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| Report to: | CABINET |
| Date: | 29 July 2020 |
| Executive Member: | Cllr Gerald Cooney – Executive Member (Housing, Planning and Employment) |
| Reporting Officer: | Jayne Traverse - Director of Growth |
| Subject: | PLANNING EVIDENCE TO BE PUBLISHED |
| Report Summary: | <p>This report seeks approval to publish several pieces of evidence based work recently presented to Elected Members through an all Member development session/briefing.</p> <p>The evidence, some of which has statutory timescales associated with its publication, supports the further development of the Greater Manchester Spatial Framework, Development Management planning decisions and future development of the Council's Local Plan.</p> |
| Recommendations: | <p>That Executive Cabinet be recommended to agree to:</p> <ul style="list-style-type: none"> (i) the publication of the 2017 update to the Council's Sites of Biological Importance (SBI) and Regionally Important Geological and Geomorphological sites (RIGS). (ii) the publication of the 2017/18 Open Space Review. (iii) the publication of the Tameside Retail and Leisure Study 2018, including its associated appendices. (iv) the publication of the 2017/18 Strategic Housing and Economic Land Availability Assessment. (v) the publication of 2018 Brownfield Land Register and provision of data to government. (vi) the publication of the 2019 Housing Delivery Test Action Plan. <p>To delegate authority to publish to the Director of Growth and Executive Member (Housing, Planning and Employment) matters to publish future revisions to:</p> <ul style="list-style-type: none"> (vii) the Council's Strategic Housing and Economic Land Availability Assessment (viii) the Council's Brownfield Land Register and provision of data to government. (ix) the Council's Housing Delivery Test Action Plan (where the preparation of one arises). |
| Corporate Plan: | The evidence to be published supports the Corporate Plan vision by ensuring that Tameside is a place where people can start well, live well and age well by making sure the borough continues to have a vibrant economy, identifies land with the potential to provide for housing and economic development, in particular brownfield sites and identifies green spaces important for ecology and recreation. |
| Policy Implications: | None |

**Financial Implications:
(Authorised by the statutory
Section 151 Officer & Chief
Finance Officer)**

The estimated cost of the programme of work on the Local Plan and Greater Manchester Spatial Framework has been approved within the Council's approved budget set in February 2020. It has been allocated as set out in the table below over several years and has been funded by a combination of existing local plan monies £337,000 and new approved monies of £598,000. The Local Plan Reserve balance at 1 April 2020 is £294,223 as £43,000 was spent in 2019/20. The current profiled budget for the development of the Local Plan is as follows;

| Local Plan- Non- Staffing Budget | 19/ 20 | 20/ 21 | 21/ 22 | 22/ 23 | 23/ 24 | 24/ 25 | Total |
|---|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|--------------|
| | £000 | £000 | £000 | £000 | £000 | £000 | £000 |
| Medium Term Financial Plan (MTFP) | | | | | | | |
| Non-staffing budget | - | 48 | 8 | 157 | 176 | 209 | 598 |
| Reserves | | | | | | | |
| Drawn down | 43 | - | - | - | - | - | 43 |
| Balance remaining | | 294 | - | - | - | - | 294 |
| Total Reserves | 43 | 294 | - | - | - | - | 337 |
| Total Non-Staffing Budget | 43 | 342 | 8 | 157 | 176 | 209 | 935 |

The Council has also received New Burdens money of £2,446 for the publication of the Brownfield Land Register. If this register is not published the Council's entitlement to the New Burdens money may be queried.

If the documents listed in the report are not published in addition to a risk of loss of reputation there may be more successful challenges of planning applications. An increase in the number of successful appeals will have adverse financial implications in respect of Planning income.

**Legal Implications:
(Authorised by the Borough
Solicitor)**

Government guidance on local plan making encourages authorities to publish documents forming part of their evidence base as they are completed on their website in an accessible format, rather than waiting until options are published or a local plan is published for representations, to keep communities informed and involved. Authorities are encouraged to use social media tools and other platforms to communicate with communities, where appropriate.

However a document is taken to be 'made available' under the Town and Country (Local Planning) (England) Regulations 2012 when it is published on the authorities website and made available

for inspection at the Council's principal office and such other places as the Council deems appropriate. The information collected for local plan monitoring purposes cannot therefore be considered 'available' for the purposes of the 2012 Regulations until such time as the current COVID-19 pandemic allows for physical copies of the documents to be made available.

