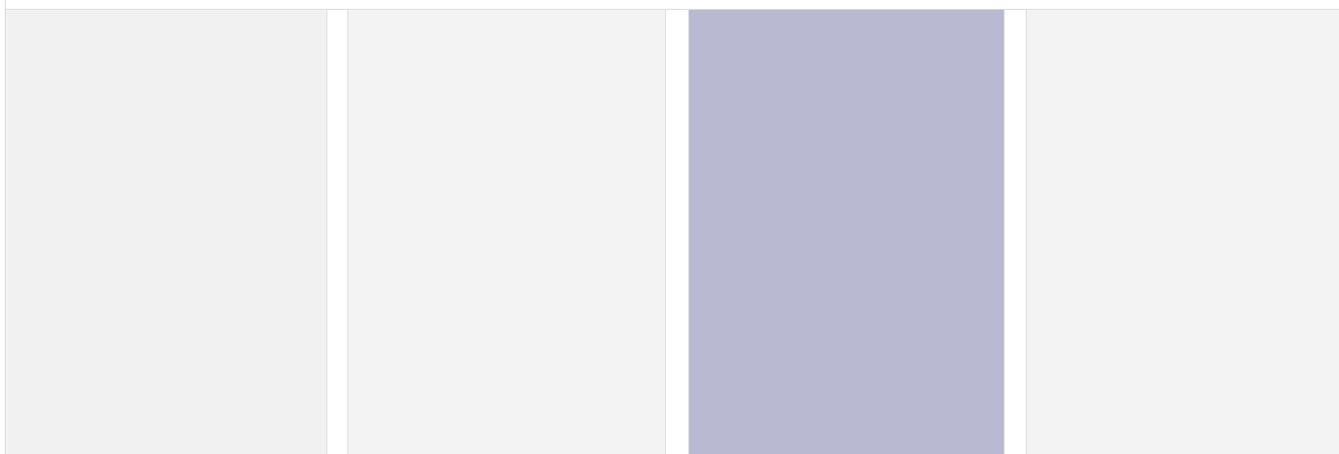
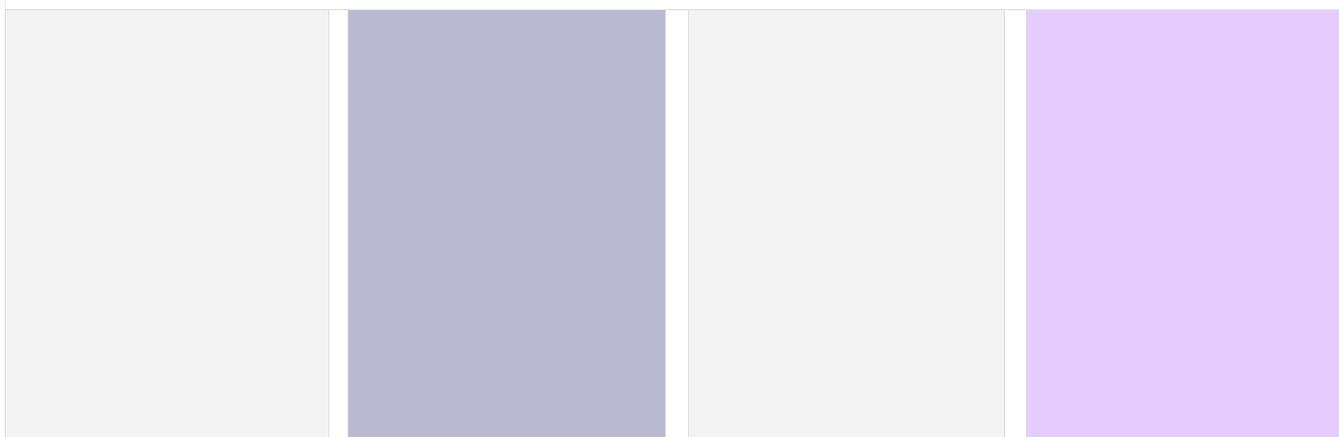


Local Development Scheme

January 2013



Barrow-in-Furness Borough Council

Part of the Barrow-in-Furness Local Development Framework

Local Development Scheme: January 2013

Scheme takes effect from 31 January 2013



**Executive Director
Barrow-in-Furness Borough Council
Town Hall
Duke Street
Barrow in Furness
Cumbria LA14 2LD**

Contact:

**Planning Policy Team
(01229) 876349 or 876363 or 876388
Email: developmentplans@barrowbc.gov.uk**

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1 Introduction

1.1 The Planning System and the Local Development Framework

As a result of the Planning and Compulsory Purchase Act 2004 (The 2004 Act), the national system for producing planning policy documents changed and the 'old' development plan system of a County Structure and Borough-wide Local Plan was replaced by a 'new' system comprising a Regional (Spatial) Strategy and a Local Development Framework.

