



November 2015

Representor Reference: 089

Representor: Sandra Manson, Signet Planning on behalf of Story Homes Ltd

CARLISLE LOCAL PLAN EXAMINATION

MATTER 6- INFRASTRUCTURE PROVISION

Issue 1: Whether the LP will provide the necessary infrastructure to support the level of development proposed and within the timescale proposed and within the timescales envisage.

Q1: Is the Infrastructure Delivery Plan realistic in assessing the timescale the infrastructure will come forward over the planning period?

The Infrastructure Delivery Plan is identified as a living document which raises various elements of infrastructure delivery to be considered necessary for delivery of sites albeit, there is not a detailed infrastructure delivery list with costing or timescale for delivery. It is identified that many infrastructure requirements will be delivered through Section 106 obligations subject to meeting the tests set out in the CIL regulations.

In this regard, we note that September 2015 iteration of the Infrastructure Delivery Plan now incorporates on page 43 a link to Cumbria County Council's approach to planning obligations under Paragraph 3.50. We wish to highlight with the inspector that this additional reference in the Infrastructure Delivery Plan which was not included in the March 2015 iteration raised concerns in relation to transparency in regards to infrastructure requirement and any inference that the Cumbria County Council Planning obligation policy is endorsed.

Story Homes have consistently raised fundamental issues, alongside others in the development industry, regarding the approach to the development of the Cumbria County Council obligations policy in its lack of transparency in its development and approach to seeking developer contributions across a range of elements which are not in accordance with the most up to date development plans or been the subject of independent scrutiny.

Story Homes have maintained objections to the obligations policy on the grounds that it is not compliant with the legal tests of CIL, and is therefore not sound. For clarity, these tests are:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

Indeed, the emerging Carlisle District Local Plan does not incorporate planning obligation requirements or infrastructure requirements that mirror some set out within the Cumbria planning obligations policy document and as such once it is adopted we would consider the Carlisle Plan will be the most up to date policy approach to delivering infrastructure elements.

That is not to say that Story Homes do not enter in dialogue with the County Council along with the relevant District/Borough Council to ensure that proposals are sustainable and provide the correct level of infrastructure requirements, subject to transparency on the basis on which financial contributions are requested and the justification of need for them. It is important however that such obligation requirements are taken into account on the overall viability of schemes and are fully justified and transparent.

Q2: Is Policy IP2 consistent with Paragraph 32 of the National Planning Policy Framework in so far as the policy states that “development that causes significant issues that cannot be mitigated against will be resisted” which is a lower threshold than severe harm referred to in Paragraph 32?

We refer to our representation at submission draft stage.

Q3: Will a supplementary planning document that sets minimum parking standards for the District (A) be setting out policy that should be included in the Local Plan? (B) Be justified: (C) Be consistent with national policy?

We refer to our representation at submission draft stage.