

## **CHAPTER 4: RETAIL**

### **PART 1 : CENTRAL GOVERNMENT POLICY**

- 4.1.1 During the 1980s and the period running up to the formulation of the 1991 Plan the emphasis of government policy on retail was on allowing the economics of the sector to dictate its future. The main trend associated with this was an expansion of 'out of town' developments, and a decline in range and quality of facilities provided in traditional town centre locations. This was a national trend reflected in the Borough's retail sector. In 1993 with the publication of PPG6 'Town Centres and Retail Development' the direction of Government policy shifted towards the protection of town centres. This guidance was superseded by the 1996 PPG6 on town centres and retail development, which adds weight to the arguments for more sustainable town centre development.
- 4.1.2 The Government has seen fit to protect and promote town centres for several reasons, the main one being that they generally are, or can be made, the most accessible part of a settlement by a range of means of transport, while the wide variety of activities located there encourages people to make multi-purpose journeys. This can help the reduction of pollution by shortening and lowering the number of trips by private car while improving access to a wide range of shops and other functions to all people. Other benefits can be that with increased town centre activity day and night levels of personal safety will increase and other types of crime drop; while a more attractive town centre can be valuable in attracting visitors and as a stimulant to investment elsewhere in the town.
- 4.1.3 The Government's objectives for the retail sector are set out in PPG6 as:
- to sustain or enhance the vitality and viability of town centres;
  - to focus development, especially retail development in locations where the proximity of businesses facilitates competition from which all consumers are able to benefit and maximises the opportunity to use means of transport other than the car;
  - to maintain an efficient, competitive and innovative retail sector; and
  - to ensure the availability of a wide range of shops, employment, services and facilities to which people have easy access by a choice of means of transport.

## **PART 2 : GENERAL CHARACTERISTICS**

- 4.2.1 Barrow town centre dominates retailing in the Borough. The only other centre which makes a significant contribution to retail provision is Dalton-in-Furness, which has limited convenience shopping provision.
- 4.2.2 The catchment area of Barrow town centre roughly equates with the Furness peninsula area. This has been the definition used in several retail studies carried out in Barrow. The first to use it was the 1987 Drivers Jonas study, which defined the area as within a 30 minutes drive time distance. However, despite the size of this catchment area, the potential total amount of expenditure in the town centre is not being achieved (i.e. spending leakage is occurring), leaving spare retail capacity to be filled by development in the period of the revised plan. The extent of the effect in the longer term of this on Portland Walk and the Heart of Barrow regeneration scheme will have an interesting bearing on future reviews of the Local Plan.
- 4.2.3 Dalton is home to 16% of the Borough's residents, yet it has very limited shopping provision, with only 14 largely convenience units, several of which are newsagents. The town's retail provision has been declining since the early 1970s. The main reasons for this appear to be competition from the dominant neighbouring centre of Barrow and intensive traffic use of the main street, which created an unpleasant and unsafe environment. Since the completion of the by-pass and associated traffic calming scheme, the second of these problems has been overcome, creating potential for the revival of the town's shopping facilities. This is most likely to be successful through the exploitation of niche markets as the main stream provision in Barrow will strengthen with the new town centre development.
- 4.2.4 As can be seen from the table below the total number of shops in Dalton town centre has decreased slightly, while the number of occupied shops has dropped significantly to only  $\frac{3}{4}$  of the 1991 total.

**TABLE 11 – DALTON AND NEIGHBOURHOOD SHOPPING CENTRES**

		Convenience	Comparison	Service	Vacant	Total
Dalton	96	14	23	25	15	77
	91	20	27	34	0	81
Ainslie Street	96	6	4	8	0	18
	91	14	4	6	0	24
Risedale/Roose Road	96	11	4	8	0	19
	91	11	2	6	0	24
Anchor Road, Barrow Island	96	13	2	6	1	22
	91	15	0	3	0	18
Bath Street	96	6	3	4	5	18
	91	-	-	-	-	-
Mikasa Street	96	4	3	1	0	8
	91	-	-	-	-	-
Amphitrite Street, Walney	96	4	0	1	1	6
	91	6	1	1	0	8
Lakes Parade, Hawcoat	96	4	1	2	0	7
	91	4	1	1	0	6
Middlefield, Ormsgill	96	5	0	2	0	7
	91	-	-	-	-	-
Mill Lane, Walney	96	3	0	1	1	5
	91	-	-	-	-	-
Ruskin Avenue, Dalton	96	2	1	1	0	4
	91	-	-	-	-	-