To take account of the transitional period, older style development plans and supplementary planning guidance were formally saved, to be gradually replaced by new documents in a Local Development Framework (a portfolio of documents setting out the Council's spatial planning policies for the Borough of Barrow-in-Furness)

The majority of local planning policies for Barrow borough, contained within the old style Borough-wide Local Plan Review (adopted August 2001) and the Local Plan Housing Chapter Alteration (adopted June 2006), were saved. Some have since been replaced by policies within the Barrow Port Area Action Plan, which was produced to be part of a Local Development Framework.

1.2 The Planning System, the Localism Act and the National Planning Policy Framework

Introduction of the Localism Act 2011 and new planning policy guidance in the form of the National Planning Policy Framework (NPPF) in March 2012, resulted in further significant changes to the national system for producing planning policy documents.

Local Planning Authorities are now required to produce a Local Plan rather than a Local Development Framework. It appears this can be made up of several Local Development Documents e.g. a document concentrating on strategic policies, a document concentrating on development control policies and a proposals map, or it could be produced as a single Local Plan document (similar to the Borough Council's saved Local Plan Review, which was produced pre 2004).

The Council intend to produce a single Local Plan document.

Until the production of a new Local Plan, the NPPF allows full weight to be given to all relevant planning policies adopted since 2004, until 27 March 2013, even if there is limited conflict with the NPPF, to allow a transitional period for plan production. After 27 March 2013, and in other cases, such as where the relevant planning policy was adopted prior to 2004, due weight should be afforded according to the degree of consistency with the NPPF.

1.3 The Development Plan

The Development Plan for Barrow Borough currently comprises the following;

- The Regional Spatial Strategy for the North West, 2008 (which incorporates the 'saved' Cumbria County Council Structure Plan Policies)
 - 'Saved' planning policies in the Barrow in Furness Borough Council Local Plan Review, 2001, and the Barrow in Furness Local Plan Review Housing Chapter Alteration 2006
 - The Barrow Port Area Action Plan, 2010
-

Regional Strategies

Regional Strategies remain part of the development plan until they are abolished by Order using powers in the Localism Act. The current government have made it clear that it is their policy intention to revoke regional strategies outside of London, subject to the outcome of environmental assessment.

'Saved' Planning Policy

The Council have formally 'saved' the following local planning policy:

- Barrow-in-Furness Borough Council Local Plan Review 1996-2006; and
- Barrow-in-Furness Borough Council Local Plan Review 1996-2006 - Housing Chapter Alteration, 2006.

The Barrow-in-Furness Borough Council Local Plan Review 1996-2006 (the Local Plan Review) policies were automatically saved under the provisions of the Planning and Compulsory Purchase Act 2004 for a three year period from the commencement of the Act (i.e. until 27th September 2007).

A request to extend the saved period for most of the policies within the adopted Local Plan Review was submitted to the Secretary of State on the 30 March 2007 and a Direction to that effect was received on 18 September 2007.

The policies of the Barrow in Furness Borough Council Local Plan Review 1996-2006 - Housing Chapter Alteration 2006 (the Housing Chapter Alteration) were automatically saved under the provisions of the Planning and Compulsory Purchase Act 2004 for three years from their date of adoption.

A request to extend the saved period for all but one of the policies within the Housing Chapter Alteration was submitted to the Secretary of State on the 19 December 2008 and a Direction to that effect was received on 3 February 2009.

The policies were saved with the caveat that "the extended policies should be read in context. Where policies were adopted some time ago, it is likely that material considerations, in particular the emergence of new national and regional policy and also new evidence, will be afforded considerable weight in decisions."

As neither the Local Plan Review, nor the Housing Chapter Alteration were adopted in accordance with the Planning and Compulsory Purchase Act 2004, it is important to note that weight is afforded these policies according to the degree of conformity with the NPPF.

The Annual Monitoring Report sets out a list of all saved policies.

