

Planning shapes the places where people live and work and the country we live in. It plays a key role in supporting the Government's wider social, environmental and economic objectives and for sustainable communities.



Planning Policy Statement 12:

creating strong safe and prosperous communities through
Local Spatial Planning



Planning Policy Statement 12:
creating strong safe and prosperous communities through
Local Spatial Planning



Published by TSO (The Stationery Office) and available from:

Online

www.tsoshop.co.uk

Mail, Telephone Fax & E-Mail

TSO

PO Box 29, Norwich, NR3 1GN

Telephone orders/General enquiries 0870 600 5522

Order through the Parliamentary Hotline Lo-Call 0845 7 023474

Fax orders: 0870 600 5533

E-mail: customer.services@tso.co.uk

Textphone: 0870 240 3701

TSO Shops

16 Arthur Street, Belfast BT1 4GD

028 9023 8451 Fax 028 9023 5401

71 Lothian Road, Edinburgh EH3 9AZ

0870 606 5566 Fax 0870 606 5588

TSO@Blackwell and other Accredited Agents

© Crown Copyright 2008

Copyright in the typographical arrangement and design rests with the Crown.

Published for the Department for Communities and Local Government, under licence from the Controller of Her Majesty's Stationery Office.

The text in this document (excluding the Royal Arms and other departmental or agency logos) may be reproduced free of charge in any format or medium providing it is reproduced accurately and not used in a misleading context. The material must be acknowledged as Crown copyright and the title of the document specified.

Where we have identified any third party copyright material you will need to obtain permission from the copyright holders concerned.

For any other use of this material please write to: Office of Public Sector Information, Information Policy Team, Kew, Richmond, Surrey TW9 4DU or e-mail: licensing@opsi.gov.uk

ISBN: 978 0 11 753996 9

Printed in the United Kingdom for the Stationery Office

Cover Photo: Planning Aid

Foreword

Planning Policy Statements set out the government's policies on different aspects of spatial planning in England. This *Planning Policy Statement (PPS)* sets out government policy on local development frameworks. It, along with the *Plan-making Manual* accompanying this PPS, replaces PPS12 *Local Development Frameworks* and the companion guide *Creating LDFs* (2004). This PPS and the *Plan-Making Manual*¹ reflect the lessons learned from the first three years of operation of the new planning system in England brought in by the Planning and Compulsory Purchase Act 2004.

The PPS explains what local spatial planning is, and how it benefits communities. It also sets out what the key ingredients of local spatial plans are and the key government policies on how they should be prepared. It should be taken into account by local planning authorities in preparing development plan documents and other local development documents.

¹ www.pas.gov.uk/planmakingmanual

Contents

1. Introduction: the Changing Local Government Context	2
2. The importance of Spatial Planning in creating strong, safe and prosperous communities	4
Nature of Local Spatial Planning	4
Advantages of Spatial Planning to Councils and LSPs	4
3. Local Development Frameworks in Context	6
4. The Core Strategy	7
Nature of Core Strategies	7
Preparation of Core Strategies	11
Quality Assurance	19
Timely Progress with Core Strategies	20
5. Other Development Plan Documents	23
6. Supplementary Planning Documents	26
7. Intervention by the Secretary of State	27
8. Adopted Proposals Map	28
9. Extension of Saved Policies	29

1. Introduction: The Changing Local Government Context

- 1.1 Local authorities have a key role in leading their communities, creating prosperity in our villages, towns and cities, and fostering local identity and civic pride. Communities need civic leadership to help bring together the local public, voluntary and community sectors together with private enterprise in order to create a vision of how to respond to and address a locality's problems, needs and ambitions and build a strategy to deliver the vision in a coordinated way. This is what the Government means when it refers to local authorities as "place shapers". Local authorities have been doing this for over 100 years. However, whereas at one time they would solve problems and provide services themselves, today they are much more likely to discharge their place shaping role through partnership – with the public, private and voluntary sectors within their areas and with neighbouring authorities – and with the direct input of their local communities.
- 1.2 The local authority is required to produce a Sustainable Community Strategy (SCS)² following consultation with their local communities and key local partners through the Local Strategic Partnership (LSP). The Sustainable Community Strategy sets out the strategic vision for a place and is linked into overarching regional strategies. It provides the vehicle for considering and deciding how to address difficult cross-cutting issues such as the economic future of an area, social exclusion and climate change. Building these factors into the community's vision in an integrated way is at the heart of creating sustainable development at the local level.

Local Strategic Partnerships

Local Strategic Partnerships are not statutory bodies, but they bring together the public, private and third sectors to coordinate the contribution that each can make to improving localities. There are currently over 360 LSPs in England and over the past few years the government has made important changes to strengthen their ability to act collectively and collaboratively. The government published new draft statutory guidance on LSPs for consultation in November 2007.

- 1.3 A Local Area Agreement (LAA) is normally a three year agreement, based on the SCS vision, that sets out improvement targets for the priorities of a local area. The agreement is made between Central Government, represented by the Government Office (GO), and local authorities and their partners on the LSP. Local authorities and their public sector partners are now under a duty to co-operate to agree LAA targets and to have regard to them in exercising their day-to-day functions. The LAA is a key delivery mechanism for the SCS.

² The Sustainable Communities Act 2007 formally changed the name of community strategies into Sustainable Community Strategies.