- 4.2.5 Neighbourhood shopping centres appear, according to the totals shown in the table, to be faring somewhat better, although on closer inspection of the figures it can be seen (where comparisons with the 1991 situation are available) that convenience provision is in fact declining. This may be linked to the trend towards local needs supermarkets, such as Netto on Risedale Road and Kwiksave at Flass Lane.
- 4.2.6 Retail provision at a local scale is regarded as important for two reasons; it provides ease and convenience for those unable to visit the town centre or the out of centre superstores on a regular basis, whilst fulfilling the sustainability objective of reducing the need to travel.
- 4.2.7 Neighbourhood shopping centres are defined for the purposes of this plan as a group of shops comprising all, or most of the following; a convenience store; a service, such as a take-away or hairdressers; a Post Office; and a community function, such as a doctors surgery, a housing or advice office, or a community centre.
- 4.2.8 Away from these centres there are numerous corner shops in the urban areas, and in the villages the provision is as follows:

**TABLE 12 : CORNER SHOP PROVISION IN THE OUTLYING VILLAGES**  
**1991-1996**

	<u>1996</u>	<u>1991</u>
Askam	13	12
Ireleth	1	1
Lindal	3	1
Newton	1	1
Roa Island	0	1

- 4.2.9 In Newton the shop/post office is open on three days in a week and located in the village pub. This is an example of a more diversified, unconventional approach to providing rural services and similar proposals will be supported in future if they increase provision.

### **PART 3 : POLICY SUCCESSES OF THE 1991 PLAN**

- 4.3.1 A stated aim of the 1991 Plan was to "improve shopping amenities for the public". Two policies with a direct impact on this were C3, the pedestrianisation of Dalton Road in Barrow's prime shopping area, and C1, the comprehensive redevelopment of two areas in the town centre. Pedestrianisation has been completed, the area between Fell Street and Dalton Road has been partially redeveloped and the new Portland Walk shopping centre in the Forshaw Street/Preston Street area has been opened.
- 4.3.2 A third major project with a bearing on the retail facilities available in the Borough has been the completion of the Dalton By-pass and associated traffic calming scheme. This has had a dramatic impact on the environment and atmosphere of Dalton's main street creating potential for the regeneration of this declining shopping area. A new Co-op food store has been constructed.

### **PART 4 : RETAIL FLOORSPEACE CHANGES**

- 4.4.1 Floor space figures in the table below show that the main tendencies over the first five years of the plan period have been a) a major increase in both edge of and out of town centre developments, and b) after an initial loss of town centre floor space a substantial increase with the opening of Portland Walk. Out of Barrow town centre little significant change has occurred.

**TABLE 13 – RETAIL FLOORSPACE, AS AT JANUARY 1997**

1.	TOWN CENTRE FLOOR SPACE	
	1991	37581 sq. m. (gross)
	1995	33066
	1997	53552
2.	NON-TOWN CENTRE FLOORSPACE	
	Total	48844 sq.m. (gross)
	Total Out of Centre	25875
	Built Post 1991	11932
	Total Edge of Centre	22969
	Built Post 1991	8678

4.4.2 In the town centre the modern high quality retail units of Portland Walk are likely to provide a stimulus for further modernisation and redevelopment, which will be facilitated as part of the Heart of Barrow Single Regeneration Programme.

4.4.3 In terms of major retail developments out of the town centre, while the floor space total is considerable, it can be seen from the details in Table 13 that roughly half is in edge of centre locations, identified as preferable in PPG6. Town centres, however, are still preferable to edge of centre. Furthermore detailed examination also shows that two of the retail units which make up the out of centre total (Kwiksave, Flass Lane and Netto, Risedale Road) can be described as 'neighbourhood needs' supermarkets, which are not in direct competition with the town centre.

4.4.4 Therefore, the position of Barrow town centre at the time of this review is in fact quite a strong one. The upgrading of existing stock and the new developments are improving the overall quality of the retail facilities and thus taking up the spare spending capacity available in the catchment area, which the studies in the 1980's had indicated was going out of the area to other centres.

## **PART 5 : THE STRUCTURE PLAN CONTEXT**

4.5.1 Five policies in the Joint Structure Plan are of relevance to the retail sector.

4.5.2 Policy 8 recognises the function of town centre refurbishment as an important part of the process of addressing the economic problems of the Furness area. This is linked to Policy 4 , which is concerned with upgrading the quality of the environment in towns for the benefit of residents, visitors and the economy.

