

Leicester
City Council

WARDS AFFECTED
All Wards

DECISION TIMETABLE :

STRATEGIC PLANNING AND REGENERATION SCRUTINY COMMITTEE	12 JUNE 2003
CABINET	16 JUNE 2003
COUNCIL	3 JULY 2003

**LEICESTERSHIRE, LEICESTER AND RUTLAND STRUCTURE PLAN CONSIDERATION
OF OBJECTIONS TO PROPOSED MODIFICATIONS**

Report of the Service Director Planning and Sustainable Development

1. Purpose of Report

1.1 To consider objections to Proposed Modifications to the Leicestershire, Leicester and Rutland Structure Plan and agree the next steps.

2. Summary

2.1 To agree the response to objections to Proposed Modifications to the Leicestershire, Leicester and Rutland Structure Plan as set out in Appendix 1 and recommend that Council proceed to adopt the Plan without further modifications.

3 Recommendations

The Strategic Planning and Regeneration is asked to note the report and to make any comments as it feels necessary;

The Cabinet is asked to recommend to Council:-

- 1) to approve the Statement of Decisions and Reasons on objections to the Proposed Modifications as set out in Appendix 1;**
- 2) to agree that late objections should be not accepted;**
- 3) to agree the Plan, comprising the Written Statement and Key Diagram attached as Appendix 2;**
- 4) that subject to the concurrent agreement by the partner authorities, to:**
 - a) give notice of the Council's intention to adopt the Plan after a period of 28 days and subsequently adopt the Plan;**
 - b) authorise officers to agree the date of adoption and undertake all necessary actions as outlined in paragraph 1.13.**

4 Financial and legal Implications

4.1 There would be costs to the three authorities from printing of documents and advertisements of intention to adopt and adoption of the Plan. Provision has been made in the Council's 2003/4 budget for these costs. There could also be costs arising from any legal challenge.

4.2 The Councils must consider all duly made objections to the Proposed Modifications and decide whether to re-open the EIP and/or publish further modifications. Adoption of the Plan will need to be advertised in accordance with Regulations.

5 Conclusion

5.1 That no further modifications to the Leicestershire, Leicester and Rutland Structure Plan are required and Council be recommended to adopt the Plan without further modifications.

Background Papers: Copies of representations on Proposed Modifications to the Leicestershire, Leicester and Rutland Structure Plan held by the Development Plans Group.

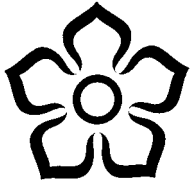
File K6.1 including notes of meeting of the Review and Roll Forward of Strategic Planning Policies Joint Members' Steering Group 12th March 2003, held by the Development Plans Group.

Background Files: File PSD/DPG/K6.1 held in the Development Plans Group.

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DECISION STATUS

Key Decision	Yes
Reason	Citywide Impact on Communities
Appeared in Forward Plan	Yes
Executive or Council Decision	Council



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Report of the Service Director Planning and Sustainable Development

SUPPORTING INFORMATION

3. Report

1.1 The Leicestershire, Leicester and Rutland Structure Plan is being prepared jointly by this authority, Leicestershire County Council and Rutland County District Council and covers the area of the three authorities. The Plan sets out strategic planning policies and proposals for the period 1996-2016.

1.2 The Councils jointly published Proposed Modifications to the Plan in June/July 2002 and now are required to consider the objections to them and decide what action to take in response, whether to re-open the Examination in Public (EIP) and/or advertise further modifications.

1.3 In total, 704 representations were received from 200 respondents, including 407 objections, 249 statements of support, 34 general comments and 14 counter objections. Two petitions were received, one objecting to Oadby & Wigston's housing allocation and the other supporting modifications relating to the Ratby area in Leicestershire.

1.4 As this is a joint plan, each Council is required to consider all the issues and responses. **Appendix 1** summarises the issues raised by objectors in relation to each policy, followed by the reasoned response and proposed policy actions that are recommended for approval.

Main Issues

1.5 One of the main issues raised by objectors relates to the amount and distribution of housing, particularly in relation to Oadby & Wigston and Melton Boroughs (Housing Policies 1 and 2). In response, no change is felt necessary as the proposals are considered to be consistent with Regional Planning Guidance and the locational strategy of the Plan.

1.6 The main modification to affect the City stems from the Panel's recommendation to increase the City's contribution to the overall housing figures from 16,200 to 19,000. Some objectors felt this was too ambitious. However no changes are proposed to this figure for the reasons set out in **Appendix 1** under Housing policies 1 and 2.

