

**Borough of Barrow-in-Furness Local Plan Review 1996-2006 - Proposed Alteration
Chapter 3 Housing
Post-Inquiry Modifications
Statement of Reasons and Decisions January 2006**

Ref	Policy/ Para.	Issue	Inspector's Report Paragraph	Inspector's Recommendation	Officer Assessment and Recommendation
1	3.1.1	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.	9	No Modification	No modification necessary
2	3.1.2	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.	12	No Modification	No modification necessary
3	3.1.14	(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.	19	No Modification	No modification necessary

4	3.1.17	<p>(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).</p> <p>(ii) The weight that should be attached to the UCS.</p> <p>(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.</p> <p>(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.</p>	25	<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>	Modify as recommended.
5	3.1.18-3.1.19	Whether paragraphs 3.1.18 and 3.1.19 of the Alteration should be amended to include reference to PPG25: Development and Flood Risk.	29	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	Modify as recommended

				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	
6	3.1.21 & Foreward	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.	33	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 (Alteration), the deposit version of Planning Cumbria will be the Structure Plan document referred to in this review (Alteration).	Partly agree. Despite the Inspector's recommended wording, it is clear elsewhere in her report, that the Structure Plan review version she intended to refer to was the version the Council used i.e. 'Proposed Changes, June 2004'. The text is therefore proposed to be amended accordingly. In the interest of clarity reference to the version used is also proposed to be added to the Foreword of the Alteration.
7	3.1.22	(i) Whether criterion iv) of	38	Modify in accordance with FNAC 3 so	Modify as recommended

		<p>paragraph 3.1.22 should be amended to refer to 'need' rather than to 'demand'.</p> <p>(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.</p> <p>(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.</p>		<p>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>	
8	3.2.3	<p>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.</p>	41	No Modification	No modification necessary
9	3.2.4 and new policy: Phasing	<p>(i) Whether there should be greater continuity between the housing provision requirement shown in the adopted Local Plan and the proposed Alteration.</p> <p>(ii) Whether Table 6: Structure Plan Housing Requirement (2002-2016) with Associated Completions (2002-2004) should be amended to take account of</p>	54	<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</p>	<p>The Inspector has recommended that additional notes should be added to Table 6 to explain that the 'Residual Requirement' includes an assumption that 10% of consents will not be implemented and that the 'Total Units Required' is a net figure.</p> <p>The Council has already acknowledged in the 1500 figure used, the assumption that about 10% of planning consents will</p>

