

Subject:	Abolition of Regional Spatial Strategy (RSS) for the North West of England	Status:	For Publication
Report to:	Development Control Committee	Date:	28 May 2013
Report of:	Planning Manager	Portfolio Holder:	Operational Services and Development Control
Key Decision:	<input type="checkbox"/> Forward Plan <input type="checkbox"/>	General Exception	<input type="checkbox"/> Special Urgency <input type="checkbox"/>
Equality Impact Assessment:	Required:	No	Attached: No
Biodiversity Impact Assessment	Required:	No	Attached: No
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1.	RECOMMENDATION(S)
1.1	That the Committee note that from 20 May 2013 the Regional Spatial Strategy no longer forms part of the Development Plan and is will no longer be considered in Committee reports

2. PURPOSE OF REPORT

- 2.1 To advise Members that from 20 May 2013 the Regional Spatial Strategy for the NW of England no longer forms part of the Development Plan and will no longer be considered in Committee reports

3. CORPORATE PRIORITIES

- 3.1 The matters discussed in this report impact directly on the following corporate priorities:
- **Regenerating Rossendale:** This priority focuses on regeneration in its broadest sense, so it means supporting communities that get on well together, attracting sustainable investment, promoting Rossendale, as well as working as an enabler to promote the physical regeneration of Rossendale.
 - **Responsive Value for Money Services:** This priority is about the Council working collaboratively, being a provider, procurer and a commissioner of services that are efficient and that meet the needs of local people.
 - **Clean and Green Rossendale:** This priority focuses on clean streets and town centres and well managed open spaces, whilst recognising that the Council has to work with communities and as a partner to deliver this ambition.

4. RISK ASSESSMENT IMPLICATIONS

- 4.1 There are no specific risk issues for members to consider arising from this report.

5. BACKGROUND AND OPTIONS

- 5.1 Regional Spatial Strategies were introduced by the Planning and Compulsory Purchase Act 2004 and form part of the Development Plan. They replaced the earlier non Statutory Regional Planning Guidance (RPG). RSS for the North West was adopted in September 2008.

- 5.2 In 2010 the new Coalition Government announced as one of its first actions that it would revoke Regional Strategies with the intention of abolishing them in order to promote local decision making. This was successfully challenged in the Courts. The power to abolish Regional Strategies was subsequently included in Section 109 of the Localism Act 2011 but in March 2012 the European Court of Justice ruled that a Strategic Environmental Assessment (SEA) of the impacts would be required for each RSS in addition to Environmental assessments already undertaken by the Government. This was subsequently undertaken. RSS for the North West is one of the last three RSS's to be revoked. The Regional Strategy for the North West (Revocation) Order came into operation on 20 May 2013.
- 5.3 The Order also revokes saved Structure Plan Policies. The only saved policy of the Joint Lancashire Structure Plan was Policy 29 on Gypsies and Travellers.
- 5.4 The Government considers that strategic planning issues are now addressed by the National Planning Policy Framework (NPPF) (March 2012) which forms a material consideration in deciding planning applications and the "Duty to co-operate" between local planning authorities introduced by Section 110 of the Localism Act.
- 5.5 For practical purposes the revocation of RSS means that the policies of that document can no longer be considered when deciding Planning applications. They will thus no longer be referred to in Committee Reports. The adopted Core Strategy and saved policies from the Rossendale District Local Plan 1995 therefore form the Development Plan, with the NPPF and adopted Supplementary Planning Documents (SPD's) being material considerations.
- 5.6 Revocation of RSS also has potential implications for the adopted Core Strategy, e.g. housing targets are based on RSS figures. However, the compliance of the housing figures with NPPF (then draft) was considered as part of the Examination in Public and was found sound at that stage. Officers will however continue keeping under review the robustness of policies in the Core Strategy as part of the preparation of Local Plan Part 2 – "Lives and landscapes"

COMMENTS FROM STATUTORY OFFICERS:

6. SECTION 151 OFFICER

6.1 No comment.

7. MONITORING OFFICER

7.1 No comment.

8. POLICY IMPLICATIONS AND CONSULTATION CARRIED OUT

8.1 There is minimal practical implication of the revocation of RSS for consideration of planning applications as the Council has an adopted Core Strategy which is considered to be compliant with the National Planning Policy Framework.

9. CONCLUSION

9.1 Members should note that RSS has been revoked and that the Development Plan for decision making is now solely the adopted Core Strategy and related saved Local Plan policies.

No background papers