- 1.4 The Local Development Framework is the collection of *local development documents* produced by the local planning authority which collectively delivers the spatial planning strategy for its area. The Core Strategy is the key plan within the Local Development Framework.
- 1.5 The planning system has been substantially reformed to embed community responsive policy-making at its heart and to make contributing to the achievement of *sustainable development* a statutory objective. The new *spatial planning* system exists to deliver positive social, economic and environmental outcomes, and requires planners to collaborate actively with the wide range of stakeholders and agencies that help to shape local areas and deliver local services.
- 1.6 The new planning system therefore both offers, and requires, the development of a stronger leadership role for local authorities and elected members, built on collaboration through LSPs and accountable delivery through LAAs. The government intends that spatial planning objectives for local areas, as set out in the LDF, should be aligned not only with national and regional plans, but also with the shared local priorities set out in Sustainable Community Strategies where these are consistent with national and regional policy. To achieve this, the Local Government White Paper strongly encourages local authorities to ensure that:
 - their SCS takes full account of spatial, economic, social and environmental issues;
 - key spatial planning objectives for the area as set out in the LDF Core Strategy are in harmony with SCS priorities; and
 - the LAA, as the delivery agreement with central government, is based on the priorities of the SCS and supported by local planning policy to deliver the outcomes agreed.

2. The importance of Spatial Planning in creating strong safe and prosperous communities

NATURE OF LOCAL SPATIAL PLANNING

- 2.1 Spatial planning is a process of place shaping and delivery. It aims to:
- produce a vision for the future of places that responds to the local challenges and opportunities, and is based on evidence, a sense of local distinctiveness and community derived objectives, within the overall framework of national policy and regional strategies;
 - translate this vision into a set of priorities, programmes, policies, and land allocations together with the public sector resources to deliver them;
 - create a framework for private investment and regeneration that promotes economic, environmental and social well being for the area;
 - coordinate and deliver the public sector components of this vision with other agencies and processes [eg LAAs];
 - create a positive framework for action on climate change; and
 - contribute to the achievement of Sustainable Development.

ADVANTAGES OF SPATIAL PLANNING TO COUNCILS AND LSPs

- 2.2 Spatial planning underpins the wider corporate strategy of the council and LSP in that it:
- brings together a very wide range of different services, since most require land to operate, so it can help to support the **co-ordination of services**;
 - ensures that strategies can be based on the **community's views** and obtain community buy-in;
 - ensures that other strategies can be fully cognisant of and play their part in respect of issues such as **flooding, waste management and transport**;
 - can assist in providing the evidence base for, and monitoring of, other strategies; and
 - is a major means of engaging with the private sector.
- 2.3 Spatial planning plays a central role in the overall task of place shaping and in the delivery of land, uses and associated activities.
- 2.4 In relation to housing, it:
- ensures that the necessary **land** is available at the right time and in the right place to deliver the new housing required;

- orchestrates the necessary social, physical and green³ **infrastructure** to ensure sustainable communities are delivered; and
 - provides the basis for the private sector facilitating of **affordable housing**.
- 2.5 Spatial planning is also critical in relation to economic growth and regeneration by:
- providing a flexible supply of **land for business** and identifying suitable locations;
 - ensuring business is drawn to the area by providing an attractive **environment** and a sufficient **workforce** well housed and able to access employment opportunities easily and sustainably;
 - **bringing in private funds** through incentivising, promoting and coordinating investment by the private sector;
 - providing a robust basis for making **bids for public funds** and for **assembling land** for projects; and
 - providing a robust basis for assessing the need for, and providing **supporting infrastructure** and natural resources for economic development.
- 2.6 Spatial planning provides a means of safeguarding the area's **environmental assets**, both for their intrinsic value and for their contribution to social and economic well being by:
- protection and enhancing designated sites, landscapes, habitats and protected species; and
 - creating a positive framework for environmental enhancement more generally.
- 2.7 In relation to land and buildings it:
- helps **review the use of land and buildings** as public services may be combined on multi-use sites and new operational requirements lead to the release of land;
 - **co-ordinates the identification and release of land** for the provision of the services such as health facilities which form a crucial part of a local authority's strategic role; and
 - provides the justification for the **compulsory acquisition of land**, where necessary, to allow regeneration schemes to progress.

³ "Green infrastructure" is a network of multi-functional green space, both new and existing, both rural and urban, which supports the natural and ecological processes and is integral to the health and quality of life of sustainable communities.

3. Local Development Frameworks in context

- 3.1 The development plan is made up of the Regional Spatial Strategy (RSS) which covers the whole region, and is produced in draft by the Regional Assembly⁴, and Development Plan Documents (DPD) produced by local planning authorities within the *local development framework*. The Core Strategy is the principal DPD. (In London the Mayor produces the Spatial Development Strategy (SDS) – “the London Plan”. All references to RSS in this PPS should be taken to include the SDS and all references to regional planning bodies should be taken to include the Mayor.) Minerals and waste planning is undertaken by counties in two-tier areas, to which policies in this PPS also apply.

Regional Spatial Strategies

The RSS provides the overall spatial vision for the entire region, identifying the broad locations for growth, often by identification of sub-regions, and major infrastructure requirements, together with the housing numbers to be provided for in LDDs. The RSS is a product of effective engagement with local authorities and others. Therefore it provides the regional framework against which local participation in creating Sustainable Community Strategies and Core Strategies takes place.

⁴ The SubNational Review was published in July 2007 and proposed a move to a single regional strategy led by the regional development agency. Any subsequent change to regional arrangements would need to be reflected in a revised version of this PPS.

