

BROMSGROVE DISTRICT COUNCIL

LOCAL DEVELOPMENT FRAMEWORK WORKING PARTY

29 MAY 2008

**REGIONAL SPATIAL STRATEGY PHASE 2 PREFERRED OPTION UPDATE
AND PHASE 3 LAUNCH**

Responsible Portfolio Holder	Jill Dyer
Responsible Head of Service	Dave Hammond
Non-Key Decision	

1. SUMMARY

- 1.1 This Report updates members on the current status of the revised Regional Spatial Strategy, the consultation exercise and the process of making representations to the submitted version of the strategy.

2. RECOMMENDATION

- 2.1 Members are asked to note the progress of the Regional Spatial Strategy (RSS) Phase 2 Preferred Option and Phase 3 Project Plan.

3. BACKGROUND

- 3.1 The Regional Spatial Strategy was published in June 2004. At that time, the Secretary of State supported the principles of the strategy but suggested several issues that needed to be developed further. The Revision process is being undertaken by the West Midlands Regional Assembly (WMRA) in three phases.

Phase 1 – the Black Country study, this phase was formally adopted in January 2008.

Phase 2 – Covers housing figures, employment land, town and city centres, transport, and waste, the preferred option of this phase has been submitted.

Phase 3 – covers critical rural services, culture/recreational provision, various regionally significant environmental issues and the provision of a framework for Gypsy and Traveller sites, and was launched on 27th November 2007.

3.2 Phase 2

Members will recall that at the meeting of Local Development Framework Working party on 13th December 2007 a paper was presented outlining the implications of the Phase 2 Revisions to the RSS. Members made the following recommendations:

(a) That objections to the RSS be submitted in respect of the level of housing allocated to Bromsgrove and to the level of Redditch related housing and employment growth to be provided within Bromsgrove and/or Stratford in locations adjacent to Redditch town, when alternative more strategically viable sites within the district are available.

(b) That the Portfolio Holder for Planning be requested to write to the appropriate Officers at the Government Office for the West Midlands and the West Midlands Regional Assembly together with the local MP, expressing concern over the decision making process at the Regional Planning Partnership on 22nd October 2007.

3.3 The RSS phase 2 revision was formally submitted to the Secretary of State on 21st December 2007. The submission will be made up of the following documents,

- The Preferred Option
- An Overview Document
- Copies of all Background Technical Studies
- The Implementation Plan
- The Consultation Statement
- The Sustainability Appraisal Report
- The Habitat Regulations Assessment
- A Summary Leaflet
- A Submission Letter

3.4 Following this formal submission, the West Midlands Regional Assembly received a letter from Baroness Andrews, Parliamentary Under-Secretary of State in the Department for Communities and Local Government. In her letter, dated 7th January 2008 (attached as appendix 1), the Minister expressed concern about the housing proposals put forward by the Assembly in light of the Government's agenda to increase housing building across the country. In view of this, the Minister has asked the Government Office for the West Midlands to commission further work to look at options which could deliver higher housing numbers and this will be considered as part of the Examination in Public.

3.5 Consultants Nathaniel Lichfield have been appointed to carry out this study and the aim is for the work to be completed by 7th October, 2008. It is also understood that the study will be undertaken in a number of stages, the first stage focussing on data gathering leading up to an initial seminar with stakeholders currently planned for 20th May 2008. The Government Office has indicated that it intends that the study should be undertaken in an open and transparent way and the purpose of this first seminar will be to explain

to stakeholders further details, including the methodology being adopted. It is anticipated that this will include reference to any formal advice to Government on housing provision emerging from the National Housing and Planning Unit should this become available by this time.

- 3.6 The time required to complete the study has had considerable implications on the consultation period. It was felt that a minimum of 8 weeks was required once Nathaniel Lichfield had published the study. The Regional Planning Executive therefore resolved to recommend to the Regional Planning Partnership that the consultation period should be extended to 8th December, 2008 (i.e. based on the assumption that the publication of the study would be on 7th October, 2008).
- 3.7 The delays in the RSS process has implications for the Council's Core Strategy. The uncertainty over the required levels of housing and employment land mean that the preferred option of the Core Strategy needs to be flexibly written to cater for different and potentially changing circumstances. Further delays to the Phase 2 Revision could also adversely affect the Core Strategy at submission stage. At this point the Core Strategy will need to fully conform with the RSS to ensure that it has the possibility of being found sound at the examination in public.

