

**TOWN & COUNTRY PLANNING ACT 1990**

**BOROUGH OF BARROW-IN-FURNESS LOCAL PLAN  
REVIEW 1996-2006**

**REPORT OF A PUBLIC INQUIRY  
INTO OBJECTIONS**

**TO THE PROPOSED ALTERATION TO CHAPTER 3:  
HOUSING**

**Inspector: Shelagh Bussey MA Dip TP Dip EM PhD MRTPI**

**Inquiry Period: 12 April 2005 - 22 April 2005**



# The Planning Inspectorate

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Tom Campbell,  
Chief Executive,  
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Cumbria LA14 2LD.

Your Ref:

Our Ref: PINS/DP555

Date: 7 July 2005

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Dear Sir

**BOROUGH OF BARROW-in-FURNESS LOCAL PLAN REVIEW 1996-2006**  
**PROPOSED ALTERATION TO CHAPTER 3: HOUSING**  
**REPORT OF INQUIRY INTO OBJECTIONS**

*Introduction*

- 1 As you know, I was appointed by the First Secretary of State to hold a Public Inquiry into outstanding objections to the Borough of Barrow-in-Furness Local Plan Review 1996-2006 Proposed Alteration to Chapter 3: Housing. I now enclose my report of the Inquiry, which contains my recommendations on all outstanding objections heard at the Inquiry and made in writing.
- 2 I held a Pre-Inquiry Meeting to outline the arrangements for the Inquiry on 11 January 2005. The Public Inquiry itself was held between 12 April 2005 and 22 April 2005, at the Town Hall, Barrow-in-Furness, and sat for a total of 4.5 days. I have visited all of the sites that are the subject of objections, either before or during the Inquiry.
- 3 The Borough of Barrow-in-Furness Local Plan Review 1996-2006 Proposed Alteration to Chapter 3: Housing was prepared by the Borough of Barrow-In-Furness Council under section 36 of the Town & Country Planning Act 1990, in accordance with the associated Regulations, Legislation and Planning Policy Guidance. The Local Plan is part of a statutory development plan prepared in the context of the established framework of planning policy guidance at national, regional and strategic level. This includes the Regional Planning Guidance for the North West (RPG13), which after 28 September 2004 became the Regional Spatial Strategy for the North West.
- 4 The Alteration replaces the housing policies and allocations of the Borough of Barrow-in-Furness Local Plan Review 1996-2006, adopted in 2001, but it will not extend the life of the Local Plan. Its purpose is to bring the housing policies of the adopted Local Plan into line with guidance set out in PPG3: Housing, particularly with regard to the sequential approach for the location of new housing development that gives greenfield sites a very low priority, and which was published soon after the adoption of the Local Plan Review. The Alteration also seeks to ensure that the Local Plan accords with the changed housing requirements for the Borough contained in RPG13 and emerging from a review

of the Joint Structure Plan, key issues from which were the subject of an Examination in Public held in the Autumn of 2004.

- 5 An Issues Paper outlining a series of questions in relation to housing matters was produced by the Borough Council in September 2003. This was distributed to a wide range of statutory and non-statutory consultees. The responses to this Paper were reported to a Local Plan Working Group consisting of 6 Council Members, on 6 November 2003. Following from this the First Deposit Draft (FDD) of the Alteration was placed on deposit on 6 May 2004. Subsequent to further changes being made, the Second Deposit Draft was placed on deposit on 28 October 2004. Both deposits were for the statutory period of six weeks, and in both cases, advertisements were placed in the local press and in the London Gazette for two consecutive weeks.
- 6 125 representations were received from 49 individuals and organisations at the First Deposit stage and a further 48 representations were made at the Second Deposit stage. In total there have been 50 representations of support and comment and 123 duly made objections, of which 30 were withdrawn unconditionally and 10 were withdrawn conditionally.
- 7 As a result of the representations received during the Second Deposit stage, the Council resolved to make a series of further agreed changes (FNAC) to the Plan. However, due to time constraints, these were not placed on deposit, but a copy of the Committee Report detailing these changes was sent to those people who had made comments on the Second Deposit Draft of the Alteration, which is the Plan before me. At the request of the Council, I have taken those FNACs into account in making my recommendations.
- 8 At the opening of the Inquiry, the Council confirmed that all statutory formalities had been complied with, including the publication of notices announcing the Inquiry. During the course of the Inquiry there were no matters arising from the procedural aspects of the Alteration.
- 9 By the close of the Inquiry, 93 objections were outstanding. I have considered all of these in my report, but I have not dealt with objections that have been unconditionally withdrawn, including those withdrawn by Rocketfine Homes Ltd during an Inquiry session. In making my recommendations on the outstanding objections, I have taken into account all of the evidence, submissions and representations made at the Inquiry and in writing by the Council, by Objectors and by Supporters. In doing so, I have also taken into account further non-advertised changes to the Alteration concerning Table 6 and the Phasing Table, which were made during the Inquiry and are detailed in Inquiry Core Document 33. In my opinion, these changes are minor in nature and bring the Tables in line with the approach advocated in the emerging Structure Plan.
- 10 I have also had regard to Officers' reports to the Council's Committees, along with all of the material in the Inquiry library, which is listed as Inquiry Core Documents in Annex D of my report. Schedules of the representations, including objections to the First and Second Deposit Drafts of the Alteration, supporting representations and withdrawn objections are appended at Annexes C1-C3. The Inquiry programme is shown at Annex A and the list of those who appeared at the Inquiry is given at Annex B of my report.

## *The Report*

- 11 My report contains recommendations on most of the housing policies of the Alteration, including the accompanying text, and on objections concerning specific sites raised by Objectors, which I refer to as omission sites.
- 12 I have prepared the normal brief form of report on the Inquiry and the objections in accordance with the 'old arrangements'; thus my recommendations are not binding on the Council. It generally follows the order of the Second Deposit Draft of the Alteration, on a policy-by-policy basis, covering both general and site-specific objections under the appropriate policy heading. Objections are normally grouped by policy, but where they cover both general and site-specific matters they are normally dealt with separately. Where Objectors refer to several policies in their site specific objections, they are generally dealt with separately under the relevant policies. My report is intended to be read together with the Second Deposit Draft October 2004 version of the Alteration.
- 13 Since all documents and statements are recorded in Annex C1, and the Council and the Objectors are familiar with the evidence presented in their cases, my report concentrates on the key issues raised in the objections, along with my conclusions and recommendations. I have not received any further material from the Council or Objectors after the Inquiry closed. Nor has there been any significant changes to national, regional or strategic policy since the close of the Inquiry or during the preparation of my report that are relevant to the matters referred to in the Alteration, but if any occur prior to the adoption of the Alteration they should be taken into consideration by the Council.

## *Main Issues and Recommendations*

- 14 I am generally satisfied that the Alteration will bring the adopted Local Plan into line with national, regional and strategic guidance regarding housing matters for its remaining life, especially if my recommendations are supported by the Council. In particular, I consider that the Alteration makes appropriate provision for housing land supply within the Borough in a manner that will maximise the use of brownfield sites and promote the regeneration of the central wards of Barrow.
- 15 From an initial glance at the summary of my main recommendations it may appear that I recommend substantial changes to the Alteration, but this is not so. Many of my recommendations incorporate the Council's proposed Further Non-Advertised Changes (FNACs) or points that it conceded during the course of the Inquiry. Most of my other recommendations are intended to improve the clarity of the policies and their supporting text. I hope that the Council considers that these will add value to the Alteration. On this matter of clarity, and for the convenience of users of the Alteration, I would also suggest that the Council considers re-numbering the Alteration so that every policy and paragraph has an individual reference. In addition, that it correctly refers to the appropriate policy of the Structure Plan, the policy numbers for some of which have changed during the process of the Structure Plan Review and the preparation of this Alteration. However, I have not made these suggestions recommendations because they are not matters that have been raised by Objectors.
- 16 I consider that my only recommendation that might be considered by the Council to be controversial is that contained at paragraph 184 of my report. Here, I recommend that subject to the findings of a flood risk assessment, the

Dalton Gas Holder site should not be de-allocated as a housing site. I do not make any recommendations for the allocation of any other additional housing sites in the Alteration, because I am satisfied that the intended provision is appropriate.

### *General Comments*

- 17 Finally, I wish to express my appreciation for the co-operation and courtesy given to me by all those who appeared at the Inquiry. My stay in Barrow was very pleasurable and I am very impressed by the imaginative plans of the Council and its partners for the regeneration of the docks and the central areas of Barrow.
- 18 Statements and evidence were taken briefly and there was little repetition of arguments. As a result, the Inquiry time was used efficiently and effectively, particularly since most of the objections heard were dealt with by informal hearing sessions. I thank and congratulate the Council's planning team and all other participants on producing their evidence in a succinct and timely manner. The Council's advocate and witnesses were always helpful and I very much appreciate the hard work also of the back-room team members. In addition, my thanks go to the various organisations and individuals who gave considerable time and thought to their representations at the Inquiry sessions and in writing. I hope that my recommendations will go some way towards meeting their concerns.
- 19 However, I wish to record my sadness concerning the unexpected death of Claire Savage very soon after the close of the Inquiry. Claire was the Council's main witness at the hearing sessions and she prepared most its rebuttals to the written objections. I found Claire to be a very professional and dedicated Officer who was a considerable credit to the Council. It was a pleasure to have met Claire. My very sincere condolences go to her family, friends and colleagues.
- 20 But on a happier note, my personal thanks must especially go to the Programme Officer, Helen Houston (nee Stringer), whose thorough work and friendly manner greatly assisted the efficient running of the Inquiry. Helen got married very soon after the close of the Inquiry. I wish her and her husband a long and happy life together.
- 21 My report follows this preamble, preceded by a Summary of Main Recommendations and a list of Abbreviations used in the report. Annexes setting out the Inquiry Programme, Appearances, Core Documents and Schedules of Representations with details of proofs of evidence and statements follow. These latter Schedules are based on the Council's database, which contains details of all of the representations made.
- 22 A copy of this letter has been sent to the Government Office for the North West and to the Office of the Deputy Prime Minister.

Yours faithfully,

***Shelagh Bussey***

MA Dip TP Dip EM PhD MRTPI

*Inspector*

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## SUMMARY OF MAIN RECOMMENDATIONS

<u>Policy/Site</u>	<u>Inspector's Recommendations</u>	<u>Para.</u>
Paragraph 3.1.1	No modification.	9
Paragraph 3.1.2	No modification.	12
Paragraph 3.1.14	No modification.	19
Paragraph 3.1.17	<p>(a) Modify by amending the fourth sentence of paragraph 3.1.17 so that it reads: This policy approach has been strengthened by indications that there may be suitable land at BAe Systems and at other brownfield sites within the inner areas of the Borough that could become surplus to existing requirements in the medium to long term.</p> <p>(b) Modify by deleting the fifth sentence of paragraph 3.1.17.</p> <p>(c) Modify by adding the following sentence after the fourth sentence of paragraph 3.1.17, as amended in accordance with recommendation (a) above, which reads along the lines: The exact location, amount of such land and when it is likely to come forward is not known in all cases at the present time, but it is anticipated that such details will be identified in an UCS which will be carried out in 2005, and which will assist in the preparation of the forthcoming LDF.</p>	25
Paragraphs 3.1.18-3.1.19	<p>Modify in general accordance with FNAC 1 so that the following paragraph would follow paragraph 3.1.19: PPG25: Development and Flood Risk requires local planning authorities to have regard to flood risk when allocating land for development in local plans. In doing so they should be aware of the likely impacts of climate change on flood risk and allocate land in accordance with the sequential test set out in Table 1 of PPG25. In order to provide guidance to future developers the Council will be producing Flood Risk Supplementary Planning Guidance linked to the latest Environment Agency Flood Zone Maps. In addition, development briefs will be produced for specific sites and where appropriate, flood risk recommendations will be incorporated. Flood risk has been taken into account when considering the sites listed in Table 8 of Policy B1.</p>	29
Paragraph 3.1.21	<p>Modify in accordance with FNAC 2 so that the second sentence of paragraph 3.1.21 reads: An Examination in Public was held in September 2004 and therefore, for the purposes of this review (<i>Alteration</i>), the deposit version of Planning Cumbria will be the Structure Plan document referred to in this review (<i>Alteration</i>).</p>	33
Paragraph 3.1.22	<p>Modify in accordance with FNAC 3 so that the second sentence of criterion v) of paragraph 3.1.22 reads: v) .... Particular attention will be paid to the capacity of existing water supplies, foul and surface water sewers and sewage treatment works.</p>	38
Paragraph 3.2.3	No modification.	41
Paragraph 3.2.4 and New Policy: Phasing	<p>(a) Modify by amending the format of Table 6: Structure Plan Housing Requirement (2002-2016) with Associated Completions (2002-2004) in general accordance with Revised Table 6 given in Inquiry Core Document 33. However, an additional note should be added in the Table under the heading 'Residual Requirement', to explain that this includes an assumption that 10% of planning permissions will not be implemented. Also a note should be added under the heading, 'Total Units Required', to clarify that this is a net figure. The Figures given in the revised Table should also be amended to read from left to right: 1500, 500, 1000, 400, 600.</p> <p>(b) Modify by changing the number given at the end of the fourth sentence of paragraph 3.2.6 to 400.</p> <p>(c) Modify by adding a penultimate sentence to paragraph 3.2.3 to clarify</p>	54

that the Structure Plan Policy H17 (H14) requirement does not take into account replacements for demolitions.

(d) Modify by substituting the Phasing Table contained within New Policy: Phasing with that given in Inquiry Core Document 33, except that the revised Phasing Table should be further amended by placing allocated sites H1 – Former North Lonsdale Hospital and H2 - Land at Crooklands Brow within Phase 2: 2006-2011. [See also my recommendation at paragraph 184 (a)].

(e) Modify by adding explanatory text to New Policy: Phasing to clarify how completions will be monitored and how the future supply of land and windfall sites will be managed to ensure that there is neither an over- nor under-provision of housing.

Paragraph 3.2.6	No modification.	57
Paragraph 3.2.7 and Table 7	(a) Modify by amending Table 7 with regards to the reasons for the Dalton Gas Holder site not coming forward for development as follows: former contamination of the site may have been a constraint to development, but remediation has now been satisfactorily completed.  (b) Modify by adding another sentence to the end of paragraph 3.2.8 which reads: The Dalton Gas Holder site has not been carried over as an allocation primarily due to its small size. [See also my recommendation at paragraph 184 (a)].	66
Paragraph 3.2.10	(a) Modify by amending the first bullet point of paragraph 3.2.10 so that it reads: To ensure that full use is made of buildings, infrastructure and land within urban areas following a sequential approach that gives priority to the conversion of existing buildings followed by the redevelopment of under-used or derelict land, in co-ordination with regeneration activities.  (b) Modify by amending the third bullet point of paragraph 3.2.10 in accordance with FNAC 4, so that it reads: In particular, consideration will be given to the provision of public transport in close proximity to the site, and the capacity of existing water supplies, foul and surface water sewers and sewage treatment works.  (c) Modify by adding a further bullet point to paragraph 3.2.10 in accordance with FNAC 5, so that it reads: To have regard to the sequential test set out in Table 1 of Planning Policy Guidance Note 25: Development and Flood Risk.	71
Policy B1	(a) Modify by amending the last sentence of Policy B1 in an appropriate manner so that it informs: Traffic Assessments that identify opportunities to promote convenient access from the development to public transport, in order to achieve a reduction in the impact of development traffic on the strategic trunk road network will be required as part of proposals for development of the allocated sites.  (b) Modify by adding the following text to the paragraph which follows the site notes for site H5 in accordance with FNAC 6: The briefs will also refer to the need for surface water drainage assessments, the use of sustainable drainage and where sites are potentially contaminated, desk top studies, site investigations and remediation strategies as appropriate.  e brownfield/greenfield nature of site H3 should be critically re-assessed. If as a result, it is considered that part of the site is greenfield, this should be clarified by a modification to the reason given for the selection of this site in Table 8.  (d) Modify by amending the site notes to allocated site H5 so that they state: ...Developed in phases with substantial open space and landscaping belt adjacent to the waterfront and designed so as to safeguard the international and national importance for nature conservation of Cavendish Dock SSS1 and SPA...	104
Policy B1 Residential Omission Sites	(a) Unless a Flood Risk Assessment indicates that the Dalton Gas Holder site is unsuitable for residential development the Alteration should be modified by carrying forward the allocation of this site as a housing site listed in Policy B1 and appropriate consequential amendments should also be made to paragraph 3.2.8 of the Alteration, to Table 8 and its	184

accompanying site notes, and to the Table attached to the New Policy: Phasing, where the site should be included in Phase 2: 2006-2011.

(b) No further modification to the Alteration in response to objections concerning omission sites.

Paragraph 3.2.12	(a) Modify by amending the first sentence of Policy B2 to read: Applications for residential development on unallocated sites will be permitted where they accord with the sequential approach of the Structure Plan and also satisfy the following criteria:...	187
	(b) Modify by amending criterion ii) of Policy B2 to read: ii) The siting, layout and design (in the materials and form of the buildings) of the development is sensitive to the local environment, it promotes the principles of 'Secure by Design' and adequate parking provision is made; and ...	
Policy B2	(a) Modify by changing the sub-heading above paragraph 3.2.10 to: Unallocated Sites.	196
	(b) Modify by amending paragraph 3.2.11 so that it reads: It is, therefore, necessary to ensure that unallocated sites that will be brought forward for housing use are acceptable, particularly in order to satisfy Government targets and to promote housing market renewal in the central parts of Barrow.	
	(c) Modify by deleting criterion iii) of Policy B2 and by substituting it with a new criterion iii) in accordance with FNAC 7, which would read: iii) Adequate access arrangements can be provided, including servicing of the site by public transport and by the cycle routes; and	
	(d) Modify by adding the word 'and;' at the end of criterion vi) of Policy B2 and by adding the following three extra criteria to Policy B2 in accordance with FNACs 8-11 inclusive: vii) Adequate water supplies, foul and surface water sewers and sewerage treatment facilities exist or can be provided and; viii) The development will not be at risk of flooding or create/exacerbate flooding problems elsewhere and; ix) Where contamination is suspected, a desk study is undertaken and, if necessary, a site investigation is undertaken and a remediation strategy submitted.	
	(e) Modify by amending criterion ii) of Policy B2 so that it reads: ii) The siting, scale, layout and design...	252
Paragraph 3.2.13 and Policy B3	Modify by adding a sentence to paragraph 3.2.13, which clarifies that the Council will operate Policy B3 flexibly in order to exceptionally permit development at a lower density on a difficult to develop site, where it is demonstrated that it would otherwise lie vacant.	203
Paragraph 3.2.15	No modification.	206
Paragraph 3.3.1	No modification.	208
Paragraph 3.3.2	No modification.	212
Policy B4	No modification.	217
Policy B5	No modification.	219
Policy B6 and Paragraph 3.3.5	No modification.	221
Policy B8	No modification.	223
Policy B9	Modify by amending Policy B9 to be more flexible regarding the permitted use of conversions of rural buildings to residential by adding the word ':or,' to the end of the Policy followed by the addition of criteria b) to e) inclusive of Policy B13 of the adopted Local Plan, which should be re-numbered a) to d).	229
Policy B10	No modification.	231
Policy B11	No modification.	233
Paragraph 3.3.19 and Policy B12	(a) Modify by adding supporting text to Policy B12, which refers to the requirement for development proposals to take account of the principles of Structure Plan Policy ST3.	252
Policy B15	No modification.	254



## ABBREVIATIONS USED IN THE REPORT

T(t)he adopted (Local) Plan	Borough of Barrow-in-Furness Local Plan Review 1996-2006
T(t)he Alteration	Borough of Barrow-in-Furness Local Plan Review 1996-2006 Proposed Alteration Chapter 3: Housing Second Deposit October 2004
FDD	Borough of Barrow-in-Furness Local Plan Review 1996-2006 Proposed Alteration Chapter 3: Housing First Deposit May 2004
FNAC	Further (Non-Advertised) Change to the Borough of Barrow-in-Furness Local Plan Review 1996-2006 Proposed Alteration Chapter 3: Housing Second Deposit October 2004
LDF	Local Development Framework
LDD	Local Development Document
DPD	Development Plan Document
GONW	Government Office for the North West
NWRA	North West Regional Assembly
The Council	Barrow-in-Furness Borough Council
LPA	Local Planning Authority
CPRE	Campaign to Protect Rural England (CPRE – Cumbria Association)
HBF	House Builders Federation
PMM	Plan, Monitor and Manage (approach advocated in PPG3)
EIA Regulations	The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999
PPG3	Planning Policy Guidance Note 3: Housing
PPG7	Planning Policy Guidance Note 7: The Countryside-Environmental Quality and Economic and Social Development
PPG12	Planning Policy Guidance Note 12: Development Plans
PPG13	Planning Policy Guidance Note 13: Transport
PPG25	Planning Policy Guidance Note 25: Development and Flood Risk
PPS1	Planning Policy Statement 1: Delivering Sustainable Development
PPS7	Planning Policy Statement 7: Sustainable Development in Rural Areas
RPG13	Regional Planning Guidance for the North West (Became RSS on 28 September 2004)
RSS	Regional Spatial Strategy for the North West
UCS	Urban Capacity Study
UHCS	Urban Housing Capacity Strategy
SPA	Special Protection Area
SSSI	Site of Special Scientific Interest
RDC	Residential Development Cordon
dpa	Dwellings per annum
dph	Dwellings per hectare

# CHAPTER 3 - HOUSING

## Part 1: Introduction

### Paragraph 3.1.1

#### ***Objection to First Deposit Draft***

3.1.1/001/036

Graham Hale, CPRE

#### ***Key Issue***

Whether the inter-relationship between the Part 1, Introduction to Chapter 3: Housing and Part 2 of the Chapter, New Housing Provision is sufficiently clear.