4. The core strategy

NATURE OF CORE STRATEGIES

- 4.1 Every local planning authority should produce a core strategy which includes:
- (1) an overall vision which sets out how the area and the places within it should develop;
 - (2) strategic objectives for the area focussing on the key issues to be addressed;
 - (3) a delivery strategy for achieving these objectives. This should set out how much development is intended to happen where, when, and by what means it will be delivered. Locations for strategic development should be indicated on a key diagram; and
 - (4) clear arrangements for managing and monitoring the delivery of the strategy.
- 4.2 The vision should be informed by an analysis of the characteristics of the area and its constituent parts and the key issues and challenges facing them. The vision should be in general conformity with the RSS and it should closely relate to any Sustainable Community Strategy for the area.
- 4.3 The strategic objectives form the link between the high level vision and the detailed strategy. They should expand the vision into the key specific issues for the area which need to be addressed, and how that will be achieved within the timescale of the core strategy.
- 4.4 The delivery strategy is central. It needs to show how the objectives will be delivered, whether through actions taken by the council as planning authority, such as determining planning applications, or through actions taken by other parts of the Council or other bodies. Particular attention should be given to the coordination of these different actions so that they pull together towards achieving the objectives and delivering the vision. The strategy needs to set out as far as practicable when, where and by whom these actions will take place. It needs to demonstrate that the agencies/ partners necessary for its delivery have been involved in its preparation, and the resources required have been given due consideration and have a realistic prospect of being provided in the life of the strategy. If this is not the case, the strategy will be undeliverable.
- 4.5 It is essential that the core strategy makes clear spatial choices about where developments should go in broad terms. This strong direction will mean that the work involved in the preparation of any subsequent DPDs is reduced. It also means that decisions on planning applications can be given a clear steer immediately.

Strategic Sites

- 4.6 Core strategies may allocate strategic sites for development. These should be those sites considered central to achievement of the strategy. Progress on the core strategy should not be held up by inclusion of non strategic sites.
- 4.7 The core strategy looks to the long term. It may be beneficial to delivery of its objectives for details of key sites to be included in it, where these sites are central to the achievement of the strategy and where investment requires a long lead-in. But in general the core strategy will not include site specific detail which can date quickly. Where core strategies allocate strategic sites, they must include a submission proposals map. It may be preferable for the site area to be delineated in outline rather than detailed terms, with site specific criteria set out to allow more precise definition through masterplanning using an area action plan (if required) or through a supplementary planning document (SPD). If it is necessary to allocate land which has not already been allocated in the core strategy, a DPD rather than SPD must be used.

Infrastructure

- 4.8 The core strategy should be supported by evidence of what physical, social and green infrastructure is needed to enable the amount of development proposed for the area, taking account of its type and distribution. This evidence should cover who will provide the infrastructure and when it will be provided. The core strategy should draw on and in parallel influence any strategies and investment plans of the local authority and other organisations.
- 4.9 Good infrastructure planning considers the infrastructure required to support development, costs, sources of funding, timescales for delivery and gaps in funding. This allows for the identified infrastructure to be prioritised in discussions with key local partners. This has been a major theme highlighted and considered via HM Treasury's CSR07 Policy Review on Supporting Housing Growth. The infrastructure planning process should identify, as far as possible:
- infrastructure needs and costs;
 - phasing of development;
 - funding sources; and
 - responsibilities for delivery.

- 4.10 The need for infrastructure to support housing growth and the associated need for an infrastructure delivery planning process has been highlighted further in the Government's recent Housing Green Paper. The outcome of the infrastructure planning process should inform the core strategy and should be part of a robust evidence base. It will greatly assist the overall planning process for all participants if the agencies responsible for infrastructure delivery and the local authority producing the core strategy were to align their planning processes. Local authorities should undertake timely, effective and conclusive discussion with key infrastructure providers when preparing a core strategy. Key infrastructure stakeholders are encouraged to engage in such discussions and to reflect the core strategy within their own future planning. However the Government recognises that the budgeting processes of different agencies may mean that less information may be available when the core strategy is being prepared than would be ideal. It is important therefore that the core strategy makes proper provision for such uncertainty and does not place undue reliance on critical elements of infrastructure whose funding is unknown. The test should be whether there is a reasonable prospect of provision. Contingency planning – showing how the objectives will be achieved under different scenarios – may be necessary in circumstances where provision is uncertain.
- 4.11 Infrastructure planning for the core strategy should also include the specific infrastructure requirements of any strategic sites which are allocated in it.
- 4.12 The Government has made provision for a Community Infrastructure Levy (CIL) in the Planning Bill introduced to Parliament in November 2007. Local authorities will be empowered to charge CIL on new developments to help finance the infrastructure needed to support growth. The CIL powers are expected to come into effect by spring 2009 (subject to the Parliamentary timetable). In the meantime local authorities should continue to advance their infrastructure planning in order to ensure that there is clear evidence about planned infrastructure, its cost, timing and other likely sources of funding to underpin their development strategies. This would also serve as a basis for establishing policies for charging CIL on developments in their areas.

Period of operation

- 4.13 The time horizon of the core strategy should be at least 15 years from the date of adoption.

- 4.14 Core strategies represent a considerable body of work and are intended to endure and give a degree of certainty to communities and investors. In particular they give a guide to where long term investment in infrastructure should be made. The need for frequent updating may be reduced by taking a long-term view and providing some flexibility. So for example, if a strategy has some room for manoeuvre, it should not need to be updated simply because there has been a change in the housing numbers in the regional spatial strategy.
- 4.15 This can be achieved by local authorities considering the implications of different levels of development taking place either within the core strategy period or alternatively beyond it.. Such an approach would help ensure that the preparation of core strategies is not delayed by the proposed partial reviews of RSSs which will be required to deliver the Government's proposed level of housebuilding by 2020. Strategies should consider the possibilities of development occurring more quickly than currently being planned for.

