

Preface

- i. *The Draft Regional Spatial Strategy for the South West* (June 2006) covers the period 2006 to 2026 and is intended to replace the existing Regional Planning Guidance for the South West. Throughout this Report ‘the draft RSS’ has been used to refer to *The Draft Regional Spatial Strategy* and ‘the RSS’ to refer to the final Regional Spatial Strategy and its successors. Regional Planning Guidance for the South West to 2016 (RPG10) was published in September 2001. Following the commencement of the Planning and Compulsory Purchase Act 2004 Regional Planning Guidance (RPG) became RSS in each region outside of London and now forms part of the statutory Development Plan.

The Examination in Public Process

- ii. The draft RSS was placed on deposit from 6 June 2006 to 30 August 2006. As a result, responses were received from individuals, organisations, interest groups and local authorities generating approximately 1,982 separate responses and a total of 14,786 representations.
- iii. We were appointed by the Secretary of State¹, to conduct an Examination in Public (EiP) of selected issues arising out of the draft RSS. Based on the objections and representations received, nine matters for examination were selected by the Panel in consultation with the South West Regional Assembly (SWRA) and the Government Office for the South West (GOSW). We selected the participants to be invited to appear at the EiP also in consultation with the SWRA and the GOSW. In total, 184 individuals or organisations were initially invited and all but a few accepted. Subsequent invitations were extended to additional participants, resulting in 191 organisations and individuals participating in the EiP.
- iv. Our report is in three sections: we refer to Section 1 as the Main Report, which comprises the ‘*Executive Summary*’, a number of ‘*Thematic Chapters*’ one of which contains a series of ‘*Sub-Regional Sections*’ together with a ‘*Glossary*’; we regard Section 2 as comprising Appendices A, B and C ‘*Housing Market Areas*’, ‘*Housing Market Area Figures*’, ‘*Recommended RSS Policy Changes*’ and finally we include in Section 3 Appendices D, E and F ‘*Timetable, Matters and Participants*’, ‘*Examination Library Documents*’ and ‘*Changing Context*’. All participants were given the opportunity to submit statements prior to the commencement of the EiP and these were circulated before the EiP opened. Statements prepared by the South West Regional Assembly were likewise circulated. Written statements put in by those who were invited but unable to attend, as well as those who were not invited, have also been taken into account. A library was available both before and during the EiP where copies of core documents, participants’ documents and other EiP documents were available for inspection.
- v. The independent EiP web site www.southwesteip.co.uk, was regularly updated to provide information on the progress of the EiP. This contained summaries of the representations received organised by policy number, and copies of the participants’ written statements. The documents library contained many of the documents in electronic format for viewing over the Internet.

¹ Ruth Kelly MP; Secretary of State for Communities and Local Government.

- vi. Preliminary meetings took place at the Thistle Hotel, Exeter on 16 January 2007 and 6 March 2007. The purpose of these meetings was to explain the nature of the proceedings and to allow an opportunity for the Panel to address any questions on how the EiP would be run. The EiP was held over a period of ten weeks, during the period 17 April to 6 July 2007.
- vii. We spent a number of days prior to the EiP touring the Region, including visiting locations relevant to the matters being examined. Further visits took place during the EiP.
- viii. The sessions at the EiP were recorded on to CD; copies can be made available, on request, from the Regional Strategies, Housing and Planning Directorate, Government Office for the South West, 2, Rivergate, Temple Quay, Bristol, BS1 6EH.

Acknowledgements

To the participants

- ix. We are grateful to all those organisations and individuals who participated in the examination process, including the South West Regional Assembly and many others for their help in responding to requests for information.

To the South West RSS Panel team

- x. We thank all those who have assisted throughout, and at specific stages, during the EiP process for their help and support in setting up the EiP. Elaine Lamb (Panel Assistant) and Brian Cobley (Panel Secretary) made invaluable contributions throughout the process to the work of the Panel and the overall running of the EiP.

Other persons and organisations

- xi. We thank the staff of the Government Office for the South West who helped to arrange the Examination and provided facilities for the Secretariat's Office while based in Bristol. Also those who assisted in various ways before and during the EiP. And finally to icNorthEast for designing, developing and maintaining our Website throughout the EiP process.