#### ***Inspector's Reasoning and Conclusions***

1. The CPRE welcomes the level of information contained in the introductory Part 1 of Chapter 3: Housing, which aims to establish a context for the proposed new housing provision set out in Part 2 of the Chapter. It considers that Part 1 also helpfully sets out the Council's main principles for guiding new housing development within the Borough. However, in its opinion, the subsequent Part 2 section fails to adequately draw on all of that valuable information to inform the detailed housing strategy and the planning policies of the Alteration. In particular, the CPRE requests that more information be provided in the reasoned justifications of the Part 2 policies concerning the basis for and the application of the annualised housing requirement for the period 2006-2016, and on how that requirement relates to the existing stock in the Borough.
2. The CPRE also criticises the absence of information given on the level of brownfield sites available, derived from an Urban Housing Capacity Strategy (UHCS), and consequently, that there is no indication as to how the housing allocations given in Table 8 of the Alteration relate to the UHCS, or to the site selection methodology set out in PPG3. It is also concerned that there is no indication as to the level of housing need in the rural areas, and how provision for such need would relate to a broader spatial strategy aimed at encouraging most new housing in the largest settlements in the Borough; at Barrow, Dalton and Askam.
3. I endorse the CPRE's support for Part 1 of the Chapter 3: Housing Alteration. In my opinion, it establishes a clear context for the subsequent parts of the Chapter. The introduction stresses that provision for a sufficient and continuous supply of housing to address the needs of all in the community is a key function of a development plan. It goes on to highlight the main factors that have to be taken into account in determining the level of future housing provision and it emphasises that the Council views the provision of new and improved housing stock, particularly in the inner wards of Barrow, as being a 'key activity' within its

regeneration strategies that are currently being developed. These will be a fundamental influence on where and how much new housing is proposed over the lifetime of the Plan. The Part 1: Introduction also provides information on population, local and national economic trends, the existing housing stock, housing need, renewal areas, the national, regional and strategic policy framework and the main principles that will be used to guide new housing development within the Borough. The first of these states that: "an adequate supply of land will be available for development, to meet the requirement set out in Structure Plan Policy H14." (to be re-numbered H17)

4. It is that Structure Plan Policy, which is reproduced at paragraph 3.1.21 of the Introduction section of the Alteration, that sets out the scale and annualised rates of new housing provision required in the Borough during the periods; 2002-2006, 2006-2011 and 2011-2016.
5. Part 2 of the Alteration then goes on to explain how those strategic requirements will be met in the light of guidance given in PPG3, taking into account past completion rates and windfall assumptions, and a re-assessment of un-commenced allocations from the current, Barrow-in-Furness Local Plan 1996-2006, adopted in August 2001, especially having regard to the greenfield status of some of them. In line with current national guidance, paragraph 3.2.9 of the Alteration indicates that an assessment of employment land allocations was also taken into account in this review of housing site allocations. Paragraph 3.2.10 sets out the criteria for site selection, which in my opinion clearly reflect the main development principles identified in Part 1 of the Chapter, and Table 8 lists the sites proposed to be allocated for housing in the Alteration.
6. The FDD version of Table 8 of the Alteration was amended at the Second Deposit Draft stage by the addition of a column, which summarises the reasons why those sites have been selected, including reference to their brownfield status. Another change made to the FDD and incorporated in the Alteration includes a cross reference, at paragraph 3.2.12, to Structure Plan Policy ST3, which sets out 'Principles applying to all development', which aim to promote sustainable development.
7. With reference to the CPRE's concern regarding the level of housing need in the rural areas, and how that relates to a broader strategy aimed at encouraging most new housing in the largest settlements in the Borough; at Barrow, Dalton and Askam, paragraph 3.2.15 of the Alteration acknowledges that there may be an issue of 'need' in some rural parts of the Borough. But in the absence of a detailed and up-to-date Housing Need Assessment no such sites have been identified in the Alteration. However, the Council intends to commission a detailed Housing Need Survey to be carried out for the entire Borough later this year. This will form the basis of the policies to be carried forward from the Alteration and any new policies proposed to be incorporated in the forthcoming LDD, beyond 2006. Given the short life-span of this Alteration, I am satisfied that this is an appropriate approach.
8. I conclude that with the Second Deposit changes, which I refer to in paragraph 6 above, Part 2 of the Housing Chapter clearly and transparently flows from the

introductory Part 1 of the Chapter. In my opinion, they meet this objection and no further changes are required to ensure a satisfactory inter-relationship between Parts 1 and 2 of the Chapter 3: Housing Alteration.

**RECOMMENDATION**

9. **I RECOMMEND no modification to the Alteration in response to this objection.**

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**Paragraph 3.1.2**

***Objection to First Deposit Draft***

3.1.2/002/036

Graham Hale, CPRE

***Key Issue***

Whether reference should be made in paragraph 3.1.2 of the Alteration to a requirement for a Housing Needs Assessment to be carried out as part of the overall considerations to be inputted into the future provision for housing.

***Inspector's Reasoning and Conclusions***

10. The CPRE considers that paragraph 3.1.2 of the FDD would be improved by including reference to the requirement for a Housing Needs Assessment to be carried out as part of the overall considerations to be inputted into the future provision for housing, as referred to at paragraphs 12 and 13 of PPG3.
11. In response to this objection, the word 'assessment' was added to the paragraph, after the words, 'housing need', at the Second Deposit stage. In my opinion, this change satisfactorily meets the objection, improves paragraph 3.1.2 and thereby brings the Alteration into line with PPG3 on this matter.

**RECOMMENDATION**

12. **I RECOMMEND no modification to the Alteration in response to this objection.**

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## **Existing Stock**

### **Paragraph 3.1.14**

#### ***Objection to First Deposit Draft***

3.1.14/003/036

Graham Hale, CPRE

#### ***Key Issues***

- (i) Whether paragraph 3.1.14 of the Alteration should state that any new housing should be subject to a local Housing Needs Assessment, especially in the rural settlements.
- (ii) If so, whether the Assessment should take into account all forms of tenure, size and type of accommodation.

#### ***Inspector's Reasoning and Conclusions***

13. It is the opinion of the CPRE that paragraph 3.1.14 of the Alteration should state that any new housing should be subject to a local Housing Needs Assessment. In its view, it is crucial that new housing development in the rural settlements is supported by up-to-date evidence of local need within the Parish. It recommends that the local Housing Needs Assessment should take into account all forms of tenure, size and type of accommodation and that it should be carried out independently, by for example, the Cumbria Rural Housing Trust.
14. Paragraphs 3.1.12 – 3.1.14 of the Alteration inform that in 1997 the Council commissioned the Northern Consortium of Housing Authorities to conduct a Housing Needs Survey in the central Barrow wards of; Barrow Island, Central and Hindpool, which was superseded by the 2000 Housing Needs Survey, also carried out by the Northern Consortium of Housing Authorities. This latter Survey covered the whole Borough and took into account a range of factors, including an assessment of the number of households living in unsuitable accommodation, the number of people that would have to move to improve their housing situation and the extent to which they had the financial resources to do so.
15. The Council indicates that this assessment is regularly monitored and updated and that consequently, it is meeting the Government's requirements set out at paragraph 13 of PPG3, which advises that assessments of housing need "are matters for local authorities to undertake in the light of their local circumstances."
16. In relation to the rural areas of the Borough, the Council acknowledges that the only detailed housing needs based information relating to those areas dates back to 1998, and is now out of date. To rectify this, it intends to commission a detailed Housing Needs Survey of the entire Borough, to be carried in 2005. This will form the basis of the policies carried forward from this Alteration and any new policies proposed in the forthcoming LDF, beyond 2006.

17. I generally support the views of the CPRE on the importance of having a comprehensive, up-to-date, Borough-wide Housing Need Survey. In my opinion, such a survey is essential to ensure that future housing provision meets both the quantitative and qualitative needs of all of its communities in both the urban and rural areas. I consider that providing the right types of homes in the right places would assist the urban regeneration aspirations of the Council, by helping to curb outward migration and by encouraging inward investment.
18. I acknowledge that historically in the rural areas, affordability has not been a significant issue, but the influence of higher prices in the adjoining area of South Lakeland is increasingly impacting upon the house prices in some of the rural settlements of the Borough, for example in Lindal-in-Furness and Marton. I consider that consequential issues of affordability in these settlements should be properly identified and assessed in order that appropriate policy provision can be made to address them. However, taking into account that the adopted Local Plan will expire in 2006, I conclude that it would be inappropriate to delay the adoption of this Alteration to take account of the findings of the forthcoming Housing Needs Survey. I have no reason to think that the proposed survey would fall short in the level of detail recommended by the CPRE, or that it will not be available in time to make a meaningful contribution to the justification of policies carried forward from this Alteration and to the formulation of any new policies proposed in the forthcoming LDF.

## RECOMMENDATION

19. **I RECOMMEND no modification to the Alteration in response to this objection.**

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### **National Planning Guidance and Structure Plan Policy**

#### **Paragraph 3.1.17**

#### ***Objection to First Deposit Draft***

3.1.17/004/036

Graham Hale, CPRE - CW

#### ***Objections to Second Deposit Draft***

3.1.17/126/052

Geoff Sharpe

3.1.17/127/053

Anita Sharpe

#### ***Key Issues***

(i) Whether clarification should be given in paragraph 3.1.17 of the FDD as to whether or not reference there to surplus land owned by BAe Systems is identified in the Urban Capacity Study (UCS).

(ii) The weight that should be attached to the UCS.

(iii) Whether there is sufficient evidence to indicate that land owned by BAe systems, which would be suitable for housing development, would become available during the Plan period. If not, whether it is appropriate for such land to be identified as a windfall site.

(iv) Whether, in the absence of an up-to-date UCS, which identifies surplus land owned by BAe Systems, it is appropriate that reference to these matters is made in paragraph 3.1.17 of the Alteration.

### ***Inspector's Reasoning and Conclusions***

20. In response to an objection made by the CPRE at the FDD stage, paragraph 3.1.17 was changed by the addition of a sentence after the reference to the BAe Systems land, which explains: "The exact location, amount of land and when it is likely to come forward is not known at the present time and it is therefore not included in the Urban Capacity Study for the Borough however should this circumstance arise the authority would wish to utilise the extra capacity to bring forward redundant brownfield sites as windfall opportunities to regenerate the inner areas." The CPRE has conditionally withdrawn its objection on the basis of this amended text.
21. However, the addition of this sentence gave rise to two counter-objections at the Second Deposit stage of the Alteration. The crux of these objections is that the UCS now referred to at paragraph 3.1.7 of the Alteration was carried out in 1998, and therefore, it cannot be considered to be up-to-date. Furthermore, it is contended that it was not subject to adequate public consultation. Thus, very little weight should be attached to it. Consequently, it is misleading to make reference to it in this context. Furthermore, notwithstanding these considerations, the reference appears to highlight land for development at BAe Systems that is neither available nor identified in the UCS, in preference to readily available, brownfield land that is identified in the UCS, but which is ignored by the Alteration.
22. The UCS referred to in paragraph 3.1.17 of the Alteration was carried out in 1998 and is appended to the current Local Plan at Appendix 12. The text and accompanying plan identify six potential development zones. I am satisfied that since the UCS forms part of the adopted Local Plan it has been subject to adequate consultation. However, as the Council has conceded in response to these objections, it is now considerably out-of-date and little weight should be attached to it. I agree with its assessment on this matter.
23. Consequently, I do not consider that reference to the now out-of-date UCS adds value to paragraph 3.1.17 of the Alteration. I also think that it is misleading, because it gives the impression that the UCS is an up-to-date document of considerable importance. I conclude that reference to the UCS in paragraph 3.1.17 of the Alteration should be deleted. However, in response to the objection of the CPRE, I consider that it would be helpful to replace it with a sentence that refers to the new UCS which is soon to be carried out. I have recommended possible wording below, at paragraph 25 of my report.

24. Furthermore, I consider that because the extent and availability of surplus land at BAe Systems is unsubstantiated, reference to it gives rise to an unbalanced approach towards other windfall sites that have been previously identified in the 1998 UCS, but which are not referred to in the Alteration, and other potential windfall sites that will be identified in the new UCS that has been commissioned by the Council and will be commenced in 2005. In my opinion, paragraph 3.1.17 unfairly pre-empts the findings of this forthcoming UCS and, as a consequence, it detracts from the robustness of the Alteration. Therefore, I conclude that the preceding sentence of the paragraph should be amended to include reference to other windfall sites in the inner areas of the Borough.

## **RECOMMENDATIONS**

25. (a) I RECOMMEND that the Alteration be modified by amending the fourth sentence of paragraph 3.1.17 so that it reads:

**This policy approach has been strengthened by indications that there may be suitable land at BAe Systems and at other brownfield sites within the inner areas of the Borough that could become surplus to existing requirements in the medium to long term.**

- (b) I RECOMMEND that the Alteration be modified by deleting the fifth sentence of paragraph 3.1.17.

- (c) I RECOMMEND that the Alteration be modified by adding the following sentence after the fourth sentence of paragraph 3.1.17, as amended in accordance with recommendation 25 (a) above, which reads along the lines:

**The exact location, amount of such land and when it is likely to come forward is not known in all cases at the present time, but it is anticipated that such details will be identified in an UCS which will be carried out in 2005, and which will assist in the preparation of the forthcoming LDF.**

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## **Paragraphs 3.1.18 - 3.1.19**

### ***Objection to First Deposit Draft***

3.1.18-19/005/044

Paul Swain, Environment Agency

### ***Objection to Second Deposit Draft***

3.1.19/130/044

Paul Swain, Environment Agency - CW

### ***Key Issue***

Whether paragraphs 3.1.18 and 3.1.19 of the Alteration should be amended to include reference to PPG25: Development and Flood Risk.

### ***Inspector's Reasoning and Conclusions***

26. Paragraphs 3.1.18 and 3.1.19 of the FDD set the national, regional and strategic planning policy context for Chapter 3: Housing. They refer to PPG3 and PPG13. The Environment Agency objects to the absence of reference also to PPG25 in these paragraphs, and it suggests wording for an additional paragraph to be inserted to rectify this omission. In response to this objection the Council included an additional paragraph to follow paragraph 3.1.19 of the Second Deposit draft, which reflects the text suggested by the Environment Agency.
27. However, this change did not satisfy the Agency and gave rise to its further objection made at the Second Deposit stage. In further response, the Council proposes FNAC 1, (see Inquiry Core Documents 25 and 27), which provides revised wording for the additional paragraph. The Environment Agency has conditionally withdrawn its latter objection on the basis of this change.
28. I agree with the Environment Agency that for completeness, reference should be made to PPG25 in this part of the Alteration, which sets the policy context for the housing policies for the Borough. Thus, I consider that it is appropriate that an additional paragraph which refers to PPG25 and the flood risk implications for development has been included. (It might be helpful for future reference if this new paragraph was separately numbered). I also generally support the amended wording proposed by FNAC 1, which I consider adds clarity to this text. However, I suggest minor grammatical changes.

### **RECOMMENDATION**

29. **I RECOMMEND that the Alteration be modified in general accordance with FNAC 1 so that the following paragraph would follow paragraph 3.1.19:**

**PPG25: Development and Flood Risk requires local planning authorities to have regard to flood risk when allocating land for development in local plans. In doing so they should be aware of the likely impacts of climate change on flood risk**

and allocate land in accordance with the sequential test set out in Table 1 of PPG25. In order to provide guidance to future developers the Council will be producing Flood Risk Supplementary Planning Guidance linked to the latest Environment Agency Flood Zone Maps. In addition, development briefs will be produced for specific sites and where appropriate, flood risk recommendations will be incorporated. Flood risk has been taken into account when considering the sites listed in Table 8 of Policy B1.

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### **Paragraph 3.1.21**

#### ***Objection to First Deposit Draft***

3.1.21/007/044

Paul Swain, Environment Agency

#### ***Objection to Second Deposit Draft***

3.1.21/131/044

Paul Swain, Environment Agency - CW

#### ***Key Issue***

Whether, in the interests of correctness and clarity, paragraph 3.1.21 of the Alteration should be amended to inform that an Examination in Public concerning proposed changes to the 'Planning Cumbria' (Cumbria and Lake District Joint Structure Plan) 2001-2016 was held in September/October 2004, and that the deposit version of the proposed changes to that Plan is the document referred to in this Alteration.

#### ***Inspector's Reasoning and Conclusions***

30. As pointed out by the Environment Agency, with reference to the 'Planning Cumbria' (Cumbria and Lake District Joint Structure Plan) 2001-2016, the FDD incorrectly informs that: "An inquiry into outstanding objections...." This was rectified at the Second Deposit stage, to make reference instead to an Examination in Public (EiP).
31. However, the Environment Agency made a subsequent objection that the revised wording should reflect that the EiP has taken place and to clarify that this is the strategic document that is referred to in the Alteration. In response, the Council proposes to further amend the wording of the second sentence of paragraph 3.1.21 of the Alteration, in accordance with FNAC 2 (see Inquiry Core Documents 25 and 27). This latter objection of the Environment Agency has been conditionally withdrawn on the basis of this further proposed change.
32. I endorse the proposed FNAC 2, which I consider would add greater clarity to paragraph 3.1.21. However, I note that the paragraph refers to a 'review'. Strictly speaking this reference is to an 'Alteration' to the adopted Local Plan. This matter is not the subject of a duly made objection and so it is not within

my remit to make a recommendation in its regard. Nevertheless, in the interests of clarity, the Council may wish to also consider making this further minor modification.

## **RECOMMENDATION**

33. **I RECOMMEND that the Alteration be modified in accordance with FNAC 2 so that the second sentence of paragraph 3.1.21 reads:**

**An Examination in Public was held in September 2004 and therefore, for the purposes of this review (*Alteration*), the deposit version of 'Planning Cumbria' will be the Structure Plan document referred to in this review (*Alteration*).**

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### **Main Principles**

#### **Paragraph 3.1.22**

##### ***Objections to First Deposit Draft***

3.1.22/009/036  
3.1.22/011/044

Graham Hale, CPRE - CW  
Paul Swain, Environment Agency

##### ***Objection to Second Deposit Draft***

3.1.22/133/044

Paul Swain, Environment Agency - CW

##### ***Key Issues***

(i) Whether criterion iv) of paragraph 3.1.22 should be amended to refer to 'need' rather than to 'demand'.

(ii) Whether criterion v) of paragraph 3.1.22 is too generic and should be amended to make specific reference to the capacity of existing water supplies, foul and surface water sewers and sewage treatment works.

(iii) Whether flood risk should be referred to as an additional development principle listed in paragraph 3.1.22 to guide the allocation of sites for housing development.

##### ***Inspector's Reasoning and Conclusions***

34. **Issue (i):-** The CPRE objects that criterion iv) of paragraph 3.1.22 is inconsistent with PPG3, which refers throughout to identifying and making provision for the housing requirements of the whole community, including those in need of affordable and special needs housing: not to just satisfying local market demand. In response to this objection the criterion was amended at the Second Deposit stage by the replacement of the word 'demands' with

the word 'need'. I endorse this change, upon which basis the objection was conditionally withdrawn.

35. **Issue (ii):-** In response to the Environment Agency's concern summarised above in Key Issue (ii), the Council added a second sentence to criterion v) of paragraph 3.1.22. However, no reference is made to 'surface water sewers'. This omission gave rise to a subsequent objection by the Environment Agency, which the Council intends to rectify by FNAC 3 (see Inquiry Core Documents 25 and 27). The latter objection of the Environment Agency on this matter has been conditionally withdrawn on the basis of this proposed change.
36. I agree that the addition of the second sentence to criterion v) of paragraph 3.1.22, which sets out the main development principles, as proposed to be amended by FNAC 3, adds necessary guidance for developers. I therefore support its inclusion.
37. **Issue (iii):-** The Environment Agency further requested that an additional criterion be added to paragraph 3.1.22, which would refer to flood risk. In response, this was added by the Council as criterion viii), at the Second Deposit stage. Subsequently, a representation of support was submitted by the Agency indicating that the addition has met its objection. I endorse the inclusion of this additional development principle.

## RECOMMENDATION

38. **I RECOMMEND that the Alteration be modified in accordance with FNAC 3 so that the second sentence of criterion v) of paragraph 3.1.22 reads:**

v) .... Particular attention will be paid to the capacity of existing water supplies, foul and surface water sewers and sewage treatment works.

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## **Part 2: New Housing Provision** **Structure Plan Requirement**

### **Paragraph 3.2.3**

#### ***Objection to First Deposit Draft***

3.2.3/013/020

Oliver Bird, North West Regional Assembly

#### ***Key Issue***

Whether the housing provision figure stated in paragraph 3.2.3 of the Alteration, of "around 1500 dwellings", is a correct interpretation of the Structure Plan requirement.

## ***Inspector's Reasoning and Conclusions***

39. Policy H17 of the Structure Plan (previously numbered H14) sets out the scale of housing provision that will be permitted in the Districts during the period 2002-2016. These are given as annual average rates over three phases. When rounded up to a global figure, the requirement for Barrow is 1500 dwellings. Whilst the annual average rates permit some flexibility on a yearly basis, it is my understanding of the regional context set out in RPG13 Policy UR7 and the strategic context of the Structure Plan Policy H17 that overall, the global housing requirements for the individual Districts should not be exceeded. Thus, I agree with the NWRA that the statement in paragraph 3.2.3, which implies flexibility regarding the global figure is incorrect.
40. In recognition of this, the word 'around' was deleted from the paragraph at the Second Deposit stage. I support this change, which I consider meets this objection.

## **RECOMMENDATION**

41. **I RECOMMEND no modification to the Alteration in response to this objection.**

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## **Paragraph 3.2.4 and New Policy: Phasing**

### ***Objections to First Deposit Draft***

3.2.4/014/036  
3.2.4/016/025

Graham Hale, CPRE  
R Howard, Cumbria County Council

### ***Objection to Second Deposit Draft***

3.2.4/135/036

Graham Hale, CPRE

### ***Key Issues***

- (i) Whether there should be greater continuity between the housing provision requirement shown in the adopted Local Plan and the proposed Alteration.
- (ii) Whether Table 6: Structure Plan Housing Requirement (2002-2016) with Associated Completions (2002-2004) should be amended to take account of the existing outstanding planning permissions granted as at May 2004.
- (iii) Whether Table 6 and its associated text should be amended to take into account that 10% of planning permissions granted for residential development are likely to be unimplemented.

(iv) Whether a phasing policy, which refers to completions, commitments and allocations is required in order to assist the management of the supply of land to meet the housing requirement for the Borough.