		<p>the existing outstanding planning permissions granted as at May 2004.</p> <p>(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.</p> <p>(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.</p>		<p>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 that the Structure Plan Policy H17 (H14) requirement does not take into account replacements for demolitions.</p> <p>(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)].</p> <p>(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.</p>	<p>expire and that out of the 1500 units required only 1350 completions are expected during the period 2002-2016. It is this requirement that forms the basis of the Council's housing requirement calculations contained within Table 6 of the Alteration and the revised Table 6 that formed part of Core Document 33 (Appendix A). The Inspector's recommendation here is not fully understood.</p> <p>She has recommended that the figure shown for Planning Permissions Granted between 01.01.02 - 31.12.04 be changed from 555 to 500 i.e. reduced by 10% and the remaining columns amended accordingly. By incorporating this recommendation, the table would no longer be factually correct. She has also recommended that this adjustment be applied to the figure quoted in 3.2.6. These adjustments would not be in line with the Structure Plan. Revised Table 6 already takes account of the 10% slippage.</p> <p>The recommendation to place allocated site H1 (Former North Lonsdale Hospital) and H2 Land at Crooklands Brow within Phase 2 of the Phasing Table is based on the Inspectors view that '... commitments and anticipated windfalls will be more than sufficient to meet the Structure Plan Policy H17 (H14) first phase requirement...'. However, planning consent was granted for residential development of site H1 and part of site H2 in August 2005 As</p>
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					<p>the housing calculations are based on consents rather than completions, the site need to remain in Phase 1 of the Phasing Table, although the remaining part of site H2 is likely to fall within Phase 2 if it comes forward.</p> <p>(Dalton Gas Holder Site which the Inspector recommends be added to Phase 2 is dealt with at point 14.)</p> <p>The Inspector acknowledged the over-provision of housing against the structure plan target but also noted that the figures did not take account of replacements for demolitions which she considered were likely to be 'significant'.</p> <p>a) Partly agree. I recommend that the additional notes be added to the revised Table 6, but that the figures within Table 6 and paragraph 3.2.6 should not be adjusted as recommended by the Inspector. Instead these should reflect the figures stated in Inquiry Core Document 33 (Appendix A), although they need to be amended to take account of the most up to date information relating to planning permissions. (See point 30 below)</p> <p>b) Reject</p> <p>c) Agree that additional text, to clarify that the Structure Plan Policy H17 (H14) requirement does not take into account replacements for demolitions, be added to paragraph</p>
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					<p>3.2.3</p> <p>d) Reject the recommendation to move Housing Site H1 (Former North Lonsdale Hospital Site) and H2 Land at Crooklands Brow from Phase 1 of the Phasing Table to Phase 2 and the Phasing Table contained within Inquiry Core Document 33 is proposed to be revised as set out in a) above.</p> <p>e) Agree to add explanatory text as recommended in point (e).</p>
10	3.2.6	<p>(i) Whether the methodology used for estimating windfalls requires additional explanation.</p> <p>(ii) Whether the 40% windfall allowance is still valid.</p>	57	No Modification	No modification necessary
11	3.2.7 and Table 7	<p>(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.</p> <p>(ii) Whether the reasons given in Table 7 for the Dalton Gas Holder site not having come forward for development are justified.</p> <p>(iii) Whether the reasons given in</p>	66	<p>(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.</p> <p>(b) Modify by adding another sentence to the end of paragraph 3.2.8 that reads: The Dalton Gas Holder site has not been carried over as an allocation primarily due to its small size. [See also my</p>	Modify as recommended. (Refer to point 14)

		paragraph 3.2.8 for de-allocating the Dalton Gas Holder site are appropriate.		recommendation at paragraph 184 (a)].	
12	3.2.10	<p>(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.</p> <p>(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.</p> <p>(iii) Whether a further criterion should be added to paragraph 3.2.10 which refers to flood risk areas.</p>	71	<p>(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.</p> <p>(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.</p> <p>(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.</p>	Modify as recommended.
13	Policy B1	(i) Whether the Alteration adequately seeks to integrate infrastructure and land use proposals.	104	(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	c) The Inspector has recommended that Housing Site H3 (Beach Street/Sharp Street, Askam) be critically re-assessed in respect of it's brownfield/greenfield nature.