Joint working

- 4.16 **Local authorities should explore and exploit opportunities for joint working on core strategies.**
- 4.17 Many issues critical to spatial planning do not respect local planning authority boundaries. Housing markets and commuting catchments often cover larger areas, which makes planning an individual district in isolation a difficult task, even where the Regional Spatial Strategy gives a strong steer. Critical discussions on infrastructure capacity and planning may be more effectively and efficiently carried out over a larger area than a single local planning authority area . Joint working between local planning authorities can address these issues properly, and also make the best use of scarce skills and capacity in different authorities. The production of one core strategy instead of two or more may save resources. Joint working also resonates with approaches to sub-regional working as set out in the Sub-national review and supports the development and implementation of Multi Area Agreements.
- 4.18 Joint working on core strategies may take a variety of forms. In some places a single plan has been produced either through a formally constituted joint committee, or through concurrent adoption. In others joint working on evidence and overall policy direction is being used as the basis for the production of two or more separate plans to the same timetable.

PREPARATION OF CORE STRATEGIES

Participation

- 4.19 The UK government has signed up to the UNECE *Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters* (the Aarhus Convention). Article 7 states:
- “Each Party shall make appropriate practical and/or other provisions for the public to participate during the preparation of plans and programmes relating to the environment, within a transparent and fair framework, having provided the necessary information to the public.”
- 4.20 **The production of core strategies should follow the Government’s principles for community engagement in planning. Involvement should be:**
- **appropriate** to the level of planning;
 - **from the outset** – leading to a sense of ownership of local policy decisions;
 - **continuous** – part of ongoing programme, not a one-off event, with clearly articulated opportunities for continuing involvement;
 - **transparent and accessible** – using methods appropriate to the communities concerned; and
 - **planned** – as an integral part of the process for making plans.
- 4.21 The council must produce a Statement of Community Involvement (SCI) which should follow these principles. The involvement of the public in preparing the core strategy must follow the approach set out in the SCI.

Participation across sectors

- 4.22 **The Council and the Local Strategic Partnership should take a strategic approach to community involvement.**
- 4.23 The Sustainable Community Strategy provides a key community input to the preparation of core strategies. The Council and the LSP should take a strategic approach to community involvement across the board. In preparing or revising its SCI, the Council is strongly encouraged to integrate community engagement on planning with other community engagement activities taking place across the Council’s wider functions; and in the process to consider how its equality duties are being fulfilled. Communities will thereby know how they can expect to be involved in wider decision making and should remove duplication, combat consultation fatigue and make the most of opportunities to maximise the strengths of different skills and resources within the council and LSP. “Communities” include businesses as well as residents.

Participation during plan preparation

- 4.25 **Consultation on the core strategy during the preparation phase of the plan should be proportionate to the scale of issues involved in the plan.**
- 4.26 If it is proposed to produce a new or revised core strategy for an area, for example, to respond to a major change in circumstances, such as receiving eco town or growth point status⁵, it will in the government's view be appropriate to involve the community in considering the options for the strategy before the final document is produced. A rather different level of consultation may be appropriate where some specific aspect of the core strategy is being revised such as the approach to the delivery of affordable housing.

Statements of Community Involvement:

An SCI should

- Explain clearly the process and methods for community involvement for different types of local development documents and for the different stages of plan preparation. This needs to include details of how the diverse sections of the community are engaged, in particular those groups which have been underrepresented in previous consultation exercises.
- Identify which umbrella organisations and community groups need be involved at different stages of the planning process, with special consideration given to those groups not normally involved.
- Explain the process and appropriate methods for effective community involvement in the determination of planning applications and where appropriate refer to Planning Performance Agreements.
- Include details of the LPAs approach to pre-application discussions.
- Include the LPAs approach to community involvement in planning obligations (S106 agreements).
- Include information on how the SCI will be monitored, evaluated and scrutinised at the local level.
- Include details of where community groups can get more information on the planning process, for example, from Planning Aid and other voluntary organisations.
- Identify how landowner and developer interests will be engaged.

⁵ For Eco towns see www.communities.gov.uk/documents/housing/pdf/livinggreenfuture
The New Growth Points initiative is designed to provide support to local communities who wish to pursue large scale and sustainable growth, including new housing, through a partnership with Government
<http://www.communities.gov.uk/housing/housingsupply/growthareas/newgrowthpoints/>

Engagement with Delivery Stakeholders

- 4.27 Local authorities should undertake timely, effective and conclusive discussion with key stakeholders on what option(s) for a core strategy are deliverable.

Key stakeholders should engage in timely and effective discussions with local planning authorities on the deliverability of options for core strategies.

- 4.28 It is essential that stakeholders key to the plan's delivery are engaged early in the production of the core strategy. Early engagement with stakeholders may enable potential impediments to the plan to be identified and overcome. There is no point in proceeding with options for the core strategy which cannot be delivered as a result of failure to obtain the agreement of key delivery agencies. Stakeholders also need to be engaged earlier to avoid late and unexpected representations emerging at the end of the process which might render the plan unsound and lead to lengthy delays in the delivery of a robust planning framework for the area. Local authorities are strongly encouraged to seek out major landowners and developers and engage them fully in the generation and consideration of options. This should help ensure that the core strategy is deliverable.

- 4.29 The relevant delivery agencies include:

Regulatory agencies: The Environment Agency, English Heritage, Natural England.

Physical infrastructure delivery agencies: highways authority, Highways Agency, utilities companies, Network Rail, public transport providers, airport operators.

Social infrastructure delivery agencies: local authority education dept, social services, primary care trust, acute hospital trusts, strategic health authority, the Police, charities/NGOs.

Major landowners – including the local authority itself and government departments and agencies.

Housebuilders, the New Homes Agency and other developers.

Minerals and waste management industries.

