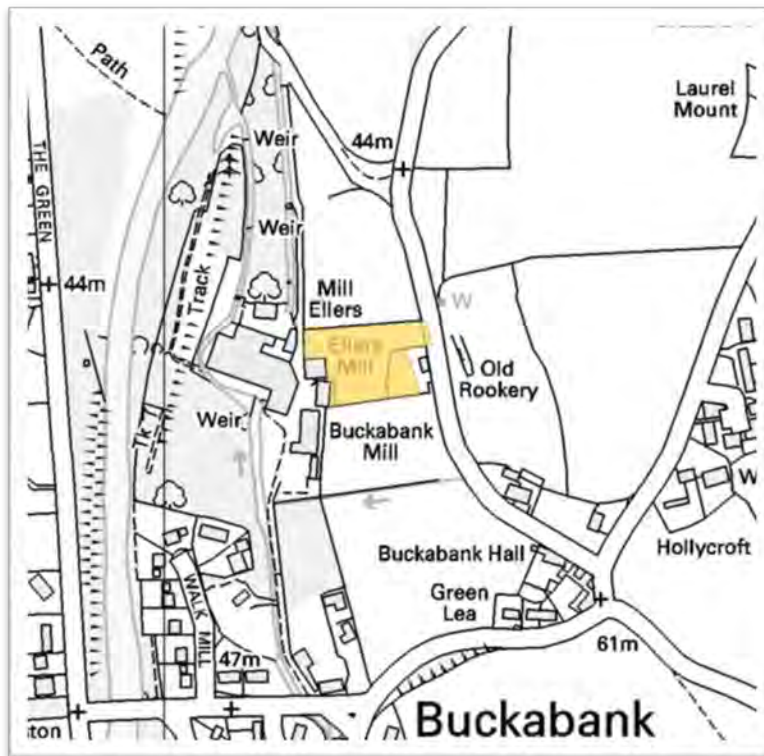
Land at Buckabank:



Land to the South of Dalston:



Land at Ellers Mill, Buckabank:



Durdar

Land at Durdar Farm:

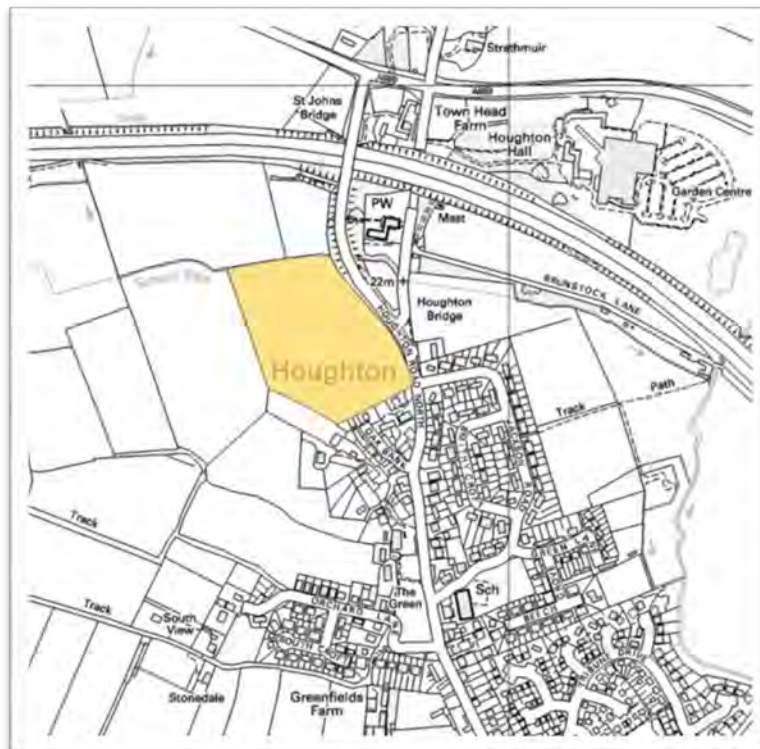


Houghton

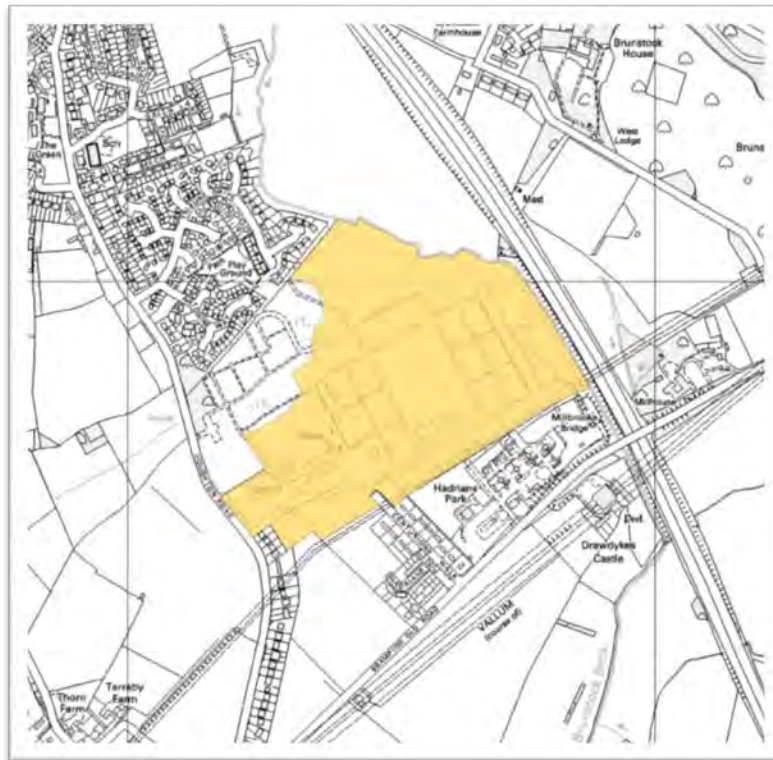
Land to the north east of Houghton:



Land west of Houghton Road:

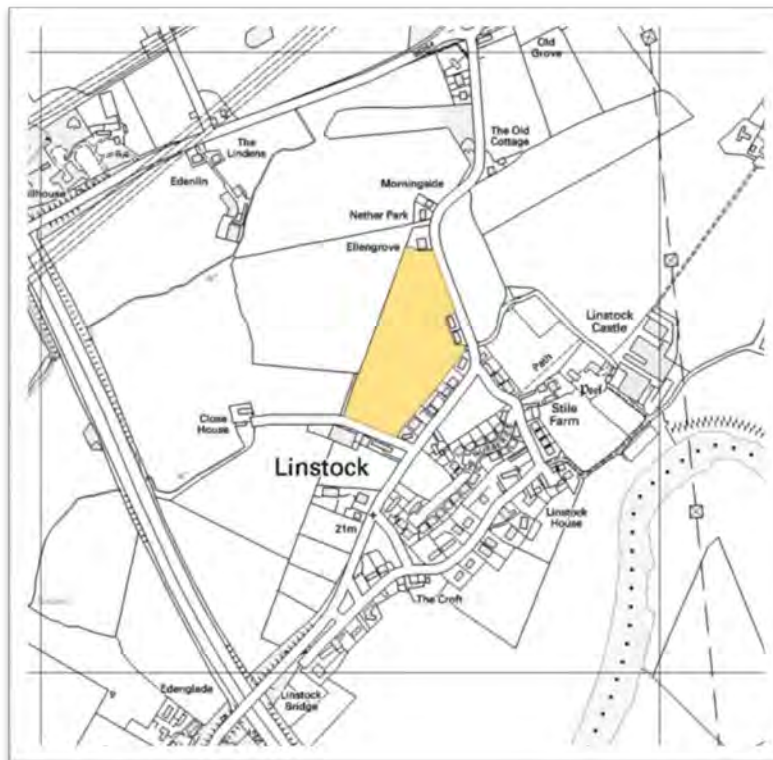


Land at Hadrian's Camp, Houghton:



Linstock

Land to the west of Linstock:



Land to the east of Linstock:

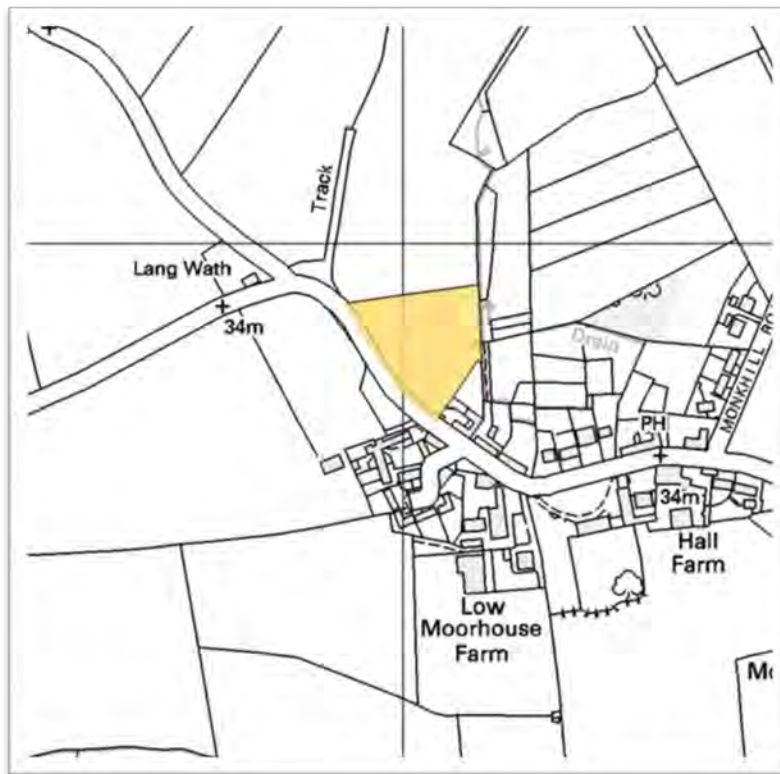


Moorhouse

Land to the east of Moorhouse:

