



# Report to Growth, infrastructure and Housing Select Committee

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|---------------------------------------|--|
| <b>Date:</b>                          | 26 March 2021  |
| <b>Title:</b>                         | Planning Enforcement and Local Plans   |
| <b>Relevant councillor(s):</b>        | Councillor Warren Whyte  |
| <b>Author and/or contact officer:</b> | Darran Eggleton  |
| <b>Ward(s) affected:</b>              | All Wards  |
| <b>Recommendations:</b>               | <b>It is recommended that the Committee note the report for information.</b> |

## **1. Executive summary**

- 1.1 This report is prepared in response to the request from the GIH select committee for an update on planning and enforcement.
- 1.2 The report provides an overview of the planning enforcement service and the progress on the Buckinghamshire Local Plan.

## **2. Content of report**

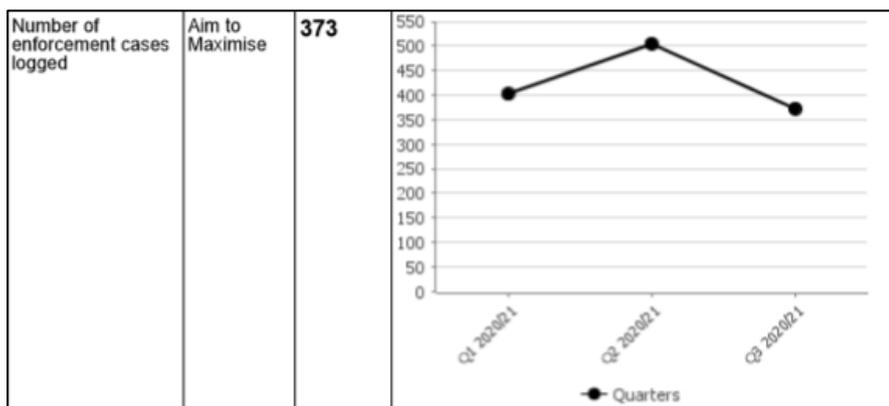
### **Planning Enforcement**

- 2.1 The Local Enforcement and Monitoring Plan was adopted in June 2020.
- 2.2 Since the adoption of the LEMP, the way in which the planning enforcement teams operate and the way that investigations are undertaken has had to significantly adapt in order to react to the COVID19 pandemic, together with start of a new Council, the amalgamation of 5 teams into 1, and a strong political focus on formal enforcement actions.
- 2.3 The lack of simple and easy face to face communication between officers as well as additional measures to ensure that site inspections are COVID safe is having a considerable impact on team resources. This impact is mainly in relation to the increased time it takes to undertake tasks that, in normal circumstances, are easily completed.

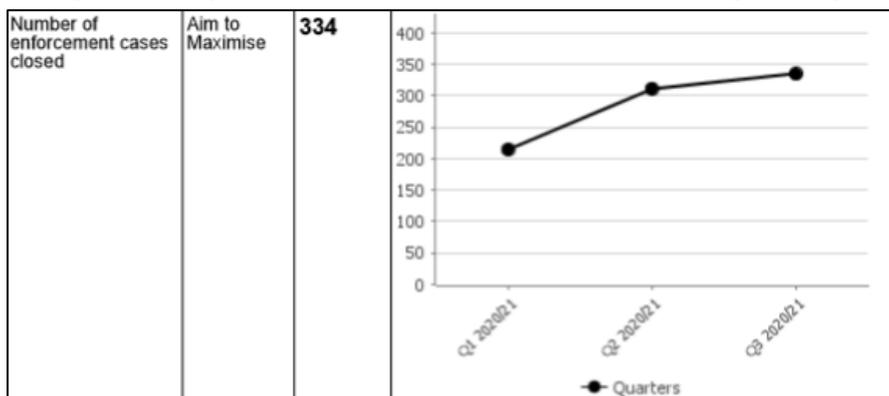
- 2.4 Nevertheless, the team has worked hard to meet the expectations of customers as set out in the LEMP and continues to make service improvements.
- 2.5 The monitoring systems for assessing performance against the timelines in the LEMP are still being created and likely to form part of internal Key Performance indicators going forward.
- 2.6 The Planning & Environment Service is nearing the end of its management restructure, with a new management structure being launched on 9<sup>th</sup> March. In addition, the team is mid-way through a service review and has recently completed the discovery phase.