Contextual Issues: Nation and Region

- 4.30 The core strategy should not repeat or reformulate national or regional policy.
- 4.31 **National planning policy** is set out in a series of *Planning Policy Statements*⁶. The statement on *General Principles* (annex to PPS1) indicates that “the courts have held that the Government’s statements of planning policy are material considerations which must be taken into account, where relevant, in decisions on planning applications. These statements cannot make irrelevant any matter which is a material consideration in a particular case. But where such statements indicate the weight that should be given to relevant considerations, decision-makers must have proper regard to them. If they elect not to follow relevant statements of the Government’s planning policy, they must give clear and convincing reasons.” The **Regional Spatial Strategy** is part of the “development plan” for an area by virtue of Section 38(3) of the Planning and Compulsory Purchase Act 2004.
- 4.32 If it is the intention of the local planning authority simply to apply national and regional policy in its decision making it does not need to reiterate it in DPDs in order to do so; nor reformulate it by devising a similar kind of wording which achieves the same result. However there may be local reasons for having greater detail than national or regional policy provides for, local circumstances which suggest that a local interpretation of higher-level policy is appropriate, Authorities may include such approaches in their plans if they have **sound evidence** that it is justified by **local circumstances**.
- 4.33 In devising its strategy however, the local planning authority should be consistent with national policy and in general conformity with the regional spatial strategy. This means that the choices made regarding, for example where growth should take place should follow national and regional policy. This is not the same as reformulating it in different words as “development control” policies and leaving the spatial decision making to the planning application stage. This focus is because the core strategy should be concentrating on devising a delivery strategy to deal with the particular issues which have been identified as of local importance. Plan making resources are scarce and need to be concentrated on those tasks which only the core strategy can achieve – especially the coordination of the delivery of development and the accompanying infrastructure.

⁶ Minerals planning policy is contained in a set of Minerals Planning Guidance and Policy Statements.

Sustainable Community Strategy

- 4.34 Unitary and district authorities should align and coordinate the Core Strategy of the LDF with their Sustainable Community Strategies.
- 4.35 The core strategy is critical in delivering corporate and community aspirations (in the context of the Regional Spatial Strategy). Therefore the key spatial planning objectives for the area should be in alignment with priorities identified in the SCS. Place-shaping requires a dynamic relationship between these critical high-level vision strategies within both unitary and two-tier areas. This can be promoted through a shared evidence base and analysis, shared appraisal techniques such as sustainability appraisal, and the proactive engagement of stakeholder partners, citizens and businesses in their development and implementation through a shared approach to consultation, and shared monitoring of results.

Justification of Core Strategies

- 4.36 Core strategies must be justifiable: they must be:
- founded on a robust and credible evidence base; and
 - the most appropriate strategy when considered against the reasonable alternatives.

Evidence base

- 4.37 Core strategies have major effects. Social and economic impacts may include altering property values by a considerable amount; or helping access to housing, jobs, accessible local services and open space for many people, especially people with limited resources. There may be impacts on environmental or cultural assets: the core strategy may affect how much the area contributes to mitigating and reducing climate change. It is therefore essential that core strategies are based on thorough evidence. The evidence base should contain two elements:

Participation: evidence of the views of the local community and others who have a stake in the future of the area.

Research/ fact finding: evidence that the choices made by the plan are backed up by the background facts.

Evidence gathered should be proportionate to the job being undertaken by the plan, relevant to the place in question and as up-to-date as practical having regard to what may have changed since the evidence was collected.

Alternatives

- 4.38 The ability to demonstrate that the plan is the most appropriate when considered against reasonable alternatives delivers confidence in the strategy. It requires the local planning authority to seek out and evaluate *reasonable* alternatives promoted by themselves and others to ensure that they bring forward those alternatives which they consider the LPA should evaluate as part of the plan-making process. There is no point in inventing alternatives if they are not realistic. Being able to demonstrate that the plan is the most appropriate having gone through an objective process of assessing alternatives will pay dividends in terms of an easier passage for the plan through the examination process. It will assist in the process of evaluating the claims of those who wish to oppose the strategy.

Sustainability Appraisal

- 4.39 The “sustainability appraisal” required by S19(5) of the Planning and Compulsory Purchase Act 2004 should be an appraisal of the economic, social and environmental sustainability of the plan.
- 4.40 Sustainability appraisal fully incorporates the requirements of the European Directive on Strategic Environmental Assessment. Provided the sustainability appraisal is carried out following the guidelines in the *A Practical Guide to the Strategic Environmental Assessment Directive* and the *Plan-Making Manual* there will be no need to carry out a separate SEA.
- 4.41 Where authorities are required by law or encouraged by government policy to undertake assessments of their plans, such assessments should feed into and be summarised in the sustainability appraisal.
- 4.42 Sustainability appraisal must be proportionate to the plan in question. It should not repeat the appraisal of higher level policy.
- 4.43 The Sustainability Appraisal should perform a key role in providing a sound evidence base for the plan and form an integrated part of the plan preparation process. Sustainability Assessment should inform the evaluation of alternatives. Sustainability Assessment should provide a powerful means of proving to decision makers, and the public, that the plan is the most appropriate given reasonable alternatives.

Effectiveness

4.44 Core strategies must be effective: this means they must be:

- deliverable;
- flexible; and
- able to be monitored.