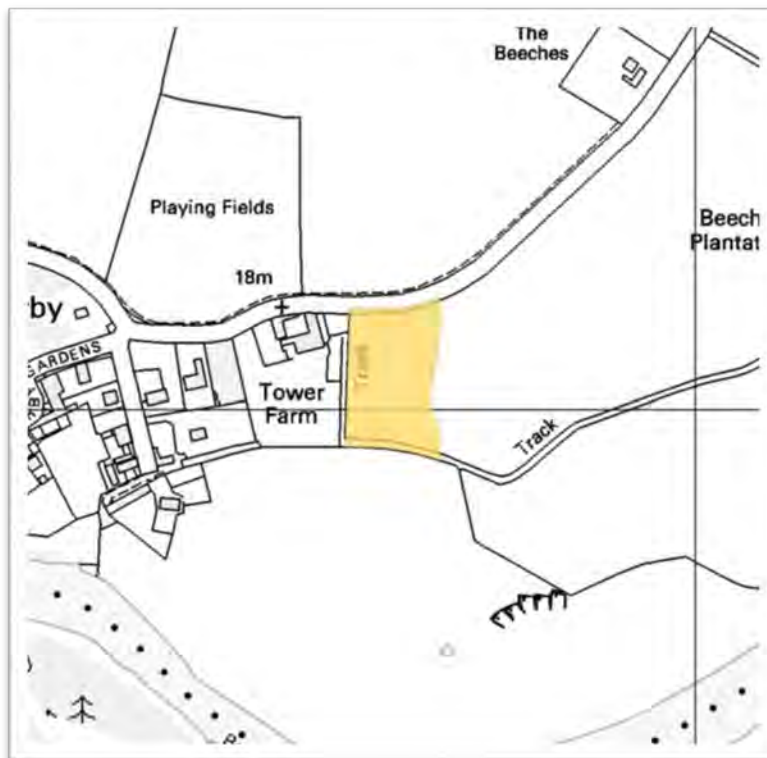


Land north of Low Moorhouse Farm:



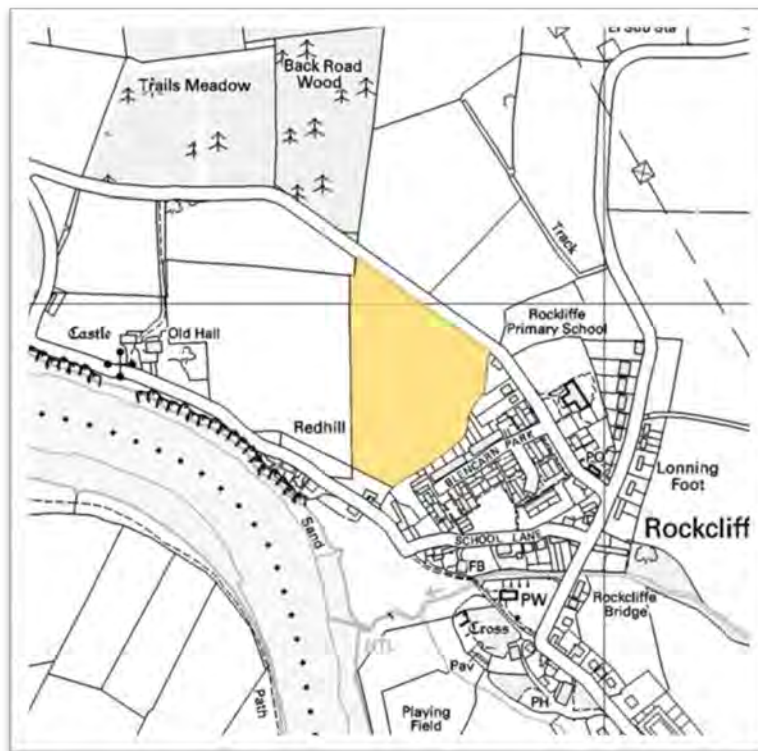
Rickerby

Land east of Tower Farm, Rickerby:

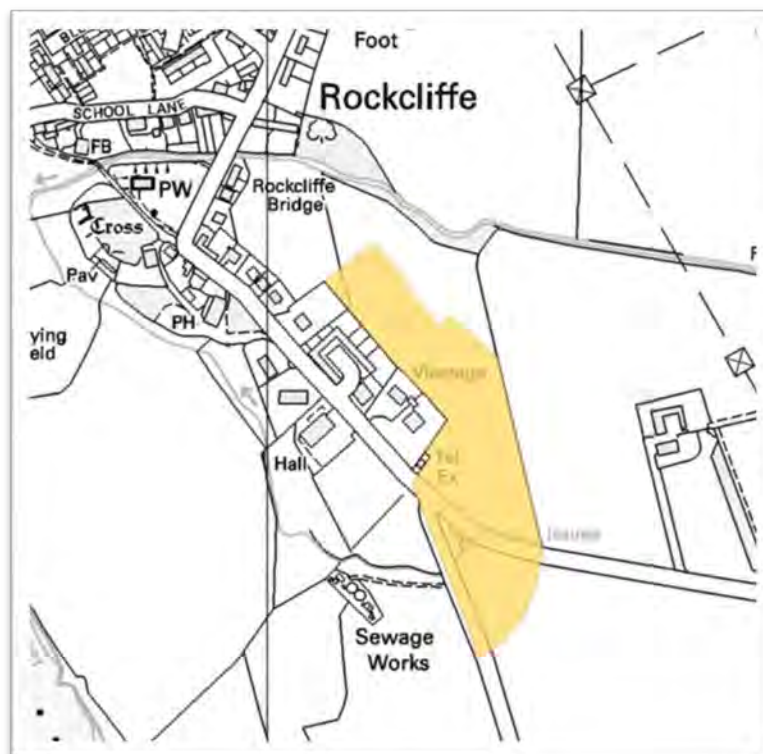


Rockcliffe

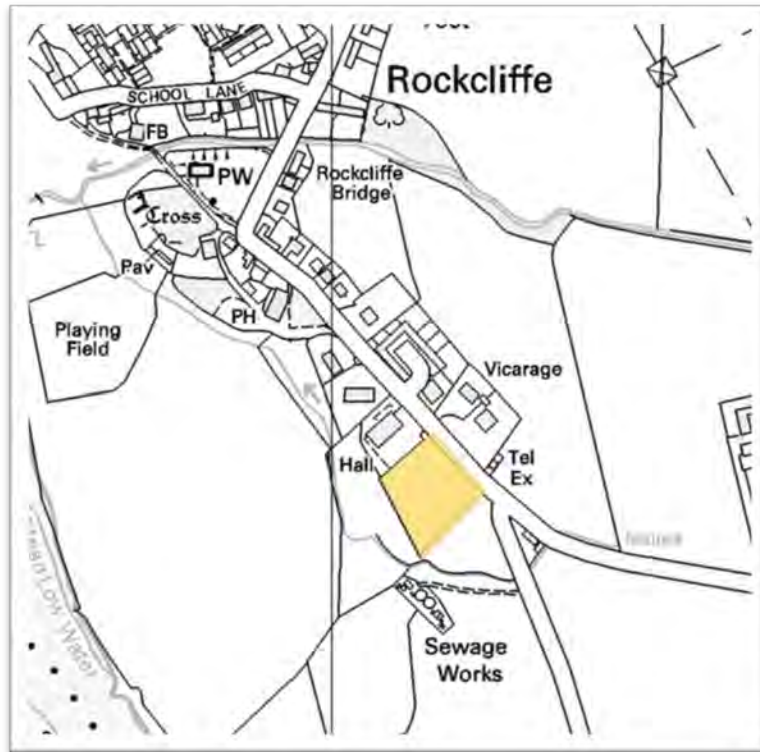
Land adjacent Blencarn Park, Rockcliffe:



Land by the Telephone Exchange, Rockcliffe:



Land south of Rockcliffe Memorial Hall:

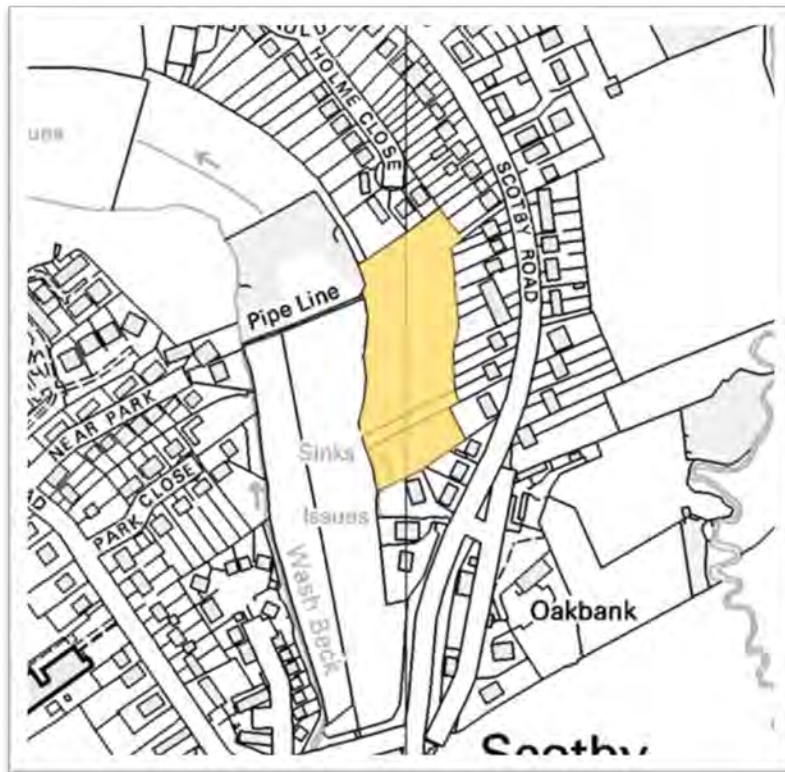


Scotby

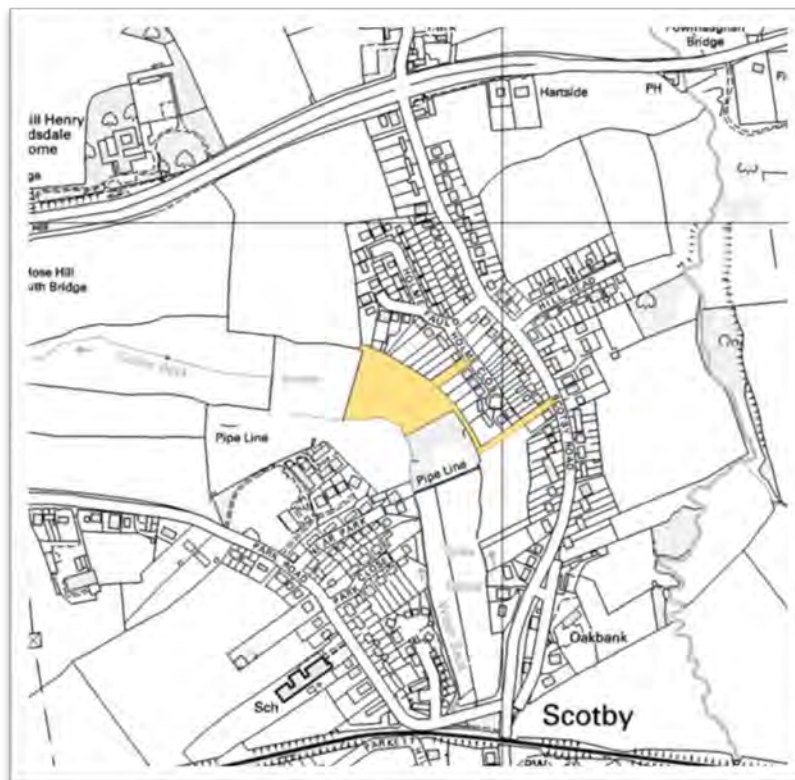
Land off Hill Road:



Land east of Scotby Road:

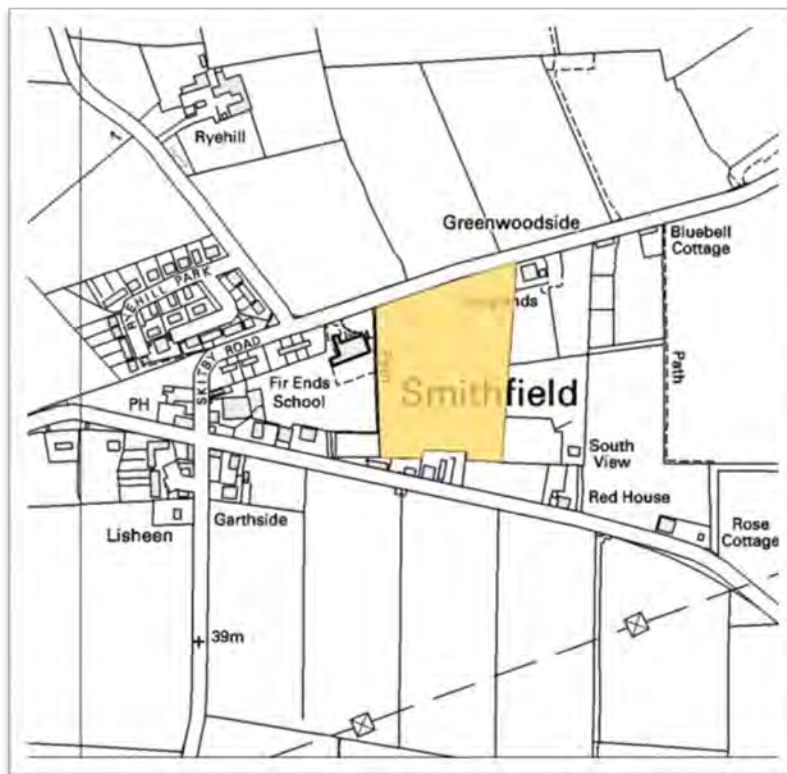


Land off Holme Close, Scotby:



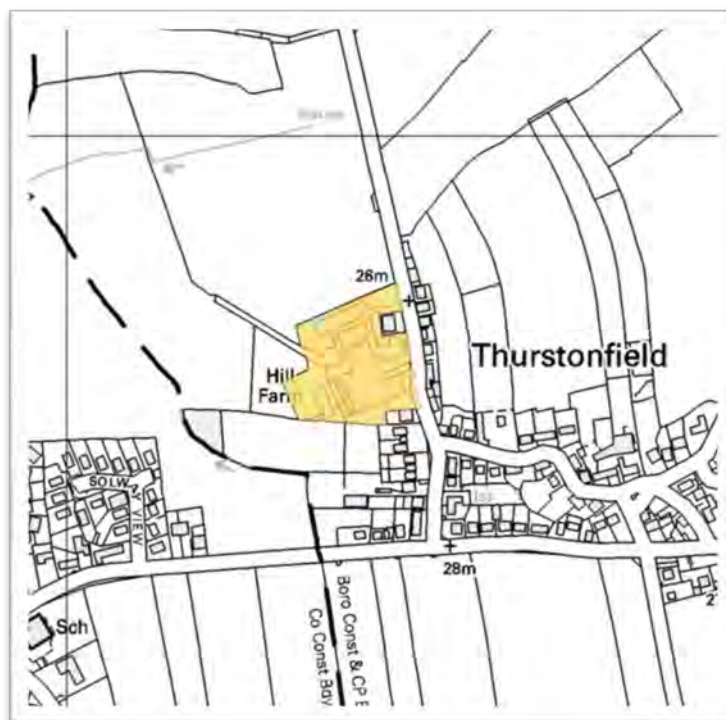
Smithfield

Land east of Fir Ends School, Smithfield:

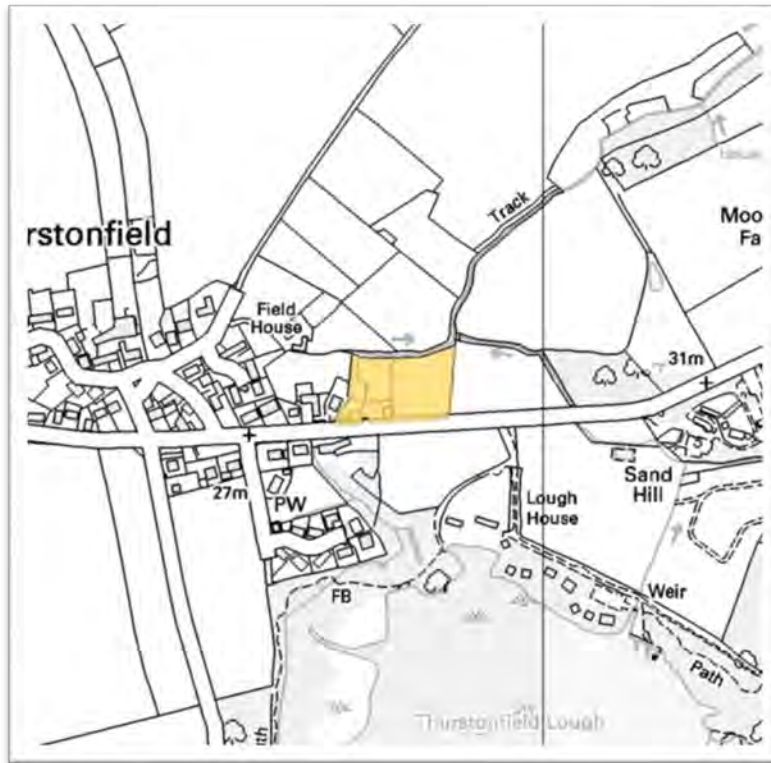


Thurstonfield

Land at Hill Farm, Thurstonfield:

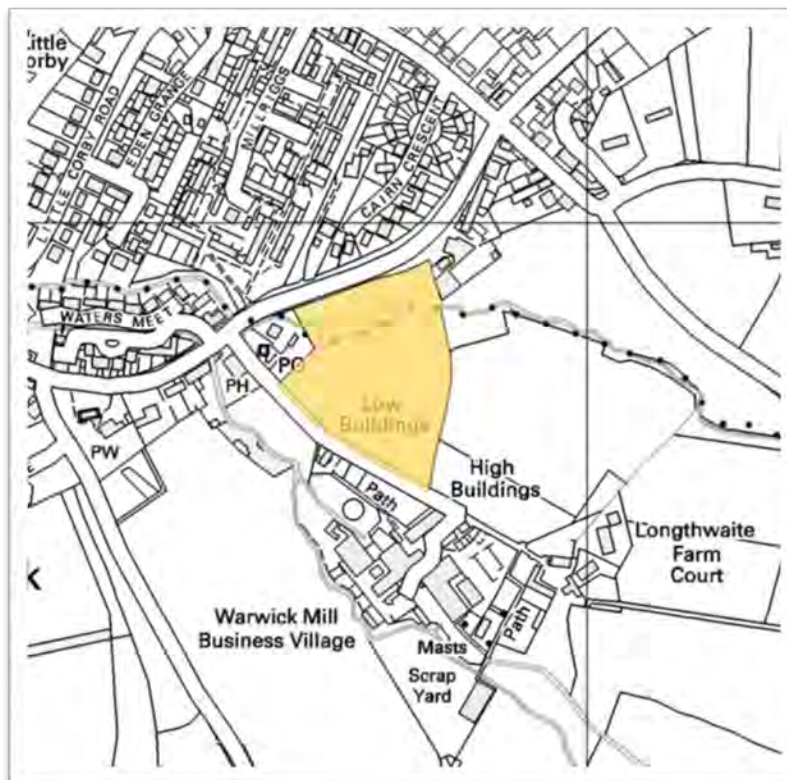


Land to the west of Thurstonfield:

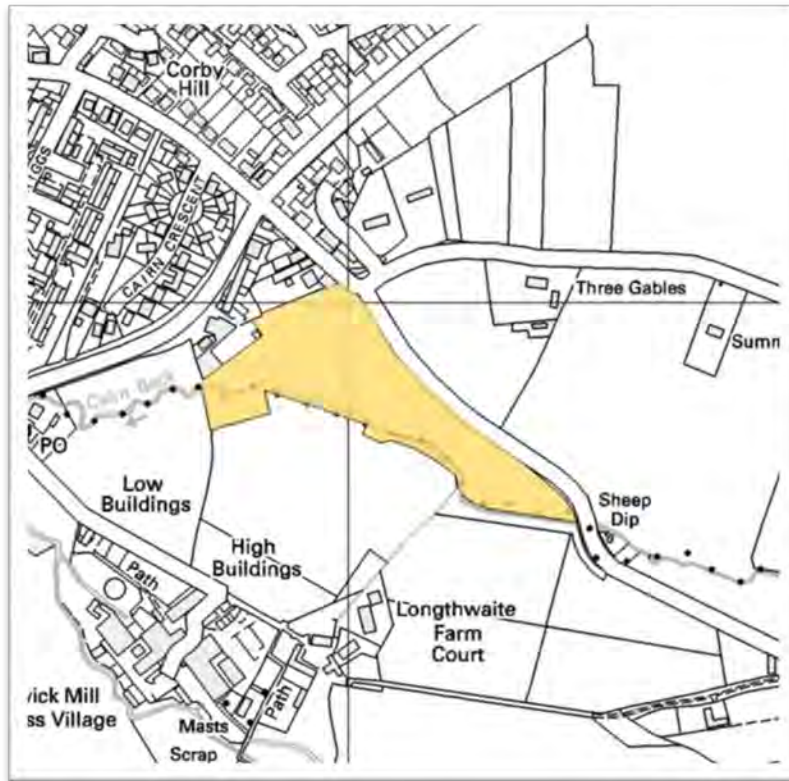


Warwick Bridge

Land south of A69, Warwick Bridge:



Land off Heads Nook Road, Warwick Bridge:



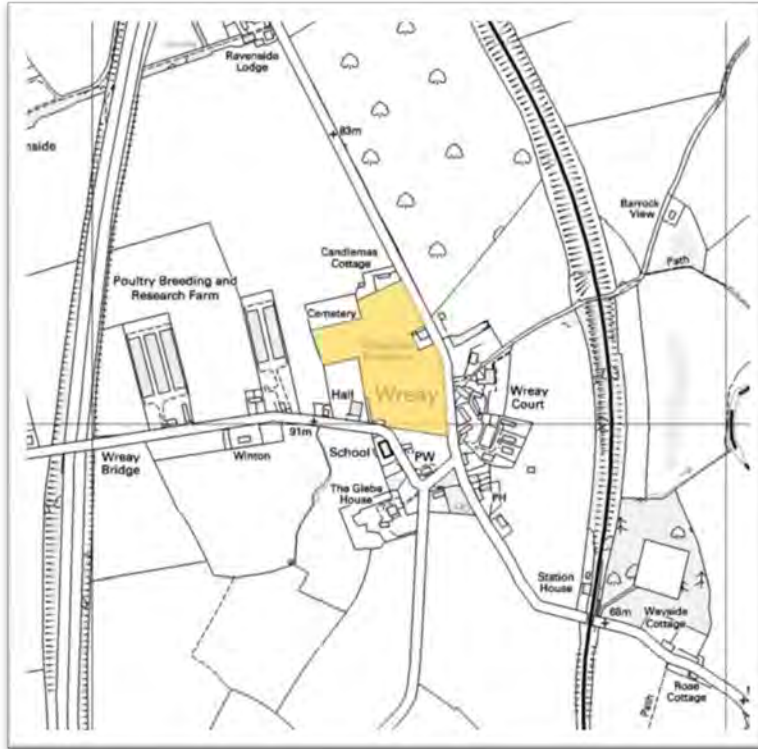
Wetheral

Land off Plains Road, Wetheral:



Wreay

Land at Wreay:



Appendix 2 Transport Assessments and Travel Plans

Outlined below are guidelines for when Transport Assessments and Travel Plans will be automatically required as part of a planning application for new development. These guidelines are taken from the Cumbria Local Transport Plan.

Transport Assessments

Proposals which, individually or cumulatively, meet the following scale of development will require a transport assessment:

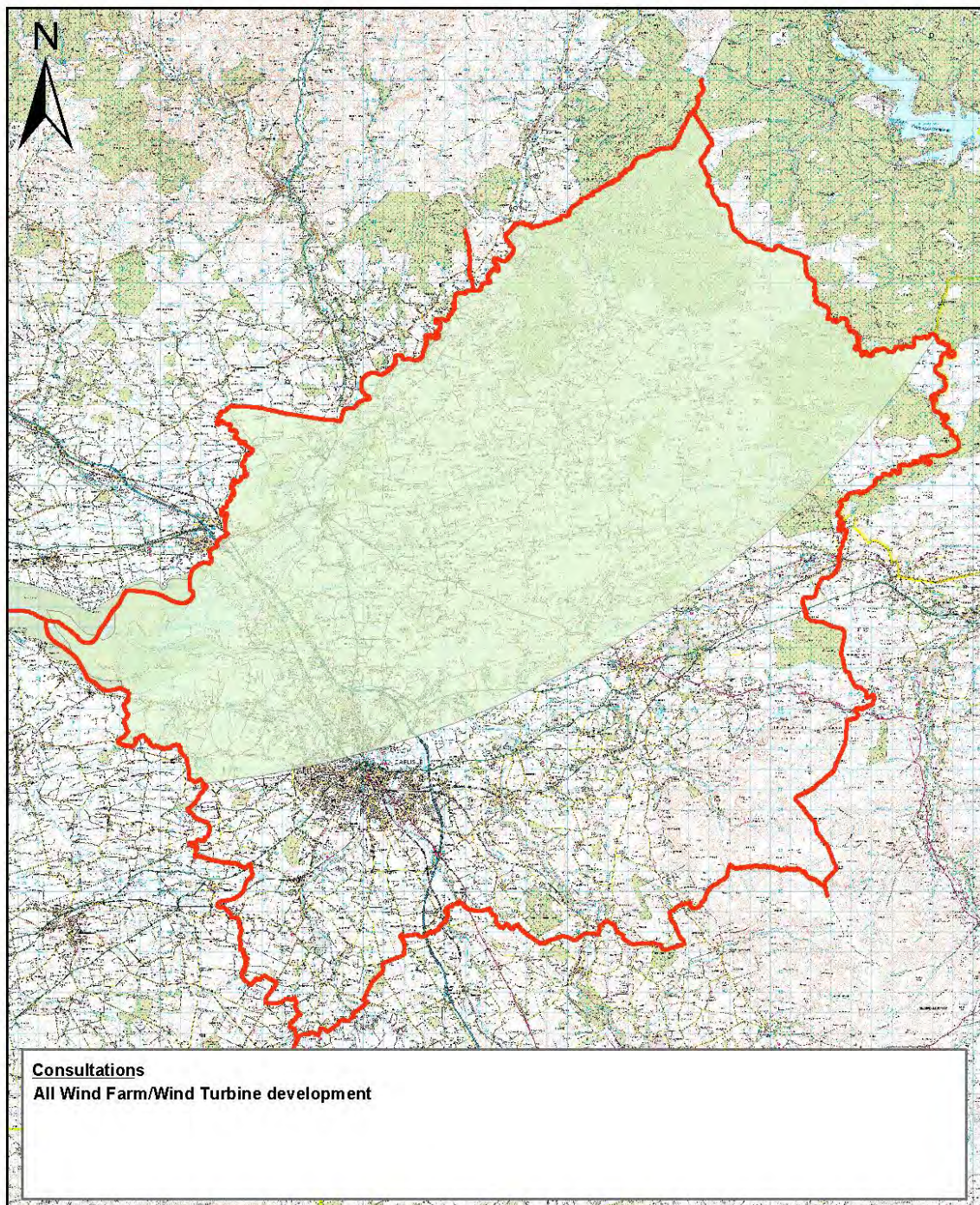
- Residential development in excess of 100 units.
- Employment uses in excess of the following gross floor space: business 2500m², industry 5000m², warehousing and distribution 10000m².
- Other developments in excess of 1,000m².
- Hotel developments in excess of 100 bedrooms.
- Caravan or similar holiday sites in excess of 100 units.
- Any development that generates in excess of 100 HGV per day or 100 vehicles per hour.
- Any development that adds materially to local traffic congestion.
- Any development that may impact on the trunk road network.

Travel Plans

Travel Plans will be required for proposals for:

- Retail and indoor leisure facilities in excess of 1,000m².
- Industrial development in excess of 5000m² and warehousing/distribution developments in excess of 10000m².
- Office, education and health services development in excess of 2,500m².
- New and expanded school facilities.
- Development that would otherwise generate local traffic problems identified through a transport assessment or an evaluation of a proposal.

Appendix 2 Safeguarding Zones

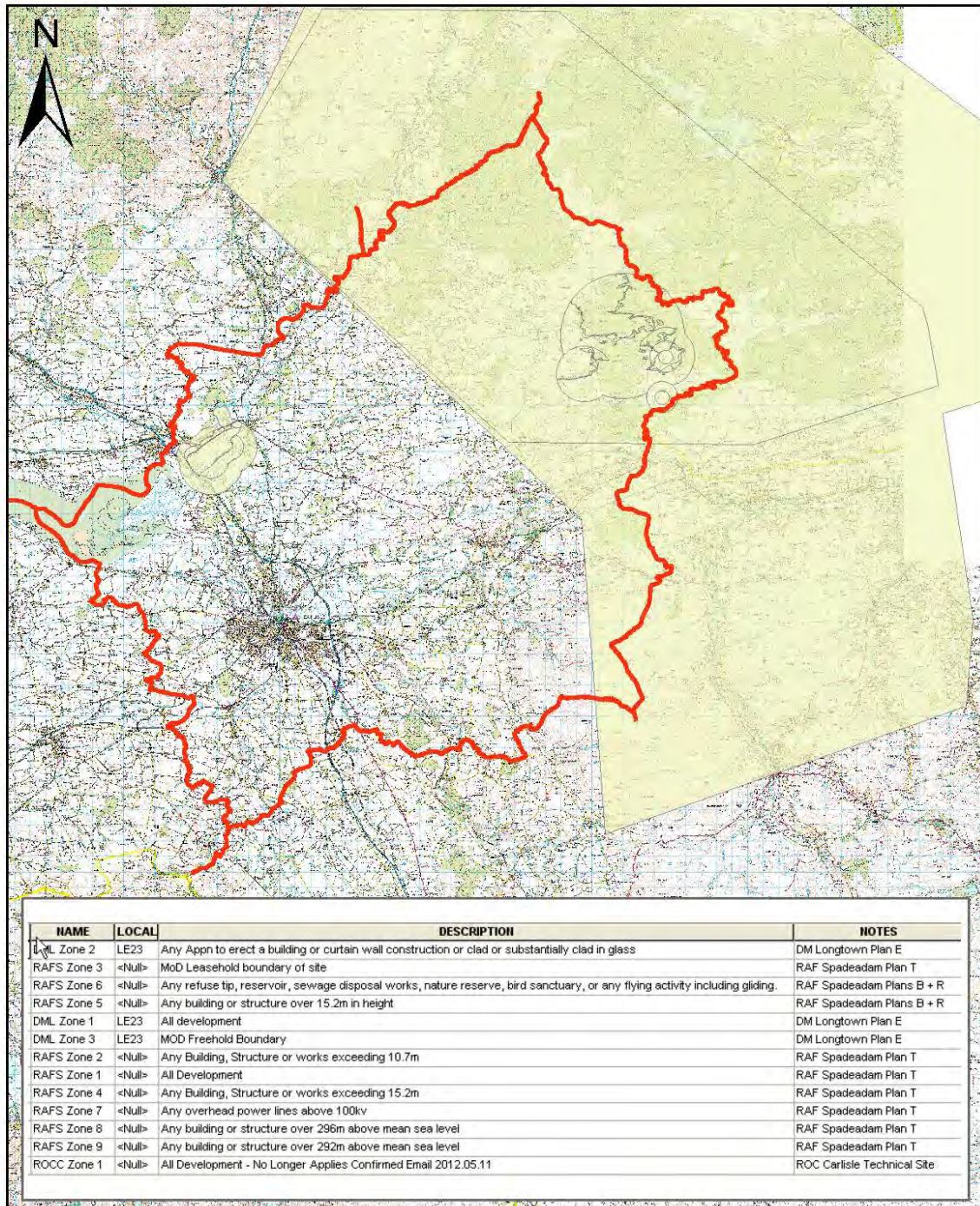


Eskdalemuir Seismic Research Station

Scale: 1:245,000 Date: 12/06/2013
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Carlisle City Council LA 0100024459. 2013.



