

## CHILTERN DISTRICT COUNCIL CABINET

*Background Papers, if any, are specified at the end of the Report*

### **A Shared Framework for the Buckinghamshire Councils on Duty to Co-operate and Alignment of Local Plan Timetables and Shared Evidence Base**

**Contact Officer:** Peter Beckford (01494 732036)

#### **RECOMMENDATION**

- 1. That Cabinet confirms agreement to the Cabinet Member for Sustainable Development signing the Shared Framework for the Buckinghamshire Councils on Duty to Co-operate and Alignment of Local Plan Timetables and Shared evidence Base**

#### **Relationship to Council Objectives**

*Objective 1: Efficient & effective customer focussed services; Objective 1J: Provide strategic leadership for the community and partners; 3: Conserve the environment and promote sustainability; Objective 3A – Protect the Green Belt, conserve the areas of outstanding natural beauty (AONB) and enhance the environment.*

#### **Implications**

- (i) A key decision.*
- (ii) Within the Policy and Budgetary Framework.*

#### **Financial Implications**

*None specifically in relation to the Framework. The Council is in any case required to keep the proper planning of its area under review, and accordingly it would at some future stage be necessary to commence work on the preparation of a new Local Plan to replace the current adopted Core Strategy. Joint working with other authorities on the evidence base would be likely to reduce some costs.*

#### **Risk Implications**

*The authority is under a statutory Duty to Co-operate with adjacent Councils, and accordingly the Framework will assist in this. As such the Framework reduces the risk of the authority not meeting its future statutory duties.*

#### **Equalities Implications**

*No known equality implications at this stage.*

## **Sustainability Implications**

*The future preparation of a Local Plan will involve the preparation of a Sustainability Appraisal as an integral part of the plan making process. The Framework itself has no direct sustainability implications since it is not determining policy, but rather putting a framework in place to ensure that the Duty to Co-operate on strategic matters can be met.*

## **Report**

- 1 The Shared Framework is the outcome of discussions between the Heads of Service and Cabinet Members responsible for planning at the Buckinghamshire Councils. It is presented to Members for agreement for the Cabinet Member for Sustainable Development to sign it.

## **Background**

- 2 Paragraph 179 of the National Planning policy Framework (NPPF) requires councils to work together to address strategic priorities across boundaries and development requirements which cannot be wholly met within their own areas. The NPPF goes on to set out the strategic priorities which might well be appropriate for co-operation as including the homes and jobs needed in the area; retail leisure and other commercial development; infrastructure such as transport, telecommunications, water and flooding; the provision of health community and cultural infrastructure; and climate change, the conservation of the natural and historic environment and landscape.
- 3 Strategic planning was previously addressed in the regional Spatial Strategies (e.g. the South East Plan - SEP), but following the revocation of SEP in March 2013 this is now to be addressed by Local Planning Authorities themselves through the Duty to Co-operate. Duty to Co-operate is a legal requirement and is the first test of soundness at an Examination into a Development Plan Document.
- 4 There are a number of very significant challenges to meeting the Duty, including the need for mechanisms to address areas of conflict between different authorities; different political views from one authority to another; differing plan preparation timetables; differing issues; different decisions makers; different forms of engagement with the same key stakeholders; different operational priorities of the different authorities; and different resources and skills for strategic planning.
- 5 Accordingly given the new requirements and these challenges the Buckinghamshire authorities commissioned, at nil cost, the Planning Advisory Service (PAS) to deliver a series of workshops to provide a

basis for discharging the Duty to Co-operate in future. Three Workshops were held involving the relevant Cabinet Members from the authorities, together with Heads of Planning (Sustainable Development) and Planning Policy Managers. Following the series of workshops PAS prepared a report. Subsequent to this, a Shared Framework was prepared taking on board PAS's key recommendations. This was the subject of discussion at the Bucks Planning Group (Cabinet Members and Heads of service), and that Shared Framework is now present to Members for agreement.

- 6 It is understood that the Cabinet Members at Aylesbury Vale DC and Wycombe DC have already agreed to sign up to the Shared Framework.