- 4.5.3 Barrow town centre is considered to be one of Cumbria's major town centres. Securing the long-term vitality and viability of these centres is the subject of Policy 45, while Policy 46 deals with the other town centres where general improvements and development of an appropriate scale is to be encouraged.
- 4.5.4 It is recognised in policy 49 that large scale out of town retail stores are the most appropriate way to trade in certain circumstances, however, in line with government guidance it gives priority to town centre locations for new retail developments.

## **PART 6 : VISION FOR THE NEW PLAN PERIOD**

- 4.6.1 Much activity is envisaged in retailing over the coming period, particularly in Barrow town centre, which is undergoing a substantial programme of regeneration.
- 4.6.2 The comprehensive redevelopment of the Preston Street/Forshaw Street area has provided around 20,000 sq. metres of modern, high quality, town centre floorspace, with the associated street environment. This is to be complemented by various schemes throughout the town centre to be funded through the town's successful Single Regeneration Budget Challenge Fund Bid. This focuses most development initiatives on the central core of Barrow, primarily along Abbey Road and Duke Street. Among its schemes are:
- the employment of a town centre manager
  - installation of CCTV and Radio Link systems
  - the development of a new Town Square and the associated refurbishment of the Forum 28
  - creation of a short stay car park
  - provision of improved street furniture, paving etc.
  - provision of an improved 'Shopmobility' scheme
  - improvement of town centre signage
  - upgrading of shop fronts.

The intention is to implement these schemes over a three year period starting April 1996. A Town Centre Manager began work in the summer of 1997 and a Town Centre Strategy has since been produced and adopted by the Council.

- 4.6.3 Outside of Barrow town centre, the priority is to maintain and improve access to local shops and facilities in village and neighbourhood centres.

## **PART 7 : AIMS**

4.7.1 The aims with regard to the retail sector, therefore, are:

- (A) To strengthen the role of Barrow town centre as the principle shopping centre serving South West Cumbria.
- (B) To strengthen the vitality and viability of Barrow town centre by encouraging a wide range of attractions and amenities for both residents and visitors.
- (C) To continue to upgrade the environment of Barrow town centre so as to provide an attractive, well designed, safe and vibrant shopping centre.
- (D) To ensure that good access to attractions and amenities in the town centre of Barrow is maintained and improved for all persons who depend on it by whatever mode of transport they use.
- (E) To maintain and enhance the provision of local shopping facilities throughout the Borough.
- (F) To continue to increase the provision of modern retail floorspace, to accommodate a wide range of types of shop in appropriate accessible locations.
- (G) To provide a compact shopping core which is sustainable for the future.
- (H) To continue to support investments in the development or refurbishment of existing buildings.
- (I) To maximise the opportunity to use means of transport other than the car.

## **PART 8 : GENERAL STANDARDS POLICY**

4.8.1 Shopping is an activity carried out by all of us, out of necessity and for recreation. The shops themselves contribute to a location in various ways, not merely to the economy but to its character and appearance and attractiveness to residents, tourists and potential investors. For these reasons Policy C1 sets down the standards expected of new and redeveloped retailing facilities, to ensure they do not have a negative impact on their locality and hopefully contribute positively.

### **POLICY C1**

*All new and redeveloped retail facilities will be expected to:*

- *achieve high design standards, taking into account the character of the surrounding area and the requirement to maintain or enhance Conservation Areas and their settings;*
- *where practicable, provide adequate access for people whose mobility is impaired;*
- *result in no loss of or detriment to: important areas of amenity open space; interests of wildlife, landscape or nature conservation importance; or trees or landmarks of importance to local character; and*
- *provide an acceptable level of car parking in accordance with the Cumbria Parking Guidelines, except in cases of redevelopment where present levels must at least be maintained.*

### **PART 9 : TOWN CENTRE PRIORITY**

4.9.1 Town centres are generally the most accessible parts of a settlement to most people, as they tend to be the focus of the public, as well as the private transport systems. They tend to have the greatest diversity of facilities and choice and provide the benefits of competition to shoppers. In the Borough and for a wider catchment, Barrow town centre is the major shopping centre. Dalton also has sufficient range of facilities to be considered a town centre. In order to protect and enhance their vitality and viability as is emphasised in PPG6, a hierarchical approach will be taken towards the town centres. Where it can be shown, by the applicant that a central location is not appropriate and this is accepted by the Authority, the next option is an edge of centre location within a reasonable walking distance and where public transport access is still an option. The type of development, for which a central location is not appropriate, is likely to be one where the development or its servicing and car parking space requires a size of site that is not available in the town centre, or one which requires the transfer of bulky goods to customers' cars. Out of town locations will be the exceptional circumstance and will require a written justification from the applicant.

