

# CARLISLE CITY COUNCIL

Report to:- **Development Control Committee**

Date of Meeting:- **1st October 2010**

Agenda Item No:-

Public	Policy	Delegated: Yes	
Accompanying Comments and Statements		Required	Included
Environmental Impact Statement:		No	No
Corporate Management Team Comments:		No	No
Financial Comments:		No	No
Legal Comments:		No	No
Personnel Comments:		No	No

Title:- **HOUSING SUPPLY TARGETS – IMPLICATIONS OF THE ABOLITION OF REGIONAL SPATIAL STRATEGY**

Report of:- **Assistant Director (Economic Development)**

Report reference:- **ED.28/10**

## Summary:-

This report sets out the implications arising from the abolition of Regional Spatial Strategies (RSS) in relation to housing supply targets. These targets were used to monitor performance and also to demonstrate whether the Council is providing a 5 year supply of readily deliverable land for housing.

## Recommendation:-

It is recommended that the RSS target of 450 net dwelling units per annum is retained as the housing target until new targets are confirmed through the Local Development Framework process.

**Christopher Hardman**

Assistant Director (Economic Development)

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Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers: None

## 1.0 BACKGROUND

1.1 Members will recall that following the election in May this year the Secretary of State for Communities and Local Government announced confirmation of the Government's commitment to abolish Regional Strategies. On the 6<sup>th</sup> July 2010 the Chief Planner at DCLG wrote to all Local Planning Authorities to announce that with immediate effect the revocation of Regional Strategies, this letter also set out some advice for Planning Authorities. A copy of this letter and advice can be found at Appendix A.

1.2 The Guidance confirms the following:

*"In determining planning applications local planning authorities must continue to have regard to the development plan. This will now consist only of:*

- *Adopted DPD's;*
- *Saved policies; and*
- *Any old style plans that have not lapsed.*

*Local planning authorities should also have regard to other material considerations, including national policy. Evidence that informed the preparation of the revoked Regional Strategies may also be a material consideration, depending on the facts of the case".*

This information has already been advised to Members of Development Control Committee at previous meetings this year and Officers no longer directly refer to Regional Spatial Strategy policies when preparing reports unless material circumstances apply.

1.3 As well as containing regional planning policies, the Regional Spatial Strategy also contained targets for housing, renewable energy and it extended specific Structure Plan policies including employment land targets. These targets were intended not only to monitor performance and therefore provide a profile of development across the north west but also were relevant to the consideration of planning applications. For example, when considering planning applications Development Control Committee has resisted loss of employment land based on available land set against targets.

- 1.4 Housing targets not only relate to the development levels but are important in that their monitoring indicates whether or not the Authority is able to demonstrate a five year supply of readily available housing land. The need to ensure a five year supply is required by Planning Policy Statement 3 Housing. The July CLG guidance letter affirms that there is still a requirement to provide a 5-year land supply.

## **2.0 WHAT ARE THE EXISTING HOUSING TARGETS?**

- 2.1 Regional Spatial Strategy (RSS) was adopted in September 2008 at the same time the Council's own Carlisle District Local Plan was adopted. The two plans however set different targets. RSS sets a district target of 450 net dwelling units per annum whilst the Local Plan sets a lower target of 315 units per annum. These are significantly different and in the context of ensuring a five year supply of housing is available means a difference of 675 units over a 5 year period. It is therefore important that the Council is clear about the housing targets it seeks to achieve.
- 2.2 Guidance from CLG acknowledges that Local Planning Authorities are now responsible for establishing the right level of local housing levels. It recognises that some may wish to retain their existing housing targets or review them to determine new targets.

In this context Members may recall that in 2008 the City was awarded Growth Point status. Achievement of this status was sought to support the Carlisle Partnership "Growing Carlisle" Economic Strategy which aims to grow the economy and also the population of Carlisle. This Economic Strategy was supported by City Council. This aim remains, however the initial period within which growth was to be promoted has coincided with a downturn in the national economy and reductions in the rate of potential growth. In order to deliver the population growth required for this strategy a housing target of 600 units per year was established.

- 2.3 There is therefore a range of housing number targets for the Council, however the context of these targets is directly relevant to their consideration.

## **3.0 WHY IS THERE SUCH A VARIETY?**

- 3.1 In determining the targets for development, population projections, development rates and development strategy are all key elements.

### **Local Plan**

- 3.2 The Local Plan was prepared in the context of Regional Planning Guidance 13 (Adopted 2001). This guidance for the North West was significant in that it put forward a restricted development strategy to reduce the level of housing

development throughout the North West. The Council's Local Plan therefore mirrored that objective and introduced limited growth including tight settlement boundaries around a number of villages. It did nonetheless focus development on Carlisle and retain the urban area's south-western extension (Morton).