Deliverability

4.45 Core Strategies should show how the vision, objectives and strategy for the area will be delivered and by whom, and when. This includes making it clear how infrastructure which is needed to support the strategy will be provided and ensuring that what is in the plan is consistent with other relevant plans and strategies relating to adjoining areas. This evidence must be strong enough to stand up to independent scrutiny. Therefore it should:

- be based on sound infrastructure delivery planning (see para 4.8 above);
- include ensuring that there are not regulatory or national policy barriers to the delivery of the strategy, such as threats to protected wildlife sites and landscapes or sites of historic or cultural importance;
- include ensuring that partners who are essential to the delivery of the plan such as landowners and developers are signed up to it. LPAs should be able to state clearly who is intended to implement different elements of the strategy and when this will happen; (These issues are handled through early involvement of key stakeholders in the preparation of options for the plan.) and
- be coherent with the core strategies prepared by neighbouring authorities, where cross boundary issues are relevant.

Flexibility

4.46 A strategy is unlikely to be effective if it cannot deal with changing circumstances. Core strategies should look over a long time frame – 15 years usually but more if necessary. In the arena of the built and natural environment many issues may change over this time. Plans should be able to show how they will handle contingencies: it may not always be possible to have maximum certainty about the deliverability of the strategy. In these cases the core strategy should show what alternative strategies have been prepared to handle this uncertainty and what would trigger their use. Authorities should not necessarily rely on a review of the plan as a means of handling uncertainty.

Monitoring

- 4.47 A core strategy must have clear arrangements for monitoring and reporting results to the public and civic leaders. Without these it would be possible for the strategy to start to fail but the authority and indeed the public would be none the wiser. Monitoring is essential for an effective strategy and will provide the basis on which the contingency plans within the strategy would be triggered. The delivery strategy should contain clear targets or measurable outcomes to assist this process.

Annual Monitoring Report content

An AMR should:

- Report progress on the timetable and milestones for the preparation of documents set out in the local development scheme including reasons where they are not being met.
- Report progress on the policies and related targets in local development documents. This should also include progress against any relevant national and regional targets and highlight any unintended significant effects of the implementation of the policies on social, environmental and economic objectives. Where policies and targets are not being met or on track or are having unintended effects reasons should be provided along with any appropriate actions to redress the matter. Policies may also need to change to reflect changes in national or regional policy.
- Include progress against the core output indicators including information on net additional dwellings (required under Regulation 48(7)⁷) and an update of the housing trajectory to demonstrate how policies will deliver housing provision in their area.
- Indicate how infrastructure providers have performed against the programmes for infrastructure set out in support of the core strategy. AMRs should be used to reprioritise any previous assumptions made regarding infrastructure delivery.

Guidance on the approach to developing monitoring frameworks and producing annual monitoring reports is set out in the *Local Development Framework Monitoring: A Good Practice Guide* (ODPM 2005).

⁷ Town and Country Planning (Local Development) (England) Regulations 2004 as amended

QUALITY ASSURANCE

- 4.48 The importance attached to getting the core strategy right is reflected in the fact that it is subject to **independent examination**. Given the potential impact of core strategies on the lives of individuals, communities and the environment, it is vital that the plan is the most appropriate. This is partly why there is an independent examination to provide assurance. The examination of any DPD is concerned with the two separate matters of legal compliance and soundness.
- 4.49 This revised PPS12 presents “tests of soundness” in a different and more simple way based on the fact that the Planning and Compulsory Purchase Act 2004 distinguishes between the legal requirements (former ‘procedural’ and ‘conformity’ tests) and the determination of soundness (former ‘consistency, coherence and effectiveness’ tests). However the rigour of the examination process remains unchanged and inspectors will be looking for the same quality of evidence and content. The starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound plan.

Legal requirements⁸

- 4.50 Under the Planning and Compulsory Purchase Act 2004 S 20(5)(a) an Inspector is charged with firstly checking that the plan has complied with legislation. This includes in particular checking that the plan:
- has been prepared in accordance with the Local Development Scheme and in compliance with the Statement of Community Involvement and the Regulations⁹;
 - has been subject to sustainability appraisal;
 - has regard to national policy;
 - conforms generally to the Regional Spatial Strategy; and
 - has regard to any sustainable community strategy for its area (i.e. county and district).

“Soundness”¹⁰

- 4.51 In addition the Section 20(5)(b) of the Act requires the Inspector to determine whether the plan is “sound”.
- 4.52 **To be “sound” a core strategy should be JUSTIFIED, EFFECTIVE and consistent with NATIONAL POLICY.**

⁸ These replace the former Tests i-iii, iv(part) & v

⁹ Town and Country Planning (Local Development) (England) Regulations 2004 as amended

¹⁰ This replaces the former Tests iv(part) & vi-ix

Soundness

To be “sound” a core strategy should be JUSTIFIED, EFFECTIVE and consistent with NATIONAL POLICY.

“Justified” means that the document must be:

- founded on a robust and credible evidence base
- the most appropriate strategy when considered against the reasonable alternatives

“Effective” means that the document must be:

- deliverable
- flexible
- able to be monitored

The concepts of justification and effectiveness are expanded at paragraphs 4.36 – 4.38 and 4.44 – 4.47.

TIMELY PROGRESS WITH CORE STRATEGIES

- 4.53 The Government’s Public Service Delivery Agreement 20 is to increase long-term housing supply and affordability. It states that local planning authorities should adopt the necessary Development Plan Documents, in accordance with their Local Development Schemes, to bring forward developable land for housing in line with PPS3.
- 4.54 Core strategies should be produced according to the timetable set out in the Local Development Scheme. If there is slippage from the agreed timetable, local planning authorities should provide real time public information on progress with core strategies.
- 4.55 It is critical that core strategies are produced in a timely and efficient manner. This is essential for the supply of housing and other development to meet need. The **Local Development Scheme** sets out the development plan documents which will be produced and when they are going to be produced. It is vital that local authorities do their utmost to adhere to this timetable. If they do not:
- development which is needed for the benefit of current and future residents of the area may be delayed or even shelved;
 - the coordination of the allocation of land for housing and the necessary supporting infrastructure will be difficult to achieve; and
 - the public and other stakeholders will lose confidence in the plan making process.

