



HOW

HOW Planning LLP

40 Peter Street
Manchester M2 5GP
T: 0161 835 1333
F: 0161 835 1322
howplanning.com

KnowHOW

Essential reading for commercial property professionals who need to be in the know

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Regional Planning Policy Pickled!

The Secretary of State Eric Pickles has announced the revocation of Regional Strategies with immediate effect.

Background

Since coming into power the 'Coalition' Government's view has been that "Regional Strategies added unnecessary bureaucracy to the planning system." Their policy has been to rapidly abolish Regional Spatial Strategies and return decision-making powers on housing and planning to Local Councils by revoking Regional Strategies.

Pickles issued a letter in June outlining the Government's intention to abolish the RSS system.

Revocation of Regional Strategies

On the 6th July 2010 Eric Pickles laid an Order before Parliament to formally revoke Regional Strategies with immediate effect.

The powers used to revoke Regional Strategies are S79(6) of the Local Democracy Economic Development and Construction Act 2009. The RSS is no longer part of the Development Plan for the purpose of S38(6) of the Planning and Compulsory Purchase Act 2004.

The legislation required to abolish them altogether is set out in the "Localism Bill" which is being introduced in this session of Parliament. They can only be formally abolished once this legislation is enacted.

What does this mean for the commercial property industry?

The Parliamentary Statement Revoking Regional Strategies states "revoking, and then abolishing, Regional Strategies will mean that the planning system is simpler, more efficient and easier for people to understand".

So clear in fact the Chief Planning Officer Steve Quarterman immediately issued a 6-page guidance note to all Chief Planning Officers.

Key areas of this guidance for the property and house building sector to take on board are:

- Planning applications will be assessed having regard to:
 - Adopted DPD's
 - Saved policies
 - Any old style plans that have not lapsed
 - Evidence that informed the preparation of the revoked Regional Strategies

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- Applications currently with Authorities undecided may be reviewed in light of the revocation of the Regional Strategy.
- Local Authorities should continue to prepare LDF's. Draft LDF documents may be reviewed in light of the revocation of Regional Strategies.
- LPA's will be responsible for establishing the level of housing provision in their area and identifying a long term supply.
- LPA's still need to justify housing targets in their Plans.
- LPA's may base revised housing targets on the level of provision submitted to the original Regional Spatial Strategy examination, supplemented by more recent information if appropriate.
- LPA's must still provide a 5-year land supply

Other sector implications of the revocation of Regional Strategies:

- **The hierarchy of Strategic centres?** LPA's must still have regard to PPS4 when determining retail, leisure and other main town centre uses.
- **Natural environment and flooding?** LPA's must work together and with Communities to assess cross boundary issues relating to green infrastructure and wildlife corridors.
- **Green belt?** LPA's are advised to continue to apply policies in PPG2 and as part of the preparation of DPD's and should consider the desirability of new green belt or adjustment of an existing green belt boundary.

The Parliamentary Statement does go on to state there will be incentives for Council's to support house building for those who take immediate action now to consent and support the construction of new homes – the Government will consult on these proposals towards the end of the year.

Clearly a key task will be for developers and landowners to identify those forward thinking Authorities who may seek to exploit these incentives given the severe financial restrictions local Government faces.

For further information and assistance in these matters please contact:



Gary Halman

T: 0161 831 5885

E: gary.halman@howplanning.com



Richard Woodford

T: 0161 831 5888

E: richard.woodford@howplanning.com