

Environment and Economy Overview and Scrutiny Panel

Agenda
Item:
A.3

Meeting Date: 15th September 2016
Portfolio: Economy, Enterprise and Housing
Key Decision: Yes: Recorded in the Notice Ref:KD13/16
Within Policy and
Budget Framework YES
Public / Private Public

Title: CARLISLE DISTRICT LOCAL PLAN (2015 - 2030) PROPOSED
ADOPTION
Report of: Director of Economic Development
Report Number: ED 32/16

Purpose / Summary:

This report sets out the findings of the Inspector's report into the examination of the Carlisle District Local Plan (the Local Plan), which concludes that the Local Plan is sound subject to the recommended Main Modifications (MM's), and therefore capable of adoption.

Recommendations:

1. Note the Inspector's 'Report on the Examination into the Carlisle District Local Plan', attached as Appendix One, and the recommendation that the Local Plan is adopted, reporting any observations back to the Council's Executive for consideration at their meeting on the 26th September 2016.

Tracking

Executive:	30th August 2016
Overview and Scrutiny:	15th September 2016
Executive:	26th September 2016
Council:	8th November 2016

1. BACKGROUND

- 1.1** The National Planning Policy Framework (NPPF) strongly advocates that local planning authorities should have an up-to-date local plan in place which sets out a positive vision for the future of the area and provides a practical framework within which decisions on planning applications can be made. The Carlisle District Local Plan 2015 – 2030 responds to this requirement.
- 1.2** Work on the Local Plan commenced in late 2012 with it having been consulted upon at every step of the way, responding to such consultations by refining and amending policies and allocations. In reaching an advanced stage it was approved by Council for publication and later submitted to the Secretary of State for the purposes of examination, on 22nd June 2015, in accordance with the delegated authority forthcoming from Council to do so. The examination has now concluded and the Council is in receipt of the Inspector's report which details the findings of the examination.
- 1.3** The Council's Executive resolved at their meeting of the 30th August 2016 to make the Inspector's Report available for consideration by the Economy and Environment Overview and Scrutiny Panel, prior to Executive considering it further at a later date and prior to its referral to Council. Such an arrangement will maintain Scrutiny's involvement in the plan preparation process through to its final steps, with the Panel having added significant value to the Plan as it has emerged.
- 1.4** This report summarises the Inspector's main findings and makes clear the next key stages in the process towards adoption. It also highlights future planning documents which the Scrutiny Panel will play a part in developing.

2. THE INSPECTOR'S REPORT

- 2.1** The NPPF sets clear expectations as to how a local plan must be developed in order to be justified, effective, consistent with national policy and positively prepared in order to be considered sound. The examination of the Local Plan is therefore focussed on determining whether the Plan is 'sound' and whether it has been prepared in accordance with governing regulations i.e. 'legally compliant'. The Inspector's Report concisely explains why, based on consideration of all the evidence including representations (consultation responses), they have reached a particular view on soundness and legal compliance including the Duty to Cooperate.

2.2 The Report (Appendix One) is subdivided into sections which correspond to the key issues that have been the focus of the examination, as determined by the examining Inspector. It also contains a non-technical summary, an assessment of the Duty to Cooperate, an assessment of soundness and an assessment of legal compliance. Each section is considered in turn below.

2.3 Under the “**Assessment of the Duty to Cooperate**”, a duty imposed by the introduction of the Localism Act, the Inspector concluded that whilst there were no strategic cross boundary issues that needed to be resolved, there had been positive and constructive engagement with surrounding authorities. In addition, they considered that the Council had demonstrated constructive, active and ongoing engagement with a range of bodies (including for example Natural England and the Environment Agency) and as such that the duty has been fulfilled.

2.4 Under the “**Assessment of Legal Compliance**” the Inspector has assessed the Plan against a number of specific matters concluding that the Local Plan’s content and timing were broadly compliant with the Local Development Scheme; consultation was compliant with the Statement of Community Involvement; the Sustainability Appraisal and Habitats Regulation Assessment had been satisfactorily carried out; that the Plan complies with national policy and that it has been prepared in accordance with relevant legislation and regulations. The Report therefore confirms that the Plan is legally compliant.

2.5 Under the “**Assessment of Soundness**” the Inspector identified 11 key issues upon which the soundness of the Plan depends, as follows:

1. Whether the overall spatial strategy is soundly based;

- this involved consideration of whether the Plan’s vision and strategic objectives were appropriate. The Inspector concluded at paragraph 26 that *“Overall, the strategic objectives are consistent with those set out in national policy within the local context of Carlisle District and provide a positive structure for the strategic policies”*.

2. Whether the approach to the provision of housing is positively prepared, justified, effective and consistent with national policy;

- this involved consideration of whether Carlisle was a self-contained housing market; the housing target; the distribution of new housing (70/30 urban/rural split); the principle of and approach to the broad location of Carlisle South; the Plan’s approach to securing affordable housing and the provision of accommodation for Travellers. Subject to a small number

of specific modifications which are summarised later, these aspects of the Plan have been deemed to be sound.

3. *Whether the approach towards the supply and delivery of housing land is positively prepared, effective and consistent with national policy;*

- this involved consideration of whether the Council can demonstrate a five year supply of deliverable land for housing and what the appropriate assumptions underpinning this assessment should be; the Plan's windfall allowance (development on sites not allocated through the Plan); housing mix and housing standards. Subject to a small number of specific modifications which are summarised later, including the introduction of a stepped approach to delivery across the plan period, the Inspector has concluded (paragraph 85) that *"Overall, the approach towards the supply and delivery of housing land is positively prepared, effective and consistent with national policy"*.

4. *Whether the housing allocations set out in the Plan are justified and deliverable;*

- this focussed on determining whether the allocated housing sites could be relied upon to deliver the anticipated number of dwellings. Two site allocations were withdrawn by the site promoters (U19 and R13) but this did not result in additional sites having to be found. The Inspector concluded (paragraph 99) that *"...the housing site allocations are the most appropriate strategy having regard to the reasonable alternatives to effectively deliver the main proportion of the overall housing requirement to 2025"*. With the exception of increasing the size of the Scotby allocation (R15) the Inspector did not consider it necessary to include a number of additional sites which objectors to the Plan were pushing for.

5. *Whether the approach to employment development is positively prepared, justified, effective and consistent with national policy;*

- this was explicit in its focus with the Inspector concluding (Paragraph 104) that the Plan *"...contains policies that positively and proactively encourage sustainable economic growth, are justified and will be effective in delivering the economic vision and strategy for both the urban and rural areas in accordance with the NPPF"*.

6. *Whether the approach towards Town Centres and retail is positively prepared, justified, effective and consistent with national policy;*

- this involved consideration of the proposed expansion of the Primary Shopping Area (PSA); the specific opportunities at the Citadel, Caldew

Riverside and Morton District Centre and the approach to out of centre retail proposals. A number of MMs were proposed to strengthen a number of policies including safeguards to ensure that development at Morton and Caldew Riverside would not undermine the vitality and viability of the City Centre. The proposed expansion of the PSA was deemed to be (paragraph 112) *“...the most reasonable location when assessed against the possible alternatives”*. Overall the Inspector concluded (paragraph 121) that the Plan *“...allocates a range of suitable sites to meet the scale and type of retail, leisure, commercial, office, tourism, cultural, community and residential development needed in Carlisle District”*.

7. Whether the Plan will ensure the provision of infrastructure necessary to secure the growth required to meet the assessed needs of the District in a timely manner;

- this involved consideration of the need for and capacity of a wide array of infrastructure types with the Inspector concluding (Paragraph 138) that the Plan’s associated Infrastructure Delivery Plan *“...demonstrates that adequate provision of physical, social and green infrastructure is present within the plan area in order to support the levels of development proposed within the CDLP and where gaps in infrastructure have been identified, how and by whom, the required infrastructure will be provided, funded and delivered”*. Also material to note is that the Inspector concludes (Paragraph 129) that *“the delivery of more strategic improvements may be best delivered through future use of CIL [Community Infrastructure Levy]”*.

8. Whether the approach to climate change and flood risk is effective and consistent with national policy;

- this involved consideration of encouraging renewable energy supply and how the Plan would ensure regard was afforded to the risks posed by flooding as well as proper consideration of drainage solutions within new development. Subject to a number of MM’s, including a commitment to prepare a separate Development Plan Document relating to Energy from Wind proposals (necessary owing to a change in national policy), the Inspector concludes (paragraph 146) that *“...policies in the CDLP support the transition to a low carbon future taking full account of flood risk and coastal change”*. With regards to the December 2015 flood events it should be noted that the implications of these were fully considered by the examining Inspector with no consequential changes required to the

Plan, reflecting that it had been meaningfully informed by robust evidence relating to the risk of flooding as it had emerged.

9. *Whether the Plan will support strong, vibrant and healthy communities consistent with national policy;*

- this was explicit in its focus with the Inspector concluding (Paragraph 147) that the Plan's policies relating to protecting and enhancing the health and wellbeing of the District's population "*...are consistent with national policy*".

10. *Whether the approach to the natural, built and historic environment is positively prepared, appropriate to the area and consistent with national policy;*

- this was explicit in its focus with the Inspector concluding (Paragraph 151) that "*...the Plan contains a clear strategy for enhancing the natural, built and historic environment, recognising that heritage assets are an irreplaceable resource*".

11. *Whether the Plan would monitor the delivery of development and infrastructure effectively;*

- this involved consideration of whether the monitoring framework presented would enable the effectiveness of the plan to be robustly measured. The Inspector concluded that the framework required expanding to better detail what interventions would be taken if specific elements of the Plan were identified as not being effective, including detailing what these interventions would entail. This has been achieved by way of a number of MMs relating to the Plan's monitoring chapter and framework.

2.6 The Inspector's detailed considerations of the above issues are set out in the appended report. Subject to a number of modifications, the Inspector concludes that the Local Plan provides an appropriate basis for the planning of the District.

2.7 The Main Modifications (MMs) identified as necessary by the Inspector are changes that are required in order for the Local Plan to be found 'sound'. In the main they consist of redrafted text or policies. The need for and nature of these changes was discussed at the hearings stage of the Local Plan examination. The Council formally requested the Inspector to make MMs under section 20 (7C) of the Planning and Compulsory Purchase Act. The identification of MMs is a routine part of the process and can be seen to strengthen the Plan.

2.8 The MMs are summarised by the Inspector as follows:

- correction to the overall minimum housing requirement figure to reflect evidence base date (i.e. more explicit reference to a start date of 2013 with regards to calculating housing land supply and housing delivery performance);
- modified annual housing requirement based on stepped approach together with revised housing trajectory (a lower target in the earlier years of the Plan rising to a higher target in the latter years, with the overall planned level of provision however remaining unchanged);
- provision for Carlisle South to be developed prior to 2025 (but strengthened to make clear it is subject to the necessary plans and infrastructure delivery strategy being in place);
- inclusion of clearly set out requirements and design considerations that will need to be addressed in relation to the housing allocations (repeating some information previously contained in background documents within the Plan itself);
- changes to wind power development and housing standard policies to reflect recent written ministerial statements from the Secretary of State (a commitment to prepare a further Development Plan Document to identify if there are any areas suitable for wind energy developments);
- allocation of transit pitches for Gypsies and Travellers (reaffirming existing plans at Low Harker Dene);
- provision of clear monitoring indicators against which to assess the effectiveness of policies, together with appropriate triggers for intervention and the action to be taken (expansion of monitoring framework).

2.9 The proposed MMs were subject to public consultation which took place from 14th March to the 25th April 2016. The responses to the consultation were forwarded to the Inspector and considered as part of the examination process.

2.10 Having considered legal compliance and each of the key issues, the Inspector ultimately concludes (Paragraph 156) that:

“The Council has requested that I recommend main modifications to make the Plan sound and capable of adoption. I conclude that with the recommended main modifications the Carlisle District Local Plan satisfies the requirements of Section 20 (5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework”.

- 2.11** The findings of the Inspector's Report therefore support that the Plan is capable of progressing to formal adoption.

3. NEXT STEPS IN PROGRESSING THE PLAN TOWARDS ADOPTION

- 3.1** Aside from the procedural requirements in legislation, under Article 4 of its Constitution, the Council has reserved to itself "plans and alterations which together comprise the development plan". Adoption of the Local Plan can therefore only be forthcoming from Council. Accordingly the Executive will consider at their meeting of the 26th September (having regard to any observations forthcoming from Scrutiny), referral of the Local Plan to Council for consideration on 8th November.
- 3.2** Given that the MMs have been identified as required to ensure the Local Plan can be regarded as 'sound', and therefore on a robust legal footing, it is not considered realistic to progress adoption without acceptance of all of the recommended MMs.
- 3.3** In addition to the MMs Council will also be asked to note and approve a number of minor modifications to the Plan. These are changes made to the Local Plan to amend typographical, grammatical or factual errors, for example updating references, illustrative material, correct use (or removal of) apostrophes etc. Such changes in no way alter the meaning or aims of the policies or the text and the Council is therefore able to make these to the Local Plan on adoption without any formal examination process or consultation.
- 3.4** Should Council resolve to accept all modifications adopt the Plan, it will immediately replace in its entirety the existing Carlisle District Local Plan (2001 – 2016) and be the primary document against which planning applications are determined.
- 3.5** Beyond the Local Plan it is considered pertinent to note that the Executive approved, at their meeting on 30th August 2016, an update of the Council's Local Development Scheme (LDS). The LDS sets out the City Council's programme for preparing planning policies over the next three years. It takes forward the findings of the Local Plan Inspector's Report to detail the scope and timescale for preparing further Development Plan Documents for Carlisle South, Energy from Wind Development and the Community Infrastructure Levy.
- 3.6** The process of preparation of each of the above will mirror that of the Local Plan and as such Scrutiny will, in accordance with the Council's constitution, play a key role in adding value to and aiding their robustness at key stages of their

development. Following its approval the LDS can and will now be used to meaningfully inform Scrutiny's future work programme.

- 3.7** Finally the LDS details that two Supplementary Planning Documents will also be progressed, relating to affordable and specialist housing and car parking standards. Whilst approval of these, owing to their status as Local Development Documents, rests with the Executive alone, consideration will be afforded to, where appropriate, voluntarily referring drafts of these to Scrutiny through recognition that to do so would again aid their robustness.

4. CONSULTATION

- 4.1** The Local Plan has been consulted on since its inception at 'Key Issues' and 'Issues and Options' stages, through the increasingly refined drafts of Preferred Options Stage One, followed by Stage Two, and lastly the 'Publication' (Proposed Submission draft) stage, in compliance with both the requirements of the Council's Statement of Community Involvement, and the Town and Country Planning (Local Planning) (England) Regulations 2012. The recommended MM's to the Plan were also publicly consulted upon as part of the examination process.
- 4.2** The Plan has also been informed throughout its evolution by the Local Plan Members Working Group with the group having met in July to discuss the Inspector's Report and next steps in progressing the Plan to adoption.

5. CONCLUSION AND REASONS FOR RECOMMENDATIONS

- 5.1** In order to raise awareness of and obtain observations on the Inspector's examination findings, ultimately to support the advancement of the Plan to Council to be considered for adoption, in accordance with the Council's constitution and legislative requirements.

6. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

- 6.1** The Local Plan will have significant influence within the District in terms of shaping how Carlisle will grow and look up until 2030. Accordingly the Local Plan will have a significant, direct and positive impact on a number of Carlisle Plan priorities including:

- *“supporting the growth of more high quality and sustainable business and employment opportunities”* – through protecting existing employment sites and areas, and acting to identify new sites for development;
- *“addressing Carlisle’s current and future housing needs”* – through providing a strategy and identifying specific sites to meet the District’s objectively assessed housing needs, including affordable and specialist housing;
- *“developing vibrant sports, arts and cultural facilities, showcasing the City of Carlisle”* – through acting to protect and where possible enhance the significance of existing facilities and assets, and enabling growth in the visitor economy;
- *“working more effectively with partners to achieve the City Council’s priorities”* – through recognition that the Local Plan sets out a shared vision for the future of the District having evolved with the buy-in of a wide array of stakeholders including the public.

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**Appendices Appendix One - Report on the Examination into Carlisle
attached to report: District Local Plan**

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:

- **ED 31/6 Carlisle District Local Plan (2015 – 2030) Proposed Adoption**

CORPORATE IMPLICATIONS/RISKS:

Chief Executive’s - the Local Plan will help to deliver a number of the priorities set out in the Carlisle Plan. The Local Plan has been subject to ongoing Health Impact and Equality Impact Assessments at key stages of its preparation. Communication and consultation strategies have been devised in concert with the communications team and similar joint working would continue with regards to adoption. Risks associated with the Local Plan are recorded in the operational risk register through recognition that it constitutes a key corporate project. These risks will continue to be kept under review through existing protocols.

Deputy Chief Executive – the Local Plan contains a number of strategic and detailed policies which will help to support the development of vibrant cultural and leisure facilities and across the city.

Economic Development – see body of report.

Governance – the Local Plan is prepared and progressed in accordance with the provisions of the Planning and Compulsory Purchase Act 2004, the Planning Act 2008 and the Town & Country Planning (Local Planning) (England) Regulations 2012. In addition to the procedural requirements in the legislation, under Article 4 of its Constitution, the Council has reserved to itself “plans and alterations which together comprise the development plan”. Adoption of the Plan can therefore only be forthcoming from Council.

Local Environment – the Local Plan contains a number of strategic and detailed policies which aim to protect and enhance key aspects of the local environment including green infrastructure, public open space and the public realm. A number of policies also ensure appropriate consideration is afforded to protecting residential amenity and environmental quality, in doing so complementing the efforts of the Directorate. Conversely the growth facilitated through the Local Plan will increase pressure on some service areas including open space management, waste collections, and street cleansing but the clarity provided by the Local Plan in identifying where, when and what levels of growth can be expected will aid service redesign, and assist in identifying the resources necessary to maintain service delivery.

Resources – The Local Plan has been delivered within budget with no additional costs anticipated with respect to its adoption. Ensuring an up to date Local Plan is in place is increasingly important from a financial perspective with the Government having recently consulted on a Plan to withhold New Homes Bonus (which constitutes a significant revenue income for the City Council) where authorities do not have a plan in place prior to 2017.

Report to Carlisle City Council

by **Claire Sherratt Dip URP MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Date 25 July 2016

PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS AMENDED)

SECTION 20

REPORT ON THE EXAMINATION INTO CARLISLE DISTRICT

LOCAL PLAN

Document submitted for examination on 19 June 2015

Examination hearings held between 1-3 December 2015 and 19 and 20 January 2016

File Ref: PINS/E0915/429/1

Abbreviations Used in this Report

AA	Appropriate Assessment
AHEVA	Affordable Housing Economic Viability Assessment
AMR	Annual Monitoring Report
AONB	Area of Outstanding Natural Beauty
ATLAS	Homes and Communities Agency's Advisory Team for Large Applications
CCDF	City Centre Development Framework
CDLP	Carlisle District Local Plan
CIL	Community Infrastructure Levy
CNDR	Carlisle North Distributor Road
DPD	Development Plan Document
DtC	Duty to Co-operate
FPC	Further Proposed Change
GTAA	Gypsy and Traveller Accommodation Assessment
HMA	Housing Market Area
IDP	Infrastructure Delivery Plan
LDS	Local Development Scheme
LEP	Local Enterprise Partnership
LP	Local Plan
MM	Main Modification
NPPF	National Planning Policy Framework
NPPG	National Planning Practise Guidance
OAN	Objectively Assessed Need
ONS	Office for National Statistics
PPTS	Planning Policy for Traveller Sites
PSA	Primary Shopping Area
RSS	Regional Spatial Strategy (North West)
SA	Sustainability Appraisal
SAC	Special Area of Conservation
SCI	Statement of Community Involvement
SES	Strategic Employment Site
SFRA	Strategic Flood Risk Assessment
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
SPA	Special Protection Area
SUDs	Sustainable Urban Drainage Systems
WHS	World Heritage Site
WMS	Written Ministerial Statement

Non-Technical Summary

This report concludes that the Carlisle District Local Plan provides an appropriate basis for the planning of the District, providing a number of modifications are made to the plan. Carlisle City Council has specifically requested me to recommend any modifications necessary to enable the plan to be adopted.

All of the modifications to address this were proposed by the Council but where necessary I have amended detailed wording and I have recommended their inclusion after considering the representations from other parties on these issues.

The Main Modifications can be summarised as follows:

- Correction to overall minimum housing requirement figure to reflect evidence base date;
- Modified annual housing requirement based on stepped approach to inform monitoring and five year housing land supply calculations, together with revised housing trajectory to provide most up-to-date position;
- Provision for Carlisle South to be developed prior to 2025;
- Inclusion of clearly set out requirements, design constraints and limitations that will need to be considered in relation to individual housing allocations;
- Changes to wind power development and housing standard policies to reflect written ministerial statements from the Secretary of State for Communities and Local Government;
- Allocation of transit pitches for gypsies and travellers.
- Provision of monitoring indicators that clearly indicate how the effectiveness of policies to deliver the development required will be monitored, together with appropriate triggers for intervention and the action to be taken.

Introduction

1. This report contains my assessment of the Carlisle District Local Plan (CDLP) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate (DtC), in recognition that there is no scope to remedy any failure in this regard. It then considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework (NPPF) (paragraph 182) makes clear that to be sound, a Local Plan should be positively prepared; justified; effective and consistent with national policy.
2. The starting point for the examination is the assumption that the Council has submitted what it considers to be a sound plan. The basis for my examination is the submitted draft plan (June 2015) which is the same as the document published for consultation in March 2015.
3. My report deals with the main modifications that are needed to make the Local Plan sound and legally compliant and they are identified in bold in the report (**MM**). In accordance with Section 20(7C) of the 2004 Act the Council requested that I should make any modifications needed to rectify matters that make the Plan unsound/not legally compliant and thus incapable of being adopted. These main modifications are set out in the Appendix.
4. The Main Modifications that are necessary for soundness all relate to matters that were either broadly agreed through representations and Statements of Common Ground or discussed at the Examination hearings. Following these discussions, the Council prepared a schedule of proposed main modifications and carried out sustainability appraisal and this schedule has been subject to public consultation for six weeks. I have taken account of the consultation responses in coming to my conclusions in this report and in this light I have made some amendments to the detailed wording of the main modifications. None of these amendments significantly alters the content of the modifications as published for consultation or undermines the participatory processes and sustainability appraisal that has been undertaken. Where necessary I have highlighted these amendments in the report.
5. The Council is required to maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is then required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the local plan. The policies map is not defined in statute as a development plan document and so I do not have the power to recommend main modifications to it. However, a number of the published MMs to the Plan's policies require further corresponding changes to be made to the policies map. These further changes to the policies map were published for consultation as part of the Schedule of Modifications [EL4.001] (identified as MM81 – MM87) but are nevertheless not included in the appendix of main modifications necessary for soundness. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Council will need to update the adopted policies map to include all the changes proposed in the CDLP and those further changes.

Assessment of Duty to Co-operate

6. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on them by section 33A of the 2004 Act in relation to the Plan's preparation.
7. The Council has prepared a 'Duty to Co-operate Statement' [SD 008] which summaries how the Council has co-operated with other local planning authorities (LPAs) and with the additional bodies prescribed in Regulation 4 of the 2012 Act.
8. The Council has actively engaged with all the neighbouring authorities and Cumbria County Council during the preparation of the CDLP. The level of involvement with the different authorities has varied according to the issues raised. Details of a range of meetings, discussions and other means of communication are set out in detail in SD 008.
9. A notable cross boundary strategic issue is the Hadrian's Wall World Heritage Site (WHS) which traverses the local planning authority areas of Northumberland, Carlisle and Allerdale. The respective policies within the Carlisle, Northumberland and Allerdale Local Plans which relate to the WHS all have the common aim of preserving the outstanding universal value of the site. These policies were derived in part from cross boundary co-operation, and in part from the provisions of the Hadrian's Wall WHS Management Plan, the aims and objectives of which seek the conservation, preservation and management of the outstanding universal value of the WHS, and to protect this value through local plan policies.
10. There are two Areas of Outstanding Natural Beauty (AONB) within the District, (the North Pennines and the Solway Coast). Both AONBs are managed by Partnerships which are part funded by the Council. The adjoining authorities (Allerdale, Eden and Northumberland) and Cumbria County Council have worked with Carlisle City Council to ensure complementary protective policies for these assets are included within their respective local plans.
11. It is clear that there are no strategic cross boundary issues that need to be resolved. There has been positive and constructive engagement with surrounding authorities.
12. In addition to the neighbouring authorities, all other relevant bodies have been engaged in the process. The precise details of that engagement is set out in SD 008, demonstrating that the Council has engaged constructively, actively and on an on-going basis.
13. Taking the CDLP as a whole, I conclude that the Council has complied with the duty to co-operate imposed on them in relation to the Plan's preparation.