Local Development Schemes

An LDS should:

- Provide a brief description of all the development plan documents (DPDs) and supplementary planning documents (SPDs) to be prepared and the content and geographic area to which they will relate. It should include the Statement of Communities Involvement.
- Explain how the different DPDs and SPDs relate to each other, and especially how they relate to the core strategy.
- Set out which supplementary planning guidance or SPDs support saved policies.
- Set out the timetable for producing DPDs – giving the timings for the achievement of the following milestones:
 - consulting statutory bodies on the scope of the Sustainability Appraisal
 - publication of the DPD
 - submission of the DPD
 - adoption of the DPD
- Set out the timetable for producing SPDs – giving the timings for the publication of the draft SPD and the adoption of the SPD.

- 4.56 Local authorities are urged to ensure that effective programme management techniques are employed in progressing the core strategy *and orchestrating the production of the evidence base*. Various studies (on for example housing market assessments, housing land availability, flooding, and transport) are necessary for the proper preparation of core strategies. Local authorities should seek to align the timetables of these studies with the core strategy so that it is not unexpectedly held up. This will mean discussing the project timetabling with key stakeholders. It will also be helpful to reach agreement with key stakeholders on what the main components of the evidence base need to be.
- 4.57 The local government performance framework makes it clear that delivery (i.e. completion) of sufficient numbers of houses overall and of affordable homes and the supply of housing land are among the 198 indicators for which information will be collected. Where completions or housing supply are falling behind housing provision figures, local areas may find that improvements in this indicator form part of a revised local area agreement if so directed by the Secretary of State. Prompt preparation and adoption of sound core strategies is a key means whereby performance against this indicator can be improved.

- 4.58 Local planning authorities should keep to the timetables agreed in local development schemes. When rolling these schemes forward, local planning authorities should consult Government Offices. In responding to these consultations Government Offices will take the following matters into account:
- 1) Is any postponement of milestones justified by reference to special circumstances?
 - 2) Does the LDS reflect government priorities on subject matter?
 - 3) Is the LDS realistic in programme management terms, taking into account the resources available?
 - 4) Does the LDS take proper account of the need to produce a robust evidence base and the time and resources this will take?

5. Other development plan documents

5.1 LPAs should consider the following criteria when determining which DPDs other than the core strategy they produce:

- Does the issue need treatment in the development plan? If so,
- Does the RSS and/or core strategy adequately cover the issue?

In considering these questions, the following issues should be considered:

- the scope of and detail in the RSS or core strategy;
- market conditions, including the scale of the development challenge (both absolute and relative), whether it be growth or managed change, that LPAs face;
- the approach to delivery, including the size and type of land available for new development and how to make the best use of existing buildings/housing stock;
- the need for land assembly/CPOs;
- the requirements of utilities/infrastructure providers;
- the need to address environmental pressures, constraints and opportunities (for example flood risk or coastal erosion);
- timing, particularly in terms of when other regional and local strategies are being brought forward; and
- resources and timetabling.

5.2 (1) Other DPDs should comply with the following Principles in this Statement on:

- participation and stakeholders (4.20, 4.25 & 4.27);
- not repeating national and regional policy (4.30);
- sustainability appraisal (4.39 – 4.42);
- justification and effectiveness (4.36 & 4.44); and
- timely progress (4.53 & 4.54).

(2) Other DPDs must

- be prepared in accordance with the Local Development Scheme and in compliance with the Statement of Community Involvement and the Regulations¹¹;
- be subject to sustainability appraisal;
- have regard to national policy;
- conform generally to the Regional Spatial Strategy; and
- have regard to any sustainable community strategy for its area (i.e. county and district).

¹¹ Town and Country Planning (Local Development) (England) Regulations 2004 as amended

(3) To be “sound” other DPDs should be JUSTIFIED and EFFECTIVE and consistent with NATIONAL POLICY.

(4) If other DPDs are produced they should not be used to take the place of the core strategy: it is the core strategy which should make clear spatial choices about where development should go.

Soundness

To be “sound” a DPD should be JUSTIFIED, EFFECTIVE and consistent with NATIONAL POLICY.

“Justified” means that the document must be:

- founded on a robust and credible evidence base
- the most appropriate strategy when considered against the reasonable alternatives

“Effective” means that the document must be:

- deliverable
- flexible
- able to be monitored

The concepts of justification and effectiveness are expanded at paragraphs 4.36 – 4.38 and 4.44 – 4.47.

- 5.3 In order to aid delivery of sustainable development, the local planning authority may prepare other development plan documents to provide additional detail which would not be suitable in a core strategy and which requires the status of the development plan.. It is important to get the right balance between the value added by inclusion in the development plan and the resources and time delay involved in producing additional DPDs. Core Strategies can allocate strategic sites, as explained in paragraph 4.6. If it is necessary to allocate sites which have not already been allocated in the core strategy, a DPD must be used to allocate these sites.

