

FOREWORD AND PREFACE

OBJECTION: 3866/4299 SVPS Mr C D Clarke

KEY ISSUES

- 1.1 ■ Whether the Foreword should be deleted and incorporated elsewhere in the Plan and whether it should reflect Charnwood's specific characteristics in terms of the regional and national context.
- The Plan contains many misrepresentations of Government Guidance.

CONCLUSIONS

1.2 Ideally, the Plan should start with a brief introduction to establish a context. All plans are prepared within a wider policy context and setting. The context helps users understand how strategies have evolved and the effective limits of action for any particular plan. I consider that the Foreword provides a crisp introduction to the geography and economy of the Borough and focuses on the need for a balanced approach to development and conservation. It is clear and succinct. I can see no benefit in deleting or relocating the Foreword to another part of the Plan. Paragraph 5.15 of PPG12 advises that the level of detail to be included within a plan is a matter for local decision, and cautions Councils against including more detail than is required to meet the needs of the area. Bearing this advice in mind, I can see no compelling argument for the inclusion of a range of detailed regional and national statistics about Charnwood in the Foreword.

1.3 Turning to the concerns about misrepresentation of Government Guidance, I can find no evidence of this in the Foreword or indeed throughout the Plan. The Council has taken all relevant national and strategic policies into account in the preparation of the Plan and in the preparation of the Proposed Changes.

RECOMMENDATION

1.4 I recommend that no modification be made in response to this objection.

MAIN CHANGES FROM THE CONSULTATION DRAFT LOCAL PLAN

Objections: 5635/4265 Birstall Parish Council, Mrs D Wilson
5838/4267 CBC Liberal Democrat Group, Cllr A W Stott

KEY ISSUES

- 1.5 ■ The strategic and policy objectives should be made into policies.
- The major changes from the Consultation Draft should be fully explained including a reasoned evaluation of alternative scenarios.

CONCLUSIONS

1.6 The concerns relating to the overall strategy and definition of policies are more appropriately addressed at other sections of this report and I shall deal with them accordingly.

Bearing in mind the advice in paragraph 5.12 of PPG12, I consider it is unnecessary in the Preface to go into any more detail about the changes from the Consultation Draft Local Plan. The Council has provided a summary of the main changes which I consider is helpful. It should be an informative summary; not too long or detailed. It fulfils that requirement. Consideration of alternative strategies should be confined to the pre-deposit stages and should not appear in the deposit version of the Plan. The issue of alternative development options is also considered in the Strategy Chapter. In my view the Foreword and Preface provide a perfectly adequate explanation of the major changes and no modification is justified.

RECOMMENDATION

1.7 I recommend that no modification be made in response to these objections.

PARAGRAPHS - 1.1 to 1.37 - CHAPTER 1 - INTRODUCTION

OBJECTIONS:	3811/4271	CPRE - Charnwood District, Mrs J Noon
	3817/25708	A W Stott - see H/1(r)
	3820/4273	Friends of the Earth, E Allsopp
	3866/4277	SVPS, Mr C D Clarke
	4824/25808	BAD, Mrs E M Allen - see H/1(r)
	5635/4280	Birstall Parish Council, Mrs D Wilson
	5727/4283	Consortium of Charnwood Environment Groups, Ms L Diggle
	5838/4285	CBC Liberal Democrat Group, Cllr A W Stott
	5633/4286	David Wilson Estates Ltd, Mr F W Graves
	5774/4287	Bryant Homes East Midlands Ltd
	2879/4288	Rural Development Commission, Mr D Herd
	3866/4289	SVPS, Mr C D Clarke
	5635/4290	Birstall Parish Council, Mrs D Wilson
	3817/25709	Mr A W Stott - see H/1(r)
	4824/25809	BAD, Mrs E M Allen
	5838/4292	CBC Liberal Democrat Group, Cllr A W Stott
PCs:	1 and 2	
Objection to PC1:	5633/71443	David Wilson Estates Ltd, F W Graves
FPC:	233	

KEY ISSUES

- 1.8
- Whether an adequate Environmental Appraisal of development proposals has been carried out, and in particular, whether it follows the DOE's Good Practice Guide for Environmental Appraisals.
 - The Plan should ensure that development cannot prevail against the public interest and the introductory text is in conflict with site specific proposals.
 - The Plan should make clear that some sites would not be totally developed within the plan period and therefore the Plan should include policies which relate to phasing of development beyond the plan period.

- The Plan should emphasise the role of the rural economy in implementing a regeneration strategy.
- The Plan should include clear aims, objectives, targets and policies with particular regard to monitoring and review in accordance with PPG12.
- The Plan should take into account, and make provision for, the adjoining Local Plan strategies, to ensure consistency and to reduce conflict between policies.

CONCLUSIONS

1.9 Several of these objections are more appropriately addressed, at least in part at other sections of this report. For instance, the SVPS has lodged objections which I see as “overlapping” into other sections of the report and I shall deal with those at those points, as appropriate. For my conclusions on objections which are consequential to Policy H/1(r) see paragraphs 4.403 to 4.527. The objection by BAD is assessed partly at paragraph 1.19 below but also more generally in the Location of Development section in Chapter 2. I shall not respond to allegations concerning procedural matters which fall outside the jurisdiction of the Inquiry. I am satisfied that the Borough Council has consulted widely in the production of the Plan, far exceeding the obligations for publicity and consultation imposed by the Regulations.

1.10 Dealing firstly with the objections raised in relation to the lack of an Environmental Appraisal, I recognise that the David Tyldesley and Associates Report (CD/30) was published by the Council in August 1997 after the duly made objections had been lodged. It is clear from the summary of that document at section 3 that the Environmental Appraisal used the method for strategic environmental appraisal of development plans published by the DOE, adapted to take account of developing good practice techniques, the stage in the development plan process and the local circumstances. Government advice in PPG12 (GD/10) requires Environmental Appraisals to be prepared as plans “are drawn up” and it is not surprising to me that the independent Environmental Appraisal commissioned by the Council was not published any sooner than it was.

1.11 Nevertheless, the potential development sites promoted through the Plan, and those proposed as additional or alternative allocations, were subject to an Environmental Appraisal within the context of Technical Reports 4 and 4A (CD/8). Following the publication of the DOE's Good Practice Guide a second appraisal was undertaken using the principles recommended in the Proposals Impact Matrix. The results were published in the report into Sustainability and Impact of Major Development Options (CD/13). In my view these documents have ensured that the decisions bearing upon the development of the preferred strategy and the identification of individual allocations for housing and employment were well informed.

1.12 Subsequently, the independent Environmental Appraisal (CD/30) endorsed that approach as having been “rigorous, comprehensive and thorough” leading the consultants to conclude that they were in agreement with the broad conclusions in respect of the major allocations. This Appraisal has shown the Plan to be generally compatible with the aims of environmental sustainability. Bearing in mind all the foregoing assessments, I am satisfied that an environmental appraisal has been correctly researched and prepared and the format (for instance, its matrix) is in conformity with the Good Practice Guide. I therefore conclude that the objections raised in relation to the absence of an environmental appraisal have now been overtaken by events and no further action by the Council is required or is desirable.

1.13 Some objectors hold the view that the Plan should make clear that some sites would not be totally developed within the plan period and therefore it should refer to policies in relation to phasing longer term development. I consider that while it is important that this Plan should have regard to what the future could hold - even to take account of possible long term strategies - it is not within its statutorily defined remit to make firm policies and proposals that will operate beyond the end of the Plan period (i.e. 2006). Nor would it be wise to do so because the ability of the Council to adjust its thinking and plans to meet unforeseen future circumstances could be needlessly prejudiced. I consider that the PC 1 clarifies this issue and should be implemented.

1.14 PC 2 would resolve the issue which relates to the emphasis to be given to the role of the rural economy in implementing a regeneration strategy. I consider that the additional wording proposed to paragraph 1.19 is acceptable and should be implemented.

1.15 On the issue that the Plan includes no clear aims and objectives, targets and policies concerned with monitoring and review, I consider that Policy ST/1 provides a clear and concise basis for the Plan as recommended in PPG12. Where appropriate, the standards required of development and the particular site specific obligations which will be material to the determination of a planning application are also set out in the Plan. In my view, Policy ST/1 provides the baseline for the effective monitoring of the Plan. However, the Plan does not explicitly refer to a monitoring programme or a commitment to monitor the environmental effects of the Plan. This is referred to in the Environmental Appraisal (CD/30) where it indicates that environmental monitoring of specific indicators and targets may help to inform the understanding of environmental change in the Borough and the inter-relationships of policies and cross compliance. The inclusion of development briefs within the Plan, as suggested by one objector, would represent an inappropriate level of detail.

1.16 The Council accepts that monitoring reports assessing the performance of the Plan will be submitted as and when resources permit but considers that key indicators may be identified at a later stage. I consider that the consultant's advice points to a more regular and systematic approach. Monitoring of the Plan would be improved by the preparation of a report setting out the Council's proposals for monitoring and how the results would be used in future reviews of the Plan. Information should be collected and analysed on a regular basis. A considerable amount of data is held or could reasonably be added to existing data, which, if analysed in a regular and systematic way, could provide the basis for monitoring.

1.17 An annual monitoring report along the lines suggested in paragraph 6.9 of CD/30 would suffice. It should be comprehensive but use a relatively simple format. It would not require expensive resource commitments. Monitoring and review should be seen as a parallel processes. In conclusion therefore, while I accept that Policy ST/1 will provide the baseline for the monitoring and review of the Plan, I also consider that a regular and systematic monitoring programme should be identified to accord more closely with the consultant's advice and that contained in PPG12 paragraphs 4.21 to 4.24.

1.18 Bryant Homes East Midlands Ltd objected to the omission of highway measures directed towards the relief of traffic congestion in eastern Loughborough. This objection is specifically addressed under Policy TR/38 (TR/6) at paragraph 7.222 onwards in the context of the omission of an Eastern Relief Road to Loughborough. Arising out of this objection the Council accepts that there is a need for an early review of the Plan. FPC 233 proposes to amend paragraph 1.24 of the Plan accordingly. Bearing in mind the shortness of the remaining plan period I endorse the implementation of FPC 233.

1.19 BAD, Birstall PC and The Liberal Democrat Group of the Borough Council consider that the Plan needs to pay greater attention to the adjoining Local Plan strategies, notably the major developments at Beaumont Leys and the A42/East Midlands Airport corridor. I consider that the Plan is concerned only with the development needs of Charnwood. The policies and proposals in the Plan must conform to the LSP which directs the majority of new development towards the urban areas and to locations which offer a choice of transport between those areas.

1.20 In distributing development around the county the LSP has already taken into account strategic matters; specifically 1500 dwellings required to meet projected growth in Charnwood plus overspill from the Greater Leicester urban area were directed elsewhere in the county, including 900 to North West Leicestershire District. The allocations proposed for Charnwood must provide for the projected growth in households generated within Charnwood Borough alone. I am also aware that none of the neighbouring local planning authorities have found cause to object to the proposals of the Plan in principle on the grounds that the location of housing should have regard to the A42/Airport corridor or commitments at Beaumont Leys. I can find no compelling argument for recommending any modifications on the basis of these objections.

RECOMMENDATIONS

1.21 I recommend that:-

- (i) the Plan be modified in accordance with PC 1 and PC 2 together with FPC 233.**
- (ii) paragraph 1.24 of the Plan, as proposed to be modified by FPC 233, be further modified by the insertion of an additional sentence or sentences, at the end of the seventh paragraph, to indicate more precisely how monitoring of the Plan is to be carried out.**