- 3.3 Local Plans must conform with any relevant overarching guidance. During the debate at the Local Plan Inquiry housing figures were examined, however there was no scope for the Inspector to take into account the changing regional guidance in the then evolving RSS. RSS sought to review those restrictive targets and promote a more realistic development pattern. The Local Plan went through a full consultation process.

### **Regional Spatial Strategy**

- 3.4 At the same time of preparing our Local Plan the Regional Spatial Strategy was developed. The Council worked with other Districts and the County Council to derive development targets for Cumbrian districts. The levels put forward relate to what is known as "Option 1" figures and these were agreed by City Council as the preferred level of development acknowledging potential for some limited growth. RSS was consulted on during its preparation. The recent (6<sup>th</sup> July 2010) CLG Guidance does state that Option 1 targets may be used if they are appropriate.

### **Growth Point**

- 3.5 The Growth Point agenda seeks to increase development levels to encourage an increase in population to support economic growth. A target of 600 units would potentially provide the level of population required to meet the economic strategy. Members should be aware that full consultation has not yet taken place on specific housing targets or the LDF plans to implement the growth strategy.

## **4.0 TAKING HOUSING TARGETS FORWARD**

- 4.1 The main process for developing housing targets is the Development Plan. This will now be taken forward through the Core Strategy and work within the Local Development Framework.
- 4.2 In the meantime the Council needs to identify which target it will be using from the present time until the LDF process is completed both as a guide to developers and applicants when considering planning applications. It will also ensure that a proper review of targets will be undertaken through the LDF process.
- 4.3 Clearly the Council has ambitions for growth and the Economy is one of only two corporate priorities. Economic Strategy is therefore material to the consideration of targets however the lack of consultation on the Growth Point targets is likely to raise significant challenge to the validity of such a target.

- 4.4 Existing Local Plan targets although recently established were done so in a restrictive regional context and do not reflect any growth aspiration of the Council or assist with potential delivery of its economic strategy. Monitoring of completions over the 5 year period up until 2008/2209 indicates that the City Council achieved an annual average completion rate of 422 dwellings. That, of course, reflects a period of greater economic stability and buoyancy that is the case now, but demonstrates attainment of a reasonable, realistic and deliverable level. Given that fact, the revoked RSS target of 450 dwellings per annum would seem to be within the range of what can be supported until new targets are set through the Local Development Framework.

## **5.0 OTHER CONSIDERATIONS**

- 5.1 During the consideration of these figures there has been a mix of messages from authorities around the Country, some are indicating which plan they are following whilst others have halted work on Local Development Frameworks whilst considering their options. In the background some developers are challenging, through the Judicial Review process, the ability for the Secretary of State to revoke RSS.
- 5.2 The Secretary of State has signalled through decisions where he over-ruled Inspectors at Planning Appeals for major development proposals, that even where a 5 year supply is not demonstrated, the LDF process is the proper planning process to consider release of existing unallocated land for housing. That is a very reassuring message and vindication of the planning process's role in evolving housing targets and where, when and how they should be met.
- 5.3 In Cumbria, Eden District Council now has a Core Strategy in place and South Lakeland has had their Core Strategy Inspector's Report. Following detailed debate both confirm the revoked RSS targets as the appropriate targets for housing even though in the case of South Lakeland the Inspector was considering the strategy post announcement on revocation by CLG.

## **6.0 CONCLUSION**

- 6.1 In conclusion the mix of strategies between a restrictive Local Plan and an ambitious Growth Point work at two extremes. The restrictive Local target could significantly stifle any economic recovery which could be supported over the next two years. The ambitious growth point requires supporting policy and strategy development through the LDF work to support delivery of those targets taking into account impacts of development across the city and on key areas such as environment, heritage and transport amongst others.

- 6.2 In the interim it is therefore more appropriate to retain the revoked RSS target of 450 dwellings per annum which allows appropriate growth to help the Council achieve its corporate priorities and support economic recovery and development.

## **7.0 RECOMMENDATION**

- 7.1 It is recommended that the RSS target of 450 net dwelling units per annum is retained as the housing target until new targets are confirmed through the Local Development Framework process.