Phase 3

- 3.8 Work has now begun on the Phase Three Revision to WMRSS with the publication of a Project Plan. This outlines the areas that this revision will cover and timeframe over which it will be completed. The areas to be covered by this revision have been grouped under the five headings of Rural Renaissance, Communities for the Future, Culture, Sport and Tourism, Quality of the Environment, and Minerals Policy. It is important to remember that this is only a partial Revision of selected elements of the WMRSS – not a full review. The overall strategy and those elements of the WMRSS not covered in Phase Three are not subject to review and will continue to be in place.
- 3.9 **Rural Renaissance – Critical Rural Services**
The WMRSS Revision aims to identify the role of service provision in enhancing the sustainability of rural communities, whether particular services are critical to this process and whether the process itself, and consequently the policies required to address it, varies in different types of rural areas.
- 3.10 The WMRSS Revision will also aim to identify and prioritise those services that are critical to the sustainability of rural communities in different types of rural areas, especially to meet the needs of disadvantaged groups and communities.

3.11 Communities for the Future – Sites for Gypsies, Travellers and Travelling Showpeople

Following developments in national policy on Gypsy and Traveller sites (ODPM Circular 01/2006) and Travelling Showpeople (CLG Circular 04/2007), the Phase Three Revision will address the accommodation and wider needs of these communities. Government policy stresses that all members of these communities have the same rights and responsibilities as every other citizen.

3.12 WMRA published an Interim Statement on Gypsy and Traveller Pitch Provision Policy in March 2007 and has prepared a Supplement to that Statement on Travelling Showpeople in October 2007. The Interim Statement highlighted a number of issues, beyond purely the accommodation of additional pitch numbers, which WMRSS Phase Three needs to consider, for example the diversity and complexity of the Gypsy and Traveller community and the need for both permanent and transit sites.

3.13 Culture Sport & Tourism

The Phase Three Revision aims to strengthen WMRSS policy to meet cultural, sporting and tourism needs and through this support Urban and Rural Renaissance. Revised WMRSS policy will seek to improve the provision of, and access to, quality cultural and sports assets and provide opportunities to increase the rate of participation/attendance in cultural activities. Through this, revised WMRSS policy will also seek to ensure it maximises cultural and tourism opportunities across the Region to support Urban and Rural Renaissance objectives.

3.14 Quality of the Environment

A number of environmental issues are proposed for Phase Three of the WMRSS Revision. Firstly the revision will be used to update and align the existing Quality of the Environment policies so as to ensure consistency with current national guidance and regional plans, strategies and initiatives. This will also include making appropriate links to other Phase Three topics such as culture, sport and tourism.

3.15 The Revision aims to develop a strategy for the protection, conservation, enhancement and management of regional environmental assets and resources, for their intrinsic value and wider social and economic benefits.

3.16 The WMRSS Revision will be used to consider the regional flood risk from all sources and set out a strategy for managing the risk and seek to promote the development of renewable energy and low carbon technology resources, subject to appropriate environmental and social safeguards.

3.17 A regionally-specific policy for the Green Belt will be considered, to define its regional and sub-regional roles and the specific uses that should be encouraged within it, in the context of national Green Belt policy.

4. FINANCIAL IMPLICATIONS

- 4.1 Whilst there are no direct implications of the RSS revision at the moment, the levels of income generated over longer periods could be affected depending on the levels of development taking place in the district. For example the future levels of housing in the district and the Housing and Planning Delivery Grant (PDG) the Council receives, as funding is directly linked to the progress that the Strategic Planning section make on preparing the LDF. (See section 7 for a full explanation).

5. LEGAL IMPLICATIONS

- 5.1 The RSS is the responsibility of the West Midlands Regional Assembly and is being prepared under the regulations of the Planning and Compulsory Purchase Act 2004; the district council also has an obligation under the act to prepare a Local Development Documents in line with the Local Development Scheme.

