

## **BRECKLAND COUNCIL**

### **Report of the Director of Transformation** **DEVELOPMENT CONTROL COMMITTEE -9<sup>th</sup> June 2008**

#### **REGIONAL SPATIAL STRATEGY – EAST OF ENGLAND PLAN**

##### **1. Purpose of Report**

- 1.1 The purpose of this report is to highlight to members the key planning policy implications of the adoption of the Regional Spatial Strategy in May 2008.

##### **2. Recommendations**

- It is recommended that the Committee:
- 2.1 Note the contents of the report

**Note:** In preparing this report, due regard has been had to equality of opportunity, human rights, prevention of crime and disorder, environmental and risk management considerations as appropriate. Relevant officers have been consulted in relation to any legal, financial or human resources implications and comments received are reflected in the report.

##### **3. Information, Issues and Options**

###### **3.1 Background**

- 3.1.1 Members may recall that the Regional Spatial Strategy has been in production for the last few years. Issues and Options Consultation was undertaken in 2003, followed by further consultation in 2004 and the Plan was Examined by a Panel of Inspectors at the end of 2005. The Inspectors' Report was received in Summer 2006 and further consultation on the Secretary of State's Proposed Changes undertaken in 2007. The Plan was adopted in May 2008 and on adoption replaces the previous Regional Spatial Strategy (RPG 6, 2000). On adoption the Regional Plan becomes part of the Development Plan for the area and therefore is material in the determination of planning applications in Breckland (and also throughout the area covered by the Plan – e.g Norfolk, Suffolk, Cambridgeshire, Bedfordshire, Hertfordshire and Essex). Applications in Breckland are also determined using the "saved policies from the "Breckland District Local Plan 1999 until the Local Development Framework Core Strategy is adopted.

###### **3.2 Issues**

- 3.2.1 As the most up-to-date part of the Development Plan available to Breckland the RSS introduces new issues in the consideration of the determination of planning applications. Principally these are related to Affordable Housing and Renewable Energy

###### **3.2.2 Affordable Housing**

Policy H2 of the Plan (reproduced at Appendix A) sets out the requirement for a regional target of 35% for affordable housing. The plan indicates that affordable housing targets should be based on need and also on robust and credible evidence to justify any targets set out in Local Development Frameworks. Members may wish to note that Breckland has been using a 30% target based on previous housing needs studies as a starting point for negotiation with developers. The adoption of the RSS immediately introduces the 35% within the policy framework. Breckland Strategic Housing Market Assessment indicated that a 45% target would be required to address the housing need in Breckland. Subsequent viability testing using sites in

various locations indicates that a 40% target would be appropriate as it would not prevent development coming forward. The Breckland LDF emerging Core Strategy (Preferred Options Jan 2008) currently contains a 40% target which can only be used in the determination of applications once the Core Strategy has been successfully tested through examination. Members may also wish to note that the time taken to produce the RSS has meant that the 35% figure has been in the public domain for some considerable time and therefore it will not come as a complete surprise to the development industry.

### 3.2.3 **Renewable Energy**

Policy ENG.1 of the Plan (reproduced at Appendix A) introduces the requirement that until a Local Development Framework is in place that says otherwise, new developments of 10 dwellings or more or 1000m<sup>2</sup> of non-residential floor space should secure at least 10% of their energy from decentralised and renewable or low carbon sources, unless it can be demonstrated that this is unfeasible or unviable. The onus is on the developer/applicant to prove this to the satisfaction of the council. Members may also wish to note that the 10% figure which originated from the policies of the London Borough of Merton and is often known as the "Merton Rule" is regarded as defensible and reasonable on appeal situations and is accepted throughout the development industry. The emerging Breckland LDF Core Strategy is currently promoting a 10% figure for Breckland and there was a good deal of debate amongst Members at the time that perhaps a higher figure should be sought.

### 3.2.4 **Implications for Local Development Framework**

Due to the fact that the RSS has taken some time to be adopted, Breckland has been preparing its Local Development Framework using it as a policy guide for the Issues and Options and the Preferred Options stages of the Core Strategy. The RSS provides the overall housing and jobs figures for Breckland – 15,200 homes to 2021 and 6,000 jobs, These are the basis on which the emerging Core Strategy has been prepared.

In addition the identification within the RSS of Thetford as a Key centre for Development and Change and the 6,000 new homes figure for the town were the basis on which the Council and its partners made a successful bid for Growth Point Status for the Town.

The RSS also sets out the settlement hierarchy within the region. Policy SS4 (reproduced at Appendix A) and its supporting text gives the policy hook in the RSS which Breckland has used to promote a number of service centre villages. The RSS also sets out the broad criteria for the identification of such settlements - the Breckland LDF providing more detail for such assessments.

Any LDF document that is produced by Breckland is required to be in conformity with the RSS and both the East of England Regional Assembly who initially produced the document and Go-East who are responsible for its later stages and its implementation consider that the Preferred Options of the Breckland Core Strategy are in conformity with the RSS.

## 3.3 **Options**

3.3.1 The report is for information only

## 3.4 **Reasons for Recommendation(s)**

3.4.1 The report is for information only

## 4. **Risk and Financial Implications**

### 4.1 **Risk**

4.1.1 I have completed the Risk Management questionnaire and can confirm that risk has

been given careful consideration, and that there are no significant risks identified associated with the information in this report

#### 4.2 Financial

4.2.1 There are no financial implications

#### 5. Legal Implications

5.1 There are no legal implications as a consequence of this report]

#### 6. Other Implications

- a) Equalities: None
- b) Section 17, Crime & Disorder Act 1998: None
- c) Section 40, Natural Environment & Rural Communities Act 2006: None
- d) Human Resources: None
- e) Human Rights: None
- f) Other: [e.g. Children's Act 2004] None

#### 7. Alignment to Council Priorities

7.1 The Regional Spatial Strategy gives a very regional broad overview and policy direction for Local Development Framework Production. On this basis it will contribute to the Council's following priority:

- Building Safer and Stronger Communities
- Environment
- Prosperous Communities

#### 8. Ward/Community Affected

8.1 All Wards within Breckland are affected

#### Background Papers

[Regional Spatial Strategy – East of England Plan

Lead Contact Officer,

Name/Post: Andrea Long, Environmental Planning Manager

Telephone: 01362 656332

Email: [andrea.long@breckland.gov.uk](mailto:andrea.long@breckland.gov.uk)

#### Key Decision Status (Executive Decisions only):

*This report is for noting only*

#### Appendices attached to this report:

Appendix A – Policies H2 and ENG1 from the Regional Spatial Strategy – East of England Plan May 2008]