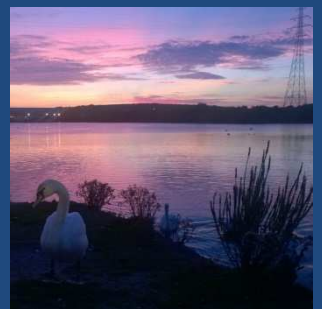


# Local Development Scheme 2016

Barrow Borough Local Plan - Barrow Borough Council



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## 1. Introduction

1.1 The Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act) states that local planning authorities must prepare and maintain a Local Development Scheme (LDS). The LDS sets out the Council's timetable for preparing planning policy documents.

1.2 The Council is currently producing a new Local Plan which will guide development over a 15 year period from its adoption. The Plan will allocate sites for specific uses and will contain policies for use when determining planning applications. The Plan will replace the current Local Plan 2001 and Housing Chapter Alteration 2006. It will sit alongside the Barrow Port Area Action Plan 2010 to form the Borough's Development Plan.

1.3 The LDS covers to period up until the Plan's adoption although the monitoring of policies within the Plan will continue beyond this period.

1.4 The Council has met the objective set out in the Council Priorities 2015-16 Document which required the publication of the Preferred Options Draft in 2015.

## 2. Core Planning Documents

2.1 The Government sets out its approach to planning in the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG).

2.2 The NPPF requires local planning authorities to produce a Local Plan for their area and states that any additional Development Plan Documents should only be developed where clearly justified.

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

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

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

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

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

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

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

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

2.10 The Barrow Port Area Action Plan (the Action Plan) was adopted in July 2010. As the Action Plan was adopted post 2004, the NPPF afforded it full weight in planning policy consideration until 27 March 2013, even if there is limited conflict with the NPPF. After this date, the policies, like those of the Local Plan Review and

the Housing Chapter Alteration now, will be afforded weight according to their consistency with the NPPF.

2.11 Apart from the Local Plan and Barrow Port Area Action Plan, other core planning documents of relevance are:

- The Proposals Map
- Supplementary Planning Documents (SPDs)
- The Statement of Community Involvement (SCI)
- The Annual Monitoring Report (AMR)

2.12 The Proposals Map identifies existing land allocations and designated sites. It illustrates which policies are specific to those sites.

2.13 Supplementary Planning Documents (SPDs) provide detail on the policies and proposals in the Local Plan. At present, the Council regards the following SPDs when decision making:

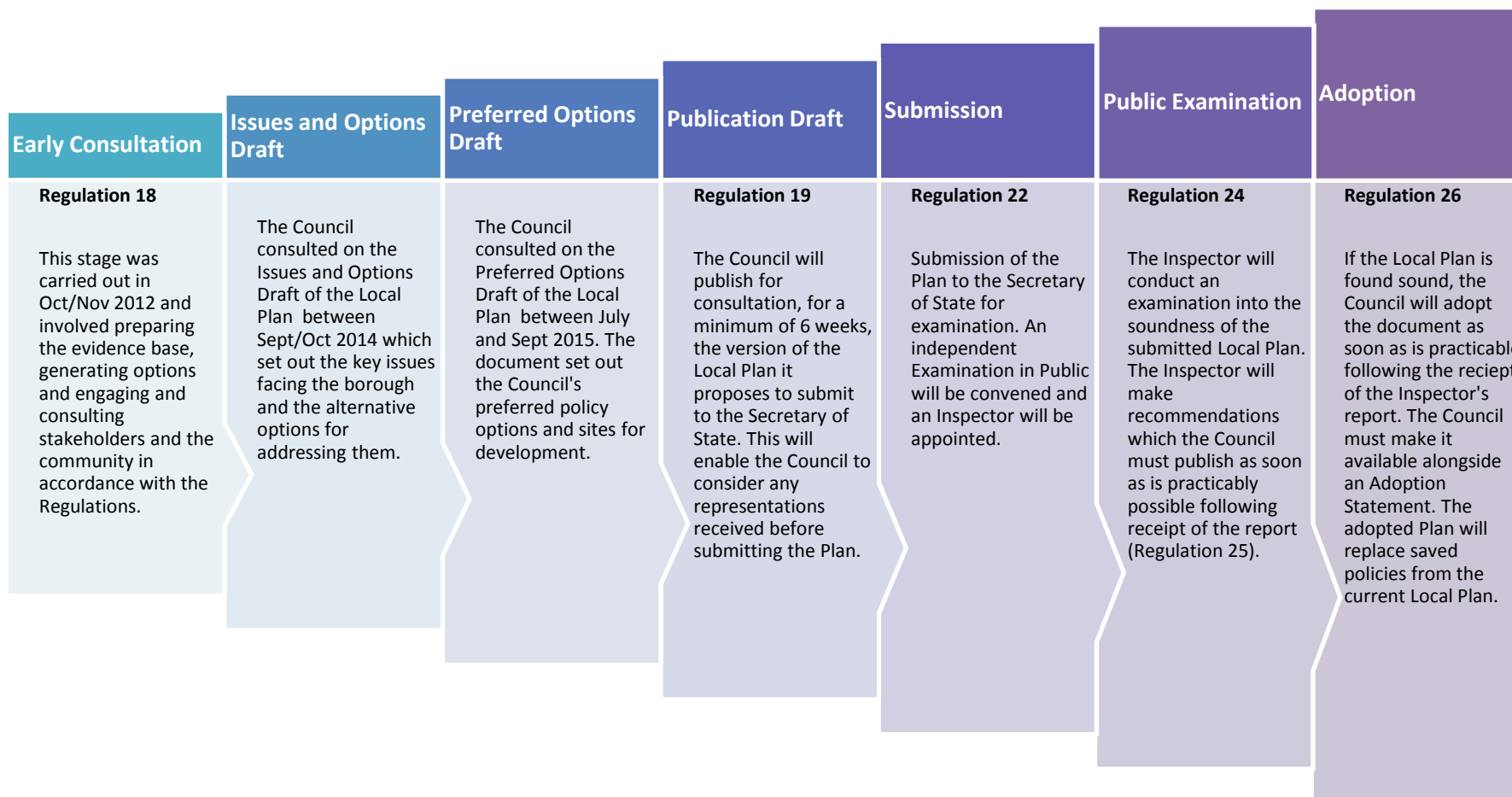
- Parking Guidelines in Cumbria SPG (Cumbria County Council, 1997)
- Layout of New Residential Development SPG (Cumbria County Council, 1996)
- Shopfront & Advertisement Design SPD (Barrow Borough Council, 2010)

