

CHESHIRE EAST COUNCIL

REPORT TO: SOUTHERN PLANNING COMMITTEE

Date of Meeting: 13 July 2011
Report of: Adrian Fisher Head of Planning & Housing
Subject: Planning for Growth & the Presumption in Favour of Sustainable Development
Portfolio Holder: Cllr Rachel Bailey

1.0 Report Summary

- 1.1 The purpose of this report is to update the Board on recent ministerial announcements with regards to growth and sustainable development

2.0 Decision Requested

- 2.1 That the report be noted

3.0 Reasons for Recommendations

- 3.1 The report is for information only

4.0 Wards Affected

- 4.1 All

5.0 Planning for Growth

- 5.1 On the 23 March the Minister for Decentralisation Greg Clark published a statement entitled 'Planning for Growth'. On the 15 June this was supplemented by a statement highlighting a 'presumption in favour of sustainable development' which will be published in the forthcoming National Planning Policy Framework.
- 5.2 Collectively these two statements mark a clear effort by Government to shift the emphasis of the planning system away from what might be viewed as an overly protective stance and towards a much more positive approach to development. As the minister says:

"The Government's top priority in reforming the planning system is to promote sustainable economic growth and jobs. Government's clear expectation is that the answer to development and growth should wherever possible be 'yes', except where this would compromise the key sustainable development principles set out in national planning policy"

- 5.3 The statement (reproduced in full as Annex A) indicates that economic considerations should feature prominently in deliberations on new development, especially given the need to boost economic growth after the recession. Also highlighted is the need to maintain housing supply and not to place undue burdens on development.
- 5.4 In the past month this has been supplemented a further statement on a presumption in favour of sustainable development. This reinforces the inter connection between environmental, social and economic factors – with particular emphasis on the latter. The Government's clear expectation is that we move to a system where the default answer to development is 'yes', except where this would compromise the key sustainable development principles set out in national planning policy.
- 5.5 The proposed policy reads:

There is a presumption in favour of sustainable development at the heart of the planning system, which should be central to the approach taken to both plan-making and decision-taking. Local planning authorities should plan positively for new development, and approve all individual proposals wherever possible.

Local planning authorities should:

- *Prepare local plans on the basis that objectively assessed development needs should be met, and with sufficient flexibility to respond to rapid shifts in demand or other economic changes*
- *Approve development proposals that accord with statutory plans without delay and*
- *Grant permission where the plan is absent, silent, indeterminate or where relevant policies are out of date*

All of these policies should apply unless the adverse impacts of allowing development would significantly and demonstrably outweigh the benefits, when assessed against the policy objectives in the National Planning Policy Framework taken as a whole.

- 5.6 Although the wider National Planning Policy Framework is yet to be published it is evident that the Government expects Councils to have immediate regard to these statements

6 Implications

- 6.1 The concept of sustainable development has long been at the heart of the planning system – and has always been understood to mean an effective balance of economic, social and environmental considerations. Some argue that the environmental considerations have taken too much of a centre stage in

recent years and that insufficient weight has been given to the economy in planning decisions. In making these statements the government is clearly seeking to redress the balance and ensure the planning system facilitates development.

- 6.2 The Council needs to take account of such statements as a material consideration in its decision making. In particular there is a need to take a positive approach to development. Our starting point should be that development is a good and necessary thing - and therefore our approach should generally be a favourable one. That is not to say we should be approving each and every development - but unless there are clear and cogent reasons why development is unacceptable, the assumption should be that it can proceed.
- 6.3 In many respects the planning system has always worked on the basis that development should not be resisted unless it can be shown to be harmful. Equally Economic Development considerations should always be factored into planning decision making. However the recent statements highlight and reinforce more explicitly than has previously been the case.
- 6.4 Also of note in the statement on sustainable development is the encouragement to promptly prepare Local Plans (the Local Development Framework) and to approve development that accords with plans 'without delay'. The Converse is that development should be approved where plans are silent or 'out of date'. As Cheshire East still relies heavily on the plans of its legacy authorities this aspect of the statement may prove to be a fertile area of challenge until the new Local Plan is in place.
- 6.5 A further aspect of the Planning for Growth Statement is an encouragement to revisit planning obligations where these render development schemes unviable in the current depressed market. Councillors will already be familiar with situations where potential developers have sought to re-negotiate agreements made during more favourable times. The message from the Government is that we should not allow overly onerous planning obligations to stymie the progress of beneficial development.
- 6.6 In many ways the Council has already embraced this positive agenda. It has signed up to the sub regional growth plan 'Unleashing the Potential' and actively promoted economic development across the Borough. We have not reduced our housing figures from the Regional Plan totals (as many have done) but rather agreed new figures that keep supply well above current build rates and we have set forward positive proposals for how housing growth will be met in our Interim policy, which closely follows the aspirations of local people in the sustainable Community Strategy.
- 6.7 However the ministerial statements are already featuring in planning appeal decisions and the Council may need to adjust our approach as key appeal decisions come through on housing supply and other developments.

7. Conclusions

- 7.1 The ministerial statements on planning for Growth and the Presumption in Favour of Sustainable Development are a material consideration which need to be taken account of in the Council's decision making. Operation and practice with be kept closely under review as appeal decisions and case law develops

Annexe A Statement on Planning for Growth

June 2011