### ***Inspector's Reasoning and Conclusions***

42. **Issues (i)-(iv):-** The CPRE is concerned that Table 6 of the Alteration fails to provide continuity from the existing, adopted Local Plan housing provision between the period 1991-2006 and the next plan period of 2002-2016. Also, that the data is presented in a too simplistic manner, which together with the absence of an appropriate phasing policy could result in the Plan, Monitor and Manage (PMM) approach advocated in PPG3 being undermined and an under- or over-provision for housing occurring.
43. Concerning the first Key Issue regarding the CPRE's perceived lack of continuity between the existing Local Plan and the proposed Alteration, the adopted Local Plan and the housing provision made within it is based on the current Structure Plan, which does not accord with RPG13 in terms of its housing strategy. Consequently, it is being reviewed. Thus, correctly in my opinion, the figures within the Alteration have not been rolled forward as suggested by the Objector. For clarity and to aid consistency in the transition from the Local Plan to the future Local Development Framework (LDF), the Alteration has been written to take account of the revised Structure Plan housing requirement for the Borough. I consider that this approach is appropriate. Therefore, I do not support this objection.
44. Regarding objections raised to the contents of Table 6 of the Alteration, the Council's initial response given in its rebuttal reference BBC/13 was that the Table reflects the methodology adopted in the revised deposit Structure Plan. However, the Council has subsequently revisited the contents of Table 6. The Revised Table 6, which the Council has requested I take into account as a further non-advertised change to the Alteration, is set out in Inquiry Core Document 33.
45. The revised Table 6 replaces the 'completions' column with a 'planning permissions granted between 01.01.02 - 31.12.04' column, and the figures in the retained columns are re-calculated accordingly. I consider that this is an improvement. It does not take into account permissions granted before 2002 and which are extant, which is requested by the Objector, but I think that the Council's approach in this matter is correct, because the Structure Plan acknowledges that planning permissions granted take account of the previous higher requirement for housing supply. The number of dwellings to be provided in the first phase of provision is set lower than the subsequent two phases to take account of this. They are; 100 dpa, 110 dpa and 110 dpa respectively.
46. However, the revised Table 6 indicates that since 2002, planning permissions have been granted at a rate which exceeds the Structure Plan requirement for this first phase by 155 dwellings. To compensate, the windfall assumption at 40% of the revised residual requirement has been reduced accordingly, to 378.

47. In my opinion, the proposed further non-advertised change improves the clarity of Table 6 and the consistency of the Alteration considerably. However, there remain several discrepancies which require further attention. Firstly, the revised figures do not take account of the 10% slippage factor mentioned by Cumbria County Council, reference to which was added at the Second Deposit stage. If they did, the residual requirement would be 1000 and the windfall assumption would be 400, leaving a requirement for 600 units to be allocated over the Structure Plan period. Thus, following from this, the windfall figure given in paragraph 3.2.6 of the Alteration should be revised from 499 to 400. Thirdly, comparison of these figures with the Alteration Table 8 capacity assumptions appears to indicate that an over-provision of 150 dwellings would result.
48. However, these figures do not take into account demolitions, replacements for which do not count towards the net figure of 1500. An estimated figure for these is not given in the Alteration, but taking into account the Borough Council's Housing Renewal Strategies for the inner urban area, they are likely to be significant. Paragraph 3.1.16 of the Alteration refers to 54 properties cleared and a further 54 proposed to be demolished in the Hindpool Renewal Area. Paragraph 3.1.17 of the Alteration indicates that such demolitions will be replaced on windfall sites.
49. In the absence of an up-to-date UCS, it is not clear from the evidence before me if windfall sites over and above the 40% assumption will be needed to meet the additional requirement referred to in paragraph 46 above, or if sufficient will come forward during the period up to 2016. Thus, I do not make a recommendation to reduce the number of allocations at this stage. But I consider that it would be helpful to add explanatory text to clarify this matter. Clarification should also be added to Table 6, which informs that the 'total units required' is a net figure. Furthermore, I urge the Council to afford considerable priority to the completion of its UCS in order that appropriate adjustments to proposed allocations can be made, if necessary, to inform the preparation of its LDF.
50. Turning now to phasing of development, a New Policy: Phasing was added to the Alteration at the Second Deposit stage. In principle, this partly meets the CPRE objection made at the FDD stage. However, its detail has given rise to a further objection from the CPRE concerning windfall assumptions, the specific phasing of allocations and implementation of the Policy, which I share.
51. To take account of the high number of planning permissions that have been granted between 2002 and 2004, the number of windfalls that are anticipated to contribute towards the overall supply has been reduced in a proposed further non-advertised change version of the Phasing Table (see Inquiry Core Document 33), especially in the second and third phases. From the information before me, I am satisfied that these assumptions are robust.
52. However, I support the view of the CPRE that the allocated sites H1 and H2 should be moved to Phase 2, because with reference to my considerations set out above, commitments and anticipated windfalls will be more than sufficient to meet the Structure Plan Policy H17 (H14) first phase requirement for 400 dwellings.

53. I am also concerned that the Phasing Policy does not contain criteria either to enable its implementation or to advise as to how completions will be monitored and the future supply managed to ensure that there is neither an over- nor under-provision of housing. I consider that this is a serious shortcoming of the Policy, which should be rectified by the addition of explanatory text, possibly expanded upon in supplementary planning guidance. Finally, for convenient reference, it would be helpful if the New Policy: Phasing was given a number. However, since this matter is not raised by Objectors, I do not include this suggestion in my recommendations.

## RECOMMENDATIONS

54. (a) **I RECOMMEND that the Alteration be modified by amending the format of Table 6: Structure Plan Housing Requirement (2002-2016) with Associated Completions (2002-2004) in general accordance with Revised Table 6 given in Inquiry Core Document 33. However, an additional note should be added in the Table under the heading 'Residual Requirement', to explain that this includes an assumption that 10% of planning permissions will not be implemented. Also a note should be added under the heading, 'Total Units Required', to clarify that this is a net figure. The Figures given in the revised Table should also be amended to read from left to right: 1500, 500, 1000, 400, 600.**
- (b) **I RECOMMEND that the Alteration be modified by changing the number given at the end of the fourth sentence of paragraph 3.2.6 to 400.**
- (c) **I RECOMMEND that the Alteration be modified by adding a penultimate sentence to paragraph 3.2.3 to clarify that the Structure Plan Policy H17 (H14) requirement does not take into account replacements for demolitions.**
- (d) **I RECOMMEND that the Alteration be modified by substituting its Phasing Table contained within New Policy: Phasing with that given in Inquiry Core Document 33, except that the revised Phasing Table should be further amended by placing allocated sites H1 – Former North Lonsdale Hospital and H2 - Land at Crooklands Brow within Phase 2: 2006-2011. (See also my recommendation at paragraph 184.)**
- (e) **I RECOMMEND that the Alteration be modified by adding explanatory text to New Policy: Phasing to clarify how completions will be monitored and how the future supply of land and windfall sites will be managed to ensure that there is neither an over- nor under-provision of housing.**
- (f) **I RECOMMEND no further modification to the Alteration in response to these objections.**

## **Paragraph 3.2.6**

### ***Objections to First Deposit Draft***

3.2.6/019/020 Oliver Bird, North West Regional Assembly  
3.2.6/020/007 (see Policy B1 omission sites) Wolstenholme Chartered Surveyors

### ***Objection to Second Deposit Draft***

3.2.6/136/054 D Knight, Holker Estates Ltd

### ***Key Issues***

- (i) Whether the methodology used for estimating windfalls requires additional explanation.
- (ii) Whether the 40% windfall allowance is still valid.

*Inspector's Note: Objection reference 3.2.6/020/007 does not refer to this paragraph of the Alteration. It concerns an omission site. I have, therefore, considered it later in my report in the section that considers omission sites.*

### ***Inspector's Reasoning and Conclusions***

- 55. In response to a request of the NWRA made at the FDD stage for additional explanation of the methodology used for the estimation of windfalls at 40%, an additional sentence has been included within paragraph 3.2.6 of the Alteration. It states that: "The use of the 40% figure for windfall was advocated by the Planning Inspector at the last Local Plan Inquiry."
- 56. However, another Objector questions if this 40% windfall level has been subsequently tested, given that the opening sentence of the paragraph indicates that "the House Builders Federation uses a Small Site Assumption of 20%." In response, the Council informs that it monitors windfall levels, and that during 2004, 54% of new dwellings were built on windfall sites. This figure is clearly well above the 40% relied upon to make up the Borough's housing supply. I have no reason to doubt that windfalls will continue to come forward at least the 40% level for the remaining lifespan of the adopted Local Plan. If however, future monitoring indicates that the windfall level should be adjusted upwards or downwards, any necessary change can be fed into the Council's LDF process. In the meantime, I am satisfied that the 40% windfall level referred to in the Alteration remains appropriate.

### **RECOMMENDATION**

- 57. **I RECOMMEND no modification to the Alteration in response to these objections.**

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**Paragraph 3.2.7 and**  
**Table 7: Uncommenced allocations from the existing Local Plan**

***Objections to First Deposit Draft***

3.2.7/022/034		Chris Bamber, Government Office North West
3.2.7/023/038		Carol Mosby, How Planning

***Objections to Second Deposit Draft***

3.2.7/138/038	(see 3.2.10/026/038 and B1/143/038)	Carol Mosby, How Planning
3.2.8/139/038	(see B1/143/038)	Carol Mosby, How Planning

***Key Issues***

- (i) Whether clarification should be given in the Alteration that sites listed in Table 7, which are not listed in Table 8: Residential Development Sites, are no longer allocated for housing development.
- (ii) Whether the reasons given in Table 7 for the Dalton Gas Holder site not having come forward for development are justified.
- (iii) Whether the reasons given in paragraph 3.2.8 for de-allocating the Dalton Gas Holder site are appropriate.

***Inspector's Reasoning and Conclusions***

- 58. **Issue (i):-** Paragraph 16 of Annex A to PPG12 advises that plans should be clear, succinct and easily understood. In response to an objection from GONW that neither paragraph 3.2.7 nor Table 7 of the FDD clearly indicates the intended fate of sites listed in the Table but not carried forward into Table 8, which lists the revised schedule of allocated sites, a bullet point was added beneath Table 7 at the Second Deposit stage. It informs that: "The sites included within Table 7 but not included in Table 8 are no longer allocated as housing sites."
- 59. In my opinion, this addition meets the objection and satisfies the requirements of PPG12 that policies in development plans should be clear.
- 60. **Issue (ii):-** Paragraph 3.2.7 and the right hand column of Table 7 refer to reasons why the sites listed have not currently come forward for development. Paragraph 3.2.8 as amended at the Second Deposit stage goes on to clarify the reasons why most of those have not been carried forward into Table 8. How Planning objects to the reasons given in Table 7 for the site known as Dalton Gas Holder not coming forward for development.
- 61. The Objector acknowledges that it is a small site with a suggested capacity of around 10 dwellings, but they contend that contamination from its former

industrial use has been appropriately remediated. The Council does not dispute that the site has been decontaminated satisfactorily for residential use. In the absence of any contrary evidence I have no reason to dispute this claim. In these circumstances, the Objector considers that reference in Table 7 to previous contamination is unjustified.

62. Since the Table is intended to be factual rather than a summary of arguments of why some sites have been de-allocated I consider that it is appropriate that the previous contamination of the site is referred to. However, these reasons should be amended to reflect that the site is no longer contaminated.
63. **Issue (iii):-** With regards to the Council's justification for de-allocating the objection site, two sentences were added to paragraph 3.2.8 at the Second Deposit stage. They state: "Of the existing allocations, the Dalton Gas Holder site and the Chatsworth Street Site have not been carried forward as allocated sites in this alteration however in principle they are still considered suitable for residential use. Should they come forward it is considered more appropriate to deal with applications for residential development on these sites as windfall opportunities."
64. In its rebuttal statement reference BBC/023 the Council further clarifies the reason why the objection site has not been carried forward as an allocation in the Alteration as follows: "It has not been carried over as an allocation primarily due to its small size and it was considered that it would be better dealt with as a windfall opportunity should development be forthcoming in the future."
65. In my opinion, the sentences added to paragraph 3.2.8 at the Second Deposit stage are ambiguous, because they give no indication why the objection site has been de-allocated, especially taking into account the clear support given in the paragraph for its suitability for residential use. I conclude that the clarity and logic of paragraph 3.2.8 would be greatly improved if another sentence was added to clearly highlight the Council's perceived constraint of the small size of the site, if it proceeds with its de-allocation. However, I comment further on the justification for de-allocating the site on the basis of its size later in my report, at paragraphs 141-147, and I conditionally recommend that its allocation should be retained at paragraph 184 of my report.

## RECOMMENDATIONS

66. **(a) I RECOMMEND that the Alteration be modified by amending Table 7 with regards to the reasons for the Dalton Gas Holder site not coming forward for development as follows:**

**Former contamination of the site may have been a constraint to development, but remediation has now been satisfactorily completed.**

- (b) I RECOMMEND that the Alteration be modified by adding another sentence to the end of paragraph 3.2.8 which reads:**

**The Dalton Gas Holder site has not been carried over as an allocation primarily due to its small size.**

*Inspector's Note: See also my alternative recommendation at paragraph 184 of my report.*

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## **Allocation of Land**

### **Paragraph 3.2.10**

#### ***Objections to First Deposit Draft***

3.2.10/025/020	Oliver Bird, North West Regional Assembly
3.2.10/026/038 (see Policy B1 omission sites)	Carol Mosby, How Planning
3.2.10/027/044	Paul Swain Environment Agency
3.2.10/028/007 (see Policy B1 omission sites)	Wolstenholme Chartered Surveyors

#### ***Key Issues***

(i) Whether the criteria used for allocating housing sites listed at paragraph 3.2.10 of the Alteration correctly reflect the sequential approach to locating housing development given in Policy DP1 of RPG13.

(ii) Whether reference to the capacity of existing water supplies, foul and surface water sewers and sewage treatment works should be added to the third criterion of paragraph 3.2.10.

(iii) Whether a further criterion should be added to paragraph 3.2.10 which refers to flood risk areas.

*Inspector's Note: Objections references 3.2.10/026/038 and 3.2.10/028/007 refer to omission sites. I have, therefore, considered them later in my report, in that section.*

#### ***Inspector's Reasoning and Conclusions***

67. **Issue (i):-** With reference to this objection by the NWRA, Policy DP1 of RPG13 sets out a sequential approach to housing development location which gives first priority to the effective use of existing buildings and infrastructure within urban areas. In this regard, it differs from the sequential approach of PPG3, which gives equal priority to the re-use of previously developed land and buildings. I agree with the NWRA that it is important that this difference should be reflected in local planning policies.

68. In response to this objection, the Council amended the first criterion of paragraph 3.2.10 at the Second Deposit stage to read: "To ensure full use is made of land and buildings within urban areas following a sequential approach

achieved through conversion and improvements and the redevelopment of under-used or derelict land in co-ordination with regeneration activities.”

69. I consider that this is a significant improvement to this criterion, which in its FDD form omitted to refer either to the requirement of RPG13 Policy DP1 to make efficient use of buildings, or indeed to a sequential approach. However, it is my opinion that paragraph 3.2.10 of the Alteration has become muddled in its re-drafting and that it fails to truly reflect Policy DP1 of RPG13. I therefore make a recommendation suggesting further amendment to the criterion.
70. **Issues (ii) and (iii):-** In response to the Environment Agency’s objection concerning omissions of paragraph 3.2.10, the Council intends to make two FNACs that are numbered 4 and 5 in Inquiry Core Document 27. I endorse those FNACs, which in my opinion, would meet the objection and would add to the completeness and clarity of paragraph 3.2.10 of the Alteration.

## **RECOMMENDATIONS**

71. **(a) I RECOMMEND that the Alteration be modified by amending the first bullet point of paragraph 3.2.10 so that it reads:**

**To ensure that full use is made of buildings, infrastructure and land within urban areas following a sequential approach that gives priority to the conversion of existing buildings followed by the redevelopment of under-used or derelict land, in co-ordination with regeneration activities.**

- (b) I RECOMMEND that the Alteration be modified by amending the third bullet point of paragraph 3.2.10, in accordance with FNAC 4 so that it reads:**

**In particular, consideration will be given to the provision of public transport in close proximity to the site, and the capacity of existing water supplies, foul and surface water sewers and sewage treatment works.**

- (c) I RECOMMEND that the Alteration be modified by adding a further bullet point to paragraph 3.2.10, in accordance with FNAC 5 so that it reads:**

**To have regard to the sequential test set out in Table 1 of Planning Policy Guidance Note 25: Development and Flood Risk.**

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## Policy B1

### Residential Development Sites

#### ***Objections to First Deposit Draft***

B1/029/023	Sandra Fleming, Highways Agency
B1/030/023	Sandra Fleming, Highways Agency
B1/031/020	Oliver Bird, North West Regional Assembly
B1/032/044	Paul Swain, Environment Agency
B1/033/025	Maxine Bodell, Cumbria County Council
B1(H2)/043/23	Sandra Fleming, Highways Agency
B1(H2)/045/036	Graham Hale, CPRE
B1(H4)/051/023	Sandra Fleming, Highways Agency
B1(H5)/054/036	Graham Hale, CPRE
B1(H5)/055/023	Sandra Fleming, Highways Agency
B1(H5)/056/019	Jill Stephenson, Network Rail
B1(H5)/057/030 (see also B1 omission sites)	Stephen Young, Associated British Ports

#### ***Objections to Second Deposit Draft***

B1/142/036	Graham Hale, CPRE
B1(H5)/145/019	Jill Stephenson, Network Rail
B1(H5)/147/055	Rosie Baynes, English Nature
B1 (H5)/148/044	Paul Swain, Environment Agency - CW

#### ***Key Issues***

- (i) Whether the Alteration adequately seeks to integrate infrastructure and land use proposals.
- (ii) Whether the likely impact of the new housing allocations on the strategic trunk road network has been satisfactorily appraised, both individually and cumulatively, particularly with reference to sites H2, H4 and H5.
- (iii) Whether, with particular reference to allocated sites H2, H4 and H5 opportunities to promote a significant modal shift to public transport have been adequately identified and assessed in the Alteration, in order to achieve a suitable reduction in the impact of development traffic on the strategic trunk road network.
- (iv) Whether text should be added to the Alteration to clarify the Highways Authority's requirements in respect of any development that may affect the trunk road network and in particular, the A590 (T), to ensure that the safe and efficient operation of the trunk road network is not prejudiced.

(v) Whether additional information concerning the total number of dwellings to be provided in each of the three phases should be added to the Alteration.

(vi) Whether more information should be provided in Table 8 of the Alteration on the need for development to take into account energy efficiency, possible contamination and the need for Flood Risk Assessments (FRA) that investigate the use of Sustainable Drainage Systems (SuDS).

(vii) Whether Table 8 of the Alteration should be expanded to justify the sites allocated for housing.

(viii) Whether site H2 better achieves the sequential approach and sustainability tests of PPG3 together with its re-cycling target, than other available windfall brownfield sites in the urban area.

(ix) Whether the re-allocation of employment land within the Dock Estate to housing site H5 is premature and could result in demand for employment land allocations elsewhere, possibly on greenfield land.

(x) Whether the proposed perimeter of site H5 could potentially restrict and constrain the final Master Plan for the dock and the method that is finally selected to link the proposed Marina to the Marina Village.

(xi) Whether the site notes for site H5 should be amended to include reference to the need to safeguard the international and national importance for nature conservation of the Cavendish Dock SSSI and SPA.

(xii) Whether the alignment and formation of the former railway line that ran from Buccleugh Junction to St Lukes Junction should be safeguarded, and if so, whether the re-allocation of land at site H5 would preclude this.

(xiii) Whether the proposed perimeter of site H5 should be amended to take into account the railway line that passes through the site, which carries nuclear flask traffic from Sellafield to Ramsden Dock.

### ***Inspector's Reasoning and Conclusions***

72. **Issues (i) - (iv):-** Planning Policy Guidance Note 13: Transport requires that transport infrastructure and land use development matters are integrated. However, the Highways Authority is concerned that this consideration may not have been taken into full account in the allocation of new housing sites, and that consequently, the likely impact of those developments on the transport network, and on the A590 (T) in particular, may not have been fully assessed. Furthermore, it is concerned that with particular reference to allocated sites H2, H4 and H5, opportunities to promote a significant modal shift to public transport, in order to achieve a reduction in the impact of development traffic on the strategic trunk road network, may not have been adequately identified

and assessed in the Alteration. It suggests that additional text should be added to the Alteration that would inform that mitigation measures should be designed and carried out to provide the necessary additional capacity to the road network.

73. In response to these five objections from the Highways Authority, the Council has confirmed that it commissioned a study in 2003, which assessed major anticipated employment/mixed use development within Barrow and the effect that those developments would have on the highway network (see Inquiry Core Document 17). The Study indicates that several junctions, including six on the A590 (T) would become over-capacity if all allocated and proposed major industrial developments within Barrow were to take place. To address this, the Council is working in close partnership with the County Council, the Highways Agency and the West Lakes Renaissance to develop a package of measures to ensure that the cost of any required junction improvements is not passed on to the developer and would thereby hinder inward investment.
74. The Study did not assess the likely impact of development at site H2. However, this proposed housing site at Crooklands Brow, Dalton is allocated as an employment site in the adopted Local Plan, and as such, it has been the subject of a public consultation exercise to determine its suitability for development. Clearly, the volume and type of traffic generated by employment development would be different to that associated with residential development. But as the site is located over 670 metres from the Trunk road, I am satisfied that in principle, safe and convenient access to it can be achieved. Consideration of the precise number of dwellings approved at the site would ensure that over-capacity at the roundabout junction with the A590 (T) did not occur.
75. The requirement for Traffic Assessments to be undertaken for all major sites allocated for housing by Policy B1 of the Alteration is referred to in the Policy. In addition, a paragraph was added after paragraph 3.2.9 at the Second Deposit stage, which refers to the Highways Study (Inquiry Core Document 17), and which informs that a partnership approach has been adopted for a hierarchy of infrastructure improvements that will accommodate future planned development.
76. I am generally satisfied that prior to allocating site H2, the Council has taken into account the requirements of PPG13 and that it has appropriately assessed and made provision for the likely impact of the new housing allocations of the Alteration on the highway network, including the A590 (T). Furthermore, I consider that the inclusion of the new paragraph in the Alteration referred to above clarifies that these matters have been fully considered and that suitable mitigation measures have been formulated.
77. However, since the term 'major sites' is not defined in the Alteration, I consider that it introduces ambiguity and uncertainty as to which of the allocated residential sites will require detailed Traffic Assessments being undertaken prior to planning permission being granted. In my opinion, such traffic assessments are required for proposed development at all of the sites

listed in Policy B1. Therefore, I conclude that to aid clarity, in line with the guidance of PPG12, the word 'major' should be deleted from the last sentence of Policy B1.