Any exercise of the delegations must comply with the Council's governance and The Openness of Local Government Bodies Regulations 2014.

Risk Management:

There are a number of risks associated with the failure to publish up to date evidence and information, namely:

- Lack of evidence to support plan making both locally and at the city region level.
- Lack of evidence to support Development Management decision taking.
- Failure to comply with regulatory requirements and planning guidance regarding the timely publication of evidence.

Background Information:

The background papers relating to this report can be inspected by contacting Jeff Upton.



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1. INTRODUCTION

- 1.1 Tameside Council is currently seeking to prepare two planning documents, the GMSF which seeks to designate strategic sites of scale for both housing and employment uses, and the Local Plan, which will also play a crucial role in giving certainty as to what and where different land uses are appropriate at a local level in Tameside.
- 1.2 The Government has made it clear that local authorities are expected to have up-to-date plans in place as a legal requirement, for Tameside, with its prime location and excellent connectivity within Greater Manchester and beyond, the priority is to actively plan for the borough's future. More homes and diversification of the housing offer are needed alongside growing the local economy and continued job creation.
- 1.3 The Local Plan and GMSF are important place shaping documents which will reflect the Council's broader ambitions contained within its Corporate Plan and emerging Housing and Inclusive Growth Strategies. Good planning and place-making should be the glue which sticks all of the Council's ambitions together and delivers a borough that we are proud to either call home, or do business in. Up to date planning gives certainty, and this in turn allows our residents and businesses to invest in the borough's future.
- 1.4 Effective progression of the Local Plan and GMSF requires the publication of a number of evidence based pieces of work, required to justify policy and to ensure the Council can deliver a 'sound' plan. Not doing so expeditiously would place the Council at risk of preparing a plan which cannot be effectively justified and fails to meet statutory timescales.
- 1.5 The National Planning Policy Framework (NPPF) sets out the Governments planning policies for England and how these should be applied. The importance of evidence such as that within this report are reinforced by Paragraph 31 of the NPPF which requires that the preparation and review of all policies '*...should be underpinned by relevant and up to date evidence*', which is to be '*...adequate and proportionate*' and '*...focused tightly on supporting and justifying the policies concerned, and take into account relevant market signals*'.
- 1.6 Evidence and supporting work which is now complete and requires publication following the conclusion of an all Member Briefing session on 27 February 2020 is as follows:
- Tameside Retail and Leisure Study 2018;
 - Tameside Open Space Review 2017/18;
 - Housing Delivery Test Action Plan 2019;
 - Brownfield Land Register update 2018;
 - Strategic Housing and Economic Land Availability Assessment 2017/18; and
 - Sites of Biological Importance and Regionally Important Geomorphological sites 2017 update.
- 1.7 Local Planning Authorities are required to review some elements of evidence within prescribed timescales and are legally expected to make any up to date information which has been collected for monitoring purposes available, as soon as possible after the information becomes available¹ as part of monitoring practice and general good planning practice. In particular there is an expectation that Brownfield Land Registers are reviewed at least once each year². This is the minimum legal requirement, where it would be good practice and more transparent to update the register on a more frequent basis to reflect changes and assess new sites expeditiously.

¹ Regulation 34(7) Town and Country (Local Planning) (England) Regulations 2012

<http://www.legislation.gov.uk/uksi/2012/767/regulation/34/made>

² Regulation 17(1) Town and Country Planning (Brownfield Land Register) Regulations 2017

<http://www.legislation.gov.uk/uksi/2017/403/regulation/17/made>

- 1.8 Additionally where the results of the Housing Delivery Test indicate a need to prepare an Action Plan, government guidance includes an expectation for this to be published within 6 months of publication of the Housing Delivery Test measurement³. The most recent results of the Housing Delivery Test were published on 13 February 2020.