### **The Shared Framework**

- 7 In essence the Shared Framework deals with three main areas, a vision, alignment of future plan making timetables, and the evidence base.
- 8 **Vision** - The Vision is set out as an Appendix to the Shared Framework, and is also set out in diagrammatic form. The Vision was prepared by basing it on the existing suite of Sustainable Community Strategies prepared and adopted by each of the Buckinghamshire authorities in September 2009. These were used as all of the authorities had already signed up to these, and they could therefore readily provide an immediate base for agreement.
- 9 **Plan timetable alignment** – One of the most significant issues at present is that all of the Buckinghamshire authorities are at different stages in plan preparation. That was not such a major issue when strategic issues were addressed and resolved in the South East Plan. It is a much greater issue now that strategic planning is required to be undertaken through direct cooperation between all of the Local Planning Authorities.
- 10 Comparison of the existing plan preparation timetables has indicated that it will be 2016 before it is likely to be possible to co-ordinate the preparation of new Local Plans across Buckinghamshire with each of these dealing with the bigger strategies issues. Some strategic issues, such as those that arise where an authority is not able to meet all of its needs due to fundamental constraints in its area, can only be addressed through cooperation with other authorities. Accordingly, the Shared Framework seeks to agree on the convergence of Local Plan timetables from 2016, with the plans covering the 20 year period to 2036. There is no implicit suggestion that this would involve joint plans themselves, but rather plans which had been prepared by each of the authorities at the same time, and their preparation co-ordinated with each other, so that the big strategic issues were addressed.

- 11 **Evidence base** - The Shared Framework identifies those areas where it would be appropriate to undertake future evidence gathering and technical work through joint working. In particular the issue of housing needs (via Strategic Housing Market Assessments) and infrastructure would be major areas where there would be a need for joint working and evidence gathering. Other areas are also identified, such as the economy and employment needs.

### **Conclusion**

- 12 The Shared Framework will provide a basis for authorities' future strategic planning and meeting the Duty to Cooperate. As such it will ensure that strategic issues are considered jointly, and will help ensure that the Council meets its Duty to Co-operate requirements, thus reducing the risk of future Local Plans being found unsound.

### **Background Papers:**

*A Shared Framework for the Buckinghamshire Councils on Duty to Co-operate and Alignment of Local Plan Timetables and Shared evidence Base*

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## Shared Framework for the Buckinghamshire Councils on Duty to Co-operate and Alignment of Local Plan Timetables and Shared Evidence Base

### Background

1. Amongst the actions arising from the PAS/ Arups facilitated Duty to Cooperate workshop (July 2013) was to work across Bucks to:
  - a) Prepare a Vision for Buckinghamshire for the local authorities and the LEP as a framework for the Duty to Co-operate discussions within Buckinghamshire and for conversations with adjacent authorities and other duty to co-operate organisations. For the vision to be spatially represented.
  - b) Align programmes for future evidence gathering and understanding opportunities for sharing evidence
  - c) Work towards aligning programmes for plan making in the longer term.
2. This note sets out key points and recommendations arising from that work.
3. Appendix 3 comprises a simple chart showing the current state of play for plan making by the Bucks Local Planning Authorities (LPAs) from 2012-2016.

### Vision

4. At the PAS/ Arups workshop a discussion document was tabled which drew on agreed vision documents in the County such as the Sustainability Strategy. The purpose being as set out in 1a above.
5. Attached at Appendix 1 is this 'vision', reworked following the workshop discussions along with, in Appendix 2, a diagram representing the spatial vision in diagrammatic terms.

### Evidence Base

6. Key strategic areas of evidence gathering and technical work that require alignment and joint working/ evidence gathering include:
  - Identification of Housing Need, including agreement on Housing Market Area definition.
  - Economy and Employment needs and opportunities
  - Strategic Infrastructure – with strong links to work with the LEPs and their funding bids/ programmes
  - Development of Strategic Growth Options across the wider area (principally, housing integrated with jobs and required infrastructure/ services).
7. It is considered that the Bucks authorities should seek to align evidence with effect from 2016. It was felt that there may be scope for joint working on other technical studies – e.g. Strategic Flood Risk Assessment , retail

assessment etc.. As a matter of principle/ agreed protocol it was felt that before commissioning any further technical studies Bucks authorities should explore with the other authorities, the LEPs and NEP (Natural Environment Partnership) whether there is scope for joint studies.

