

Consultation Statement

May 2022

Affordable Housing and Developer
Contributions
Supplementary Planning Document

Working together to support sustainable development within the Borough of Barrow-in-Furness



- 1.0 Barrow Borough Council has consulted on the draft Affordable Housing and Developer Contributions Supplementary Planning Document (SPD). The consultation was for six weeks from Tuesday 14th December 2021 to Tuesday 25th January 2022. The draft SPD has been prepared under the Town and Country Planning (Local Planning) (England) Regulations 2012. This document summarises who was consulted during the consultation, the main issues raised, and how the Council has addressed these issues in the SPD.
- 2.0 The consultation was for six weeks from Tuesday 14th December 2021 to Tuesday 25th January 2022. The SPD was available to view on the Council's website and in hard copy at The Forum, Barrow, Dalton Town Hall and libraries in the Borough during their normal opening times.
- 2.0 A list of consultees can be found in the appendix. Responses to the consultation were received from the following bodies:
 - CITB
 - Cumbria County Council
 - Department for Education
 - Environment Agency
 - Historic England
 - Homes England
 - Natural England
- 3.0 A response was also received from a local resident who stated that affordable homes on brownfield sites are needed rather than more executive homes on green fields.
- 4.0 The Environment Agency, Homes England and Natural England stated that they do not have any comments on the draft SPD. The comments from the remaining bodies are summarised the table below, along with the Council's response to the comments.

General Comments		
Consultee	Summary of Comments	Council Response
CITB	Having employment and skills included in this SPD (or as a specific SPD) would allow the construction industry locally to create more employment opportunities to better serve the pipeline of projects in the Borough of Barrow and surrounding area, generating economic benefit that stays within the borough. It also provides Barrow people with the opportunity to find employment and training locally, rather than having to travel elsewhere to find work.	Comments noted, however it is considered that employment and skills is beyond the remit of this draft SPD. Nevertheless, the Council will consider the possibility of a separate SPD on this matter.
Cumbria County Council	<p>Consideration needs to be given to including a section about how viability will be considered relative to overall provision of infrastructure and services and how decisions will be made about what infrastructure contributions take priority over others.</p> <p>Consideration should be given to clarifying whether Barrow Borough Council will expect an 'open book' independent development appraisal to be undertaken to support any request for reduced contributions. Additionally, clarity should be provided about whether the County Council would be involved in jointly reviewing the appraisal and consideration of the infrastructure priorities.</p> <p>The County Council would wish to see that appropriate weighting / prioritisation is given to the infrastructure and services it is responsible for when considering viability relative to other infrastructure contributions that are being requested.</p>	A new "Viability" section has been added to the SPD, in accord with the County Council's comments and the Cumbria Planning Obligations Policy, in order to provide greater clarity on how the Council will consider viability. See new paragraphs 1.15 – 1.18 of the updated SPD.
Historic England	Local plan policy I1 in the adopted Barrow Borough Local Plan 2016-2031 provides for the historic environment as being a type of infrastructure that development may be required to provide contributions towards. It is noted that the intention of the SPD is not to set out all circumstances where infrastructure contributions will be sought. Therefore the absence of the historic environment from the document is	Comments noted.

	accepted as it does not preclude contributions being sought on occasion where necessary.	
1.0 Introduction		
Consultee	Summary of Comments	Council Response
Cumbria County Council	Include in the Introduction a statement recognising that other authorities and bodies that are responsible to the delivery of infrastructure and services will have policies that are relevant to assessing developments and requesting developer contributions. For example, the County Council will have regard to the Cumbria Planning Obligation Policy.	A statement has been added to the SPD that recognises the policies of other authorities, in accord with the County Council's comments. See paragraph new paragraph 1.7 of the updated SPD.
Cumbria County Council	Further explanation should be included in the SPD about how the IDP will be applied relative to the TIS, noting that the IDP in large part 'calls up' / links to the TIS in setting out the infrastructure required to support / mitigate the impact of development to be delivered through the Local Plan.	The SPD has been updated to clarify the roles of the IDP and the TIS, in accord with the County Council's comments. See new paragraphs 3.5 and 3.6 of the updated SPD.
Cumbria County Council	Consideration should be given to including a statement that substantial weight will be applied to the IDP / TIS in determining where developer contributions will be sought and that the use of the information contained in the TIS / IDP is considered to be a strong basis to meet the statutory tests.	A new paragraph has been added to clarify the roles of the IDP and TIS. See new paragraph 3.14 of the updated SPD.
Cumbria County Council	In paragraph 1.9 it is suggested that the reference to the "Local Cycle and Walking Infrastructure Strategy" should be changed to "Local Cycle and Walking Infrastructure Plan (LCWIP)" to ensure consistency of terminology within the SPD.	Amendment has been made in accord with this comment (now paragraph 10).
Cumbria County Council	In paragraph 1.13, consideration should be given to including clarification that for larger developments, where staged payments are made as the development progresses, that the timeframe for spending the contribution may be calculated from the date of the last scheduled payment. It is suggested that a timeframe is set for expenditure / refund of contributions	Paragraph has been amended to provide clarity regarding timescales for spending contributions, in accord with the County Council's comments (now paragraph 1.14).

	in the SPD for larger improvement schemes that will be delivered over time (preferably 10 years).	
3.0 Highways		
Consultee	Summary of Comments	Council Response
Cumbria County Council	Earlier comments reiterated regarding the weight that will be applied to the IDP / TIS in determining where developer contributions will be sought.	A new paragraph has been added to clarify the roles of the IDP and TIS. See new paragraph 3.14 of the updated SPD.
Cumbria County Council	Suggest that further clarifying text is provided to clarify the use of Section 278 Agreements. Suggested wording is provided by the County Council.	Paragraph 3.2 is amended in line with the suggested wording from the County Council. See paragraph 3.2 of the updated SPD.
Cumbria County Council	It is suggested that the draft SPD is expanded to provide further commentary about when Section 106 Agreements are preferred to secure highways contributions.	A new paragraph has been added to provide further commentary on the use of Section 106 Agreements, in accord with the comments from the County Council. See new paragraph 3.4 of the updated SPD.
Cumbria County Council	Suggest that Paragraph 3.4 should include a reference to public transport.	This paragraph has been reworked in line with earlier comments, and therefore no longer includes reference to infrastructure types.
Cumbria County Council	It is unclear where the 10 dwelling and 100m2 additional gross floor area thresholds in paragraph 3.12 have come from and how they have been determined. The thresholds are not consistent with any thresholds that are used by the County Council and therefore could fetter the County Council's ability to request a developer contribution. It is therefore requested that the thresholds are removed from the SPD.	Former paragraph 3.12 has been deleted in line with these comments, and therefore no longer includes thresholds. For consistency, the thresholds that were included 11.2 regarding healthcare contributions have also been deleted from the updated SPD.
Cumbria County Council	Detailed comments provided that suggest adding more information and clarity regarding the use of the TRICS database for calculating trip rates and when they should be established in the planning process.	New paragraphs 3.16 and 3.17 added to provide further information about the use of the TRICS database, in accord with the comments from the County Council.

Cumbria County Council	Paragraph 3.6 – it is suggested that the reference to “the Local Highway Authority” is changed to “Cumbria County Council”.	Change made accordingly (now paragraph 3.8).
4.0 Cycling and Walking		
Consultee	Summary of Comments	Council Response
Cumbria County Council	Wording is suggested to clarify that developer contributions will be required to secure the delivery of cycling and walking infrastructure identified within the LCWIP.	Paragraph 4.3 has been amended in accord with the comments from the County Council.
Cumbria County Council	Reflecting the County Council's role, it is recommended that the word “developing” is changed to “facilitating” in Paragraph 4.4. It is also suggested that the final sentence of this paragraph is amended to read, “The partnership recognises that there is significant potential in Barrow for more journeys to be made by walking and cycling if the right <u>infrastructure</u> is put in place.”	Paragraph 4.3 has been amended in accord with the comments from the County Council.
5.0 Public Transport		
Consultee	Summary of Comments	Council Response
Cumbria County Council	Bus services referred to in paragraphs 5.3 and 5.8 have been subject to change.	Paragraphs 5.3 and 5.8 have been amended to take account of the changes to the bus services.
Cumbria County Council	Clarification is provided on the frequency of bus services. Costs were also assessed in 2016 and have been subject to change.	New paragraph 5.8 is added to take account of the frequency of bus services and that the cost of providing bus services has been subject to change.
6.0 Travel Plans		
Consultee	Summary of Comments	Council Response
Cumbria County Council	It is recommended that further explanatory text is included in Section 6.0 about the County Council’s role and that further	New paragraph 6.5 added to provide more information on the County Council’s role in the assessment and approval of

	information regarding Travel Plan requirements can be obtained from the County Council's Cumbria Planning Obligations Policy.	Travel Plans.
7.0 Schools		
Consultee	Summary of Comments	Council Response
Cumbria County Council	It is noted that Section 7.0 Schools aligns with the County Council's Cumbria Planning Obligations Policy and therefore there are no further comments at this time.	Comment noted.
Department for Education	The department welcomes the support provided within paragraph 7.7 of this SPD which supports "the development or expansion of new educational facilities where they are well related to the catchment that they will serve", and via Policy HC15 of the local plan	Comments noted. Cumbria County Council is the Local Education Authority (LEA), and DfE's comments will subsequently be forwarded to the LEA for their consideration.
Department for Education	Paras 7.9 to 7.11 – We would recommend that the SPD reference the DfE guidance on securing developer contributions for education, in particular paragraph 8 which recommends that pupil yield factors are based on up-to-date evidence from recent local housing developments. Paragraph 34 of the guidance encourages local authorities to take account of the higher pupil yields generated by new housing developments compared to the wider population.	Comments noted. Cumbria County Council is the Local Education Authority (LEA), and DfE's comments will subsequently be forwarded to the LEA for their consideration.
Department for Education	Paras 7.14 to 7.16 – When education needs from very large developments are assessed and there are plans to utilise capacity in existing schools, instead of, or in addition to a new onsite school, we recommend that you only consider the capacity of primary schools within the statutory walking distance.	There are no "very large" housing allocations in the Barrow Borough Local Plan, therefore it is not considered necessary to make this amendment.
Department for Education	The provision of SEND places is not addressed. We would recommend that the SPD be amended to include a section outlining how the need for SEND places generated by new developments will be calculated, and how developer	Comments noted. Cumbria County Council is the Local Education Authority (LEA), and DfE's comments will subsequently be forwarded to the LEA for their consideration.

	contributions to support these places will be calculated	
Department for Education	Para 7.5 – the reference to paragraph 94 of the NPPF should be changed to paragraph 95.	Paragraph 7.5 has been amended accordingly.
Department for Education	The department welcomes the policy approach set out within the Cumbria County Council’s planning obligations policy (paragraph 6.2.2) asserts that both land and funding for the provision of schools will be required, and which is in turn the approach advocated by this SPD – this approach accords with our guidance and Planning Practice Guidance.	Comments noted.
9.0 Biodiversity Net Gain		
Consultee	Summary of Comments	Council Response
Cumbria County Council	The approach to biodiversity net gain is supported. There is further guidance expected from Defra to support the national roll-out of LNRS across the whole of England, and which may help further inform development of the “local guidance”.	Comments noted.
10.0 Green Infrastructure		
Consultee	Summary of Comments	Council Response
Cumbria County Council	<p>The provision and enhancement of green networks through developer contributions is supported.</p> <p>The draft SPD indicates that further guidance will be provided in a “Green Infrastructure SPD”. It is important that the further SPD supports a site responsive design approach that in the first instance seeks to retain, as far as is practicable, areas of natural value e.g. vegetation and systems such as riparian areas, in-line with the mitigation hierarchy of avoidance, mitigation and compensation for biodiversity loss. In preparing the guidance it will also be important to integrate flood mitigation / drainage and active transport considerations, including ensuring that the guidance aligns with relevant</p>	Comments noted.

	policies and design standards.	
12.0 Section 106 Monitoring Fees		
Consultee	Summary of Comments	Council Response
Cumbria County Council	It would be beneficial to clearly state that Section 12.0 relates to monitoring fees that may be sought by Barrow Borough Council and that other authorities may separately seek to charge a monitoring fee.	New paragraph 12.6 added to clarify that other authorities may separately seek to charge a monitoring fee.

Appendix

List of consultees

Specific

The specific consultation bodies include:

- Cumbria County Council
- Cumbria Police Authority
- Department for Communities and Local Government
- Environment Agency
- Historic England
- Home and Communities Agency
- Natural England
- North West Regional Leaders Board
- North Western Inshore Fisheries and Conservation Authority
- The Coal Authority
- The Secretary of State for Transport

Neighbouring Local Authorities

- Copeland Borough Council
- South Lakeland District Council

Parish Councils

- Askam and Ireleth Parish Council
- Dalton with Newton Town Council
- Lindal and Marton Parish Council

Neighbouring Parish Councils

- Aldingham Parish Council
- Kirkby and Ireleth Parish Council
- Millom Town Council
- Millom without Parish Council
- Pennington Parish Council
- Urswick Parish Council

Owners/controllers of electronic communications apparatus

- Arqiva Services Limited
- EE
- Three
- Vodafone and O2

Organisations which provide electricity, gas or water, or deal with sewerage

- Electricity North West Limited (ENW)
- Northern Gas Networks
- United Utilities Water Limited

General

The general consultation bodies include:

- Active Cumbria
- Age UK Barrow and District
- Askam Road Resident Group
- Associated British Ports
- AWAZ Cumbria
- Barrow and District Disability Association
- Barrow and District Society for the Blind Ltd
- Barrow Civic and Local History Society
- Barrow Gypsy Group
- Barrow Island Community Trust
- Barrow Tenant's with Disability Forum
- Barrow Tenants' Forum
- Barrow Traders Association
- Bluesky Planning
- Cadet Gas
- Centrica
- Chetwynde School
- Churches together in Barrow
- Churches together in Dalton
- Churches Trust for Cumbria
- CLA North (Country Land and Business Association)
- Cumbria Clinical Commissioning Group
- Cumbria County Council
- Cumbria Deaf Vision
- Cumbria Disability Network
- Cumbria Local Enterprise Partnership
- Cumbria Partnership NHS Foundation Trust
- Dalton Local History Society
- Dalton Residents Stakeholder Group
- Dalton Traders Association
- DARE Dance Studio
- Department for Education
- Devonshire Road Residents and Tenants Association
- Feet First in Furness
- Four Groves Community Association
- Furness Academy
- Furness Building Society
- Furness Multi-Cultural Community Forum
- Furness Ramblers Association
- Furness Rugby Union Football Club
- Grange and Cartmel Crescent Residents and Tenants Association
- Hindpool Community Association
- Keep Our Future Afloat Campaign
- Marine Management Organisation Northern Office

- MIND in Furness
- Morcambe Bay Partnership
- National Federation of Gypsy Liaison Groups
- NHS England
- NHS Property Services Ltd
- North Walney Residents' Association
- North West Ambulance Service
- North West Regional Leaders Board
- Openreach Newsites (British Telecom)
- Ormsgill Youth and Community Association
- OutReach Cumbria
- PC Lettings
- Phil Collier Associates
- Residents of Netherby Drive
- Rosegate Residents and Tenants Association
- St Bernard's Catholic High School
- Stoneleigh Close Residents Association
- Strategic Investment and Property, Cumbria County Council
- Street Voice for Barrow Island
- The National Federation of Liaison Groups
- Thomas Eggar LLP
- United Utilities Property Services
- University Hospitals of Morcambe Bay NHS Foundation Trust
- University Hospitals of Morcambe Bay Trust
- University of Cumbria Head Office
- Vulcan Road Tenants and Residents Association

Other

Other consultation bodies include:

- Accent North West
- Adult and Local Services
- Anchor Trust
- Applethwaite Limited
- Barrow and District Council for Voluntary Service
- Barrow Borough Sports Council
- Barrow Golf Club
- Barrow Sixth Form College
- British Astronomical Association
- British Horse Society
- CALC
- Children's Services
- Citizen's Advice Bureau
- Civil Aviation Authority
- Country Land and Business Association
- Cumbria and Lancashire Community Rehabilitation Company
- Cumbria Constabulary
- Cumbria Fire and Rescue Service

- Cumbria GeoConservation Group
- Cumbria Local Access Forum
- Cumbria Partnership Forum
- Cumbria Playing Fields Association
- Cumbria Tourism
- Cumbria Wildlife Trust
- Design Council
- Diocese of Carlisle
- Eamont Close Sheltered Housing Forum
- Fair oak Housing Association
- Federation of Small Businesses
- FFT Planning
- Fields of Trust
- Friends of the Earth
- Friends of the Lake District (CPRE)
- Furness College
- General Aviation Awareness Council
- Health and Safety Executive
- HM Revenue and Customs
- Home Builders Federation
- Home Group
- Impact Housing Association
- Inspira Cumbria
- Invest in Cumbria (CIIA)
- Jobcentre Plus
- Lake District National Park Authority
- Local Flood Risk Management Team, Cumbria County Council
- Maritime and Coastguard Agency
- National Farmers Union
- National Grid
- National Highways
- Network Rail
- NHS North West
- North of England Civic Trust
- North Western Inshore Fisheries and Conservation Authority
- Office of Nuclear Regulation
- Ramblers Association
- Road Haulage Association – Northern Region
- Royal Mail Group PLC
- Royal Yachting Association
- RSPB
- Sport England
- Street Voice for Lord Street Area
- Sure Start (Cumbria)
- The Campaign for Real Ale
- The Crown Estate
- The Gypsy Council
- The Lawn Tennis Association

- The National Trust
- The Planning Inspectorate
- The Princes Trust
- The Sea Cadets (Barrow)
- The Theatres Trust
- The Woodland Trust
- University Hospitals of Morcambe Bay NHS Trust
- Victoria Junior School
- Voluntary Action Cumbria

Development Services

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LA14 2LD

Website: www.barrowbc.gov.uk/residents/planning/



Working together to support sustainable development within the Borough of Barrow-in-Furness