78. I am further concerned that neither this sentence in Policy B1, nor the added paragraph after 3.2.9 make reference to the desirability of promoting opportunities for significant use of public transport by future occupiers of development at the allocated sites, as advocated in PPG13. I consider that this is an omission that should be rectified by the amendment of the last sentence of Policy B1, along the lines that I recommend below at paragraph 104 (a).
79. I conclude that the Highway Authority's objections have been partly met by the addition to the Alteration of the paragraph after 3.2.9, (which should be separately numbered to aid reference). The amendment to the last sentence of Policy B1 as I recommend at paragraph 104 (a) would further meet its objections. However, I share the view of the Council that the addition of the text suggested by the Highways Authority could be an undesirable deterrent to inward investment and would not promote the regeneration objectives for the Borough, as set out in regional and strategic guidance.
80. **Issue (v):-** The NWRA supports the use of phasing for the allocation of residential sites, but it considers that the inclusion of a separate table setting out the total number of units to be provided within each phase would be helpful. In response, a Phasing Table setting out this information was added to the Second Deposit draft of the Alteration. However, the Council proposes to amend this Table in accordance with the revised Table given in Inquiry Core Document 33, which I recommend at paragraph 54 of my report should be further amended. I consider that the addition of this phasing information meets the objection of the NWRA.
81. **Issue (vi):-** At the FDD stage, the Environment Agency requested that additional text be added to Policy B1 and its associated Table 8, which highlights the requirement for development to take into account energy efficiency, possible contamination and the need for FRAs that investigate the use of SuDS. In response, a paragraph was added after the sites notes, at the Second Deposit stage, which informs that the Council intends to produce development briefs for each of the allocated sites in order to provide more detailed information for developers. These will include specific site details and will set out what the Council considers to be acceptable in terms of design, layout, energy efficiency measures and phasing.
82. However, whilst the Environment Agency accepted that this additional text partly satisfied its objection, it made a further objection at the Second Deposit stage, because the added paragraph does not refer to the need to provide FRAs that investigate the use of SuDS. In further response, the Council's proposed FNAC 6 (see Inquiry Core Documents 25 and 27) would expand the added text referred to above to inform that: "The briefs will also refer to the need for surface water drainage assessments, the use of sustainable drainage and where sites are potentially contaminated, desk top studies, site investigations and remediation strategies as appropriate." The Environment

Agency has conditionally withdrawn its latter objection on the basis of this proposed further non-advertised change.

83. I endorse the approach of the Council to refer to these matters in the context of development briefs and I support the proposed FNAC 6, which in my opinion adds important information for would-be developers.
84. **Issue (vii):** - In response to the suggestion of Cumbria County Council that it would be helpful to set out in Table 8 the specific reasons why the particular sites listed have been selected as housing allocations, a further column was added to the Table at the Second Deposit stage, which summaries the reasons for site selection. In my opinion, this addition adds value to the Alteration and it meets the objection of the County Council.
85. The CPRE supports the amendment to Table 8, but in its opinion, further clarification should be added to justify each of the sites allocated in terms of the sequential approach. However, the Council considers that since all of the sites that have been allocated are brownfield in nature it is unnecessary to refer to their sequential suitability.
86. However, from the evidence before me, and from my inspections of the site from public vantage points, I am not totally convinced that the whole of the Beach Street/Sharp Street (site H3) is brownfield. I accept that part of the site was, or is, occupied by garages and would fall within the definition of previously-developed land as set out in Annex C of PPG3. But from my external inspection of the site, I do not consider that the whole of the allocated site H3 forms the curtilage of the garage court. It is my opinion that part of it is allotment/communal land, of the somewhat untidy type that is found in several other parts of the Borough. Whilst this land is not cultivated and includes some urban features, such as fencing and miscellaneous storage, it nevertheless appears to me, that in the Barrow context, the authorised use of part of the site beyond the existing/former garages is allotments: consequently that it is not brownfield, previously-developed land.
87. I have insufficient evidence to recommend that housing site H3 should be de-allocated for this reason, but at paragraph 104 I recommend that the Council re-assesses the sequential status of site H3 and makes any necessary modification to the appropriate part of Table 8.
88. **Issue (viii):-** The CPRE queries the brownfield nature of allocated site H2 alleged by the Council, and its appropriateness in terms of PPG3 guidance in preference to other brownfield sites within the urban area. I have viewed this land at Crooklands Brow, Dalton from the Ulverston Road, but I have not entered the site itself. Nevertheless, from my observations I have no reason to dispute the Council's assessment that the land falls within the definition of brownfield land given in Annex C of PPG3.
89. In its rebuttal, reference BBC/044, the Council informs that there are a number of structures and bases present on the site that date back to when the land was used as railway sidings, and more recently as a car repair and body

workshop business. In its opinion, the whole of the allocated site H2 falls within the curtilage of that former business use. Therefore, it may be defined as previously-developed, brownfield land. It is currently allocated as an employment site in the adopted Local Plan, but in accordance with the guidance of paragraph 42a of PPG3, that allocation has been re-assessed. In the Council's opinion, it is unlikely that the site would be developed for employment purposes and it would, therefore, lie vacant, contrary to both national and local recycling and regeneration objectives. I have no reason to disagree. Furthermore, I saw that the site is conveniently accessible on foot to local facilities and services, including shops and employment in Dalton, and that there is a school opposite. In my opinion, the site scores well against the sustainability criteria of paragraph 31 of PPG3. I endorse the re-allocation of the land for housing development.

90. **Issues (ix-xiii):-** A number of objections have been made to the re-allocation of land within the Dock Estate for residential development, as site H5. The CPRE are concerned that the re-allocation of part of this strategically important, brownfield employment site may be premature given that the adopted Local Plan has only been in operation for around two years and the potential employment use of the site may not yet have been realised. The CPRE point out that the loss of this employment land could give rise to demand for employment allocations elsewhere, possibly on greenfield land.
91. However, I am satisfied that the objection site has been critically appraised in the light of the master planning exercise for the wider Dock Estate that is being undertaken by the Council in partnership with the Urban Regeneration Company and West Lakes Renaissance (see Inquiry Core Document 8). The exercise has considered the significant technical constraints of the site and demands of end users. As a result, it has been concluded that a housing allocation supporting an associated marina and the development of an Innovation Business Park generating employment in the Ramsden Dock area are the most appropriate means of promoting the regeneration of the wider Dock Estate area.
92. I have no reason to dispute these conclusions, which in my opinion would promote the regeneration priority of the Borough and the Government's support for mixed-use developments. Consequently, I do not support this objection of the CPRE.
93. However, Associated British Ports Barrow and Silloth (ABP) question the precise area that was allocated as site H5 at the FDD stage. In its opinion, this could potentially constrain the final preferred design of the Marina Village identified in the Barrow Dock Masterplan (Inquiry Core Document 8). It suggests two amendments to the boundaries of site H5.
94. The first of these, shown on the Objector's plan ABP1 includes all of the water frontages in this area. In the opinion of ABP, their inclusion would enable maximum flexibility to link the future Marina Village to the Marina. The Council agrees that the suggested additional strip of land adjacent to the waterfront should form part of the allocated site H5. It has been included within the

revised H5 allocation made at the Second Deposit stage. However, the suggested area to the south of the site is within a Zone 3 flood risk area, and consequently, it is unsuitable for residential development. I endorse the Council's conclusions on these matters and the amendment made to the boundaries of site H5, which I consider to partly meet this objection.

95. The second proposal by ABP is shown on its plan ABP2 and involves land adjacent to the Walney Channel at Ramsden Dock. In consultation with the West Lakes Renaissance, the Council is of the opinion that it would be premature to also allocate this land for housing because it is within an area that is presently allocated as being within the Innovation Business Park proposed in the Barrow Port Masterplan. It is possible that part of the site will be used as a cruise ship terminal. I support the Council's views on this matter and I do not recommend that the land shown on plan ABP2 is allocated for housing. I comment further on this site at paragraphs 108-110 of my report, where I consider omission sites.
96. English Nature requests that the site notes for H5 be expanded to refer to the requirement that residential development of the site must be designed and managed so as to safeguard the international and national importance for nature conservation of Cavendish Dock SSSI and SPA.
97. Under EIA Regulations the detailed design of any development on allocated site H5 would be obliged to take into account the environmental impacts on the important nature considerations of the adjoining internationally and nationally protected sites. Whilst ongoing management regimes would be difficult for the LPA to enforce, it is my opinion that it is important that the requirement of future development of site H5 to safeguard the international and national importance for nature conservation of Cavendish Dock SSSI and SPA is highlighted in the Alteration. Consequently, I partly support this objection and make a recommendation at paragraph 104 (d) below that the site notes to H5 be appropriately modified.
98. Network Rail has made two objections to the proposed H5 housing site allocation. The first made at the FDD stage relates to how the allocation may impact on the development of the rail network. Although it has no current plans for any changes in the area, Network Rail considers that it would be prudent to protect the alignment and formation of the former railway line that ran from Buccleugh Junction to St Lukes Junction.
99. However, the site H5 housing allocation is part of a significant regeneration initiative for the Borough. In my opinion, it would be inappropriate to prejudice the potential of this extensive initiative (see Barrow Port Masterplan Inquiry Core Document 8) and the considerable benefits that it could bring in order to safeguard a possible rail route for which there are no current plans to be made operational.
100. The site notes to site H5 given in the Alteration indicate that more detailed master planning work will be undertaken for the wider area and for the site itself. In addition, the Council has indicated in its rebuttal statement reference

BBC/048 that the brief for this further work includes consulting with statutory and non-statutory bodies including Network Rail, and a requirement to protect the operation of the port, which requires rail access.

101. In these circumstances, I am satisfied that the long term rail line requirements for this area would not be prejudiced by the residential development of site H5. Therefore, I do not support this objection.
102. In its objection made at the Second Deposit stage Network Rail seeks amendment to the boundary of site H5 to exclude the route of an operational line that runs through the site and along which trains carrying nuclear flask traffic from Sellafield pass on a regular basis.
103. In my opinion, the noise and safety implications of the regular movement of freight trains carrying nuclear material is a consideration of substantial weight that must be taken into account when considering the location of residential development. However, the site notes to H5 indicate that not all land within the allocated area will be developed with houses. Substantial areas will be retained for open space, and as landscaping. The detailed design of the residential development could incorporate such areas adjacent to the railway line. Therefore, I see no reason at this stage to exclude the route of the operational railway line from the allocated area. Consequently, I do not support this objection and I do not recommend the Objector's suggested amendment to the boundaries of the allocated site H5.

## **RECOMMENDATIONS**

104. (a) **I RECOMMEND that the Alteration be modified by amending the last sentence of Policy B1 in an appropriate manner so that it informs:**

**Traffic Assessments that identify opportunities to promote convenient access from the development to public transport, in order to achieve a reduction in the impact of development traffic on the strategic trunk road network will be required as part of proposals for development of the allocated sites.**

- (b) **I RECOMMEND that the Alteration be modified by adding the following text to the paragraph which follows the site notes for site H5 in accordance with FNAC 6:**

**The briefs will also refer to the need for surface water drainage assessments, the use of sustainable drainage and where sites are potentially contaminated, desk top studies, site investigations and remediation strategies as appropriate.**

- (c) **I RECOMMEND that the Council critically re-assesses the brownfield/greenfield nature of site H3. If as a result, it considers that part of the site is greenfield, this should be clarified by a modification to the reason given for the selection of this site in Table 8.**

(d) I RECOMMEND that the Alteration be modified by amending the site notes to allocated site H5 so that they state:

...Developed in phases with substantial open space and landscaping belt adjacent to the waterfront and designed so as to safeguard the international and national importance for nature conservation of Cavendish Dock SSS1 and SPA....

(e) I RECOMMEND no further modification to the Alteration in response to these objections.

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### **Policy B1 Residential Omission Sites**

#### ***Objections to First Deposit Draft***

3.2.6/020/007	(see also paragraph 3.2.6)	Wolstenholme Chartered Surveyors
3.2.10/028/007	(see also paragraph 3.2.10)	Wolstenholme Chartered Surveyors
3.2.10/026/038	(see also paragraph 3.2.10)	Carol Mosby, How Planning
B1/034/041		Stephen Cameron, Cameron Gillian Associates
B1/035/040		Stephens Associates – K White
B1/036/027		Mr & Mrs Spencer
B1/037/013		Stephens Associates – W Forrester
B1/038/031	(see also Policy B12)	Stephens Associates – K Kendall
B1/058/042		K Smith, TRAC
B9/082/015	(see also Policy B12)	Mr D Smith
B1(H5)/057/030	(see also Policy B1)	Stephen Young, Associated British Ports
3.3.19/086/045	(see also paragraph 3.3.19)	Mr P Donahue
3.3.19/087/045	(see also paragraph 3.3.19)	Mr P Donahue
B12/096/026	(see also Policy B12)	Mr H Mitton
B12/097/004	(see also Policy B12)	Mr & Mrs Thompson
B12/103/010	(see also Policy B12)	Mr K Kendall
B12/108/031	(see also Policy B12)	Stephens Associates, K Kendall

#### ***Objections to Second Deposit Draft***

B1/143/038	(see 3.2.7/023/038,3.2.7/138/038 and 3.2.8/139/038)	Carol Mosby, How Planning
B12/164/045	(see also Policy B12)	Mr P Donahue

#### ***Introduction***

105. In this section of my report I consider objections that refer to sites that are within or adjacent to the urban area of Barrow, which in the Objector's opinion are suitable for residential development but are not allocated as housing sites in the Alteration. I also consider those objections which refer to sites that fall beyond the Residential Development Cordon (RDC) of a settlement, which in the Objector's opinion are suitable for residential development. I refer to all of these sites as 'omission sites'.

106. I have assessed the omission sites against the criteria of paragraphs 3.1.22, 3.2.10 of the Alteration, as proposed to be modified by FNAC 4 and FNAC 5, and Policy B2 of the Alteration, together with the guidance of PPG3, in my consideration of their merits for residential development. A further very important factor that I have also taken into account in my recommendations regarding the omission sites is that the Alteration identifies sufficient land to meet the Structure Plan housing supply requirement up to 2016. At paragraph 30, PPG3 informs that LPAs "should seek only to identify sufficient land to meet the housing requirement set as a result of the RPG and strategic planning processes." Thus, for an omission site to be included as an allocation it should generally demonstrate that it would perform better than an allocated site(s), which should consequently be de-allocated, unless its capacity is so small as to not result in a significant over-supply that could not be managed in the last phase of the housing supply period.

107. For convenience of reference I report firstly on sites within or adjacent to the Barrow urban area and then on those within or adjacent to smaller settlements within the Borough. I have viewed all of these sites from public vantage points.

### ***Key Issues***

(i) Whether the omission site is suitable in principle for residential development.

(ii) Whether the omission site should be allocated as a housing site listed in Policy B1 of the Alteration.

### ***Inspector's Reasoning and Conclusions***

#### **Sites within or adjacent to the urban area of Barrow**

108. ***Land at Ramsden Dock Basin, Barrow Island:*** - Associated British Ports suggest that land adjacent the Walney Channel, shown on Plan ABP2 accompanying their objection should be included as part of the H5 housing site allocation. In their opinion, such development next to the proposed cruise ship terminal development would considerably enhance the attractiveness of the area for inward investment at the adjacent Innovation Business Park.

109. The site is located on Barrow Island and in my opinion it may be regarded as falling within the urban area of Barrow. It is a brownfield site that forms part of Local Employment Site E6, as allocated in the adopted Local Plan. It is also included within the Dock Estate Regeneration Initiative. From the evidence provided, it is my opinion that the site scores well against the criteria of paragraphs 3.1.22 and 3.2.10, and Policy B2 of the Alteration, and also against the sustainability criteria of PPG3. Therefore, I conclude that in principle the site is suitable for residential development.

110. However, in consultation with the West Lakes Renaissance, the Council is of the opinion that it would be premature to allocate this land for housing, because it is within an area that is presently allocated as being within the

Innovation Business Park, as proposed in the Barrow Port Masterplan (see Inquiry Core Document 8). The Masterplan indicates that it is possible that part of the site will be used as a cruise ship terminal. Thus, its allocation as a housing site could be prejudicial to that development. I support the Council's views on this matter. I conclude that its re-allocation for housing development could conflict with criterion iii) of paragraph 3.1.22 of the Alteration. Consequently, I do not recommend that the land shown on the Objector's plan ABP2 be allocated for housing in the Alteration.

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111. **Land at former whippet track, Roose, Barrow:** - The former whippet track is situated at the south-eastern urban fringe of Barrow and is bounded by allotments to the north and by playing fields and open countryside to the south and east. It is around 0.7 hectare in area.
112. In the Objector's opinion, RPG13 is flawed in its housing approach for Cumbria, and hence that the strategic allocation for housing in the Borough is inadequate to promote the regeneration of the Borough. He considers that provision of around 1600 dwellings during the period 2002-2016 would be more appropriate. Furthermore, that the Alteration's estimated capacity of allocated site H5 is over-optimistic. Cumulatively, these factors would result in an insufficient housing supply being identified in the Alteration. In the Objector's opinion, the omission site is brownfield land that should be allocated for housing to partly address this perceived under-supply.
113. Turning firstly to the contention that RPG13 is flawed in its approach towards housing provision in Cumbria. I disagree with the Objector that the Alteration provides an opportunity to address his perceived deficiency in the housing allocation for the Borough, in advance of the review of the Regional Spatial Strategy for the area. A review of RPG13, including its housing strategy is imminent, and in my opinion the consultation upon and public examination of that review document, upon which the Borough Council will be able to make representations, is the appropriate forum for a debate on the housing allocation for Cumbria generally and the Borough of Barrow-in-Furness in particular. It is not intended that the Alteration will extend the 'life' of the adopted Local Plan beyond 2006 and in my opinion, it would be inappropriate for the Alteration to pre-empt the RSS review process. Post 2006 the Council will be progressing the development of its LDF. Should housing numbers for Cumbria within the future RSS strategy differ from those of RPG13, this will be reflected in the forthcoming LDF and housing sites will be allocated accordingly.
114. Furthermore, I conclude at paragraph 47 of my report that the Alteration identifies a housing supply that would result in a slight over-provision of around 150 dwellings, which would bring the number of homes built to over the 1600 figure suggested by the Objector as being the appropriate supply for the Borough. Thus, the omission site is not required as an additional allocation to meet his perceived housing need for the Borough.

115. Regarding the suitability of the site in principle for residential development, from the evidence before me, I concur with the Objector that it is previously-developed, hence brownfield, as defined in Annex C to PPG3. In my assessment, the entire omission site was included within the curtilage of the former whippet track. The Council does not dispute this. I saw the remains of a building that was apparently used for ticket sales and betting. Thus in my opinion, the remains of this former development have not blended into the landscape to the extent that it can reasonably be considered as forming part of the natural surroundings, as contended by the Council. The site has an overgrown untidy appearance, and apart from vehicle and caravan storage on part of the site, it appears to be unused.
116. I consider that the site is reasonably well placed in scale and situation to existing development, services, local facilities, public transport and employment opportunities, and as far as I am aware there are no physical or ownership factors that would constrain the development of the site, including flood risk. Thus, in my opinion, it performs quite well when assessed against the sustainability criteria of paragraph 31 of PPG3.
117. However, I consider that it performs less well against the criteria of paragraph 3.1.22 of the Alteration, as expanded upon in Inquiry Core Document 19, which sets out the main principles for guiding housing development in the Borough. There is not a designated Residential Development Cordon (RDC) for Barrow. Nevertheless, I consider that the omission site lies beyond the built-up part of the town, which in my opinion, in this vicinity extends to the north of Leece Lane and west of the railway line. I saw that there is a cluster of residential development concentrated around North and South Rows and opposite on the western side of Rampside Road. But this group of development is separated from the main built-up part of Barrow by a Green Wedge, as designated in the adopted Local Plan.
118. In my opinion, development at the omission site would concentrate and extend this outer cluster of housing development south-eastwards towards the small group of development at Roosecote and it would amount to a harmful incursion into the countryside.
119. Furthermore, as acknowledged by the Objector, residential development of the site would not directly compliment or form part of the regeneration initiatives of the Borough, to which I attach considerable weight. Whilst I am sensitive to the desirability of ensuring that there are adequate development opportunities for local house building businesses, I do not consider that this factor would bring development of the omission site in line with criterion iii) of paragraph 3.1.22. The Objector also correctly points out that the development of the site would not promote criterion vii), which seeks to secure an increased provision of affordable rented housing in the central Barrow area.
120. The Objector nevertheless considers that the omission site would perform better than parts of site H5, which he contends falls within a Zone 3 high flood risk area, as defined in Table 1 to PPG25. However, the Environment Agency has not objected to any part of the site H5 allocation and I have no reason to

disagree with the Council, that pending the results of the recently commissioned Flood Risk Assessment for the land within the Dock Estate, the existing flood defence system would provide adequate protection for any future housing development. On balance, I consider that in the absence of evidence to the contrary, site H5 performs better than the omission site when assessed against all of the relevant criteria. Consequently, I conclude that the omission site should not be allocated as a housing site in preference to parts of site H5, or any of the other allocated sites. Therefore, for all of these reasons, I do not support this objection.

