



Department for
Communities and
Local Government

Estate Regeneration National Strategy

The Role of Local Authorities

Introduction

This section of the Estate Regeneration National Strategy outlines the important place-leadership role local authorities can play to support estate regeneration. Whether as direct owners of estates, local planning authority or as conveners, local authorities have a significant role in promoting housing supply, commissioning services, providing wider place-based growth and regeneration, and supporting cohesive communities.



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Contents

THE ROLE OF LOCAL AUTHORITIES

Place leadership	04
Placemaking and design quality	05
Using the planning system	06
Effective use of the statutory planning application process	07

The role of local authorities

Government continues to demonstrate its commitment to devolution and empowering local places to have more control over decisions affecting their area.

As the custodians of place, local authorities understand the wider context, challenges and opportunities. They can and should ensure that estate regeneration contributes to meeting local housing need and estate residents benefit from wider efforts to deliver growth and public service reform. They also play a key role in ensuring residents and communities are engaged in decision making about their area. An estate regeneration scheme is much more likely to succeed and reach its full potential when it has the backing of its local authority.

Place leadership

Adopting a placemaking approach to regeneration can generate value for residents and the local community through improved neighbourhood pride, a locally informed housing offer, better connections to local opportunities and improved services.

All regeneration policies and plans should be developed from broad engagement with the community and stakeholders to understand local need and how the built environment and public services currently impact on the lives of residents. Local authorities have a key role in considering how plans for estate regeneration can help to promote integration and create more cohesive, resilient communities. Local authorities are well placed to lead or support high quality community engagement, given their direct links through ward councillors and officers to communities and community groups.

As place leaders, local authorities can maximise opportunities for estate regeneration, linking schemes to wider regeneration and housing delivery objectives. Many local authorities have significant land holdings and government has committed to work with them to use this land for building 160,000 additional homes by 2020. Local authorities can also play a key convening role in encouraging all public sector land holders to utilise their land and equity holdings in support of delivering housing. At a local level, such housing development may be able to provide cross-subsidy for an estate regeneration scheme. This kind of financing arrangement can often make all the difference in achieving scheme viability.

Working with Local Enterprise Partnerships, local authorities and combined authorities are able to identify regeneration priorities as part of their broader growth strategies. Some local authorities are already considering how local growth funds and deals may form part of the overall financing package for a scheme, particularly where there are wider strategic benefits.

We have seen good examples of strategic leadership and co-operation. For example, combined authorities in the Tees Valley, the West Midlands and Greater Manchester are exploiting opportunities to consider wider issues, such as transport, infrastructure and skills; and how to combine physical change with other place-based initiatives to improve social outcomes.

There are numerous examples of estates connected or close to broader regeneration initiatives. For example, there are some that are in or adjacent to Housing Zones, some are close to town centre regeneration schemes or form part of coastal communities, and others are near to train stations undergoing regeneration or new transport opportunities such as HS2, Crossrail or local tram networks. All of these are opportunities that, when combined with local available public or private land, can provide an attractive development proposition to investors.

Such regeneration can act as the catalyst for delivering place-based services and infrastructure, for example through new service centres and schools. Considering estate regeneration in parallel with wider improvements and opportunities such as infrastructure development, new commercial or retail facilities *and bringing streets of empty homes back into use*, can be the key to addressing socio-economic issues and creating mixed and balanced neighbourhoods.

Estate regeneration is most likely to succeed when it is a collaborative effort involving local authorities, housing associations, local public service providers, local business and residents and community groups. Local authorities are well placed to lead this type of partnership working, given their ability to engage with residents and communities and their knowledge of the pressures on land availability, infrastructure, services and facilities. Inevitably there will be tensions given the range of perspectives. These need to be resolved openly and honestly and local authorities can play a very important role in leading this local dialogue.

Placemaking and design quality

Local authorities play a key role in ensuring regeneration delivers well-designed buildings and high quality spaces. Local planning authorities have a responsibility for this through the planning process, using recognised procedures such as design review, the use of local design guides and applying optional national standards.

Each estate will be unique and have a range of design improvements to address, including comprehensive redevelopment, intensified use, refurbishment, or a mix of approaches.

Whatever the intervention, the objective should be to create enduring places that are popular with those living there, with those in the immediate vicinity and with visitors. There should be a structured approach to community engagement, and that this includes offering a range of design options to identify community preferences. Local authorities will want to ensure residents are consulted on and engaged in shaping all the design aspects of regeneration, including configuration of urban form, spaces between buildings, character of the neighbourhood and the appearance of the homes as well as the wider built environment and public spaces. High quality design can also help to generate financial value that will support such transformation, funding new homes and the delivery of community facilities and new shared spaces.

The application of good urban design principles can lead to the transformation of estates into well connected, attractive neighbourhoods that integrate with their surroundings. A placemaking approach to design can create value for all involved, including the occupants, the wider community and the developer, by delivering more diverse and inclusive neighbourhoods that cater for a range of local housing need. With effective design this can be delivered through densification and more efficient use of land. Alongside this, it is important that external environments are high quality, safe, accessible, secure and healthy, offering improved amenity, including through the use of green space. To ensure sustainability, management arrangements need to be considered through all stages of the design and delivery process for places to be robust for the future.

