



REPORT TO EXECUTIVE

PORTFOLIO AREA: ECONOMIC DEVELOPMENT

Date of Meeting: 5th April 2012

Public

Key Decision: Yes

Recorded in Forward Plan:

Yes

Inside/Outside? Policy Framework

Title: INTERIM PLANNING STATEMENT - HOUSING

Report of: DIRECTOR OF ECONOMIC DEVELOPMENT

Report reference: ED. 13/12

Summary:

This paper sets out the need for an Interim Planning Policy Statement (IPPS) to provide further planning policy guidance on how the Council intends to deal with the shortfall in the delivery of new housing and manage the release of housing land prior to the adoption of the new Local Development Framework (LDF).

Recommendations:

It is recommended that Executive approve the draft interim planning statement as amended and that the Interim Statement be referred to Council 1 May meeting for use as a material planning document.

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Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers: Executive Report ED.07/12

1. BACKGROUND INFORMATION AND OPTIONS

- 1.1 Members of the executive received report ED.07/12 at its meeting of the 13th February 2012. Executive resolved to undertake consultation and that a further report should be brought back to Executive to consider the consultation responses.
- 1.2 The need to establish some interim guidance, until the Core Strategy of the Local Development Framework is further progressed, was the subject of the initial report. There continues to be clear evidence that the council does not have a deliverable five year supply of housing and the interim guidance will establish a basis upon which to consider any planning applications which may come forward for housing until the Core Strategy is adopted.
- 1.3 Following consultation it is considered that the basis of this interim statement remains the same, it will be treated as a material planning consideration in the assessment and determination of planning applications for residential development until the adoption of the LDF Core Strategy or a 5 year supply has been demonstrated whichever is the sooner.
- 1.4 The Interim Planning Policy Statement (IPPS) will give planning policy guidance which will identify a series of considerations that are material to applications, and to provide clarity about how the Council intends to approach these considerations.
- 1.5 The interim policy will also be used in conjunction with all other policies in the Local Plan and all residential development should seek to widen the supply of house types in line with the latest Housing Need and Demand Study.
- 1.6 Whilst the interim policy does not place ceilings on the size and scale of development, schemes that would prejudice the proper planning of new employment, services and infrastructure will not be allowed. The Council will consider whether granting further permissions would undermine the achievement of our policy objectives, having regard to work on the emerging Local Development Framework.
- 1.7 Furthermore, the Council will also consider phasing the development of large sites permitted under this interim policy, where this is demonstrated to be necessary in order to co-ordinate new housing with infrastructure and the provision of community facilities.
- 1.8 All residential development proposals will therefore be required to contribute towards planning obligations in line with the tests of Circular 05/05. Any sites

coming forward will have to ensure that they do not prejudice proper infrastructure provision in their locality and may have to contribute towards cumulative contributions for infrastructure provision. This may be particularly relevant to matters such as strategic green infrastructure, highway provision, affordable housing and education.

2.0 Consultation Responses

- 2.1 The draft statement was subject of a four week consultation and a summary of the responses is attached at Appendix 2. In general the responses were positive and welcomed the approach that the City Council advocates by the use of an interim statement. In total there were 16 responses.

There have however been some concerns which are considered in the following paragraphs:

- 2.2 Deliverable supply – Concern was raised that some sites may not be deliverable even though a planning application may be made. It is the intention of this interim statement that additional housing will be delivered as part of the required five year supply. Any applications for housing where this statement is a material consideration should therefore demonstrate that the sites will be able to deliver some housing within the initial five year period and the phasing and delivery of housing will be the subject of a planning condition with any consent issued.
- 2.3 Alignment with the Core Strategy – Mixed views were received to the use of the Preferred Options as a reference for any proposed development sites. The reference to work on the Core Strategy ensures that the Council's Interim Statement is aligned to its work and evidence on the Local Development Framework and does not conflict with its own emerging policies. The appropriate weight will be given to the stage the Core Strategy has reached. The council will use the Strategic Housing Land Availability Assessment (SHLAA) evidence base when considering the suitability of any housing proposals.
- 2.4 Sequential approach, scale, housing need, sites within 1km of the urban area boundary, not a prominent intrusion into open countryside – All these issues relate to the appropriateness of potential development sites. The Interim policy recognises that most interest will be around the existing built up areas. Restricting the potential to those areas close to existing development ensures that the proposed sites are sequentially preferable. The avoidance of a defined limit ensures that random sites are not developed that bear no relationship to existing

development. The focus of development to existing centres listed in the Local Plan ensures they are where the greatest need for development lies. The scale of development will be considered under the criteria already established.