The Barrow Port Area Action Plan

The Barrow Port Area Action Plan (the Action Plan) was adopted in July 2010. As the Action Plan was adopted post 2004, as part of the Local Development Framework, the NPPF affords it full weight in planning policy consideration until 27 March 2013, even if there is limited conflict with the NPPF. After this date, the policies, like those of the Local Plan Review and the Housing Chapter Alteration now, will be afforded weight according to their consistency with the NPPF.

Supplementary Planning Guidance and Documents

Supplementary Planning Guidance and Documents (SPG and SPD) support and expand on existing planning policy contained within the Development Plan.

The Council continues to regard the following SPG and SPD as material planning

considerations:

- Parking Guidelines in Cumbria SPG (1997)
- Layout of New Residential Development SPG (1996)
- Shopfront & Advertisement Design SPD (2010)

The Wind Energy Development in Cumbria (1997) SPG, referred to in the previous LDS's, has been removed from the Council's policy framework.

1.4 The Local Plan

Barrow Borough Council intends to produce a single Local Plan document that will include an Ordnance Survey based map(s), to set out the vision for the borough and how the Council intends to achieve its vision. It will incorporate both strategic and detailed policies and it will contain borough wide and site specific policies that address employment, housing, the environment, community facilities, transport, retail, leisure and tourism.

The Plan will be borough wide and will include land allocations and detailed development control policies.

This will replace, in due course, current 'saved' local policy and policy contained within the Barrow Port Area Action Plan.

The preparation of the Local Plan will be guided by the Council's Local Development Scheme and its production and content will be influenced by the Statement of Community Involvement. Its performance and progress will be monitored by the Annual Monitoring Report.

The Local Development Scheme (LDS)

The 2004 Planning Act requires Local Planning Authorities to prepare an LDS. The LDS is intended to set out the targets for the stages of production of each relevant planning policy document, identify the resources that will be required to ensure that the work is completed in accordance with the timetable and identify any risks that could result in delay.

The Council's first LDS was produced in March 2005 and updated, firstly in June 2006, and then in August 2007, September 2009 and July 2010.

The Statement of Community Involvement (SCI)

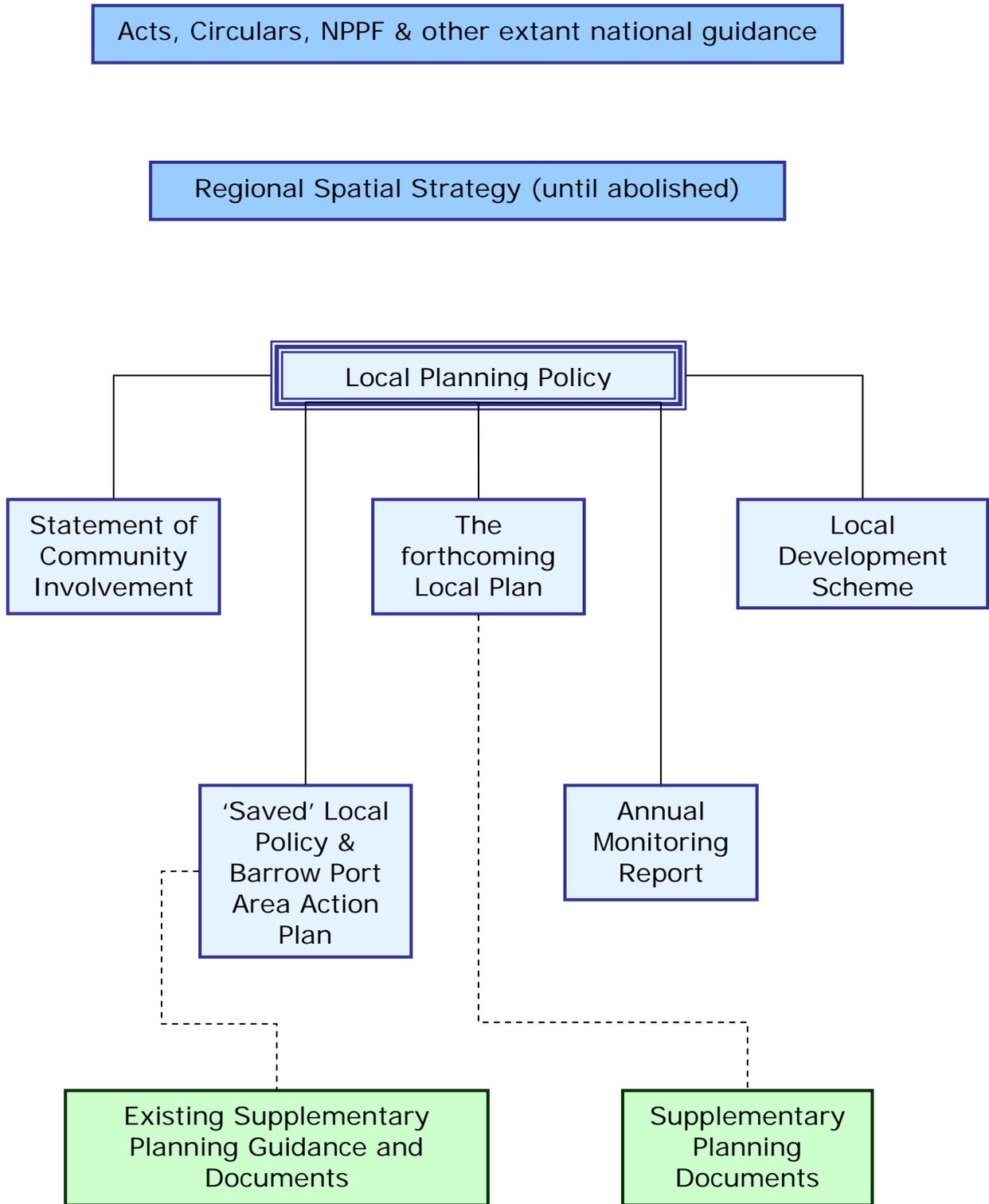
The 2004 Planning Act requires each Local Planning Authority to prepare an SCI. The SCI describes how the Council will engage with the community and others in preparing other planning policy documents and also in dealing with planning applications.