Civic Centre
Rickergate
Carlisle
CA3 8QG



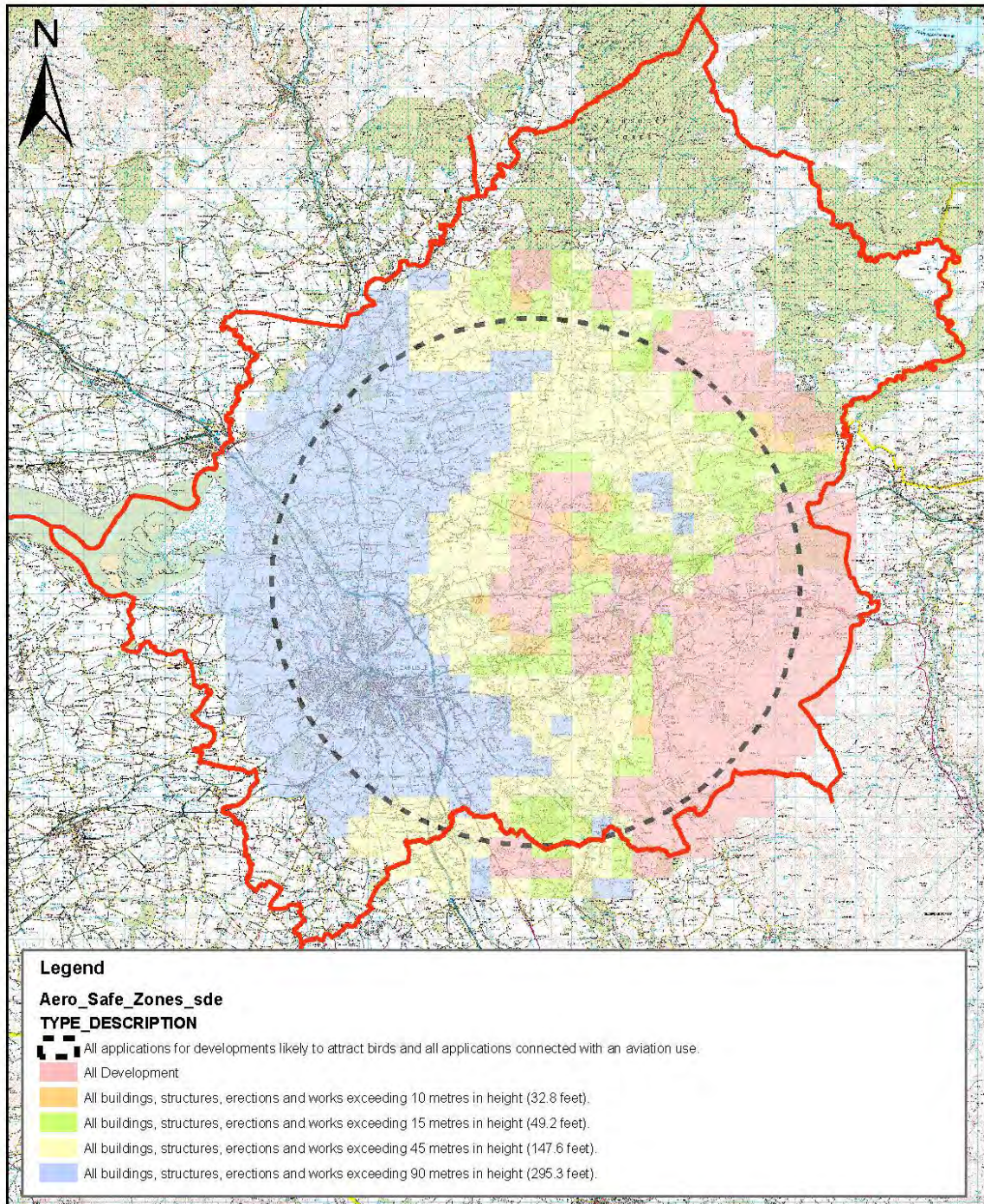
MOD - DML Longtown, RAF Spadeadam

Scale: 1:320,000 Date: 12/06/2013

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CA3 8QG**



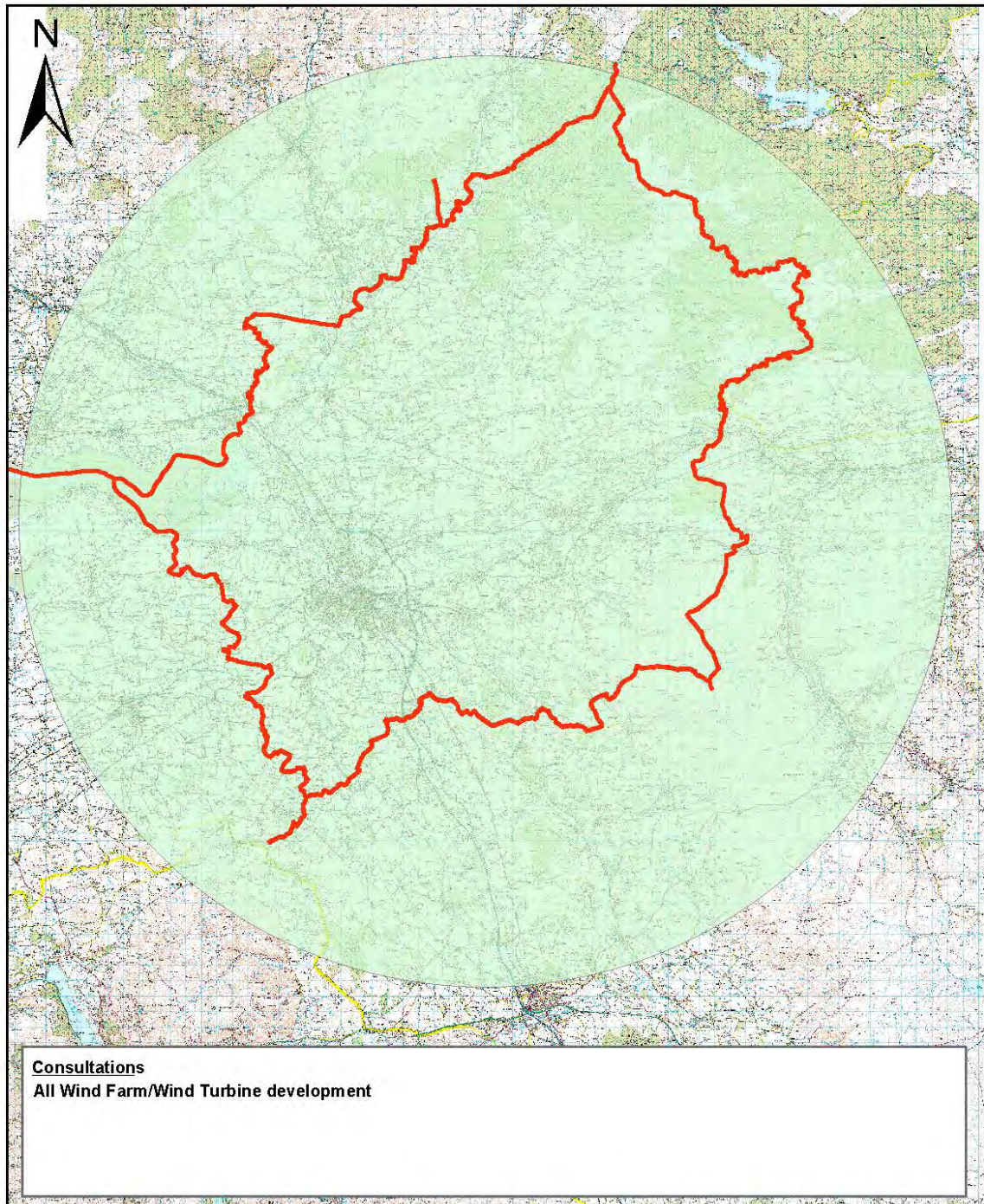
Carlisle Airport Safeguarding

Scale: 1:245,000

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Carlisle
CA3 8QG**



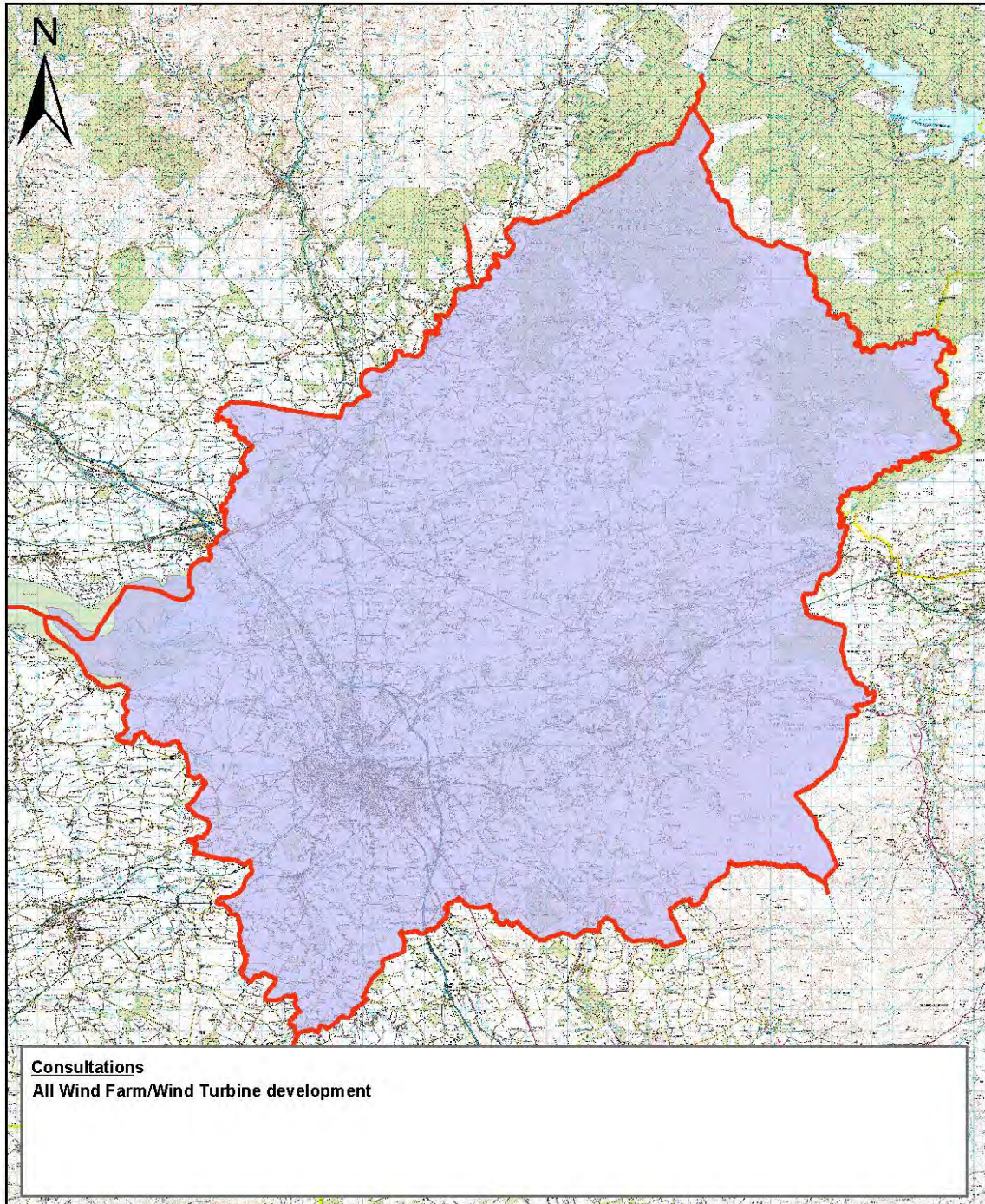
Carlisle Airport - Wind Farm/Wind Turbines