1.7 Other main issues raised by objectors relate to Green Wedge, Green Belt and M1 Junction 24 (Strategy Policies 6, 7, 17 and 18). No change is proposed in response to these issues, but consideration could be given to clarifying matters relating to Junction 24 when the Explanatory Memorandum is revised.

1.8 One issue relating to Rutland is whether the sequential approach to development (Strategy Policy 3A) should list Uppingham as a "main town" and include land in Rutland on the edge of Stamford. No change to policy is proposed, but consideration could be given to clarifying the potential of land on the edge of Stamford when the Explanatory Memorandum is revised.

1.9 A number of minor changes to wording of policies are recommended, as detailed under "Proposed Policy Actions" in Appendix 1. I do not consider that these materially affect the content of the Plan and do not therefore require further modifications to be advertised.

1.10 It is not proposed to publish the Explanatory Memorandum to the Plan at this stage, as further work is needed to update and amend the text in accordance with the responses set out in Appendix 1. It is intended that the revised text will be reported for approval to each of the three Councils at a later stage.

Late Objections

1.11 Several 'late' objections were received after the end of the consultation period, all relating to housing quantity and distribution issues. I recommend that these should not be accepted, as there is no obligation to accept late objections and there seems no special case for their consideration, given the issues have already been raised by other objectors.

Next Steps

1.12 If agreed by the Councils, formal notice of intention to adopt the Plan will need to be advertised, allowing 28 days during which the Secretary of State may intervene. Formal notice of adoption of the plan would then need to be advertised, allowing 6 weeks for any legal challenge to the High Court.

1.13 It is recommended that Council authorises officers to agree the date of adoption jointly with the partner authorities and undertake all necessary actions, including minor corrections to text, preparing and placing documents "on deposit", setting a price for the Plan and serving/advertising statutory notices.

1.14 It should be noted that the Government Office for the East Midlands (GOEM) has made a number of objections to the Plan, which may potentially result in it asking the

Secretary of State to intervene. Melton Borough Council has also indicated it may seek a judicial review of its housing allocation.

1.15 The government is proposing to abolish Structure Plans in favour of Regional Spatial Strategies and Local Development Documents, as part its reforms of the planning system. However, strategic planning authorities such as the City Council are advised to continue with the review of joint Structure Plans already under preparation. Under the proposals, plans already adopted at commencement of the new legislation would normally remain in force for a period of 3 years.

1.16 In summary, I consider the Plan to be fundamentally sound and no issues are raised that would justify reopening the Examination in Public (EIP). I therefore feel that Council should be recommended to adopt the Plan without further modifications.

4. Consultation

2.1 The general approach and responses to objections set out in this report have been prepared jointly with officers of Leicestershire County Council and Rutland County District Council. The approach to key issues late objections was supported by the Structure Plan Joint Members' Steering Group.

3. Other Implications*

OTHER IMPLICATIONS	YES/NO	Paragraph references within this report
Equal Opportunities	NO	
Policy	NO	
Sustainable and Environmental	NO	
Crime and Disorder	NO	
Human Rights Act	NO	
Elderly people and those on low pay	NO	

*The Structure Plan contains policies and uses procedures which have a bearing on all the areas identified above under "other implications". However these have all been considered in previous Structure Plan reports. Since this report proposes no material changes, I have taken the view that it does not have any **further** implications.

4. Recommendations

The Strategic Planning and Regeneration is asked to note the report and to make any comments as it feels necessary;

The Cabinet is asked to recommend to Council:-

- 1) to approve the **Statement of Decisions and Reasons on objections to the Proposed Modifications** as set out in **Appendix 1**;
- 2) to agree that late objections should be not accepted;
- 3) to agree the **Plan**, comprising the **Written Statement and Key Diagram** attached as **Appendix 2**;
- 4) that subject to the concurrent agreement by the partner authorities, to:
 - c) give notice of the Council's intention to adopt the Plan after a period of 28 days and subsequently adopt the Plan;
 - d) authorise officers to agree the date of adoption and undertake all necessary actions as outlined in paragraph 1.13.

5. Background Papers - Local Government Act 1972

Copies of representations on Proposed Modifications to the Leicestershire, Leicester and Rutland Structure Plan held by the Development Plans Group.

File K6.1 including notes of meeting of the Review and Roll Forward of Strategic Planning Polices Joint Members' Steering Group 12th March 2003, held by the Development Plans Group.

- 6. Report Author** Niles Holroyde, Development Plans Group. Extn. 7220. Email holrn001@leicester.gov.uk