The Barrow in Furness SCI was originally adopted by the Council in July 2007 and an updated version was adopted in November 2010.

The Annual Monitoring Report (AMR)

The AMR assesses the implementation of the LDS and the extent to which planning policies within adopted planning policy documents and 'saved' documents are being successfully implemented. In the transitional period it also sets out which policies continued to be saved.

1.5 Barrow in Furness Planning Policy Summary Diagram



2 The Local Development Scheme (LDS)

2.1 The 2010 LDS and Progress

The 2010 LDS identified eight local planning policy documents to be produced and set out the targets for the stages of production for these. The eight documents were:

1. Statement of Community Involvement (SCI)
2. Annual Monitoring Report (AMR)
3. Core Strategy
4. Barrow Port Area Action Plan
5. Site Allocations (detailed residential, employment and other land allocations outside the Barrow Port and Town Centre Action Plan areas)
6. General Policies for the Control of Development
7. A Proposals Map
8. A Shopfront & Advertisement Design Supplementary Planning Document (SPD)

Changes to planning policy legislation and guidance, and progress against the 2010 LDS, means that the revised LDS will identify a reduced number of documents. These will be:

1. The Local Plan
2. Annual Monitoring Report
3. Statement of Community Involvement

2.2 The Revised LDS

The Key Issues to be addressed

Although planning policy legislation and guidance has changed significantly recently, the key issues that Barrow Borough faces have, to a large extent, not changed. The key issues that need to be addressed include the social and economic challenges the area continues to face. The Council, Cumbria County Council and the former Barrow Regeneration (formerly known as West Lakes Renaissance, the Urban Regeneration Company for Furness and West Cumbria) worked closely over recent years to develop a number of projects and initiatives to stimulate the regeneration of the area.

The Council, through Furness Partnership (the now disbanded Local Strategic Partnership for Barrow Borough), prepared the Sustainable Community Strategy for the Borough. The Sustainable Community Strategy's vision is that:

“Barrow Borough will become recognized, both by local people and by those outside the area, as a prosperous, pleasant, healthy and safe place to live and work.”

To achieve this vision the Partnership will concentrate on eight key priorities:

- Worklessness: providing more and better jobs for local people
 - Health: improving health and life expectancy for people living in the area
 - Lifestyle and environment: developing a more attractive place to live
 - Housing: offering higher quality housing choices
 - Community safety: reducing levels of crime, and people's fear of crime
 - Children and Young People: ensuring our young people have the start in life that they deserve
 - Learning: delivering better education for people at all levels
 - Deprivation: giving extra help to those in the greatest need
-

The Council's Corporate Vision is:

"To enhance the economic and social future of the Borough to meet the needs and aspirations of the community."

The Key aims to support the vision are:

- Effective community leadership.
- Investing in our economic future.
- Creating an enhanced quality of life for local residents.
- Developing a safe confident and socially inclusive community.
- Delivering high quality accessible services.