Structure and Content of the Report

- xii. The Regional Spatial Strategy for the South West (RPG10), together with its subsequent Annual Monitoring Reports (AMRs), provided an important policy context for the draft RSS, and has formed the background for the Panel's Report.
- xiii. The chapters in our Report address the issues considered at the EiP and generally follow the List of Matters selected. The Report considers the strategic matters of the draft RSS with chapters on: a sustainable future; the context; the spatial strategy; sub-regional strategies; transport/regional transport strategy; housing; the environment and resource management; the economy and employment; implementation and monitoring. A glossary of abbreviations is also included at the end to assist the reader.
- xiv. Our approach to each chapter involves setting out the issues which have arisen from the EiP.

We have not sought to provide a full account of all the proceedings during the EiP, or to summarise all the representations and participants' statements. Our Report is based upon the main arguments considered at the EiP and concentrates on setting out the reasoning behind our conclusions and recommendations. In Appendix A '*Housing Market Areas*' we include four appendices on (i) the draft RSS and DCLG Household Projections, (ii) comparison of the draft RSS, 2003 DCLG Household and Panel Modifications, (iii) the Housing Market Area (HMA) Strategic Assessments and finally (iv) Employment Projections by Housing Market Areas. In Appendix B '*Housing Market Areas Figures*' we present the Housing Market Area Figures and the Panel Modifications.

- xv. We offer the following comments on the three different types of recommendations for changing the draft RSS that are contained in our Report. We also draw attention to the fact that as a result of our recommendations there may be a further need to modify or delete policies and/or text throughout the Strategy as necessary.

Modifications to Policies and New Policies

- Modifications to policies and new policies are contained in our recommendations. A list of the modifications to the policy wording are included in this Report.

Modifications to the Supporting Text, Diagrams, Maps and Figures

- We use the term 'supporting text' to describe text that is in the draft RSS but is not policy. Any modifications we specifically propose to the supporting text, maps and figures are normally also contained in our recommendations. In some cases modifications to the diagrams will be precipitated by our recommended modifications to policies.

Further Work or Studies

- Whilst these are strictly outside the scope of the Panel's remit, the Panel hopes that these will assist the future planning of the South West Region.

- xvi. To assist in reading our Report we have included in Appendix C '*Recommended RSS Policy Changes*' seven appendices on (i) an index to the Panel's Recommendations and Modifications, (ii) a list of the Panel Recommendations, (iii) a list of the Panel Modifications to policies and new policies, (iv) the new studies, (v) Panel Modifications to Table 4.1, (vi) Panel Modifications to Table 4.2 and lastly (vii) a schedule of carbon reduction requirements. Appendix D *Timetable, Matters and Participants*, Appendix E '*Examination Library Documents*' and Appendix F '*Changing Context*', the latter acting as a guide to the changing context as the draft RSS was developed and the dates of selected publications, complete the set of Appendices to our Report.
- xvii. A few changes to some of the policies and text in the draft RSS were suggested at the EiP, and we have taken them into account. However, these suggested changes do not formally replace the draft RSS policies and text. Where necessary our recommendations cover both the draft RSS policies and the suggested changes. Where we have not commented directly on the suggested changes, the Government Office for the South West, will need to consider these residual suggested changes.

- xviii. One of the important aims behind many of our recommendations is to ensure that the RSS gives clear – and where appropriate prescriptive – guidance to Local Planning Authorities for the preparation of their Local Development Documents. This, it seems to us, fulfils its proper purpose of ensuring the RSS is clear for the interpretation of the Regional Spatial Strategy at the local level.
- xix. We recommend modifications to the wording of policies including selective consequential changes to the supporting text and the diagrammatic maps where this will improve the draft RSS. We have not attempted to follow through the changes to the overall policy numbering. We have also identified areas of future work and these *recommendations* are included in *italics*. The recommendations appear throughout our Report and are a response to matters under discussion at that point, but they should be read as applying to the draft RSS as a whole.

