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PLANNING

Planning Policy Statement 11:
Regional Planning Strategies (2004),
technical amendments



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Introduction

The information provided in this technical amendments document is to clarify guidance offered in *PPS11: Regional Spatial Strategies* published in 2004.

1.0 PREPARING A PROJECT PLAN TO THE END OF THE CONSULTATION ON THE DRAFT RSS

There are no amendments to PPS11 covering these stages in the development of the RSS.

2.0 EXAMINATION IN PUBLIC (EiP) AND HANDLING THE EiP'S PANEL REPORT

2.1 Re-wording of paragraph 14, Annex C

The following third and fourth sentences of paragraph 14, Annex C, are deleted:

“The Secretary will look at all representations and provide the Panel with a written analysis of them together with a reasoned justification for the selection of those matters which he or she recommends for consideration at the examination. This will also explain why any topics of significant controversy are proposed to be omitted.”

The fifth sentence of paragraph 14, Annex C, is amended to read as follows:

“The Secretary will look to the RPB and the GO for advice through the nominated officer arrangements (see paragraph 9 above).”

The reason for the deletion of the third and fourth sentences and amendment of the fifth sentence from paragraph 14, Annex C, is to better reflect the work the Panel Secretary can reasonably be expected to undertake in support of the Panel.

2.2 Re-wording of paragraph 55, Annex C

The final sentence of paragraph 55, Annex C, is amended so that it now reads:

“Copies will also be made available to anyone else who requests a copy, subject to payment of a reasonable charge.”

The change in the wording of this sentence is to encourage the use of electronic copies of documents, so as to save resources. Copies of RSS materials should be made available electronically wherever possible.

3.0 PUBLICATION OF EIP PANEL REPORT TO THE ISSUE OF THE FINAL RSS

3.1 Re-wording of Chapter 2, paragraph 2.51

The sixth sentence in paragraph 2.51 in PPS11 now reads:

“Following consideration of any representations made on the proposed changes, the RSS will then be published incorporating the Secretary of State’s final changes made to the original draft RSS published by the Regional Assembly, together with a statement of reasons for those changes. Where changes to the original draft have been made at proposed changes stage but these have been removed on the final publication of the RSS, these should also be highlighted and reasons should be given where the original wording has been reinstated.”

The reasons for the amendment of the sixth sentence of paragraph 2.51, is so that the guidance offered better reflects obligations set out in section 9(6) of the PCPA 2004. This amendment has been informed by legal advice.

3.2 Re-wording of Chapter 2, paragraph 2.51

The following penultimate sentence in paragraph 2.51 in PPS11 is deleted:

“It is also the practice of the Secretary of State to publish a summary of the representations received which may form part of the document setting out the reasons for any further changes.”

Experience to date of delivering the full revisions to the RSS has demonstrated that the drafting and publishing of a summary of representations received, consumes a disproportionate amount of resources, given the short life and hence utility of this document.

3.3 Re-wording of Chapter 2, paragraph 2.52

Paragraph 2.52, PPS11 is amended to read as follows:

“As soon as practicable after the RSS revision has been published by the Secretary of State, the Government Office should publish a supplement to earlier published SA reports or (if there are significant impacts that have not been appraised) a consolidated SA report of the entire SA process covering all RSS revision stages. Either at the front of the SA report or as a separate document there must be a statement required by regulation 16(4) of the Environmental Assessment of Plans and Programmes Regulation 2004 and referred to in this PPS as the “SA statement”, agreed by the Secretary of State and the RPB, summarising:

- how sustainability considerations have been integrated into RSS revisions;
- how the opinions and consultation responses received on both the draft RSS revision and SA reports (at all stages) have been taken into account (including any relevant elements in the reasons for final changes to the proposed changes);

- the reasons for choosing the RSS revision as adopted, in light of other reasonable alternatives; and
- measures to be taken to monitor the significant sustainability effects of implementing the RSS revision.

Where the consolidated SA report and SA statement is combined in one document, the matters set out in the bullet points above should clearly be signposted in order to show that the requirements of regulations 16(4) have been satisfied.”