2.14 The SCI describes how the Council will engage with the community and others in preparing other planning policy documents and also in dealing with planning applications. The Barrow in Furness SCI was originally adopted by the Council in July 2007 and an updated version was adopted in November 2010.

2.15 The AMR is an important tool to show progress against the Council's Local Development Scheme, details of development plan policies and how they are to be reviewed, and the number of dwellings delivered against any targets. The Council produces an AMR annually; the latest AMR was published in April 2016.

### 3. Local Plan Preparation

3.1 The Town and Country Planning (Local Planning) (England) Regulations 2012 sets the process of preparing and adopting Local Plans. A summary of this process is outlined below.



## **Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA)**

3.2 SAs and SEAs are tools which are used to appraise planning policy documents. Strategic Environmental Assessment (SEA) is a requirement of the EU Directive 2001/42/EC (more commonly known as the SEA Directive). Local planning authorities are required to carry out an SEA of all planning policy documents likely to have significant environmental impacts under these regulations. Sustainability Appraisal considers wider social and economic effects. The Planning and Compulsory Purchase Act 2004 and the NPPF require all emerging Development Plan Documents to be subject to SA.

3.3 The Council has produced a Draft Interim SA which incorporates the SEA and assesses each of the policies and site options identified in the Issues & Options Draft of the Local Plan. The final report which will be produced under the Regulations will accompany the Publication Draft of the Local Plan and will be made available for public consultation.

## **Habitats Regulation Assessment (HRA)**

3.4 The Conservation of Habitats and Species Regulations 2010 (as amended) states that a Habitats Regulations Assessment should be carried out where it is considered likely that the Plan will have significant effects on European habitats or species. HRAs assess the potential impacts of a Local Plan on Natura 2000 sites. Such sites are of European importance in respect of rare, endangered or vulnerable natural habitats and species and include the following:

- Special Protection Areas (SPAs) designated under the European Union "Wild Birds Directive",
- Special Areas of Conservation (SACs) designated under the European Union "Habitats Directive",
- Ramsar Sites, which are wetlands of international importance designated under the Ramsar Convention

3.5 As the Habitats Directive applies the precautionary principle, plans can only be adopted if there is likely to be no adverse impact on the integrity of the site(s) in question. In order to comply with the Regulations, a Screening Assessment was undertaken of the Issues and Options Draft. The Assessment highlighted that several of the policy options were likely to have an adverse impact upon Natura 2000 sites. Given this, an Appropriate Assessment was carried out which determined that adverse impacts could be avoided/mitigated.

### **Equality Impact Assessment (EQIA)**

3.6 The Council intends to carry out an EQIA of the Local Plan prior to submission in order to ensure that it promotes equality and does not result in any aspects of discrimination. The EQIA Report will be made available for public consultation.