The former Barrow and Furness Peninsula Task Force was charged with overseeing regeneration activity in the Furness Peninsula. The Task Force comprised senior representatives from a range of organisations from Furness, Cumbria and the Northwest Region who worked together to revitalise the economic health of Furness and address the main issues facing the peninsula at the beginning of the 21st Century. The aim was, and remains, to create a physical renaissance in Barrow that can complement a 'step-change' in the performance of the Furness economy.

Although the Barrow and Furness Peninsula Task Force no longer meets, the Barrow-in-Furness Peninsula Task Force Action Plan, February 2008, remains relevant. This sets out the key infrastructure (whether commercial property, new residential or improved transport) and skills development needed in order to help stimulate private sector investment and to help build sustainable communities. There are six key strands of activity that form the basis for the Task Force action, all aimed at supporting a diversified economy in Barrow. These six main strands are:

- Strengthening and diversifying Barrow's economy
- Investing in new businesses, skills and reducing worklessness
- Creating a Vibrant Town Centre
- Renewing the Housing Market
- Creating new gateways and connections
- Culture, Leisure and Lifestyle

The Council is also a partner in the Furness and West Cumbria Housing Market Renewal initiative which aims "To create the right housing for sustainable communities to support the new economy in Furness and West Cumbria". The initiative will involve large scale public sector investment to improve the choice and quality of homes, neighbourhoods and access to services; including through targeted demolition in Barrow and the conversion of some existing properties into larger units.

These Strategies will be key considerations in developing a new Local Plan, as will the timetables to secure appropriate funding for the regeneration programmes.

The Revised Planning Policy Documents and Timetable

As a result of the significant changes to national planning policy legislation and guidance, the Council has reviewed its LDS and timetable. The revised list of documents, their profile and the proposed timescales for production are summarised in Appendix A. An overall summary timetable, indicating the production milestones of planning policy documents is included at Appendix B.

2.3 Resources and Contingencies

Preparation of planning policy documents will be led by the Council's Planning Policy Team within the Regeneration and the Built Environment Directorate. This small team consists of one full-time Senior Planning Officer and two part-time Senior Planning Officers, one of whom is currently seconded from the Council's Development Control Section.

The NPPF requires Local Planning Authorities to produce 'sound' Local Plans and the NPPF defines soundness as 'positively prepared', 'justified', 'effective' and 'consistent with national policy'. Local Plan soundness is dependant upon the production of an adequate, up to date and relevant evidence base to underpin it. For Barrow Borough Council this will include the production of a Strategic Housing Land Area Assessment, a Strategic Housing Market Assessment, a Retail Study, an Open Space Audit, an Employment Study, a Strategic Flood Risk Assessment and any other audits, assessments, studies or surveys deemed necessary.

Some Local Planning Authorities are also preparing an Infrastructure Assessment as an evidence base document. However, given the varied nature of infrastructure issues, the number of bodies and organisation involved, and the potential complexity of the alternative options that may arise, Barrow Borough Council have chosen to utilise a more flexible process of early consultation and meaningful engagement throughout the development of the Local Plan.

The possibility of engaging consultants to prepare specialist evidence base studies is limited but has been undertaken in relation to the preparation of a Retail Evidence Base Study and is being explored in relation to the Environmental and Sustainability Assessment of the Local Plan.

Where consultants are employed, the responsibility for the content of the document will remain with the Council and therefore wherever possible, preparation in-house is preferred as the content of the studies also forms a key part of the Examination of the Local Plan, which officers need to explain and defend.

The LDS includes anticipated and target dates for the Pre-Examination meeting and the Examination Hearing for the Local Plan. The meeting of these targets will depend on the capacity of the Planning Inspectorate to deal with the workload. The time allowed between the various stages in the process is in line with currently available guidance.

The length of Examination of the Local Plan has been anticipated. The Council will seek to minimise the volume of issues to be resolved at Examination through early and wide public participation and consultation. The Council will seek to minimise the risk of the Local Plan being found unsound by ensuring that the Local Plan is based on an adequate and relevant evidence base, it is realistic and able to be implemented, and has taken proper account of the views of the community.