Changing Circumstances

- xx. The material submitted to us and the discussions at the EiP have made us aware that the preparation of the draft RSS for the South West has had to accommodate a changing context. An appreciation of this changing context is set out in Appendix F which presents a wide range of unfolding events and responses which have occurred over the last seven years in the form of a timeline.
- xxi. The draft RSS anticipated changing government policy on Climate Change, which culminated in the publication of the Consultation Draft of *PPS1 Planning and Climate Change* (Supplement to PPS1). The Regional Assembly also anticipated the requirement for a Strategic Sustainability Assessment by commissioning Land Use Consultants, Collingwood Environmental Planning, and Levett-Therivel Sustainability Consultants in February 2004 in advance of the consultation paper on this matter in September 2004 and the final guidance document in November 2005.
- xxii. Planning Policy Statements were published on *Planning for Sustainable Waste Management* (PPS10) in July 2005 during the preparation of the draft RSS, and *Development and Flood Risk* (PPS25) in December 2006 before the start of the EiP. The matters raised by these documents were discussed at the EiP.
- xxiii. Circular 01/06 (ODPM), *Planning for Gypsy and Traveller Caravan Sites* was published on 2 February 2006, but this document came too late to be fully reflected in the draft RSS. The Panel is re-assured that this matter is to be the subject of a separate EiP, which will allow a consolidated RSS to be produced by the Secretary of State.
- xxiv. On March 9 2006 the Office of the Deputy Prime Minister drew the attention of all planning authorities (including Regional Planning Bodies) to the requirement to undertake a Habitats Regulations Assessment of Development Plans. As the draft RSS was being finalised at that point in time Land Use Consultants were appointed to prepare such a Regulation Assessment of the draft RSS and a final report was submitted in February 2007. Subsequently Land Use Consultants prepared a Supplementary Report on behalf of the Home Builders Federation and Development Interests to assess the implications of alternative housing scenarios. The Panel is content that a proper assessment has been made and that all the issues arising have been fully discussed at the EiP. This matter is further considered in Chapters 1 and 4 of this Report.

xxv. The Government published the 2003-based household projections in March 2006. The projections were the first to fully take into account the 2001 Census data. Paragraph 33 of PPS3 requires the Regional Planning Bodies and Local Planning Authorities to take into account the Government's latest published household projections in preparing their plans. Given the timing of these projections it was not possible for them to be reflected in the draft RSS, but in June 2006 the Secretary of State requested that the Regional Assembly examine the implications of the revised projections and present proposals to the EiP on how the region should respond. A briefing paper was prepared for a regional stakeholders' workshop to discuss the implications of the projections. The briefing paper set out four scenarios based on a range of distributions of a net increase of 5000 dwellings per annum. Land Use Consultants were commissioned to produce a Strategic Sustainability Assessment of the scenarios. The 4(4) authorities² were consulted on the implications and the outcome was reported to the Regional Spatial Planning and Transport Group on February 8th 2007. The responses to the consultations focussed on the implications of the four scenarios. While it is accepted that the DCLG projections were in the public domain, the attention of the stakeholders, 4(4) authorities or the Assembly Members was not directed to the actual district or housing market implications of the revised projections. As a result the Strategic Sustainability Assessment linked to the new projections did not deal with the real geographical differences between the scenarios and the projections. While the Panel is disappointed that this "benchmarking" was not carried out, it is confident that the EiP process was able to deal with the issues arising.

Soundness of the Plan

xxvi. The draft RSS has been considered in relation to the criteria listed in paragraph 2.49 of PPS11, but the EiP was structured around the substantive issues raised by the plan itself. The comments below must be set in the context of the recommendations set out later in this Report. We offer the following comments on how the draft RSS meets the criteria.

i) whether it is a spatial plan, including in particular, does it properly take into account related policy initiatives and programmes relevant to meeting regional economic, environmental and social needs, where these directly impact on the development and use of land, and does it contain policies which sufficiently link with those related policy initiatives and programmes to deliver the desired spatial change;

In general terms this test is met. In particular we note the efforts to link the draft RSS to the vision and the "key challenges" of "*Just Connect!*" (the Integrated Regional Strategy for the South West 2004-2026).

ii) whether it meets the objectives for a RSS, as set out in paragraph 1.7 of this PPS;

This test will be met if the draft RSS is changed in accordance with our recommendations. We particularly welcome the use of housing market areas in the consideration of housing matters.

iii) whether it is consistent with national planning policy and if not whether the case has been adequately made for departing from national policy;

² Planning Authorities as Listed in Section 4(4) of the Planning and Compulsory Purchase Act 2004.