### **Health Impact Assessment (HIA)**

3.7 The Council intends to carry out a HIA of the Local Plan prior to submission. This seeks to measure the potential health impacts of any policies or proposals within the Local Plan on the wider population. The HIA aims to reduce health inequalities and contribute to improved health and better decision making. The HIA will be made available for public consultation.



## 4. Evidence Base

4.1 The NPPF requires that Local Plans are founded upon a robust evidence base. Paragraph 158 states that the evidence base should be proportionate and should be based on adequate, up-to-date information about the economic, social and environmental characteristics and prospects of the area.

4.2 The emerging Local Plan has been developed based upon a comprehensive evidence base, which comprises a combination of internally and externally prepared documents and assessments. It continues to be reviewed and updated when necessary in order for it to remain relevant.

4.3 The following table identifies the key documents which have been produced so far. Completed studies and updates are available to view on our website.

**Table 1: Evidence Base Documents – Progress to Date**

	Authors	Year Published
<b>Sub-Regional Documents</b>		
Cumbria Landscape Character Guidance & Toolkit	Cumbria County Council	2011
Gypsy & Traveller Accommodation Assessment	Arc4	2013
<b>Local Documents</b>		
Strategic Housing Market Assessment (SHMA)	Arc4	2014
Housing Land Statement	Barrow Borough Council	2015
Draft Green Infrastructure Strategy incorporating Green Wedge Review	Barrow Borough Council	2015
Retail Capacity & Town Centre Uses Study	Nathaniel Lichfield	2013
Strategic Flood Risk Assessment	Capita	2015
Draft Employment Land Review	Barrow Borough Council	2015
Draft Infrastructure Delivery Plan	Barrow Borough Council	2015
Barrow Borough Site Assessments	Barrow Borough Council	2015
Barrow Borough Site Assessments – Non-Developable Sites	Barrow Borough Council	2015
Barrow Borough Heritage Impact Assessments	Barrow Borough Council	2015
Preferred Options Consultation Draft Habitats Regulations Assessment – Screening and Appropriate Assessment Report	BDP	2015
Issues & Options Draft - Draft Interim Sustainability Report Consultation Document	Barrow Borough Council	2015

**Table 2: Evidence Base Documents – Outstanding Documents**

	Authors	Anticipated Year Published
<b>Local Documents</b>		
Housing Land Statement – 2016 Update	Barrow Borough Council	2016
Final Green Infrastructure Strategy incorporating Green Wedge Review	Barrow Borough Council	2016
Barrow Borough Site Assessments (updated to include new sites submitted in response to Preferred Options Draft)	Barrow Borough Council	2016
Barrow Borough Site Assessments – Non-Developable Sites (updated to include new sites submitted in response to Preferred Options Draft)	Barrow Borough Council	2016
Final Infrastructure Delivery Plan	Barrow Borough Council	2016
Local Plan Viability Study	Keppie Massey/Barrow Borough Council	2016
Barrow Saturn Transport Modelling	Cumbria County Council	2016
Barrow Stage 1 & 2 Highways Assessment	Cumbria County Council/unknown	2016
Conservation Area Statements	Barrow Borough Council	2016
Central Barrow Masterplan	Barrow Borough Council	2016
Development Briefs (BBC sites)	Barrow Borough Council	2016
Sustainability Appraisal Report	Barrow Borough Council	2016
Equality Impact Assessment	Barrow Borough Council	2016
Health Impact Assessment	Barrow Borough Council	2016

4.4 Further more detailed technical studies may be required on individual sites to allow them to progress through the Local Plan process. These may include the following and will be the responsibility of the landowner/developer:

- Ecological and habitat surveys
- Heritage assessments
- Travel plans and transport assessments
- Landscape assessments
- Flood risk and surface water modelling
- Drainage surveys
- Noise assessments
- Tree and hedge surveys
- Ground stability and contamination surveys

### Community Led Plans

4.5 The parish of Askam and Ireleth have produced a Parish Plan 2014 which can be viewed on the Parish Council website

<http://www.askamandirelethparishcouncil.org.uk/communityPlanning.html>

4.6 The parish of Dalton and Newton are currently preparing a Parish Plan, more details can be found on their website

<http://www.daltoncouncil.org.uk/1160359056.html>

## **5. Slippage against 2014 LDS**

5.1 The Council's previous LDS was published in February 2014.

5.2 There has been slippage against the timetable set out in the 2014 LDS which showed the publication draft of the Plan being produced in March 2015 and then submitted to the Planning Inspectorate in August 2015, with adoption in March 2016. This has occurred for a number of reasons, including the emergence of new evidence (new household projections) and reduced resources.

## **6. Project Management**

### **Resources and responsibilities**

6.1 The preparation of the Local Plan is the responsibility of the Assistant Director of Regeneration. The Development Services Manager is responsible for the management of staff and resources and therefore the day to day management of plan preparation.