Assessment of Soundness

14. Following the introduction of the NPPF (27 March 2012) the Council embarked on the production of a single Local Plan which includes strategic policies, site allocations and development management policies. A Preferred Option consultation took place between 29 July and 16 September 2013 with a Stage

Two consultation between 10 March 2014 and 4 April 2014. Consultation on the proposed submission draft of the Carlisle District Local Plan 2015 – 2030, in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012, commenced on the 4th March 2015.

15. The Statement of Community Involvement (SCI) [SD 010] was adopted by the Council in July 2013. It sets out the framework which identifies how and when the Council will consult in the preparation of the CDLP. Details of the consultation undertaken in relation to the submitted plan are set out in the Council's Consultation Statement [SD 007]. The preparation of the CDLP has followed the principles established in the SCI.
16. The CDLP has been subject to Sustainability Appraisal (SA) [SD 003] throughout its preparation up to the time of the hearing sessions. The Council's evidence base demonstrates that different options and alternatives have been addressed at all the relevant stages. At each stage of its development the emerging CDLP policies were assessed against SA objectives, to determine the likely effects of the policies and any reasonable alternatives. The SA was subject to consultation in the same way as the CDLP. The conclusion of the SA is that the CDLP is robust in terms of its sustainability and that its policies provide certainty and clarity. The main modifications have also been subject to SA [EL4.002]. Therefore the CDLP has been subject to an adequate SA.
17. Similar conclusions apply in respect of the work carried out in relation to the Habitats Regulations Assessment (HRA) [SD005 & EL4.003]. Taking into account the advice from relevant consultees, in particular Natural England and the Environment Agency, I consider that the plan has been subject to a legally compliant and adequate HRA.

Main Issues

18. Taking account of all the representations, written evidence and the discussions that took place at the examination hearings, I have identified eleven main issues upon which the soundness of the Plan depends.

Issue 1 – Whether the overall spatial strategy is soundly based

19. The Local Plan contains a number of strategic policies aimed at achieving the Spatial Vision and associated objectives for Carlisle (Chapter 2). The Spatial Vision seeks to successfully assert Carlisle's position as a centre for activity and prosperity, as the capital and economic engine for the region. This is to be achieved by ensuring Carlisle District is seen as an attractive place to visit, live, work, invest and remain. This is a clear and appropriate vision.
20. The vision is underpinned by a number of Strategic Objectives, the first of which sets out the overall Spatial Strategy and Strategic Policies objective. This reflects the social, economic and environmental strands of sustainable development set out in the NPPF. In brief, it seeks to promote a sustainable pattern of development, which will contribute to building a strong, responsive and competitive economy; to support strong, vibrant and healthy communities by meeting the housing needs of present and future generations; and to contribute to protecting and enhancing the natural built and historic environment. This is further supported by Policy SP1 'Sustainable

Development' that reinforces a positive approach to the consideration of development proposals that reflects the presumption in favour of sustainable development set out in the NPPF.

21. The remaining objectives correspond to the subsequent chapters in the CDLP covering the key areas of economy, housing, infrastructure, climate change and flood risk, health, education and community, the historic environment and green infrastructure.
22. The need to protect and further enhance Carlisle's strategic connectivity has been identified as critical in supporting not only the District's growth aspirations but also those of the County. This is echoed in the Cumbria LEP and the Cumbria Local Transport Plan. In order to facilitate the levels of growth set out in the CDLP, interventions identified through the Infrastructure Delivery Plan (IDP) will be prioritised. No safeguarding of land is considered essential at this time but this is to be monitored and if necessary achieved through a partial review of the plan.
23. Carlisle is a district rich in heritage including Hadrian's Wall WHS, which is central to its attractiveness as a tourist location and the area's economy. The need to protect heritage whilst supporting economic growth is recognised throughout the CDLP as is the importance of tourism as a generator of economic prosperity and employment in the District.
24. In addition to two AONBs there are a network of ecologically important rivers, becks and burns. 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 Mires Ramsar site and the North Pennine Moors (SPA).
25. In December 2015 Cumbria and Lancashire experienced the impact of storm Desmond and subsequent heavy rainfall, with widespread, and in some cases destructive, flooding. Urban centres, including Carlisle were affected and recently constructed flood defences were overtopped by the unprecedented magnitude of the event. It is understood that the flood outline in most areas was more extensive than the Flood Zone 3 outline. The Environment Agency is currently involved in a post flood evidence and data gathering exercise. This will enable them to revise their knowledge of flood risk across the area to help validate, improve existing flood modelling studies and inform future decision making. However this exercise is still ongoing and so cannot be fed into the evidence supporting the CDLP. Nevertheless, the actual impact on particular sites is addressed in this report.
26. Overall, the strategic objectives are consistent with those set out in national policy within the local context of Carlisle District and provide a positive structure for the strategic policies.

Issue 2 – Whether the approach to the provision of housing is positively prepared, justified, effective and consistent with national policy.

27. The Council's evidence demonstrates that Carlisle has relatively high levels of self-containment when looking at either migration or travel to work. The identification of the administrative boundary as representing a single strategic housing market area is therefore justified. There is no evidence of unmet need from other local authorities needing to be accommodated in Carlisle. The Strategic Housing Market Assessment (SHMA) September 2014 Update (EB002) methodology follows the requirements of the NPPF and the more recent (March 2014) Government advice about assessing housing and economic development needs. In accordance with the National Planning Practice Guidance (NPPG) the latest population and household projections were the starting point for the analysis before considering whether any upward adjustment to housing provision is required.
28. The SHMA Update considers in detail housing market dynamics and market signals. It concludes, that a departure and upwards adjustment from national projections is both necessary and appropriate in Carlisle's circumstances. Overall the analysis suggests a housing need in the range of about 480 and 565 dwellings per annum based on demographic projections and Experian job growth forecasts respectively, moving forward from a 2013 base date. The higher figure equates to 9606 new dwellings to 2030. I am satisfied that the SHMA provides a robust and justified evidence base for the plan's housing provisions.
29. Whilst the submitted plan adopts the higher annualised figure as the housing requirement, a reduced overall requirement figure of 8475 is specified which reflects the later start date of the Plan. However, this approach fails to take into account any shortfall of supply from 2013 to 2015. Accordingly, a main modification is required to ensure the housing requirement in the CDLP aligns with the base date and evidence of the SHMA, that being an overall requirement of 9606 new dwellings between 2013 and 2030 (**MM01** and **MM03**). With this modification to Policy SP2 and the supporting text, the overall housing requirement figure, to be expressed as a minimum, will meet the objectively assessed housing needs of the area over the plan period and is consistent with the NPPF and the Government's aims to boost housing supply.

Housing distribution

30. The submitted plan makes provision for the approximate spatial distribution of 70% new housing in urban areas and 30% in rural areas. This broadly corresponds with the housing distribution that has occurred over the last 10 years - 72% of housing built within the District has been within the urban area and 28% in the rural area. This spatial distribution arose from two main factors. Firstly, the response to consultations which identified a desire to allow more housing in the rural areas than the 20% set out in the previous plan, thereby freeing certain settlements from a 'sustainability trap', and secondly, the actual population split within the District between the City of Carlisle and the rural area, which has remained at approximately 70/30.
31. This distribution is also supported through the process of the Sustainability Appraisal (SA) [SD 003]. Three distribution options were initially identified at

the outset of the plan making process but the option carried forward in to the submitted plan was appraised as having the potential to address more comprehensively the broad range of economic, social and environmental issues facing the District. It is important to note that this approach takes account of the number of larger settlements and market towns within the rural area, with a good range of facilities and services, and therefore the capacity to accommodate further development.

32. Furthermore the 2011 Housing Need and Demand Study [EB 003] sets out at paragraph 11.21 that the demographics of the District identified that two thirds of the need/demand is within the urban area and the remaining third is in the rural areas. The 2014 SHMA update [EB 002] at paragraph 3.54 also identifies that the demographic projection outputs support the proposed housing distribution in the Plan.
33. This is considered the most appropriate strategy as not only is the urban area where the majority of the housing needs arise but it also reflects a desire to enhance the City's role as a sub-regional centre. Specific allocations have been identified within the Plan to contribute, alongside existing commitments and a modest allowance for windfall, to meeting the majority of growth required in the plan period on the basis of an approximate 70/30 split. The Council has clarified that this is to be regarded as an approximate figure and that development within but also on the edge of the City of Carlisle would contribute towards the urban percentage. For the reasons given below, development at Carlisle South would not be included for the purposes of calculating and monitoring whether or not this is being achieved. Main modifications to reflect this are required to ensure this is clear so that the plan is flexible, positively prepared and will be effective (**MM02** and **MM05**).

Carlisle South

34. Policy SP3 of the Plan identifies land to the south of Carlisle as a broad location for housing led growth. Carlisle South is a long term growth aspiration with the potential to deliver some 10k residential units alongside considerable additional employment development. The Plan as submitted includes provisions for Carlisle South to commence delivery from 2025 onwards, in the latter years of the plan period and following the preparation of a masterplan to guide development. A key objective of masterplanning will be to develop a clear understanding of the required infrastructure to support development at the location and to ensure that a robust delivery strategy is in place. This is currently reflected in Policy SP3. This masterplan is to be approved as a Development Plan Document (DPD).
35. The Council has been successful in securing capacity funding as part of the Government's Large Sites Infrastructure Programme in order to progress with key evidence base studies and initial masterplanning. A successful bid was also made through the same programme to secure support from ATLAS (the Homes and Communities Agency's Advisory Team for Large Applications) in order to assist the Council in the initial stages to actively bring Carlisle South forward. This will accelerate the planning for Carlisle South alongside the Local Plan thereby helping to underpin Policy SP 3 and also provide greater certainty to landowners and developers in regard to the scale and location of development opportunities and also the likely infrastructure requirements.

Work has also been jointly commissioned by Carlisle City Council and Cumbria County Council to undertake a feasibility study into the alignment options for a link road that will provide a vital connection into Carlisle South and will also link with the existing Carlisle Northern Development Route (CNDR). Policy SP5 confirms that opportunities will be taken to develop a southern link road linking junction 42 of the M6 with the southern end of the A689 as part of developing the broad location of Carlisle South.

36. Policy SP 3 commits the Council to progressing masterplanning work on the site in the short-term, a further commitment to which is contained within the Council's published Local Development Scheme (LDS) [SD 009] (which envisages work commencing on a separate DPD in January 2016). Statement EL1.005c sets out that preliminary work on this subsequent plan had already commenced at that time in the form of evidence gathering, and that such efforts are being supported by ATLAS and aided by the receipt of external funding.
37. Some representors consider that policies relevant to Carlisle South should facilitate development earlier than 2025 provided that any proposals would not prejudice the delivery of the site as a whole, including the infrastructure required. This was acknowledged by the Council. Ultimately the degree of flexibility will only become apparent as an outcome of the masterplanning process. The completion of the masterplan is considered a legitimate prerequisite to any development being brought forward to ensure a comprehensive and coordinated approach to the delivery of sustainable growth. It will be the outcomes of the subsequent DPD which properly informs the release and phasing of Carlisle South.
38. Given the work that has commenced, it is considered that the timescales for the adoption of a further DPD, well in advance of 2025, are realistic. It is the coordination of the relevant infrastructure to ensure that the broad location for growth is self-sufficient and will not prejudice development that is critical rather than the date of 2025. Notwithstanding representations to the contrary, it is not considered the production of a DPD would hinder or prejudice the supply of housing. To ensure the plan is flexible, boosts housing supply without unnecessary restriction and is positively prepared, main modifications are required to Policy SP 3 and the supporting text. This will facilitate development in the Carlisle South broad location sooner than 2025 subject to the necessary infrastructure being provided; the release and implementation of developments being a matter for the DPD (**MM06, MM09, MM10, MM11, MM12, MM13, MM14, MM15, MM16** and **MM31**).

Affordable Housing

39. The NPPF requires local planning authorities to meet the objectively assessed needs for both market and affordable housing. The SHMA update identified a need for affordable housing provision of 295 dwellings per annum. Policy H04 sets out the affordable housing requirements for development which differ both in relation to thresholds and the percentage of housing to be affordable, dependant on which of three viability zones the site is within. A new national threshold for affordable housing was introduced in a Written Ministerial Statement (WMS) in November 2014. The scale of affordable housing

required reflects both the findings of the Affordable Housing Economic Viability Assessment (AHEVA) and the thresholds set out in the WMS. Nevertheless, the CDLP will not ensure that the full assessed need for 295 affordable dwellings per annum will be achieved.

40. Since the submission of the plan, and following a judgement in the High Court on 31 July 2015 (West Berkshire District Council and Reading Borough Council v Secretary of State for Communities and Local Government [2015] EWHC 2222 (Admin), the High Court issued a Declaration Order on 4 August 2015 confirming that for various reasons the policies in the WMS must not be treated as a material consideration. On this basis, main modifications were proposed to lower the threshold when affordable housing would be required and reduce the number of zones to two. These modifications would further maximise affordable housing provision in the District although it would still not ensure delivery of the full quantity of affordable housing required. However, that High Court judgement has since been overturned. The main modifications suggested would not therefore accord with the WMS. Accordingly, in light of this recent judgement I have deleted MM41, MM44 and MM45.
41. The SHMA suggests that the affordable home requirement will partially be met by the private rental sector supported by housing benefit. However accommodation provided through the private rented sector does not come within the definition of affordable housing in the NPPF and does not contribute towards affordable housing.
42. Whilst the NPPF seeks to boost housing supply, the Council suggests that land availability in itself is not an issue in Carlisle and that instead it is the capacity of the industry which is constraining the extent to which land can be considered 'deliverable'. Indeed the actual identified land supply is greater than that required to achieve the overall housing requirement in the plan period. Given the current capacity constraints in Carlisle, a further uplift in the total amount of housing, as a means of securing additional affordable homes, is not a realistic alternative. An increase in the percentage of housing that should be affordable over and above that in the plan is not supported by the AHEVA and is thus likely to stifle development overall for viability reasons. It is acknowledged that homes in Carlisle are more affordable than in Cumbria as a whole. Furthermore, the overall requirement figure is already the higher of the range identified in the SHMA. The overall requirement is not a maximum and overall the plan is flexible and positive in seeking to boost housing supply. To conclude, the approach to affordable housing is the most reasonable strategy when assessed against the reasonable alternatives and thus a sound approach in the current circumstances.
43. To ensure the policy is flexible and positively prepared a different tenure split to that specified and as derived from the AHEVA will be considered not only where the scheme would not otherwise be viable but where the proposed mix better aligns with priority needs (**MM42**). For clarification and to ensure the policy remains effective even in light of any future changes to the national definition of affordable housing **MM43** is necessary.

Gypsies and Travellers

44. The Government's aims in respect of traveller sites are set out in the Planning Policy for Traveller Sites (PPTS). These include that local planning authorities should make their own assessment of need for the purposes of planning, promote more private traveller site provision while recognising that there will always be those travellers who cannot provide their own sites and ensure that their Local Plan includes, fair, realistic and inclusive policies.
45. An assessment of the accommodation needs of gypsies and travellers is contained in the Cumbria Gypsy and Traveller Accommodation Assessment (November 2013) (GTAA) [EB008]. It is generally considered to be robust although an allowance for a 10% turnover rate on existing sites is considered by some to be rather high. Careful monitoring should be put in place to test whether the assumption of 10% turnover on pitches contributing to supply is and remains realistic. The main modifications incorporated in **MM80** in so far as they relate to Policy HO 11 are necessary to ensure that a lower than cumulative 10% turnover on rented sites within the District over a 2 year period would trigger action, which may include a partial review of the CDLP and bringing forward further allocations.
46. The GTAA identifies a need for 15 pitches in Carlisle City Council area up to 2028 from a base date position of 2013/14 (1 pitch per year). The Council confirms that the reference at paragraph 5.90 of the Local Plan to '2028' is a typographical error and should read 2030 to correspond with the plan period. However, the identified need should also be projected forward to include the additional two years. The overall need to 2030 would therefore be 17 pitches. A main modification is required to ensure the pitch requirement corresponds with the plan period to be effective (**MM53**). The Council has recently granted planning permission for two additional permanent pitches in the District which would therefore reduce the remaining identified need over the plan period back to 15 and so the modification, whilst necessary, is of little practical consequence. Since the GTAA was completed, planning permission has been granted for 6 additional permanent pitches at Hadrian's Park (application reference 13/0886). The CDLP sets out a requirement for the remaining balance of 9 pitches.
47. An allocation for 9 permanent residential pitches is proposed adjacent to an existing site known as Low Harker Dene which would numerically satisfy the remaining identified need for gypsy and traveller pitches over the plan period. This site is an existing Council owned site with 15 pitches. The addition of 9 further pitches will result in a large single site accommodating 24 permanent pitches. The single allocation offers little choice to the gypsy and traveller community in terms of allocations making provision for public rented pitches only on one site.
48. That said Carlisle has a reasonable range of site provision for gypsies and travellers with 10 sites currently in operation. These range from private individual family sites accommodating a single family unit to the larger scale Council and private sites providing a number of pitches to a range of families. As the Low Harker Dene site is in the ownership of the Council there is no question over its deliverability. Additionally the adjacent site has been successfully operating for a number of years and has an effective site

management process in place. There are five licenced sites within the area which demonstrates that there is a desire within the gypsy and traveller community to be located within this area. Furthermore, as confirmed in the SA (SD003) no other new sites were put forward for consideration.

49. Policy HO11 contains criteria against which other site proposals that contribute to achieving additional provision of transit, permanent and temporary pitches, and sites for travelling showpeople will be assessed. Criteria based policies should be fair and should facilitate the traditional and nomadic life of travellers while respecting the interests of the settled community.
50. The policy criteria are the same for both temporary and permanent residential pitches. The Council acknowledged that if a site met all the criteria then there would be no justification to restrict any permission to a temporary period as it would equally be suitable for residential use on a permanent basis. Other than transit provision, no specific need for temporary pitches was identified. To ensure the plan is effective and positively prepared, a main modification is necessary to delete the reference to temporary permissions (**MM50**).
51. Criterion 1 requires sites to be physically connected to an existing settlement. Policy C of the PPTS is not so restrictive. It is concerned with ensuring that the scale of sites in rural or semi-rural areas do not dominate the nearest settled community. Whilst Policy H concerns decision taking in the context of determining planning applications rather than plan making, it confirms that local planning authorities should very strictly limit new traveller site development in open countryside that is away (*my emphasis*) from existing settlements or outside areas allocated in the development plan. Whilst the ability to ensure peaceful integration is important and to avoid isolated sites, a requirement for sites to be physically connected is not consistent with national policy and may render the policy ineffective. A modification is necessary to better reflect national policy. This would require the location, scale and design of sites to allow for integration with, whilst not dominating or unacceptably harming, the closest settled community and for sites to be appropriately landscaped to minimise any impact on the surrounding area, rather than being screened which would not promote integration (**MM51**). It would not be realistic for all proposed sites to provide site management measures, particularly small family sites. Accordingly, it is necessary to delete criteria 8 (**MM52**).
52. These modifications delete all restrictive or prescriptive wording inconsistent with the PPTS to ensure a positively prepared and effective policy. Subject to these modifications and the careful monitoring of supply through turnover of pitches, the Local Plan would make satisfactory provision to meet the identified residential needs of the gypsy and traveller community, providing choice through an allocation and realistic criteria for additional sites. For the avoidance of doubt I have slightly amended the wording of MM49 and MM50 to refer to permanent 'residential' pitches.
53. The GTAA recommends provision for up to 8 additional transit pitches in Carlisle. The CDLP makes no such provision other than through the criteria based policy. However, the Council have since suggested that the allocated site can accommodate the 9 additional residential pitches together with the transit provision (up to 15 pitches). Notwithstanding the proximity of the site

adjacent to the M6, given its size, this is realistic subject to suitable design and landscaping to provide a clear distinction and to retain reasonable living conditions for the occupiers of the permanent residential pitches (**MM49, MM54**).

54. To conclude, subject to careful monitoring of turnover of pitches, the CDLP provides an appropriate strategy to meet the assessed accommodation needs of the gypsies and travellers throughout the plan period.

Issue 3 – Whether the approach towards the supply and delivery of housing land is positively prepared, effective and consistent with national policy.

55. Policy SP2 confirms that sufficient land will be identified to support the delivery of an annualised average of at least 565 net new homes to ensure that objectively assessed development needs are met. The supply of housing land was updated (as at 1 April 2015) together with the housing trajectory which are to be substituted for Table 1 and Appendix One respectively to provide the most up-to-date position (**MM07 & MM08**).
56. The Council's Five Year Housing Land Supply Position Statement (April 2015) (EB007) sets out why the Council consider a buffer of 5% is justified and how the Council have applied it. I shall first consider whether the application of a 5% buffer is sound.
57. The Council recognises that historically there has been under delivery of housing within the District against previous development plan housing requirements. The Council is of the view that, in keeping with most authorities in England, this can largely be attributed to the most recent recession, but also in Carlisle's case due to the previous regional and therefore consequential local policies which restricted delivery to help secure both wider regional and local regeneration. The Council elaborates on this further in its response of 31 July 2015 (EL1.002c).
58. The Carlisle Local Plan (2001-2016) was adopted in 2008 (2008 LP) and was prepared within the context of the then County Structure Plan housing requirement of 354 net new homes per annum. Delivery fell short in only four of the 16 individual years within the plan period, although the cumulative delivery has always exceeded the 2008 LP housing requirement. There is no persistent under delivery when measured against this adopted plan.
59. During this plan period there was an over-supply of housing within the Rural Area against the Structure Plan. A moratorium was implemented effective from 17 July 2004 by way of an intervention measure. The moratorium was lifted in January 2006 just after the informal consultation of the Planning and Compulsory Purchase Act 2004, where Regional Planning Guidance was being replaced by Regional Spatial Strategies which removed County Structure Plans from the system.
60. The North West Regional Spatial Strategy (RSS) for the North West covering the period 2003 – 2021 was adopted in 2008. It set a higher housing requirement than the 2008 LP, increasing the annualised requirement from the 354 dwellings per annum set out in the 2008 LP to 450. From 2006/7 onwards the Council failed to deliver the RSS annual target of 450 dwellings

with the cumulative shortfall increasing year on year thereafter. Against the RSS requirement there was an under delivery. However, it was at least in part due to the 18 month moratorium which affected the supply coming forward in the subsequent years.

61. The RSS was revoked only some two years or so after its adoption. The 2008 LP continued to provide a policy framework to March 2016. The Council has not under performed against this plan. Accordingly, it is considered that a 5% buffer is realistic and justified in this particular local context.
62. The Council's Housing Position Statement only applies the buffer to the base target and on this basis can demonstrate a five year housing land supply. However, it is general practice to apply the buffer to both the base target and any shortfall when establishing the total 5-year housing supply requirement in order to ensure that the buffer serves the same purpose (of flexibility of "brought forward" land supply) for the totality of the 5 year requirement, i.e. including any provision required to be made to address that shortfall. On this basis and taking the upper SHMA requirement of 565 dwellings per year set out in Policy SP2 of the submitted plan, the Council can only demonstrate 4.48 years of supply, slightly short of the requirement to demonstrate a 5 year housing land supply.
63. As stated previously in paragraph 42, land availability in itself is not the issue in Carlisle. It is the capacity of the industry which is constraining the extent to which land can be considered 'deliverable'. The actual identified land supply is greater than that required to achieve the overall housing requirement in the plan period; it is the deliverability in the early years that is problematic.
64. The evidence demonstrates that the annualised figure is not representative of the actual assessed need for housing as identified for both the lower and upper range scenarios contained in the SHMA. This shows that the level of need for Carlisle, and therefore assessed need for housing, is lower in the early part of the projection period and increases over time. The annualised requirement contained in the submitted plan is not only the higher requirement figure of the range set out in the SHMA (480 – 565 dwellings) but already seeks to uplift and front load supply.
65. In the case of the demographic projection, the greater need for housing later in the plan period is due to net migration being expected to increase in future years (a finding consistent with the latest 'official' projections – the 2012-based subnational population projections (SNPP) from the Office of National Statistics (ONS). An increasing level of net migration is driven by changes to the age structure of the population in Carlisle and in areas from which people might be expected to move to the District. A changing age structure impacts on expected levels of both in and out-migration to and from the District.
66. In the case of the jobs-led projection, a lower level of housing need in the early part of the projection period is driven by two main factors. Firstly, job-growth is generally expected to be stronger post-2020 (and hence a greater increase in population would be required) and secondly, the modelling (consistent with national economic forecasts) expects there to be a greater improvement in employment rates in the short-term as the economy moves out of recession. Importantly the projections indicate that more than two

thirds of the estimated total job growth in Carlisle is projected to arise from 2020 onwards.