2. EVIDENCE KEY POINTS

- 2.1 The Strategic Housing and Economic Land Availability Assessment indicates the potential supply of housing between set dates and seeks to make best use of sites within highly accessible locations, principally located around transport hubs and the borough's town centres. It indicates a supply of 7,936 units over the plan period which is topped up by the allocations proposed through the Greater Manchester Spatial Framework. Approximately 75% of units identified through the assessment are expected to come forward on brownfield sites, indicating a brownfield first approach to the Council's future housing growth. While differing slightly in methodology, the Council's formal Brownfield Land Register identifies 117 sites with the potential to deliver 4202 units. Publication of the register helps to provide up to date and consistent information on brownfield sites which the Council considers appropriate for residential development.
- 2.2 The results of the government's Housing Delivery Test measurement in 2018, published in 2019, indicated a requirement for Tameside alongside several other Greater Manchester Authorities to prepare an action plan, as delivery of new homes had fallen below 95% of the target number of units to be completed over the measurement period. It is this Action Plan which is sought to be approved and which seeks to support the delivery of housing within the borough through such measures as developing the Council's Housing Strategy and the Greater Manchester Spatial Framework, establishing a new housing target for the borough.
- 2.3 Tameside's town centres continue to be important to the future economic prosperity of the borough, with recently commissioned evidence identifying the challenges of recessionary periods and uncertainty in the market alongside the trend toward multichannel retailing rather than traditional bricks and mortar outlets. This presents the opportunity to re-invent the borough's centres with more of a focus on choice and quality.
- 2.4 Little in the way of new food retailing floorspace is indicated as being required over the plan period, while in the short term, when taking into account the reoccupation of vacant floorspace, the same can also be said for non-food floorspace. The focus therefore should be on re-use and regeneration of floorspace and the study suggests contraction of the borough's town centre boundaries to this effect. The importance of the leisure sector to the health of centres is also identified, in particular the significance of the food and beverage sector alongside controlling negative uses such as hot food outlets in certain locations.
- 2.5 The value attributed to the natural environment is also particularly important to the borough and the continued protection of both ecological and geological assets are secured through the publication of the specialist advice provided to the Council by the Greater Manchester Ecology Unit. Their review of eight sites in 2017 only suggests relatively minor amendments to the boroughs 56 Sites of Biological Importance. Alongside this, the Open Space review identifies that much of the borough has access to some form of functional open space within a reasonable walking distance from home. Some specific accessibility gaps for some types of open space are identified, but only become more prevalent for access to the boroughs equipped play space provision. This is similarly mirrored through analysis of the quantity of the different types of open space. Notable however is both the significant access to and quantity of natural space and countryside, associated with the borough's Local

³ 'Guidance on 5 year housing supply and Housing Delivery Test'
<https://www.gov.uk/guidance/housing-supply-and-delivery>

Nature Reserves, Country Parks and Open Access land. However the need for the provision of play space remains a focus within residential areas.

3. SUMMARY AND NEXT STEPS

- 3.1 The above precis of evidence highlights the importance of forward planning and market interest in the borough as an investable location. It also highlights some of the challenges the Local Plan and GMSF will seek to address. Of upmost importance however is that the Council makes any up to date information, which has been collected for monitoring purposes, accessible as soon as possible after that information becomes available⁴ as general good planning practice to support the Council's plan making efforts and issuing sound planning decisions.

4. RECOMMENDATIONS

- 4.1 Recommendations are as set out at the front of the report

⁴ Regulation 34(7) Town and Country (Local Planning) (England) Regulations 2012
<http://www.legislation.gov.uk/uksi/2012/767/regulation/34/made>

APPENDIX A

2017/18 Strategic Housing and Economic Land Availability Assessment

https://www.tameside.gov.uk/TamesideMBC/media/Planning/Draft_SHELAA_2017_18.pdf

2018 Brownfield Land Register

https://www.tameside.gov.uk/TamesideMBC/media/Planning/tameside_blr_methodology_31122018.pdf

2017/18 Open Space Review

<https://www.tameside.gov.uk/TamesideMBC/media/Planning/Tameside-OSR.pdf>

2018 Retail and Leisure Study

<https://www.tameside.gov.uk/TamesideMBC/media/Planning/Appendix-1-Final-TRLS-2018.pdf>

<https://www.tameside.gov.uk/TamesideMBC/media/Planning/Appendix-2-Final-TRLS-Volume-2-Compressed.pdf>

<https://www.tameside.gov.uk/TamesideMBC/media/Planning/Appendix-3-FINAL-TRLS-Volume-3-Pedestrian-Survey-Findings.pdf>

2019 Housing Delivery Test Action Plan

<https://www.tameside.gov.uk/TamesideMBC/media/Planning/Tameside-Council-HDT-27062019.pdf>

Sites of Biological Importance and Regionally Important Geomorphological sites 2017 update

<https://www.tameside.gov.uk/TamesideMBC/media/Planning/Tameside-District-Synopsis.docx>