Leading the production of the Local Plan will be the Planning Policy team which comprises of the following:

- 1 Senior Planning Officer (full time)
- 1 Planning Officer (full time)
- 1 Planning Officer (part time)
- Administrative support (full time temporary contract)

An element of technical support (mapping, monitoring etc.) is provided by staff within Development Services.

6.2 The planning policy team must balance work on the Local Plan with other planning functions for example producing evidence base documents, responding to consultations from other Council departments, other authorities and government bodies (e.g. responding to planning applications, planning policy documents and proposals for changes to national policy and guidance), producing evidence for appeals, enabling and supporting the delivery of economic schemes.

6.3 Consultants will be engaged on specific tasks or projects where specialist skills are required or there is a resource shortage.

6.4 The preparation of a Local Plan also has financial implications for the Council and the progress of the Plan is dependent upon the allocation of budget beyond committing staff resources. Such costs for example relate to hiring consultants, consultation events, examination in public etc.

6.5 Production of the Local Plan is identified as a Council priority in the Corporate Plan.

## 7. Risk Management

7.1 In preparing the LDS, a number of risks have been identified which may delay progress on the Local Plan. These should be kept under review.

**Table 2: Potential Risks to Local Plan production**

Risk	Problem	Potential Mitigation
<b>Staff turnover or redundancies</b>	Staff turnover is difficult to predict. Significant and constant turnover would severely affect ability to achieve timely progressions on the Local Plan.	Ensure that vacant posts are filled promptly and if appropriate secure resources to allow for the use of consultants, temporary staff or internal secondments.
<b>Pressure on staff time due to competing work streams</b>	It is difficult to predict the number of consultations which the policy team must respond to. Any increase in the number could result in slower than anticipated progression on Local Plan.	The Local Plan is a Council priority therefore resources required for its production should be protected in the short to medium term. In the longer term the Council will be required by the NPPF to carry out regular reviews of the Plan to ensure it remains up-to-date.
<b>Capacity of the Planning Inspectorate</b>	Examination of the Plan can only occur when an Inspector is available and is allocated to the Borough. This issue is out of the Authority's control.	Ensure that PINS are aware of the Council's timetable for Local Plan production and are kept up to date if slippage occurs.
<b>'Soundness' of the Local Plan</b>	The Plan will only be capable of adoption if it is found to be sound by the Planning Inspector through the public examination process.	Minimise the risk of producing an 'unsound' document by working closely
<b>Length of Examination</b>	It is difficult to predict exactly the length of the examination process	The Council will aim to minimise the number of issues to resolve at examination by engaging communities and bodies throughout the plan process and basing the Plan upon a robust evidence base in the hope of reducing the number of objections to

		the Plan.
<b>Impact of new legislation, guidance or regulation</b>	The introduction of new legislation, guidance or regulations could delay the process and require revisions to the Plan and/or further evidence work	It is not possible to plan for further changes to the planning system however the Council can try to stay aware of proposals for change.
<b>Impact of emergence of new evidence e.g. new household projection figures</b>	The introduction of new evidence could delay the process and require revisions to the Plan	It is not possible to plan for the emergence of new evidence.
<b>Legal challenge/suspension of EIP</b>	Delay in adoption could result in the lack of a full, up-to-date policy framework	The risk of legal challenge can be reduced by ensuring the Plan conforms with the relevant regulations, policy and guidance and that correct procedures have been followed.
<b>Impact of national budget cuts</b>	Government reduction in support grant to local authority. Leads to budget cuts and spending reviews across council services.	Production of a Local Plan remains a priority for the Council, therefore resources required for its production should be protected in the short to medium term. In the longer term the Council will be required by the NPPF to carry out regular reviews of the Plan to ensure it remains up-to-date.

### 8. Local Plan Timetable

Year:	2016												2017											
Month:	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
Local Plan Publication Draft						■	■	■																
Local Plan Submission Draft													■		■	■								
Annual Monitoring Report				■										■										
Statement of Community Involvement			■	■	■																			

**KEY**

- Document Completed
- Formal Consultation
- Document submitted to Planning Inspectorate
- Pre-Hearing Meeting
- Adoption of Local Plan



## 9. Contact

9.1 For further information on the preparation of Local Plan documents, please contact the Planning Policy Team:

Development Services Manager

Development Services

Barrow Borough Council

Town Hall

Duke Street

Barrow-in-Furness

LA14 2LD

Telephone: 01229 876485

Email: [developmentplans@barrowbc.gov.uk](mailto:developmentplans@barrowbc.gov.uk)

Website: [www.barrowbc.gov.uk/planning/planning-policy](http://www.barrowbc.gov.uk/planning/planning-policy)