### **POLICY C2**

*New retail development will be permitted in town centres. Where it is demonstrated to be justified for any retail development to be located out of a town centre the first alternative should be an edge of centre site, defined as within 300 metres of the town centre, with an out of town site being the least preferred option. Any retail development outside the town centre, whether it be edge of centre or out of centre, must be justified by the applicant on grounds of need. In the case of Barrow an edge of centre area has been allocated under Policy C4 although other edge-of-centre developments will be permitted provided they comply with the criteria of Policy C3.*

## **PART 10 : OUT OF TOWN CENTRE APPLICATIONS CRITERIA**

4.10.1 A policy requiring pre-letting, to named retailers was introduced by the Planning and Environment Committee in 1989 to help prevent speculative applications in the retail sector. It is felt that the existence of vacant property or extant but undeveloped permissions may prejudice the successful renewal of the town centres. It continues to still be relevant in the light of the climate of Government opinion expressed in PPG6.

### **POLICY C3**

*Developments creating new retail floorspace (including conversions) outside the town centres that do not serve a local need or a special one, such as vehicle sales, that cannot be met in the town centre:*

- a) *Must be accompanied by a Retail Impact Assessment and a statement from the proposed retail operator of that development stating their firm intention to occupy that space subject to planning permission being granted;*
- b) *Will be refused if they appear likely to prejudice the vitality or viability of the town centre as a whole; and*
- c) *Subject to (b) will only be permitted if they are situated in a location which is, or can be made accessible by a range of means of transport other than the private car and which will not add excessively to the need to travel by private car, as well as satisfying other planning requirements, particularly with regard to the protection of residential amenity;*

## **PART 11 : BARROW TOWN CENTRE EDGE-OF-CENTRE AREA**

4.11.1 Barrow town centre is a densely developed mix of retail, office, administrative, entertainment, industrial and residential uses. It is likely, therefore, that certain retail developments will not fit into its tight pattern and will, therefore, require an edge-of-centre site. In accordance with the advice in PPG6 it is considered prudent to allocate a specific area for such development. This will provide greater certainty to developers and will assist the channelling of public funds that are tied up in other initiatives for the substantial economic regeneration of the town.

4.11.2 The area considered appropriate is the one primarily characterised by industrial and warehousing uses at present along the western side of Walney Road, Hindpool Road and The Strand, to the north and south of the Cornerhouse Retail Park and Hindpool Retail Park. The Council will investigate the provision of assistance to land assembly in the area where the fragmented ownership currently limit the achievement of comprehensive development. Under the sequential test provided by PPG6 the area is also likely to prove suitable for leisure development.

#### **POLICY C4**

*The area shown on the Proposals Map along Walney Road, Hindpool Road and the Strand is allocated as an 'Edge of Centre' area for retail developments, which for the purposes of Policy C2 are accepted by the Local Planning Authority as being incapable of being physically fitted into the town centre. The Highways Agency would consider any significant development of land along this length to have a material effect on the A590 trunk road and as such would require a Traffic Impact Assessment to be undertaken as part of any development proposal. This should be undertaken in accordance with current IHT guidelines and Highways Agency Policy. The TIA should identify any improvements to the trunk road and any other roads in the area that may be required in order to mitigate the effects of the development proposal, the costs of which would have to be met by the developer.*

#### **PART 12 : BARROW SHOPPING CORE**

- 4.12.1 In order to maintain the vitality and viability of Barrow's centre it is important to identify its core area wherein an excess of non-A1 uses and frontages could have an adverse impact on its attractiveness as a centre. This area, after consideration of the types of retailing and size of units currently available and the pedestrian flows, are considered to be Portland Walk and the pedestrianised sections of Dalton Road.
- 4.12.2 Although some non-retail uses are acceptable in a shopping centre because they are used by shoppers on their shopping trips, a proliferation of such uses breaks up the shopping frontage rendering the centre less attractive to shoppers. They can be less attractive because they:
- a) Open at different hours from shops, e.g. banks and public houses.
  - b) Offer a service rather than goods and for this reason do not need to be so close to car parks or bus services.
  - c) Do not display goods for sale in their windows.
  - d) Are not usually the motivation for a shopping trip but incidental to it.
  - e) Offer a service restricted almost exclusively to account holders at that branch, e.g. banks and building societies.
  - f) Attract only a minority of shoppers, e.g. betting offices, amusement arcades, insurance offices.
  - g) Sometimes push up rents and property values to the point where smaller retailers are edged out from prime sites.