Scale: 1:320,000 Date: 12/06/2013

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Carlisle
CA3 8QG**

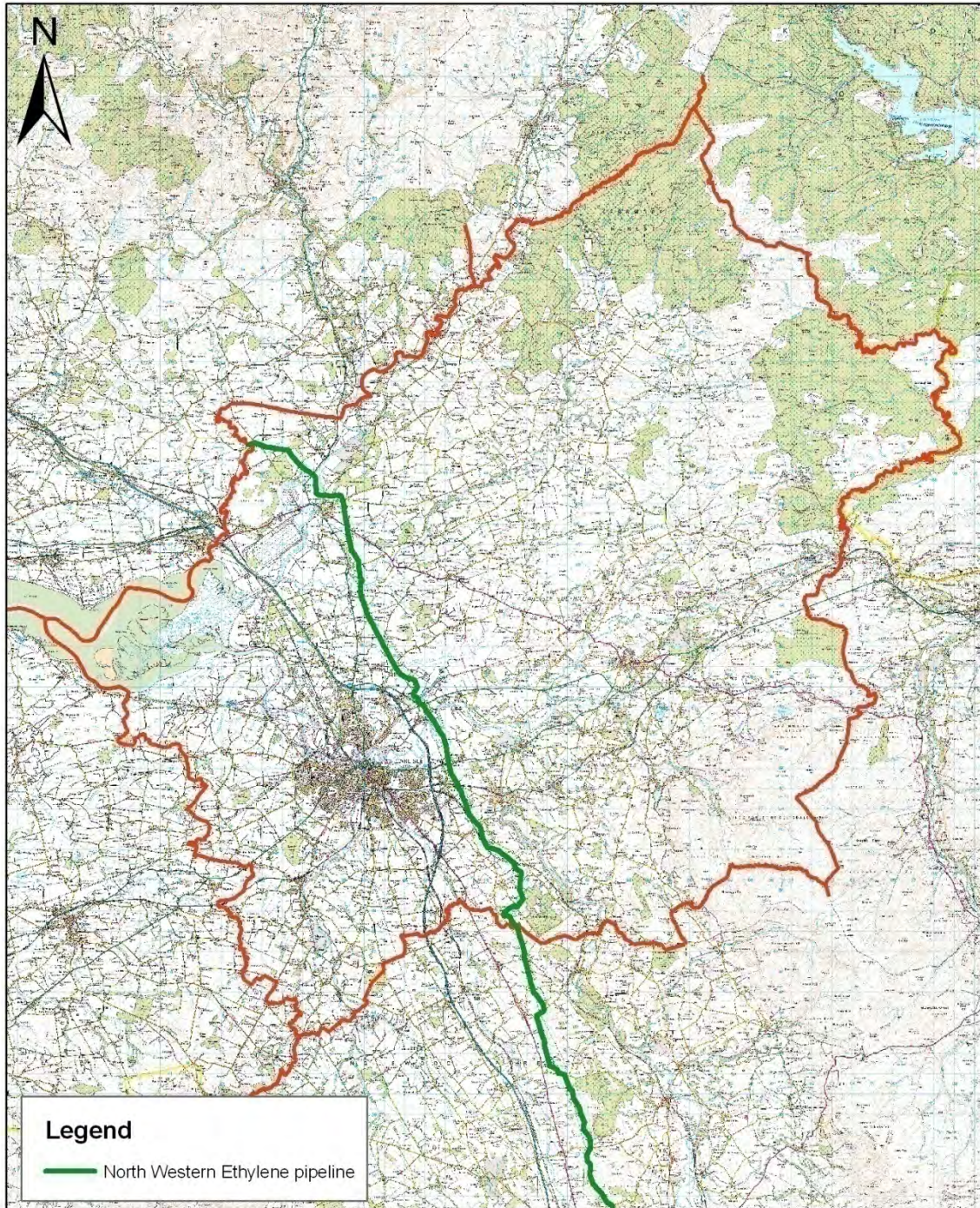


National Air Traffic Services

Scale: 1:245,000 Date: 12/06/2013
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Carlisle
CA3 8QG**



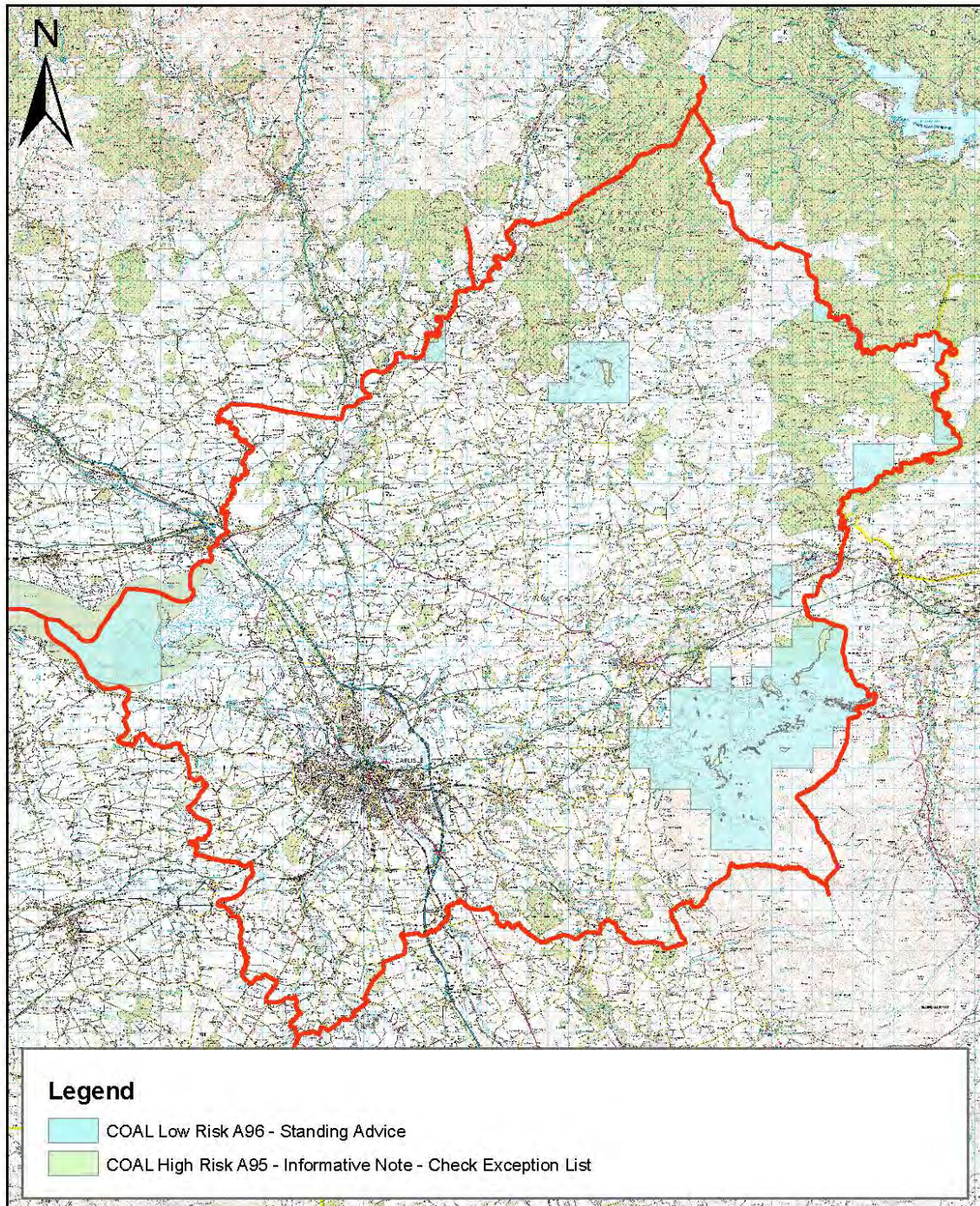
North Western Ethylene pipeline

Scale: 1:245,000 Date: 10/12/2013

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**Civic Centre
Rickergate
Carlisle
CA3 8QG**



Coal Authority

Scale: 1:245,000 Date: 12/06/2013

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**Civic Centre
Rickergate
Carlisle
CA3 8QG**

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| Report to Executive | Agenda Item: A.7 |
|----------------------------|-----------------------------------|

Meeting Date: 15 January 2014
 Portfolio: Economy and Enterprise
 Key Decision: Yes: Recorded in the Notice Ref:KD035/13
 Within Policy and Budget Framework YES
 Public / Private Public

Title: HCA FUNDING OFFER DURRANHILL INDUSTRIAL ESTATE
 Report of: DIRECTOR OF ECONOMIC DEVELOPMENT
 Report Number: ED02/14

Purpose / Summary:

The purpose of this report is to brief the Executive on an offer of additional funding to undertake environmental improvements at Durranhill Industrial Estate.

Recommendations:

That the Executive:

- 1). Accept the offer of additional grant funding from the HCA on final terms to be agreed by the Director of Economic Development.
- 2). Authorise the Director of Governance to complete the associated Grant Funding Agreement.

