

CHAPTER 1: INTRODUCTION

Objections

1.06			<i>The Context for the Plan</i>	
598	2670		Mr I Brown	CPRE - Broxtowe Group
1.06 R1			<i>The Context for the Plan - Rephrasing of information regarding the context for the Plan</i>	
598	4399	R1	Mr I Brown	CPRE - Broxtowe Group
1.07			<i>The Plan-making Process</i>	
1363	3408		Mr D Herd	Countryside Agency - East Midlands Region
1.13			<i>The Form of the Plan</i>	
1155	2514			Greasley Parish Council Andrew Thomas Planning
1.XX R12			<i>The form of the Plan - Addition of information regarding the Technical Reports</i>	
1155	5085	R12		Greasley Parish Council Andrew Thomas Planning

Summary of Objection issues

1.6 The Context for the Plan

598/2670: CPRE - Broxtowe Group

- Four more factors should be added to the main context of the new plan: 1) The plan recognises that land use planning embraces the principles of sustainable development. An environmentally led approach will be the overriding principle in achieving sustainable development and will be fully integrated into all aspects of the Local Plan. 2) Broxtowe's Local Agenda 21. 3) The County's Biodiversity Action Plan. 4) Broxtowe's Nature Conservation Strategy.

Council's Response:

- This section has been amended in the Revised Deposit Draft to include reference to Broxtowe's Local Agenda 21 and The Broxtowe Nature Conservation Strategy. The County's Biodiversity Action Plan is referred to within the section 'Other Policy Background' of Chapter 3 The Environment. The principle of sustainable development and its importance is stressed throughout the Plan - the first mention being on page 1 of the Plan. There is no need to repeat further references in the context for the Plan.

1.6 R1 The Context for the Plan - Rephrasing of information regarding the context for the plan

598/4399: CPRE

- Regard the Nottingham Biodiversity Plan as a principal factor and should be included in the paragraphs following 1.6.

Council's Response:

4. The County's Biodiversity Action Plan is referred to within the section 'Other Policy Background' of Chapter 3 The Environment. The Council considers the Nottinghamshire Biodiversity Plan is more directly relevant to the Environment chapter.

Inspector's Conclusions

1. This section of the document describes the main planning policies and plans to which this Local Plan Review should have regard. In addition to national and regional policy guidance, the Nottinghamshire Structure Plan and the 1994 Local Plan, this section refers to a number of locally approved non-statutory policy documents. R6 and R7 refer respectively to the Broxtowe Local Agenda 21 Strategy and the Broxtowe Nature Conservation Strategy as requested by the CPRE.
2. R6 refers to the promotion of sustainable development in the Borough. The principles of sustainability are included, more appropriately, under the "Guiding Principles for the Plan" in Chapter 2 and need no further duplication in Chapter 1.
3. R95 to Chapter 3 identifies the role of the Nottinghamshire Local Bio-diversity Action Plan produced by the Nottinghamshire Bio-diversity Group and R96 puts forward a new Policy to protect the conservation value of recognised habitats in the Action Plan. I can see no significant advantage in duplicating a reference to the Action Plan in Chapter 1. It would lengthen the Plan unnecessarily.

Recommendation

4. I recommend that no modification be made to the Revised Deposit Plan in respect of these objections.

1.7 The Plan-making process

1363/3408: Countryside Agency - East Midlands Region

1. Understand that an Environmental Appraisal of the Plan has been carried out, which is welcomed. However, the Plan does not appear to refer to the appraisal or how it has affected (and might continue to affect) the plan-making process. Linked to this, the plan does not make any commitment to monitoring the implementation and effectiveness of its policies, as advised by PPG12. Further, no indicators of the effects of the plan's policies on rural areas are proposed.

Council's Response:

2. The Revised Deposit Draft includes paragraph 1.XX (R12) and 2.XX (R21), both of which refer to the Environmental Appraisal. The Council is fully committed to monitoring the implementation and effectiveness of its policies and this is emphasised throughout the plan. When the content of the plan is confirmed, at the time of adoption, the Council will issue a companion document explaining how it proposes to monitor the policies and provide regular progress reports on development and implementation.
3. To confirm this within the plan document, it would be appropriate to add an explanatory paragraph at the end of the first chapter, after 1.XX (R12).

Inquiry Change

4. **The Council has recommended that an additional paragraph 1.XX is added to the end of Chapter 1 Introduction as follows:**

IC96 On adoption of this Local Plan, the Council will issue a companion document which will set the context for regular progress reports on development and implementation, and explain how policies will be monitored for their effectiveness.