67. An increase in the supply of allocated sites in Carlisle is unlikely to result in a respective increase in delivery, at least in the short term as the detailed analysis demonstrates that the demand for a greater supply of housing will be later in the plan period on both the projections set out in the SHMA. Furthermore, the annualised requirement already incorporates significant front loading and there is a need for the industry to expand and increase in the area. The Council is working hard to make the area attractive to more major house builders.
68. These findings justify consideration of the phasing of housing development to better correspond with when both population growth and job-growth is expected to happen. Appendix 2 of the SHMA Update provided detailed outputs from the demographic modelling. The Council has used this information (along with an allowance for vacant homes) to study when it is expected that the housing need will arise.
69. Under the demographic scenario there is an average annual need for some 442 dwellings in the 2013-20 period which rises to 509 for the remainder of the plan period. In the case of the jobs-led scenario a need for 477 dwellings per annum is shown to 2020; followed by a significantly higher average figure of 625 from 2020 to 2030. As noted, this is partly due to an increase in the number of jobs expected to be created (rising from 349 per annum in the 2013-20 period to 390 from 2020 to 2030).
70. It is also considered important to note that since the SHMA update was published, the Government have produced a new set of trend-based household projections. In the period from 2013 to 2020 these projections are only showing household growth of 233 per annum on average. This is significantly below the levels proposed in the Plan and again supports that a phased approach with slightly lower numbers at the start of the plan period would more closely match with when the housing need might be expected to arise.
71. Additionally, in June 2015, ONS published a new set of mid-year population estimates (MYE) for the 2013-14 period. These showed that the population of Carlisle had grown by around 73 people in the 12-months to mid-2014; a figure which is substantially lower than projected through the SHMA (population growth of 525 people in the main demographic scenario and 801 from the jobs-led one). This lower population growth would be expected to lead to a lower need for housing and again supports a lower target in the early part of the plan period.
72. Overall, this analysis shows consideration can and should be legitimately afforded to the phasing of development so that housing growth matches both the demographic and (higher) economic need. Seeking to provide a 'flat rate' of housing averaging 565 per annum, which already incorporates significant front loading, in addition to the 5 % buffer applied to both the base requirement and the shortfall, could result in land supply issues in the earlier years, providing more homes than there is either a demographic or economic need or demand for. The need for 565 dwellings per annum in the early part of the projection period (to 2020) can therefore be seen to be not critical as it is

not proven as required by the available evidence and analysis.

73. The Council suggest a stepped approach would require an annual average of 478 dwellings (net of clearance) between 2013 and 2020, 625 between 2020 and 2030 (adjusted to have regard to delivery in the 2013 – 2020 period). This figure broadly accords with the lower annualised demographic led projection of 480 dwellings per annum, set out in the SHMA, and is justified.
74. On this basis the Council can demonstrate a five year housing land supply whether a 5% or 20% buffer figure had been adopted (5.73 years or 5.01 years respectively). Such an approach would have the added benefit of affording the development industry an opportunity to expand and increase in capacity within Carlisle, a necessary response to achieve and sustain the required Local Plan delivery rates moving forward.
75. To conclude, a stepped approach to housing delivery is the most realistic and sound basis for monitoring and assessing land supply (including five year housing land supply) throughout the plan period. In the event that the industry can mobilise quicker than anticipated and demand is greater than envisaged, there is no justification to hold back and constrain supply. A number of main modifications to provide for the stepped delivery of the higher range assessed figure are required to ensure the plan is effective and to ensure that it is clear how the five year housing land supply should be calculated (**MM01, MM03, MM04, MM29**).
76. The NPPF confirms that to be deliverable sites should be available now, offer a suitable location for development now and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular, development of the site should be viable.
77. Sites with planning permission or where there is a resolution to grant planning permission have only been included within the five year supply where they are likely to be implemented in whole or in part within the five year period. Of the forward supply of 3285 dwellings identified in the five year housing land supply set out within the Council's phased delivery statement [EL1.005e], only 895 homes (27%) were on allocated sites for which an existing planning permission was not in place (as at 1 September 2015). However, a number of planning applications had been submitted at that time but were yet to be determined. Within the housing land supply assessment 135 units from proposed allocation U14 (out of a total 189) have been included in the deliverable supply to 2020. This reflects that a full planning application for 189 dwellings was due to be lodged with the Council on a site which is larger than that allocated. In addition, the updated position reflects that allocated site U19 (Land at Carlton Clinic) has been formally withdrawn as an allocation and that allocated site R13 (Linstock North) is no longer available for development.
78. The Council first published its housing trajectory in September 2014. This predicted 404 net completions in 14/15 with actual delivery being 419. The majority of completions were from the sites expected to deliver thus reinforcing the credibility of assumptions employed with respect to forecasting. This same trajectory predicted 489 net completions for 15/16, with quarterly monitoring indicating that actual delivery will once again align and likely exceed this projection

79. A windfall allowance of 100 dwellings per year is included in the five year housing land supply allowance. Historically windfall rates within the District have been high averaging 199 dwellings per annum, although it must be recognised this is in the context of an ageing plan. Policy HO 2 does not specify a site size threshold to restrict what will or will not be permitted under windfall provisions, with a criterion based approach instead adopted. The windfall allowance is modest when compared to past trends in Carlisle. I am satisfied that there is sufficient evidence to demonstrate that windfall sites, both large and small, have consistently become available in the local area and will continue to provide a reliable source of supply over the plan period.
80. Based on the evidence, there is a realistic prospect that those sites included in the five year housing land supply statement are deliverable within the five year period. The identified deliverable supply would comfortably exceed the housing requirement of 478 net new homes per year to 2020.
81. Policy HO 1 requires a mix of both type and tenure of housing in accordance with the NPPF. **MM30** will ensure the policy is effective in securing an appropriate mix of housing to correspond with identified local housing need.
82. Policy HO 5 sets out the criteria that rural exception sites should meet. **MM46**, which clarifies that in a relevant section 106 agreement the parish or parishes cited must be within the appropriate area (usually the relevant Housing Market Area) where the local affordable housing need has been identified, is necessary to ensure the policy is effective.
83. Policy HO 7 concerns enabling development that would secure the future of a heritage asset. To reflect the views of Historic England and ensure consistency with national policy, **MM47** is necessary.
84. In a WMS issued on 25 March 2015, the Secretary of State for Communities and Local Government set out new arrangements for the consideration of Housing Standards in the planning system. New additional optional Building Regulations on water and access and on space standards are described which can complement existing, mandatory Building Regulations. **MM66** deletes references to the Code for Sustainable Homes withdrawn by the WMS. **MM21**, **MM22** and **MM48** delete specific references to Lifetime Homes Standards that no longer apply. This is necessary to ensure consistency with national policy.
85. Overall, the approach towards the supply and delivery of housing land is positively prepared, effective and consistent with national policy.

Issue 4 – Whether the housing allocations set out in Policy HO 1 are justified and deliverable.

86. Policy HO1 includes a schedule of allocated sites together with their area, indicative yield and anticipated delivery period. These sites are identified to provide the main part of the housing requirement up to 2025 beyond which it is anticipated that developments will have commenced at Carlisle South. Planning permission has already been secured on some of the allocations.
87. In order to arrive at the assessment of reasonable housing sites to be

considered for the purposes of the SA, a number of sources have been used, including the Strategic Housing Land Availability Assessment (SHLAA) [EB 005] and the Housing Site Selection Document [SD 015] which established a pro-forma for detailed assessment of each site. Some 68 sites were considered as reasonable alternatives through the SA process, 42 of which were selected as preferred options to carry forward into the Submission draft of the Plan (with an overall score of positive or neutral). It is appropriate that sites submitted to the SHLAA within the broad location of Carlisle South were not considered to constitute reasonable alternatives at this stage.

88. In the SA Report, the social, environmental and economic effects of all site allocations have been predicted and evaluated for their significance and ways of mitigating adverse effects and maximising beneficial effects, including consideration of the potential effects of sites coming forward in-combination rather than piecemeal development. The SA helped to identify the impacts of development acknowledging that many such impacts are not specific to a particular site, but rather they could apply to any development, and thus were addressed in the Housing Selection document. For the purposes of the SA, the principal site specific impacts identified, based on available information, were flood risk (using data from the Carlisle Strategic Flood Risk Assessment (SFRA), the Environment Agency and Cumbria County Council); impacts of sites on the historic environment; and impact on sites of importance for nature conservation.
89. All of the allocated housing sites lie within Flood Zone 1 as designated on the Environment Agency's flooding maps. Following the December 2015 floods, representations were invited from relevant parties to establish the impact of this flooding event on the allocated sites. According to those responses, none of the allocated housing sites were affected. Nevertheless the Environment Agency confirms that, in light of this flood event, there may be consequential changes to the flood mapping following on from the emerging 'Section 19 Flood Incident Investigation Report' that is being produced and that will be available from Cumbria County Council in the near future.
90. For the purposes of this examination, based on the evidence available, the SA remains accurate in relation to flooding considerations relating to allocations at this time. Any future changes affecting the designated flooding zones within which the allocated housing sites are situated would be a material consideration in the determination of any planning applications. If, as a result of future changes flooding became an issue that was an obstacle to delivery of any allocated site(s) such that the housing requirements would not be met, then an early review of the housing allocations may be necessary. At this time the December 2015 flooding events do not result in a necessity to re-visit the SA in respect of the allocated housing sites or render the allocations unsound in this respect.
91. Overall, and notwithstanding the omission sites I have been referred to, it is considered that the SA demonstrates that the most sustainable options have been taken forward, and that opportunities to maximise the overall sustainability of the Plan can be seen to have been taken.
92. The schedule in Policy HO1 requires some updating to reflect the deletion of sites U19 (**MM33**) and R13 (**MM38**) which are no longer available. The area

and yield of the site on land north of Carleton Clinic (U14) can be increased to accurately reflect an extant planning permission and the expected delivery in years 0-5 (**MM34**). In addition sites U4 and R17 are now expected to be delivered in years 0-5 rather than years 6-10 (**MM35** and **MM40**). As a result of these various updates, the total rural and urban dwelling capacities of all sites will also require amendment (**MM36** and **MM37**).

93. Appendix 1 of the CDLP contains some information about the individual sites, constraints and requirements to be satisfied. However, the policy makes no direct reference to Appendix 1 or the need to satisfy site specific criteria or provide infrastructure where necessary to do so. To be effective a modification is necessary to clearly link the policy and appendix together with the need to have regard to and address issues identified as relevant to a particular site (**MM32**).
94. Furthermore, the appendix offers only a very brief assessment of each allocated site and the specific issues an application may need to address. The Council explains that the site descriptions identify some of the main issues associated with the sites, but are not intended to be an exhaustive list. However, whilst pre-application discussions are encouraged, the site allocations should be clear about the nature and scale of development envisaged on each site and any constraints and mitigation that is required. The NPPF is clear that only policies that provide a clear indication of how a decision maker should react to a development proposal should be included in the plan.
95. A number of modifications are therefore necessary to include requirements that reflect access and highway safety, biodiversity, heritage, flood risk and design constraints and limitations where applicable on individual sites along the lines of that provided in the Housing Site Selection Document (SD 015). This will ensure that Policy HO 1 read in conjunction with Appendix 1 will be effective in delivering appropriate development. All main modifications to Appendix 1 are contained within **MM79** as a separate appendix. Where necessary, I have addressed specific modifications related to individual allocated sites below.
96. Proposed modifications that relate to allocation U20 include highways advice that requires access to be from Durranhill Road, through the adjacent development known as Barley Edge, where an access road has been created to serve this site. From correspondence received, it is likely that this site would be developed jointly in conjunction with site U18 adjacent to it. It may be that an alternative access could therefore be feasible through site U18 also from Durranhill Road. To provide a greater degree of flexibility I have amended the precise wording of the appendix in so far as it relates to U20 within **MM79** to offer this alternative option if it can be demonstrated that a safe and suitable access to U20 in conjunction with, and without prejudice to, the development of site U18 can be provided.
97. Additional land is proposed to be incorporated within allocation R15 (Land north of Hill Head, Scotby) to provide an alternative access. The additional land has been included at previous stages of the plan preparation and consultation. However, due to highway concerns about safe access onto Scotby Road, the site area was reduced in the submitted plan with access to

be provided off Hill Head only. A highways assessment has since been carried out which demonstrates that the additional traffic can be safely accommodated on Scotby Road. Its exclusion from the plan on highways grounds is therefore no longer justified. Notwithstanding objections from local residents, there are no overriding amenity issues that would indicate that a satisfactory relationship could not be achieved between the existing and proposed housing. A requirement to secure appropriate distances between existing and proposed dwellings is justified to ensure no adverse effect on residential amenity. A modification is necessary to Policy HO 1 to reflect the suitability of the additional area of land to be brought forward as part of allocation R15 following the presentation of new highway evidence (MM39).

98. Notwithstanding other responses in relation to MM79, I am satisfied that the modifications are necessary and justified to provide certainty to developers and decision makers.
99. To conclude, the housing site allocations are the most appropriate strategy having regard to the reasonable alternatives to effectively deliver the main proportion of the overall housing requirement to 2025.

Issue 5 – Whether the approach to employment is positively prepared, justified, effective and consistent with national policy.

100. The Carlisle Employment Sites Study (2010) [EB 010] identified that whilst there is sufficient land for employment in Carlisle there are qualitative issues with the sites that are available. A key element of the Plans economic strategy is to support investment in existing sites together with the allocation of an additional 45 ha of land for employment related purposes (Policy EC1). Employment development within Carlisle South will help to address the imbalance of employment land between the north and south of the City.
101. The identification of designated Primary Employment Areas on the Policy Map and a clear policy framework regarding their protection and development (Policy EC 2) is considered to provide the certainty required by businesses and investors. Flexibility to consider sui-generis uses and non-employment related uses ensures a positive approach. It is appropriate to include additional existing employment land at Harraby Green Business Park and the workshops on South John Street, Robert Street, Water Street and James Street to recognise the primary employment role of these areas. Consequential changes to the policies map are identified as 'Policy Map Modification No.1' and 'Policy Map Modification No. 2' on Appendix 4 of the published Schedule of Modifications [EL4.001]).
102. An example of the effectiveness of the Plan's strategy for employment land can already be seen with work (secured through LEP and Homes and Community Agency funding) underway at Durranhill Industrial Estate to deliver a programme of infrastructure improvements, including access to additional undeveloped land alongside public realm improvements to aid the overall attractiveness of the location. Private sector led improvements are also fundamental to improving the qualitative offer of employment land and an effective local plan strategy which supports investment is key to providing the confidence to support delivery. An example of where this is currently happening in Carlisle is at Rosehill Industrial Estate where significant changes

and improvements are taking place.

103. Tourism is of major importance to Carlisle as a generator of economic prosperity and employment. Policy EC9 is supportive of proposals that contribute towards the development and / or protection of the arts, cultural, tourism and leisure offer of the District. Although not referred to in the policy, the supporting text suggests that sustainable rural tourism and leisure developments that aid rural diversification must be able to demonstrate a connection with an established tourist attraction. Such an onerous requirement is not consistent with national policy. Accordingly, to be sound, the requirement should be deleted (**MM28**).
104. To conclude, the CDLP contains policies that positively and proactively encourage sustainable economic growth, are justified and will be effective in delivering the economic vision and strategy for both the urban and rural areas in accordance with the NPPF.

Issue 6 – Whether the approach towards Town Centres and retail is positively prepared, justified, effective and consistent with national policy.

105. One of the key spatial objectives of the Plan is to focus new retail and leisure floorspace within the City centre, and take opportunities to strengthen and diversify its offer, maintaining and where possible enhancing its vitality and viability. This is wholly consistent with national policy. The relevant spatial policy is Policy SP4. The Council commissioned consultants to prepare the City Centre Development Framework (CCDF) [EB 014] to guide the future development proposals in the City Centre to 2030. The key principles to emerge from this study are embedded in Policy SP4. Policy EC6 seeks to ensure that the vitality and viability of defined retail centres is not undermined by proposals for retail and other main town centre uses outside of the main town centres.

Expansion of the Primary Shopping Area

106. Carlisle Retail Study 2012 [EB 012] identified a quantitative and qualitative need for additional comparison retail floor space (Use Class A1) within the plan period. The CCDF identifies land to the north of Lowther Street including Rickergate as the most appropriate location for future expansion of the Primary Shopping Area (PSA) within the City. The extent of land identified is intended to afford a strong degree of flexibility whilst still affording certainty to potential investors.
107. Three potential locations were considered. Only one, the Citadel, is within Flood Zone 1 but this would not provide a reasonable alternative due to other constraints. The other two options fall within areas designated as Flood Zone 3. Caldew Riverside area, as well as being within an area identified as Flood Zone 3 is detached from the City Centre retail area. The allocated area is, in locational terms, far superior to the two alternatives being well located to the existing PSA and was therefore identified as the most reasonable alternative.
108. When the flood defences were breached in the flood event that occurred in December 2015, part of the allocated site was badly affected by the flooding as had been the case in 2005. The extent of flooding broadly aligned with that

envisaged within a flood defence breach scenario considered by the SFRA. Only the higher ground to the east of Lowther Street was not subject to flooding.

109. However, it is also acknowledged that the NPPG defines retail and leisure uses as 'less vulnerable' and so no exception test is necessary. 'Less vulnerable uses' are "appropriate" within Flood Zone 3. The allocation is not therefore contrary to national policy in this respect although any proposal would need to be accompanied by a Flood Risk Assessment in accordance with Policy CC4 to show what mitigation may be necessary.
110. The proposed area includes existing residential properties and local businesses. There is opposition to this allocation from the community within the area due to the potential loss of homes and local businesses, which is likely as a result of any comprehensive development. Some of these residential properties and businesses suffered as a result of the flooding event. Whilst the opposition to loss of homes and business is understandable, residential uses are categorised as 'vulnerable' to flooding and are therefore poorly located. Indeed the Environment Agency raised concerns about an illustrative scheme that included residential development given the potential for flooding in Zone 3 and the 'vulnerable' categorisation of residential uses. The identified need for additional retail floor space to secure opportunities to strengthen and diversify Carlisle's offer is a compelling consideration weighing in favour of the allocation and would outweigh the loss of more vulnerable uses in this area.
111. Notwithstanding the concerns expressed about the timing and phasing of growth within the allocation, I am not persuaded that any restriction on the phasing of development within the allocation is necessary to ensure delivery. The evidence before the examination did not satisfactorily demonstrate that the implementation of extant permissions or the delivery of other potential schemes would be prejudiced. The intention of the allocation is to ensure flexibility. No restrictions on the amount of floorspace that can be provided are embedded within the policy. It allows a retail-led scheme thereby permitting other appropriate uses alongside. Accordingly the area should not be restricted in size to accommodate only the balance of convenience floor space required. The policy is simply worded to ensure that development should not prejudice delivery of the remainder of the site.
112. To conclude it is considered that the policy is positively prepared and effective. Notwithstanding the recent flooding of December 2015 it remains the most reasonable location when assessed against the possible alternatives. It is consistent with the NPPF which confirms that it is important that needs for retail, leisure, office and other main town centre uses are met in full and are not compromised by limited site availability.

Caldew Riverside

113. Policy SP 4 identifies Caldew Riverside as a significant regeneration opportunity. The identification of the site as a regeneration opportunity reflects the importance of bringing the land back into beneficial use. However, there are challenges facing the site. Policy SP 4 reiterates and is explicit that proposals for main town centre uses at this location would be subject to

sequential and impact testing. This is an important safeguard to ensure consideration is given to the impacts of any proposal on the vitality and viability of the City Centre including the future expansion of the PSA. Modifications are appropriate to signpost Policy EC 6 (Retail and Main Town Centre Uses Outside Defined Centres) which seeks to ensure that the vitality and viability of defined retail centres is not undermined by proposals for retail and other main town centre uses outside of these centres (**MM17**). For the avoidance of any doubt, it should also be made clear that the site is not relied upon to accommodate the identified need in Carlisle for any main town centre uses (**MM19**) and that the delivery of main town centre uses on sequentially preferable sites will be given clear priority over Caldew Riverside (**MM20**). Further the wording of the supporting text should be strengthened to clarify that development is expected to deliver enhanced walking and cycling links (**MM20**).

114. These main modifications are necessary to make sure that the policies relevant to development of Caldew Riverside ensure that the development of this site would not undermine the delivery of sequentially preferable site opportunities in the City Centre, in particular the future expansion of the PSA and that the vitality and viability of the city centre is enhanced.
115. As a result of the December 2015 flooding event, this site was subject to extensive and significant flooding from the adjacent Caldew which is only partly defended along its corridor through the City. This risk of flooding is already explicitly acknowledged within the Plan and in the evidence underpinning it. The Caldew Riverside site is promoted through the Plan as a regeneration opportunity as opposed to being relied upon to accommodate any objectively assessed needs. As such the floods are not considered to have had any material impact on the inclusion of this site within the Plan other than acting to reaffirm the need for detailed proposals to have full regard to the risks of flooding and ultimately the need to deliver a flood resilient mix of uses and environment.

The Citadel

116. The CCDF recognises that a significant redevelopment opportunity exists to the south of the City Centre centred on the Citadel and former Courts buildings. This is reflected in Policy SP 4. The supporting text to Policy SP 4 does not fully reflect the most recent work carried out by the Council on the opportunities that the Citadel presents together with its constraints. A modification to reflect the most up-to-date position and acknowledge that a phased development may be necessary to bring development forward is necessary to ensure the policy will be effective. In addition it is necessary to reiterate the need to respect the historic character and fabric of this important site (**MM18**) to ensure consistency with the NPPF.

Morton District Centre

117. Since the publication of the submission version of the plan, the permission for a foodstore referred to in Policy EC4 has lapsed. It is considered that a proposal of the same capacity, specifically referred to in the policy, is unlikely to now be delivered. Whilst retail, leisure, local services and community facilities would still be supported, to ensure future development, particularly

fashion retailing, does not significantly impact on the City Centre PSA, any comparison (Class A1) retail development which exceeds 500sqm should be subject to a retail impact assessment. Main modifications are necessary to the policy and text to ensure the plan objectives are not undermined and consistency with national policy (**MM23** and **MM24**).

Retail and main town centre uses outside defined centres

118. Local Plan policy EC6 proposes a 200 sq. m locally set threshold for impact assessments. However, this threshold was based on advice in the 2012 Retail Study and pre-dated the publication of NPPG which set out the relevant tests to be considered in setting a lower threshold than the 2,500 sq. m floorspace figure set out in the NPPF.
119. A Retail Impact Threshold Assessment was commissioned and published in September 2015 (EL1.005d), having regard to the NPPG tests. It was concluded that the City Council should not rely on the NPPF default threshold of 2,500 sq. m and should continue to propose a lower locally set threshold through the Local Plan to reflect the circumstances relevant to Carlisle. However, it is recognised that the 200 sq. m threshold currently proposed through policy EC6 is not consistent with the NPPG tests.
120. On the basis of the NPPG compliant analysis undertaken, requirements that a retail impact assessment is necessary for proposals in the urban area which exceed 1000sqm (gross) for convenience retail and 500 sq.m (gross) for comparison retail is justified. A separate impact threshold of 300 sq.m (gross) for convenience and comparison retail proposals is demonstrated to be justified for Brampton, Dalston and Longtown. Main modifications are necessary to this effect to ensure the policy is consistent with national policy and effective (**MM25, MM26, MM27**).
121. To conclude, the CDLP allocates a range of suitable sites to meet the scale and type of retail, leisure, commercial, office, tourism, cultural, community and residential development needed in Carlisle District.

Issue 7 - Whether the plan will ensure the provision of infrastructure necessary to secure the growth required to meet the assessed needs of the district in a timely manner.

122. The NPPF requires local planning authorities to work with other authorities and providers to establish infrastructure requirements, the ability to meet forecast demands and take account of the need for strategic infrastructure including nationally significant infrastructure within their areas.
123. Chapter 6 of the CDLP 'Infrastructure' recognises the essential nature of infrastructure to support the delivery of increased housing provision, economic growth and creating thriving and sustainable communities. The Council's Infrastructure Delivery Plan (IDP), updated in September 2015 [EL1.004b], sets out the infrastructure required to support the growth proposed and how it is expected that it will be funded. Where there are gaps in funding, it is expected that developer contributions will be needed to ensure infrastructure is provided to support new development.