Tracking

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|------------------------|--|
| Executive: | |
| Overview and Scrutiny: | |
| Council: | |

1. BACKGROUND

- 1.1 Durrhill Industrial Estate was developed by Carlisle City Council in the 1950's. All of the estate is owned by the City Council apart from the two frontage sites occupied by Cumbria Fire & Rescue and Thompson Accident Repair Centre along with the Jewsons site located on Stephenson Road. A plan of the estate is attached for identification purposes with the City Council owned land outlined in red. The City Council owned sites were leased on 99 year ground leases at fixed low rents without review and comprise of approximately 30 leases with a total rent roll of around £80,000. Over time eight of the original leases have been replaced by modern ground leases and these account for 99% of the current rental income. The remainder of the original leases, with restrictive user clauses and no provisions for rent review, have significant value which can only be released by renegotiating the lease terms.
- 1.2 In reality the estate has come to the end of its current life cycle, the estate infrastructure is poor (poor road layout, lack of landscaping and parking, inadequate signage), many of the buildings have reached the end of their life expectancy and are not fit for purpose, as evidenced by long term voids. The current lease structures with restrictive user clauses and short unexpired lease terms restrict redevelopment opportunities.
- 1.3 However, limited reinvestment has occurred with landmark buildings now occupied by Cumbria Police and Cumbria Fire & Rescue, the leases that have been re-gearred have encouraged redevelopment of sites and expansion of businesses along with generating additional rental income for the City Council. The estate is also home to one of the City's key employers Cavaghan & Gray. Further opportunities are also offered by the land located to the rear of Cavaghan & Gray's Riverside facility which is currently landlocked.
- 1.4 One of the strategic objectives within Carlisle City Council's Corporate plan for 2013-2016 is to "support the growth of more high quality and sustainable business and employment opportunities", of which one of the key actions relates to improving the performance of industrial estates. The Montague Evans Business Plan identified the estate as being strategic to delivering economic development – in simple terms employment land and jobs. The M6 Corridor Baseline Review (2009) identified the site as providing a good opportunity to increase land supply whilst providing employment opportunities to deprived neighbourhoods to the south of the City.
- 1.5 In 2008 the site was included in the NWDA's Cumbria Sub Regional Employment Sites Programme (SCRES) and the City Council were given a grant of £1.8m to acquire and demolish the former Border TV and part of the Hewden's frontage sites, with the intention of providing employment sites. The sites are shaded blue on the attached plan. Following the demise of the NWDA and the subsequent poor market conditions little progress has been made in achieving redevelopment of the sites. The NWDA's assets have now passed into the control of the HCA and discussions have been on-going over the last 6 months to progress the regeneration of the site. The original contract with the NWDA set out a long-stop date for this project of 30th

June 2013 and consequently the HCA could ask for repayment of the £1.8m at any time.

2. PROPOSALS

- 2.1 In order to try and rejuvenate the project the agency has offered further grant funding to assist the disposal process. £265,000 has been offered to allow environmental improvements to be undertaken to assist in the disposal of the Border TV site. The long stop date in the grant funding agreement would be put back to 31 March 2015 thus removing the immediate risk of default.
- 2.2 The proposed improvements include:
- Improved signage, including entrance signage & tenant signboards
 - Soft landscaping & fencing to Brunel Way
 - Redesigned site entrances to key Brunel Way sites
 - Enhanced footpath provision
 - Further site investigations to assist with the disposal of the Border TV site
 - Finalise proposals for second road access from Eastern Way
 - Implement marketing plan for disposal of Border TV site
- 2.3 The intention is that the improvements will not only assist the disposal process but also enhance the visual appearance of the estate.
- 2.4 Completing the proposals to create a secondary road access would allow us to be in a prime position to access future funding opportunities that might arise.
- 2.5 The HCA funding offer comes with conditions. Initially they required the grant spent by 31 March 2014, however following concerns from the City Council over the restrictive nature of the timetable, the HCA agreed to relax this requirement, with the County Council proposing to act as delivery agent, undertaking the works on behalf of the City Council. However, the repayable element of the grant, £250,000, has to be repaid by 31 March 2015. This is a significant risk for the City Council in that it will mean that we have a short marketing period to achieve a disposal of the Border TV site. Worst case scenario the City Council would have to repay the grant from its own funds. Any sale proceeds in excess of £250,000 would be retained in the ring-fenced account for reinvestment into the estate.
- 2.6 Discussions are ongoing with the HCA and major employers regarding future funding opportunities. Positive action taken now can only help our position in securing future funding.

3. CONCLUSION AND REASONS FOR RECOMMENDATIONS

- 3.1 The additional HCA funding would allow for environmental improvements that would enhance the appearance of the estate and improve the likelihood of disposal of the Border TV site creating new employment and development opportunities.
- 3.2 Accepting the funding offer will also remove the immediate risk of default and allow time for further proposals to be developed for additional investment.

4. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

- 4.1 Redevelopment of Durranhill Industrial Estate would create employment opportunities and allow for future business growth.
- 4.2 Accepting the grant funding would help develop our relationship with the HCA, a key partner in developing the City's priorities.

Contact Officer: Mark Walshe

Ext: 7427

**Appendices
attached to report:**

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

CORPORATE IMPLICATIONS/RISKS:

Chief Executive's -

Governance – A deed of variation will be needed to the main Grant Funding Agreement, inter alia, to extend the main project long-stop date to 31st March 2015. The new grant is conditional upon obtaining planning permission for the proposed environmental improvement works, completion of the works by 31st March 2015 and repayment by 31st March 2015. There are clear risks inherent in the timescale for this proposal and the matter should be closely monitored by the Council's Risk Management Group.

Local Environment –

Resources – As stated in the report (see Paragraph 2.5) the majority of this grant offer of £265,000 is a short term interest free loan of £250,000 to be funded from proceeds of sales. Also, as stated in the report (see 1.5) the HCA could opt for repayment of the original £1.8m grant. By agreeing to this grant the long stop date for the £1.8m also goes back to 31 March 2015.

The proposals set out in 2.2 of the report to be funded from the grant/loan need to be progressed to timetable to improve the likelihood of disposal of the Border TV site. In the circumstances to mitigate the risk of the £2.05million having to be repaid to the HCA the rejuvenation of the Durranshill Industrial Estate will be escalated to corporate risk status enabling Corporate Risk Management Group to closely monitor progress of the initiative

JOINT MANAGEMENT TEAM

Monday, 18th November

MINUTES

| | |
|-------------------|---|
| Present: | Councillors Colin Glover (Chair), E Martlew, A Quilter, J Riddle, H Bradley and L Tickner |
| | D Crossley, A Culleton, J Gooding, J Meek, C Liddle, and P Mason |
| Apologies: | M Lambert |

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| JMT 86/13 – JMT Minutes from 4th November |
| The Minutes of the previous meeting were discussed and agreed by all. |
| JMT 87/13 – Employee Opinion Survey |
| E Titley, Organisational Development Manager joined the meeting to discuss the content options contained in the report provided for the next Employee Opinion Survey. This was discussed by all, with the content of the questionnaire agreed. |
| JMT 88/13 – Durranhill Options Report |
| J Meek introduced M Walshe, Strategic Property Manager to the Executive. A report had been provided to JMT and the full content of this was discussed by all. Cllr E Martlew would like a site visit arrange and M Walshe will organise this. <b style="text-align: right;">ACTION: M Walshe |
| JMT 89/13 – Notice of Executive Key Decisions |
| Noted by JMT. |
| JMT 90/13 – JMT Forward Plan |
| Agreed by all to cancel the scheduled meeting for 26 th November and this has been advised to all. <b style="text-align: right;">ACTION: D Anderson |
| JMT 91/13 – Any Other Business |
| Cllr C Glover agreed dates for future JMT Meeting will be reviewed going forward <b style="text-align: right;">ACTION: Cllr C Glover |
| J Gooding provided a further update on the land at Morton. P Mason advised there had been one expression of interest for the Arts Centre. J Gooding was pleased to advise the Carlisle Ambassadors Meeting held at Kingmoor Park earlier today had been very successful and he will ensure the Executive/Members are invited to the next meeting to be held end January 2014. D Kavanagh sends out the invites and she will be advised of this request. J Meek was pleased to advise that other attendees at the event would be happy to host going forward. |

Report to Executive

Agenda
Item:

A.10

Meeting Date: 15 January 2014
 Portfolio: Finance, Governance and Resources
 Key Decision: No
 Within Policy and
 Budget Framework YES
 Public / Private Public

Title: COMPUTERS FOR STAFF SCHEME
 Report of: ORGANISATIONAL DEVELOPMENT MANAGER
 Report Number: CE 02/14

Purpose / Summary:

At its meeting on 12 November 2013, the Employment Panel were asked to consider, for consultation, the implementation of Computers for Staff Scheme. Details of the proposal are given in the attached report together with the minutes from the Employment Panel Meeting.

In order to progress the implementation of the scheme, the Executive is required to give approval to incur expenditure which is then fully recharged to the employee taking up the benefit.

Recommendations:

The Executive is asked to:

- (i) Give approval for the Computers for Staff Scheme to incur expenditure that will then be fully recovered from the member of staff taking up the benefit.

Tracking

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|------------------------|-----------------|
| Executive: | 15 January 2014 |
| Overview and Scrutiny: | n/a |
| Council: | n/a |

1. BACKGROUND

- 1.1 The Employment Panel considered the introduction of a Computers for Staff Scheme at its meeting on 12 November 2013 and gave in principle decisions to approve the scheme for implementation subject to authority to incur expenditure being granted by the Executive. The report is attached at **Appendix 1**.
- 1.2 The scheme will require the Council to incur expenditure up front that will then be recovered from employees pay via monthly deductions, therefore operating at nil cost to the Council.

2. COMPUTERS FOR STAFF SCHEME

- 2.1 For the Computers for Staff Scheme a small range of PCs, laptops and tablets from a variety of manufacturers and at different price points will be selected for staff to choose from. Computer peripherals e.g. printers will not be included in the scheme. The cost of the device will be taken in equal monthly instalments from the employee's salary. This is not a salary sacrifice scheme so costs are taken from net (after tax and National Insurance Contributions are deducted) rather than gross salary. Payment will be over 12 months.
- 2.2 As the Council will pay for the computers up front, there will be an initial outlay of cash which will be recovered over a 12 month period from employees. Approval is sought from the Executive to incur this initial expenditure albeit the scheme will operate at a nil cost to the authority.
- 2.3 The Employment Panel asked for an assessment of the potential take up from staff before a paper came to the Executive. A questionnaire was sent to staff with a range of tablets, laptops and PCs listed to get an idea of the numbers of staff who might be interested and possible costs. 65 staff responded to the survey saying they were interested in taking part. Based on current prices the total cost was £28,199. Adding on an additional 15% to allow for extra staff who may want to get involved gives a cost of £32,429.
- 2.4 The Computers for Staff scheme has been judged as being a Category B procurement project so quotations for the computers have been sought from three companies. The number of staff who may take up the Computers for Staff scheme makes using the Council's Digital and Information Services Team for technical support unfeasible so a company is needed who can provide the computers and technical support.

Finance – The proposed scheme will operate at nil cost to the Council, with any expenditure being recovered from employees over a 12 month period. Subject to approval by the Employment Panel, the Executive will need to give approval to incur the initial expenditure associated with the scheme. The chosen procurement methodology will need to comply with the Council's Contract Procedure Rules.