**Christopher Hardman**

Assistant Director (Economic Development)

The Chief Planning Officer  
Local Planning Authorities in England

6 July 2010

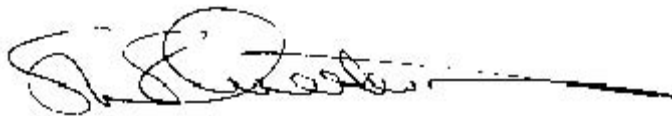
**Chief Planning Officer Letter:**

**REVOCATION OF REGIONAL STRATEGIES**

Today the Secretary of State announced the revocation of Regional Strategies with immediate effect.

I have attached some 'questions and answer' advice on immediate issues that may arise from this announcement. It will be important for local planning authorities to carry on delivering local development frameworks and making decisions on applications and the attached document focuses on how to continue taking these forward.

Please address any queries to Eamon Mythen at CLG in the first instance ([Eamon.Mythen@communities.gsi.gov.uk](mailto:Eamon.Mythen@communities.gsi.gov.uk)).



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# **Guidance for Local Planning Authorities following the revocation of Regional Strategies**

The Secretary of State for Communities and Local Government confirmed today that Regional Strategies will be revoked (see the attached copy of the Parliamentary Written Statement). In the longer term the legal basis for Regional Strategies will be abolished through the “Localism Bill” that we are introducing in the current Parliamentary session. New ways for local authorities to address strategic planning and infrastructure issues based on cooperation will be introduced. This guidance provides some clarification on the impact of the revocation; how local planning authorities can continue to bring forward their Local Development Frameworks (LDFs); and make planning decisions in the transitional period.

## **1. Under what powers are Regional Strategies being revoked?**

Regional Strategies have been revoked under s79(6) of the Local Democracy Economic Development and Construction Act 2009 and no longer form part of the development plan for the purposes of s38(6) of the Planning and Compulsory Purchase Act 2004. This guidance covers the period between revocation of Regional Strategies and legislation to abolish them altogether.

## **2. Do Planning Policy Statements (PPSs) remain in force?**

Yes. The Policy Statement on Regional Strategies (February 2010) is cancelled, and references to Regional Strategies in other Policy Statements are no longer valid. But all other PPSs will continue to apply until they are replaced by the National Planning Framework.

## **3. Will this affect the London Plan?**

The London Plan will continue to provide the planning framework for London boroughs. As part of a wider process of decentralisation in London, we are reviewing how powers and discretion can be shifted downwards from central government to the Mayor and Assembly, to London Boroughs and to local neighbourhoods. This will include reviewing the scope for devolving power from the Greater London Authority down to the Boroughs and below.

*The following sections provide advice on some of the issues likely to arise following revocation of Regional Strategies, until the “Localism Bill” and the new National Planning Framework are in place. This guidance should be regarded as a material consideration by local planning authorities and the Planning Inspectorate in their decisions.*

## **4. How will this affect planning applications?**

In determining planning applications local planning authorities must continue to have regard to the development plan. This will now consist only of:

- Adopted DPDs;
- Saved policies; and



- Any old style plans that have not lapsed.

Local planning authorities should also have regard to other material considerations, including national policy. Evidence that informed the preparation of the revoked Regional Strategies may also be a material consideration, depending on the facts of the case.

Where local planning authorities have not yet issued decisions on planning applications in the pipeline, they may wish to review those decisions in light of the new freedoms following the revocation of Regional Strategies. The revocation of the Regional Strategy may also be a material consideration.

## **5. Should we continue preparing LDF documents?**

Yes – the revocation of Regional Strategies is not a signal for local authorities to stop making plans for their area.

Local planning authorities should continue to develop LDF core strategies and other DPDs, reflecting local people's aspirations and decisions on important issues such as climate change, housing and economic development.

These local plans will guide development in their areas and provide certainty for investors and communities. Local authorities may wish to review their plans following the revocation of Regional Strategies. We recommend reviews should be undertaken as quickly as possible.

## **6. How does this affect adopted local plans / LDFs?**

Adopted DPDs and saved policies will continue to provide the statutory planning framework. Local authorities may decide to review these now that Regional Strategies have been revoked. There is no need to review the whole LDF, only those issues or policies which local authorities wish to revisit. When undertaking consultation and sustainability appraisal on their draft policies, authorities should take an approach that considers the stage reached, the extent of work already undertaken and the scope of the policy changes they are making.

## **7. What if my LDF document is still being prepared?**

Where local planning authorities are currently bringing forward development plan documents they should continue to do so. Authorities may decide to review and/or revise their emerging policies in the light of the revocation of Regional Strategies. Where authorities decide to do this they will need to ensure they meet the requirements for soundness under the current legislation. When undertaking consultation and sustainability appraisal on their draft policies, authorities should take an approach that considers the stage reached, the extent of work already undertaken and the scope of the policy changes they are making.