124. Policy IP8 confirms that in the first instance new development will be expected to provide infrastructure improvements which are directly related to and necessary to make the development acceptable. To ensure it is clear how the policy will operate a modification to the precise wording is necessary to clarify that these improvements will be identified through the development management process and secured through the use of planning conditions and obligations (**MM57**). This will ensure the policy is effective.
125. The policy also confirms that 'small-scale' and self-build' development will be exempt from any tariff style planning obligations reflecting the WMS referred to earlier. However, so that the policy can be applied more flexibly should national policy change a modification is proposed to simply refer to 'certain forms of development where prescribed by national policy and guidance' being exempt (**MM58**). This is necessary to 'future proof' the policy and ensure continued consistency with national policy.
126. The IDP assesses the quality and capacity of infrastructure for transport, water supply, wastewater and its treatment, energy (including heat), telecommunications, utilities, waste, health, social care, education, flood risk and coastal change management in accordance with the NPPF. It also commits the City Council to actively explore the role of introducing a Community Infrastructure Levy (CIL) which could play a part in helping to deliver the infrastructure required at Carlisle South. It is a working document to be regularly updated.
127. The IDP recognises that education provision and capacity of the District's highways network are especially important issues that will need to be addressed in order to facilitate the delivery of the CDLP. Key infrastructure schemes include the delivery of highway improvements needed to address the cumulative and site specific effects of development and delivery of primary and secondary school spaces required to address the effects of new development. It is also recognised that significant new infrastructure will be required to allow for the delivery of Carlisle South.
128. The Carlisle Transport Improvements Study [EB 025] recommends a range of potential sustainable transport improvements which can be delivered in Carlisle. These include new cycle routes, improved pedestrian facilities and improvements to public transport frequencies as well as associated infrastructure to reduce car travel. The study also recommends potential highway improvements at 11 junctions throughout Carlisle to reduce vehicle queuing and delay where proposed. It is anticipated that funding for these schemes would primarily be secured through developer funding mechanisms with delivery dependent on specific sites within the Local Plan coming forward.
129. It is considered that the delivery of more strategic improvements may be best delivered through future use of CIL. Government grants may help address any shortfall in the availability of funding or to deliver some more strategic improvement needed in the longer term.
130. The IDP pre-dates the December 2015 flooding event. It states that the urban area now enjoys a very high standard of flood protection, as a result of investment in defences after the 2005 floods and that there is no need to provide new flood protection schemes to deliver the growth in the city that is

currently proposed through the Local Plan. On this basis, no intervention has been identified which is critical to the delivery of the Local Plan strategy. Of course, the outcome of the Environment Agency's post flood evidence gathering exercise following the more recent flooding are not yet known. Nevertheless, the IDP provides the most up-to-date assessment. Furthermore, it is important to recognise that the CDLP does not propose to allocate any land for vulnerable uses in areas currently designated as Flood Zones 2 or 3.

131. Issues around surface water flooding also exist within the District. These tend to be highly localised. Surface water flooding is to be largely addressed through sustainable drainage by ensuring that development does not take place in areas prone to it, as well as ensuring that development doesn't exacerbate surface water flooding problems elsewhere. This is supported by relevant policies.
132. There are no significant issues with water utilities provision currently, beyond potential capacity issues at a small number of local waste water treatment works. United Utilities has stressed that early engagement with them as part of the planning process is vital. In order to ensure Policy IP6 'Foul Water Drainage on Development sites' is effective and consistent with national policy, a modification is required to put the onus on a developer to demonstrate how foul drainage from a site will be managed rather than for United Utilities to demonstrate that connection to the public sewage system is not possible. Further, the policy should be clear that the first presumption will be for new development to drain to the public sewer system (**MM56**).
133. The quality and coverage of telecommunications is improving across the District. Policy IP 4 supports the expansion of high speed broadband access across the district in accordance with the NPPF. The overall strategy to concentrate the majority of the additional growth within the urban area should act to ensure that most new developments are in areas where there is a realistic prospect of benefiting from investment in and the expansion of existing networks.
134. For the rural area there has been an indication that a site for a medical centre will be required in Brampton 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.
135. Growth plans for Carlisle align with the investment plans of the Clinical Commissioners Group (CCG) and where they will focus future investment. The Council continues to support health infrastructure through the Local Plan, and dedicated strategic policies for health and wellbeing.
136. The Local Plan seeks to protect the District's rich biodiversity where it can, through the recognition of the various designations of environmental protection. In certain cases it may be necessary to secure contributions from developers to help enhance biodiversity provision either on or nearby to a development site, particularly if this is required through imposed mitigation requirements.

137. There are no major concerns regarding the provision of open space within the District. Carlisle enjoys a large range of diverse and high quality public open spaces. Where local deficits do arise, these will likely need to be addressed through developer contributions – particularly if such contributions will be required as part of mitigation measures due to development having an adverse impact upon an existing open space. The justification to Policy IP 2 'Transport and Development' states that new development should capitalise upon and enhance links to existing green infrastructure and rights of way networks wherever possible or should seek to create new networks if none are present. To ensure Policy IP 2 is effective in this regard, Travel Plan and Transport Assessments should demonstrate how a site contributes to creating a multifunctional and integrated green infrastructure network (**MM55**).
138. To conclude the IDP demonstrates that adequate provision of physical, social and green infrastructure is present within the plan area in order to support the levels of development proposed within the CDLP and where gaps in infrastructure have been identified, how and by whom, the required infrastructure will be provided, funded and delivered. Progress on infrastructure delivery will be monitored and reported on in the Annual Monitoring Report.

Issue 8 - Whether the approach to climate change and flood risk is effective and consistent with national policy.

139. Policy CC1 seeks to make the most effective use of natural resources. It has an overarching principle of support for Renewable Energy extending to any technology, where a number of criteria can be satisfied to ensure developments do not have an adverse impact. One of the criteria within Policy CC1 requires proposals for renewable energy development to not have a significant adverse impact on, amongst other considerations, the historic environment and their settings. To ensure consistency with policies concerning heritage assets in Chapter 9, development should not have an 'unacceptable' impact (**MM59**).
140. Policy CC2 is a criterion based policy dealing exclusively with energy from wind and sets a general presumption in support of this type of development where proposals do not have significant or adverse effects. There are six areas of advice within the policy covering issues ranging from amenity to heritage to civil or military aviation issues and technical environmental aspects such as flicker, low frequency sound or vibration issues. These stipulations are similar to, but more specific than those held in the policy and justification text for Policy CC1.
141. The evidence base used to inform the Plan's renewable energy policies was jointly commissioned on a County wide basis which in part reflects that in Cumbria the issue of renewable energy production is deemed to be a cross boundary issue. Such evidence includes the Cumbria Renewable Energy Capacity and Deployment Study [EB 018]; the Cumulative Impacts of Vertical Infrastructure Study [EB 019, EB 020 and EB 021]; and the Cumbria Wind Energy Supplementary Planning Document [FSD 025].
142. On 18 June 2015, the Secretary of State published a WMS regarding onshore wind turbine development. The WMS sets out new considerations to be applied

to proposed wind energy development so that local people have the final say on wind farm applications. When determining planning applications for wind energy development involving one or more wind turbines, local planning authorities should only grant planning permission if the proposed development site is in an area identified as suitable for wind energy development in a Local or Neighbourhood Plan; and following consultation, it can be demonstrated that the proposal reflects the planning concerns of affected local communities and therefore has their backing. In applying these new considerations, suitable areas for wind energy development will need to have been allocated clearly in a Local or Neighbourhood Plan. Policy CC 2 does not allocate suitable areas for wind energy development. It is not therefore consistent with national policy and so not effective.

143. The Council commissioned a report to consider the best way forward to address national policy within the plan. It was considered that Policy CC2 together with the supporting justification could be modified to require proposals to accord with national policy and guidance in addition to satisfying the criteria contained in the policy. Furthermore, the policy and justification text can be modified to include reference to a future allocation document that identifies suitable sites and states suitable tests to determine the assessment of local backing. In this way Policy CC2 would be effective as delivery of development could occur (whether through an allocation document or neighbourhood plan). It would be necessary to clarify within policy CC1 that wind energy development should accord with Policy CC2. With these modifications, Policy CC1 and CC2 would reflect and be consistent with national policy (**MM60, MM61, MM62, MM63, MM64, and MM65**).
144. The CDLP is supported by Strategic Flood Risk Assessment (SFRA) for the whole of the District and a Stage 2 SFRA carried out for those parts of the City Centre that benefit from flood defences. Housing allocations are only located in areas designated as Flood Zone 1 to avoid flood risk to people and property and manage any residual risk, taking account of the impacts of climate change and applying the sequential test. This accords with national policy. Policy CC4 aims to steer new development away from flood risk areas where possible in line with the NPPF and associated NPPG, recognising that flooding may be as a result of fluvial flooding or influenced by existing formal or informal flood defences and the capacity of existing drainage systems or culverts and surface water run-off. To ensure the policy is robust and effective in ensuring the impacts of developments in relation to flooding are satisfactorily assessed, modifications are required to ensure proper liaison with statutory bodies and use of sustainable drainage methods that promote the use of permeable surfaces (**MM67, MM68 and MM69**).
145. Policy CC5 sets out the detailed surface water management and sustainable drainage systems requirements that new developments should satisfy. Surface water management is a key principle of sustainable development. The Council's SFRA advocates that Sustainable Urban Drainage systems (SUDs) should be considered and given priority in line with the NPPF and associated NPPG. United Utilities and Cumbria County Council have sought a number of changes to the precise wording of the policy to ensure that it is effective in securing sustainable drainage systems and the use of permeable surfacing and gives a clear indication of the type of information that should accompany applications for new development. Whilst the overall thrust of the policy is not

changed, these modifications are necessary to give certainty to developers and decision makers and ensure the policy and explanation is effective (**MM70** and **MM71**).

146. To conclude, policies in the CDLP support the transition to a low carbon future taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and the use of renewable resources in accordance with the NPPF. With the main modifications set out above, it adopts proactive strategies to mitigate and adapt to climate change.

Issue 9 – whether the plan will support strong, vibrant and healthy communities consistent with national policy.

147. The Council recognises the importance of protecting and enhancing the health and wellbeing of the District's population and the benefits that are attainable from good design and development. This is reflected in policies contained in Chapter 8 which concern the provision of health care, meeting educational needs, sustaining community facilities and services, planning out crime and environmental and amenity protection which in turn are consistent with national policy. Some redevelopment and reconfiguration at the Cumberland Infirmary is likely during the plan period. **MM72** and **MM73** are necessary to ensure Policy CM1 is positively prepared and effective in supporting these works which will help the hospital to meet future health care needs.

Issue 10 - Whether the approach to the natural, built and historic environment is positively prepared, appropriate to the area and consistent with national policy.

148. One of the objectives of the NPPF is to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations. It requires that local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats.
149. Chapter 9 of the CDLP build on the strategic direction to promote and protect Carlisle's finite heritage resource, recognising the key role its heritage assets play in reinforcing the District's distinctive identity and sense of place, as well as underpinning a strong tourism offer, opportunities for education and the wider economy through job creation and environmental quality. Within the chapter there are some instances where the wording does not precisely reflect the assessment of harm set out in the national policy. Modifications are therefore required to ensure consistency (**MM75**, **MM76** and **MM77**).
150. Policy HE1 is specific to Hadrian's Wall, a WHS. It states that new development will not be permitted on currently open land on the line of the wall. However Historic England recognises that there may be some instances where development on the line of the wall may be allowed. Accordingly to ensure the policy is positively prepared and flexible such development should not 'normally' be permitted (**MM74**).

151. The plan contains a clear strategy for enhancing the natural, built and historic

environment, recognising that heritage assets are an irreplaceable resource.

Issue 11 - Whether the plan would monitor the delivery of development and infrastructure effectively.

152. Monitoring is key to ensuring that the plan remains effective and is delivering the development required to meet the assessed needs of Carlisle district where and when required. It should be clear how the success of policies will be measured and when intervention is necessary and what it would entail. To this end, main modifications are required to both the text within Chapter 11 'Monitoring and Implementation' (**MM78**) and Appendix 2 (**MM80**). The AMR and IDP will provide evidence to support the monitoring and establish over what period the policies may not be achieving the requirements of the plan.

153. Overall, with these modifications, the plan would effectively ensure development progress, including infrastructure, is monitored so that timely interventions can be made when necessary.

Assessment of Legal Compliance

154. My examination of the compliance of the Plan with the legal requirements is summarised in the table below. I conclude that the Plan meets them all subject to MMs where necessary.

LEGAL REQUIREMENTS	
Local Development Scheme (LDS)	The Local Plan is identified within the approved LDS February 2015 which sets out an expected submission date of May 2015 and adoption date of April 2016. The Local Plan's content and timing are broadly compliant with the LDS.
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in July 2013 and consultation has been compliant with the requirements therein, including the consultation on the post-submission proposed 'main modification' changes (MM)
Sustainability Appraisal (SA)	SA has been carried out and is adequate.
Appropriate Assessment (AA)	The Habitats Regulations Screening Report (March 2015) and Addendum (March 2016) sets out why AA is not necessary.
National Policy	The Local Plan complies with national policy except where indicated and modifications are recommended.
2004 Act (as amended) and 2012 Regulations.	The Local Plan complies with the Act and the Regulations.

Overall Conclusion and Recommendation

- 155. The Plan has a number of deficiencies in relation to soundness for the reasons set out above which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explored in the main issues set out above.**
- 156. The Council has requested that I recommend main modifications to make the Plan sound and capable of adoption. I conclude that with the recommended main modifications set out in the Appendix the Carlisle District Local Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.**

Claire Sherratt

Inspector

This report is accompanied by the Appendix containing the Main Modifications

Appendix – Main Modifications

The modifications below are expressed either in the conventional form of ~~striketrough~~ for deletions and underlining for additions of text, or by specifying the modification in words in italics.

The page numbers and paragraph numbering below refer to the submission local plan, and do not take account of the deletion or addition of text.

Ref	Page	Policy/ Paragraph	Main Modification
MM01	34	SP2	<p><i>Amend criterion 1 as follows:</i></p> <p>1. Sufficient land will be identified to <u>accommodate support</u> the delivery of an annualised average of at least 565 <u>9,606</u> net new homes between 2015 <u>2013</u> and 2030 <u>including a minimum annualised average of:</u></p> <ul style="list-style-type: none"> • <u>478 net new homes between 2013 and 2020; and</u> • <u>626 net new homes between 2020 and 2030 (adjusted to have regard to delivery in the 2013 – 2020 period).</u>
MM02	34	SP2	<p><i>Amend criterion one, sub bullet points a. and b. as follows:</i></p> <p>a. <u>approximately</u> 70% of this growth will be focused on the urban area of Carlisle, with <u>approximately</u> 30% in the rural area; and...</p> <p>b. specific sites have been identified within the Plan, alongside an allowance for windfall developments, to accommodate the <u>majority of</u> growth required until 2025. Carlisle South has been identified as a broad location to accommodate <u>additional</u> housing growth beyond this period in accordance with Policy SP 3.</p>
MM03	35/36	Paragraphs 3.8-3.10	<p>Amend Paragraphs 3.8 to 3.10 as follows:</p> <p>3.8 Policy SP 2 makes provision for an annualised average of at least 565 net new homes between 2015 and 2030, equating to a total minimum of 8,475 <u>9,606 dwellings across this 15 year period between 2013 and 2030</u>. The District of Carlisle...</p> <p>3.9 The annual housing requirement <u>and time period to which it relates of 565</u> is consistent with the <u>base date and findings</u> of the Carlisle Strategic Housing Market Assessment (SHMA) Update 2014...</p> <p>3.10 ...The proposed annual housing requirement pursued by the Plan can be seen to align with this evidence of 565 is both within the ranges of both sets of housing projections identified in the POPGROUP modelling and SHMA and is considered reflective of the requirements set out in paragraph 47 of the NPPF.</p>
MM04	36	Insert new paragraphs after 3.10	<p><i>Insert 2 new paragraphs after existing para 3.10:</i></p> <p><u>To ensure the supply of new homes does not constrain economic growth, a minimum number equating to an annual</u></p>

Ref	Page	Policy/ Paragraph	Main Modification												
			<p>average of 478 net new homes is required between 2013 and 2020. Beyond this and for the remainder of the plan period, between 2020 and 2030, a minimum number equating to an annual average of 626 net new homes is required. This stepped approach reflects that job-growth is generally expected to be stronger post 2020 (and hence a greater increase in population would be required from this point). Aside from aligning with the evidence in the form of the jobs-led projection within the SHMA which has influenced the housing requirement, the introduction of a stepped approach importantly affords an opportunity for the development industry to mobilise and increase its capacity within Carlisle, necessary given the migration from a historically lower housing requirement in preceding plan periods and industry base position.</p> <p><u>It must be stressed that the 'minimum' requirements are exactly that and should the conditions be in place to exceed these and/or frontload supply earlier in the plan period then such opportunities will be positively responded to. To ensure supply keeps pace with demand it is important that any shortfall within the 2013 to 2020 period is addressed within this same period. Beyond 2020 the annualised average employed for assessment purposes should similarly be adjusted to have regard to any under or over provision in the preceding seven year period.</u></p>												
MM05	36	3.11	<p><i>Amend Paragraph 3.11 as follows:</i></p> <p>3.11 <u>Excluding Carlisle South</u> the the spatial strategy seeks to focus the majority (<u>approximately 70%</u>) of new housing growth <u>within or on the edge of</u> on the City of Carlisle...</p>												
MM06	36	3.12	<p><i>Amend Paragraph 3.12 to read:</i></p> <p>3.12 Specific allocations have been identified within the Local Plan to contribute, alongside existing commitments and an allowance for windfall, to meeting the <u>majority of growth required for the first ten years of across the Plan period until 2025.</u> Beyond this Carlisle South, which is subject to the provisions of Policy SP 3, has been identified as a broad location to accommodate <u>additional housing growth in the latter years of the Plan and beyond within and beyond the Plan period.</u></p>												
MM07	37	Table 1	<p>Table 1 – Summary of Housing Land Supply (as at 1st October 2014) (<u>as at 1st April 2015</u>)</p> <table><tr><th>Source</th><th>No Of Dwellings</th></tr><tr><td><u>Delivery to date (2013 – 2015)</u></td><td><u>609</u></td></tr><tr><td>Outstanding Planning Permissions</td><td>4063 3884</td></tr><tr><td>Proposed Local Plan Allocations*</td><td>3472 4017</td></tr><tr><td>Windfall Provision [<u>@100 dwellings per annum across the plan period</u>]</td><td>1500</td></tr><tr><td>Strategic Allocation Carlisle</td><td>1450</td></tr></table>	Source	No Of Dwellings	<u>Delivery to date (2013 – 2015)</u>	<u>609</u>	Outstanding Planning Permissions	4063 3884	Proposed Local Plan Allocations*	3472 4017	Windfall Provision [<u>@100 dwellings per annum across the plan period</u>]	1500	Strategic Allocation Carlisle	1450
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Ref	Page	Policy/ Paragraph	Main Modification				
			<table><tr><td>South</td><td></td></tr><tr><td>Total Supply</td><td>40485 11460</td></tr></table> <p>*Excludes the capacity of those allocations which have an outstanding planning permission in place in order to avoid double counting.</p>	South		Total Supply	40485 11460
South							
Total Supply	40485 11460						
MM08	38	Figure 1	Replace Figure 1 with the new trajectory and updated caption. New trajectory attached as Appendix 1 to this schedule.				
MM09	43	SP 3	Amend paragraph 1 of Policy SP3 to read: A broad location for growth for a <u>major mixed use urban extension development</u> , focusing on housing, is identified on the Key Diagram at Carlisle South. The urban extension is expected to be delivered from 2025 onwards. The release and phasing of Carlisle South will be informed by a Development Plan Document inclusive of an Infrastructure Delivery strategy. Amend bullet point 1 of fourth paragraph to read: 1. To provide more detail on how <u>and when</u> the strategic				
MM10	43	SP 3	Amend third paragraph to read: <u>To enable a comprehensive and co-ordinated development approach, Ppiecemeal or unplanned</u> development proposals within the area which are likely to prejudice its delivery including the large scale infrastructure required for the area will not be permitted.				
MM11	43	SP 3	<i>Amend fourth paragraph to read:</i> The development of this area will be in accordance with a masterplan which will be approved as a Development Plan Document. <u>The study area for the masterplan will include the whole of the undeveloped extent beyond the city's existing southern edge and any existing allocations.</u>				
MM12	44	3.31	<i>Amend para 3.31 as follows:</i> 3.31 ... alongside an allowance for windfall developments, to accommodate the <u>majority of growth required until 2025.</u> Policy SP 3 makes provision for the development of <u>additional housing</u> (and associated infrastructure) from 2025 and beyond , by setting out a broad location for growth at Carlisle South.				
MM13	44	3.34	<i>Amend para 3.34 as follows:</i> 3.34 ...the scale and nature of the development and its boundaries and consideration afforded to the infrastructure necessary to support growth. <u>This process would also inform the release date and phasing of development in this area.</u> Maintaining adequate distances between any urban...				
MM14	45	3.35	<i>Add to paragraph 3.35 as follows:</i> 3.35 ...It would then set the policy framework for any future planning applications <u>and make clear the requirement for individual applications to demonstrate how they align with the masterplan including how they will contribute to the delivery of</u>				

Ref	Page	Policy/ Paragraph	Main Modification
			<u>strategic infrastructure</u>
MM15	47	3.37	<i>Amend Paragraph 3.37 to read:</i> 3.37 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 <u>until such time as the intended Development Plan Document, inclusive of an infrastructure delivery strategy, is adopted.</u> It would also prejudice the delivery of infrastructure.
MM16	various	various	<i>All references to Carlisle south 'urban extension' to be amended to read 'major mixed use development'.</i>
MM17	46	SP 4	<i>Amend 5th paragraph as follows:</i> ...its overall attractiveness. Development proposals for <u>main town centre uses on this site</u> will be considered on their merits, with any proposed main town centre uses being subject to <u>and should be accompanied by a sequential and impact test in accordance with policy EC 6, to ensure that any proposed scheme does not threaten the delivery of sequentially preferable sites and the health of the City Centre Primary Shopping Area.</u> Development proposals should demonstrate how they would contribute to <u>the delivery</u> of the comprehensive redevelopment of the wider site and also respond to the opportunity to positively interact with the River Caldew, including...
MM18	49	3.50	<i>Delete existing paragraph 3.50 in its entirety and replace with:</i> <u>"While this location does present a real opportunity to deliver a transformative mixed use development (for a variety of main town centre uses, alongside residential, educational or institutional uses), realising this will not be without challenges. Development will need to respect the historic character and fabric of the site, and comprehensive development will be dependent on assembling a number of leases. Reflecting these characteristics, it may be that the redevelopment of this site will need to take place on a phased basis."</u>
MM19	50	3.52	<i>Amend paragraph 3.52 as follows:</i> 3.52 ...Planning permission is in place for a food superstore on part of the site with the consent for this having been lawfully implemented but not currently progressed. There remains a degree of uncertainty at the current time however as to whether this superstore will be delivered. <u>Based on the level of need identified in the Carlisle Retail Study the site is not relied upon to accommodate any main town centre uses.</u>
MM20	50	3.53	<i>Amend paragraph 3.53 as follows:</i> 3.53 ...the proposed extension of the Primary Shopping Area and the redevelopment of the Citadel complex. <u>The delivery of main town centre uses on these sequentially preferable sites will be given clear priority over Caldew Riverside.</u> In these circumstances development proposals for the site will be considered on their merits <u>and be expected to having regard to deliver the potential to</u> enhanced existing walking and cycling links and in to aiding the overall attractiveness of the City Centre through the delivery of uses which would complement those found within it. This approach is also

