

1 INTRODUCTION

- 1.0.1 The Berwick-upon-Tweed Borough Local Plan is a statutory land use planning document. The purpose of the Plan is to provide a clear local framework to guide and encourage development in the Borough until the year 2006. It applies to the administrative area of Berwick-upon-Tweed Borough Council outwith the Northumberland National Park, and is part of the Development Plan for the area which also comprises the Northumberland County Structure Plan, which provides the broad planning framework, and Local Plans on Minerals and Waste Disposal. These Plans are the responsibility of Northumberland County Council. The Northumberland National Park Local Plan was adopted by the National Park Authority in September 1996.
- 1.0.2 This is the first Borough-wide Local Plan for Berwick-upon-Tweed Borough, although a consultation draft was published in December 1994, further details of which are provided in Section 1.4. The Borough had resolved to produce such a Plan in response to increasing development pressures during the 1980s. However, by the time work commenced, the preparation of district-wide Local Plans had been made compulsory under the requirements of Section 36 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991.
- 1.0.3 The 1991 Act also served to increase the status of Development Plans, so that when something is included within a Development Plan which is relevant to a proposed development, it must be taken into account. Indeed, Section 54A of the 1990 Act (inserted by the 1991 Act), requires applications and appeals to be determined in accordance with the Plan unless other material considerations indicate otherwise. This was a fundamental change to the operation of the planning system. Effectively, it introduced a presumption in favour of development proposals which are in accordance with the Development Plan.

1.1 The Planning Context

- 1.1.1 As indicated above, the Development Plan is produced within the context of national legislation, specifically the Town and Country Planning Act 1990. Guidance on the interpretation of legislation and policy relating to various planning issues, is provided by Government Circulars, Planning Policy Guidance Notes and Regional Planning Guidance. Regional Planning Guidance for the Northern Region was published by the Department of the Environment Northern Regional Office, now part of the Government Office for the North East, in September 1993. Development Plan policies must conform with Government Guidance unless there are clear and reasonable local circumstances to advocate an alternative approach.
- 1.1.2 It is important to ensure consistency between the various components of the Development Plan. In particular, Local Plans must be in general conformity with strategic policy contained in the Structure Plan. The replacement Structure Plan was adopted by the County Council in May 1996. The Berwick-upon-Tweed Borough Local Plan has been produced in conformity with the Structure Plan. The County Mineral's Local Plan was placed on Deposit in June 1996. The County Waste Local Plan was placed on Deposit in Autumn 1998.
- 1.1.3 In preparing the Berwick-upon-Tweed Borough Local Plan, policies and proposals within Plans for neighbouring areas have also been taken into account: these include the Alnwick District Wide Local Plan and Northumberland National Park Local Plan, the Borders Region Structure Plan and Local Plans for Berwickshire District and Roxburgh District.

1.2 Status of the Development Plan

- 1.2.1 Once adopted the Development Plan forms the statutory basis for planning and development in the Borough. The Berwick-upon-Tweed Borough Local Plan will rationalise local planning policy, and replace the Berwick-upon-Tweed Town District Plan adopted in 1988; the draft Berwick-upon-Tweed Town Centre District Plan 1979; the Northumberland County

Development Plan 1959 as amended; and the various informal planning policies of the Council.

1.3 Functions of the Local Plan

1.3.1 The Local Plan has five main functions:

- To relate Government Policies and Guidance to the land use requirements of the Borough, and where appropriate identify specific areas of land;
- To interpret strategic policy within the County Structure Plan and apply them to the local area, developing detailed area specific land use policies;
- To bring local and detailed planning policies and proposals before the public;
- To provide a basis for the co-ordination of development and use of land by public bodies, private organisations and individuals; and,
- To provide detailed guidance on the policies used by the Council in the determination of planning applications.

1.4 Plan Preparation and Public Consultation

- 1.4.1 The Berwick-upon-Tweed Borough Local Plan 'Draft for Consultation' was published in December 1994. During the first three months of 1995 a comprehensive consultation process was undertaken with organisations and individuals at the national, regional and local levels. A newsletter, "Blueprint? - A Local Plan for the Borough of Berwick-upon-Tweed", was circulated by Royal Mail Door to Door to every residential address in the Borough. Within the newsletter were details of the 12 Local Plan Exhibitions held across 20 days during January and February, at Norham, Bamburgh, Beadnell, Berwick, Lowick, Wooler, Holy Island, Chatton, Seahouses, Milfield, Cornhill and Belford. Over 800 people attended one or more of these Exhibitions. The Plan was also available for inspection and purchase at the Planning Department, and for reference and negotiable short-term loan from the County Libraries serving the Borough, including the mobile libraries. The Consultation Period closed officially on 31st March 1995, although representations continued to be received through to September.
- 1.4.2 The outcome of the Consultation Period was the receipt of written representations from 100 different organisations and individuals, from which over 1000 individual comments or points on aspects of the Plan can be identified. A schedule of representations relating to individual Policies, Proposals, Sections and paragraphs in the Plan was prepared and reported to the Council's Development Committee, together with recommended revisions to the Plan. The Council was able to respond positively to the great majority of representations, and the Plan was substantially revised in advance of the publication of the Deposit Draft.

1.5 The Deposit Stage

- 1.5.1 The Berwick-upon-Tweed Local Plan Deposit Draft was issued with a certificate of general conformity with the County Structure Plan on 5th January 1996. It was then placed 'on deposit' for the statutory six week consultation period commencing 16th March 1996. There were 633 representations received of which 375 raised objections, 224 offered support for the plan and the remainder comprised comments. A further three objections were received outwith the deposit period, which were considered by the Council. The Council issued a Schedule of Proposed Changes in August 1996, following consideration of the representations received to the deposit plan. The proposed changes attracted 60 counter objections. In September 1996 the Council issued a further paper proposing changes to the section on traffic management in the Berwick-upon-Tweed Town Centre. A public local inquiry to consider objections to the Deposit Plan was opened on 12th November 1996, and was formally closed on 9th December 1996. The Inspector's Report was received by the Council in March 1997. This was considered at a number of committee meetings during the summer and autumn of 1997. The Council's 'Statement of Decisions' and 'Schedule of Proposed Modifications', were published for a six week consultation period commencing 9th April 1998.
- 1.5.2 Objections to the 'Proposed Modifications' or to the Council not making a modification recommended by the Inspector were considered by the Council at a number of committee meetings from June to December 1998. A Schedule of 'Further Proposed Modifications' were published for a six week consultation period commencing 7th January 1999. No further modifications materially affecting the content of the plan were proposed by the Council. The Borough Council issued a 'Notice of Intention to Adopt' on 18th March 1999.

1.6 How to Use the Plan

- 1.6.1 The Local Plan consists of a Written Statement containing the detailed Policies and Proposals of the Plan, and a Proposals Map consisting of a plan of the Borough at 1:50,000 scale, and a series of 22 more detailed Inset Plans of individual settlements or areas. With the exception of the Insets for Berwick-upon-Tweed town - 1:10,000 scale - and Berwick town centre - 1:1,250 scale - the Insets are at 1:5,000 scale. All sites and areas referred to in Policies and Proposals in the Written Statement are identified on the Proposals Map, and the Proposals Map itself is cross-referenced to Policies and Proposals in the text.

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- 1.6.2 The Written Statement includes a Framework Chapter and five Subject Chapters. The Framework Chapter establishes the Local Plan Strategy which includes an Overall Aim, three Supporting Aims, and five Subject Aims relating to the subsequent Subject Chapters. It establishes a "package" of 31 Framework Policies against which all of the Subject Policies are based and all proposals for development will be considered.
- 1.6.3 The five Subject Chapters are intended to cover the five main aspects of our lives: Shelter, Work, Recreation, the means by which we move between different locations, and the services and facilities which support the quality of our lives. The Local Plan Strategy threads through these Chapters via a series of Subject Objectives at the beginning of each Chapter, to which all Subject Policies are addressed. There are a total of 201 Subject Policies.
- 1.6.4 All Subject Policies are cross-referenced to the Framework Chapter and references to important corresponding Policies and Proposals elsewhere in the Plan are incorporated in the text. In addition, indicative cross-references to other Policies and Proposals are listed beside Policies and Proposals.
- 1.6.5 The Policies in the Plan refer specifically to land use planning and are either site specific or "area-wide" in their extent. In addition, there are 22 Local Plan Proposals which state the Council's commitment to, or support for, other matters related to planning. A full list of Policies and Proposals is included for reference at the beginning of the Plan.

1.7 Implementation, Monitoring and Review

- 1.7.1 Although the Local Plan sets out Policies for land use planning and other Proposals for the period to 2006, it must be anticipated that circumstances prevailing in the first half of the 1990s will change during the lifetime of the Plan. It is therefore important to monitor the implementation of the Local Plan and the context within which it operates, to ensure that it remains relevant and up-to-date. The status of the Local Plan and the weight which can be given to Policies when challenged, will be dependent on how up-to-date it is.
- 1.7.2 As noted above, the Local Plan Strategy establishes the Aims and Objectives of the Plan, and the Policies and Proposals which guide development and other activities. It is important that the performance of each Policy is monitored against the Local Plan Strategy, in particular, the Subject Objectives listed in the supporting text to each Policy, in order to assess its relevance to the planning process in the Borough.
- 1.7.3 However, it must be recognised that the Plan cannot anticipate all forms of development which might be applicable during the Local Plan period. Section 54A of the Town and Country Planning Act 1990 requires an application or appeal to be determined in accordance with the Plan, unless material indications indicate otherwise. Where material considerations do indicate otherwise and there would be a substantial departure from the Plan, the proposals will be advertised to allow representations to be made and taken into account before a decision is made. A departure is likely to give rise to the need for modifications to the Plan when it is reviewed.
- 1.7.4 The Council will also monitor the relevance of the Plan against new and amended Legislation and Government Guidance. In accordance with the Guidance, it is anticipated that the Plan will be reviewed on a five yearly basis, with modifications to the Adopted Plan being placed on Deposit within five years of Adoption of the Plan. Further details on implementation are included at the end of each Subject Chapter.