Area Action Plans

- 5.4 Area action plans should be used when there is a need to provide the planning framework for areas where significant change or conservation is needed. Area action plans should:
- deliver planned growth areas;
 - stimulate regeneration;
 - protect areas particularly sensitive to change;
 - resolve conflicting objectives in areas subject to development pressures; or
 - focus the delivery of area based regeneration initiatives.
- 5.5 Area Action Plans can assist in producing a consensus as to the right strategy for an area and how it might be implemented. They can assist in providing the basis for taking compulsory purchase action where necessary or act as a focus and a catalyst for getting several key agencies and landowners to work together. Authorities may set criteria in their core strategy for identifying locations and priorities for the preparation of area action plans.
- 5.6 In areas of change, area action plans should identify the distribution of uses and their inter-relationships, including specific site allocations, and set out as far as practicable the timetable for the implementation of the proposals. In areas of conservation, area action plans should set out the policies and proposals for action to preserve or enhance the area, including defining areas where specific conservation measures are proposed and areas which will be subject to specific controls over development.

6. Supplementary planning documents

- 6.1 A planning authority may prepare Supplementary Planning Documents to provide greater detail on the policies in its DPDs. SPDs should not be prepared with the aim of avoiding the need for the examination of policy which should be examined.

Role of others

- 6.2 The process of planning at urban community or parish level can bring wide benefits in terms of deepening community involvement and increasing a sense of belonging and of ownership of policy. However where communities or developers wish to use the statutory planning process (ie SPDs) as part of their approach, they should work with the local planning authority from the outset. Developers and communities should not expect to prepare plans independently from the LPA and then have them adopted as SPD. Parishes and urban communities should not however regard the statutory planning approach as the only option open to them: other forms of community planning may be more appropriate. Local planning authorities should pay close attention to the contents of non statutory parish and community plans as part of their community involvement.

Preparation of supplementary guidance by other bodies:

- 6.3 Supplementary guidance to assist the delivery of development may be prepared by a *government agency, Regional Planning Body* or a *County Council*¹² or other body (e.g. *AONB committee*) where this would provide economies in production and the avoidance of duplication e.g. where the information in it would apply to areas greater than single districts. Such guidance would not be a supplementary planning document. However, if the same disciplines of consultation and sustainability appraisal (where necessary) are applied, such information might, subject to the circumstances of a particular case, be afforded a weight commensurate with that of SPDs in decision making. This may be more likely if the district/borough/city councils to which it is intended to apply endorse the guidance¹³, or if the document is an amplification of RSS policy and it has been prepared by an RPB.
- 6.4 District/borough/city councils should not produce planning guidance other than SPD where the guidance is intended to be used in decision making or the coordination of development. This could be construed as wishing to circumvent the provisions for consultation and sustainability appraisal which SPDs have. This excludes assistance to applicants on how to make planning applications, which would not constitute SPD.

¹² ... in a two tier area and where the issue is not minerals or waste

¹³ ... or a county council in a two tier area where the issue is minerals or waste

7. Intervention by the Secretary of State

- 7.1 **The Secretary of State will only use powers of intervention in development plan documents or supplementary planning documents where they raise issues which are of national or regional importance.**

8. Adopted proposals map

- 8.1 The adopted proposals map should:
- identify areas of protection, such as nationally protected landscape and internationally, nationally and locally-designated areas and sites, and Green Belt land;
 - show areas at risk from flooding; and
 - allocate sites for particular land use and development proposals included in any adopted development plan document and set out the areas to which specific policies apply.
- 8.2 District planning authorities should include on their adopted proposals map, minerals and waste matters including safeguarding areas, and any minerals and waste allocations which are adopted in a development plan document by the county council.
- 8.3 Inset maps may be used to show policies for part of the authority's area, such as the policies for area action plans, which must all be shown on the adopted proposals map. Where inset maps are used, the geographical area they will cover will be identified on the main adopted proposals map. The boundaries of each inset map must be shown precisely on the adopted proposals map but the policies shown on the inset must not appear on the main adopted proposals map.

9. Extension of saved policies

- 9.1 All the policies contained in local plans and unitary development plans are saved for three years after adoption by virtue of the Planning and Compulsory Purchase Act 2004. If local authorities wish to retain specified policies beyond the expiry of the three year period, they will need to seek the Secretary of State's agreement to issue a direction to this effect. Local authorities will need to demonstrate that the policies they wish to be saved reflect the principles of local development frameworks and are consistent with current national policy.
- 9.2 The Government will take the following issues into account in considering extensions to local plan and unitary development plan saved policies:
- (i) Policies to be extended should comply with the following criteria:
- where appropriate, there is a clear central strategy;
 - policies have regard to any sustainable community strategy for the area;
 - policies are in general conformity with the regional spatial strategy or spatial development strategy;
 - policies are in conformity with the core strategy development plan document (where the core strategy has been adopted);
 - there are effective policies for any parts of the authority's area where significant change in the use of development of land or conservation of the area is envisaged; and
 - policies are necessary and do not repeat national or regional policy.
- (ii) The Government will have particular regard to:
- policies that support the delivery of housing, including unimplemented site allocations, up-to-date affordable housing policies and policies relating to the infrastructure necessary to support housing;
 - policies on Green Belt general extent in structure plans and detailed boundaries in local plans or unitary development plans;
 - policies that support economic development and regeneration, including policies for retailing and town centres;
 - policies for waste management, including unimplemented site allocations; and
 - policies that promote renewable energy, reduce impact on climate change or safeguard water resources.

- 9.3 In order to save policies, the LPA should write to the appropriate Government Office **at least six months** before the expiration of the three year period. The Government Office will follow the *Protocol for handling proposals to save adopted Local Plan, Unitary Development Plan and Structure Plan policies beyond the three year saved period* which was published in August 2006.¹⁴
- 9.4 At the end of the three year period any saved policies will cease being part of the development plan unless they have been extended by the Secretary of State.

¹⁴ Available on the Communities and Local Government website, currently at:
<http://www.communities.gov.uk/publications/planningandbuilding/protocolhandling>

£12.00



ISBN 978-0-11-753996-9

