



THE HOME BUILDERS FEDERATION

Date: 13th November 2015

Consultee ID: 048

Matter: 1

CARLISLE LOCAL PLAN EXAMINATION

Matter 1 – Legal requirements and procedural matters

Key Issue: Whether the legal requirements and relevant procedures have been satisfied.

1. The HBF has no further comments in relation to questions 1, 2 and 5 at this stage.

Q3. Has the LP been subject to Sustainability Appraisal, including a final report on the published plan; and is it clear how the Sustainability Appraisal influenced the final plan and dealt with mitigation measures? Has a Habitats Regulations Assessment under the Habitats Directive/Regulations been carried out to the satisfaction of Natural England?

2. The *Sustainability Appraisal* (SD003) clearly considers a range of alternatives and has influenced the plan. In relation to the housing requirement it considers a two figures of 480 to 565 net dwellings per annum (dpa) (paragraph 4.23) and concludes (paragraph 4.29) that the figure of 565 net dpa to be the most sustainable. Whilst the HBF agrees with this conclusion, based upon the alternatives tested we do have a two key concerns.

3. Firstly the SA does not consider a net figure higher than 565 dpa. This is despite the previous iterations of the plan being based upon a figure of 665 net dpa. It is noted, within paragraph 4.25 of the *Sustainability Appraisal*, that this higher figure of 665dpa was no longer considered a reasonable alternative as it was no longer supported by the most up to date evidence. The HBF recognise this point but also note, as discussed in greater detail within our matter 2 hearing statement, that the sub-national population projections (SNHP), upon which the housing requirement is initially based are likely to include elements which suppress the housing requirement. Given these suppression factors we conclude that the SA should have considered a higher housing requirement.

4. Our second issue is that the proposed modification MM01 identified within the *Draft Schedule of Main Modifications* (EL1.006b) and *Phased Delivery Statement* (EL1.005e) propose to introduce a phased approach to delivering the housing requirement. The *Phased Delivery Statement* (paragraph 3.9) dismisses the need to undertake Sustainability Appraisal of the proposed amendment as it is not considered material stating;

‘This is not however considered to be material, which reflects a belief that given the high level and strategic nature of the SA on strategic options for the Plan, that it is

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the overall quantum of development across the plan period which influences the outcome and this remains unchanged. Consequently it is not considered that there is a need to revisit the Plan's accompanying Sustainability Appraisal' (paragraph 3.9, EL1.005e).

5. The HBF disagree with this statement. Whilst the overall quantum of housing may remain unchanged the restriction of supply early within the plan period will undoubtedly have both economic and social impacts (we discuss these in greater detail within our matter 2 statement). These should be considered and tested if the Council is mindful to progress the proposed modifications outlined within documents EL1.006b and EL1.005e.

Q4. Does the LP have regard to national planning policy, including consistency with the National Planning Policy Framework (NPPF) and the Planning policy for traveller sites (PPTS)? Is there sufficient local justification for any policies that are not consistent with national planning policy? Does the submitted plan properly reflect the presumption in favour of sustainable development in the NPPF?

6. The HBF considers there are a number of areas where the LP is not consistent with the NPPF. The majority of these are outlined within our comments upon the submission version of the plan as well as against specific matters and issues raised by the Inspector within our matter 2 statement.

Q6. Has the LP been prepared in accordance with the Duty to Co-operate and does it fully meet this legal requirement? What are the key outcomes from the co-operation with neighbouring authorities?

7. The HBF considers that the Council has undertaken significant work in an attempt to fully meet its requirements under Duty to Co-operate. This work is clearly identified within the Council's *Duty to Cooperate Statement* (document ref: SD008) which notes that a wide range of discussions and meetings have been held with statutory bodies.
8. The principal concern for the HBF is in relation to strategic housing issues. In this regard all neighbouring authorities the *Duty to Co-operate Statement* identifies that they intend to meet their own development needs within their boundaries (paragraph 2.7, SD008) and that there are no cross boundary issues in relation to housing supply (paragraph 2.15, SD008). The supplementary note from Eden District Council (document ref: EL2.001) further clarifies this issue in respect of Eden. Whilst the HBF is unaware of similar statements from other neighbouring authorities, we have no reason to doubt the Councils' position.
9. Whilst the HBF does not doubt that the Council has undertaken considerable work in order to discharge its requirements under the duty we did, within our comments upon the submission version of the plan, raise an issue with respect to the wider implications of the Strategic Economic Plan and its ambition to deliver 30,000 new homes between 2014 and 2024 (page 5, document ref: FSD008). The HBF recognise that Local Enterprise Partnerships (LEPs) are not strictly subject to the requirements of the duty but the NPPF and PPG are clear that local authorities should co-operate with these bodies. Whilst Appendix 2 of the *Duty to Co-operate Statement* (SD008) is noted this disparity remains unaddressed. Indeed given the proposed amendments which seek to phase the housing requirement by reducing the overall requirement early in the plan period from 565dpa to 477dpa between

2013 and 2020, as outline in proposed main modification MM01 (document ref: EL1.006b), the SEP ambition appears even more distant.

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