Inspector's Conclusions

1. R12 and R21 should help to meet the Agency's concerns relating to an Environmental Appraisal of the First Deposit Draft Plan.
2. Paragraph 1.4 of the RDDP emphasises the importance of a regular review of the Plan, one of the circumstances for this and the purpose of the review. Paragraph 1.5 describes the context for the current Review Plan. Although the Council during the inquiry gave some indication of the likely time scale to the next review, I do not criticise them for omitting any firm commitment to this in the Plan itself; particularly in view of government's proposed changes to the development plan system.
3. The RDDP includes aims and objectives, which PPG12 considers provide a consistent basis for monitoring. However, it contains no commitment to monitoring their achievement or any indicators for assessing this. The Plan contains numerical requirements in respect of dwelling numbers, estimates of windfalls and conversions, vacancy rates etc, the capacity of urban areas and the provision and take up of employment land. The Council already monitors most of these on an annual basis in separate public documents. They form the basis for the Plan policies and proposals on these aspects as R12 made clear. However, little mention is made to these in the supporting text other than implicit references such as in paras 4.23, 4.27, R130 and 5.38.
4. I agree with the Countryside Agency and PPG12 para 2.17 that appropriate indicators are important to the successful implementation and monitoring of the Plan. In the absence of any from the LPA, it is hardly for the Agency to produce a set and it also falls outside my remit. I am reluctant to recommend any course of action that could unduly delay the adoption and the implementation of the RDDP. The adopted Plan dates already from 1994.
5. In the circumstances, IC96 offers the most practical way forward. It emphasises the Council's commitment to monitoring the implementation and effectiveness of the Plan's policies on a regular basis. It will be necessary for these Reports to identify a series of appropriate indicators to facilitate monitoring and to guide the next Plan review. This work can proceed as necessary in parallel with the adoption of the RDDP and need not delay its adoption.

Recommendation

6. I recommend that the Revised Deposit Plan be modified as set out in IC96.

1.13 The Form of the Plan

1155/2514: Greasley Parish Council

1. The plan should include a clear commitment to uphold the principles set out within the development briefs. (The briefs themselves should be more specific - see objection 1155/2513 Proof 177).

Council's Response:

2. The briefs are part of the Local Plan and will be a material consideration when determining applications. The wording of the development briefs has been amended - the words "for illustrative purposes only" have been deleted and replaced with "the layout shown however, may be subject to minor amendment". The Council considers this increases the weight to be given to development briefs.

Inspector's Conclusions

1. Objection 2514 appeared to relate to Chapter 2. However, revisions in the Revised Deposit Plan such as R472, R482 and R495 made it clear that the layouts shown in the Development Briefs in Appendix 2 are not for illustrative purposes only. They may be subject to only minor amendment. These should provide the necessary degree of assurance. However, the last sentence of the introduction to Appendix 2 still refers to the plans as illustrative. This could be a source of confusion. As the sentence deals with nothing else its deletion would make the Council's intentions clearer.

Recommendation

2. I recommend that the Revised Deposit Plan be modified by deleting the last sentence of the introduction to Appendix 2.

1.XX R12 The Form of the Plan - Addition of information regarding the Technical Reports

1155/5085: Greasley Parish Council

1. Text does not clarify the relationship of the Technical Reports to the Statutory Local Plan.

Council's Response:

2. The Council considers the additional text in Chapter 1 (R12) together with the additional text in Chapter 2 (R21) does clarify the relationship between the Technical Reports and the Local Plan.

Inquiry Change

Further Proposed Inquiry Change:

3. In response to a number of objections concerning cross-referencing and how the plan should be read, the Council propose an inquiry change that should improve clarity and understanding.
 4. **The Council has recommended that an additional paragraph 1.XX is added to the end of Chapter 1 Introduction (following the paragraph inserted by IC96) to read: “It is important that the plan is read as a whole as numerous policies may be relevant to any particular proposal. The Council has not cross-referenced between policies as this may give the impression that such an holistic approach is only necessary in certain specified cases”.**
- IC118

Inspector’s Conclusions

1. R12 refers to the role of the series of Technical Reports and in the absence of any specific criticisms, it seems clear enough to me. Although clearly not part of the Plan itself, it contains detailed information relevant to some of the Plan’s Policies and Proposals. Objectors to these can clearly question these background Reports as part of their case and many have done so.
2. IC118 usefully clarifies the long established principle that the Plan should be read as a whole. A particular development proposal may be subject to a number of different policies of the Plan, depending upon the nature of the proposal and its location. It is generally not possible to anticipate these circumstances in advance and it would be potentially misleading to cross-reference policies in only certain selected cases.

Recommendation

3. I recommend that the Revised Deposit Plan be modified as set out in IC118.