2.4 Other Documents

In preparing the Local Plan, regard needs to be had to a number of other plans and strategies, including:

- The Sustainable Community Strategies (Cumbria and Barrow)
- The Local Transport Plan

A number of other studies have been commissioned to develop the planning policy evidence base or, although not directly commissioned for planning policy, are considered to form a key part of the evidence base. These documents include: -

- Barrow Port Masterplan (2004)
 - Barrow Town Centre Urban Design Framework (2005)
 - Housing Needs Survey (2006)
-

-
- Barrow Marina Village Masterplan (2006)

Further specialist studies have been/will be undertaken, mostly in-house by the Planning Policy Team, to support policy development as required. These will include:

- Strategic Housing Market Assessment (SHMA) (completed in-house May 2012)
- Strategic Housing Land Availability Assessment (SHLAA) (underway in-house 2012/13)
- Employment Land Study/Audit (underway in-house 2012/13)
- Open Space Audit (underway in-house 2012/13)
- Retail Capacity Study Update (2012/13)
- Strategic Flood Risk Assessment (underway in-house 2012/13)
- Strategic Environmental Assessment (underway in-house 2012/13)
- Sustainability Assessment (underway in-house 2012/13)
- Appropriate Assessment

This is not an exhaustive list and other audits, assessments, studies or surveys may be deemed necessary.

3 Monitoring and Review

The LDS and the Local Plan will be monitored on an annual basis through the Annual Monitoring Report and this will;

- Track the Council's performance against the timescales set out in the LDS and indicate whether a review of the LDS is necessary.
- Provide an up to date list of saved policies and documents together with an indication of when saved policies are likely to be cancelled or replaced.
- Monitor the extent to which policies in the local plan and saved documents are being achieved.
- Provide an up to date list of background studies.
- Conclude whether any planning policy documents need reviewing in advance of their scheduled review date.

The AMR will be publicly available, including through the Council's Website and will be submitted to the Secretary of State in accordance with the relevant Regulations.

Appendices

Schedule of Development Plan Documents

Appendix A

Document Title	Role & Content	Geographic Coverage	Consultation	Adoption/ Completion
Local Plan	<p>A single document that sets out the Council's vision for the borough up to 2031. It will incorporate both strategic and detailed policies and it will contain borough wide and site specific policies that address employment, housing, the environment, community facilities, transport, retail, leisure and tourism, to replace, in due course, 'saved' policies and policies within the Barrow Port Area Action Plan.</p> <p>The Local Plan will include an Ordnance Survey based proposals map(s) setting out the allocations, policies and proposals of the Plan and this will be revised as necessary.</p>	Whole Local Authority Area	<p>Oct 2012 to Mar 2014 - Reg 18 consultation (This included a formal round of consultation that ran from 7 Aug to 2 Nov 2012, which asked for comments on what the Plan should include. It will also include a formal round of consultation in Oct 2013 on a draft plan)</p> <p>Sept 2014 – Publication</p> <p>Jan 2015 – Submission</p> <p>Apr 2015 – Pre Hearing Meeting</p> <p>Aug 2015 – Hearing</p> <p>Feb 2016 - Adoption</p>	Feb 2016
Sustainability Appraisal (SA), Strategic Environmental Assessment (SEA) and Appropriate Assessment (AA)	<p>All Local Plans must be subject to a Sustainability Appraisal and most to a Strategic Environmental Assessment, the latter being incorporated into the former.</p> <p>The Sustainability Appraisal seeks to assess the environmental, social and economic effects of the implementation of the policies contained in the documents or the effects of not having these policies, and to influence them in an attempt to ensure they produce sustainable development.</p> <p>Where a Local Plan would have a significant effect on a European Nature Conservation Site, it must also be subject to an Appropriate Assessment under The Conservation of Habitats and Species Regulations 2010.</p>	Whole Local Authority Area	<p>SA is an iterative process and consultation will be carried out during the development of, and consultation on, the Local Plan.</p> <p>N/A</p>	N/A
Annual Monitoring Report	Assesses the implementation of the Local Development Scheme and the extent to which planning policies are being successfully implemented. In the transitional period it also sets out which policies continue to be saved.	Whole Local Authority Area	N/A	N/A
Statement of Community Involvement	This explains, to stakeholders and the community, how and when they will be involved in the planning process and the steps that will be taken to facilitate this.	Whole Local Authority Area	Apr 2013	Jun 2013

Gantt Chart

Barrow Borough Council Local Development Scheme

Document Title	2012					2013					2014					2015					2016														
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N
Local Plan																																			
Annual Monitoring Report																																			
Statement of Community Involvement																																			

Key

- Regulation 18 Consultation
- Publication
- Submission
- Pre Hearing Meeting
- Commencement of Hearing
- Adoption
- Publication of the AMR
- Consultation on draft SCI
- Publication of the SCI