Ref	Page	Policy/ Paragraph	Main Modification
			considered to recognise the need for flexibility if the opportunity presented by the site is to be realised.
MM21	62	SP 9	<i>Amend criterion 3 to read:</i> 3. encouraging the development of decent homes that are adaptable for the life course of the occupiers, meeting Lifetime Homes Standards where possible;
MM22	64	3.85	<i>Amend paragraph 3.85 to read:</i> 3.85 Lifetime Homes is one aspect where Hhealth and wellbeing can be improved by ensuring that homes are accessible, inclusive and incorporate design features which add to the comfort and convenience of the home and support the changing needs of individuals and families at different stages of life, their life-course. Bringing Lifetime Homes standards, or elements of them, into the general housing stock should, overtime, This type of development would allow older people to stay in their own homes for longer, reduce the need for home adaptations and give greater choice to disabled people who cannot achieve independent living due to lack of suitable housing. Lifetime Homes are all about flexibility and adaptability; they are not 'special', but are thoughtfully designed to create and encourage better living environments for everyone. The Local Plan encourages the development of decent homes that are adaptable for the life course of the occupiers Lifetime Homes, given that the numbers of residents in the three oldest age bands (60-74, 75-84 and 85+) are projected to increase (Cumbria Observatory, Spring 2014) across the plan period. The Council will seek to ensure that consideration will be given to the needs of the community on a site by site basis and an appropriate mix of dwellings agreed through the Development Management process.
MM23	78	EC 4	<i>Amend policy as follows:</i> Land is allocated at Morton for a District Centre to accommodate a foodstore with a capacity of 8,175 m2 gross anchor . Proposals for additional retail, leisure, local services and community facilities will be supported within the District Centre site providing they are of a scale and nature commensurate with its intended catchment and would aid its vitality and viability. <u>Proposals for comparison (Class A1) retail which exceed 500sqm (gross) will need to be accompanied by a retail impact assessment to demonstrate that there would be no significant impact on the City Centre Primary Shopping Area.</u>
MM24	78	4.18	<i>Add new final sentence to paragraph 4.18 as follows:</i> <u>"Proposals for class A1 comparison retail will be required to undertake an impact assessment which reflects the need to exercise caution particularly in respect of fashion retailing and the potential negative effect that proposals of this nature may have upon the City Centre Primary Shopping Area."</u>
MM25	81	EC 6	<i>Amend first two paragraphs of Policy EC 6 to read:</i> Development proposals for new retail and main town centre uses should in the first instance be directed towards defined centres, and for comparison (non-food) retailing proposals the defined Primary Shopping Areas <u>(where designated)</u> within

Ref	Page	Policy/ Paragraph	Main Modification
			<p>these centres, in accordance with the hierarchy set out in Policy SP 2.</p> <p><u>In line with national policy Pproposals outside defined centres which exceed 200m² will be required to undertake a sequential test and impact test in accordance with national policy proportionate to the scale and nature of the proposal. In addition, locally set impact thresholds for retail floorspace have been set for the urban area and will be required for proposals which exceed 1000sqm (gross) for convenience retail and 500sqm (gross) for comparison retail. A separate impact threshold of 300sqm (gross) for convenience and comparison retail proposals has been set for Brampton, Dalston and Longtown.</u></p>
MM26	81	Paragraph 4.26	<p><i>Amend paragraph 4.26 to read:</i></p> <p>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 Ito achieve this with the limited capacity available, the study recommended that a threshold of 200m² should be employed with regards to the sequential and impact tests, in the context of both convenience and comparison retailing. The sequential and impact test should be carried out in accordance with national policy with the approach also proportionate to the scale and nature of the proposal being progressed. <u>proposals for new retail and main town centre uses will, in line with national policy, have to undertake a sequential test. A locally set threshold has also been established for undertaking retail impact assessments which addresses the requirements of National Planning Policy Guidance (NPPG) and updates the threshold set in the 2012 study.</u></p>
MM27	81	New paragraphs after 4.26	<p><i>Insert 3 new paragraphs after paragraph 4.26 and before 4.27 as follows:</i></p> <p><u>The Retail Impact Threshold update (September 2015) recommends that in respect of the urban area of Carlisle separate retail thresholds for convenience and comparison retailing should be applied to enable sufficient opportunity to robustly assess the impact of any future edge / out of centre proposal on existing urban centres.</u></p> <p><u>In respect of the District Centres of Brampton, Dalston and Longtown a threshold has been set in order to reflect the nature of these centres which are occupied by small scale operators orientated towards top up provision.</u></p> <p><u>The sequential and impact tests should be carried out in accordance with national policy (and in respect of impact test in line with the thresholds set out) with the approach being proportionate to the scale and nature of the proposal being progressed.</u></p>
MM28	87	Paragraph 4.41	<p><i>Remove last sentence of Paragraph 4.41:</i></p> <p>It must also be able to demonstrate a connection with an established tourist attraction.</p>

Ref	Page	Policy/ Paragraph	Main Modification
MM29	96	HO 1	<i>Amend criterion 1 as follows:</i> 1. deliver the allocations set out in this Policy and contribute to achieving <u>the Plan's an average annual District housing target of at least 565 houses per year.</u> Any unallocated...
MM30	96	HO 1	<i>Amend criterion 2 as follows:</i> 2. ...developers will need to demonstrate that they have provided a their proposals contribute to the overall mix of dwelling types, sizes and tenures which help meet identified local housing need and contribute to the development...
MM31	96	HO 1	<i>Amend penultimate paragraph as follows:</i> The following table sets out allocated housing sites in the urban and rural areas. These sites are identified on the Local Plan Policies Map. The sites make provision to deliver the main part of the housing target to 2025. From 2025 onwards, development will be in the broad location of Carlisle South, (as detailed in Policy SP-3), which will include a sustainable urban extension and delivery of the strategic rural requirement.
MM32	97	HO 1	<i>New paragraph inserted before final paragraph as follows:</i> <u>"Proposals should be brought forward having regard to and addressing any issues set out in Appendix 1."</u>
MM33	97	Housing Allocations Schedule	<i>Remove Housing allocation Site U 19 – Land at Carleton Clinic</i>
MM34	97	Housing Allocations Schedule	Amend U14 to record '9.3' Ha for the site area (updated from 4.20), an indicative yield of '189' (updated from 126) and an indicative plan period of '0-5' years (revised from 6-10).
MM35	97	Housing Allocations Schedule	<i>Amend U4 to record an indicative plan period of '0-5' years (revised from 6-10).</i>
MM36		Housing Allocations Schedule	<i>Amend the Allocated sites Urban Carlisle Total Capacity (dwellings) figure to read "2,779"</i>
MM37		Housing Allocations Schedule	<i>Amend the Allocated sites Rural Total Capacity (dwellings) figure to read "1,409"</i>
MM38		Housing Allocations Schedule	<i>Remove Housing allocation Site R 13 – Linstock North</i>
MM39		Housing Allocations Schedule	<i>Amend existing R15 allocation (Land north of Hill Head, Scotby) to include land to the north of this site (east of Scotby Road). Schedule to include revised site size (3.7 ha), indicative yield (90) and indicative plan period (0 – 5).</i>
MM40		Housing Allocations Schedule	Amend R17 to record an indicative plan period of '0-5' years (revised from 6-10).
MM42	107	HO 4	<i>Amend third paragraph of Policy HO 4 as follows:</i> ...A lower proportion and/or different tenure split may be permitted where it can be clearly demonstrated by way of a financial appraisal that the development would not otherwise be financially viable <u>or where the proposed mix better aligns with priority needs.</u> Early dialogue with the Council

Ref	Page	Policy/ Paragraph	Main Modification
			on this <u>these</u> matters is essential.
MM43	107	HO 4	<i>Add new final paragraph as follows:</i> <u>Policy HO 4 will operate within the context of national policy and will be implemented with regard to any relevant future changes including to the national definition of affordable housing.</u>
MM46	112	Paragraph 5.45	<i>Amend paragraph 5.45 to read as follows:</i> 5.45 The S106 must include the name of the parish <u>or</u> <u>parishes within the appropriate area (usually the relevant Housing Market Area)</u> where the local <u>affordable housing</u> need has been identified. It may also include a list of neighbouring parishes, <u>wards or wider geography</u> to be referred to if, at some point in the future, one or more of the houses become vacant and there are no applicants from the <u>original</u> parish <u>or</u> <u>parishes</u> .
MM47	116	Policy HO 7	<i>Amend policy to read:</i> Enabling development in the form of new housing, where it would otherwise be contrary to planning policy, that would secure the future <u>conservation</u> of a heritage asset will be acceptable providing that the following criteria are met: 1. <u>it is necessary as a last resort to resolve problems arising from the inherent needs of the place;</u> 2. the any harm caused to the significance of the heritage asset and its setting should be <u>is outweighed against by</u> the public benefits of the proposal; 3. sufficient grant or subsidy to secure the future of the heritage asset is not available from any other source; 4. the proportion of enabling development proposed is the minimum required to secure the <u>long term</u> future of the heritage asset; and 5. the development secures the long term future of the heritage asset, and this outweighs any negative effects of conflict with the <u>disbenefits of departing</u> from any other planning policies; and 6. the new development makes a positive contribution to local character and distinctiveness.
MM48	123	5.86	<i>Amend paragraph 5.86 to read:</i> <u>Proposals for the development of homes that are adaptable for the life course of the occupiers in line with Building Regulations M4(2) (Accessible and Adaptable Dwellings), and M4(3) (Wheelchair user dwellings) Lifetime Homes, or which include an element of lifetime homes,</u> will help to ensure a supply of adaptable and accessible homes that can respond to the changing needs of individuals and families. 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 <u>Adaptable homes are 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</u>

Ref	Page	Policy/ Paragraph	Main Modification
			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.
MM49	124	HO 11	Amend second paragraph to read: Land has been allocated adjacent to Low Harker Dene for nine <u>permanent residential pitches</u> and <u>up to 15 transit pitches</u> to meet identified needs over the Plan period for <u>Gypsies and Travellers provision.</u>
MM50	124	HO 11	Amend third paragraph as follows: Proposals which contribute to achieving additional provision of transit <u>and permanent residential and temporary</u> pitches, and sites for Travelling Showpeople, in addition to...
MM51	124	HO 11	Delete existing criterion one and four and replace with a new criterion one which reads: <u>"the location, scale and design would allow for integration with, whilst not dominating or unacceptably harming, the closest settled community to enable the prospect of a peaceful co-existence between the site and the local community;"</u> Amend existing criterion 6 as follows: 6. the site <u>is well planned to be contained within</u> has existing landscape screening features, or can be <u>appropriately</u> landscaped to minimise any impact on <u>the</u> surrounding countryside area;
MM52	124	HO 11	Delete existing criterion 8 in its entirety: 8. site management measures are included in the proposals;
MM53	125	5.90	Amend paragraph 5.90 as follows: 5.90 The total pitch requirement across the District, based on the current supply of pitches, and views expressed by Gypsy and Traveller households, is 15-17 pitches up to 2028 <u>2030</u> . It is...
MM54	125	5.93	Amend paragraph 5.93 as follows: 5.93 ... which helps to address on-going unauthorised encampment activity. <u>The transit allocation adjacent to Low Harker Dene provides sufficient land to accommodate up to 15 pitches. Any additional proposals for transit provision will be assessed against the criteria in the policy.</u>
MM55	132	IP2	<i>Additional Text to end of Criteria 4:</i> <u>.....green transport routes; , and contributes to creating a multifunctional and integrated green infrastructure network;</u>
MM56	141	IP 6	<i>Amend policy to read:</i> Development should not be permitted where inadequate foul water treatment and 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. <u>Where there are concerns that inadequate foul water treatment and drainage infrastructure exists to serve a proposed development, or where such provision cannot be made within the time constraints of planning permission, it is the responsibility of the developer to demonstrate how foul drainage from the site will be managed. In some</u>

Ref	Page	Policy/ Paragraph	Main Modification
			<p>circumstances, it may be necessary to co-ordinate the delivery of development with the delivery of infrastructure. In certain circumstances, a new development will be required to discharge foul water to the public sewerage system at an attenuated rate.</p> <p>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.</p> <p><u>The first presumption will be for new development to drain to the public sewerage system. Where alternative on-site treatment systems are proposed, it is for the developer to demonstrate that connection to the public sewerage system is not possible in terms of cost and/or practicality and provide details of the responsibility and means of operation and management of the system for its lifetime to ensure the risk to the environment is low.</u></p>
MM57	144	IP8	<p>Amend second paragraph as follows: ...to and necessary to make the development acceptable. This <u>These</u> will be <u>identified through the development management process</u> and achieved <u>secured</u> through use of planning conditions and obligations."</p>
MM58	144	IP8	<p><i>Re word penultimate paragraph of Policy IP8 and replace:</i> In accordance with national policy 'small-scale' and 'self-build' development will be exempt from any tariff-style planning obligations (section 106 planning obligations). Small-scale in the context of the District of Carlisle is defined in the glossary.</p> <p><u>Certain forms of development, where prescribed by national policy and guidance, will be exempt from any tariff-style planning obligations.</u></p>
MM59	148	CC 1	<p><i>Amend criterion one as follows:</i></p> <ol style="list-style-type: none"> 1. Do not have a significant adverse <u>an unacceptable</u> impact on the location, in relation to visual impact caused by the scale of development, on the character and sensitivity of the immediate and wider landscape, townscape or historic <u>environment heritage assets</u> and their settings;
MM60	148	CC1	<p><i>Insert new paragraph post criterion 5 as follows:</i> <u>In addition to the criteria set out above, applications for wind energy development should accord with policy CC2.</u></p>
MM61	149	Paragraph 7.1	<p><i>Amend paragraph 7.1 as follows:</i> "...be that large scale or micro-renewable schemes (where planning permission is required). Policy CC 2 'Energy from Wind' should <u>must also be satisfied</u> referred to when considering..."</p>
MM62	152	CC2	<p><i>Amend first paragraph as follows:</i> "Proposals for the development of wind turbines will be supported where they <u>accord with national policy and</u></p>

Ref	Page	Policy/ Paragraph	Main Modification
			<u>guidance, and where it can be demonstrated, through identifying and...</u>
MM63	152	CC2	<i>Replace 'significant adverse' with 'unacceptable' in Criterion 1:</i> <i>1. a significant adverse <u>an unacceptable</u> impact on....</i>
MM64	152	CC2	<i>Insert new paragraph post criterion 6 as follows:</i> <i><u>"The criteria listed above will also be used as a basis for future identification of suitable area/s for wind energy development."</u></i>
MM65	154	New paragraphs after 7.11	<i>Insert new paragraphs between existing 7.11 and 7.12 as follows:</i> <i><u>In addition to the criteria set out in policy CC2 wind energy development will be required to follow national policy and therefore, as appropriate, it will be necessary to define suitable areas for wind energy development. Furthermore, applications should demonstrate that they have addressed the planning concerns of the local community and therefore have their backing. Using this evidence the Council will consider the extent to which the applicant has addressed community concerns and make a planning judgement of the community backing.</u></i> <i><u>Until such time as the suitable areas are identified in a subsequent development plan document (on a district basis or through collaboration with adjoining districts) or neighbourhood plan, proposals for wind energy development will be considered against other local plan policies, together with national policy and guidance.</u></i>
MM66	158	7.27	<i>Amend para 7.27 as follows:</i> <i>7.27 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 a building's sustainability should be consistent with the Government's zero carbon buildings policy and should adopt these nationally described standards. Building Regulations set the minimum standards for the design and construction of new buildings (and extensions) with energy efficiency standards dealt with under Part L. Progress towards 'zero carbon' will be made through progressive tightening of Building Regulations. Changes to Building Regulations and the move to zero-carbon buildings will increase energy efficiency and encourage greater use of decentralised and renewable energy. <u>Development proposals will be assessed against the relevant Building Regulations prevailing at the time. 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.</u> The Council will...</i>
MM67	159	CC 4	<i>Amend Criteria 1 as follows:</i> <i><u>...within Flood Zone 1 which has critical drainage problems surface water flooding concerns or is listed as an area of concern in the Lead Local Flood Authority local flood risk management strategy; all proposals...</u></i>

Ref	Page	Policy/ Paragraph	Main Modification
MM68	159	CC 4	<i>Amend Criteria 1. f) as follows:</i> ...drainage and sewerage networks can accommodate new development have been considered in liaison with the relevant statutory bodies for water and wastewater, to establish the <u>impact of development on infrastructure</u> ; and...
MM69	161	Paragraph 7.32	<i>Amend wording within Paragraph 7.32 as follows:</i> ...flooding problems elsewhere. <u>Developments should be sustainable and use building methods that promote the use of permeable surfacing.</u> However, in in order to provide solutions to the potential negative effects of new development, a site-specific flood risk assessment (FRA) will be required. The FRA should follow guidance in the Planning Practice Guidance and the Environment Agency and <u>Lead Local Flood Authority Standing Advice...</u>
MM70	163	CC 5	<i>Amend Policy text as follows:</i> <u>Development proposals should prioritise the use of sustainable drainage systems.</u> Surface water should be managed at the source, not transferred and discharged in the following order of priority: <u>Into the ground (infiltration at source); a soakaway or some other form of infiltration system (using Sustainable Urban Drainage principles); or</u> 2. an a Attenuated discharge to <u>a surface water body; watercourse; or</u> 3. an a Attenuated discharge to surface water sewer, <u>highway drain or another drainage system; or and as an absolute last resort</u> 4. an a Attenuated discharge to <u>a combined sewer.</u> <u>The approach to surface water drainage should be based on evidence of an assessment of site conditions and any surface water discharge solution should reflect the non-statutory technical standards for sustainable drainage (March 2015) or any subsequent replacement national standards. Measures intended to assist with surface water management should be made clear as part of any submission.</u> <u>Where there is no alternative option but to discharge surface water to a combined sewer, applicants will need to demonstrate why there is no alternative and submit clear evidence that the discharge of surface water will be limited to an attenuated rate, including an allowance for climate change, agreed with the appropriate bodies.</u> Measures intended to assist with surface water management, including landscape proposals, should be made clear as part any submission. Where Sustainable Urban Drainage Systems (SUDs) are incorporated, a drainage strategy should be submitted detailing: 1- <u>a) the type of SUDs and/or measures proposed;</u> 2- <u>b) hydraulic design details/calculations;</u> 3. <u>c) Pollution prevention and water quality treatment</u>

Ref	Page	Policy/ Paragraph	Main Modification
			<p>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; and</p> <p>4- <u>d)</u> the proposed maintenance and management regime.</p> <p><u>Drainage requirements including detailed maintenance and management arrangements for the lifetime of the development will be secured by way of planning conditions and and/or planning obligations.</u></p> <p>Applicants will need to submit clear evidence demonstrating why there is no alternative option but to discharge surface water to the sewerage system. In this instance applicants will need to demonstrate that the discharge of surface water will be limited to an attenuated rate, including an allowance for climate change, agreed with the sewerage company. This will be secured by planning condition or a planning obligation.</p> <p>On greenfield sites, applicants will be expected to demonstrate that the likely natural discharge solution from a site once developed will be no greater than the existing discharge rate. On previously developed land applicants should target a reduction in surface water discharge.</p>
MM71	164-165	7.37-7.42	<p><i>Add to and split paragraph 7.37 as follows: :</i></p> <p>7.37 Surface water management is a key principle of sustainable development. SUDs aim to reduce flooding by using devices or a series of complementary devices to control surface water run-off as near to its source as possible. <u>The Flood and Water Management Act 2010 defines a sustainable drainage system (SuDS) as: 'a structure for dealing with rainwater that is not a sewer or watercourse'. Development increases impermeable surfaces which increase the risk of downstream flooding. Underground piped systems have focussed on the rapid removal of surface water from sites to the receiving watercourse or sewer with little consideration to the downstream environment. SuDS seek to replicate natural drainage flow patterns with retention of peak runoff and additional flow volumes on site. This ensures that the risk of flooding is not increased. The natural processes which happen in many SuDS techniques traps and passively treats many pollutants and helps to prevent the settlement of contaminants such as dust, oil, litter and organic matter which otherwise tends to flow rapidly into the sewer system, by mimicking natural features that slow down the rate that water drains away thereby reducing the amount of surface run-off entering into sewers.</u></p> <p>SUDs These can also help to reduce the need...</p> <p><i>Amend 7.38 as follows:</i></p> <p>7.38 ...landscaping scheme. SUDs also help to prevent the settlement of contaminants such as dust, oil, litter and organic matter which otherwise tends to flow rapidly into the sewer system, by mimicking natural features that slow down the rate</p>

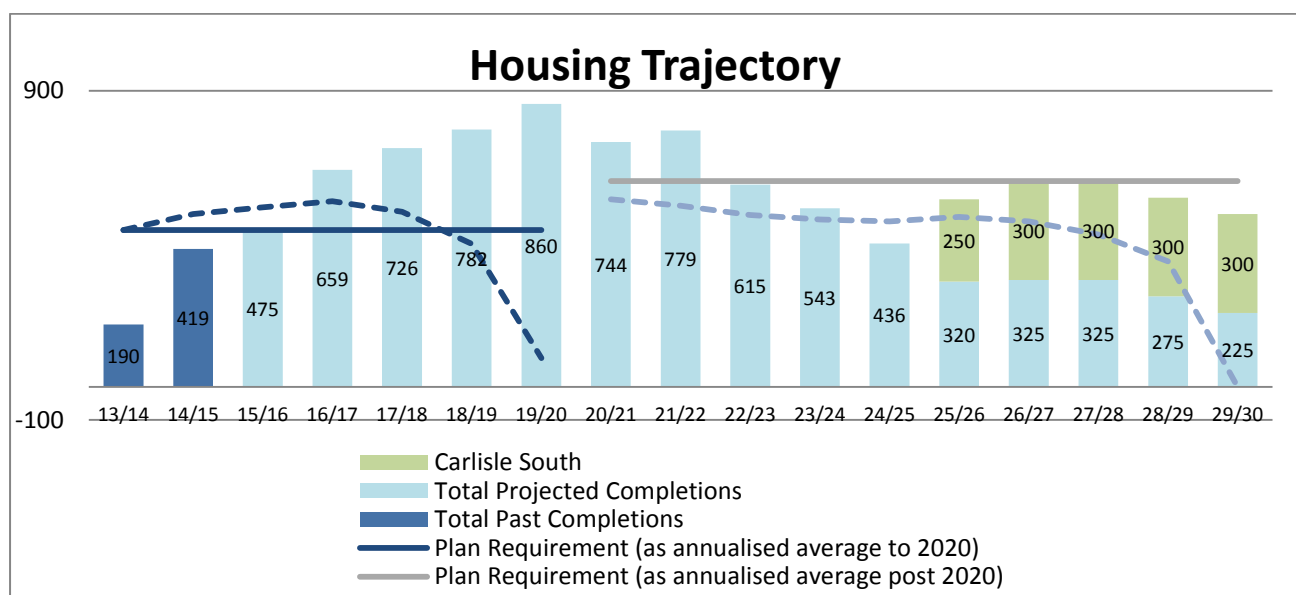
Ref	Page	Policy/ Paragraph	Main Modification
			<p>that water drains away thereby reducing the amount of surface run-off entering into sewers. <u>Key considerations at this stage should be:</u></p> <ul style="list-style-type: none"> • <u>Layout</u> • <u>Density</u> • <u>Site access</u> • <u>Topography</u> • <u>Ground Conditions</u> • <u>Discharge destinations</u> <p><i>Insert new paragraph between existing paragraphs 7.39 and 7.40:</i> <u>It is recommended that pre-application discussions take place before submitting an application to the local planning authority. In the context of the Policy, the appropriate bodies are Cumbria County Council as Lead Local Flood Authority, Environment Agency and United Utilities.</u></p> <p><i>Amend paragraph 7.41 as follows:</i> 7.41 ...or Cumbria County Council as Lead Local Flood Authority (LLFA). Under the Flood and Water Management Act 2010, Cumbria County Council is established as a LLFA. This has given the County Council new powers and duties for managing flooding from local sources, namely Ordinary Watercourses, surface water (overland run-off) and groundwater in the administrative area of Cumbria. In accordance with national policy, the Council will work with the LLFA seeking their advice on <u>all major scheme designations consisting of 9 houses or more on sites greater than 0.5ha, or locations where local flooding affects land to be developed.</u> <u>Early pre planning discussions with the LLFA is strongly advised with regard to the risk of flooding from any proposed development and the suitability of a more sustainable drainage approach to the disposal of surface water.</u></p> <p><i>Delete existing paragraph 7.42 and replace in its entirety with new paragraph to read:</i></p> <p><u>Standards for dealing with Sustainable Drainage are outlined within the non-statutory technical standards for sustainable drainage (March 215) (or any subsequent replacement national standards). Reference should also be made to Cumbria County Council's SuDs Requirements document when published.</u></p>
MM72	168	CM 1	<p><i>Add a second Paragraph to the Policy:</i> <u>Development at the Cumberland Infirmary for hospital, health care and related ancillary uses will also be supported. Non-health care related development at this location will be supported on surplus land subject to the compliance with other relevant policies within the Plan.</u></p>
MM73	168	New paragraph after 8.3	<p><i>Add an additional paragraph after existing paragraph 8.3:</i> <u>It is acknowledged that over the plan period there is likely to be a requirement for some redevelopment and reconfiguration at the Cumberland Infirmary. This may result in some land</u></p>

Ref	Page	Policy/ Paragraph	Main Modification
			<u>and/or buildings being identified as surplus to current and future healthcare requirements. This Policy is supportive of development and reconfiguration at the Cumberland Infirmary, particularly where this will enable the hospital to meet future health needs of the City and deliver improved facilities. Redevelopment of surplus land and/or buildings, identified through the process of an asset review, will be supported for alternative non health care uses subject to compliance with other relevant policies within the Plan.</u>
MM74	182	HE 1	<i>Amend 2nd Paragraph of Policy to read:</i> New development will not <u>normally</u> be permitted on currently open land on the line of the wall.
MM75	182	HE 1	<i>Add a new final paragraph to the Policy:</i> <u>Where development proposals would result in less than substantial harm to the site's Outstanding Universal Value, this harm will need to be assessed against the public benefit by way of reference to the above objectives.</u>
MM76	186	HE 3	<i>Amend first paragraph as follows:</i> ...the public benefits of the proposal clearly outweighs the <u>significance harm</u> .
MM77	191	HE 7	<i>Addition to end of first paragraph of the Policy:</i> ... special character and appearance of the conservation area <u>and its setting</u> .
MM78	210	11.1	<i>Amend paragraph 11.1 to read:</i> 11.1 Monitoring is an integral part of the planning process and an important tool to help understand the wider social, environmental and economic issues affecting an area, and the key drivers of spatial change. The Local Plan needs to not only be able to respond to changing circumstances across the District over its intended duration, but to know when such a response is required <u>action needs to be taken. Fundamentally</u> There also needs to be a way of measuring the effectiveness of policies and sites within the Local Plan, and of understanding progress towards that they are meeting the Plan's strategic objectives and ultimately its vision. If it turns out that a policy is not doing what was intended contributing to these objectives, or if a site simply isn't being delivered, there needs to be a way of recognising this in order to instigate remedial actions. Depending on the scale and/or nature of the ineffectiveness, Such <u>actions could may include: amending a policy, introducing guidance to aid its implementation, substituting a site or reviewing the evidence upon which the policy or site in question is founded.</u> <ul style="list-style-type: none"> <u>reviewing the circumstances and engaging with stakeholders as appropriate;</u> <u>reviewing the policy(ies) concerned and their implementation mechanisms which may lead to a formal partial review of the Plan and/or the supporting evidence base;</u> <u>in the case of take up of development land, consider interventions which may assist in overcoming barriers if identified; and/or</u> <u>identify reasonable alternative land through further</u>

Ref	Page	Policy/ Paragraph	Main Modification
			<u>Development Plan Documents and/or Neighbourhood Development Plans.</u>
MM79	229	Appendix 1	Updated to include technical aspects currently set out in Housing Site Selection Paper [SD015]. These modifications are attached as Appendix 2 to this schedule.
MM80	236	Appendix 2	Monitoring Framework to be updated to include more explicit indicators, trigger and possible actions with the objectives also having been refined where necessary. Such modifications are confined to the entries for Policies SP 2, SP 3, SP 4, EC 1, EC 2, EC 4, HO 1, HO 2, HO 11, IP 3, IP 8, CC 2, CC 5 and GI 4. These modifications are attached as Appendix Three to this schedule.