4.12.3 The terms ‘town centre for shopping purposes’ and ‘shopping centre’ refer to the areas allocated under Policies C5 - Barrow Shopping Core and C6 - Other Barrow Town Centre Shopping Areas.

### **POLICY C5**

*The area shown on the Proposals Map along Portland Walk and the pedestrianised section of Dalton Road is allocated as the Shopping Core. For proposals for non-retail (i.e. not A1) uses of the ground floors of properties to be acceptable, the Authority will require evidence from the developer that they will not be detrimental to the vitality and viability of the centre as a whole on the basis of the following criteria:*

- a) The overall provision of non-retail uses within the Shopping Core and within the block in question and whether or not this has reached a level likely to damage the area’s character and vitality;*
- b) The number and proportion of vacant premises within the Shopping Core and the rest of the shopping centre;*
- c) An assessment of the need for the proposal to be sited in the area, as opposed to elsewhere;*
- d) The extent to which the non-retail use will attract significant numbers of customers to the Shopping Core;*
- e) The use of properties in the immediate vicinity of the application site; and*
- f) The size of the unit and its usefulness for Class A1 retailing.*

## **PART 13 : OTHER BARROW TOWN CENTRE SHOPPING AREAS AND MIXED AREAS AROUND THE TOWN CENTRE**

4.13.1 The 1991 Local Plan divided the central area of Barrow into the Shopping Core, the Shopping Area, Mixed Areas and Transitional Areas, with varying degrees of tolerance of types of use and protection of residential amenity in each. This was primarily to deal with the period of transition and uncertainty until the major redevelopment in the Forshaw Street/Preston Street area had been carried out, which has now of course become Portland Walk.

4.13.2 Apart from the Shopping Core it is now proposed that there be two other areas: Other Barrow Town Centre Shopping Areas and Mixed Areas around Barrow Town Centre.

4.13.3 Within the other Barrow Town Centre Shopping Areas only uses appropriate in a shopping centre will be considered acceptable as other uses would break up the frontage rendering the centre less attractive to shoppers.

4.13.4 Within the Mixed Areas shopping and commercial uses will be allowed, within the Use Classes A1, A2, A3, B1, C1, D1 and D2 subject to the provisos stated in Policy C7. These Areas are intended to give flexibility in the growth of the town centre without harming other amenities and to encourage regeneration. There will also be flexibility to allow the conversions of commercial property to residential use where this assists the bringing back into beneficial use of a vacant property.

#### **POLICY C6**

*On the ground floors of premises within the other Barrow Town Centre Shopping Areas only retail uses in Class A1, A2 and A3 will be permitted. Conversion of upper floors to residential use will be allowed where this will assist the regeneration of the area and will bring back into use a vacant property, subject to the application of the criteria contained in Policy B5 and the site being capable of providing an acceptable residential environment for future occupiers.*

#### **POLICY C7**

*Within the Mixed Areas around Barrow Town Centre the Authority will allow shopping or commercial uses where this does not adversely affect immediate residential neighbours and meets normal planning standards. The Authority will also allow conversions to residential schemes, particularly on upper floors, where this will assist the regeneration of the area and will bring back into use a vacant property, subject to the application of the criteria contained in Policy B6 and the site being capable of providing an acceptable residential environment for future occupiers.*

### **PART 14 : DALTON TOWN CENTRE**

4.14.1 The Authority believes that it is important to stabilise Dalton as a shopping centre. This is firstly because there is a sustainability argument in retaining as wide a variety as possible of facilities and commercial activities for local people and the rural hinterland. Secondly, there will be economic benefit from the diversification to the local economy that would result from the enhanced tourist potential of a range of shops and services appropriate to an historic market town.