## **8. Will Examinations in Public continue for DPDs?**

Yes – where local planning authorities are bringing forward new development plan documents or reviewing adopted plans they should present evidence to support their plans. The examination process will continue to assess the soundness of plans, and Inspectors will test evidence put forward by local authorities and others who make representations.

## **9. Will data and research currently held by Regional Local Authority Leaders' Boards still be available?**

Yes. The regional planning function of Regional LA Leaders' Boards – the previous Regional Assemblies – is being wound up and their central government funding will end after September this year. The planning data and research they currently hold will still be available to local authorities for the preparation of their local plans whilst they put their own alternative arrangements in place for the collection and analysis of evidence. Notwithstanding, the new Government regards the Regional Leaders' Boards as an unnecessary tier of bureaucracy.

## **Clarification on policy issues**

*There are a number of areas where Regional Strategies supplemented the national policy framework. Further clarification on these areas is set out below.*

## **10. Who will determine housing numbers in the absence of Regional Strategy targets?**

Local planning authorities will be responsible for establishing the right level of local housing provision in their area, and identifying a long term supply of housing land without the burden of regional housing targets. Some authorities may decide to retain their existing housing targets that were set out in the revoked Regional Strategies. Others may decide to review their housing targets. We would expect that those authorities should quickly signal their intention to undertake an early review so that communities and land owners know where they stand.

## **11. Will we still need to justify the housing numbers in our plans?**

Yes – it is important for the planning process to be transparent, and for people to be able to understand why decisions have been taken. Local authorities should continue to collect and use reliable information to justify their housing supply policies and defend them during the LDF examination process. They should do this in line with current policy in PPS3.

## **12. Can I replace Regional Strategy targets with “option 1 numbers”?**

Yes, if that is the right thing to do for your area. Authorities may base revised housing targets on the level of provision submitted to the original Regional Spatial Strategy examination (Option 1 targets), supplemented by more recent information as appropriate. These figures are based on assessments undertaken by local authorities. However, any target selected may be tested during the examination process especially if challenged and authorities will need to be ready to defend them.

### **13. Do we still have to provide a 5 year land supply?**

Yes. Although the overall ambition for housing growth may change, authorities should continue to identify enough viable land in their DPDs to meet that growth. Strategic Housing Market Assessments and Strategic Housing Land Availability Assessments can help with this. Local planning authorities should continue to use their plans to identify sufficient sites and broad areas for development to deliver their housing ambitions for at least 15 years from the date the plan is adopted. Authorities should also have a five year land supply of deliverable sites. This too will need to reflect any changes to the overall local housing ambition.

### **14. How do we determine the level of provision for travellers' sites?**

Local councils are best placed to assess the needs of travellers. The abolition of Regional Strategies means that local authorities will be responsible for determining the right level of site provision, reflecting local need and historic demand, and for bringing forward land in DPDs. They should continue to do this in line with current policy. *Gypsy and Traveller Accommodation Assessments* (GTAAs) have been undertaken by all local authorities and if local authorities decide to review the levels of provision these assessments will form a good starting point. However, local authorities are not bound by them. We will review relevant regulations and guidance on this matter in due course.

### **15. How do we establish the need for minerals and aggregates supply without Regional Strategy targets?**

Minerals planning authorities will have responsibility for continuing to plan for a steady and adequate supply of aggregate minerals to support economic growth. They should do this within the longstanding arrangements for minerals planning. Technical advice provided by the Aggregate Working Parties, including their current work in sub-apportioning the CLG guidelines for 2005-2020 to planning authority level will assist with this.

Planning authorities in the South East should work from the apportionment set out in the "Proposed Changes" to the revision of Policy M3, published on 19 March 2010.

Planning authorities can choose to use alternative figures for their planning purposes if they have new or different information and a robust evidence base. We will work with the minerals industry and local government to agree how minerals planning arrangements should operate in the longer term.

### **16. How do we establish the need for waste management without Regional Strategy targets?**

Planning Authorities should continue to press ahead with their waste plans, and provide enough land for waste management facilities to support the sustainable management of waste (including the move away from disposal of waste by landfill). Data and information prepared by partners will continue to assist in this process. For the transitional period this will continue to be the data and information which has been collated by the local authority and industry and other public bodies who

currently form the Regional Waste Technical Advisory Bodies. We intend for this function to be transferred to local authorities in due course.

**17. Does the abolition of the hierarchy of strategic centres mean the end of policies on town centres?**

No. Local authorities must continue to have regard to PPS 4: *Planning for Sustainable Economic Growth* in preparing LDFs and, where relevant, take it into account in determining planning applications for retail, leisure and other main town centre uses.