The draft RSS is broadly consistent with national policy and some of our recommendations will ensure greater consistency e.g. housing and renewables.

iv) whether it is consistent with other relevant regional strategies for the region, including the regional housing, economic and cultural strategies, and with RSSs for neighbouring regions where cross boundary issues are relevant. Any major inconsistencies will need to be justified;

We find the draft RSS to be broadly consistent with other regional strategies, but some of our recommendations address the need to achieve a greater alignment with the Regional Economic Strategy. The draft RSS is also consistent with neighbouring RSSs, but we are concerned that the draft RSS for the South East, by not making adequate housing provision to meet the economic needs of the region, could result in unnecessary development pressure in the adjoining parts of the South West such as south east Dorset and the Cotswolds.

v) whether the policies in it are consistent with one another;

Our recommendations should deal with the inconsistencies between the development requirements of the region and the need to protect internationally designated environmental areas. Some of the other inconsistencies with the climate change policies can only be satisfactorily resolved through changes to national policies such as on traffic demand management and air transport growth.

vi) whether it is founded on a robust and credible evidence base;

We have identified deficiencies in the evidence base, but we are of the opinion that the draft RSS retains sufficient credibility to provide reasonable guidance for the development plan process until the next Review.

vii) whether community involvement and partnership working have been satisfactory, including whether the RPB has taken proper account of the views expressed;

The RPB's efforts in relation to these matters are set out in the "Pre-Submission Consultation Statement" and there was little criticism from stakeholders and the general public. We are satisfied that this test has been met.

viii) whether it is realistic, including about the availability of resources, and is able to be implemented without compromising its objectives;

We had some difficulty in establishing the likely scale of available resources over such an extended timeframe. This was particularly true in relation to infrastructure investment such as transport. We are also aware that much of the transportation investment could have revenue consequences and it was not possible to evaluate the availability of such resources. Given the Government's commitment to achieving higher levels of growth, we have assumed that the means will be found for the critical elements of the proposals. To that extent we are of the opinion that the draft RSS meets this criterion.

ix) whether it is robust and able to deal with changing circumstances;

On the basis of our recommendations we consider that this test is generally met.

x) whether it has been subject to a satisfactory SA and whether alternative options were correctly ruled out taking account of the SA findings;

As noted earlier the Regional Assembly anticipated the guidance on the preparation of a Strategic Sustainability Assessment. In appointing the team of consultants preparing guidance on this matter for the Government, the Regional Assembly was in our opinion seeking to ensure the preparation of a satisfactory SA. We deal with aspects of the SA consideration of options later in this report, but we consider this criterion is generally met.

xi) whether in all other respects it has been prepared following the proper procedures, as set out in the Act, Regulations, this PPS and related guidance;

We understand that proper procedures have been carried out.

xii) whether it has clear mechanisms for monitoring and implementation.

Monitoring is in place and is compliant with national guidance. Further improvements are committed in terms of data collection and to integrate the monitoring process with the monitoring of other regional strategies. The implementation plan should provide a useful mechanism to deal with implementation issues.

- xxvii. In preparing a draft revision of a Regional Spatial Strategy (RSS), the Regional Planning Body (RPB) is required by statute to have regard to certain matters covering regional and other strategic planning guidance issued by the Secretary of State and to current national policy³. We have examined the conformity of the draft RSS policies and proposals with *Planning Policy Statement 11: Regional Spatial Strategies* (PPS11) and with relevant Government policy generally.
- xxviii. The RPB has also to ensure that the RSS is sound when submitted for examination⁴. We have thoroughly tested the draft RSS through the Examination in Public process - with the active assistance of participants - and are satisfied that when our recommendations are taken into account the RSS will be sound as a result.

³ *Planning and Compulsory Purchase Act, 2004, s.5(3).*

⁴ *Planning Policy Statement 11: Regional Spatial Strategies, (PPS11), ODPM, Sept 2004, p 22, para.2.49.*