

**TO: THE EXECUTIVE
15 JUNE 2004**

**AMEN CORNER LOCAL PLAN ALTERATION
(Director of Environment and Leisure)**

1 PURPOSE OF DECISION

- 1.1 This report seeks agreement from the Executive to recommend to Council that the Amen Corner Local Plan Alteration be placed on deposit.
- 1.2 The deposit stage of the Local Plan process places the Alteration on consultation for a period of six weeks. During this time all interested parties are able to make comment on the proposed alteration. If objections are raised during this formal period this will necessitate a Local Plan Inquiry.

2 RECOMMENDATIONS

- 2.1 That the Executive agree the proposed Local Plan Alteration as set out in Appendix 1 and recommend it to Council as a Deposit Draft.**

3 REASONS FOR RECOMMENDATIONS

- 3.1 Amen Corner is the only location within the Borough without Local Plan coverage. The Borough Council is required to have coverage for the whole of its administrative area. Amen Corner has been left as a void area since the adoption of the Bracknell Forest Borough Local Plan in January 2002 in line with the local plan inspector's recommendation at the time.
- 3.2 At the last Executive it was explained that the Borough Council can only promote a local plan alteration that is in general conformity with the Berkshire Structure Plan. The alteration presented adheres to this guidance and creates a defensible settlement boundary.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 At the last meeting of the Executive, a report on Amen Corner set out all of the alternative options which could be considered in terms of a way forward for this area. This suggested three alternatives;
1. To move forward with the Local Plan Proposal consulted upon in January 2004;
 2. To move forward with a Local Plan Alteration (responding to existing policies in the adopted plan) or
 3. To deal with this area under the emerging Local Development Framework.

- 4.2 It was agreed by the Executive that the Local Plan Alteration route (option 2) was the most appropriate course of action, having due regard to all of the circumstances.

5 SUPPORTING INFORMATION

Consultation

- 5.1.1 Since the last Executive, officers have consulted those parties who made comment on the framework and proposals in January. Appendix 2 provides a summary of the comments received (full copies of all responses are available upon request). From the consultation a number of issues were raised. The major elements were that various consultees believed:
- That the issue of conformity with the Structure Plan could be overcome, whilst still pursuing major development.
 - That the Council should continue with the framework and promote major development.
 - Take a phased approach and propose smaller scale development in the first instance, including some of the previously developed land and greenfield land within settlement.
 - Include Buckhurst Moors within the settlement boundary as it is an existing employment area.
- 5.2 All of the above points have been considered and tested to see whether they would enable a change in the course of action to help achieve the aspirations of the Borough Council for more significant development in this area. Meetings and discussions with residents and landowners alike have taken place to discuss the various issues raised in the report to the last meeting of the Executive, to see if any alternative way forward could be achieved.
- 5.3 It is still the view of officers that none of the suggested courses of action (outlined above) would create a solution which would overcome the Berkshire Structure Plan (1991-2006) conformity issue. In particular none of the consultations received could demonstrate a need for additional major housing and/or employment development under the provisions of the Structure Plan, (in particular policies BU1, BU2 and H2) nor justify the release of additional land for these uses. It is also clear that alternatives proposed to extend the settlement boundary would not provide a satisfactory and defensible settlement boundary in this part of Amen Corner and again there is no justification of need as outlined above. Therefore the Option 2 approach is still considered to be the only practical way forward at this point in time.
- 5.4 The Planning & Compulsory Purchase Bill has now been enacted and is expected to come into force during July 2004. For a Local Plan Alteration to fall under the current Local Plan procedures an inquiry inspector needs to be appointed by July (if objections have been received). This relies on the Planning Inspectorate being able to appoint an inspector while the draft alteration is on deposit. This will be at the discretion of the Planning Inspectorate.
- 5.5 If an Inspector is not appointed by July, but the alteration is on deposit then an inspector's report on the alteration would be binding. As there would be no

modification stage the Council would be required to re-deposit the plan indicating any changes it would wish to make prior to an inquiry.

- 5.6 If the Alteration is not on deposit prior to commencement then we will be unable to alter the Local Plan and proposals for Amen Corner will have to be dealt with under the emerging LDF process. However if all went according to plan, adoption of the alteration could take place in early 2005.

6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

- 6.1 The Comments of the Borough Solicitor have been included within this report

Borough Finance Officer

- 6.2 An amount of £60,000 has been included in the draft revenue budget 2004/05 for Local Plan Inquiry costs. This budget is an estimate, working on the assumption of there being a relatively simple inquiry. The costs could rise if there are major or complex objections to address.

Access Implications

- 6.3 None at this stage

7 CONSULTATION

- 7.1 Consultation on the deposit draft alteration will follow the prescribed procedures set down in the Development Plan Regulations. This will mean that the alteration will be out for consultation for 6 weeks. It is the intention that this period would commence in the week beginning 28 June.

Background Papers

Appendix 1: Draft Amen Corner Local Plan Alteration

Appendix 2: Consultation responses

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**APPENDIX 1: DRAFT LOCAL PLAN ALTERATION
FOR AMEN CORNER**

APPENDIX 2: SUMMARY OF CONSULTATION RESPONSES

DRAFT LOCAL PLAN ALTERATION FOR AMEN CORNER