In assessing any planning applications proposing unplanned growth in out of town shopping centres, particularly those over 50,000 sqm gross retail floor area, local authorities should take account of the potential impacts of the development on centres in the catchment area of the proposal.

**18. What about regional policies on the natural environment?**

Local authorities should continue to work together, and with communities, on conservation, restoration and enhancement of the natural environment – including biodiversity, geo-diversity and landscape interests. Authorities should continue to draw on available information, including data from partners, to address cross boundary issues such as the provision of green infrastructure and wildlife corridors.

**19. What about regional policies on Flooding and Coastal Change?**

Local authorities should continue to work together across administrative boundaries to plan development that addresses flooding and coastal change. For flooding matters local authorities already have a duty to co-operate under the Floods and Water Management Act. The Environment Agency will continue to work with local authorities individually and/or jointly to provide technical support on these matters. The Coalition agreement is clear that we should prevent unnecessary building in areas of high flood risk.

**20. What about regional policies on Renewable and Low Carbon Energy?**

Through their local plans, authorities should contribute to the move to a low carbon economy, cut greenhouse gas emissions, help secure more renewable and low carbon energy to meet national targets, and to adapt to the impacts arising from climate change. In doing so, planning authorities may find it useful to draw on data that was collected by the Regional Local Authority Leaders' Boards (which will be made available) and more recent work, including assessments of the potential for renewable and low carbon energy.

**21. What about regional policies on Transport?**

Local authorities should continue to ensure their land use and local transport plans are mutually consistent, and deliver the most effective and sustainable development for their area. Local authorities should work with each other and with businesses and communities to consider strategic transport priorities and cross boundary issues.

## **22. Does the end of Regional Strategies mean changes to Green Belt?**

No. The Government is committed to the protection of the Green Belt and the revocation of Regional Strategies will prevent top-down pressure to reduce the Green Belt protection. Local planning authorities should continue to apply policies in PPG2. As part of their preparation or revision of DPDs, planning authorities should consider the desirability of new Green Belt or adjustment of an existing Green Belt boundary, working with other local planning authorities as appropriate.

## **Parliamentary Statement Revoking Regional Strategies**

Today I am making the first step to deliver our commitment in the coalition agreement to “*rapidly abolish Regional Spatial Strategies and return decision-making powers on housing and planning to local councils*”, by revoking Regional Strategies.

Regional Strategies added unnecessary bureaucracy to the planning system. They were a failure. They were expensive and time-consuming. They alienated people, pitting them against development instead of encouraging people to build in their local area.

The revocation of Regional Strategies will make local spatial plans, drawn up in conformity with national policy, the basis for local planning decisions. The new planning system will be clear, efficient and will put greater power in the hands of local people, rather than regional bodies.

Imposed central targets will be replaced with powerful incentives so that people see the benefits of building. The coalition agreement makes a clear commitment to providing local authorities with real incentives to build new homes. I can confirm that this will ensure that those local authorities which take action now to consent and support the construction of new homes will receive direct and substantial benefit from their actions. Because we are committed to housing growth, introducing these incentives will be a priority and we aim to do so early in the spending review period. We will consult on the detail of this later this year. These incentives will encourage local authorities and communities to increase their aspirations for housing and economic growth, and to deliver sustainable development in a way that allows them to control the way in which their villages, towns and cities change. Our revisions to the planning system will also support renewable energy and a low carbon economy.

The abolition of Regional Strategies will provide a clear signal of the importance attached to the development and application of local spatial plans, in the form of Local Development Framework Core Strategies and other Development Plan Documents. Future reform in this area will make it easier for local councils, working with their communities, to agree and amend local plans in a way that maximises the involvement of neighbourhoods.

The abolition of Regional Strategies will require legislation in the “Localism Bill” which we are introducing this session. However, given the clear coalition commitment, it is important to avoid a period of uncertainty over planning policy, until the legislation is enacted. So I am revoking Regional Strategies today in order to give clarity to builders, developers and planners.

Regional Strategies are being revoked under s79(6) of the Local Democracy Economic Development and Construction Act 2009 and will thus no longer form part of the development plan for the purposes of s38(6) of the Planning and Compulsory Purchase Act 2004.

Revoking, and then abolishing, Regional Strategies will mean that the planning system is simpler, more efficient and easier for people to understand. It will be firmly

rooted in the local community. And it will encourage the investment, economic growth and housing that Britain needs.

We will be providing advice for local planning authorities today and a copy has been placed in the house library.

## APPENDIX B

### Historic Housing Delivery