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121. **Land at Leece Lane, Roose, Barrow:** - The omission site relates to a parcel of land of around 1.5 hectares in area, which is situated to the sides and rear of 12 Leece Lane. It is located at the south-eastern fringe of Barrow on the southern side of the Lane, towards its eastern end. I saw that there is a short ribbon of irregularly spaced development fronting this part of Leece Lane. There is an area of Green Wedge, as designated in the adopted Local Plan to the west of Stone Dyke and the site. To the north of the site there is a new housing estate that is nearing completion, and to the south and east there is open countryside. The southern part of the site abuts a designated wildlife site referred to as 'Stone Dyke' in Policy D11 of the adopted Local Plan.
122. The omission site has a long planning history, which includes consideration as a housing omission site at two previous Local Plan Public Inquiries. In both cases the Inspectors recommended against the requested allocation of the site for housing.
123. I have concluded at paragraph 47 of my report that the Alteration makes more than adequate provision for the 1500 additional dwellings required by the Structure Plan during the period 2002-2016, comprising commitments, allocated brownfield sites and windfall sites. Thus, no additional allocations are required. Nevertheless, I now turn to consider the merits of the omission site for residential development.
124. The Objector claims that the site is derelict and contaminated, but the Council disputes that it is brownfield land as defined in PPG3, because in its opinion, any previous tipping activity has now been subsumed into the landscape. Furthermore, that part of the site makes a contribution to nature conservation. From the evidence available to me I am persuaded that the low-lying part of the site nearest to Stone Dyke has some nature conservation value. However, evidence submitted by and behalf of the Objector indicates that other parts of the site may still be contaminated and that they have not been restored. On balance, and based upon the limited detailed evidence available on this matter, I am inclined to accept that the parts of the site which were previously tipped may be regarded as being brownfield in nature. However, I consider that the remainder is greenfield. In my opinion, this weighs heavily against the appropriateness of the omission site for housing development.

125. Furthermore, although there is not a designated Residential Development Cordon for Barrow, I consider that the omission site lies beyond the built-up part of the town, which in my opinion, in this vicinity extends to the north of Leece Lane and west of the railway line. I saw that there is a cluster of development concentrated around North and South Rows and opposite, on the western side of Rampside Road. But this group of development is separated from the main built-up part of Barrow by a Green Wedge. Nor does it extend eastwards beyond Stone Dyke. Therefore, in planning policy terms, I consider that the omission site is located in the countryside.
126. In my opinion, its development would concentrate and extend this outer cluster of houses at North and South Rows eastwards into the open countryside, and would amount to a harmful incursion into it. This is a view that was also reached by the Inspectors at the previous Local Plan Public Inquiries. In addition, I do not consider that the residential development of the site would compliment or form part of the regeneration initiatives of the Borough; an objective that is fundamental to this Alteration. Consequently, I do not consider that the omission site is suitable for housing allocation.
127. I have sympathetically taken into account the personal circumstances of the Objector and his representative, but I do not consider that they justify the allocation of this site, which I consider to be unsuitable for residential development for the reasons that I give above. Therefore, I do not support this objection.

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128. ***Land to the north-east of Furness General Hospital:*** - The omission site is a greenfield parcel of land located at the north-eastern fringe of Barrow. It is roughly triangular in shape and is bounded by roads to the north and east, and by the Furness General Hospital to the west. Residential development abuts part of its northern boundary. Land further to the east, which is designated in the adopted Local Plan as a Local Landscape Area accommodates a hotel and other sporadic development. It is the Objector's opinion that the site forms part of the urban area of Barrow and has the potential to be developed as a high quality residential site that would add to the range of housing available within the Borough, and which would provide a suitable transition between the high density housing to the west and the more sporadic development to the east.
129. The Council does not dispute that the site is located within the urban area of Barrow. Nor do I disagree. In my opinion, the road forming the northern boundary of the site, to its junction with Abbey Road which is at the eastern boundary of the site, creates a strong and logical boundary to the built-up part of Barrow at its north-eastern fringe. However, this does not necessarily mean that the development of the site is appropriate, because many other factors, including aesthetic considerations have to be taken into account.
130. As I conclude at paragraph 47 of my report, the Alteration makes provision for over 1500 additional dwellings during the period 2002-2016, and achieves the

supply required by the Structure Plan. It comprises commitments, allocated brownfield sites and windfall sites. Thus, no additional allocations are required.

131. The Alteration stresses preference for the development of brownfield sites and proposes to de-allocate all greenfield sites allocated in the adopted Local Plan. However, PPG3 (paragraph 32) does not preclude the development of a greenfield site in principle, where previously-developed sites perform so poorly in relation to the criteria listed in paragraph 31 of the PPG as to preclude their use for housing. Therefore, in theory the residential development of the site could be allowed if it performs better than any of the allocated sites and there is an inadequate supply of suitable windfall sites. I turn now to consider the merits of the omission site for housing in this policy context.
132. Apart from its greenfield status, which in my opinion weighs heavily against it, I consider that the site performs reasonably well when assessed against the sustainability criteria of paragraph 31 of PPG3, and I agree that the provision of 'executive' type dwellings could add to the range of house types available within the Borough. With appropriately, sensitively designed development it could also satisfy the criteria of paragraph 3.2.10, except for its first bullet point, and Policy B2 of the Alteration.
133. However, I support the Council's concerns that housing development at the site could conflict with Policy D5, which aims to maintain a clear separation between the built-up parts of Barrow and Dalton. In my opinion, the omission site is a prominent 'gateway' site at an important route into the town. I consider that it provides an attractive green setting and a sense of spaciousness that is less apparent in the central part of Barrow. Furthermore, I do not consider that residential development at the omission site would promote the regeneration initiatives of the Borough or secure an increased provision of affordable housing in the central Barrow area, as required by criteria iii) and vii) of paragraph 3.1.22 of the Alteration.
134. No evidence has been presented to the Inquiry which indicates to me that the omission site would perform better than any of the sites allocated for housing in the Alteration, nor have I conclusive reason to think that there would be an insufficient supply of suitable brownfield sites to make up the 40% level of windfall sites anticipated in the Alteration. Provision of 'executive' style housing could be made at the allocated or windfall sites, if a demand for such dwellings were identified in the Council's forthcoming Housing Needs Study. Therefore, I do not think that this consideration is adequate justification for allowing residential development at the site. For these reasons I do not support the objection which seeks the promotion of the omission site for housing development.

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### **Sites within or adjacent to Dalton-in-Furness (Dalton)**

135. ***Land to the east of Mill Brow, Dalton:*** -This omission site comprises two parcels of greenfield land situated on the eastern side of Abbey Road at the south-western fringe of Dalton-in-Furness. They fall within an area designated as Green Wedge in the adopted Local Plan. The Objector argues that although national and local planning policy gives priority to the use of brownfield land, about a third of all new residential development will continue to take place at greenfield sites. It is argued that the objection site falls within the logical development boundary for Dalton, that the land is of poor agricultural quality and that it meets the criteria of Policy B2. Therefore, that it should be allocated for housing under Policy B1.
136. The adopted Local Plan does not define a Residential Development Cordon for Dalton, nor is one proposed in the Alteration. From my inspection of the site and its surroundings I do not consider that the site falls within the built-up part of Dalton. Development fronting this part of Abbey Road south of the centre of Dalton is sporadic and semi-rural in character. When viewed from Abbey Road and from Newton Road, both parcels of land appear to fall within the wider countryside rather than within the built-up part of Dalton. Although consideration of the Green Wedge boundary, within which the site is situated, does not fall within the scope of this Inquiry, it is nevertheless my opinion that this is an appropriate designation for the omission site, which makes an important contribution to the maintenance of a green gap between Dalton and Barrow. In my opinion, the fact that the land may be of poor agricultural quality does not detract from this important function.
137. I have concluded at paragraph 47 of my report that the Alteration makes adequate provision for the 1500 additional dwellings required by the Structure Plan during the period 2002-2016, comprising commitments, allocated brownfield sites and windfall sites. At paragraph 30 PPG3 informs that LPAs "should seek only to identify sufficient land to meet the housing requirement set as a result of the RPG and strategic planning processes." Thus, no additional allocations are required.
138. In line with national, regional and strategic policy the Alteration stresses preference for the development of brownfield sites and proposes to de-allocate all greenfield sites allocated in the adopted Local Plan. Nevertheless, PPG3 at paragraph 32 informs that the development of a greenfield site may exceptionally be permitted where previously-developed sites perform so poorly in relation to the criteria listed in paragraph 31 of the PPG as to preclude their use for housing. Therefore, in theory the residential development of the omission site could be allowed if it performs better than any of the allocated sites, or there is an inadequate supply of suitable windfall sites. I turn now to consider the merits of the omission site for housing in this policy context.
139. I acknowledge that apart from its greenfield status, which in my opinion weighs heavily against it, the omission site is reasonably sustainably located when assessed against the other criteria of paragraph 31 of PPG3. However, I consider that it scores badly against several of the criteria of paragraph 3.1.22

of the Alteration which give preference to brownfield sites, which seek to promote regeneration initiatives for the Borough, which seek to protect the character of the development's surroundings and to secure an increased provision of affordable housing in central Barrow. Nor would residential development of the site meet bullet points one and four of paragraph 3.2.10 of the Alteration, which respectively give preference to brownfield sites and seek to protect the countryside, in line with PPS7. Since I have concluded at paragraph 136 of my report above that the omission site does not lie within the built-up part of Dalton I do not consider that it is appropriate to assess its merits against the criteria of Policy B2.

140. For these reasons, I conclude that residential development is not an appropriate use of the omission site and that it should not be listed as an allocated housing site in Policy B1.

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141. ***Land at Dalton Gas Holder site, Goose Green Dalton:-*** This omission site is a small parcel of undisputed previously developed land that is allocated as housing site H11 in the adopted Local Plan. It is around 0.4 hectare in area and is located just south of the centre of Dalton. It abuts a small housing site nearing completion to the north-west and a row of terraced houses to the south-west. There is residential development, a public house and hotel to the north and an area of open space adjoins the site to the south-east, beyond which there are commercial premises. I consider that the site lies within the built-up part of Dalton.
142. Following a re-assessment of existing allocations as part of the Alteration process the Council has decided to de-allocate the site. However, as stated at paragraph 3.2.8 of the Alteration, "... the Dalton Gas Holder site and the Chatsworth Street site have not been carried forward as allocated sites in this alteration however in principle they are still considered suitable for residential use. Should they come forward for development it is considered more appropriate to deal with applications for residential development on these sites as windfall opportunities."
143. The Council's stated opinion on the suitability in principle of the omission site for residential development is reiterated in its rebuttal statements references BBC/027 and BBC/041. From the evidence before me and taking into account that the previous contamination of the site has now been remediated to the satisfaction of the Council, I have no reason to disagree with that view. However, I note that from its reason for refusal of a recent planning application for the residential development of the site some Council Members have concerns that the site may be at risk of being flooded, but this view is not supported by evidence submitted to this Inquiry.
144. As I discuss at paragraphs 63-65 of my report, it is my opinion that the reasons given in the Alteration for the de-allocation of this site are obscure and I make a recommendation concerning this at paragraph 66 of my report. The Council's rebuttal statements references BBC/023 and BBC/041 indicate that

the relatively small size of the site is the primary reason for its de-allocation. However, I find the Council's reasoning on this matter to be flawed. Firstly, because the Council acknowledges in paragraph 3.2.8 that the site meets the selection criteria of paragraph 3.2.10 of the Alteration, which makes no reference to the area of a site being a factor for selection. Secondly, in respect of its opinion of the alternative suitability of the site as a windfall opportunity. Paragraph 35 of PPG3 defines windfall sites as: "... those which have not been specifically identified as available in the local plan process. They comprise previously-developed sites that have unexpectedly become available." Clearly this is not the case of the omission site, which is allocated in the adopted Local Plan and is apparently readily available for development. In my interpretation of PPG3, the sited cannot, therefore, strictly be regarded as being a windfall opportunity site.

145. I acknowledge at paragraph 47 of my report that the Alteration makes adequate provision for housing land supply without the continued allocation of this site, but for the reasons that I give above, I consider that the Council's decision to de-allocate this site is perverse, especially taking into account that land at Crooklands Brow, which has the same shortcomings as the Dalton Gas Holder site in terms of meeting criteria iii) and vii) of paragraph 3.1.22 of the Alteration, is to be newly allocated for housing under Policy B1.

146. I consider that the particular circumstances pertaining to the Dalton Gas Holder site justify the retention of its current housing allocation. Consequently, I support the objections to its de-allocation and I recommend that the housing site designation of this site be carried forward into the Alteration and listed as an allocation in Policy B1, unless a Flood Risk Assessment indicates otherwise. With reference to my comments at paragraph 52 of my report, I would suggest that the site should come forward in Phase 2 2006-2011. Using the Plan, Monitor and Manage approach advocated by PPG3, the resulting additional slight over-provision of housing supply could be compensated for in the third phase, possibly by restricting windfall permissions, and/or as a reduced yield from site H5.

147. It should be noted that the Council's acceptance of this recommendation would have implications for the text of the Alteration at paragraph 3.2.8, Table 8 and its accompanying site notes, and the Table attached to the New Policy: Phasing, all of which would require amendment and which would add to the recommendation which I make for amendment of the Table attached to the New Policy: Phasing at paragraph 54 (d) of my report. It would also substitute the recommendation I make for amendment to paragraph 3.2.8 of the Alteration given at paragraph 66 (b) of my report.

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148. **Land at Crooklands Garage, Crooklands Brow, Dalton:** - Objections refer to two sites located on the eastern side of the Ulverston Road, to the north of Urswick Road. The larger site marked as site 'B' in the Objector's submissions is around 0.2 hectare and the smaller adjoining site 'A' is about 0.06 hectare. The smaller site forms part of the curtilage of an existing petrol filling

station/garage and the larger site, which is greenfield, is allocated as part of employment site E11 in the adopted Local Plan. The Objector contends that the smaller site forms part of a small residential enclave centred at the junction of Urswick Road with Ulverston Road and as such, is suitable for residential development. It is contended that the existing commercial use is unviable.

149. The larger site has been allocated as employment site E11 in the adopted Local Plan, but it is suggested that the fact that it has not been developed may indicate that it is surplus to employment requirements, or that its shape and location may make it unattractive for such use. The Objector considers that the re-allocation of the employment site E10 situated south of Urswick Road as housing site H2 lends support to their request that the larger objection site B is also re-allocated as a housing site.
150. During the informal hearing session at which these objections were discussed it was clarified that the smaller objection site A is excluded from the employment site E11, but in the Council's opinion, it also lies outside the built-up part of Dalton, which it considers is defined at its north-eastern extremity by Urswick Road. I disagree, because if proposed housing site H2 and allocated employment site E11 were developed, the objection site A would be situated within a continuous strip of built development that would extend from the existing main built-up part of Dalton to the roundabout junction of Ulverston Road with the A590 (T). Consequently, I consider that the site could come forward as a windfall site that would be assessed against the criteria of Policy B2 of the Alteration. I have no reason to think that it would not satisfactorily meet them.
151. Turning to the larger site B, I am not convinced by the Council's concern that residential development at the site would be unacceptably visually intrusive, taking into account its employment use allocation and anticipated development with industrial buildings. However, I consider that its greenfield status weighs heavily against its suitability for re-allocation as a housing site, particularly given that adequate provision is made in the Alteration for the Borough's housing supply requirement, comprising commitments, brownfield allocations and anticipated windfalls.
152. Furthermore, I endorse the Council's view that the site should be retained for employment purposes. Structure Plan Policy ST5 identifies the key service centres within the County. It indicates that Dalton is a key service centre suitable for moderate development appropriate to the scale and role of the settlement. The Policy requires that, amongst other considerations, appropriate provision should be made for readily available land in the Local Employment Site market sector. If site E10 is re-allocated for housing as proposed by the Alteration, site E11, which the objection site forms a part would be the only remaining undeveloped employment site in Dalton. In my opinion, it should retain that allocation in order to satisfy this aspect of Structure Plan Policy ST5.

153. I have taken into account the Objector's opinions that the shape and means of accessing the site, together with the owner's intentions regarding the future use of the objection site could constrain its employment development, but as there is not a shortage of housing land in the Borough, I do not find these to be compelling reasons to re-allocate the land for housing. Consequently, I do not support these objections.
154. **Land at Lord Street, Dalton:** - The omission site comprises two linked parcels of land located on the northern side of Ulverston Road, approximately opposite the proposed H2 housing site at Crooklands Brow. One part of the site is situated between dwellings off Lord Street and to the west of the primary school. The other adjoins the school's grounds to the north. The land was part of a former quarry, but it is now mainly overgrown and is used for grazing. Except for a small part of the site adjacent to the Lord Street residential development the land is steeply sloping. The majority of the site is designated as Green Wedge in the adopted Local Plan. The Objector contends that by virtue of its previous use the entire site is brownfield and that it should be allocated for housing in preference to site H2, which should be retained as an employment site.
155. A planning permission that has now expired was granted for a single dwelling on a very small part of the site that measures approximately 30 metres x 20 metres and which formed part of the quarry floor. The Council maintains that this is the only part of the site that falls within the Annex C of PPG3 definition of previously-developed land, since the remainder is overgrown and all former structures have been subsumed into the landscape.
156. My views of the site were confined to public vantage points and from the school driveway. I agree with the Council that the part of the omission site to the north of the school is greenfield, and that it is prominent in landscape terms. Therefore, it would score poorly against national and local site selection criteria. Consequently, I do not consider that it is suitable for housing.
157. However, it seems to me that it could be argued that the previous use of the part of the site to the west of the school is still apparent and, therefore, it could be regarded as being brownfield. It is my opinion also that this part of the site contributes less to the Green Wedge objectives and that it logically falls within the built-up part of Dalton. I consider that in terms of national and local site selection criteria this western part of the site scores similarly as well as the proposed H2 site. However, access through existing development in the Lord Street area could be problematic.
158. I have no reason to disagree with the Council's assessment that the proposed H2 housing site is surplus to industrial land requirements and that its linear shape and proximity to housing constrain employment use. However, in my view its greatest advantage over the western part of the omission site is provision for access. For this reason, I do not recommend that the western part of the omission site is allocated in preference to the H2 site. Nevertheless, I consider that it is possible that part of this land may have some potential as a windfall site, if satisfactory access to it can be gained.

159. **Land at Broughton Road, Dalton:** - This omission site is a triangular parcel of elevated, greenfield agricultural land that is designated as Green Wedge and as part of a Wildlife Corridor. It is located just south of the A590 (T), and in my opinion, it is situated outside the built-up part of Dalton. Taking all of these factors into consideration, I consider that it scores poorly when assessed against site selection criteria set out in paragraph 31 of PPG3 and those contained in the Alteration at paragraphs 3.1.22 and 3.2.10. In my opinion, residential development, including affordable housing would be inappropriate in this location.
160. Furthermore, as I have concluded at paragraph 47 of my report, the Alteration makes adequate provision for around 1500 additional dwellings during the period 2002-2016, as required by the Structure Plan, comprising commitments, allocated brownfield sites and windfall sites. At paragraph 30 PPG3 informs that LPAs "should seek only to identify sufficient land to meet the housing requirement set as a result of the RPG and strategic planning processes." Thus, no additional allocations are required. For these reasons I do not support this objection.

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#### **Sites within and adjacent to Askam-in-Furness and Ireleth (Askam)**

161. **Land at Parklands, Askam:** - Objections relate to two parcels of land at the eastern edge of Askam. The smaller area of land is situated to the rear of a dwelling known as Dale View. The larger is an adjoining strip of land to the rear of properties in Alexander Place. Both sites form the curtilage of Dale View and both lie outside the Residential Development Cordon (RDC) for Askam, as delineated in the adopted Local Plan. The Alteration also shows the objection sites as being outside the RDC.
162. The objections primarily concern the exclusion of the sites from the RDC, which I consider later in my report and conclude at paragraphs 241-242 that they should not be included within the RDC for the village. However, both representations also request the allocation of the sites for housing. The Objector acknowledges that such allocations would not contribute directly to the regeneration initiatives of the Borough, but argues that housing development at the sites would provide work for an established local building business.
163. Turning to the merits of these arguments, I have concluded at paragraph 47 of my report that the Alteration makes adequate provision for about 1500 additional dwellings during the period 2002-2016, as required by the Structure Plan, comprising commitments, allocated brownfield sites and windfall sites. At paragraph 30 PPG3 informs that LPAs "should seek only to identify sufficient land to meet the housing requirement set as a result of the RPG and strategic planning processes." Thus, no additional allocations are required.
164. Since the omission sites form part of a residential curtilage, they are brownfield sites, as defined in PPG3. However, a footnote to its Annex C

definition explains that this does not mean that the whole area of a curtilage should be redeveloped. It is my perception that the omission sites form part of a wider area of undeveloped land to the south and east of the village, and whilst they are not used for agriculture, they visually form part of the countryside. In my opinion, the development of these sites for housing would appear to encroach into that countryside. For these reasons I do not support these objections and I do not recommend that the sites be allocated for housing.

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165. **Land at Lots Road, Askam:** - Three objections relate to greenfield land at the eastern edge of Askam, on the western side of Lots Road, opposite the primary school. It is situated immediately to the north of the objection sites discussed above. The omission site lies outside the Residential Development Cordon for Askam, as delineated in both the adopted Local Plan and in the Alteration.
166. These representations object to the exclusion of the site from the RDC. I consider this aspect of the objections later in my report, where I conclude at paragraph 245 that the site should not be included within the RDC for the village. However, the representations also request the allocation of the site for housing. A similar request was made, but not supported by the Council or the Inspector at the Public Inquiry into outstanding objections to the Local Plan Review. However, the Objectors consider that circumstances have since changed because previously two other sites were allocated for development, at Duddon Heights and Beach Street/Sharp Street. In the Alteration only the latter site, H3, is allocated, and this is constrained by unauthorised users and is not immediately available for development. In addition, it is considered that there is a demand for affordable housing in the village which could be provided at the omission site.
167. However, I have concluded at paragraph 47 of my report that the Alteration makes adequate provision for approximately 1500 additional dwellings during the period 2002-2016, including provision for affordable housing, as required by the Structure Plan, comprising commitments, allocated brownfield sites and windfall sites, mainly in the urban areas of the Borough. At paragraph 30, PPG3 informs that LPAs "should seek only to identify sufficient land to meet the housing requirement set as a result of the RPG and strategic planning processes." Thus, no additional allocations are required.
168. Furthermore, in line with national, regional and strategic guidance, the Alteration stresses preference for the development of brownfield sites and proposes to de-allocate all greenfield sites allocated in the adopted Local Plan. I am aware that planning permission for residential development at the site was granted in the 1960's, but this permission has long since expired and pre-dated current planning policy. Under current policy, and in the context of the Borough where there is an ample supply of brownfield sites, I consider that the greenfield status of the site weighs heavily against it.