- 2.5 Take account of vacant dwellings – vacant dwellings are considered when the overall housing targets are set and it is not appropriate to re-examine this on a piecemeal basis for each development proposal.
- 2.6 Issues relating to other policies e.g. affordable housing, use of brownfield sites – The interim statement refers to the use of other policies in the Local Plan which remain in force. The plan had a strong brownfield development emphasis which has created difficulties for the current development of sites. In addition the interim statement can not change other policies such as affordable housing which should be done through the Core Strategy
- 2.7 Reference to Planning Policy Statements/National Planning Policy Framework (NPPF) – It is noted that at the time of preparing this report the NPPF is shortly scheduled for publication. Any implications of this Statement will be taken into account once it is published and comes into force.
- 2.8 Other material considerations – Whilst there is reference to the use of existing policies in the Local Plan, other material consideration may arise. It may not be possible to identify all the potential issues in advance and in line with good practice these will be considered when any application is submitted to the Council.
- 2.9 The Interim Statement has been discussed with the Chair and Vice Chair of the Economy Panel. It was considered that the report does not need to be considered at the Panel meeting on 5th April. It was agreed that the statement addresses the requirement for the Council to have the correct policy in place to ensure a 5 year supply of housing is always available to be developed. There is not a change to policy and therefore proposed by the Chair and Vice Chair that this is not put on the 5th April agenda of the Panel.
- 2.10 Having considered the points which were raised through the consultation, it is advised that only one change should be made to the Interim Statement to ensure that delivery of housing is more clearly taken into account. An additional sentence should therefore be inserted within the statement to read:
"Proposals will be required to demonstrate that the site will be deliverable within the five year supply period relevant to the date of submission of a planning application."

2.11 A summary of the responses received is attached at Appendix 2

3.0 Monitoring & Review

- 3.1 The policy will apply to all residential planning applications submitted on or after 2 May 2012. The policy may also be used as evidence to support any appeal challenges to decisions made where the planning application was submitted before this date.
- 3.2 The impact of the interim policy on housing supply will be regularly reviewed in accordance with the requirement in PPS3 to plan, monitor and manage the release of housing land.
- 3.3 The interim policy will remain relevant guidance until the Council is able to pursue a plan led approach to housing provision through the LDF.
- 3.4 The amended draft Interim Planning Statement – Housing is attached at appendix 1

4. RECOMMENDATIONS

It is recommended that Executive approve the draft interim planning statement as amended and that the Interim Statement be referred to Council 1 May meeting for use as a material planning document.

5. REASONS FOR RECOMMENDATIONS

In order to help address the current deficiencies in the 5 year supply of new housing.

6. IMPLICATIONS

- Staffing/Resources – Any actions arising from this report will be accommodated within the resources of the planning teams.
- Financial – There are no financial implications arising
- Legal – The Interim Planning Statement is not viewed as being part of the Planning Policies reserved to Full Council by Article 4 of the Constitution given its interim status. However, from a legal and planning perspective, the

document becomes more robust, in terms of challenge, the more consultation it has been subject to and buy-in by elected Members. The planned route for the document provides that it be consulted upon and its ultimate referral to Council, through the Executive, ensures that the document has the fullest backing possible by the elected Members of the Council.

- Corporate – An interim planning statement would help to deliver growth and support the Council's corporate objectives
- Risk Management – Without this planning statement there is a risk that new housing could be determined by planning appeals without appropriate guidance on relevant planning issues
- Environmental – Environmental considerations would be taken into account when considering any planning applications brought forward
- Crime and Disorder – Not/applicable
- Impact on Customers – The proposed draft policy would help improve the quality of advice to customers
- Equality and Diversity – No Equality and Diversity issues arise

Impact assessments

Does the change have an impact on the following?

Equality Impact Screening	Impact Yes/No?	Is the impact positive or negative?
Does the policy/service impact on the following?		
Age	No	
Disability	No	
Race	No	
Gender/ Transgender	No	
Sexual Orientation	No	
Religion or belief	No	
Human Rights	No	
Health inequalities	No	
Rurality	No	

If you consider there is either no impact or no negative impact, please give reasons:

This report relates to the development of a proposed IPPS. The policy statement would apply to all applications in a uniform manner.

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If an equality Impact is necessary, please contact the P&P team.

**Draft
Interim Planning Policy Statement
for New Housing Development in Carlisle**

In the absence of a 5-year supply of housing land as defined by PPS3, the Council will consider proposals for new housing development on land currently excluded from housing development either through other designated use or outside existing settlement boundaries against the following set of criteria:

- a) sites in Carlisle, Brampton or Longtown within the urban fringe should adjoin the edge of the existing built up area or
- b) sites in Local Service Centres should adjoin an existing settlement boundary, and
- c) it should be well related to the built framework of the existing settlement, and
- d) it should not result in a prominent intrusion into the countryside, and
- e) it should not result in settlements merging, and,
- f) it should not detract from the landscape character of the area as contained in the Cumbria Landscape Strategy; and
- g) it should not cause harm to some other overriding policy objective.