4.14.2 Dalton is obviously a much smaller town than Barrow and in consequence the retail policies for its centre cannot be couched in the same way. The gradations imposed on Barrow under Policies C5-7 are not appropriate. Instead it is proposed that the broad town centre area be identified as such with a policy therein for the protection of existing Class A1 retail premises.

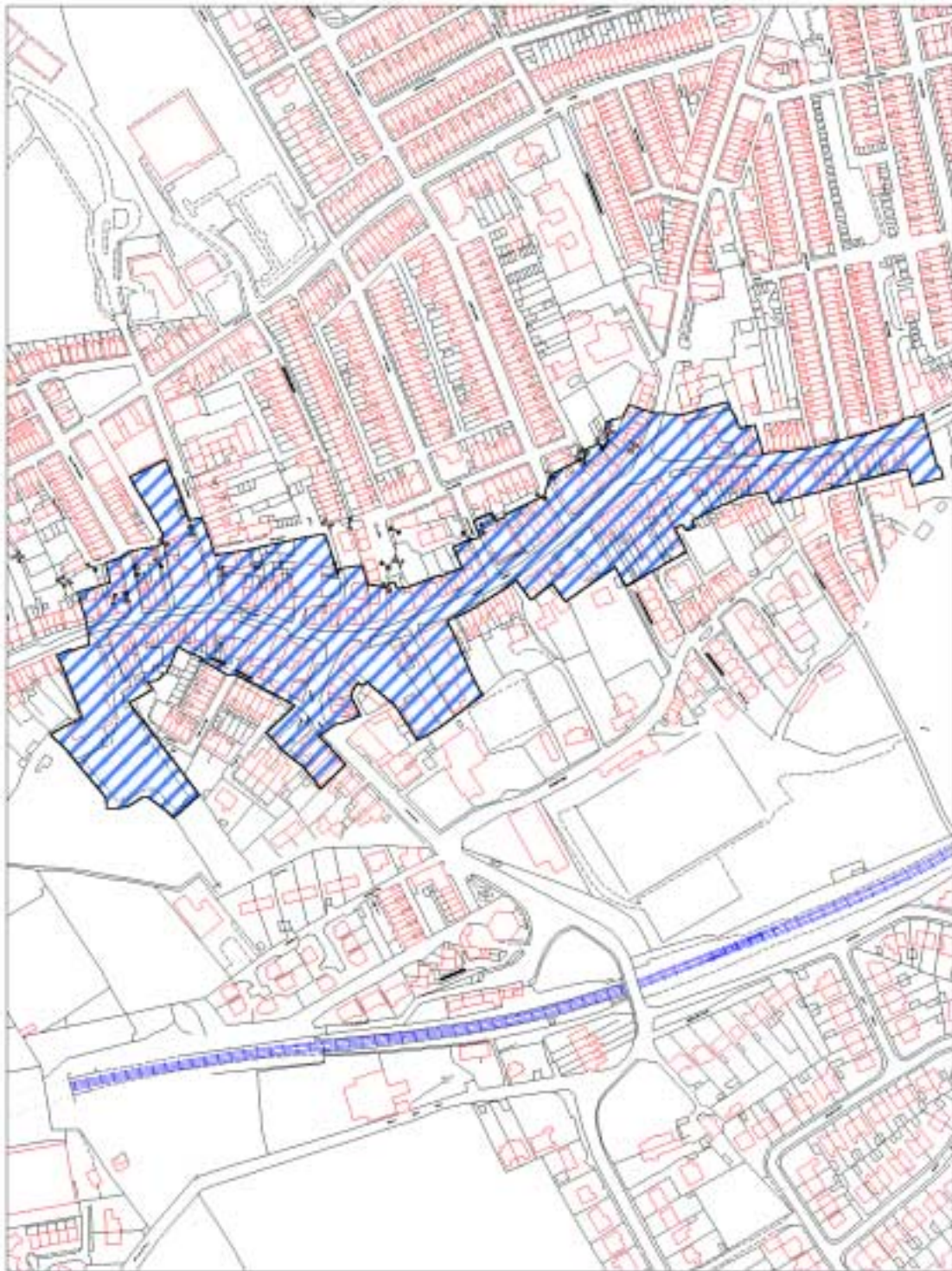
**POLICY C8**

*For proposals for the change of use of Class A1 retail premises within the Dalton Town Centre Shopping Area to be acceptable, the Authority will require evidence from the developer that they will not be detrimental to the vitality and viability of the centre as a whole on the basis of the following criteria:*