	<p>(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.</p> <p>(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.</p> <p>(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.</p> <p>(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.</p>		<p>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.</p> <p>(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.</p> <p>(c) 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.</p> <p>(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 SSSI and SPA....</p>	<p>Planning Policy Guidance Note 3: Housing, states '<i>Previously-developed land is that which is or was occupied by a permanent structure (excluding agricultural or forestry buildings), and associated fixed surface infrastructure. The definition covers the curtilage of the development. Previously-developed land may occur in both built-up and rural settings. The definition includes defence buildings and land used for mineral extraction and waste disposal where provision for restoration has not been made through development control procedures.</i></p> <p><i>The definition excludes land and buildings that are currently in use for agricultural or forestry purposes, and land in built-up areas which has not been developed previously (e.g. parks, recreation grounds, and allotments - even though these areas may contain certain urban features such as paths, pavilions and other buildings). Also excluded is land that was previously developed but where the remains of any structure or activity have blended into the landscape in the process of time (to the extent that it can reasonably be considered as part of the natural surroundings), and where there is a clear reason that could outweigh the re-use of the site - such as its contribution to nature conservation - or it has subsequently been put to an amenity use and cannot be regarded as requiring redevelopment.'</i></p>
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	<p>(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).</p> <p>(vii) Whether Table 8 of the Alteration should be expanded to justify the sites allocated for housing.</p> <p>(viii) Whether site H2 better achieves the sequential approach and sustainability tests of PPG3 together with its recycling target, than other available windfall brownfield sites in the urban area.</p> <p>(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.</p> <p>(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</p>			<p>The Council is the freehold owner of the land at Beach Street/Sharp Street, which was purchased in 1986. At the time of the purchase, various parts of the land were in occupation by local residents. An inspection of the site was carried out in 1986 concerning the physical appearance of the land. It identified an electricity sub-station, 10 garages in various conditions, 3 caravans, a greenhouse, 2 or more derelict sheds, at least 7 allotments and a number of clothes posts and washing lines. The Council also received a schedule from the then owners and this identified 57 different occupiers. It is on the basis of this historical information that the Council considered it to be a brownfield site.</p> <p>The reason the Council purchased the land was to develop it for housing. However intrusive ground investigations resulted in the identification of a layer of peat under the site which rendered it unsuitable for building houses on at that time. For this reason the site wasn't developed and some of the previous occupiers remain on the site today. Notwithstanding the issue of ground conditions, the site was brought forward as a possible future housing site in the 1991 Local Plan and then carried forward into the 2001 Local Plan Review. Modern building methods mean that the site could be developed today.</p> <p>Following the Inspector's</p>
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		<p>Marina to the Marina Village.</p> <p>(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.</p> <p>(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.</p> <p>(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 Sellafeld to Ramsden Dock.</p>			<p>recommendation, the site has been revisited for the purposes of re-assessment.</p> <p>Little has changed in respect of the current use of the land. The site is still occupied by a number of buildings, enclosures and hardstanding areas. There are two main areas of development, although there are buildings, enclosures and hardstandings scattered across the whole site. Sections of the site have been filled and there are two fairly large mounds to the rear of Beach Street. Some areas have been mowed and are treated as garden extensions, with other areas used for washing lines. The remaining area of the site is in a semi-natural state that is predominantly used for informal recreation and exercising dogs.</p> <p>In the absence of significant change, when as viewed as a whole, the conclusion that the site is predominantly previously-developed remains unchanged.</p> <p>Whilst some parts of the site would according to the definition in PPG3 constitute greenfield land, others are clearly previously-developed. To restrict the allocation to only the previously developed parts would result in a wholly unsatisfactory form of development. It is therefore considered appropriate to view the site as a whole or in two or four parts, none of which are fully greenfield.</p>
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					Modify as recommended.
14	Policy B1 Residential Omissions Sites	(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.	184	(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 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.	<p>The Dalton Gas Holder Site has been the subject of an outline planning application for residential development (2004/0584). This application was refused at the Planning Committee meeting of the 26th April 2005.</p> <p>The Flood Risk Assessment submitted as part of the planning application did not indicate that the site was unsuitable for residential development. In addition to this the Environment Agency stated, as part of the planning application consultation process, that they believe, subject to suitable works, that the site could be developed satisfactorily.</p> <p>The Council's decision to refuse consent was policy based and the reason for refusal is reproduced below.</p> <p>"By virtue of the site's location within an area of high flood risk (Zone 3 Fluvial). Approval of the proposal would conflict with planning policy including policy ST3 of the Structure Plan.</p> <p><i>Policy ST3</i> <i>"All proposals for development including alterations to existing buildings and land use change will be required to:</i></p> <p><i>1. seek locations consistent with policy ST5 and ST6 and then in the following order of priority:</i></p> <p><i>a) the appropriate reuse of existing</i></p>