Using the planning system

Estate regeneration can help to boost net housing supply, diversify the housing mix and provide more homes for private sale. Local authorities and partners should consider, at an early stage, how the planning system can anticipate and plan for high quality future schemes and ensure they are delivered quickly. Opportunities for estate regeneration should be considered as part of the evidence base when local plans are put together.

In setting local policies for estate regeneration, national policy needs to be taken into account. This encourages authorities to maximise the effective use of land through higher densities, where possible, to help meet their local housing targets.

The Development Plan Document (DPD) and core strategy processes offer opportunities to consider estate regeneration and can enable potential schemes to fit within a broader vision for the future development of an area. DPDs are the bedrock of the local plan process and, while they can take time to produce, they go through a formal planning consultation and examination and consequently must be taken into account in local decision making. DPDs are based on a wide evidence base and set out policies for managing strategic priorities including the forward supply of homes, jobs, infrastructure, the environment, and community facilities. They enable a 'wide lens' view to be taken of the priorities across a whole local authority.

If needed, a detailed type of DPD can be produced. This is called an Area Action Plan (AAP). These focus on the development needs of specific areas, and allow for more detailed policies about sites, such as the size of developments being encouraged, the provision of particular commercial facilities, health care centres, affordable housing provision, infrastructure and transport links, and also how social improvements can be secured.

Plan policies that set site specific expectations for design, density, layout and open space will help set the parameters necessary to underpin any site specific viability assessments. They are particularly helpful for landowners seeking to bring forward schemes. However, such policies should not be overly prescriptive, since that may preclude the viability of individual schemes.

Where more flexible local planning approaches are needed, masterplans and Supplementary Planning Documents (SPD) can be produced to cover specific sites. These can do a similar job as an AAP. They should build upon and provide more detailed advice or guidance on the policies in the Local Plan, for example by setting out site specific criteria to be followed. They are also quicker to produce, since they do not need to go through a formal planning examination. However, masterplans and SPDs cannot be produced unless a supportive DPD policy already exists, and they must be in alignment with any relevant strategic policies in existing DPDs.

Local authorities should also consider whether use of a local development order (LDO) could unlock schemes on a site specific basis. Local development orders give a grant of planning permission to specific types of development within a defined area. They streamline the planning process by removing the need for developers to make a planning application to a local planning authority. The Planning Advisory Service (PAS) guidance on preparing housing-led LDOs is a helpful source of information for local authorities considering their use.¹

At a very local level, neighbourhood plans or Neighbourhood Development Orders (NDOs) are powerful vehicles for supporting estate regeneration schemes. Neighbourhood plans and NDOs are initiated by communities, rather than local authorities and give a voice to communities enabling them to propose what they would like to happen in a given (self defined) area. Once agreed (by local referendum) they have to be taken into full account by local authorities in making local planning decisions. In this way communities are enabled to have a strong voice in shaping estate regeneration proposals.

Some places have developed a formal neighbourhood plan alongside the masterplanning process. This helps to set the future direction of development for the area, minimises duplication of effort on all sides and demonstrates to communities the value of their involvement.

All engagement with communities to develop masterplans or neighbourhood plans for specific schemes needs to be properly resourced. The involvement of communities in plan making processes, at all levels, helps build local ownership and a sense of local responsibility for areas. It also builds private sector confidence that any development proposals which align with the strategy will attract support and be easier to implement.

¹ *Preparing Housing Led LDOs*, Planning Advisory Service, April 2016.

Effective use of the statutory planning application process

Managing the planning application process effectively and securing the most appropriate consent route will help accelerate delivery of estate regeneration schemes.

High quality consultation approaches and the involvement of key stakeholders (such as statutory and non-statutory consultees, local councillors, and local community representatives) will ensure there are no hidden surprises when a planning submission is submitted. This will help ensure the planning application process is a validation of a scheme rather than a contentious process that galvanises local concerns or objections.

Large-scale estate regeneration schemes can require specific local authority expertise and resourcing to manage the planning application process. Planning performance agreements are useful tools that an applicant and authority can use to set clear expectations and timescales for all partners in a scheme. They can also be used to agree outsourcing arrangements to deal with the abnormal costs of processing the application.²

One of the most common approaches for granting consent to estate regeneration schemes is a hybrid planning application. A hybrid application will include both a full planning application for the first phase(s) of the scheme and an outline application for future phases. Hybrid applications offer a flexible approach and enable an applicant to start construction on the first phase, while securing the principle of development for future phases. Hybrid applications, however, may not always be appropriate for all situations, and schemes can opt to submit standalone applications for each phase.

The 2016 Act introduced a new form of planning consent called 'permission in principle' to be granted for housing-led development when sites are identified on the new brownfield registers, or are allocated in local and neighbourhood plans. 'Permission in principle' will provide up-front certainty that an amount and type of development is established once, and will create a far more certain and streamlined planning process for developers, local authorities and communities. 'Permission in principle' therefore presents an opportunity to substantially de-risk regeneration schemes. Once brownfield registers and the 'permission in principle' mechanism have been established, local authorities should consider ways they can make use of these to streamline their planning process on their estate regeneration proposals.

² National Planning Policy Framework, March 2012.