169. Nevertheless, PPG3 (paragraph 32) does not preclude the development of a greenfield site in principle, where previously-developed sites perform so poorly in relation to the criteria listed in paragraph 31 of the PPG as to preclude their use for housing. However, it is not a matter simply of comparing the merits of this greenfield objection site against the allocated site H3, because I support the view of the Council and GONW that the Borough should be treated as a single housing market when considering sites for new dwellings. Whilst the Beach Street site is not immediately available for development, I do not think that the Council's anticipation that it will come forward during the period 2006-2011, when it is phased for development, is miss-placed. Even if it did not, I am persuaded by the Council's evidence that there are sufficient suitable and available, alternative brownfield sites within the Borough. Furthermore, it is my opinion that it would be premature and pre-emptive to allocate a site for affordable housing in Askam in advance of the Council's imminent Housing Needs Survey.
170. In addition, it is my perception that the objection site forms part of a wider area of undeveloped land to the south and east of the village, which forms part of the countryside. In my opinion, the development of the objection site for housing would encroach into that countryside, contrary to national and local planning policy. For these reasons I do not support these objections and I do not recommend that the site be allocated for housing.

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#### **Other omission sites**

171. ***Land opposite 12 London Road, Lindal-in-Furness:*** - This omission site comprises greenfield, allotment land situated on the eastern side of London Road. It lies outside the Residential Development Cordon for Lindal-in-Furness as delineated in both the adopted Local Plan and in the Alteration. The representation objects to the exclusion of the site from the Residential Development Cordon for the village. I consider this aspect of the objection later in my report, where I conclude at paragraph 251 that the site should not be included within the RDC for the village. However, the representation also requests the allocation of the site for housing. The Objector considers that it is particularly suitable for affordable housing, for which they perceive demand in this and at the neighbouring village of Marton.
172. I have concluded at paragraph 47 of my report that the Alteration makes adequate provision for around 1500 additional dwellings during the period 2002-2016, including provision for affordable housing, as required by the Structure Plan, comprising commitments, allocated brownfield sites and windfall sites, mainly in the urban areas of the Borough. At paragraph 30 PPG3 informs that LPAs, "should seek only to identify sufficient land to meet the housing requirement set as a result of the RPG and strategic planning processes." Thus, no additional allocations are required to justify the additional allocation of this site.

173. It is the view of the Council that whilst affordability is not a significant concern generally within the Borough, it acknowledges that it may be an issue in more rural parts of the Borough, particularly in Lindal-in-Furness, where house prices are increasing to reflect the proximity of that part of the Borough to the Lake District, where property values are significantly higher than in other parts of the region. It has, therefore, commissioned the carrying out of a Housing Needs Survey that will be undertaken later this year.
174. In my opinion, it would be premature to pre-empt the findings of this survey. If the results of the survey indicate that there is a rural affordable housing need that should be addressed, this is a matter that can be fed into the Council's forthcoming LDF process, which it will be commencing in the near future. For these reasons I do not support this objection.

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175. **Land at Thwaite Flat:** - The omission site is around 0.4 hectare in area. It is enclosed by a railway line to the east, beyond which land is designated as a Local Landscape Area and a Wildlife Corridor, and by the A590 (T) to the north, which has severed it from agricultural land to the north. The site previously formed part of an iron ore mining complex, but from my observations, the remains of that former activity have now blended into the landscape. Consequently, I consider the omission site to be greenfield land, as defined in Annex C to PPG3. I also saw that it is prominent in the landscape from several public vantage points.
176. The Objector points out that the site is serviced and can be accessed from a cul-de-sac that serves his adjoining dwelling. He contends that due to its small size the land cannot be put to any beneficial use. A residential allocation of the site is therefore sought. Examples of recent development in the vicinity are cited in support of the proposition. Previous applications for development of the omission site have been refused by the Council and dismissed on appeal. The site was also considered and rejected by the Inspector who considered outstanding objections to the Local Plan Review, which now forms the adopted Plan for the Borough.
177. Circumstances have not changed materially since then, except that both national and local planning policy place greater emphasis on the sustainable location of development and on the use of brownfield sites.
178. Thwaite Flat is a small hamlet in the open countryside that is not served by any shops, other local facilities or public transport. For this reason it is not classified as a village with a Residential Development Cordon, nor is it proposed to introduce one as part of this Alteration. Consequently, the omission site falls to be considered under national and local countryside policies wherein new residential development is strictly controlled.
179. In my opinion, the site is unsuitable for residential development for several reasons. It is unsustainably located, it would encroach into the countryside, it would be intrusive in the landscape from several public vantage points and it

would conflict with national and local policy which seeks to direct new housing development primarily to urban areas. Furthermore, the Alteration identifies an adequate supply of housing land in more suitable locations to meet the Structure Plan requirement.

180. I have taken into account that other development has taken place in the vicinity in recent times, but I am satisfied by the Council's explanations that the planning permissions granted for those other commercial and conversion developments complied with the planning policy pertaining at the time they were granted. I also sympathise with the Objector's personal circumstances, but in my view neither of these considerations is sufficient to justify harmful consolidation and extension of this small hamlet of dwellings in the countryside. For these reasons I do not support this objection.

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181. ***Land at Greenhaume Farm Cottage, Askam Road, Greenhaume:-*** The representation relating to this site is made under Policy B9, but it does not refer specifically to the wording of that Policy; it objects to the non-inclusion in the Alteration of the site, which the Objector considers to be an infill site. I have, therefore, considered it as being an omission site.

182. The site is a small field situated within a gap in a short ribbon of isolated houses on the southern side of Askam Road. It does not appear to fall within a residential curtilage and in my opinion, it is greenfield in nature. Open land surrounds the site, except at its north-western boundary, which abuts the curtilage of Greenhaume Farm Cottage. In my opinion, it is not an infill site, and in any case, it scores very badly when assessed against the national and local sequential approach for the siting of new residential development. It is remote from local services, and as far as I am aware, also from access to public transport. It is not, therefore sustainably located. Nor would its development contribute to the promotion of the regeneration initiatives of the Borough.

183. Furthermore, to allow this development would conflict with national policy contained in PPS7 and local planning policies, which aim to strictly constrain residential development in the countryside, except in the specific circumstances referred to in Policy B9 of the Alteration. For these reasons, I consider that the omission site is unsuitable for residential development. I do not support the objection.

## RECOMMENDATIONS

184. **(a) I RECOMMEND that unless a Flood Risk Assessment indicates that the Dalton Gas Holder site is unsuitable for residential development the Alteration be modified by carrying forward the allocation of this site as a housing site listed in Policy B1. I further recommend that the Alteration be modified by appropriate consequential amendments to paragraph 3.2.8 of the Alteration, to Table 8 and its accompanying site**

notes and to the Table attached to the New Policy: Phasing, where the site should be included in Phase 2: 2006-2011.

(b) I RECOMMEND no further modification to the Alteration in response to these objections.

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### Windfall Sites

#### Paragraph 3.2.12

#### ***Objection to Second Deposit Draft***

3.2.12/149/048

Alan Hubbard, The National Trust

#### ***Key Issue***

Whether text given at paragraph 3.2.12 of the Alteration should be included within Policy B2.

#### ***Inspector's Reasoning and Conclusions***

185. Paragraph 3.2.12 of the Alteration informs that proposals for residential development on windfall sites should take into account the requirements of the Structure Plan, particularly Policy ST3, parking guidelines and principles of 'Secure by Design'. The Council considers that it would be unnecessary duplication to also include this detail within Policy B2 of the Alteration, which sets out the criteria against which proposals for residential development on unallocated sites are assessed. But it does not object to additional wording being added to the Policy if I recommend that it is necessary.

186. As the National Trust points out, since the word 'brownfield' was deleted from the first sentence of Policy B2 at the Second Deposit stage, it is possible that important greenfield sites within existing settlements could come forward and be in compliance with all of the criteria of the Policy, and thus be eligible for development. Clearly this is not the intention, but in my opinion, the omission of reference to the sequential approach, which is an important national, regional and strategic policy consideration, could lead to ambiguity and disagreement at the development control stage. Similarly, I think that promoting a safe and secure environment is an important consideration that should be specifically included within Policy B2. Therefore, I support this objection.

#### **RECOMMENDATION**

187. (a) I RECOMMEND that the Alteration be modified by amending the first sentence of Policy B2 to read:

Applications for residential development on unallocated sites will be permitted where they accord with the sequential approach of the Structure Plan and also satisfy the following criteria:

(b) I RECOMMEND that the Alteration be modified by amending criterion ii) of Policy B2 to read:

ii) The siting, layout and design (in the materials and form of the buildings) of the development is sensitive to the local environment, it promotes the principles of 'Secure by Design' and adequate parking provision is made; and

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### Policy B2

#### *Objections to First Deposit Draft*

B2/059/036  
B2/060/044  
B2/061/034

Graham Hale, CPRE  
Paul Swain, Environment Agency  
Chris Bamber, Government Office North  
West

B2/062/025  
B2/064/048

R Howard, Cumbria County Council  
Alan Hubbard, The National Trust

#### *Objection to Second Deposit Draft*

B2/151/054

D Knight, Holker Estates Ltd

#### *Key Issues*

(i) Whether Policy B2 should be amended to safeguard against development that would be detrimental to the regeneration of the central parts of Barrow.

(ii) Whether Policy B2 provides adequate criteria for the assessment of residential proposals on greenfield sites.

(iii) Whether Policy B2 includes sufficient criteria against which residential development on unallocated sites may be assessed.

(iv) Whether criterion iii) of Policy B2 should be amended to clarify that 'Adequate service(s)' also refers to water supplies, foul and surface water sewerage and sewage treatment, and that adequate remediation is carried out to contaminated sites.

(v) Whether criterion iv) of Policy B2 gives appropriate consideration to energy efficiency matters.

## ***Inspector's Reasoning and Conclusions***

188. **Issues (i) and (ii):** - In response to a criticism by GONW that Policy B2 gives insufficient recognition to the importance of housing market renewal in the central parts of Barrow the preamble to the Policy given at paragraph 3.2.12 of the Alteration was amended at the Second Deposit stage to include the need for development to take account of the "requirements of the Structure Plan, particularly policy ST3", which refers to the sequential approach for the location of new residential development.
189. I consider that since many of the windfall and hence, by definition, brownfield sites (see paragraph 35 of PPG3) are likely to occur within the central parts of Barrow as a result of implementation of the Borough's regeneration initiatives, the inclusion of this phrase is useful. But, this preamble sits under the sub-heading, 'Windfall Sites' and hence, in my interpretation, provides guidance for the consideration of brownfield sites only.
190. However, in response to an objection by Cumbria County Council, the reference to 'brownfield' sites was removed from the text of Policy B2. Whilst I consider that this is helpful, because it enables the criteria of the Policy to be also applied to greenfield sites and it meets this objection, the widening of the scope of the Policy in this way results in the preamble, which refers specifically to windfall (brownfield) sites and hence the cross reference to Structure Plan Policy ST3, not being strictly applicable to greenfield sites. Thus, the intention of the Council to not allow the net gain of dwelling units that arise from demolitions to be used elsewhere in the Borough is weakened. I consider that this could be rectified by changing the sub-heading of the preamble to, 'Unallocated Sites' and by adding reference to the desirability of promoting the regeneration of the central parts of Barrow to paragraph 3.2.11.
191. **Issue (iii):** - The CPRE points out that Policy B2 forms the basis for the consideration of all unallocated sites in the Borough, not only in the large urban settlements of Barrow and Dalton, but also in the rural villages. Consequently, it is its opinion that it should contain clear criteria that deal with all aspects of PPG3 guidance, including monitoring.
192. However, I do not support this objection. As pointed out in PPG12, it is not the role of development plans to duplicate national planning policy in local plans. I consider that Policy B2, if amended in accordance with my recommendations given at paragraphs 187 and 196 of my report, will provide adequate criteria against which to assess the merits of proposals for new residential development on unallocated sites throughout the Borough. I am satisfied by the Council's explanations that any shortcomings of the Alteration regarding the PMM approach advocated in PPG3 will be addressed in its forthcoming preparation of its LDF.
193. **Issue (iv):**- In response to a criticism by the Environment Agency that criterion iii) of Policy B2 does not make it explicit that 'Adequate service(s)' also refers to water supplies, foul and surface water sewerage and sewage treatment, and fails to highlight the need to ensure that brownfield sites are

adequately remediated in relation to contamination, the Council intends to amend Policy B2 in accordance with FNACs 7-11 inclusive. I endorse these proposed non-advertised changes, which I consider would cumulatively meet this objection and would add considerable value to the Policy.

194. **Issue (v):-** The National Trust welcomes the requirement for new developments to be laid out to maximise energy efficiency, but it requests that other energy efficiency considerations, including design and materials should also be taken into account. However, Holker Estates Company Ltd is concerned that the costs of maximising energy efficiency may detract from the attractiveness to developers of redeveloping brownfield sites.
195. In addition to criterion iv) of Policy B2, the desirability of promoting energy efficiency in new development is referred to in Policy D50 of the adopted Local Plan, which presumes in favour of development, which shows that reduction in energy is being optimised by means of layout, design, construction or alternative technology. In my opinion, these two references and the supplementary residential design guidance, which the Council intends to produce in the near future, place the appropriate emphasis on this consideration, which I do not consider to be unduly onerous on developers of brownfield sites. For these reasons, I do not support these objections.

## RECOMMENDATIONS

196. (a) I RECOMMEND that the Alteration be modified by changing the sub-heading above paragraph 3.2.10 to; **Unallocated Sites.**

(b) I RECOMMEND that the Alteration be modified by amending paragraph 3.2.11 so that it reads:

It is, therefore, necessary to ensure that unallocated sites that will be brought forward for housing use are acceptable, particularly in order to satisfy Government targets and to promote housing market renewal in the central parts of Barrow.

(c) I RECOMMEND that the Alteration be modified by deleting criterion iii) of Policy B2 and **substituting** it with a new criterion iii) in accordance with **FNAC 7, which would read:**

iii) Adequate access arrangements can be provided, including servicing of the site by public transport and by the cycle routes; and

(d) I RECOMMEND that the Alteration be modified by adding the word 'and;' at the end of criterion vi) of Policy B2 and by adding the following three extra criteria to Policy B2 in accordance with **FNACs 8-11 inclusive:**

- vii) Adequate water supplies, foul and surface water sewers and sewerage treatment facilities exist or can be provided and;
- viii) The development will not be at risk of flooding or create/exacerbate flooding problems elsewhere and;
- ix) Where contamination is suspected, a desk study is undertaken and, if necessary, a site investigation is undertaken and a remediation strategy submitted.

(e) I RECOMMEND no further modification to the Alteration in response to these objections.

*Inspector's Note: I make a further recommendations for amendment to Policy B2 at paragraphs 187 and 252 (b) of my report. These are all mutually inclusive.*

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### **Paragraph 3.2.13 and Policy B3**

#### ***Objections to First Deposit Draft***

3.2.14/065/034

Chris Bamber, Government Office North West

B3/067/048

Alan Hubbard, The National Trust - CW

B3/070/035

RPS – BT Plc - CW

#### ***Objection to Second Deposit Draft***

B3/153/051

Stephens Associates – Neil Price Ltd

#### ***Key Issues***

(i) Whether the wording of paragraph 3.2.13 of the Alteration is too negative.

(ii) Whether the wording of Policy B3 is too inflexible.

#### ***Inspector's Reasoning and Conclusions***

197. **Issue (i):-** In response to an objection by GONW that the last sentence of paragraph 3.2.13 of the FDD, which informs that "...however in the interests of regeneration the Authority consider that it is not suitable to insist on replacing high density cleared sites with a similar numbers of dwellings.", is too negative, it was amended at the Second Deposit stage by the insertion of the word 'always' before the word 'suitable'. In my opinion, this amendment better reflects government policy on residential density and current practise elsewhere. In my view, it also satisfies the objection.

198. **Issue (ii):-** Several objectors comment that the FDD wording of Policy B3 is too inflexible in requiring a density of 30 dwellings per hectare, since it would preclude development achieving higher densities. They point out that this would not accord with the thrust of paragraph 58 of PPG3 and that it is contradictory with Table 8 of Policy B1, which indicates densities greater than 30 dph at some of the allocated sites. In response, the policy was amended at the Second Deposit stage to state that densities of "at least" 30 dph will be sought, with higher densities sought in accessible locations and/or where consistent with good urban design principles. I consider that these changes greatly improve the policy. On their basis, The National Trust and BT Plc have conditionally withdrawn their objections.
199. However, these changes to Policy B3 have given rise to a counter objection made on behalf of Neil Price Limited, who considers that the Policy inappropriately precludes development having a density of less than 30 dph. In the Objector's opinion, the Government's objective of seeking more efficient use of land set out in PPG3 is focussed on areas of high demand and is not an imperative in Barrow-in-Furness, where the priority of regional and strategic policy is the economic regeneration of the Borough. In support of this argument reference is made to the policies of neighbouring LPAs, which permit lower densities at appropriate sites within their areas, and to a recent appeal decision within the Barrow area in which the Inspector acknowledged that the achievement of a residential density of 30 dph could conflict with design objectives of the adopted Local Plan.
200. I do not support the Objector's view that the guidance of paragraph 58 of PPG3 is not directly applicable to Barrow-in-Furness and other areas of low demand housing in the north-west. Nor is that view supported by GONW. To me, the first bullet point of the paragraph, which refers to the avoidance of developments having a density of less than 30 dph, is quite clear in this regard. Paragraph 54 of the PPG advises that the use of imaginative design can enable efficient use of land without compromising the quality of the environment. There is no indication in the PPG that this national policy should be interpreted differently in various parts of the country.
201. Nevertheless, I acknowledge that in order to provide for a range of house types, including 'executive' homes set in large plots that may help to promote inward investment, some development at lower density may be necessary within the Borough. In my opinion, associated text to the Policy at paragraph 3.2.14 makes adequate provision for this, on larger sites.
202. However, as conceded by the Council at the informal hearing session relating to this objection, it would be helpful if the associated text also acknowledged that the Council will operate the Policy flexibly to exceptionally permit development at a lower density on difficult to develop sites that would otherwise lie vacant.

## RECOMMENDATIONS

203. (a) I RECOMMEND that the Alteration be modified by adding a sentence to paragraph 3.2.13, which clarifies that the Council will operate Policy B3 flexibly in order to exceptionally permit development at a lower density on a difficult to develop site, where it is demonstrated that it would otherwise lie vacant.

(b) I RECOMMEND no further modification to the Alteration in response to these objections.

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### Affordable Housing

#### Paragraph 3.2.15

#### *Objection to First Deposit Draft*

3.2.15/0071/036

Graham Hale, CPRE

#### *Key Issue*

Whether there is a requirement for a Housing Needs Survey of the entire Borough to be carried out that assesses the needs for all types, size and tenure of accommodation, and which is not just specific to affordable housing needs.

#### *Inspector's Reasoning and Conclusions*

204. I agree with the CPRE that it is important that a Housing Needs Survey is carried out for the whole Borough, which takes account of the needs for all types, size and tenure of accommodation and which is not just specific to affordable housing needs. In my opinion, this is important information that is essentially required to feed into the forthcoming LDF process.

205. However, the Council has stated in its rebuttal, reference BBC/066, to this objection that such a study has been commissioned to be carried out later this year. I am satisfied with this response, which I consider meets the objection.

## RECOMMENDATION

206. I RECOMMEND no modification to the Alteration in response to this objection.

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## **Part 3: Specific Areas**

### **Urban Areas** **Paragraph 3.3.1**

#### ***Objection to First Deposit Draft***

3.3.1/072/020

Oliver Bird, North West Regional Assembly

#### ***Key Issue***

Whether reference should be made to Regional Planning Guidance in paragraph 3.3.1 of the Alteration.

#### ***Inspector's Reasoning and Conclusions***

207. In response to this objection by the NWRA, reference to Regional Planning Guidance was added to the beginning of paragraph 3.3.1 at the Second Deposit stage. I consider that this is helpful and that it meets the objection.

#### **RECOMMENDATION**

208. **I RECOMMEND no modification to the Alteration in response to this objection.**

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### **Paragraph 3.3.2**

#### ***Objection to First Deposit Draft***

3.3.2/074/044

Paul Swain, Environment Agency

#### ***Objection to Second Deposit Draft***

3.3.2/156/044

Paul Swain, Environment Agency - CW

#### ***Key Issue***

Whether paragraph 3.3.2 of the Alteration should make reference to the fact that some brownfield sites, which may come forward as windfalls may be contaminated and in need of remediation before the commencement of housing development.

#### ***Inspector's Reasoning and Conclusions***

209. In response to an objection made by the Environment Agency that paragraph 3.3.2 of the FDD fails to mention that windfalls may be contaminated and in need of remediation before the commencement of housing development, the Council added an additional sentence at the end of paragraph 3.3.2 at the

Second Deposit stage. It informs that: "Before development takes place on contaminated sites or sites with a history of previous development, desk top studies will need to be undertaken and, if necessary, site investigations carried out and remediation strategies submitted."

210. This additional wording does not exactly match that suggested by the Environment Agency and gave rise to a counter objection from it at the Second Deposit stage, but this has been subsequently conditionally withdrawn.

211. In my opinion, the wording of the added text is acceptable and I endorse the change to paragraph 3.3.2 of the Alteration.

## **RECOMMENDATION**

212. **I RECOMMEND no modification to the Alteration in response to these objections.**

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### **Policy B4**

#### ***Objections to First Deposit Draft***

B4/075/044

B4/076/035

B4/077/036

Paul Swain, Environment Agency

RPS – BT Plc

Graham Hale, CPRE

#### ***Key Issues***

(i) Whether the criteria of Policy B4 for assessing the suitability of housing development on brownfield sites in Barrow and Dalton are satisfactory.

(ii) Whether the definition of 'employment purposes/use' as used in the context of Policy B4 should be clarified.