					<p><i>buildings worthy of retention, followed by</i></p> <p><i>b) the reuse of previously developed land and only then</i></p> <p><i>c) the use of previously undeveloped land,</i></p> <p><i>2. seek sites that are or will be made accessible by public transport, walking or cycling,</i></p> <p><i>3. reduce the risk of flooding within the development and elsewhere by a choice of location in the following order of priority:</i></p> <p><i>a) sites with little or no flood risk, followed by</i></p> <p><i>b) sites with low or medium flood risk, and only then</i></p> <p><i>c) sites in areas of high flood risk subject to a design which minimises or mitigates any risk, and through the provision of sustainable drainage systems.</i></p> <p><i>4. ensure agricultural land of poorer quality is used for development in preference to the best and most versatile agricultural land.</i></p> <p><i>5. avoid the loss of, or damage to, and where possible enhance, important or distinctive conservation features, including nature conservation interests, landscapes, buildings, archaeological sites, historic parks and gardens and visually important public and private open spaces.”</i></p> <p><i>6. ensure high standards of design</i></p>
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				<p><i>including siting, scale, use of materials and landscaping which respect and, where possible, enhance the distinctive character of townscape and landscape.</i></p> <p><i>7 promote a safe and secure environment that designs out crime and makes proper provision for people with restricted mobility and people with special needs,</i></p> <p><i>8 promote energy efficient design and the use of recycled materials and renewable energy technology,</i></p> <p><i>9 avoid reductions in air quality and the quality and quantity of groundwater and surface waters,</i></p> <p><i>10 ensure development makes efficient use of and is within infrastructure community and service constraints, or that these can be satisfactorily overcome through planned improvements or at the developers expense without an adverse effect on the environment”.</i></p> <p>The applicant has appealed against this decision.</p> <p>The Council’s argument for the de-allocation of the site within the Housing Chapter Alteration process, was not that it was unsuitable for residential development, but that it would be more suitably dealt with as a windfall site due to its small size. The Inspector has not</p>
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					<p>agreed with this view and recommended that the site remains allocated, providing that a Flood Risk Assessment does not indicate that the site is unsuitable for residential development.</p> <p>The decision to refuse the application on the basis of the Structure Plan Policy is in line with the Council's argument that the site should be de-allocated and dealt with as a windfall site, as there are other available sites that sit further up the hierarchy noted within Structure Plan Policy ST3. The Planning Committee's decision indicates that the site is not suitable for development at the present time when assessed against current policy, as there are other undeveloped sites that are not subject to the same flood risk.</p> <p>Reject</p>
15	3.2.12	Whether text given at paragraph 3.2.12 of the Alteration should be included within Policy B2.	187	<p>(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:...</p> <p>(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</p>	Modify as recommended.

				promotes the principles of 'Secure by Design' and adequate parking provision is made; and ...	
16	Policy B2	<p>(i) Whether Policy B2 should be amended to safeguard against development that would be detrimental to the regeneration of the central parts of Barrow.</p> <p>(ii) Whether Policy B2 provides adequate criteria for the assessment of residential proposals on greenfield sites.</p> <p>(iii) Whether Policy B2 includes sufficient criteria against which residential development on unallocated sites may be assessed.</p> <p>(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.</p> <p>(v) Whether criterion iv) of Policy B2 gives appropriate consideration to energy efficiency matters.</p>	196 &	<p>(a) Modify by changing the sub-heading above paragraph 3.2.10 to; Unallocated Sites.</p> <p>(b) Modify by amending paragraph 3.3.11 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.</p> <p>(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</p> <p>(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:</p> <p>vii) Adequate water supplies, foul and surface water sewers and sewerage treatment facilities exist or can be provided and;</p>	Partly Agree. I recommend that the text is modified as recommended, except for criterion viii) of Policy B2, which is dealt with at point 31 of this table.

			252	<p>viii) The development will not be at risk of flooding or create/exacerbate flooding problems elsewhere and;</p> <p>ix) Where contamination is suspected, a desk study is undertaken and, if necessary, a site investigation is undertaken and a remediation strategy submitted</p> <p>252(b) Modify by amending criterion ii) of Policy B2 so that it reads:</p> <p>ii) The siting, scale, layout and design.....</p>	
17	3.2.13 and Policy B3	<p>(i) Whether the wording of paragraph 3.2.13 of the Alteration is too negative.</p> <p>(ii) Whether the wording of Policy B3 is too inflexible.</p>	203	<p>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.</p>	Modify as recommended.
18	3.2.15	<p>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.</p>	206	No Modification	No modification necessary
19	3.3.1	<p>Whether reference should be made to Regional Planning Guidance in paragraph 3.3.1 of the Alteration.</p>	208	No Modification	No modification necessary

20	3.3.2	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.	212	No Modification	No modification necessary
21	Policy B4	(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.	217	No Modification	No modification necessary
	Policy B5	Whether an additional criterion which refers to water supply, foul and surface water sewerage and sewage treatment should be added to Policy B5.	219	No Modification	
22	Policy B6 and 3.3.5	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.	221	No Modification	No modification necessary

