

# INTRODUCTION

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### PURPOSE OF THIS DOCUMENT

This document sets out Rochdale Council's response to the Inspector's report following the public local inquiry held last year into objections to the Revised Deposit Draft Unitary Development Plan.

- **It includes the Council's decisions on what action it intends to take on each of the Inspector's recommendations.**
- **It also sets out the Modifications it proposes in response to the Inspector's recommendations or for other reasons.**

The Council's decisions and proposed modifications are combined in this document for ease of reference.

This document will, however, need to be read with the Revised Deposit Draft Plan and the Inspector's Report.

### LEGAL / PROCEDURAL BACKGROUND

The Council is reviewing its Unitary Development Plan. It published a Revised Deposit Draft version of the Plan in April 2003 for formal consultation. Objections to the Plan were considered at a Public Local Inquiry that opened on 16 March 2004 and closed on 29 September 2004. At closure, some 905 objections were outstanding and were considered by the Inquiry Inspector Peter F Davies BSc (Hons) Dip TP MRTPI (assisted by Higher Planning Officer of the Inspectorate) David Crook MA MRTPI. The Inspector's report was received in June 2005 and has been made available for inspection at all locations where the plan was deposited and on the Council's web site.

The Council is required by statute to prepare a statement of decisions on the Inspector's recommendations and to give full reasons for not accepting any recommendation made by the Inspector. The Council must publish these and any modifications it intends to make that materially affect the content of the Plan.

### MAKING OBJECTIONS OR SUPPORTING REPRESENTATIONS

Any person or organisation may object to a proposed modification, or to the fact that the Council has not accepted a recommendation for modification made by the Inspector. At this stage, objections cannot relate to the original (deposit or revised deposit) plan.

Objections must state the modification (or lack of modification) to which their objection relates and the grounds on which it is made. Objections must be made using the prescribed form within the six week objection period.

Any person or organisation may make written representations in support of some or all of the modifications.

### CONSIDERATION OF OBJECTIONS

Following expiry of the six week period objection period, the Council must consider all the objections and decide whether it is necessary to hold a further inquiry into any of those

objections. If it decides that no further modifications materially affecting the content of the Plan are needed, the plan will give notice of its intention to adopt the plan. The Council has discretion whether to hold an inquiry into objections to proposed modifications or to any decision not to accept an Inspector's recommendation. An inquiry will not normally be necessary where matters raised have already been considered at the initial inquiry, or where there are objections to the fact that modifications are not being proposed by an authority in response to an Inspector's recommendation.

*(Further information is contained within the booklet "Local Plans and Unitary Development Plans – A Guide to Procedures" available from DETR and Rochdale Council.)*

## **THE INSPECTOR'S REPORT**

The Inspector's report is in plan order, by chapter. Objections to each policy within are listed - followed by the Key Issue(s), the Inspector's reasoning and then recommendation(s). In some cases the Inspector's recommendation is not prescriptive but it invites the Council to modify along certain lines. Also, in some cases, he does not make a firm recommendation but invites the Council to consider making a modification. The Council has responded to all recommendations and suggestions.

The Inspector's recommendations make reference to changes which the Council proposed prior to the Inquiry to overcome objections. These pre-inquiry changes were advertised prior to the Inquiry to allow objections to be considered at the Inquiry. Other changes were proposed by the Council during the Inquiry process - in most cases with the agreement of objectors- although there was no opportunity to advertise these for third parties to comment. Most Pre-Inquiry Changes and Inquiry Changes are supported by the Inspector in his recommendations but these must now be published as formal Modifications and are therefore contained in this document.

## **THE COUNCILS DECISIONS AND REASONS**

The Council's Decisions and Proposed Modification is structured in UDP Chapter order for ease of use and for consistency with the Inspector's report. As some early chapters of the Plan have not been the subject of objections, there are no corresponding Inspector recommendations and no Council decisions/ modifications.

The vast majority of the Inspector's recommendations are accepted. In cases where the Council has decided to reject the Inspector's recommendation, in whole, or in part, the Council has stated its reasons for doing so.

Where the Council proposes a modification to a policy, a heading **MODIFICATION NO.** will be used. Where the Council has decided not to modify the Plan, a heading **NO MODIFICATION** is used.

Where the Council has decided not to accept the Inspector's recommendation, the title MODIFICATION NO. or NO MODIFICATION is **boxed** to distinguish these from those other decisions / modifications . However, in a small number of cases, the Council has decided not to accept completely or exactly a recommendation but does not box the heading. These relate to cases where the Council 's modification will vary slightly (eg, a slightly different wording) or where the Council's action is not materially in conflict with the Inspector's view. The Council does however explain its reasons in such cases.

Where the Council accepts the Inspector's recommendation to Modify or not to Modify the Plan, the Council is not required to give reasons. This is because the Inspector will be supporting the Council's position as stated to the Inquiry in defence of policies or because the Council considers the Inspector's position as stated is reasonable.

## **THE MODIFICATIONS**

The vast majority of Modifications are proposed in response to the Inspector's recommendations.

A significant number of Modifications include changes which the Council put forward before and during the Inquiry either to:

- Overcome submitted objections
- To take account of new/changed circumstances
- To correct errors or
- To improve presentation.

These changes are contained in a separate document - 'Pre-Inquiry Changes and Inquiry Changes', which is a publicly available Inquiry document.

Where any proposed modification relates to a site-specific policy or proposal where an amendment to the map is necessary, the modification will refer to the appropriate map reference in the report. If the modification proposes the deletion of a designation or allocation in the Revised Deposit Plan, the Council has not considered it necessary to include a further map. Similarly, where the Council has accepted the Inspector's recommendation to make minor presentational changes or technical corrections to the Proposals Map when it is adopted, the report describes the change but does not include a Map change.

## **FURTHER GUIDANCE ON USING THIS REPORT**

### **MODIFICATION No.**

Each modification has an unique number. However, the modification may comprise a number of individual changes to the policy or its explanatory text (the reasoned justification). Each is numbered separately so that objections or supporting representations can identify each change.

### **POLICY NO.**

This is the number of the Policy/Proposal number in the Revised Deposit Replacement Plan, published in April 2003 which is the subject of the decision/modification.

### **POLICY NAME**

This is the full title or heading of the Policy as it appears in the Revised Deposit Replacement Plan.

### **INSPECTOR'S REPORT**

This indicates where Inspector's recommendation is contained within his report that relates to the consideration of objections against the policy.

### **PROPOSED MODIFICATIONS ARISING FROM THE INSPECTOR'S RECOMMENDATIONS**

These are the modifications which the Inspector recommends in his report and which the Council has decided to accept.

### **PROPOSED MODIFICATION**

These are modifications which the Council has decided to make but which do not arise from an Inspector's recommendation.

### **MAP REFERENCE**

Where modifications to the Proposals Map is proposed to show changed allocations or policy designations, a map reference number is given to correspond with detailed maps at the back of this document.

**REASON FOR MODIFICATION**

This gives the reasons for the changes included within the modification and will indicate whether the modification is to comply with the Inspector's recommendation or for some other reason. It will also indicate if the modification relates to a change proposed prior to or during the Public Local Inquiry to overcome objections and whether the Inspector supports the change.

**REASON FOR NO MODIFICATION**

This explains that the reason for not modifying the policy eg because the Council accepts the Inspector's recommendation that no modification be made.