#### ***Inspector's Reasoning and Conclusions***

213. **Issue (i):-** The Environment Agency's objection to Policy B4 was made on the basis that in the FDD Policy B2, to which Policy B4 cross-refers, did not make reference to water supplies, foul and surface water sewerage and sewage treatment, and the need to ensure that brownfield sites are adequately remediated in relation to contamination. I recommend at paragraph 196 of my report that Policy B2 be amended in accordance with FNACs 7-11 inclusive, which would add criteria that refer to these matters. In my opinion, this recommendation also meets the Agency's objection to Policy B4.

214. The CPRE points out that Policy B2 forms the basis for the consideration of all unallocated sites in the Borough, not only in the large urban settlements of Barrow and Dalton, but also in the rural villages. Consequently, it is its opinion that it should contain clear criteria that deal with all aspects of PPG3 guidance, including monitoring.

215. However, I do not support this objection. As pointed out in PPG12, it is not the role of development plans to duplicate national, regional or strategic planning policy in local plans. Therefore, I think that it is unnecessary to duplicate guidance contained in PPG3 and other planning policy documents. I consider that Policy B2, if amended in accordance with my recommendations given at paragraphs 187, 196 and 252 of my report, will provide adequate criteria that reflect local circumstances, against which the merits of proposals for new residential development on unallocated sites throughout the Borough may be assessed. Consequently, it is my opinion that Policy B4, which cross-refers to Policy B2, would also provide satisfactory criteria against which to assess proposals for new dwellings or conversions of existing buildings on suitable brownfield sites in Barrow and Dalton.

216. **Issue (ii):-** BT Plc operates several sites within the urban areas of Barrow and Dalton. It requests that the reference to 'employment purposes/use' in Policy B4 be defined as and restricted to activities falling within Classes B1, B2 or B3. However, I consider that defining the Policy in this way would be over-prescriptive. In my opinion, Policy B4 as worded in the Alteration provides appropriate flexibility for its application. Therefore, I do not support this objection.

## **RECOMMENDATION**

217. **I RECOMMEND no modification to the Alteration in response to these objections.**

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### **Policy B5**

#### ***Objection to First Deposit Draft***

B5/078/044

Paul Swain, Environment Agency

#### ***Key Issue***

Whether an additional criterion which refers to water supply, foul and surface water sewerage and sewage treatment should be added to Policy B5.

#### ***Inspector's Reasoning and Conclusions***

218. Policy B5 sets out criteria against which proposals for the sub-division of existing properties in residential areas to flats are assessed. In response to an objection made to the Policy by the Environment Agency an additional criterion was added at the Second Deposit change, which requires that: "Adequate capacity either exists or can be provided in relation to water supply, foul and surface water sewerage and sewerage treatment." I endorse this change, which I consider satisfies the objection.

**RECOMMENDATION**

219. I RECOMMEND no modification to the Alteration in response to this objection.

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**Policy B6 and Paragraph 3.3.5**

***Objection to First Deposit Draft***

3.3.5/079/044

Paul Swain, Environment Agency

***Key Issue***

Whether further text should be added to paragraph 3.2.5 and an additional criterion should be added to Policy B6, which refer to water supply, foul and surface water sewerage and sewage treatment.

***Inspector's Reasoning and Conclusions***

220. Policy B6 and its associated text at paragraph 3.3.5 set out criteria and guidance against which proposals for back land development is assessed. In response to an objection made to the Policy and the text by the Environment Agency an additional criterion was added at the Second Deposit change, which requires that: "Adequate capacity either exists or can be provided in relation to water supply, foul and surface water sewerage and sewerage treatment." I endorse this change, which I consider partly meets the objection. In my opinion, it would be unnecessary detail to also include reference to these requirements in paragraph 3.2.5 of the Alteration.

**RECOMMENDATION**

221. I RECOMMEND no modification to the Alteration in response to this objection.

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**Policy B8**

***Objection to Second Deposit Draft***

B8/159/054

D Knight, Holker Estates Ltd

***Key Issue***

Whether the intended Neighbourhood Renewal Areas and Clearance Areas should be defined in the Alteration.

### ***Inspector's Reasoning and Conclusions***

222. I agree in principle with the Objector that it would be helpful and would add clarity to the Plan if the intended Neighbourhood Renewal and Clearance Areas were defined in the Plan. However, detailed survey work is still underway to define these matters. It has not, therefore, been possible for the Council to include these details in the Alteration. I would urge the Council to include such designations in its future DPDs, which will replace the adopted Local Plan and this Alteration in the near future.

### **RECOMMENDATION**

223. **I RECOMMEND no modification to the Alteration in response to this objection.**

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### **Policy B9**

#### ***Objections to First Deposit Draft***

B9/080/020	Oliver Bird, North West Regional Assembly
B9/081/035	RPS – BT Plc
B9/082/015 (see Policy B1 omission sites)	Mr D Smith

#### ***Objection to Second Deposit Draft***

B9/161/054	D Knight, Holker Estates Ltd
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#### ***Key Issues***

(i) Whether the reference in Policy B9 to national policy concerning development in the rural areas should be changed to PPS7.

(ii) Whether Policy B9 should be amended to permit the re-use of existing sites and buildings in the rural areas for residential purposes.

*Inspector's Note: The representation reference B9/082/015 does not refer specifically to the wording of Policy B9; it objects to the non-inclusion in the Alteration of land at Greenhaume Farm Cottage, which the Objector considers to be an infill site suitable for residential development. I have, therefore, considered it as being an omission site in paragraphs 181-183 inclusive of my report.*

### ***Inspector's Reasoning and Conclusions***

224. **Issue (i):-** In response to an objection made by the NWRA, the reference to PPG7 in Policy B9 of the Alteration was appropriately amended to PPS7 at the Second Deposit stage. I consider that this change suitably updates the Alteration and that it meets the objection.

225. **Issue (ii):-** It is objected that Policy B9 prevents the re-use of existing buildings in the rural areas unless the conversion is essentially required for agriculture or forestry worker's accommodation. BT PLC argue that they have many sites in the rural areas which, if they became surplus to requirements, could lie vacant and become derelict, as residential may be the only viable alternative use. Holker Estates Company Ltd suggests that conversion of rural buildings to live/work accommodation should be permitted by the Policy.
226. Policy B9 does not preclude the re-use of existing rural buildings, but it does strictly constrain conversion to residential use. In the Council's opinion, the Policy reflects the most up-to-date national advice on this matter. However, I consider that Policy B9 is more restrictive than PPS7, which at paragraph 17 states that: "Re-use for economic development purposes will usually be preferable, but residential conversions may be more appropriate in some locations, and for some types of buildings. Planning authorities should therefore set out in LDDs their policy criteria for permitting the conversion and re-use of buildings in the countryside for economic, residential and any other purposes, including mixed uses."
227. The Council has not provided any justification as to why it considers that the Barrow context warrants such a limited range of permissible re-uses of existing rural buildings. In the absence of such justification I consider that Policy B9 is over restrictive and could result in some rural buildings lying vacant and becoming derelict. I do not think that this is the intention of Government policy, or its objectives for achieving sustainable development. Consequently, I support these objections and conclude that Policy B9 should be made more flexible with regard to permitted uses of converted buildings in the countryside.
228. I note that the adopted Local Plan contains Policy B13, which sets out criteria for the conversion of agricultural and other rural buildings to residential use, but this will apparently be deleted when the Alteration is adopted. No explanation has been given for its deletion, which I consider would be regrettable. In my opinion, its criteria conform to national policy for the conversion of rural buildings set out in PPS7 and should be reinstated as criteria to Alteration Policy B9.

## RECOMMENDATION

229. **I RECOMMEND that the Alteration be modified by amending Policy B9 to be more flexible regarding the permitted use of conversions of rural buildings to residential by adding the word 'or,' to the end of the Policy followed by the addition of criteria b) to e) inclusive of Policy B13 of the adopted Local Plan, which should be re-numbered a) to d).**

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## **Policy B10**

### ***Objection to First Deposit Draft***

B9/083/020

Oliver Bird, North West Regional Assembly

### ***Key Issue***

Whether the reference in Policy B10 to national policy concerning development in the rural areas should be changed to PPS7.

### ***Inspector's Reasoning and Conclusions***

230. In response to an objection made by the NWRA, the reference to PPG7 in Policy B10 of the Alteration was appropriately amended to PPS7 at the Second Deposit stage. I consider that this change suitably updates the Alteration and that it meets the objection.

### **RECOMMENDATION**

231. **I RECOMMEND no modification to the Alteration in response to this objection.**

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## **Policy B11**

### ***Objection to First Deposit Draft***

B11/085/044

Paul Swain, Environment Agency

### ***Key Issue***

Whether the word 'services' in criterion c) of Policy B11 should be expanded to include water supply, foul and surface water sewerage and sewage treatment.

### ***Inspector's Reasoning and Conclusions***

232. In response to this objection criterion c) of Policy B11 was amended at the Second Deposit stage in accordance with the words suggested by the Environment Agency. I endorse this change, which I consider adds clarity to the Policy and which meets the objection.

### **RECOMMENDATION**

233. **I RECOMMEND no modification to the Alteration in response to this objection.**

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## Development Cordons

### Paragraph 3.3.19 and Policy B12

#### **Objections to First Deposit Draft**

3.3.19/086/045	(see also Policy B1 omission sites)	Mr P Donahue
3.3.19/087/045	(see Policy B1 omission sites)	Mr P Donahue
B1/038/031	(see also Policy B1 omission sites)	Stephens Associates – K Kendall
B12/090/034		Chris Bamber, Government Office North West
B12/093/036		Graham Hale, CPRE
B12/096/026	(see also Policy B1 omission sites)	Mr H Mitton
B12/097/004	(see also Policy B1 omission sites)	Mr & Mrs Thompson
B12/103/010	(see also Policy B1 omission sites)	Mr K Kendall
B12/107/047		Mr P Bridle - CW
B12/108/031	(see also Policy B1 omission sites)	Stephens Associates, K Kendall

#### **Objections to Second Deposit Draft**

B12/164/045	(see also Policy B1 omission sites)	Mr P Donahue
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#### **Key Issues**

(i) Whether the selection of settlements having a Residential Development Cordon (RDC) is based on considerations of sustainable development and reflects the spirit of Structure Plan Policy ST3.

(ii) Whether Policy B12 contains sufficient safeguards to prevent development in the settlements listed in the Policy from reaching a scale which might detract from a fundamental aim of the Alteration to promote the regeneration of the central areas of Barrow.

(iii) Whether land at the north-eastern boundary of North Scale should be included in the Residential Development Cordon of that settlement.

(iv) Whether various parcels of land at Askam-in-Furness should be included within the Residential Development Cordon for that settlement.

(v) Whether land at Thwaite Flat should be included within a Residential Development Cordon for that settlement.

(vi) Whether land at Lindal-in-Furness should be included within the Residential Development Cordon for that settlement.

*Inspector's Note: Representation reference 3.3.19/087/045 does not refer to a Residential Development Cordon. It requests the allocation of land at Roose, Barrow for housing. I have therefore considered the objection as an omission site at paragraphs 111-120 inclusive of my report.*

### ***Inspector's Reasoning and Conclusions***

234. **Issues (i) and (ii):-** The Government Office for the North West is concerned that the selection of settlements having a Residential Development Cordon (RDC) is not apparently based on considerations of sustainable development which clearly reflect the spirit of Structure Plan Policy ST3.
235. Policy B12 identifies the existing main villages outside of the major towns of Barrow and Dalton. Their RDCs have been closely re-examined by the Council as part of this Alteration process. The Policy also refers to the maintenance of communities, which is a key sustainability objective. In addition, it is cross-referenced to Policy B2 that takes account of further sustainability issues and which is supported by paragraph 3.2.12 of the Alteration, which informs that: "proposals for residential development will need to take into account requirements of the Structure Plan, particularly policy ST3". (See paragraph 188 of my report). Therefore, I consider that the selection of settlements having a RDC is logical, and that it is based on considerations of sustainable development. Furthermore, I consider that through cross referencing, it reflects the thrust of Structure Plan Policy ST3.
236. However, in part support of this objection, I do not consider that these policy links are sufficiently transparent. In my opinion, reference should also be made to Structure Plan Policy ST3 within text directly associated with Policy B12.
237. The re-assessment of the RDCs has resulted in them being tightened in many cases. From the evidence before me, I am generally satisfied that the remaining pockets of land are small enough not to pose a threat to the Council's inner area regeneration initiatives. However, I consider that this consideration would be strengthened if the word 'scale' was added to the requirements of criterion ii) of Policy B2.
238. **Issue (iii):-** The CPRE questions the RDC proposed for North Scale, which at the FDD stage was intended to include a piece of land at the north-eastern boundary of the settlement, which was previously excluded from the RDC for North Scale, as designated in the adopted Local Plan. It is concerned that it could provide an unjustified opportunity to enlarge the built-up part of the settlement. In response to this objection, the land in question was excluded from the RDC at the Second Deposit stage. The Objection has, therefore, been met.
239. **Issue (iv) Land at Askam-in-Furness and Ireleth (Askam):-** *Land at Parklands, Askam:* - Objections relate to two parcels of land at the eastern edge of Askam. The smaller area of land is situated to the rear of a dwelling known as Dale View. The larger is an adjoining strip of land to the rear of properties in Alexander Place. Both sites form the curtilage of Dale View. Both lie outside the RDC for Askam as delineated in the adopted Local Plan. The Alteration also shows the objection sites as lying outside the RDC.

240. At the FDD stage it had been proposed to include the smaller parcel of land within a re-assessed RDC for Askam, but it was again excluded at the Second Deposit stage, when the RDC was returned to the line shown in the adopted Local Plan in the vicinity of the sites. The Council is concerned that the inclusion of the smaller parcel of land would result in added pressure for the larger area to also be included in the RDC and thereafter, for its residential development.
241. The objections sites form part of a residential curtilage; they are therefore brownfield sites, as defined in PPG3. However, a footnote to the Annex C definition explains that this does not mean that the whole area of a curtilage should be redeveloped. Nor do I consider that it is particularly unusual for a planning designation to cut through the curtilage of a site.
242. It is my perception that the line running along the rear of dwellings in Alexander Place correctly delineates the RDC boundary in this part of Askam. In my opinion, the objections sites form part of a wider area of undeveloped land to the south and east of the village and whilst they form part of a residential curtilage and contain some residential paraphernalia, they visually form part of the countryside. In my opinion, the development of these sites for housing would appear to encroach into that countryside and would possibly put pressure on the Council to further extend the RDC outwards to Lots Road to the east. Consequently, I do not support the Objector's view that the sites should be included within RDC for Askam.

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243. **Land at Lots Road, Askam:** - Three objections relate to greenfield land located at the eastern edge of Askam, on the western side of Lots Road opposite the primary school. The objection site is situated immediately to the north of the objection sites discussed above. It lies outside the RDC for Askam as delineated in both the adopted Local Plan and the Alteration. These representations object to the exclusion of the site from the RDC.
244. The Objectors contend that the site is well sited in relation to local facilities and that it is a suitable site for affordable housing, for which there is a demand in the village. However, I support the view of the Inspector at the previous Local Plan Review Inquiry that the RDC in this part of Askam is correctly shown to the rear of properties in Duke Street and Whinfield Place. Although the primary school opposite the objection site is a sizeable building it is separated from the tight-knit development to the north and stands in spacious grounds.
245. It is my perception that the objection site forms part of a wider area of undeveloped land to the south and east of the village and that it forms part of the countryside. In my opinion, the development of the objection site for housing would encroach into that countryside, contrary to national and local planning policy. Furthermore, the inclusion of this site within the RDC would most probably put pressure on the Council to further extend the RDC to include the whole area of land to Lots Road to the east and New Road to the

south. For these reasons I do not support these objections, nor do I recommend that the site be included within the RDC for Askam.

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246. **Land adjacent to 2 Harris Street, Askam:-** The objection seeks the inclusion of land adjacent to 2 Harris street within the RDC for Askam. In response, the Council has re-assessed the boundary of the RDC in this vicinity. As a result, the objection site was included within RDC for Askam at the Second Deposit stage. I have no reason to disagree with the Council on this matter. Consequently, I consider that the objection has been met.

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247. **Issue (v) Land at Thwaite Flat:** - Thwaite Flat is a small hamlet in the open countryside that is not served by any shops, local facilities or public transport. For this reason it is not listed as a village having a RDC, where development may be permitted by Policy B12; nor is it proposed to introduce a RDC in Thwaite Flat as part of this Alteration.

248. I consider that in the absence of any local facilities; including jobs, shops and services or access to regular and convenient public transport the encouragement of new residential development within the hamlet would conflict with national planning policy contained particularly in PPS1, PPG3, PPS7 and PPG13, all of which seek to achieve sustainable development. Consequently, I endorse the Council's view that Thwaite Flat is not a suitable settlement for new residential development. For these reasons, I do not support the objection.

249. **Issue (vi) Land opposite 12 London Road, Lindal-in-Furness:** - The objection site comprises greenfield, allotment land situated on the eastern side of London Road. It lies outside the RDC for Lindal-in-Furness, as delineated in both the adopted Local Plan and the Alteration. The representation objects to the exclusion of the site from the RDC for the village. It is argued that the new road that is being constructed to the rear of the site to service the Colony Candle Factory would be a more logical south-eastern boundary for the village.

250. Planning permission has been granted for a service road to the factory as part of a more comprehensive development for an expansion of the factory. It would run along the eastern boundary of the allotments that include the objection site and it would join the London Road at its northern end, close to its junction with Ulverston Road.

251. At my visit I saw that work on this road has apparently commenced, with the construction of a boundary wall and the provision of landscaping, but it was far from being completed. In my opinion, it would be premature to redraw the RDC to take account of a service road that has not yet been constructed and for this reason, I do not support the objection. However, it is probable that the RDCs for the villages in the Borough will be re-assessed again, in the near future, as part of the Council's LDF process. In my opinion, the

appropriateness of a revised boundary to take account of the service road should be reconsidered at that stage.

## RECOMMENDATIONS

252. (a) I RECOMMEND that the Alteration be modified by adding supporting text to Policy B12, which refers to the requirement for development proposals to take account of the principles of Structure Plan Policy ST3.

(b) I RECOMMEND that the Alteration be modified by amending criterion ii) of Policy B2 so that it reads:

ii) The siting, scale, layout and design...

(c) I RECOMMEND no further modification to the Alteration in response to these objections.

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## Part 4: Householder Development

### Policy B15

#### *Objection to First Deposit Draft*

B15/116/049

Colin Phillips, Barrow Borough Council

#### *Key Issue*

Whether a minor re-wording of Policy B15 that replaces the word 'as' with 'if', in the third sentence, would improve its implementation.

#### *Inspector's Reasoning and Conclusions*

253. In response to this objection the third sentence of Policy B15 was slightly amended at the Second Deposit stage, by replacing the word 'as' with 'if'. I consider that this change is helpful because the amended Policy now allows the use of obscure glazing where this does not result in a sub-standard level of accommodation. It also meets the objection.

## RECOMMENDATION

254. I RECOMMEND no modification to the Alteration in response to this objection.

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## **Policy Omissions from the Alteration**

### ***Objections to First Deposit Draft***

Omission/117/002	Health & Safety Executive
Omission/118/034	Chris Bamber, Government Office North West
Omission/119/025	R Howard, Cumbria County Council
Omission/120/036 (see also paragraph 3.2.4 and New Policy: Phasing)	Graham Hale, CPRE

### ***Key Issues***

- (i) Whether the Alteration should contain a policy statement concerning Dangerous Substances Establishments.
- (ii) Whether the Alteration should include a phasing policy in order to assist the PMM approach advocated in PPG3.

### ***Inspector's Reasoning and Conclusions***

255. **Issue (i)**:- The Health and Safety Executive requests that a policy statement be included in the Alteration which highlights the implications for development of Dangerous Substances Establishments. However, Policy A8 of the adopted Local Plan refers to this matter. Since the Alteration should be read together with all chapters of the adopted Local Plan to be retained I see no necessity to repeat this information in the Alteration. Therefore, I do not support this objection.
256. **Issue (ii)**:-Objections were made to the FDD by GONW, Cumbria County Council and the CPRE concerning the absence of a phasing policy. In response to these and other objections a New Policy: Phasing was added at the Second Deposit stage. In tabular form, it takes account of commitments and it sets out phasing for windfalls and allocations in three time bands 2002-2006, 2006-2011 and 2011-2016, as identified in the Structure Plan. Thus, in principle these objections are met. However, the New Policy gave rise to further objections, including from the CPRE, at the Second Deposit stage. In response to these, the Council intends to make a further change to the Table of the New Policy as detailed in Inquiry Core Document 33. I address these counter objections and the proposed revised table at paragraphs 50-53 of my report and make recommendations for its further amendment at paragraph 54 of my report.