Appendix One – Revised Housing Trajectory

Figure 1 – Housing Delivery Trajectory as at 1st April 2014 2015



Appendix Two - Modifications to Site Information contained within Local Plan Appendix 1 (MM79)

Appendix 1 – Sites Allocated within Policy HO 1

The following site ~~descriptions~~ profiles are intended to aid identification of the sites allocated for housing development in Policy HO 1. ~~The descriptions and~~ identify some of the associated main issues. associated with the sites, but ~~The profiles~~ are not intended to be include an exhaustive list of every matter to be considered. All of the allocated housing sites lie within Flood Zone 1. Anyone considering submitting a planning application is encouraged to undertake early discussions with the Council's Development Management team.

Urban Area:

U 1 and U 2: land to the south east of junction 44 of the M6, – these two sites are immediately adjacent to each other at the northern edge of Carlisle, and have good accessibility to the main public transport network and to the M6 via junction 44. ~~U 1 was discussed at the 2008 Local Plan inquiry where the Inspector concluded that the site should be considered as a future allocation.~~ Careful consideration needs to be given to the design of the development so that the two sites integrate, but also respect the privacy of the outdoor play spaces for the adjacent James Rennie College. Opportunities should be taken to link into the public footpath which lies adjacent to the site. In addition noise attenuation from the M6/Kingstown Road will be required by a combination of planting and bunding. ~~Major junction improvements onto the A7 will be required.~~ The main infrastructure issue in north Carlisle is the current lack of primary school places. Additional housing in this area has the potential to fund the development of primary school provision.

Highways advice: the Highways Authority has indicated that the sites would need significant infrastructure works to create access off A7/C1022 signalised junction. Consideration should also be given to the development providing alternative access arrangements to the James Rennie School in order to help resolve school traffic related problems.

Biodiversity: there are no statutory or non-statutory designations within or adjacent to the site. The land is agricultural grassland, and is bordered by mature hedgerows which are likely to provide wildlife corridors and habitats for a variety of species.

Heritage assessment: the course of a Roman road is indicated along the eastern boundary of the site. An archaeological evaluation in the form of an appropriate desk based assessment (and where necessary a field evaluation) will be required at the planning application stage.

Environment Agency/Lead Local Flood Authority advice:

- some recent surface water flooding on California Rd so any development here should incorporate a solution to limit surface water flows to the south of the site;
- water course on site should remain open and road crossing limited to as few as possible;
- most obvious drainage option would be into School Sike.

Other constraints: Tree Preservation Order 207 on northern boundary of site. Public footpaths along northern (FP 109002 and 120001) and eastern (FP 132012 and 132020) boundary of site. These will need to be taken into account in the design and layout.

U 3: site of Pennine Way Primary School, Pennine Way/Edgehill Road – the school is about to undergo redevelopment in order to accommodate an increased intake of pupils. This will involve relocating the school to an adjacent site on the south side of Edgehill Road. The redevelopment is part of a wider project including a new community hub. ~~There are some surface water issues within the site boundary which will require careful management.~~ The redevelopment of the site provides an opportunity to diversify the housing mix in this area of Harraby.

Highways advice: assumed access would be from Pennine Way and Edgehill Road. Arnside Way/Eastern Way junction may need improvement with contribution to A69 corridor depending on total development of all proposed allocations in this part of Carlisle.

Biodiversity: no statutory or non-statutory designations within or adjacent to the site. As school playing fields the site is likely to have low biodiversity value.

Heritage assessment: no known heritage assets within or adjacent to site.

Environment Agency/Lead Local Flood Authority advice:

- significant surface water flooding issues within the site boundary – need to be managed on site;
- historic records show flooding has been a problem in the area so needs careful approach to drainage;
- could be significant cumulative impacts from concentration of allocations in the area draining into Durrhill Beck.

U 4: land north of Moorside Drive/Valley Drive – a previously allocated site which has residential development on its north, western and southern boundary and integrates well with the urban form in this area. Careful consideration should be given so that the design and layout leads to a development which harmonises with the surrounding built context, but has its own sense of place.

Highways advice: the Highways Authority has indicated that the scale of development envisaged would need a link road from Edgehill Road to Moorside Drive. Extension of suburban bus services would also be required.

Biodiversity: no statutory or non-statutory designations within or adjacent to the site. Site currently used as agricultural land (arable) so likely to be species and habitat poor. No trees although hedges border the site.

Heritage assessment: Bronze Age remains have been revealed adjacent to the site and the wider landscape is rich in prehistoric remains. An archaeological desk-based assessment and field evaluation will be required at the planning application stage.

Environment Agency/Lead Local Flood Authority advice:

- localised surface water flooding to west of site, around Moorside drive – needs to be taken into consideration;

- should connect to the watercourse as far down as possible :
- cumulative impact on Durranhill Beck (culverted).

Other constraints: site will require noise attenuation measures due to proximity of M6 to east.

U 5: land between Carlton Road and Cumwhinton Road – the southern edge of Carlisle in this location is characterised by mainly low density semis and bungalows, before the small village of Carleton, which has a range of designs and sizes of properties. Carlton also has a mix of services including a pub, restaurant, garage and offices. The development of this site ~~will require the upgrade of Sewells Lonning to two way traffic and provides~~ the opportunity to create an attractive edge to the City, whilst retaining the identity of Carleton as a village.

Highways advice: due to traffic issues associated with the standard of the existing access/lack of visibility onto London Road, an improved two way access such as the upgrading of Sewells Lonning to Local Access Road Standard will be required. The site also has poor accessibility and would require the provision of new bus stops and a developer contribution towards an increased frequency bus service.

Biodiversity: no statutory or non-statutory designations within or adjacent to site. Grazing land but good roadside hedgerows and some hedgerows within the site.

Heritage assessment: no known heritage assets within or adjacent to site.

Environment Agency/Lead Local Flood Authority advice:

- Run-off rate should be QBAR (estimated annual greenfield runoff rate) if the site is to drain south to the Petteril;
- United Utilities request no surface water to sewer.

U 6: land at Garden Village, west of Wigton Road - this site is in two ownerships, with the western section being a long narrow strip of land. It will be necessary to develop the site as a whole for optimum design and layout and from an infrastructure planning perspective. The site wraps around four existing properties which front onto Wigton Road and one on the A689, and as such the design will need to minimise loss of amenity to these properties. The site is immediately adjacent to the A689, and some noise attenuation measures will be required.

Highways advice: the Highways Authority has confirmed that satisfactory access is available off Wigton Road. The site would require the provision of new bus stops and potentially a developer contribution towards an increased frequency of bus service. The site should ensure good non-motorised links to the surrounding area as well as improvements to the existing to accommodate the potential increase in use.

Biodiversity: no statutory or non-statutory designations within or adjacent to the site. Fairy Beck lies adjacent to the site and is a tributary which ultimately discharges into the River Eden SAC/SPA. However, the proposal is not likely to have a significant effect on the interest features for which the designated site has been classified. Mature hedgerows within and on boundary of site, especially along north western boundary of site. Some mature trees in hedgerows.

Heritage assessment: no known heritage assets within or adjacent to site.

Environment Agency/Lead Local Flood Authority advice:

- drainage into either Dow Beck or Fairy Beck possible, provided that satisfactory measures are incorporated to control run off during construction and completion of the site;

- SUDs system on site desirable;

- No historic surface water flooding has been reported for the site;

- Fairy Beck – possible cumulative impact issues with Morton development (Though Morton has SUDs included in plans so shouldn't be a problem).

Other constraints: sensitive design required to integrate new development with four existing houses on south eastern edge of site.

U 7: land at Newhouse Farm, south east of Orton Road – this is a significant site in terms of size and is predicted to come forward in the later part of the plan period. Access will be taken from Orton road, as the southern boundary of the site is adjacent to the A689, the Carlisle western bypass. A masterplan approach will be required to guide the development of the site. The overall design and layout will need to consider ways of using the land beneath and around the power lines on the western boundary of the site in ways which will benefit the overall development.

Highways advice: the Highway Authority has indicated that the site would need to be accessed off Orton Road which would need corridor improvements and suburban bus service extension. Cycle path linkage to secondary school is essential.

Biodiversity: no statutory or non-statutory designations apply within or adjacent to the site. Dow Beck crosses part of the site and is a tributary which ultimately discharges into the River Eden SAC/SPA. However, the proposal is not likely to have a significant effect on the interest features for which the designated site has been classified. The land is agricultural grassland, and is bordered by mature hedgerows which are likely to provide wildlife corridors and habitats for a variety of species.

Heritage assessment: Prehistoric remains have been revealed on an adjacent residential development site. An archaeological desk-based assessment and field evaluation will be required at the planning application stage.

Environment Agency/Lead Local Flood Authority advice:

- drainage into either Dow Beck or Fairy Beck possible provided that satisfactory measures are incorporated to control run off during construction and completion of the site;

- should aim for standard greenfield run-off rates;

- SUD system on site desirable;

- no report of surface water flooding problems on site;

- Dow Beck/Fairy Beck – possible cumulative impact issues with Morton development (Though Morton has SUDs included in plans so shouldn't be a problem);
- open watercourses need to be retained except where road crossings are required.

Other constraints: three high voltage overhead power lines cross the south western corner of the site.

U 8: land north of Burgh Road – the site has potential to integrate successfully with the built edge of Carlisle in this location. Established housing areas lie to the south, and to the east is further housing fronting onto Burgh Road, behind which is a small industrial estate. The design and layout of the site will need to address the site boundary with the industrial estate, and the western boundary adjacent to the overhead high voltage cables.

Highways advice: the Highways Authority has raised no particular issues with this site. Access is achievable from the C2042 Burgh Road, although some upgrading of the current 40mph restriction section will be necessary, together with bus infrastructure provision. The size of the site is unlikely to cause any significant traffic impacts.

Biodiversity: site lies within 200m of River Eden SSSI, SAC. However, the proposal is not likely to have a significant effect on the interest features for which the designated sites have been classified, subject to satisfactory measures to control run off during construction and completion of the site.

Heritage assessment: site lies within 150 m of Hadrian's Wall Military Zone World Heritage Site (WHS). However, the WHS is not physically in evidence in this location. The NPPF states that not all elements of a WHS will necessarily contribute to its significance. It is not considered that development in this location would cause harm or loss of the WHS. The site has been subject to a geophysical survey which revealed archaeological assets. These will need to be investigated and recorded prior to any development commencing.

Environment Agency/Lead Local Flood Authority advice:

- no major issues – small flooding issues further down but not on this site;
- drain directly into the Eden.

U 9: former Morton Park Primary School, Burnrigg – originally the site of a primary school, this is now a cleared site offering potential to improve the character of the area through good design and incorporation of the exiting mature trees on the site which are protected by TPO 245. Development would need to be in accordance with the adopted SPD Trees and Development. The design and layout of the site needs to protect the amenity of the bungalows on Kingrigg. The site lies within walking distance of Newlaithes Primary School, neighbourhood shops, a community centre and the large area of public open space known as ~~Chance's Park~~ Morton Park.

Highways advice: no particular issues with the site considering previous use. Localised upgrade work will be needed to surrounding network.

Biodiversity: no statutory or non-statutory designations apply within or adjacent to the site.

Impact on heritage assets: no local or national designations apply within or adjacent to the site.

Environment Agency/Lead Local Flood Authority advice:

- No major issues;
- Drainage into Dow Beck

Other constraints: Tree Preservation Order 245 applies within the site.

U 10 and U 11: land off Windsor Way and land east of Lansdowne

Close/Lansdowne Court – the main infrastructure issue in north Carlisle is the current lack of primary school places. Additional housing in this area has the potential to help fund the development of new primary school provision. Careful consideration needs to be given to the relationship/boundary between the two sites, as U 11 is landlocked. Therefore the development of U10 must maintain access to U 11. Access onto Tarraby Lane will not be permitted except for emergency vehicles. Existing flooding problems at the culvert on the adjacent Pennington drive must not be exacerbated by any new development, and plans must include a management regime for surface water run-off.

Highways advice: Highways Authority has expressed some concern over traffic generation, and indicated that a loop road would be required so that a bus service can access the site and the adjoining housing area. Capacity issues are likely with M6 junction 44 and onto Scotland Road, as well as other major junctions to the north of Carlisle. Tarraby Lane is not of sufficient standard to serve the development. Any further development will need improvements to the resilience of the site (i.e. additional access points).

Biodiversity: the land is agricultural grassland, and is bordered by mature hedgerows which are likely to provide wildlife corridors and habitats for a variety of species.

Heritage assessment: it is likely that archaeological remains will be encountered on the site, and appropriate measures will be required to record these remains. An archaeological evaluation in the form of an appropriate desk based assessment (and where necessary a field evaluation) will be required at the planning application stage.

Environment Agency/Lead Local Flood Authority advice:

- SUDs storage already proposed for the area;
- Contribution from development towards SUDs plans would be desirable. Contributions would need to clearly demonstrate relationship of development with the SUDs scheme.

Other constraints: public footpath 132011 partially borders the north eastern boundary of the site.

U 12: land to the rear of the Border Terrier, Ashness Drive – The site lies in an established area of housing close to neighbourhood shops, a primary school, and public open space. The character of the immediate area is nondescript, and therefore this site offers the potential to improve the environment of the area through good design. The site is owned by a registered affordable housing provider and as such the loss of incidental

open space is mitigated by the gain of a significant proportion of affordable housing. The adjacent pub has closed and is being marketed for continued use/redevelopment. If the use as a pub continues, the design and layout of the site will need to take into account potential noise disturbance. However, at the current time there is uncertainty over the future use of this adjacent piece of land.

Highways advice: acceptable with minimal works. Footway fronting site required.

Biodiversity: no statutory or non-statutory designations within or adjacent to the site.

Heritage assessment: no known heritage assets within or adjacent to site.

Environment Agency/Lead Local Flood Authority advice:

- United Utilities have issues with sewer flooded properties in this area (considered a High Risk area);
- future development should ensure that surface water run-off into sewers is severely restricted;

Other constraints: mobile phone mast lies adjacent to north eastern corner of site.

U 13: land east of Beverley Rise, Harraby – the site is adjacent to an established area of housing which had good local facilities and amenities including a primary school for which there are immediate plans for redevelopment in order to allow expansion for an increased pupil intake. Noise attenuation measures will be required between the site and the M6 which lies to the east. Careful consideration will also need to be given to the boundaries of the site adjacent to existing housing and the Carlisle Settle railway line to the north.

Highways advice: proposed means of access is acceptable in principle. Local widening of existing access road needed

Biodiversity: there are no statutory or non-statutory designations which apply within or adjacent to the site. The site is agricultural grazing land with some hedgerows and trees which are likely to provide habitats for wildlife.

Heritage assessment: the site lies immediately adjacent to the Carlisle/Settle line Conservation Area. The special interest of the CA lies in the corporate architectural styles of the buildings along the route, the mainly civil engineering works, and the scenic nature of the route. There are no buildings associated with the line at this point, and the line cannot be seen as an element in the wider landscape, as it is screened by trees.

Environment Agency/Lead Local Flood Authority advice:

- Bounded by railway embankment – drainage pipes should go to the south;
- run-off rates will need to be restricted to QBAR (greenfield) 1 in 200 run-off rates (2 year rainfall event);
- Drainage into Durrhill Beck – need to be wary of cumulative impact in this area – potentially need a masterplan approach towards Durrhill Beck.

Other constraints: noise attenuation measures will be required along eastern boundary of site due to proximity of M6 motorway. Boundary treatment will be required along northern boundary of site for safeguarding from Carlisle/Settle railway line.

U 14 and U 19: land north of Carleton Clinic, east of Cumwhinton Drive, and land at Carleton Clinic— as part of the long term development strategy for the Carleton Clinic, Cumbria Partnership NHS is consolidating its operations into certain sectors of the site. As such these sites are U 14 is surplus to NHS requirements. The eastern boundary of the site extends to the motorway, and as such significant noise attenuation measures will be required, through layout and design, to mitigate any future adverse impacts on residents. A public footpath lies on the southern boundary, and currently has a semi-rural feel as it has fields on both sides. This footpath must remain unobstructed, and the ultimate layout and design should not have an overbearing effect. The buildings adjacent to the north west corner of the site are currently in ancillary use for the Carleton Clinic, and the northern boundary of the site is adjacent to Parklands Village. Layout and design of the site must respect these adjacent uses.

~~and are being marketed for development. Mature trees and a parkland setting are features of this area, and must be maintained as part of any new development. There are three attractive sandstone buildings within this site which should be retained. TPO 247 protects all the significant trees on the perimeter of this site, thereby limiting the developable area of the site, as the trees must be retained, and adequate separation distances maintained between the trees and any new development.~~

Highways advice: the Highways Authority has advised that Cumwhinton Drive at this point is a private road and would require upgrading to local distributor road standard. The development of the site should ensure satisfactory linkage to the A6. The traffic modelling results carried out by Cumbria County Council to inform the Local Plan should be considered for junction capacities. The development of the site should ensure good non-motorised links to the surrounding area as well as improvements to the existing to accommodate the potential increase in use.

Heritage assessment: a Bronze Age cemetery and other prehistoric remains have been found at the former Garlands Hospital. An archaeological desk-based assessment and field evaluation will be required at the planning application stage.

Environment Agency/Lead Local Flood Authority advice:

- drainage into Durranhill Beck;
- reasonable opportunities for a number of SUDS features;
- needs to limit drainage due to cumulative impact.

U 15: former dairy site, Holywell Crescent, Botcherby – planning permission has been granted for 66 houses on this site. Its allocation in the Local Plan safeguards the site for future development for housing over the plan period. It is one of a limited number of brownfield sites within the city which is available for housing development. The site is well located in relation to local services and facilities including a primary school and public open space.

Highways advice: no highways issues have been raised.

Biodiversity: the information submitted with the planning application recorded that the majority of the habitats on site are of low conservation interest in terms of vegetation. However, there was some potential for birds to use the trees/scrub, and therefore removal of such vegetation should not be undertaken during the breeding season.

Heritage assessment: no known heritage assets within or adjacent to site.

Environment Agency/Lead Local Flood Authority advice:

- no further comment in view of planning permission for site.

Other constraints: site lies adjacent to gas pipeline.

U 16: land at Deer Park, Belah – the site is bordered by residential development to the south and east, and by employment uses to the north. The TPO-protected trees within the site provide a strong green presence, and any development must be in accordance with the adopted SPD Trees on development Sites. The layout and design of the development will need to make provision for adequate separation distance between the houses and the trees. Consideration should also be given to a buffer between new housing and the small industrial estate to the north. The main infrastructure issue in north Carlisle is the lack of primary school places. Development of housing in this area has the potential to fund the development of primary school provision.

Highways advice: access should be safe and the development of the site should ensure good non-motorised links to the surrounding area as well as improvements to the existing to accommodate the potential increase in use.

Biodiversity: immediately to the west of the site lies the Kingmoor Sidings County Wildlife Site, which is also designated as a Local Nature Reserve. It contains a series of small ponds which support a population of Great Crested Newt. As an old railway siding, the succession of habitats colonising this site has resulted in a high species diversity.

Heritage assessment: an archaeological desk-based assessment has identified that there is the potential for Roman archaeological remains to survive on the site. An archaeological investigation will need to be carried out prior to any development commencing.

Environment Agency/Lead Local Flood Authority advice: drainage is achievable and there are no major surface water issues.

Other constraints: public footpath 109397 crosses the site in a north westerly direction from Kingmoor Road, and must be retained and protected as part of the development. TPO 181 applies to a number of groups and individual trees within the site. These trees must be retained and protected as part of the development. There is potential to incorporate them as part of the open space requirement for the site. They are significant, mature parkland trees which will require adequate separation distances from any new development in order for them to be effectively protected.

U 17: land to the south west of Cummersdale Grange Farm – this site formed part of a larger housing, retail, employment and open space allocation in the 2008 Local Plan. In November 2010 outline planning permission was granted for the allocation, but excluded this site. As such it is almost entirely enveloped by land subject to the planning permission. In addition, the land to the south, bounded by Peter Lane, has approval for reserved matters and is under construction. It is therefore imperative that the development of this site integrates both visually and physically with the area subject to the wider planning permission.

Highways advice: access should be safe and the development of the site should ensure good non-motorised links to the surrounding area as well as improvements to the existing to accommodate the potential increase in use.

Biodiversity: Fairy Beck borders part of the northern boundary of the site, and ultimately drains into the River Eden SSSI and SAC. Housing development is not likely to have a significant effect on the interest features for which the designated site has been classified, subject to satisfactory measures to control run off during construction and on completion of the site. The hedgerows on the site may have potential as bird and bat roosting sites, and measures will be required to ensure the protection of these species.

Heritage assessment: there is potential for unknown archaeological remains on site. The site has in the past been subject to an archaeological geophysical survey. Results show that it is highly unlikely that archaeological remains of national importance survive. The site should be subject to a programme of archaeological evaluation to be consistent with the requirements of the planning permission for the wider surrounding area. Where archaeological remains survive, these should be recorded.

Environment Agency/Lead Local Flood Authority advice:

- Fairy Beck, which is classified as main river, borders part of the northern boundary of the site;
- the site must be drained on a separate system with only foul drainage connected to the foul sewer.

Other constraints: the site is almost entirely surrounded by land subject to an extant planning permission (09/0413), for residential, employment and public open space. Careful consideration will need to be given as to how this site can integrate into this wider area.

U 18: land opposite Rosehill Industrial Estate – this site was allocated in the 2008 Local Plan for a premier pedigree livestock centre. However, it is no longer needed for this use and has instead been promoted for housing. The site is well located on the edge of Carlisle in terms of accessing a range of services and facilities, and the wider road network. The site will require considerable noise attenuation measures from the M6, and also a physical barrier such as bunding and planting to reduce the visible impact of the motorway.

Highways advice: access should be safe and the development of the site should ensure good non-motorised links to the surrounding area as well as improvements to the existing to accommodate the potential increase in use. Mitigation measures for traffic impact will be needed not merely to allow the additional motorised traffic, but also pedestrian movements to main attractors (schools, retail, leisure).