4.0 IMPLEMENTATION, MONITORING AND REVIEW

4.1 Re-wording Chapter 1, paragraph 1.8 Format

Insert after the first sentence of paragraph 1.8:

“The RSS implementation plan should be a separate document (see paragraph 3.2);”

The reason for the change in wording of paragraph 1.8, is that experience has shown that the Implementation Plan which is the responsibility of the Regional Assembly needs to be updated more regularly than the RSS.

5.0 INFORMATION COVERING THE WHOLE RSS PROCESS AND COMMUNICATING ISSUES

5.1 Deletion of Annex A

Annex A, PPS11 is deleted.

The two references to Annex A in the text of PPS11 are also deleted.

On the contents page, V, the following is deleted:

“Annex A: Policy and Guidance on topics to be covered in a RSS.”

In Chapter 1, the following last sentence of paragraph 1.8 is deleted:

“Annex A refers to the relevant PPG, PPS, other national policy and statements and supporting guidance.”

However, Regional Planning Bodies should ensure that they identify all relevant plans, policies and programmes to take into account at the national, regional and sub regional level as part of the evidence and project plan preparation stages. This should involve liaison with appropriate stakeholders from all sectors involved or affected by the RSS and spatial planning processes to identify such plans, policies and programmes.

Annex A has been deleted because its regular updating would consume a disproportionate level of resources for the benefit its maintenance would provide to stakeholders.

5.2 Copies of documents for consultation purposes

In providing and publishing consultation material throughout the RSS process the presumption is that such information will be provided in electronic form. This can include the provision of electronic copies at inspection points via online or CD viewing facilities, provided they are known to be available at the inspection point at the indicated time. Where this is not the case, hard copies of documents should be available for inspection.

The above paragraph is intended to amplify the guidance set out in “Communicating the issues” at – paragraphs 18 to 26 of Annex D and reflects the shift toward forms of electronic communications since the publication of PPS11.

6.0 APPLICATION OF THE SUSTAINABILITY APPRAISAL, STRATEGIC ENVIRONMENTAL ASSESSMENTS AND HABITATS REGULATION ASSESSMENT PROCESSES

6.1 Consolidated Sustainability Appraisal Report

On publication of the final RSS the Government Office should ensure an accompanying sustainability appraisal (SA) report is made available, and the SA statement required by Regulation 16 of the Environmental Assessment of Plans and Programmes Regulations 2004 (see paragraph 2.52). The SA report may be a consolidated report of previous SA work, or where more appropriate, a supplement to previously published SA reports (again, see paragraph 2.52). Whichever option is taken, it is important that the documents can be easily read together and make sense as a coherent whole. This may vary in presentation on a region by region basis. The incorporation of the SA statement may also help in providing a coherent picture in one place of the proposed changes and final RSS.

It should not be necessary to repeat the detail of the whole SA process between the proposed changes and final RSS, apart from those areas where there were changes from the previous stage to reflect. The SA informs the revision of the RSS from the draft RSS stage to the issue of the final RSS.

The above paragraphs simplifies the guidance set out at Stages 6 & 7 – Publication of Proposed Changes and issue of RSS, in paragraphs 2.51 and 2.52, PPS11. Furthermore, the SA guidance referred to in paragraphs 2.6, 2.40 and 3.6 of PPS11 should read:

“Sustainability Appraisal of Regional Spatial Strategies and Local Development Documents”, ODPM November 2005, section 6.1.

6.2 Consolidated Habitats Regulations Assessment Report

A consolidated report for the Habitats Regulations Assessment (HRA) process should similarly be produced on the issue of the final RSS. As with the SA/SEA process this should not unnecessarily repeat the process or content throughout the stages of the RSS revision but should only deal with circumstances in which changes are screened and required to be appropriately assessed.

The above paragraph is intended to amplify the guidance set out at Stages 6 & 7 – Publication of Proposed Changes and issue of RSS, in paragraph 2.52.

Please also refer to:

Communities and Local Government (August 2006) *Planning for the Protection of European Sites: Appropriate Assessment*.

The Conservation (Natural Habitats&C) (Amendment) (England and Wales) Regulations 2006 Guidance for Regional Spatial Strategies and Local Development Documents.