- a) The overall provision of non-retail uses within the centre and within the block in question and whether or not this has reached a level likely to damage the area's character and vitality;*
- b) The extent to which the non-retail use will attract significant numbers of customers to the centre;*
- c) The use of properties in the immediate vicinity of the application site;*
- d) The size of the unit and its usefulness for Class A1 retailing; and*
- e) The impact of the proposed use on residential amenity for the surrounding area.*

*Any application must be accompanied by evidence to show that the retail use is no longer viable and that the premises have been advertised, at a realistic price, for a minimum of 12 months.*

4.14.3 The Authority is concerned that commercial uses in the main shopping street of Dalton are interspersed with dwellings to an extent that any further hot food take-aways will be to the detriment of the residential amenity by virtue of night-time disturbance from customers and traffic, smells and litter.



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

**Plan 38: Dalton Town Centre Shopping Area**

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### **POLICY C9**

*The Authority will not allow any more hot food take-aways in Dalton Town Centre in locations adjacent to dwellinghouses or where there would otherwise be an adverse impact on the amenity of the area. Where a take-away is found acceptable it will be subject to a requirement that its opening hours be restricted to 0700 to 2300.*

## **PART 15 : NEIGHBOURHOOD AND RURAL SHOPS**

4.15.1 While the town centre of Barrow and the major edge and out of centre retail stores constitute the bulk of the Borough's retail provision, local neighbourhood shops have a vital role to play in rural areas and suburban residential areas. These provide a valued, convenient service to these groups in the community who have limited opportunity to use the town centre, for various reasons - elderly, those without access to a car, etc. Similarly post offices and public houses make important contributions to local community life.

4.15.2 In rural areas, as is set out in PPG7 and the recent White Paper 'Rural England', the Government is seeking to diversify and strengthen the rural economy, so that people can live and work in rural communities without being dependant on nearby towns for employment, social facilities and other functions including shops. As well as providing a more convenient lifestyle for all rural residents and a community focus, this can reduce the need to travel, thus reducing pollution, while contributing to the local economy. Therefore, the Council will seek to encourage and protect neighbourhood and rural shops.

### **POLICY C10**

*Small scale retail developments in rural villages and within the local centres shown in Table 12 will be permitted where it is shown to the Authority's satisfaction that they cater for a recognised local need, subject to Policy C1 and satisfying other planning requirements.*

### **POLICY C11**

*Applications for the change of use of retail outlets, post offices and public houses that serve a recognised local need in rural areas and suburban residential neighbourhoods must include evidence that the retail use is no longer viable. This would include the premises being advertised, at a realistic price, for a minimum of 12 months, that no reasonable offer has been refused and that evidence is provided to show the property has been advertised on the open market at least four times in local media at roughly equal periods over the year.*

## **PART 16 : FARM SHOPS**

4.16.1 Farm shops can make a valuable contribution to the level of services available in rural areas, and are an element of agricultural diversification, as such the Council wishes to encourage their development. Where the shop is ancillary to the agricultural use of the property, no change of use application is required as a material change has not taken place. If a significant amount of the produce sold is imported to the shop (or bought in from separate units of the same agricultural business), or has undergone any processing either on or off the property, then a change of use is required. One illustration of the reasoning behind this is that where produce is imported to a farm shop, a notable increase in traffic flow will occur.

### **POLICY C12**

*Proposals for farm shop developments will be considered acceptable provided that they are primarily concerned with the sale of fresh local produce, that the enterprise does not threaten the viability of a nearby village shop and that there will not be an adverse increase in the traffic flow along the local highway network.*

## **PART 17 : TAKE-AWAYS AND RESTAURANTS**

4.17.1 Hot food take-aways and restaurants in the Borough are a valued and popular recreational resource providing a service to both residents, business visitors and tourists. They are an asset to the town centre contributing significantly to the vitality and viability of the centre as is emphasised through PPG6. Unfortunately, due to the smells, fumes and late night demand, they can be a particularly anti-social development when in close proximity to residential properties. The opening time limitations set out in these policies seek to protect the amenity of residential areas, while catering for demand in the town centre where late night uses are well established and there will be minimal additional residential disruption.

4.17.2 The policies below are in line with those from the previous Local Plan which have consistently been successfully defended on appeal.