Biodiversity: there are hedgerows bordering the site, and a number of isolated stretches of hedgerows within the site which could provide roosting, feeding or nesting sites for birds or bats etc. These should be evaluated as part of any planning application. There is a semi-mature tree belt along the south side of Durranhill Road. This should be retained.

Heritage assessment: prehistoric remains survive on the site. An archaeological desk based assessment and field evaluation will be required at the planning application stage.

Environment Agency/Lead Local Flood Authority advice:

- Durranhill Beck – there are capacity issues further downstream. Need to be sure that development here won't exasperate that situation.

U 20: land south of Durranhill Road, Botcherby – this parcel of land was part of a larger allocation in the 2008 adopted Local Plan. ~~The adjacent site, known as Barley Edge, is under construction, and nearing completion.~~ There is an existing regular bus service along Durranhill Road, and the site is close to local services and facilities, including primary schools and an employment area at Rosehill. The layout and design of the site must take account of the ~~TPO-protected trees, the Carlisle Settle Conservation Area, and~~ adequate separation distances between existing housing and the proposed new housing.

Highways advice: access will be from Durranhill Road, through the adjacent development know as Barley Edge, where an access road has been created to serve this site, unless a suitable alternative access can be provided in conjunction with, and without prejudice to, the development of site U18. Access should be safe and the development of the site should ensure good non-motorised links to the surrounding area as well as improvements to the existing to accommodate the potential increase in use. Mitigation measures traffic impact will be needed not merely to allow the additional motorised traffic, but also pedestrian movements to main attractors (schools, retail, leisure).

Biodiversity: no statutory or non-statutory designations apply within or adjacent to the site. TPO 254 applies along the north western boundary of the site and any new development would have to comply with the Council's adopted SPD Trees and Development.

Heritage assessment: Chapel Brow, a Grade II listed building sits on the opposite side of Durranhill Road. However, this proposed development will not detract from the setting of the listed building as new housing development (Barley Edge) exists between the site and the building. Prehistoric remains have been revealed on an adjacent residential development site and there is further potential for unknown archaeological remains to survive. An archaeological desk-based assessment and field evaluation will be required at the planning application stage.

Environment Agency/Lead Local Flood Authority advice:

- Small area of surface water flooding to the east of the site;
- Durranhill Beck – there are capacity issues further downstream. Need to be sure that development here won't exasperate that situation.

Other constraints: TPO 254 along the north western boundary of the site. The Carlisle to Newcastle railway line forms the southern boundary of the site.

U 21: former Laings site, Stanhope Road – to the east of this site, and fronting onto Dalston Road is a site with planning permission for recently constructed 1 532 sq m retail food store. The layout of the development incorporates an access road designed to link through to this allocated housing site. This is a brownfield site, which was allocated in the 2008 Local Plan for mixed use. High quality and design and layout will be required in order to contribute towards improving the character and appearance of the local area.

Dow Beck, which is classified as 'Main River' runs adjacent to the northern boundary of the site.

Highways advice: the Highways Authority has advised that Stanhope Road is a local distributor road and there may be a need to improve its junctions with Wigton Road and Dalston Road.

Biodiversity: no statutory or non-statutory designations apply within or adjacent to site. Dow Beck runs along the north western boundary of the site and ultimately drains into the River Eden SSSI and SAC. However, the proposal is not likely to have a significant effect on the interest features for which the designated site has been classified subject to satisfactory measures to control run off during construction and on completion of the site.

Heritage assessment: no known heritage assets within or adjacent to site.

Environment Agency/Lead Local Flood Authority advice:

- the Environment Agency's surface water mapping indicates flooding around the edge of the site which may affect access;
- brownfield site – unlikely to reach greenfield run-off standards, but a betterment in run off rates should be sought through development;
- 8m buffer from Dow Beck (culverted) main river required.

Rural Area:

R 1: land south of Carlisle Road, Brampton – this site is located on the edge, but within walking distance of the town centre, which has a wide range of local services and facilities. The site abuts existing housing development on its north eastern, and eastern sides, and is opposite established housing and employment uses on the northern side of Carlisle Road. The western boundary of the site abuts open countryside, and care will need to be taken over the design of the boundaries to ensure that the development integrates with surrounding land uses. Within the site there will be land set aside for the provision of a medical centre to accommodate the relocation of the Brampton Medical Practice, which has a requirement to expand to purpose built premises.

Highways advice: the Highways Authority has advised that this site is well positioned just to the west of the town centre and therefore close to local facilities. However, there are likely to be town centre parking and school muster time issues with this scale of development, which will require mitigation measures.

Biodiversity: there are no statutory or non-statutory designations which apply within or adjacent to the site. Substantial roadside hedgerows (although species poor), should be retained as far as possible, with the exception of where their removal is required for site access sightlines.

Heritage assessment: there is a grade II listed building (Green Lane House) on Greenhill. However the building lacks a strong presence as it is partly single storey and is screened by mature roadside trees. It is also not visible from the proposed housing site as it is separated from the site by a row of two story semi-detached houses, (Elmfield). Therefore the development of this site is unlikely to harm the setting of the listed building. Prehistoric and Roman remains survive around the borders of the site. An archaeological desk-based assessment and field evaluation will be required at the planning application stage. The north eastern corner of the site lies 100m from the

boundary of the Brampton Conservation Area. The CA is not visible from the site. New development should not directly imitate the existing development in this area, but should be well designed with respect for the local context, and have its own well established character and appearance.

Environment Agency/Lead Local Flood Authority advice:

- No apparent flooding issues;
- Possible opportunities for infiltration SUDs due to sandy soil (this has been done in the locality).

R 2: land west of Kingwater Close, Brampton – this site is City Council owned. ~~land and is likely to be of interest to a registered provider of affordable housing. The government has identified the release of surplus public sector land as a way of meeting the need for new homes.~~ There is agreement with the landowner at Kingwater Close to achieve access to the site. The land is within walking distance of the town centre, which has a wide range of local services and facilities. The landscape has the capacity to absorb additional development without adverse impacts.

Highways advice: the Highways Authority has indicated that the site is well related to the town centre, but that access would require obtaining rights over third party land. The adjoining land owner from Kingwater Close and Gelt Rise is Riverside. Discussions with Riverside have led to agreement in principle for access over their land to facilitate this development.

Biodiversity: no statutory or non-statutory designations apply within or adjacent to the site. TPO 225 covers land immediately adjacent to the north west corner of the site. There are mature hedgerows around the boundary of the site.

Heritage assessment: there is a Grade II listed building (Green Lane House) adjacent to the western boundary of the site. The property operates as a private residential care home, and is part single/part two storey. There have been a variety of extensions over recent years, and there are a number of outbuildings. On the eastern boundary of the plot, between the building and the proposed development site there is a mature hawthorn and beech hedge, which stands on a 1 metre mound. This partially obscures the building and its setting from the adjacent site. It is considered that the site can be developed whilst still preserving the setting of this listed building.

Environment Agency/Lead Local Flood Authority advice:

- no apparent flooding issues;
- possible opportunities for infiltration SUDs due to sandy soil (this has been done in the locality).

Other constraints: there is a public footpath running along the western boundary of the site which connects with Greenhill.

R 3: land north of Greenfield Lane, Brampton – this is a large site which is connected to the built edge of Brampton at Dacre Road and Greenfield Lane. The southern corner of the site will require careful design considerations in the context of the small bungalow on the corner of Dacre road, and the protected trees on the boundary of Garth House, which is a listed building. Care will need to be taken over the design of the site in relation to the Brampton to Longtown road frontage, in both matters of layout, design and

boundary treatment. In addition, particular measures will need to be taken to either integrate or divert the route of the public footpath which crosses the site.

Highways advice: the Highways Authority has indicated that a development of this size would require a link road to Local Access standards. Direct access to properties from the A6071 (Brampton to Longtown Road) would not be permitted. A public footpath passes through the site.

Biodiversity: no statutory or non-statutory designations apply within the site. However, there are a number of mature trees within the site, and a low roadside hedgerow which is predominantly hawthorn. The trees and the hedgerow are likely to provide feeding corridors and roosting sites for birds.

Heritage assessment: the Grade II listed Garth House lies adjacent to the south western corner of the site. However, a dense tree screen which is protected by a TPO separates the two sites. As such the listed building has a very limited presence, and its setting is defined by the mature tree boundary. Development of this site would be unlikely to cause harm to the setting of the listed building. Roman remains survive around the borders of the site. An archaeological desk-based assessment and field evaluation will be required at the planning application stage.

The site lies within the buffer zone of Hadrian's Wall World Heritage Site. The buffer zone protects the visual setting of the WHS, but at this point there is no inter-visibility between the WHS and the allocation.

Environment Agency/Lead Local Flood Authority advice:

- main river abuts site to north – 8m buffer required;
- the site could drain into river in the north.

Other constraints: TPO 217 applies to trees on the eastern boundary of Garth House. These mature trees will require adequate separation distance from any new development as set out in the adopted SPD Trees and Development.

R 4: site of former Lochinvar School, Mary Street, Longtown – this is a former secondary school site owned by Cumbria County Council. The buildings have been cleared. The site is well contained within the existing built form of Longtown. The layout and design of the development on this site will need to protect the amenity of the community buildings, and create a suitable buffer to the retained playing fields to the east.

Highways advice: information provided shows an indicative access capable of allowing for an appropriate access for this scale of development. The development of the site should ensure good non-motorised links to the surrounding area as well as improvements to the existing to accommodate the potential increase in use.

Biodiversity: no local, national or internationally designations apply within or adjacent to the site. There are a number of mature trees adjacent to the entrance to the site.

Environment Agency/Lead Local Flood Authority advice:

- Main river crosses the north west boundary of the site. 8m clearance applies;
- the site is flat and will drain to the north. As this is a brownfield site, any development should result in a betterment in run-off rates.

R 5: land south of Old Road, Longtown - this site lies on the eastern edge of Longtown and is bordered to the south by the Longtown to Brampton Road, and to the north by a minor link road (Old Road). The boundaries of the site are in the main established hedges or tree belts which should be maintained with any new development to help integrate the site with both the adjacent built edge of Longtown and the open countryside beyond. Careful consideration will need to be given to the boundary treatment of the site where it abuts the housing and employment site to the west.

Highways advice: Main access off A6071 with potential secondary access of Old Road.
Biodiversity: no statutory or non-statutory designations apply within or adjacent to the site. The land is agricultural grassland, and is bordered by mature hedgerows which are likely to provide wildlife corridors and habitats for a variety of species.

Heritage assessment: the site lies within the boundary of a much larger area which is on the English Heritage register of Historic Battlefields, (Battle of the Solway Moss). The purpose of the register is to offer battlefields protection and to promote better understanding of their significance.

Environment Agency/Lead Local Flood Authority advice: no major surface water issues.

Other constraints: Within Ministry of Defence Safeguarding Zone but unlikely to preclude development.

R 6: land west of Amberfield, Burgh by Sands – the site adjoins recent housing development to the south of the village, and is close to the primary school. Much of the village is covered by Conservation Area designation, whilst the north of the village lies within the Solway Coast Area of Outstanding Beauty. Hadrian's Wall World Heritage Site crosses the central part of the village from west to east. This site lies outside all of these designations, and as such is less constrained. ~~Care should nevertheless be exercised.~~ Development here should seek to create and enhance green infrastructure connections with the centre of the village. The creation of a pavement connecting the site with the Primary School is likely to be required to ensure any development is sustainable from an accessibility perspective.

Highways advice: access should be safe and the development of the site should ensure good non-motorised links to the surrounding area.

Biodiversity: no statutory or non-statutory designations apply within or adjacent to the site.

Heritage assessment: the site lies within the buffer zone of Hadrian's Wall Military Zone World Heritage Site. As such any development will have to be assessed on its impact on the outstanding universal value of the WHS, and particularly on key views, into and out of it.

The site also lies adjacent to the Burgh by Sands Conservation Area boundary. This boundary is marked by a screen of dense tree and hedge cover, giving limited views into or out of the conservation area. The conservation area at this point is mainly either private or public open green space, with very few buildings. New development will be expected to harmonise with the grain of the conservation area, and respond to the local form, context and character.

An archaeological evaluation has revealed Roman remains surviving on the site. These will need to be investigated and recorded prior to development commencing.

Environment Agency/Lead Local Flood Authority advice:

- Surface water flooding is an issue at various points throughout the village;
- Need careful consideration of how it is intended to address surface water issues;
- Surface water run-off must not exacerbate any existing problems.

R 7 land east of Cummersdale Road, Cummersdale – a small site with community and parish council support for a modest increase of up to 14 houses. There are a number of mature trees along the northern boundary of the site, and adequate separation distances will be required between new houses and the canopy of the trees. The location of the site on the edge of the village will not increase traffic flow through the village, as the primary school, pub and village hall are all located within walking distance.

Highways advice: the Highways Authority has indicated that the site is a logical extension to the village. The only constraint highlighted is that the site lies on a bend, and as such the development will need to be set back to provide the requisite visibility splays.

Biodiversity: no statutory or non-statutory designations apply within or adjacent to the site.

Heritage assessment: the Spinners Arms is a Grade II listed building which is separated from the eastern boundary of the site by four houses. The development of the site is unlikely to have an impact on this building. An archaeological evaluation has revealed Roman remains surviving on the site. These will need to be investigated and recorded prior to development commencing.

Environment Agency/Lead Local Flood Authority advice:

- Flat land so would look to see SUD measures incorporated.

Other constraints: a number of mature trees are located along the northern boundary of the site.

R 8: land adjacent to Beech Cottage, Cumwhinton – the site has planning permission subject to the signing of a Section 106 agreement (application reference 12/0856), for 15 dwellings including three affordable bungalows and one dwelling for an elderly person. The site is therefore allocated to safeguard the permission, as the principle of development on this site has been accepted.

Highways advice: the Highways Authority has not raised any highways issues.

Biodiversity: no statutory or non-statutory designations apply within or immediately adjacent to the site. There is potential for a range of species to be present within the vicinity of the site due to the network of hedgerows in the area.

Environment Agency/Lead Local Flood Authority advice:

- foul drainage can connect to the public sewer via a pumping station;

- capacity exists in the existing sewage network to accommodate the foul flow from the development;
- surface water to be disposed of via soakaways.

R 9: land west of How Croft, Cumwhinton – adequate provision for access can be made between a gap in existing properties on the B6263. The site has housing on its western, northern and eastern boundaries, and is well contained within the landscape. Any development proposals must ensure that any existing surface water drainage issues are fully addressed in the design of the development. The village has a number of local amenities and services, and an hourly bus service to Carlisle.

Highways advice: the access visibility splays from the site require careful consideration. The access will need to comply with adoptable road criteria. A speed survey will be needed to inform the aforementioned splay requirements.

Biodiversity: there are no statutory or non-statutory designations which apply within or adjacent to the site. There is potential for a range of species to be present within the vicinity of the site due to the network of hedgerows in the area.

Environment Agency/Lead Local Flood Authority advice:

- potential land drainage issues which will require further investigation.

R 10: land at Hadrian's Camp, Houghton – the site has outline planning permission for 96 houses, (planning application reference 12/0610) and is allocated in the Local Plan to safeguard the permission. A reserved matters application (14/0930) was received at the end of October 2014 for 99 houses (including 25 affordable dwellings).

Highways advice: the Highways Authority has not raised any significant issues with the proposal, subject to satisfactory visibility splays being provided onto Houghton Road, and no properties being accessed directly from Houghton Road.

Biodiversity: Natural England has commented as follows: The watercourses - Brunstock Beck and Gosling Sike - both discharge into the River Eden and Tributaries SSSI and SAC. We advise that sufficient pollution prevention measures will need to be designed into the detailed drainage design, and employed on site during the construction period, in order to not impact on the interest features of the designated river.

The site and the surrounding area is designated as a non-statutory County Wildlife Site. The biodiversity interest of the site is due to its mosaic of habitats including orchid rich grassland. The ecological assessment prepared to inform the planning application recommends that the species rich turfs are relocated to an area to the east of the application site which are currently under metalled road surfaces, the surfaces to be removed and broken up beforehand.

Heritage assessment: Historic England has commented that it is likely that this site can be developed without unacceptable impact on the Hadrian's Wall World Heritage Site, subject to a height limit of no more than 2 ½ storeys.

Environment Agency/Lead Local Flood Authority advice:

- only foul drainage connected into the foul sewer - foul water must discharge into the manhole located at Brampton Old Road; surface water drainage to discharge into either

a soakaway/infiltration or watercourse; land drainage or subsoil drainage water must not be connected into the public sewer; and the connection of highway drainage from the proposed development to the public wastewater network will not be permitted;
• the Environment Agency requires a greenfield rate of discharge.

R 11: Kingmoor Park Harker Estate, Low Harker – an underused brownfield site with outdated buildings which are something of an eyesore, and which are unsuitable for ongoing commercial use. Its redevelopment for housing would yield a significant amount of affordable housing, and lead to an improvement to the local environment. The site lies close to junction 44 of the M6, and employment areas and other services in the north of Carlisle. There are a number of small businesses in Harker. There is a primary school at Blackford which is just over 2km away. Providing a safe route to school is likely to be an issue which will need to be addressed as part of any planning application.

Highways advice: would require cycle path along C1015/1022. Site has poor accessibility and would potentially require a developer contribution to improve bus service frequency. Improvements will be required to enhance pedestrian and cycle facilities linking the site to nearby schools etc.

Biodiversity: no statutory or non-statutory designations apply within or adjacent to the site. The main river which runs along the southern boundary of the site ultimately drains to the River Eden and Tributaries SSSI and SAC. However, housing development is not likely to have a significant effect on the interest features for which the SAC has been classified, subject to satisfactory measures to control run off during construction and on completion of the site.

Heritage assessment: no known heritage assets within or adjacent to site.

Environment Agency/Lead Local Flood Authority advice:

- likely surface water issues on site;
- main rivers border site – 8m buffer zones will be required;
- potential for surface water flooding on south west corner – would need to be careful with the layout to this part of the site – may provide the opportunity for open space here
- could cause surface water issues for any potential future land use to the south.

Other constraints: brownfield site - some contamination may be present and remediation likely.

R 12: land east of Monkhill Road, Moorhouse – a modest increase of 10 houses over the plan period is considered acceptable for the size and scale of the village. Although there are limited services within the village, other nearby villages of Burgh, Great Orton and Kirkbampton have primary schools, pubs, village halls and a shop. The primary school at Burgh by Sands is currently has spare capacity.

Highways advice: the Highways Authority has indicated that there may be a gradient issue, but that the development is acceptable from a highways point of view in principle. Junction spacing will need to be considered.

Biodiversity: no statutory or non-statutory designations apply within or adjacent to the site. The roadside hedgerow is likely to provide a habitat for wildlife and should be retained after taking into account access arrangements.

Heritage assessment: Grade II listed building (Fairfield) opposite southern boundary of the site. Any development on this site will be expected to minimise any adverse impact on the listed building and its setting. Prehistoric remains survive adjacent to the site. An archaeological desk-based assessment and field evaluation will be required at the planning application stage.

Environment Agency/Lead Local Flood Authority advice:

- there have been drainage issues within Moorhouse in the past;
- United Utilities developed a first time sewerage project here but consideration would need to be given to surface water and where it might discharge to – this doesn't rule out the development but it may be hard to find a suitable place to drain.

Other constraints: mature tree within centre of site should be retained and protected, being incorporated within the layout to provide focal point and mature landscape element.

R 13: land north-west of Stile Farm, Linstock – this is a small site which can accommodate a modest increase in houses over the Plan period. Linstock is a small village with good accessibility to Carlisle via road and public transport. A careful and well considered design solution will be required to protect the setting of the nearby Grade II* listed Linstock Castle which lies to the east of the site. Whilst Linstock has limited local services and facilities, it lies within 2.5 km of Carlisle.

R 14: land at Tower Farm, Rickerby – a small village very close to the edge of Carlisle. The whole village is covered by a conservation area designation and the majority of the buildings, apart from this site, lie within flood zones 2 and 3. The scale of the proposed development, at 10 houses, is considered appropriate for the scale and form of the village. The site is a gateway to the conservation area, and the 19th century barns and stables should be retained and converted creatively into the redevelopment of this site.

Highways advice: the Highways Authority has advised that there are no major issues with the site. A speed survey will be required to inform the visibility splay requirement.

Biodiversity: no statutory or non-statutory designations apply within the site. However, the land lies within 150 m of the River Eden and Tributaries SSSI and SAC. Sufficient pollution prevention measures will need to be designed into the detailed drainage design, and employed on site during the construction period, in order to not impact on the interest features of the designated river.

Heritage assessment: the site lies within the Rickerby Conservation Area. As such, the development of this site should harmonise with the grain of the conservation area by respecting historic layout, road patterns and land form etc. New development should not directly imitate existing, but should be well designed with respect for its context, and have its own well established character and appearance. New development should also protect important views into and out of the area. Prehistoric remains survive adjacent to

the site. An archaeological desk-based assessment and field evaluation will be required at the planning application stage.

The Old School House, and Wayside and Old School Cottage are grade II listed buildings which lie approx 100m from the western boundary of the site. However, a large new bungalow has been constructed between the site and The Old School House, effectively resulting in neither listed building being visible from the site.

The existing buildings on the site, while not statutorily listed, are nonetheless designated heritage assets by virtue of their setting within the conservation area. The Nineteenth Century stables and barns on the site would be expected to be incorporated creatively into any development of this sensitive site, effectively a gateway to the Rickerby Conservation Area.

Environment Agency/Lead Local Flood Authority advice:

- small amount of surface water flood risk susceptibility;
- drain to the south and/or west.

Other constraints: TPO 191 covers a number of trees on the western boundary of the site.

R 15: land east of Scotby Road and north of Hill Head, Scotby – the site lies at the northern end of Scotby, with good access to the A69 and junction 43 of the M6, and to Carlisle. Careful design of the layout, ~~and including type of dwellings and location of open space,~~ will be required to minimise impact on the occupiers of the existing housing and bungalows which border the site on both Hill Head and Scotby Road in particular where the access is proposed to be located. ~~The access will require upgrading to be wide enough for two way traffic.~~ The layout should ensure appropriate distances between existing and proposed dwellings to ensure no adverse effect on the residential amenity of existing residents. The boundary of the site with the open countryside to the east should reflect the transition from the development to the open countryside for example by the use of hedgerows. The main access will be onto Scotby Road, but there is potential for a secondary access to Hill Head. The roadside hedgerow fronting the A69 should be retained. The hedgerow fronting Scotby Road should also be retained unless some limited removal is required for sight lines.

Highways advice: the proposed access will require upgrading to be wide enough for two way traffic and pedestrian footways. No other highways issues raised, other than some junction capacity testing may be required.

Biodiversity: the site lies within 150 m of Powmaughan beck which is a tributary of the River Eden and Tributaries SSSI and SAC. However, housing development is not likely to have a significant effect on the interest features for which the SAC has been classified , subject to satisfactory measures to control run off during construction and on completion of the site.

Heritage assessment: an unscheduled archaeological site lies approximately 50m to the east of the site. Prehistoric remains survive adjacent to the site. An archaeological desk-based assessment and field evaluation will be required at the planning application stage.

Environment Agency/Lead Local Flood Authority advice: potential drainage issues on site.

Other constraints: the North Western Ethylene Pipeline lies to the east of the site, and is operated by Essar Oil (UK). It is a significant pipeline asset of strategic importance in the supplies of oil and gas from the North sea. The pipeline is classified by the Health and Safety Executive as a major accident hazard pipeline (MAHP) and as such is subject to land use planning constraints.

R 16: land at Broomfallen Road, Scotby – the site has planning permission for 28 houses (including 7 affordable houses), subject to the signing of a Section 106 agreement to secure the affordable units, open space, community transport and education contribution, and waste bins. The site is allocated to safeguard the planning permission.

Highways advice: There are no fundamental issues with the proposed development.

Biodiversity: no statutory or non-statutory designations apply within or adjacent to the site. A key issue is that a length of hedgerow is to be removed for access to the site. This must be undertaken outside of the bird nesting season. The area is especially important for protected species such as yellowhammer, spotted flycatcher and tree sparrow. Some form of appropriate compensatory planting should be undertaken so as to avoid a net loss of hedgerow biodiversity.

Heritage assessment: there is an unscheduled archaeological site to the north and south of this site. It is therefore recommended that an archaeological evaluation and, where necessary, a scheme of archaeological recording of the site be undertaken in advance of development.

Other constraints: public bridleway 138049 runs along the northern and north western boundary of the site.

R 17: land east of Little Corby Road, Little Corby/Warwick Bridge - the site presents an opportunity to enhance the approach to Corby Hill with a development that reflects local design. Any development here would need to have full regard to the setting of Little Corby Hall, a grade II listed building. The development boundaries consist of mature hedges which should be retained and reinforced where necessary by additional planting to enhance biodiversity and to help integrate the development with its rural aspect to the north and east.