6. COUNCIL OBJECTIVES

- 6.1 The ability of the Council to deliver its objectives is affected by the status of the Local Development Framework (LDF). All documents produced as part of the LDF have to be in general conformity with the RSS, therefore the RSS will ultimately impact on these objectives and priorities. The table below indicates potential impacts.
- 6.2 The ability to implement the Bromsgrove Sustainable Community Strategy is also highly dependant of the Local Development Framework. Many of the areas covered by the Sustainable Community Strategy cannot be delivered without formal planning polices.

Council Objective (CO)	Regeneration (CO1)	Council Priority (CP)	A thriving market town (CP1)
Impacts			
Policies in the RSS support the development of centres across the region, including those not specifically named as major urban areas or, settlements of significant development, the ability to regenerate the town are not adversely effected by policies in the RSS			

Council Objective (CO)	Improvement (CO2)	Council Priority (CP)	Customer service (CP2)
Impacts			
No impact			

Council Objective (CO)	Sense of Community and Well Being	Council Priority (CP)	Sense of community
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	(CO3)		(CP3)
Impacts			
The RSS gives a strategic framework for planning across the region. Plans at a more local level can then create planning policies that provide developments which can enhance the sense of community and well being.			
Council Objective (CO)	Environment (CO4)	Council Priority (CP)	Housing (CP4) Clean streets and recycling (CP5)
Impacts			
The RSS guides the levels and distribution of housing development across the region. The ability of Bromsgrove to satisfy all of its affordable housing needs are significantly reduced by this emerging policy of housing restraint in districts which are not Major Urban Areas or, Settlements of Significant Development.			
In the Long term the RSS could help provide more waste management facilities in the district.			

7. **RISK MANAGEMENT**

7.1 The main risks associated with the details included in this report are:

- Inability to produce development plan documents which are judged to be sound by the planning inspectorate.

7.2 These risks are being managed as follows:

Risk Register: Planning and Environment
Key Objective Ref No: 6
Key Objective: Effective, efficient, and legally compliant Strategic planning Service

7.3 Objecting to the RSS revision would prevent significant progress being made on the Core Strategy from a resource perspective and more importantly for planning policy reasons. If the Council has to produce a plan in accordance with members' wishes, in relation to

1. the location of development for Redditch related growth, and
2. the level of provision being put forward for Bromsgrove,

There is a significant risk of the final plan being found to be unsound. For a development plan document to be judged as sound it has to be in general conformity with policies and guidance in plans that sit above it in the chain

of conformity. To produce a plan which directs Redditch related growth to Bromsgrove town is currently not in conformity with emerging RSS. Similarly to allow development over and above the locally identified need for housing in Bromsgrove would also be in conflict with policies contained within the RSS.

- 7.4 The ability to produce a plan inline with the current Members wishes could only be done, if through the process of the representations and the Examination In Public (EIP) the WM Regional Assembly changed its policy stance and amended the RSS to reflect the views of Bromsgrove District Council. In my view this is unlikely. This approach could prevent any meaningful progress on Bromsgrove specific plans as we would have to wait for the outcome of the revision not due until early 2009, or run the considerable risk of producing draft polices which are not in conformity with the polices which sit above them and the consequent waste in financial resources that could occur if the plan is found to be unsound and it has to be started from scratch or indeed a plan is imposed on the authority.
- 7.5 Any development on Bromsgrove specific plans which could take place would be affected by the process of objecting to the RSS. Officer time will be directed away from plan production onto challenging the RSS both at consultation stage and at the EIP. Whilst the amount of work involved is hard to quantify it is likely to be considerable, and would need to be undertaken by one of the more senior members of the section. This diversion will mean the ability to prepare the Core Strategy and other development plan documents including the Town Centre AAP could be hampered due to lack of resources.
- 7.6 Progress on the LDF is monitored by the government through the Local Development Schemes and Annual Monitoring Reports produced by the Strategic Planning section. The progress on the Local Development Scheme is a key factor used to allocate Housing and Planning Delivery Grant. Failure to progress the LDF inline with the Local Development Scheme could have short term financial implications. Consistent failure to produce LDF documents specifically the Core Strategy could result in the GOWM taking the strategic planning function away from control of the council. In this case they would employ other planning professionals to prepare the core strategy on behalf of the GOWM and then impose it on the District Council, whilst also requesting that the district council pay the consultancy fees accrued in the process.