Proposals will be required to demonstrate that the site will be deliverable within the five year supply period relevant to the date of submission of a planning application.

Proposals must be in line with the Council's emerging Core Strategy once it has reached Preferred Options stage.

Note: This interim policy supplements the saved housing policies of the Carlisle District Local Plan 2011-16 and should only be used in the absence of a 5-year supply of housing land. This policy does not supersede all saved policies in the Local Plan and should be interpreted in conjunction with them.

Adopted xxxxx 2012

Summary of consultation feedback on Interim Planning Policy

Parish Councils.

Wetheral, Stanwix Rural, Walton and Scaleby, Cummersdale and Castle Carrock & Geltsdale Parish Councils.

- Walton had no observations to make on the policy;
- Wetheral had no comments and support the policy;
- Stanwix Rural request that priority should be given within the policy to affordable housing, and that any future housing should be built beside the CNDR and to the west and south of the city;
- Scaleby had no observations to make on the policy.
- Cummersdale support the policy in principle but are concerned about potential scale of development
- Castle Carrock and Geltsdale wanted a longer consultation period. They also asked for further clarification as to how this relates to where the greatest housing need is identified; there needs to be further definition of points c and d in the statement and whether it differs from draft policies of the LDF. They also requested that the policy should take into account vacant dwellings prior to new build. Other points raised related to opposing blocks of development in the parish, affordable housing contained in developments of more than 5 houses and use of covenants to limit the housing to local people.

Story Homes.

Fully support the policy, subject to any housing development being brought forward under the policy being able to prove its deliverability, and where necessary, realistic phasing being provided.

Church Commissioners (Smiths Gore)

Particular support for the future development of sites in the Local Service Centres. Specific reference to landholdings in Wetheral adjoining the settlement boundary.

Mrs B Coad (Smiths Gore).

Particular support for the future development of sites in the Local Service Centres. Specific reference to landholdings in Rockcliffe adjoining the settlement boundary.

Mr J Henderson
<p>Supports the policy, listing benefits as:</p> <ul style="list-style-type: none"> • better housing for local people; • more affordable housing for people on low incomes; • more jobs for local people; • more money being spent in the local economy; • more work for local businesses.

Kingmoor Park Properties Limited (How Planning).
<p>Welcomes the principle of the policy. Following comments made:</p> <ul style="list-style-type: none"> • sites near to employment areas should be prioritised with respect to the policy; • the policy should be mindful of the aspirations of the draft NPPF, and provide for an additional allowance of at least 20% on top of the five year requirement; • policy needs to be broad enough to encourage development; • need clarification about what is meant by <i>‘through other designated use’</i>; • sites falling under a) may not be deliverable • want part a) amended to include sites within 1km of the urban area boundary; • an additional criteria should be added <i>‘is capable of being developed within 5 years of the granting of outline planning permission’</i>; • c) should be expanded to explain ‘well related’ and include sites within 1km; • d) should be amended so that existing prominent intrusive development can be redeveloped for residential; • g) criteria is far too general. Should consider other material considerations that might outweigh policies in the Local Plan; • object that proposals must be in line with Preferred Options;

Cumbria County Council.
<p>In general the County Council support the aims of the approach, in particular the recognition of landscape importance, but consider the policy lacks sufficient detail, as follows:</p> <ul style="list-style-type: none"> • policy should highlight the need for development to comply with PPS/NPPF etc; • a sequential approach to sites should be considered; • weight should be given to housing in more accessible locations; • policy omits to say how infrastructure provision will be considered; • policy does not reference the need for new housing development to be accessible by sustainable transport modes; • the need to protect ecological and historic interests is not addressed.

John Stevenson MP
The policy should not be too proscriptive. Development on the city's circumference should be encouraged with the support of local communities. The policy should assist Carlisle's growth and be flexible enough to allow for periods of demand.

Carlisle Parish Councils' Association
<p>The CPCA have requested further information in order to be able to make a fully informed response. The information relates to a wide range of matters from empty properties and housing demand, to the number of redundant agricultural buildings and costing information.</p> <p>The CPCA consider that Crindledyke should be included in housing land supply figures, that the CNDR will have an effect on patterns of demand and that there is still a need for parish councils to carry out housing needs surveys.</p> <p>The following recommendations are made in response to the draft policy. Priority should be given to the following:</p> <ul style="list-style-type: none"> • the use of brownfield sites; • affordable/social rent housing; • development along the CNDR corridor.

Persimmon
Support the policy. The approach taken is logical and will not be prejudicial to the Core Strategy.