Highways advice: the Highways Authority has indicated that pedestrian linkages to the Hurley Road Estate would be essential, as would improvements along Little Corby Road.

Biodiversity: no statutory or non-statutory designations apply within the site. However, the River Eden and Tributaries SSSI and SAC lies within 100m of the site. Appropriate measures will need to be taken to ensure that foul and surface water drainage does not impact on the interest features of the designated river.

Heritage assessment: Grade II listed Little Corby Hall lies 100 m north of the site. The Hall was built in 1702 from dressed red sandstone, with end walls of brick/part rendered. This is an attractive building in an open setting which has a strong presence in this location. There is clear visibility from the proposed housing site to Little Corby Hall. In order to preserve the setting of the listed building, the density of development on the site has been reduced to give scope for better design. The site presents an opportunity to enhance the approach to Corby Hill with a development that reflects local design better

than the post war estate development that currently forms its northern edge. Any development here would need to have full regard to the setting of Corby Hall, which until post war years, enjoyed an isolated location, set apart from the small hamlet of Little Corby.

Environment Agency/Lead Local Flood Authority advice:

- Relatively flat site;
- Drain into watercourse to the west.

R 18: land to the south of Corby Hill to Heads Nook Road, Corby Hill/Warwick Bridge – located to the east of Corby Hill, this site can be accessed from the Corby Hill to Heads Nook road, and makes provision for up to 30 houses. Where the site abuts open countryside to the east and south, careful consideration will need to be given to boundary treatment in order to integrate the development with the open countryside. The frontage of the site onto the public highway will also need high quality design and layout to complement ~~to~~ the attractive approach to the village at this point.

Highways advice: Main access off Heads Nook to Corby Hill road.

Biodiversity: the site is located just under 500 m from the River Eden and Tributaries SSSI/SAC. Trout Beck which crosses the site is a tributary of this designated site. Development must ensure no adverse impact on the special interest features of the designated site from run off etc.

Heritage assessment: unlikely to impact on the setting of Warwick Mill Main Mill and High Buildings listed buildings.

Environment Agency/Lead Local Flood Authority advice:

- area around Trout Beck classified as flood zone 2 and 3. Trout Beck classified as 'main river', 8 metres clearance required either side.

R 19: Wetheral South – there are acknowledged issues with the capacity of the waste water treatment works (WWTW) for Wetheral. However, increasing the capacity of the WWTW is in the United Utilities forward funding plan. In the meantime United Utilities has advised that any surface water should discharge at the lowest possible rate. This will be at a rate which is less than the average greenfield run-off rate. The surface water drainage system should include on-site attenuation. The site lies adjacent to Wetheral Conservation Area boundary, and as such new development will be expected to harmonise with the local context, ~~which in this location comprises a range of designs and sizes of two storey dwellings, finished in stone, render and brick.~~

Highways advice: the Highways Authority has not raised any issues regarding this site.

Biodiversity: there are no statutory or non-statutory designations within or adjacent to the site. There are a number of hedgerows within and on the boundary of the site which are likely to provide habitats and feeding areas for birds.

Heritage assessment: Grade 1 listed Wetheral Priory and Gatehouse lies 250 metres from the site. There are also two scheduled ancient monuments within the Wetheral Abbey Farm cluster. The land rises steeply to the west of the listed building, blocking views of the heritage asset from the wider landscape. The roofs of the westernmost

houses on The Glebe are only just visible. It is unlikely that development of the proposed site would adversely impact the character and setting of the listed building. Wetheral Conservation Area boundary lies adjacent to part of the northern boundary of the site. The CA at this point has a range of designs and sizes of two storey properties, finished in stone, render and brick, in a compact layout. New development will be expected to harmonise with the local context both within and adjacent to the CA.

Environment Agency/Lead Local Flood Authority advice:

- historically lack of WWTW capacity has been an issue with new development;
- initial assessment of capacity at WWTW has been revised. Monitoring has shown the situation is not as bad due to the brewery permission in Great Corby not being implemented;
- foul water connections can potentially connect now;
- increasing the capacity is in the United Utilities funding plan – expected delivery of improved works 2020 will upsize the works to take additional flow;
- some surface water flood risk within area to adjacent properties – the run off across the site would need to be managed to prevent this.

R 20: land west of Steele's Bank, south of Ashgate Lane, Wetheral – whilst the site is bordered to the north and east by existing housing, the landscape in this location is flat and open, and very careful design of the layout and housing will be required to establish an attractive edge to the village and prevent any adverse impact on the properties on both Ashgate Lane and Steele's Bank. Adequate separation distances will be required between the new development and the mature trees which fringe the cemetery, in accordance with the adopted SPD Trees and Development.

Highways advice: the Highways Authority has not raised any issues regarding this site.

Biodiversity –there are no statutory or non-statutory designations which apply within or adjacent to the site. There are a number of hedgerows within and on the boundary of the site which are likely to provide habitats and feeding areas for birds and other wildlife.

Heritage assessment: no known heritage assets within or adjacent to site.

Environment Agency/Lead Local Flood Authority advice:

- the main issue in Wetheral is lack of sewer capacity;
- initial assessment of capacity at WWTW has been revised. Monitoring has shown the situation is not as bad due to the brewery permission in Great Corby not being implemented;
- foul water connections can potentially connect now;
- increasing the capacity is in the United Utilities funding plan – expected delivery of improved works 2020 will upsize the works to take additional flow);
- some surface water flood risk within area to adjacent properties – the run off across the site would need to be managed to prevent this;

R 21: land west of Wreay School, Wreay – Wreay is a small village with a good range of local services including a primary school with spare pupil capacity. Though not designated as a conservation area, Wreay is a notable location due to its association with local architect and landowner Sarah Losh 1785-1853. A number of nearby listed buildings include St Mary's Church (Grade II*), the Grade II Mausoleum, and to the

immediate north of the site is the Grade II Pompeian Cottage., ~~built in 1830 as a school master's house, and a replica of a house excavated at Pompeii.~~

The site is sensitive given its high density of designated heritage assets and also the relative low-density of Wreay as a whole. Any design should be of extremely high quality and fully respond to the sensitivity of its surroundings.

Highways advice: the Highways Authority has not raised any issues regarding this site.

Biodiversity: there are no statutory or non-statutory designations which apply within or adjacent to the site. There are good roadside hedgerows which are likely to provide habitats and feeding area for birds etc.

Heritage assessment: Wreay is a notable location thanks to its association with local architect and landowner Sarah Losh 1785-1853. A number of listed buildings are in proximity to this proposed site, all by her hand. These include St Mary's Church, which is Grade II* listed, located on the opposite side of the road to the south eastern corner of the site. Associated with this are a number of other listed structures in the vicinity of the Church including the Grade II Mausoleum. There is a mature tree belt which provides some screening of the site from some of these structures. Any development would have to respect, and not cause harm to the significance and setting of these listed buildings. To the immediate north of the site is the Grade II Pompeian Cottage, built in 1830 by Sarah Losh as a school master's house, and a replica of a house excavated at Pompeii.

Environment Agency/Lead Local Flood Authority advice:

- main river runs down western side of site – 8m buffer would be required.
- watercourse would provide point of discharge.

Appendix Three – Modifications to Local Plan Monitoring Framework (Appendix 2)

Policy	Objective	Indicator	Trigger	Possible Action	SA Objective
SP 2	Delivery of at least 8,475 net additional homes between 2015 and 2030	Housing Trajectory Net <u>cumulative</u> total new dwelling completions	Negative Deviation from Trajectory <u>for a sustained 2 year period</u>	Review circumstances, engage with stakeholders and if necessary review Housing Delivery Strategy aspects of the Local Plan. Depending on the scale and nature of the potential under-delivery / deviation, actions may include:	1, 2, 5, 6, 7, 11, 13, 16
	<u>Delivery of at least 9,606 net additional dwellings between 2013 and 2030</u>	<u>Projected rates of delivery as illustrated through the housing trajectory</u>	<u>Anticipated or actual shortfall in 5 year supply of housing land</u>	<ul style="list-style-type: none"> • <u>Engaging with stakeholders;</u> • <u>The preparation of an interim position statement;</u> • <u>Bringing forward additional allocations; and/or</u> • <u>A partial review of the Local Plan.</u> 	
	<u>Approximately 70% of new homes delivered in the Urban area</u>	Urban/Rural split of gross housing completions	Negative Trend <u>Actual and projected completions significantly deviating from target.</u>		
	<u>5 years of deliverable housing land at all times</u>	<u>Annual 5 Year Housing Land Supply Position Statement</u>	<u>Anticipated or actual shortfall in 5 year supply of housing land</u>		
	Adequate delivery of and forward supply of employment land to support economic growth	Employment Land uptake [HA] and type [B1/B2/B8] Amount of employment land available [HA] and type [B1/B2/B8]	Uptake analysis Diminishing forward supply of employment land [HA] and type [B1/B2/B8]	Review circumstances, engage with stakeholders and if necessary review Housing Delivery Strategy aspects of the Local Plan. Depending on the scale and nature of any shortfall, actions may include:	
	Realisation of the opportunity presented	Progress toward the delivery and	Stalled progress	<ul style="list-style-type: none"> • <u>Engaging with stakeholders; and/or</u> 	

Policy	Objective	Indicator	Trigger	Possible Action	SA Objective
	by the part commercialisation of MOD Longtown [Solway 45]	take up of the opportunity		<ul style="list-style-type: none"> <u>A partial review of the Local Plan</u> 	
	Take up of additional 18,700 m ² <u>(net)</u> additional comparison retail floorspace between 2015 <u>2012</u> and 2030	New <u>(net)</u> Comparison Retail Floorspace	Under delivery and no forward supply		
	Respond to opportunities and encourage development on previously developed land	% of new homes; employment land uptake [HA]; new comparison retail floorspace [m²] on previously developed land <u>Amount of development on previously developed land</u>	Negative Trends <u>Little or no reuse of previously developed land</u>		
SP 3	Development of Carlisle South contributing to meeting development needs as required <u>Masterplan and infrastructure delivery strategy in place for Carlisle South</u>	Progress towards masterplanning and adoption of subsequent Development Plan Document <u>Progress against timetable set out in LDS</u>	Lack of Progression to adoption of Development Plan Document <u>Deviation from LDS without legitimate reason (as reported in the AMR)</u>	Review circumstances, engage with stakeholders and consider options if necessary <ul style="list-style-type: none"> <u>Review circumstances;</u> <u>Engage with stakeholders;</u> <u>Review LDS; and/or</u> <u>Secure additional resources to accelerate delivery</u> 	1, 13
	<u>Housing delivery at</u>	<u>Actual dwelling</u>	<u>Housing/infrastructure</u>	<u>Depending on the scale and nature</u>	

Policy	Objective	Indicator	Trigger	Possible Action	SA Objective
	<u>Carlisle South in line with Masterplan</u>	<u>completions at Carlisle South</u> <u>Progress against delivery of required infrastructure</u>	<u>delivery not in accordance with Masterplan</u>	<u>of the potential under-delivery, actions may include:</u> <ul style="list-style-type: none"> • <u>Engaging with stakeholders; and/or</u> • <u>Partial Review of the Masterplan and IDP (including phasing)</u> 	
SP 4	Protect and enhance the vitality and viability of the City Centre	City Centre Health Check	<u>Negative Trends</u> <u>Sustained decline in health of city centre</u>	Review circumstances, engage with stakeholders and consider options if necessary <u>Depending on the scale and nature of the decline/lack of progress, action may include:</u> <ul style="list-style-type: none"> • <u>Review circumstances;</u> • <u>Engage with stakeholders; and/or</u> • <u>Partial review of the Local Plan</u> 	1, 2, 5, 6, 7, 11, 13, 16, 17
	Realisation of City Centre and Caldew Riverside development opportunities	Progress towards the realisation of identified opportunities	Stalled progress <u>Lack of published year on year progress towards implementation of a deliverable scheme</u>	Review circumstances, engage with stakeholders and consider options if necessary <u>Review circumstances, engage with stakeholders and consider options if necessary</u>	
EC 1	To support economic growth and increase the level of high value jobs within the local economy through making land available for employment land purposes.	Take up of the allocated 45HA employment land	Stalled progress in bringing the allocations forward. <u>No or limited prospect of take up of allocated land as reviewed annually</u>	Review circumstances and if appropriate review Policy and alternatives. <u>Depending on rate of delivery and/or speed of progress, actions may include:</u> <ul style="list-style-type: none"> • <u>Engaging with stakeholders;</u> • <u>Review evidence; and/or</u> • <u>A Partial review of the Local Plan.</u> 	1, 2

Policy	Objective	Indicator	Trigger	Possible Action	SA Objective
EC 2	To safeguard primary employment areas to ensure land and premises are available to provide the wide variety of sites required to meet the needs of businesses across the plan period.	Total employment land available	Diminishing supply of available employment land	Review circumstances and if appropriate review Policy and alternatives <u>Depending on the scale and nature of the position, action may include:</u> <ul style="list-style-type: none"> Engaging with stakeholders; and/or Review appropriateness of designation 	1, 2, 7, 20
		Vacant floorspace [m2] and/or land on designated primary employment areas	Increasing Sustained net increase in vacancy rates		
		Loss of primary employment areas [HA] and/or floorspace [m²] to non-employment related [B1,B2,B8] uses	Negative trend Sustained net loss of land [HA] and/or floorspace [m²] to non-employment [B1,B2,B8] uses		
EC 4	Delivery of a District Centre	Progress towards the delivery and take up of the allocation including foodstore anchor [m²]	<ul style="list-style-type: none"> Progress towards the build out of the allocation Lack of published year on year progress towards implementation of a deliverable scheme Superseded master plan 	Review circumstances and if appropriate engage with stakeholders and review allocation <u>Depending on rate of delivery and/or speed of progress, actions may include:</u> <ul style="list-style-type: none"> Engaging with stakeholders; Review evidence; and/or A Partial review of the Local Plan. 	1, 2, 7, 11, 14
HO 1	Delivery of at least an annualised average of 565 houses with a mix of dwelling types, sizes and tenures	Housing Trajectory Regular Housing Delivery Update Delivery of site	Deviation from trajectory: Mix of dwelling types not meeting local housing need.	Review Housing Trajectory and Housing Allocations <u>Depending on the scale and nature of any potential under-delivery, actions may include:</u>	1, 2, 5, 6, 7, 11, 12, 13

Policy	Objective	Indicator	Trigger	Possible Action	SA Objective
	<u>Site allocations contributing to housing delivery as anticipated</u>	<u>allocations in line with Policy</u>	<ul style="list-style-type: none"> <u>Cumulative reduction in indicative yields</u> <u>Allocations not coming forward within the plan period indicated.</u> 	<ul style="list-style-type: none"> <u>Engaging with stakeholders;</u> <u>Bring forward additional allocations utilising evidence from the SHLAA; and/or</u> <u>A partial review of the Local Plan</u> 	
HO 2	<u>Annual average of at least 100 windfall dwelling To contribute to the supply of housing completions</u>	<u>Housing Trajectory Actual and projected rates of windfall delivery</u>	<u>Deviation from trajectory Sustained lower windfall delivery rates</u>	<u>Review delivery from windfall applications windfall rate employed in trajectory and land assessments</u>	1, 2, 6, 9, 13
HO 4	To contribute towards meeting affordable housing needs through securing affordable homes from qualifying open market housing developments	<ul style="list-style-type: none"> No. of affordable homes delivered <u>No. of affordable housing secured via Development Management process</u> 	<u>Negative Trends in percentages secured and delivered on sites.</u>	Review circumstances and if appropriate engage with stakeholders and if appropriate review Policy and alternatives and/or viability evidence <u>Review circumstances and if appropriate:</u> <ul style="list-style-type: none"> <u>Engage with stakeholders;</u> <u>Review housing need and/or viability evidence;</u> <u>The preparation of an interim position statement;</u> <u>Bring forward additional allocations utilising evidence from the SHLAA; and/or</u> <u>A partial review of the Local Plan.</u> 	1, 6, 13, 14
HO 11	To meet the accommodation needs	<u>No. of Net increase in</u>	Progress towards the build out of the	<u>Review circumstances and engage stakeholders and if</u>	11, 12, 13, 14

Policy	Objective	Indicator	Trigger	Possible Action	SA Objective
	of Gypsies and Travellers and Travelling Showpeople	<u>permanent pitches and plots delivered</u> <u>Turnover on permanent sites</u> <u>Net increase in transit pitches and plots delivered</u>	<u>allocations</u> <u>Number of unauthorised pitches Sustained increase in number of unauthorised pitches/developments</u> <u>Lower than cumulative 10% turnover on rented sites within the District over a 2 year period</u> <u>Progress towards the build out of the allocations</u> <u>Sustained increase in number of unauthorised encampments</u>	appropriate; review Policy and alternatives <ul style="list-style-type: none"> • <u>Engage with Stakeholders;</u> • <u>Review evidence;</u> • <u>Bring forward additional allocations; and/or</u> • <u>A partial review of the Local Plan.</u> 	
IP 1	To ensure timely delivery of infrastructure <u>needed</u> to support delivery of the Plan	Type, nature and location of infrastructure <u>Delivery mechanisms within IDP</u>	Continued deficit as identified in the IDP	Engage with Stakeholders in particular in context with the IDP	1, 3, 4, 6, 7, 11, 12, 14
IP 3	To ensure appropriate parking standards are adhered to To reduce the level of inappropriate on-street	Compliance with any standards in operation <u>Policy Usage</u> <u>Progress against</u>	Parking Standards SPD not adopted by 2016. Decision Monitoring	Review circumstances and if appropriate review Policy, SPD and/or alternatives <ul style="list-style-type: none"> • <u>Review circumstances;</u> • <u>Engage with stakeholders;</u> 	1, 2, 6, 9, 13, 14

Policy	Objective	Indicator	Trigger	Possible Action	SA Objective
	parking <u>Adoption of SPD setting out parking standards</u>	<u>timetable set out in LDS</u>	<u>Deviation from LDS without legitimate reason (as reported in the AMR)</u>	<ul style="list-style-type: none"> <u>Review LDS;</u> <u>Secure additional resources to accelerate delivery; and/or</u> <u>Partial review of the Local Plan</u> 	
IP 8	To secure any measures agreed as necessary to make development acceptable in planning terms	<u>S106/CIL Monitoring as reported annually</u>	Non-delivery of previously agreed measures <u>Issues raised through the annual reporting</u>	Review circumstances and if appropriate review Policy and alternatives <u>Depending on scale and nature of the issues, action may include:</u> <ul style="list-style-type: none"> <u>Engage with stakeholders; and/or</u> <u>Partial review of the Local Plan</u> 	1, 7, 11, 12, 13, 14
CC1	To facilitate/enable development which contributes to generating renewable energy	Capacity in kW output <u>of approved applications</u> <u>No of applications received</u>	Negative Trends <u>Decline in the number of applications received and/or capacity kW output over a 5 year period</u> Negative Trends	Review circumstances and if appropriate review Policy and alternatives <u>Depending on scale and nature of the decline, action may include:</u> <ul style="list-style-type: none"> <u>Engage with stakeholders; and/or</u> <u>Partial review of the Local Plan</u> Review circumstances and if appropriate review Policy and alternatives	1,2,4,8,10,19
CC 2	To facilitate/enable development which contributes to generating renewable energy from wind	Capacity in kW output <u>of approved applications</u> <u>No of applications received</u>			1, 2, 4, 8
	<u>DPD to identify suitable areas for wind energy development is in place</u>	<u>Progress against timetable set out in LDS</u>	<u>Deviation from LDS without legitimate reason (as reported in the AMR)</u>	<ul style="list-style-type: none"> <u>Review circumstances;</u> <u>Engage with stakeholders;</u> <u>Review LDS; and/or</u> <u>Secure additional resources to accelerate delivery</u> 	

Policy	Objective	Indicator	Trigger	Possible Action	SA Objective
CC 5	<p>Surface water discharge rates: Greenfield: discharge rate will be no greater than existing rates Brownfield: discharge rates will be less than existing rates <u>Prioritisation of SUDs in new development sites</u></p>	<p>Pre and post development surface water discharge rates <u>No of applications approved contrary to advice of appropriate bodies</u></p>	<p>Negative trends <u>Year on year increase in no of applications approved contrary to advice of appropriate bodies</u></p>	<p>Engage with Stakeholders in particular in context with the IDP <u>Depending on the scale and nature of issues, actions may include:</u></p> <ul style="list-style-type: none"> • <u>Engage with stakeholders; and/or</u> • <u>Consider introduction of further guidance /SPD</u> 	3, 4, 9, 12, 13, 14, 15
GI 4	<p>No net <u>unacceptable</u> loss of public open space</p> <p><u>Ensuring new housing developments in excess of 20 units, where required, provide or contribute to the creation of additional public open space</u></p>	<p>Amount of public open space [HA] lost</p> <p><u>Amount [Ha] of public open space secured on new housing development</u></p>	<p>Negative Trend <u>Loss of public open space / failure to provide new provision contrary to advice of the Council's Green Spaces team</u></p>	<p>Review circumstances and if appropriate review Policy and alternatives <u>Depending on the scale and nature of issues, actions may include:</u></p> <ul style="list-style-type: none"> • <u>Engage with stakeholders;</u> • <u>Consider introduction of further guidance /SPD; and/or</u> • <u>Partial review of the Local Plan</u> 	1, 4, 11, 12, 14, 15, 16, 18, 19, 20

EXCERPT FROM THE MINUTES OF THE EXECUTIVE HELD ON 30 AUGUST 2016

**EX.72/16 CARLISLE DISTRICT LOCAL PLAN (2015 – 2030) PROPOSED
ADOPTION**
(Key Decision – KD.13/16)

Portfolio Economy, Enterprise and Housing

Relevant Overview and Scrutiny Panel Environment and Economy

Subject Matter

The Economy, Enterprise and Housing Portfolio Holder submitted report ED.31/16 concerning the proposed adoption of the Carlisle District Local Plan (2015-2030). In so doing, she provided an overview of the background position as set out within the report (Section 1 referred).

Unlike previously, the examination of the Local Plan was not an inquiry into objections and, as such, the Inspector's report did not summarise the cases of individual parties. It contained no direct references to specific representations and did not describe discussions at the hearing sessions. Instead, the report concisely explained why the Inspector, based on consideration of all the evidence including representations, had reached a particular view on soundness and legal compliance including the duty to cooperate.

The Portfolio Holder highlighted the Inspector's report (Appendix 1) which was subdivided into sections corresponding to the key issues which had been the focus of the examination. Taking each Section in turn (Assessment of the Duty to Cooperate; Assessment of Legal Compliance; and Assessment of Soundness), she summarised the Inspector's conclusions, details of which were provided. In brief the Inspector concluded that, subject to a number of modifications, the Local Plan provided an appropriate basis for the planning of the District.

The Main Modifications (MMs) identified as necessary by the Inspector were changes that were required in order for the Local Plan to be found 'sound'. In the main they consisted of redrafted text or policies. The need for and nature of those changes was discussed at the hearings stage of the Local Plan examination. The Council formally requested the Inspector to make MMs under section 20 (7C) of the Planning and Compulsory Purchase Act. The identification of MMs was a routine part of the process and could be seen to strengthen the Plan.

The proposed MMs were subject to public consultation which took place between 14 March and 25 April 2016. The responses to the consultation were forwarded to the Inspector and considered as part of the examination process.

Turning to Section 3, the Portfolio Holder commented that the Plan had been informed throughout its evolution by the Local Plan Members' Working Group and she was most grateful for their contribution.

Having considered legal compliance and each of the key issues, the Inspector ultimately concluded that the Local Plan was sound, subject to the recommended main modifications, and therefore capable of adoption.

In conclusion the Economy, Enterprise and Housing Portfolio Holder moved the recommendations.

The Leader seconded the recommendations. In so doing, the Leader expressed a wish to place on record his thanks for the exceptional job undertaken by the Local Plans Team; and to all Members who had taken part in the Cross-Party Working Group.

Summary of options rejected None

DECISION

That the Executive:

1. Had considered the Inspector's 'Report on the Examination into the Carlisle District Local Plan', attached as Appendix one to Report ED.31/16, and the recommendation that the Local Plan be adopted.
2. Made the Inspector's report available for consideration by the Environment and Economy Overview and Scrutiny Panel and, subject to any additional information arising from the Scrutiny Panel being reported back, the Executive on 26 September consider referral to Council on 8 November 2016 for the Local Plan to be adopted.

Reasons for Decision

In order to comply with the National Planning Policy Framework, and in accordance with a process governed by the Town and Country (Local Planning) (England) Regulations 2012, it was necessary to refer the Inspector's report and her conclusions to Council to enable the Plan to be adopted.