23	Policy B8	Whether the intended Neighbourhood Renewal Areas and Clearance Areas should be defined in the Alteration.	223	No Modification	No modification necessary
24	Policy B9	(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.	229	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).	Modify as recommended.
25	Policy B10	Whether the reference in Policy B10 to national policy concerning development in the rural areas should be changed to PPS7.	231	No Modification	No modification necessary
26	Policy B11	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.	233	No Modification	No modification necessary
27	3.3.19 and Policy B12	(i) Whether the selection of settlements having a Residential	252	(a) Modify by adding supporting text to Policy B12, which refers to the	Partly Agree. Additional text requiring development proposals to take

	<p>Development Cordon (RDC) is based on considerations of sustainable development and reflects the spirit of Structure Plan Policy ST3.</p> <p>(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.</p> <p>(iii) Whether land at the north-eastern boundary of North Scale should be included in the Residential Development Cordon of that settlement.</p> <p>(iv) Whether various parcels of land at Askam-in-Furness should be included within the Residential Development Cordon for that settlement.</p> <p>(v) Whether land at Thwaite Flat should be included within a Residential Development Cordon for that settlement.</p> <p>(vi) Whether land at Lindal-in-Furness should be included within the Residential Development Cordon for that settlement.</p>		<p>requirement for development proposals to take account of the principles of Structure Plan Policy ST3.</p>	<p>account of the principles of Structure Plan Policy ST3 should be added to Policy B12 rather than the supporting text. This will more effectively reflect the Inspectors aim to strengthen the trust of Structure Plan Policy ST3 within Policy B12.</p>
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28	Policy B15	Whether a minor re-wording of Policy B15 that replaces the word 'as' with 'if', in the third sentence, would improve its implementation.	254	No Modification	No modification necessary
29	Whole document	Post Inquiry change.			The text of the document should be amended to include minor word changes and grammatical alterations. The text should also be altered to bring it up to date where necessary, such as with reference to the Housing Alteration Inquiry, the Structure Plan Review and the Regional Planning Guidance becoming the Regional Spatial Strategy.
30	Table 6, para 3.2.6 and New Phasing Policy	Post Inquiry change.			<p>i) The period 01.01.02 – 31.12.04 shown in the second column of Table 6, which indicates the number of planning permissions granted, should have originally read 01.04.02 – 31.12.04. This is proposed to be corrected.</p> <p>ii) The figures included in the second column of Table 6 and paragraph 3.2.6 should be amended to take account of the most up to date information in relation to planning permissions.</p> <p>iii) The figures included within the new Phasing Policy should be amended to take account of the amended figures shown on Table 6.</p>

					ADD
31	Policy B1 Site Notes - Site H5	Post Inquiry Change			<p>The second deposit stage and the area for residential development within the site was increased from 7.5ha to 11.5ha. The site notes were amended to describe the additional uses proposed within the site. It is considered that a further minor amendment to the text is required to better describe the other uses.</p> <p>ADD</p>
32	Policy B2	Post Inquiry change.			<p>Following the First Deposit of the Proposed Alteration, the Environment Agency requested that the following text be added as part viii) of Policy B2;</p> <p>‘The development will not be at risk of flooding or create/exacerbate flooding problems elsewhere.’</p> <p>On consideration of this request the Council initially felt that the issue was covered by other policies elsewhere in the plan and should therefore not be duplicated within Policy B2. The Agency argued that some of the other criteria included in the policy was also covered by other policies in the plan and in the interests of clarity their point should be included. The Council proposed to agree to the addition on this basis, as does the Inspector who proposes part viii) be added to Policy B2 as a modification</p> <p>However, on reflection, the wording of part viii) of Policy B2 is considered</p>

					<p>unduly restrictive and does not reflect the content of Planning Policy Guidance 25: Development and Flood Risk or the emerging Structure Plan Policy. Following further discussions with the Agency, amended wording has been agreed and criterion viii) to Policy B2 should be amended as set out below</p> <p>'A risk-based approach will be adopted for development in or affecting flood risk areas to minimise the risk of flooding associated with the site and the potential effect development of the site might have elsewhere through increased run off or a reduction in the capacity of flood plains. This shall be in accordance with the sequential characterisation of flood risk set out in Table 1 of Planning Policy Guidance Note 25 'Development and Flood Risk.'</p> <p>ADD</p>
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Date