8. Infrastructure – it is considered that this should be split between strategic infrastructure coordinated at a Bucks wide/ LEPs/ NEP level, and local infrastructure that each authority should continue to pursue locally, working in partnership as appropriate. Work is in progress to identify the strategy elements, led by the County Council. It is valuable that work is underway by the LEP on infrastructure mapping (and related bidding) in Bucks. For credibility and collaboration this will need to connect closely with, and support, the existing local plans rather than pre-empt spatial planning decisions which have yet to be taken by the LPAs – but which can evolve from a partnership approach with the LEP. . It is suggested that discussion takes place between the BPG and the LEP to craft in more detail this partnership approach to the development of spatial growth and infrastructure strategies in new local plans.
9. Housing Market Areas – it is noted that there are already several Strategic Housing Market Area Assessments (SMHAs) either underway or completed – notably AVDC (complete), Wycombe and Milton Keynes (well underway) and Windsor and Maidenhead (also progressing) as well as Central Bedfordshire/Luton (also progressing) – these would form a good basis to review the degree of consensus from a technical point of view on the housing market areas in the sub-region. The timing for agreement on the extent of Housing Market Areas needs to be determined. It is concluded that there may be overlapping SHMA's for some districts and that these may change over time (for example changes as a result of new infrastructure provision such as Cross Rail).

### **Plan Timetable Alignment**

10. Discussion on respective timetables for existing plan-making activities across Bucks identified that existing plans would generally be complete by 2016 and that this would provide the best opportunity for future alignment having regard to current work programmes/ Local Development Schemes (LDSs). Appendix 3 summarises the LDSs' content up to 2016.
11. It is not considered practical to pursue a faster alignment of plan timetables before 2016 in view of work already programmed and the need to maintain 5 year land supply in line with the NPPF.
12. If Local Plans addressing the scale/ direction of growth in Buckinghamshire (i.e. effectively Core Strategy reviews) are brought forward from 2016 onwards, it implies a plan preparation period of 2016-19. Plans would need convergent timetables and whenever practicable this

is expected to involve joint evidence gathering, and consultation on emerging plans in the 2016-18 period, followed by possible submission/ examination in 2019. It is recognised however that we all have an equal duty to co-operate in a similar manner with Local Planning Authorities beyond Buckinghamshire and that this work will need to be co-ordinated.

13. It is considered that this convergence in plan-making should also work to a common plan period, which is suggested as 2016 to 2036.

14.

<b>The Buckinghamshire Councils therefore agree to the following:</b>
Whilst recognising the “sovereignty” of individual Local Planning Authorities, we will work constructively actively and on an ongoing basis and agree:
1. The Vision (Appendix 1) and Spatial diagram (Appendix 2) as strategically representative of the Local Plans and growth strategies presently agreed by each Local Planning Authority and to use these as appropriate in discussions with adjacent local planning authorities, LEPs and NEPs under the Duty to Co-operate.
2. Note that these plans/ strategies are in some cases under review or subject to examination and that before 2016 additional plans/ strategies may be agreed in line with the timetable in Appendix 3.
3. To share the information in Appendix 1, 2 and 3 with the adjacent local planning authorities, LEPs, NEP and strategic infrastructure providers involved in the Duty to Co-operate workshops (PAS facilitated) as an output from our joint work and direction of travel.
4. To agree on the convergence of Bucks LPAs’ Local Plan timetables for the period after 2016, with those Authorities collaborating to address strategic growth issues covering the period 2016 to 2036, but recognising that each Bucks LPA has an equal duty to co-operate with other neighbouring Authorities outside of Buckinghamshire (and any other Authorities in their Housing Market Areas).
5. The key areas for joint evidence base work in the future and the underpinning technical methodology to follow paragraphs 6 and 7 in this report.
6. Each authority incorporate this into their Local Development Schemes at the next appropriate time, updated as necessary in partnership with other Duty to Co-operate LPAs outside Buckinghamshire..
7. To continue joint BPG/ LEP working on the development of infrastructure, growth and spatial plans over the coming years with the view to a partnership approach, building on the protocol considered by the BPG in July 2013 and the LEP in September 2013.

Signed:

**For Aylesbury Vale District Council**

Cllr Carole Paternoster  
Cabinet Member for Strategic Planning

**For Buckinghamshire County Council**

Cllr .....  
Cabinet Member for .....

**For Chiltern District Council**

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Cabinet Member for Sustainable Development

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Dated: