

CHAPTER 1: INTRODUCTION

The Statutory Background

- 1.1 The Borough of Charnwood Local Plan has been prepared under the provisions of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991. Further guidance is provided by the Town and Country Planning (Development Plans) Regulations 1999 (S.I. No: 3280) and Planning Policy Guidance Note 12: Development Plans (December 1999).
- 1.2 The Planning and Compensation Act 1991 now makes mandatory the preparation of a single local plan covering the entire district. The Government had expected to see substantially completed national local plan coverage by 1996.
- 1.3 The Government's commitment to a stronger role for the development plan (ie Structure and Local Plan) is further emphasised by the introduction of Section 54A into the Town and Country Planning Act 1990 which now requires:
- “Where in making any determination under the Planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the development plan unless material considerations indicate otherwise.”
- 1.4 Once such material consideration is likely to be the extent to which the development plan is relevant, up to date and consistent with Government advice and Regional Planning Guidance.
- In allowing for the admission of other “material considerations” in the determination of planning applications the statute provides for the Council to approve proposals which depart from the development plan provided it is satisfied that there are exceptional and overriding reasons for so doing. In any such event the Council is obliged to advertise the proposal as a departure from the plan affording the opportunity for the Secretary of State to “call in” the application for his decision.
- 1.5 The purpose of the planning system in general is to provide:
- Guidance - to help people to plan the use of their land confidently and sensibly and to help planning authorities to interpret the public interest wisely and consistently;
 - Incentive - to encourage and stimulate necessary development through specific land allocations; and
 - Control - to ensure that development cannot prevail against the public interest and to permit those affected by proposals to have their views considered.
- 1.6 To these ends the preparation of the development plan gives local communities the opportunity to participate in planning in influencing the choices about where development should be accommodated within their area.
- 1.7 This Local Plan, together with the Leicestershire Structure Plan, the Leicestershire Minerals Local Plan and waste planning policies forms the statutory Development Plan for the Borough of Charnwood.
- 1.8 The Structure Plan is prepared by Leicestershire County Council and covers the whole County. Its purpose is to:
- provide the strategic policy framework for planning and development control locally; and
 - ensure that the provision for development is realistic and consistent with national and regional policy.

All reference in this document to the “Structure Plan” relates to the Leicestershire Structure Plan as adopted by the County Council in January 1994.

- 1.9 The Minerals Local Plan is prepared by Leicestershire County Council as Minerals Planning Authority, and sets out policies and proposals for the winning and working of minerals, protection of the environment during extraction and subsequent site restoration. In addition the County Council is required to prepare waste planning policies, either through the preparation of a Waste Local Plan or by inclusion in the Minerals Local Plan.
- 1.10 The Local Plan for Charnwood is prepared by the Borough Council. Its purpose is to provide the detailed framework for the control of development and use of land which should guide most day to day planning decisions. The Local Plan, in general conformity with the Structure Plan, is required to:
- set out the authority's policies for the control of development; and,
 - make proposals for the development and use of land and to allocate land for specific purposes.
- 1.11 Under the provisions of the 1990 Act, local plans are also specifically required to include policies in respect of:
- the conservation of the natural beauty and amenity of the land;
 - the improvement of the physical environment; and,
 - the management of traffic.

Policies on other topics for inclusion remain at the discretion of the local authority with Planning Policy Guidance Notes providing a recommended agenda.

- 1.12 In the preparation of this Local Plan detailed background papers have been produced to investigate thoroughly certain key policy issues. These are published separately as a series of Technical Reports:

Technical Report No.1	:	Areas of Particularly Attractive Countryside
Technical Report No.2	:	Local Separation Policy
Technical Report No.3	:	Green Wedges
Technical Report No.4 & 4A	:	Assessment of Potential Development Sites
Technical Report No.5	:	Windfall Housing
Technical Report No.6	:	Soar Valley Area of Local Landscape Value

- 1.13 This series of Technical Reports was supplemented in August 1995 by a further background paper; "Sustainability and the Impact of Major Development Options". The report provides an iterative appraisal and analysis of all development options considered in the preparation of the Local Plan founded upon the Good Practice Guide for the Environment Appraisal of Development Plans published by the Department of the Environment (November 1993).
- 1.14 Three additional Technical Reports were published to accompany the Proposed Modifications published in May 2001:

Technical Report 7	:	Residential Availability, March 2000
Technical Report 8	:	Assessment of Urban Capacity
Technical Report 9	:	Analysis of Production on Large Sites

The Plan Period

- 1.15 The Borough of Charnwood Local Plan covers the period 1991 to 2006. However in some instances where policies may relate to a long term development of strategic significance or to the conservation of the natural and built heritage a longer timescale may be appropriate.

The Plan Area

- 1.16 The Borough of Charnwood extends over 280 square kilometres (108 square miles) and has a population of some 153,500. The plan area together with Parish Council Boundaries is shown in Figure 1.

Resources and Implementation

- 1.17 In preparing their plans and policies local planning authorities are required to have regard to the likely availability of resources to ensure that their expectations are realistic and capable of implementation.
- 1.18 Although it is the responsibility of the Borough Council to prepare the Local Plan, its successful implementation will require the support and assistance of various Government agencies, the County Council, other public bodies and utilities, voluntary organisations and, not least, local business interests and the private sector generally. All will be influenced to some degree by national and local economic conditions and the availability of resources.
- 1.19 The national economy, over recent years, has clearly experienced a period of considerable uncertainty and difficulty which has shaken severely public, business and institutional confidence resulting in a more cautious approach to investment decisions. Government policy is directed towards the encouragement of economic recovery but current forecasts suggest any such recovery is likely to be gradual over an extended period of time.
- 1.20 However while having not avoided the effects of the recession, Charnwood has certainly fared better than many other localities. Substantial investment has already taken place in new technology industries, there is a commitment to major improvements in the communications network, the rural economy possesses potential for growth and diversification, housebuilders maintain a keen interest in the Borough and the district enjoys a wealth of natural assets. These factors suggest that Charnwood is likely to attract significant private sector interest as and when economic indicators improve. These assumptions are supported by the factors directing major land allocations towards the Borough through the Structure Plan. However, the Structure Plan does recognise that environmental constraints limit the amount of development which the Local Plan area can accommodate.
- 1.21 Through the use of its planning powers, the Borough Council can encourage and control private initiatives to the advantage of the public interest. Many of the policies in the Local Plan are intended to give clear guidance on how the Council will determine development proposals in particular locations. These determinations, and the support that the Council received when challenged on appeal, will play a major part in the successful implementation of the Plan.
- 1.22 The extent to which the capital spending programmes of the various Government and public bodies will contribute to the implementation of the Local Plan will vary between the agencies concerned. All are however likely to experience continuing restraint while Government policy remains committed to strict controls over public expenditure.
- 1.23 To some extent the amount of resources available for key projects is likely to depend upon the success of the Borough and County Councils in bidding for specific grant allocations from central Government or from the European Commission. Bids have been, and may be expected to be made under the following programmes:
- Single Regeneration Budget;
Derelict Land Programme;
Housing Investment Programme (HIP);
Local Transport Plan (LTP);
Townscape Heritage Initiative (THI) and Heritage Economic Regeneration Scheme (HERS);
and
Strategic Programme for Innovation and Technology Transfer (SPRINT) (An E.C. initiative).
- 1.24 These programmes underline the greater emphasis which Government now places upon the role of local authorities as enablers and coordinators rather than providers. The Borough Council may also extend its enabling role through the use of its own land and its influence as a land owner with a power to acquire land compulsorily.

Monitoring and Review

- 1.25 To remain effective in decision making the Local Plan must be up-to-date and consistent with national and regional policies. The Council has always recognised that circumstances will alter over the plan period and committed itself accordingly to a full review of the Plan at regular intervals.
- 1.26 The objectives of this ongoing monitoring and review process will be:
- i) to reappraise the continued relevance of the plan's primary aims;
 - ii) to re-examine the trends and the validity of assumptions underlying the plan's policies;
 - iii) to assess the success of policies in achieving the aims of the plan;
 - iv) to identify significant new issues warranting a policy response; and
 - v) to prepare appropriate amendments when circumstances require.
- 1.27 The preparation of this first Borough of Charnwood Local Plan has proved to be a complex and time consuming exercise. The plan period expires in 2006 affording the adopted plan a lifespan of less than 5 years.
- 1.28 PPG12 - Development Plans advises that local plans should extend over a period of 10 years from their likely adoption date. To ensure continuity in housing land supply a five year plan period represents the minimum desirable.
- 1.29 The need for an early review is heightened by the progress being made towards the preparation of new Regional Planning Guidance with a 20 year time horizon, and a replacement Structure Plan rolling forward strategic policies and proposals until 2016.
- 1.30 In addition overall Government policy has moved progressively towards the closer integration of land use planning and transport policy in its drive towards more sustainable patterns of development and growth. That process, included, in July 1998, the release of a White Paper, "A New Deal for Transport". Among other initiatives, the White Paper introduced a requirement for the preparation of Local Transport Plans which will co-ordinate local transport initiatives, set specific targets, give greater certainty to funding and ensure greater use of traffic management. Local Transport Plans will have an important role to play in informing future land use choices.
- 1.31 Accordingly an early review of this local plan is inevitable and necessary to ensure the maintenance of a relevant and up to date framework, consistent with emerging strategic developments and initiatives for the closer integration of land use and transport. That review will necessarily have to consider all options for meeting future development needs, including those rejected in the preparation of this local plan.
- 1.32 The effective implementation of the policies and proposals of the Local Plan will be closely monitored by reference to existing statistical sources and information bases to inform the review process. The results of monitoring will be published in the form of an Annual Monitoring Statement. It will identify a series of indicators and set targets that will give a clear view on what the plan is trying to achieve and provide a measure against which to judge its effectiveness. Such statements will also include details of progress toward the targets identified. Results will be fed into future reviews of the Plan.
- 1.33 It is not intended that the Local Plan should prejudice the consideration of any future option for development to meet the needs of the plan area. New proposals for development will accordingly be considered in that context. The Local Plan acknowledges, for the purposes of the current plan period the presence around the main urban areas, of various constraints to development deserving of specific policy reference (i.e Green Wedge, Areas of Particularly Attractive Countryside, Areas of Local Separation, Historic Parks/Gardens and essential wash land). Clearly the local planning authority faces some difficult choices in reconciling these competing interests in the face of additional development needs.

The Local Plan Format

- 1.34 The Local Plan consists of a Written Statement and a Proposals Map. The Written Statement sets out the Local Planning Authority's proposals for development and other use of land within the plan area. Policies and proposals are distinguished by being set in **bold print** and preceded by a reference number. Cross references to other relevant policies appear in *italics* after each policy.
- 1.35 Each policy and proposal is accompanied by a reasoned justification setting out the particular circumstances for its inclusion.
- 1.36 The Proposals Map covers the whole of the administrative area of Charnwood Borough. Inset maps at a larger scale permit greater detail to be more clearly shown in the central urban areas. Policies and Proposals are cross referenced with the Written Statement.
- 1.37 In the event of any contradiction in the Local Plan between the Written Statement and the Proposals Map, the provisions of the Written Statement shall prevail.
- 1.38 All the plan's Policies and Proposals must be considered together before a view can be determined on each particular issue.

Commitments

- 1.39 Where land within the plan area already enjoys the benefit of a planning consent it is recognised as a commitment and represented as such on the Proposals Map in the interests of clarity. Commitments do not constitute proposals of the Local Plan and cannot therefore be the subject of objection. Such commitments are entirely consistent and compatible with the provisions and intentions of the Local Plan and it is fully expected that in the majority of cases commitments will be implemented within the plan period. In those instances where planning consents are permitted to lapse the preferred use for the site will usually be that for which planning permission was originally granted. However where the circumstances relating to a particular site have changed to a material degree the Borough Council may take the opportunity afforded by a lapsed consent to undertake a review of its policies relating to the particular site and, where appropriate, seek to alter formally the provisions of the Local Plan in accordance with statutory procedures.

Existing Local Plans

- 1.40 In accordance with previous Government advice the Borough Council had pursued a programme of settlement or sub-area based statutory local plan preparation focusing upon those areas under greatest pressure for change:
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| Wreake Valley Local Plan | : | adopted September 1985 |
| Shepshed Local Plan | : | adopted April 1987 |
| Soar Valley Local Plan | : | adopted June 1992 |
| Loughborough Local Plan | : | adopted August 1994 |
- 1.41 Both the Soar Valley and Loughborough Local Plans have proceeded to adoption under the interim measures of the current legislation as "saved" plans. The South West Charnwood Villages Local Plan, published as a consultative draft in October 1991 and was not able under the current legislative framework, to be continued similarly. The work undertaken was carried forward, where appropriate, within the Borough of Charnwood Local Plan.
- 1.42 In addition, the County Council prepared the Wanlip Action Area Local Plan to effect the restoration of former sand and gravel workings, adopted in January 1985 and the Hamilton Local Plan, straddling the City Council boundary, adopted in September 1987.

- 1.43 The Council's statutory local plan coverage has been supplemented by a number of additional non statutory policy documents providing supplementary planning guidance:
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| Loughborough Draft Local Plan | : | approved February 1973 |
| Hathern Plan | : | approved September 1973 |
| North Wolds Plan | : | approved May 1979 |
| Seagrave Village Plan | : | approved May 1980 |
| Thurcaston Village Appraisal | : | approved March 1986 |
- 1.44 The Borough of Charnwood Local Plan supersedes all the above previously prepared statutory and non-statutory planning policies for the Borough.

Adjoining Local Plans

- 1.45 In preparing this Local Plan the Borough Council has had regard to existing and emerging local plans prepared for adjoining administrative areas by the following Councils:
- Blaby District;
 Harborough District;
 Hinckley and Bosworth Borough;
 Leicester City;
 Melton Borough;
 North West Leicestershire District;
 Nottinghamshire County; and
 Rushcliffe Borough.