8. CUSTOMER IMPLICATIONS

- 8.1 Endorsing the RSS at this stage will have no immediate direct implications to the council's customers.

9. EQUALITIES AND DIVERSITY IMPLICATIONS

9.1 The current review of the RSS is focussed on spatial planning at a strategic level and as such has no direct equalities and diversity.

10. VALUE FOR MONEY IMPLICATIONS

10.1 The RSS is the Responsibility of the West Midlands Regional Assembly (WMRA) and is outside the control of Bromsgrove District Council. The funding is not met from this Council and therefore there are no associated costs in relation to the strategy.

11. OTHER IMPLICATIONS

Procurement Issues	None
Personnel Implications	None
Governance/Performance Management	None
Community Safety including Section 17 of Crime and Disorder Act 1998	None
Policy	The policy decisions taken at a regional level directly effect the ability to generate local policies especially in relation to planning
Environmental	As stated above their will be implications to the environment over a long period of time, the exact effects are currently unknown.

12. OTHERS CONSULTED ON THE REPORT

Portfolio Holder	No
Chief Executive	No
Executive Director - Partnerships & Projects	Yes
Assistant Chief Executive	No
Head of Service	Yes
Head of Financial Services	Yes
Head of Legal, Equalities & Democratic Services	No
Head of Organisational Development & HR	No
Corporate Procurement Team	No

13. WARDS AFFECTED

All wards

14. APPENDICES

Please list the appendices attached to the report as shown in the example below.

Appendix 1 Letter from Baroness Andrews

15. BACKGROUND PAPERS

None

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Appendix 1



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07 JAN 2008

A handwritten signature in black ink that reads "Rex Roberts".

WEST MIDLANDS RSS PHASE 2 REVISION

Thank you for the draft RSS revision submission which you submitted to Hazel Blears on 21 December. I would like to thank everyone who has worked hard to ensure this submission has been produced in accordance with the programme.

I am sure that you understand from recent announcements that housing issues are now very high on the Government's agenda. Affordability is a major issue across the country and The Prime Minister himself is taking a keen interest in housing delivery. Improving performance is essential to the achievement of the wider social and economic objectives of the Government. The recent Housing Green Paper set down an ambitious challenge to review all RSSs by 2011 to reflect plans for 240,000 homes a year by 2016. The initial NHPAU Report also provides an indication of the levels of housing which will be required to impact on affordability in the region.

The Spatial Strategy for the West Midlands has a clear focus on the regeneration of the major urban areas. Clearly this is important as sustainable development will rely on the economic drivers associated with those areas. However, the draft RSS Phase 2 Revision does not even make provision for the levels of homes anticipated to be required by the 2004 based household projections.

Let me make it clear that we do not wish to fundamentally question the Spatial Strategy for the region in advance of the Public Examination, but we are concerned that the very rigid application of some of the principles may be unnecessarily constraining longer-term development. I have therefore asked the Government Office for the West Midlands (GOWM) to commission some further work looking at options which could deliver higher housing numbers. The aim will be to provide the Examination Panel with options that could deliver housing numbers which will start to impact on affordability, whilst maintaining as many of the principles of the Spatial Strategy as possible.

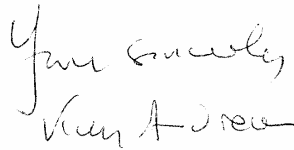
We intend to complete this further work by mid April and in order to provide an opportunity for consultees to consider this additional evidence when making responses on the draft RSS we consider it appropriate to extend the consultation period to the 23 May. I trust you

will find this acceptable.

GOWM will manage the work of the consultants and will involve officials from the Assembly together with other regional stakeholders, local authorities and other interested parties in the work as appropriate through the study.

I understand that this decision will cause you some concerns and I would like to reassure you that the decision has been given very serious consideration along with a range of alternative approaches. However, we consider that given the aspirations of the Housing Green Paper this approach will allow us to build on the work already done for the Revision and minimise the period of uncertainty for the region.

Like the Regional Assembly, we are determined that the West Midlands will benefit and thrive from sustainable growth and we are confident that we can continue to work in partnership with you to ensure that both national and regional objectives are satisfied.

A handwritten signature in cursive script, reading "Yours sincerely, Baroness Andrews".

BARONESS ANDREWS