Report to Employment Panel

Agenda
Item:
A.2(a)

Meeting Date: 12 November 2013
 Portfolio: Finance, Governance and Resources
 Key Decision: No
 Within Policy and Budget Framework: No
 Public / Private: Public

Title: COMPUTERS FOR STAFF
 Report of: Organisational Development Manager
 Report Number: CE 12/13

Purpose / Summary:

The City Council has introduced a scheme for Members to buy tablets as part of an initiative to reduce paper use for committees and other Council meetings. As part of this, the Portfolio Holder for Finance, Governance and Resources asked members of the Employee Benefits Working Group to develop a scheme for staff to buy computers for work or home use.

The Computers for Staff scheme would enable staff to buy a PC, laptop or tablet and pay for it through monthly salary deductions. Therefore the scheme would operate at nil cost for the Council.

Recommendations:

The Employment Panel is asked to:

1. Approve the Computers for Staff scheme, in principle, subject to a consultation process being undertaken with staff and approval for incurring expenditure being requested of and approved by the Executive.
2. Consider whether this scheme is deemed to be a term and condition of employment or a discretionary benefit.

Tracking

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| Executive: | |
| Overview and Scrutiny: | |
| Council: | |

1. BACKGROUND

1.1 Introduction

1.1.1 In September 2012 Members of Resources O&S Panel requested that a Task Group be set up to look at opportunities to save paper within the democratic process. The Task Group made several recommendations, including one to undertake a pilot of using tablet technology in Committee meetings.

1.1.2 The Saving Paper Task Group Update Report (OS 09/13) suggested that Members could purchase a suitable device via deductions from their allowance if they wanted to have their own tablet. The Report also said that consideration would need to be given to how this could be rolled out to officers.

1.1.3 The Portfolio Holder for Finance, Governance and Resources asked members of the Employee Benefits Working Group to develop a scheme for staff to buy computers for work or home use. Officers who attend committees and other Council meetings could use tablets at these meetings, but the Portfolio Holder also recognised that many other staff could benefit from a scheme which enabled them to buy a computer and pay for it through salary deductions. Many of the staff who could take part in such a scheme would not be involved in committees or Council meetings and some of these would not use computers as part of their job e.g. operational staff. For staff who do not use computers at work, a scheme to enable them to buy a computer in an affordable way could help to improve their IT skills which may increase the range of employment opportunities available to them.

1.1.4 There are a wide range of benefits organisations can offer to their employees which support employee engagement. Effective pay and reward strategies, together with initiatives including flexible working, recognition of achievement and learning and development opportunities contribute to successful recruitment and retention. The City Council has already introduced Holiday Purchase and Cycle to Work schemes, and a Computers for Staff scheme would add to the range of employee benefits offered to staff.

1.2 Principles

1.2.1 The City Council's Computers for Staff scheme would initially be a one off opportunity for staff to buy a computer. However, if there was sufficient interest it could become an annual scheme for staff.

1.2.2 A small range of PCs, laptops and tablets from a variety of manufacturers and at different price points will be selected for staff to choose from (see 1.7.1 for examples). Computer peripherals e.g. printers will not be included in the scheme.

1.2.3 The cost of the device will be taken in equal monthly instalments from the employee's salary. This is not a salary sacrifice scheme so costs are taken from net (after tax and National Insurance Contributions are deducted) rather than gross salary. Payment will be over 12 months.

1.2.4 The City Council reserves the right to refuse an employee's application to purchase a computer if it will take their salary below the National Minimum Wage. Occasionally there may be other reasons why applications are refused e.g. staff on final written warnings. If approval is not given the reason will be explained in writing to the employee. All requests will be considered and approved (or not) by the Director of Resources.

1.2.5 Employees who leave the City Council before fully repaying for a computer they have purchased will be required to complete payment either through a deduction to final pay, or if this would cause hardship, a payment programme can be negotiated.

1.3 Procedure

1.3.1 Employees who want to buy a computer will do so by submitting the Computers for Staff Form to the Service Support Team. Once the application has been received, the Service Support Team will check that the repayments would not take the employee's salary below the National Minimum Wage. If approved, the Service Support Team will calculate the likely deductions in salary and confirm these in writing to the employee.

1.3.2 Should the application be declined the reasons for this will be outlined in writing by the Director of Resources.

1.4 Adjustments To Pay

1.4.1 Where an employee requests to buy a computer, this will result in a reduction to their monthly salary for 12 months. The new monthly salary will be calculated and notified to the employee, by the Service Support Team, as soon as possible following approval of their application.

1.4.2 Employees should note that by completing and submitting the application form that, if approved, this form also constitutes their consent to any applicable salary adjustment.

1.4.3 The calculation will be arrived at by:

- Dividing the cost of the computer by 12

1.5 Supply of Computers

1.5.1 The supply of computers for the staff scheme will work differently to the one for Members. For the Members scheme the Digital and Information Services (DIS) staff bought the tablets through one of their regular providers on a framework agreement. As the main aim of the Member scheme was to reduce paper use at committee meetings, the DIS staff will provide IT support for the tablets for the first year.

1.5.2 The number of staff who may take up the Computers for Staff scheme makes using DIS for technical support unfeasible so an alternative solution has been sought. For the Computers for Staff scheme a company is needed who can provide the computers and technical support. The Computers for Staff scheme has been judged as being a Category

B procurement project so quotations for the computers will be sought from three companies.

1.5.3 If the scheme is a success and there is sufficient demand from staff to run the scheme on a more regular basis other procurement methods may need to be considered in the future.

1.6 Paying for the Computers

1.6.1 As the Council will pay for the computers up front, there will be an initial outlay of cash which will be recovered over a 12 month period from employees. Approval will be sought from the Executive to incur this initial expenditure albeit the scheme will operate at a nil cost to the authority.

1.6.2 It is anticipated that the cost for the initial scheme will be £20,000 - £30,000, based on employee feedback and the maximum value allowable for a computer.

1.6.3 When participation numbers are known and the order subsequently placed, sundry debtor invoices will be raised to cover the cost of the computers to all those participants. This creates income which is then netted off against the cost of the purchase invoice for the computers. Payments for the debtor invoices will be done as salary deductions over a set time period.

1.7 Examples of Computers

1.7.1 Tablets, laptops and PCs will be available through the Computers for Staff scheme. Examples of the types of computers include:

- Apple iPad with Retina display 16GB
- Samsung Galaxy Note 10.1" 16 GB
- Acer Aspire E1-571 15.6" Laptop
- Apple MacBook Air MD711B/A 11.6" Laptop
- Acer iMedia S 2870 Desktop 21.5"
- Apple iMac MD095B/A 27"
- Packard Bell iMedia S2870 Desktop 20"

2. CONSULTATION

2.1 A paper on the Computers for Staff scheme was taken to SMT in October 2013. If Employment Panel approves the scheme consultation will take place with staff and unions.

3. CONCLUSION AND REASONS FOR RECOMMENDATIONS

3.1 A Computers for Staff scheme would add to the range of employee benefits offered to staff which can help to support employee engagement. For staff who do not use computers at work, a scheme to enable them to buy a computer in an affordable way could help to improve their IT skills which may increase the range of employment opportunities available to them. The Employment Panel is asked to approve the Computers for Staff scheme, in principle, subject to a consultation process being undertaken with staff and approval for incurring expenditure being requested of and approved by the Executive; and to consider whether this scheme is deemed to be a term and condition of employment or a discretionary benefit.

4. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

4.1 The Computers for Staff scheme supports the priority to develop a skilled and prosperous workforce, fit for the future.

Contact Officer: Emma Titley

Ext: 7597

**Appendices
attached to report:** None

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:

- OS 09/13

CORPORATE IMPLICATIONS/RISKS:

Chief Executive's -

Community Engagement –

Economic Development –

Governance – The proposed scheme will either be classed as forming part of staffs' terms and conditions of employment or be a discretionary benefit with the right reserved by the Council to withdraw the scheme. If the latter is the chosen option then this should be explicitly stated in documentation. The Computers for Staff Scheme will need to be underpinned by an agreement between the Council and the employee to cover, for example, repayment of funding should the employee leave the employment of the Council during the relevant period.

Local Environment –

Resources -

HR - As this is a further enhancement of the workforce benefits package and is not currently part of the terms and conditions of employment the proposal may be introduced without the need for consultation. It would be recommended that this scheme remain discretionary and reviewed yearly.

Finance – The proposed scheme will operate at nil cost to the Council, with any expenditure being recovered from employees over a 12 month period. Subject to approval by the Employment Panel, the Executive will need to give approval to incur the initial expenditure associated with the scheme. The chosen procurement methodology will need to comply with the Council's Contract Procedure Rules.

EXCERPT FROM THE MINUTES OF THE EMPLOYMENT PANEL HELD ON 12 NOVEMBER 2013

EMP.18/13 COMPUTERS FOR STAFF

The Organisational Development Manager presented report CE.12/13 outlining a scheme for staff to purchase computers for work or home use.

The Organisational Development Manager reminded the Panel that the Saving Paper Task and Finish Group, which had been established by the Resources Overview and Scrutiny Panel, had suggested that Members could purchase a suitable tablet device via deductions from their allowance as part of a move towards paperless meetings. As part of the Task Group the Finance, Governance and Resources Portfolio Holder asked members of the Employee Benefits Working Group to develop a scheme for staff to buy computers.

The Computers for Staff scheme would initially be a one off opportunity for staff to buy a computer. However, if there was sufficient interest it could become an annual scheme for staff. The cost of the chosen device would be taken in equal monthly instalments from the employee's salary over 12 months. She stressed that the scheme was not a salary sacrifice scheme so costs would be taken from net rather than gross salary.

The City Council reserved the right to refuse an employee's application for a computer for a number of reasons as set out in the report; all requests would be considered by the Director of Resources. Employees who left the City Council before fully repaying for a computer would be required to complete payment either through a deduction to final pay, or if this would cause hardship, a payment programme could be negotiated.

She outlined the procedure employees would have to follow to purchase a computer and how the adjustments to employees pay would be made and how the computers would be supplied to employees. She added that the Council would have to pay for the computers up front and approval would need to be sought from the Executive to incur the initial expenditure.

Staff consultation had not been carried out to date and as a result any estimates included in the report were of an anecdotal nature. It was agreed that the Organisational Development Manager would ask for expressions of interest from staff to obtain an indication of numbers before the matter was considered by the Executive.

The Director of Governance asked the Panel to give consideration to the classification of the Scheme as either a term and condition of employment or as discretionary benefit with the right to be reserved by the Council to withdraw the Scheme. If the Scheme was deemed to be discretionary it would need to be explicitly stated in documentation and underpinned by an agreement between the Council and the employee.

RESOLVED – 1) That the Computers for Staff Scheme be approved, in principle, subject to a consultation being undertaken with staff and approval for incurring expenditure being requested of and approved by the Executive.

2) That the Computers for Staff Scheme be classed as a discretionary benefit details of which would be set out clearly in the Scheme and necessary contracts.