4.17.3 The Authority has been successful in recent years in concentrating late night activity along Cornwallis Street and it is now considered reasonable to also allow restaurants and take-aways there to operate on the same hours as the nightclubs.

### **POLICY C13**

*Within the Barrow Shopping Core and Other Barrow Town Centre Shopping Areas, as allocated under Policies C5 and C6, applications for hot food take-aways and restaurants will be subject to a requirement that their opening hours be restricted to 0600 to midnight.*

**POLICY C14**

*Within the Mixed Areas around Barrow Town Centre, as allocated under Policy C7, hot food take-aways and restaurants will, subject to their impact on neighbouring residential properties being considered acceptable and to other planning policies, be subject to a requirement that their opening hours be restricted to 0700 to 2300 hours. An exception will be made for Cornwallis Street where restaurants and take-aways will be allowed to operate on the basis that customers can be admitted until 0200.*

**POLICY C15**

*Within established neighbourhood centres, other than the town centre shopping area of Dalton, applications for hot food take-aways and restaurants will be judged against the following criteria:*

- a) There must be no neighbouring purely residential property and their general impact on surrounding residential properties must be considered acceptable; and*
- b) Adequate parking space must be available nearby.*

*They will be subject to a requirement that their opening hours will be restricted to 0700 to 2300 hours.*

**POLICY C16**

*Outside established shopping centres applications for hot food take-aways and restaurants will be refused, other than where a special need case can be made to the Authority's satisfaction and the site is on a busy through road, within a concentration of commercial property and with adequate parking space available nearby.*

**PART 18 : PETROL FILLING STATIONS AND ROADSIDE FACILITIES ALONG THE A590**

4.18.1 In the 1991 Local Plan the area around the proposed Elliscales roundabout on the Dalton By-pass was allocated for a stand-alone petrol filling station, though without being site specific. Since no applications have come forward either prior to or since the opening of the By-pass it seems that demand is not as strong as envisaged at the time of that Plan.

4.18.2 The Authority, therefore, feel that there is no need to break with the general policies protecting the open, undeveloped countryside from development for this type of facility. Instead it favours their provision within the more urbanised section of the A590, to the west of the roundabout where the by-pass meets Park Road, preferably inside the 40 mph speed limit. Hot food outlets, well separated from any residential development, are expected to be an integral part of any large scale, edge-of-centre retail or leisure development with associated car parking.

**POLICY C17**

*24 hour operation of roadside facilities including hot food outlets that satisfy all other criteria of this Plan will be considered in urban locations along the A590 where there is minimal impact on residential amenity, subject to the submission of a Traffic Impact Assessment and the funding by the developer of any highway improvements identified as necessary by the TIA. Such facilities must be of a scale whereby the Authority are satisfied that they will not threaten the vitality and viability of a town or neighbourhood centre.*

**PART 19 : USE OF BUILDINGS FOR ONE DAY SALES**

4.19.1 The use of non-Use Class A1 premises such as hotels and public halls in locations outside town centres for the sale of similar goods on a regular basis could have an adverse effect on the vitality and viability of those centres. They could also cause a lack of support for the markets that form integral parts of those centres.

**POLICY C18**

*Applications for the holding of one-day sales in non-retail premises will be permitted provided that:*

- (a) the premises are in a town centre;*
- (b) unacceptable nuisance is not caused to neighbouring residential properties;*
- (c) adequate car parking is available in the vicinity; and*
- (d) the temporary use does not constitute the main use of the building.*

**PART 20 : CAR BOOT SALES**

4.20.1 In May 1997 the Authority adopted a policy with regard to car boot sales held at schools. The criteria it set out have been reviewed and found to be appropriate for general applications.

**POLICY C19**

*Applications for the holding of car boot sales on land for more than 14 days per year will be permitted provided that:*

- (a) the site is on a main distributor road, with access taken directly from it, and with enough on-site car parking to accommodate the needs of both traders and customers;*
- (b) there would be no harm to the living conditions of nearby residents; and*
- (c) the use would not harm the vitality and viability of a town centre.*

## **PART 21 : REAR SERVICING**

4.21.1 Whether in a pedestrianised area or not it is better to segregate delivery lorries from the shopping public for safety reasons and to improve shopping amenity. Such provision can also help to improve the efficiency of retail units as they can receive deliveries directly into their storage areas.

### **POLICY C20**

***The Authority will expect the provision of rear serving for any new or substantially refurbished retail units where feasible.***