

**COUNCIL
28 JULY 2004**

**BUDGET AND POLICY FRAMEWORK
LOCAL PLAN ALTERATION – AMEN CORNER**

1. INTRODUCTION

- 1.1 Since the Executive report to the Council meeting on 23 June 2004, the Executive has met twice, on 12 and 20 July 2004, the first meeting being a special meeting to consider a report from the Public Scrutiny Commission.
- 1.2 The decision taken on 12 July has been summarised in this report. A report detailing decisions taken on 20 July 2004 will be issued as soon as possible.

2. Amen Corner Local Plan Alteration

- 2.1 The Executive reconsidered its decision taken on 15 June 2004 in relation to the Amen Corner Planning Framework. At that meeting it had decided that the planning framework for Amen Corner should be established under the new arrangements for producing local development documents (referred to as Option 3 in the report presented to the Executive on 15 June 2004 - attached) and that the Council should not proceed with the proposed alteration to the settlement boundary at Amen Corner.
- 2.2 Following that decision, the requisite number of members requested that the matter be called-in for consideration by the Public Scrutiny Commission. The Commission had met on 1 July 2004 to review the decision.
- 2.3 A report from the Chairman of the Public Scrutiny Commission was noted in which attention was drawn to a number of concerns, including:
1. That Option 3 weakened the Council's ability in the short term to enforce development control against inappropriate development applications;
 2. That Option 3 left the Council exposed to application-led development for the Amen Corner area in the short term, which would be bad practice;
 3. That the advantages of Option 3 (i.e. the local development document approach) came at the price of continuing the uncertainty for this area for a further 3 years whereas Option 2 (defining a settlement boundary) would provide certainty for residents and developers more quickly (by early 2005 rather than 2007) and would not preclude further consideration of a local development document approach to the area through the Local Development Plan process;
 4. That the views of residents were important but not clear from the report and that the decision should be based upon more substantial evidence with both viable options consulted upon;

5. That guidance should be provided on the process required to revisit the settlement boundary in the future, if option 2 was pursued at this stage;
 6. That the speed of the decision making process/procedural timescales was a concern; and
 7. That supporting Option 3 meant that the Local Plan would continue to have a policy void for Amen Corner for the next three years, and given the significant nature of this decision for the Development Plan, the Executive should have referred its decision to full Council as a recommendation. It was also argued that the outcome of the Executive's reconsideration should be referred to the Council as a recommendation.
- 2.4 Having discussed these concerns and questioned both officers and the Vice-Chairman of the Public Scrutiny Commission on a number of the issues it had raised, the Executive agreed that the decision made on 15 June should not be implemented and recommended that the Council make a modest amendment to the settlement boundary as a formal alteration to the Local Plan (ie option 2). The decision was taken having regard, in particular, to the fact that having a plan-led policy rather than application-led approach to planning for the area represented best practice.

3 RECOMMENDATION

3.1 The Executive has accordingly recommended to the Council that:

- a. **a modest change to the settlement boundary at Amen Corner (referred to as Option 2 in the reports to the Executive on 18 May and 15 June 2004 – attached) be approved as an alteration to the Local Plan; and**
- b. **a review of the entire area be undertaken as part of the work on the Local Development Framework, as it emerges this year.**

3.2 In reaching this decision, the Executive noted that the work on the Local Development Framework would provide another opportunity to seek all interested parties views on the whole Amen Corner area.

4 BACKGROUND INFORMATION

4.1 The following papers are attached to provide background information to the Executive's recommendation.

Appendix A: Amen Corner Local Plan Alteration: Report to the Executive from the Director of Environment & Leisure considered at the meeting of the Executive on 15 June 2004 (agenda item 6)

Appendix B: Decision record for the Amen Corner Local Plan Alteration following the meeting of the Executive on 15 June

Appendix C: Executive Report (Supplementary Report) for Council, 23 June 2004, providing a commentary on the items dealt with at the meeting of the Executive on 15 June 2004

Appendix D: Amen Corner Local Plan Alteration: Report to the Executive from the Director of Environment & Leisure considered at the meeting of the Executive on 18 May 2004 (agenda item 1)