### **RECOMMENDATION**

257. **I RECOMMEND no further modification to the Alteration in response to these objections.**

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**BOROUGH OF BARROW-IN-FURNESS**

**REPORT OF A PUBLIC INQUIRY  
INTO OBJECTIONS**

**TO THE PROPOSED ALTERATION TO CHAPTER 3:  
HOUSING**

**ANNEXES**

- A Inquiry Programme**
- B List of Appearances**
- C Schedules of Representations and Documents**
- D Inquiry Core Documents**

## ANNEX A – INQUIRY PROGRAMME

	Monday 11 <sup>th</sup> April	Tuesday 12 <sup>th</sup> April	Wednesday 13 <sup>th</sup> April	Thursday 14 <sup>th</sup> April	Friday 15 <sup>th</sup> April
am session 09.30 10.00 11.00	Site Visits	Opening of Inquiry Kenneth Kendall B12/103/010 B12/108/031	Site Visits	Wolstenholme Chartered Surveyors 3.2.6/020/007 3.2.10/028/007	Tetlow King – Rocketfine Homes Ltd *** 3.2.7/021/033
13.00 pm session 14.00 15.00	Site Visits	Site Visits	Site Visits	Site Visits	3.2.8/024/033 B1(H1)/042/033 B1(H3)/048/033

	Monday 18 <sup>th</sup> April	Tuesday 19 <sup>th</sup> April	Wednesday 20 <sup>th</sup> April	Thursday 21 <sup>st</sup> April	Friday 22 <sup>nd</sup> April
am session 9.30 10.00 10.30 11.00	Site Visits	Harry Mitton B12/096/026	Anita Sharpe 3.1.17/127/053  Site Visits	Stephens Associates B3/153/051	Close of Inquiry
13.00 pm session 14.00 15.00 15.30	Site Visits	Mr R Thompson B12/097/004	Site Visits	Site Visits	Site Visits

NB Sessions marked with \*\*\* are formal hearing sessions, all other appearances are informal hearing sessions

**ANNEX B**

**LIST OF APPEARANCES**

**TUESDAY 12<sup>TH</sup> APRIL 2005**

**Kenneth Kendall (010)** Tarn Haven, Urswick, Ulverston, Cumbria LA12 0SZ

Linda Corbett, 74 Rakesmoor Lane, Barrow in Furness, Cumbria LA14 4LQ

John Hannah, 21 Manor Park, Barrow in Furness, Cumbria LA13 9UW

**Council Represented by:**

Claire Savage, MSc Environmental Planning

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**THURSDAY 14<sup>TH</sup> APRIL 2005**

**Sylvia Stoker (007)** Crooklands House, Dalton in Furness, Cumbria LA15 8JH

R Wolstenholme FRICS, FBE, MaPS PO Box 38, Todmorden, Lancashire OL14 7WA

**Council Represented by:**

Claire Savage, MSc Environmental Planning

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**FRIDAY 15<sup>TH</sup> APRIL 2005**

**Tetlow King Planning on behalf of Rocketfine Homes Ltd (033)  
represented by:**

Ruth Stockley of Counsel, King Street Chambers, 40 King Street, Manchester M2 6BA

She called:

Jonathan Adams BA(Hons) BTP MRTPI, Tetlow King Planning, Unit 2 High Street, Eclipse Office Park, Staple Hill, Bristol, BS16 5EL

Andrew Storey BEng, CEng, MICE, Mouchel Parkman, Enterprise House, Wigan Enterprise Park, Seaman Way, Ince, Wigan, WN2 2LE

**Council Represented by:**

Giles Cannock of Counsel, BA(Hons)LLM, King Street Chambers, 40 King Street, Manchester M2 6BA

He intended to call:

Claire Savage MSc Environmental Planning

Jason Hipkiss BA Hons MRTPI Dip Urban Design

Stuart Galpin BA(Hons) DipLA MLI, Capita Symonds

Paul Swain BSc (Hons) CEng MICE, Environment Agency

*Inspector's Note: The objections were withdrawn before the Council's witnesses were required to give evidence.*

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**TUESDAY 19<sup>TH</sup> APRIL 2005**

**Harry Mitton (026)** Park Lodge, Hawthwaite Lane, Thwaite Flat, Barrow in Furness, Cumbria LA14 4QH

**Council Represented by:**

Claire Savage, MSc Environmental Planning

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**R Thompson (004)** 25 School Terrace, Lindal in Furness, Cumbria LA12 0NA

**Council Represented by:**

Claire Savage, MSc Environmental Planning

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**WEDNESDAY 20<sup>TH</sup> APRIL 2005**

**Anita Sharpe (053)** Ormsgill Farm, Barrow in Furness, Cumbria LA14 4QZ  
Geoff Sharpe, Ormsgill Farm, Barrow in Furness, Cumbria LA14 4QZ

**Council Represented by:**

Claire Savage, MSc Environmental Planning

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**THURSDAY 21<sup>ST</sup> APRIL 2005**

**Neil Price Ltd (051) represented by:**

Bill Stephens MSc MICE MRTPI MIEMA, Stephens Associates, 3 Kent View,  
Kendal, Cumbria LA9 4DZ

**Council Represented by:**

Claire Savage, MSc Environmental Planning

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## ANNEX C1

### SCHEDULE OF OUTSTANDING OBJECTIONS AND DOCUMENT INDEX

Representation Ref	Party		PLI	Policy/Para	CW	Objectors Proof Number	Council Proof Number	Objectors WR number	Council WR Number
3.1.1/001/036	Graham Hale	CPRE	No	3.1.1					BBC/001
3.1.2/002/036	Graham Hale	CPRE	No	3.1.2					BBC/002
3.1.14/003/036	Graham Hale	CPRE	No	3.1.14					BBC/003
3.1.17/004/036	Graham Hale	CPRE	No	3.1.17	✓				BBC/004
3.1.17/126/052	Geoff Sharpe		No	3.1.17				OWR 005	BBC/005
3.1.17/127/053	Anita Sharpe		Yes	3.1.17		OWR 006 OP 020	BBC/006		
3.1.18-9/005/044	Paul Swain	Environment Agency	No	3.1.18/19					BBC/007
3.1.19/130/044	Paul Swain	Environment Agency	No	3.1.19	✓				BBC/007
3.1.21/007/044	Paul Swain	Environment Agency	No	3.1.21					BBC/009
3.1.21/131/044	Paul Swain	Environment Agency	No	3.1.21	✓				BBC/009
3.1.22/009/036	Graham Hale	CPRE	No	3.1.22	✓				BBC/010
3.1.22/011/044	Paul Swain	Environment Agency	No	3.1.22					BBC/011
3.1.22/133/044	Paul Swain	Environment Agency	No	3.1.22	✓				BBC/011
3.2.3/013/020	Oliver Bird	North West Regional Assembly	No	3.2.3					BBC/012
3.2.4/014/036	Graham Hale	CPRE	No	3.2.4					BBC/013
3.2.4/016/025	R Howard	Cumbria County Council	No	3.2.4					BBC/015
3.2.4/135/036	Graham Hale	CPRE	No	3.2.4					BBC/016
3.2.6/019/020	Oliver Bird	North West Regional Assembly	No	3.2.6					BBC/018
3.2.6/020/007	Wolstenholme	Sylvia Stoker	Yes	3.2.6		OP 012	BBC/019		
3.2.6/136/054	D Knight	Holker Estates Ltd	No	3.2.6					BBC/020
3.2.7/022/034	Chris Bamber	GONW	No	3.2.7					BBC/022
3.2.7/023/038	Carol Mosby	How Planning	No	3.2.7				OWR 001 OWR 008	BBC/023
3.2.7/138/038	Carol Mosby	How Planning	No	3.2.7				OWR 001 OWR 008	BBB/025
3.2.8/139/038	Carol Mosby	How Planning	No	3.2.8				OWR 001 OWR 008	BBC/025
3.2.10/025/020	Oliver Bird	North West Regional Assembly	No	3.2.10					BBC/026

Representation Ref	Party		PLI	Policy/Para	CW	Objectors Proof Number	Council Proof Number	Objectors WR number	Council WR Number
3.2.10/026/038	Carol Mosby	How Planning	No	3.2.10				OWR 001 OWR 008	BBC/027
3.2.10/027/044	Paul Swain	Environment Agency	No	3.2.10					BBC/028
3.2.10/028/007	Wolstenholme	Sylvia Stoker	Yes	3.2.10		OP 012	BBC/029		
B1/029/023	Sandra Fleming	Highways Agency	No	B1					BBC/030
B1/030/23	Sandra Fleming	Highways Agency	No	B1					BBC/030
B1/031/020	Oliver Bird	North West Regional Assembly	No	B1					BBC/031
B1/032/044	Paul Swain	Environment Agency	No	B1					BBC/032
B1/033/025	Maxine Bodell	Cumbria County Council	No	B1					BBC/033
B1/034/041	Stephen Cameron	Cameron Gillian	No	B1					BBC/034
B1/035/040	Stephens Associates	K White	No	B1					BBC/035
B1/036/027	Mr & Mrs Spencer		No	B1					BBC/036
B1/037/013	Stephens Associates	W Forrester	No	B1				OWR 007	BBC/037
B1/038/031	Stephens Associates	K Kendall	No	B1					BBC/038
B1/058/042	K Smith	T.R.A.C T Russell	Yes	B1(H9)		OP 005 OP 014 OP 007 OP 015 OP 010 OP 016 OP 011 OP 017 OP 013 OP 024 OP 025	BBC/053 BBC/092		
B1/142/036	Graham Hale	CPRE	No	B1					BBC/040
B1/143/038	Carol Mosby	How Planning	No	B1				OWR 001 OWR 008	BBC/041
B1(H2)/043/023	Sandra Fleming	Highways Agency	No	B1(H2)					BBC/043
B1(H2)/045/036	Graham Hale	CPRE	No	B1(H2)					BBC/044
B1(H4)/051/023	Sandra Fleming	Highways Agency	No	B1(H4)					BBC/045
B1(H5)/054/036	Graham Hale	CPRE	No	B1(H5)					BBC/046
B1(H5)/055/023	Sandra Fleming	Highways Agency	No	B1(H5)					BBC/047
B1(H5)/056/019	Jill Stephenson	Network Rail	No	B1(H5)					BBC/048
B1(H5)/057/030	Stephen Young	Associated British Ports	No	B1(H5)					BBC/049
B1(H5)/145/019	Jill Stephenson	Network Rail	No	B1(H5)					BBC/050
B1(H5)/147/055	Rosie Baynes	English Nature	No	B1(H5)					BBC/051
B1(H5)/148/044	Paul Swain	Environment Agency	No	B1(H5)	✓				BBC/052

Representation Ref	Party		PLI	Policy/Pa ra	CW	Objectors Proof Number	Council Proof Number	Objectors WR number	Council WR Number
3.2.12/149/048	Alan Hubbard	The National Trust	No	3.2.12					BBC/054
B2/059/036	Graham Hale	CPRE	No	B2					BBC/055
B2/060/044	Paul Swain	Environment Agency	No	B2					BBC/056
B2/061/034	Chris Bamber	GONW	No	B2					BBC/057
B2/062/025	R Howard	Cumbria County Council	No	B2					BBC/058
B2/064/048	Alan Hubbard	The National Trust	No	B2					BBC/059
B2/151/054	D Knight	Holker Estates Ltd	No	B2					BBC/060
3.2.14/065/034	Chris Bamber	GONW	No	3.2.14					BBC/061
B3/067/048	Alan Hubbard	The National Trust	No	B3	✓				BBC/062
B3/070/035	RPS	BT plc	No	B3	✓				BBC/064
B3/153/051	Stephens Associates	Neil Price	Yes	B3		OP 004 OP 006	BBC/065		
3.2.15/071/036	Graham Hale	CPRE	No	3.2.15					BBC/066
3.3.1/072/020	Oliver Bird	North West Regional Assembly	No	3.3.1					BBC/067
3.3.2/074/044	Paul Swain	Environment Agency	No	3.3.2					BBC/068
3.3.2/156/044	Paul Swain	Environment Agency	No	3.3.2	✓				BBC/069
B4/075/044	Paul Swain	Environment Agency	No	B4					BBC/070
B4/076/035	RPS	BT plc	No	B4					BBC/071
B4/077/036	Graham Hale	CPRE	No	B4					BBC/072
B5/078/044	Paul Swain	Environment Agency	No	B5					BBC/073
3.3.5/079/044	Paul Swain	Environment Agency	No	3.3.5					BBC/074
B8/159/054	D Knight	Holker Estates Ltd	No	B8					BBC/075
B9/080/020	Oliver Bird	North West Regional Assembly	No	B9					BBC/076
B9/081/035	RPS	BT plc	No	B9					BBC/077
B9/082/015	Mr Danny Smith		No	B9					BBC/078
B9/083/020	Oliver Bird	North West Regional Assembly	No	B9					BBC/079
B9/161/054	D Knight	Holker Estates Ltd	No	B9					BBC/080
B11/085/044	Paul Swain	Environment Agency	No	B11					BBC/081
3.3.19/086/045	Patrick Donahue		No	3.1.19				OWR 002	BBC/082

Representation Ref	Party		PLI	Policy/Para	CW	Objectors Proof Number	Council Proof Number	Objectors WR number	Council WR Number
3.3.19/087/045	Patrick Donahue		No	3.1.19				OWR 003	BBC/083
B12/090/034	Chris Bamber	GONW	No	B12					BBC/084
B12/093/036	Graham Hale	CPRE	No	B12					BBC/085
B12/096/026	Mr Harry Mitton		Yes	B12		OP 002 OP 018 OP 019	BBC/086		
B12/097/004	Mrs & Mrs Thompson		Yes	B12			BBC/087		
B12/103/010	Kenneth Kendall		Yes	B12		OP 003	BBC/038		
B12/107/047	Mr P Bridle		No	B12	✓				BBC/090
B12/108/031	Stephens Associates	K Kendall	No	B12			BBC/038		
B12/164/045	Patrick Donahue		No	B12				OWR 004	BBC/082
B15/116/049	Colin Phillips	Barrow Borough Council	No	B15					BBC/088
Omission/117/002	Health & Safety Executive		No						BBC/091
Omission/118/034	Chris Bamber	GONW	No	Omission					BBC/089
Omission/119/025	R Howard	Cumbria County Council	No	Omission					BBC/089
Omission/120/036	Graham Hale	CPRE	No	Omission					BBC/089

## ANNEX C2

### SCHEDULE OF WITHDRAWN OBJECTIONS

Representation Ref	Party		Stage	Policy/Para
3.1.19/129/033	Tetlow King	Rocketfine Homes	RDD	3.1.19
3.1.21/008/033	Tetlow King	Rocketfine Homes	FDD	3.1.21
3.2.4/015/033	Tetlow King	Rocketfine Homes	FDD	3.2.4
3.2.6/018/033	Tetlow King	Rocketfine Homes	FDD	3.2.6
3.2.7/021/033	Tetlow King	Rocketfine Homes	FDD	3.2.7
3.2.7/137/033	Tetlow King	Rocketfine Homes	RDD	3.2.7
3.2.8/024/033	Tetlow King	Rocketfine Homes	FDD	3.2.8
B1/039/028	Michael Courcier & Partners	Schofield Construction	FDD	B1
B1/040/028	Michael Courcier & Partners	Schofield Construction	FDD	B1
B1(H1)/041/028	Michael Courcier & Partners	Schofield Construction	FDD	B1(H1)
B1(H1)/042/033	Tetlow King	Rocketfine Homes	FDD	B1(H1)
B1(H2)/044/028	Michael Courcier & Partners	Schofield Construction	FDD	B1(H2)
B1(H2)/045/036	Graham Hale	CPRE	FDD	B1(H2)
B1(H2)/046/033	Tetlow King	Rocketfine Homes	FDD	B1(H2)
B1(H2)/144/033	Tetlow King	Rocketfine Homes	RDD	B1(H2)
B1(H3)/047/028	Michael Courcier & Partners	Schofield Construction	FDD	B1(H3)
B1(H3)/048/033	Tetlow King	Rocketfine Homes	FDD	B1(H3)
B1(H4)/049/028	Michael Courcier & Partners	Schofield Construction	FDD	B1(H4)
B1(H4)/050/033	Tetlow King	Rocketfine Homes	FDD	B1(H4)
B1(H5)/052/028	Michael Courcier & Partners	Schofield Construction	FDD	B1(H5)
B1(H5)/053/033	Tetlow King	Rocketfine Homes	FDD	B1(H5)
3.2.14/066/044	Paul Swain	Environment Agency	FDD	3.2.14
B3/068/036	Graham Hale	CPRE	FDD	B3
B3/069/033	Tetlow King	Rocketfine Homes	FDD	B3
B10/084/036	Graham Hale	CPRE	FDD	B10
B11/163/044	Paul Swain	Environment Agency	RDD	B11
3.3.19/088/045	Patrick Donahue		FDD	3.1.19
3.3.19/089/045	Patrick Donahue		FDD	3.1.19
B12/091/036	Graham Hale	CPRE	FDD	B12
B12/092/044	Paul Swain	Environment Agency	FDD	B12

## ANNEX C3

### SCHEDULE OF SUPPORTING REPRESENTATIONS

Representation Ref	Party		Policy/Para
3.1.2/125/036	Graham Hale	CPRE	3.1.2
3.1.17/128/036	Graham Hale	CPRE	3.1.17
3.1.20/006/020	Oliver Bird	North West Regional Assembly	3.1.20
3.1.22/010/020	Oliver Bird	North West Regional Assembly	3.1.22
3.1.22/132/036	Graham Hale	CPRE	3.1.22
3.1.22/134/044	Paul Swain	Environment Agency	3.1.22
3.2.1/012/038	Carol Mosby	How Planning	3.2.1
3.2.4/017/020	Oliver Bird	North West Regional Assembly	3.2.4
3.2.9/140/048	Alan Hubbard	The National Trust	3.2.9
3.2.10/141/038	Carol Mosby	How Planning	3.2.10
B1(H5)/146/036	Graham Hale	CPRE	B1(H5)
3.2.13/150/033	Tetlow King	Rocketfine Homes	3.2.13
B2/063/043	NAI Fuller Peiser	BAE Systems	B2
B2/152/033	Tetlow King	Rocketfine Homes	B2
B3/154/048	Alan Hubbard	The National Trust	B3
B3/155/036	Graham Hale	CPRE	B3
3.3.2/073/038	Carol Mosby	How Planning	3.3.2
B5/157/044	Paul Swain	Environment Agency	B5 (vii)
B6/158/044	Paul Swain	Environment Agency	B6 (3)
B9/160/036	Graham Hale	CPRE	B9
B10/162/036	Graham Hale	CPRE	B10
B11/163/044	Paul Swain	Environment Agency	B11 (c)
B12/094/044	Paul Swain	Environment Agency	B12
B12/095/044	Paul Swain	Environment Agency	B12
B12 /098/017	Brian & Ann Whittam		B12
B12/099/022	A.C Peak		B12
B12/100/016	Mr B Eckersley		B12
B12/101/012	Jane Ross		B12
B12/102/011	Mrs G Gill		B12
B12/104/009	Clive Shaw		B12
B12/105/006	Mrs J Donnelly		B12
B12/106/005	Alan Fitzsimmons		B12
B12/109/024	George & Rosemary McClean		B12
B12/110/021	Deborah Duncan		B12
B12/111/018	Paul & Michelle Green		B12
B12/112/032	Keith McCullogh		B12
B12/113/037	Noel Chadwick		B12
B12/114/039	James Carter		B12
B12/115/046	Mr & Mrs J Clark		B12
B12/165/024	George & Rosemary McClean		B12
Full Chapter/166/006	Jenny Donnelly	Askam & Ireleth Parish Council	Full Chapter

<b>Representation Ref</b>	<b>Party</b>		<b>Policy/Para</b>
NC/121/001	T Shankland	Cumbria Fire Service	No Comment
NC/122/003	Elizabeth Jackson	South Lakeland District Council	No Comment
NC/123/008	Stephen Hedley	The Countryside Agency	No Comment
NC/124/014	Claire Richards	North West Development Agency	No Comment
NC/168/008	Carol Davenport	The Countryside Agency	No Comment
NC/169/003	Elizabeth Jackson	South Lakeland District Council	No Comment
NC/170/050	David Humphrey	West Lakes Renaissance	No Comment
NC/171/014	Claire Richards	North West Development Agency	No Comment
NC/172/023	Lindsay Alder	Highways Agency	No Comment

## ANNEX D

### LIST OF INQUIRY CORE DOCUMENTS

CD No.	Title	Author	Publication Date
1	Borough of Barrow in Furness Local Plan Review 1996 – 2006	Barrow Borough Council (BBC)	August 2001
2.a	Borough of Barrow in Furness Local Plan Alteration – Chapter 3 Housing, First Deposit	BBC	May 2004
2.b	Borough of Barrow in Furness Local Plan Alteration – Chapter 3 Housing, Amended First Deposit	BBC	May 2004
3.a	Borough of Barrow in Furness Local Plan Alteration – Chapter 3 Housing, Second Deposit	BBC	October 2004
3.b	Borough of Barrow in Furness Local Plan Alteration – Chapter 3 Housing, Amended Second Deposit	BBC	October 2004
4	Cumbria and Lake District Joint Structure Plan 2001 – 2016 Deposit Plan	Cumbria County Council (CCC) & Lake District National Park Authority (LDNPA)	May 2003
5	Cumbria and Lake District Joint Structure Plan 2001 – 2016 Proposed Changes	CCC & LDNPA	June 2004
6	Regional Planning Guidance for the North West (RPG 13)	ODPM	March 2003
7	Partial Review of Regional Planning Guidance for the North West (RPG 13)	North West Regional Assembly	March 2004
8	Dock Estate Masterplan	White Young Green	
9	Channelside Masterplan	BBC & CCC	July 2003
10	Hindpool Masterplan	BBC	August 2004
11	Changing Barrow – The Housing Market	John Herington Associates	March 2004
12	Housing Needs Survey	Northern Consortium of Housing Authorities	June 2000
13	Housing Strategy	BBC	2002
14	Committee Reports	BBC	2003-2005
15	<i>Draft Urban Design Framework for Barrow Town Centre</i> <u>Removed from list by the Council</u>		
16	Budget Profiles for Major Regeneration Projects	BBC & West Lakes Renaissance	2002/2003
17	Access to Barrow Employment Sites	CCC	August 2003
18	Cumbria & Lake District Joint Structure Plan 2001 – 2016 Panel Report	CCC & LDNPA	
19	Further Statement by Barrow Borough Council	BBC	April 2005
20	Planning Policy Statement 1: Delivering Sustainable Development	ODPM	2005
21	Planning Policy Guidance Note 3: Housing	DETR	March 2000
22	Planning Policy Statement 7: Sustainable Development in Rural Areas	ODPM	2004

23	Planning Policy Guidance Note 13: Transport	DETR	
24	Planning Policy Guidance Note 25: Development & Flood Risk	DETR	
25	Borough of Barrow in Furness Local Plan Alteration – Chapter 3 Housing, Second Deposit Version with Further Agreed Changes	BBC	April 2005
26	Inspector's Report into Borough Local Plan Review 1996 – 2006	Francis Farrimond	February 2000
27	Table of Post Revised Deposit Agreed Changes	BBC	April 2005
28	Table to show the number of units granted Planning permission between 1 <sup>st</sup> January 2002 and 31 <sup>st</sup> March 2005	BBC	April 2005
29	Letter from Modlar Limited, Re: Land at Beach Street and Sharp Street, Askam in Furness	Modlar Ltd	April 2005
30	Statement concerning the status of land at Beach Street / Sharp Street, Askam in Furness	BBC	April 2005
31	Inquiry Attendance Sheets	BBC	April 2005
32	Inquiry Appearance Sheets	BBC	April 2005
33	Revised Table 6 & Phasing Table	BBC	April 2005