**Performance**

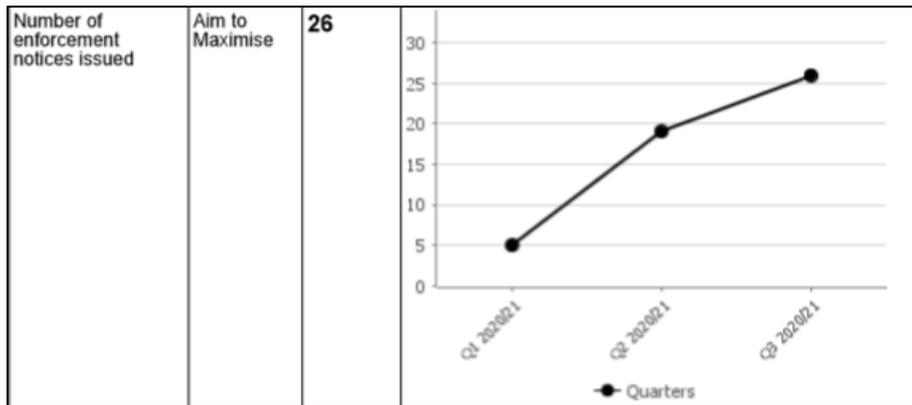
- 2.7 In the first 3 quarters of this financial year the team received 1278 new reports of alleged breaches of planning control. This is similar to the combined number of cases for the 5 legacy authorities during the previous 2 years.



- 2.8 During the same period, the teams closed 746 cases following investigation.



- 2.9 Since April 2020, the team has significantly increased the number of formal actions taken against breaches of planning control across the new Council area. Since vesting day, Buckinghamshire Council has issued over 50 enforcement notices. With Q4 yet to be completed, this number of notices already exceeds the total number issued for the 5 legacy authorities combined during the previous 2 financial years.



- 2.10 The team continues to take a firm but fair approach to planning enforcement but with a revitalised emphasis and focus on progressing cases quickly through their journey and an increased aim to take decisions as early as possible in the process.

### Planning Policy - Local Plans

#### Vale of Aylesbury Local Plan (VALP)

- 2.11 Consultation on the further modifications to the VALP closed on 9th February. 376 representations were received from 288 different respondents. The examination Inspector is holding 4 further days of hearings from 13th to 16th April. Subject to the Inspector's final report it is hoped the Council will be in a position to adopt the Plan in the summer.

#### Buckinghamshire Local Plan

- 2.12 Good progress has been made on the early stages of the new Buckinghamshire Local Plan. This has included:
- Agreement in December to the Local Development Scheme – the work programme on our plans for the next three years
  - Consultation on the Statement of Community Involvement – this sets out how we intend to involve our communities in not just the Local Plan but also other aspects of planning including planning applications. Consultation on this runs until 22nd March.
  - Commencing a “brownfield call for sites”, to encourage landowners, developers, parish councils and the wider community to make suggestions for potential brownfield development site opportunities for consideration in the plan. This too runs until 22nd March.
- 2.13 Further information on these can be found on the new Local Plan page of the website via the link below:
- [www.buckinghamshire.gov.uk/local-plan](http://www.buckinghamshire.gov.uk/local-plan)
- 2.14 In addition, we have commenced a scoping exercise with neighbouring authorities and key agencies under the “duty to cooperate” (ie liaison on strategic issues), setting out the strategic matters that it is considered we will need to liaise on with the various authorities and other bodies.

- 2.15 There remains significant uncertainty around the Government's Planning White Paper reforms and hence both the detail around the new style of local plans they are expecting authorities to prepare and their timing. The Government received around 40,000 responses to the White Paper consultation and are still reviewing them. It is understood that draft legislation may emerge towards the end of the year.
- 2.16 At the same time as consulting on the White Paper last summer, the Government also consulted on changes to the "algorithm" for determining how many homes authorities should plan for. The consultation proposals would have resulted in a significant increase in the figures for Buckinghamshire, rising from 2,936 homes per year to 4,139. The Government have since withdrawn the proposals but have proposed higher levels of housing in the 20 largest cities across the country. As a result, the original 2,936 homes per year figure is the current "local housing need" figure for Buckinghamshire. We await to see how the Government's planning reforms take this issue forward.
- 2.17 Supplementary Planning Documents (SPDs)
- 2.18 Progress has been made on preparing a number of supplementary planning documents. These provide more detailed guidance on how to implement specific policies and proposals in local plans. In particular:
- 2.19 Consultation is underway on the Biodiversity Accounting SPD – this sets out how new development will maintain and improve biodiversity on development sites. The consultation closes on 19th March.
- 2.20 Consultation has been undertaken and completed on the Hollands Farm site development brief – Hollands Farm is a major housing allocation in the Wycombe District Local Plan.
- 2.21 The Princes Risborough Expansion SPD was agreed in principle at Cabinet in February, subject to agreeing some detailed amendments. The SPD sets out detailed guidance on design, phasing and delivery of the development and associated infrastructure.

### **3. Legal and financial implications**

There are no direct legal and financial implications to the content of this report.

### **4. Corporate implications**

- 4.1 Whilst the performance of the planning enforcement team has a direct influence of the corporate reputation of the Council, there are no direct corporate implications in relation to the content of this report.

### **5. Consultation with local councillors & community boards**

- 5.1 This report is for information only and whilst the relevant Cabinet member is aware of the content of the report, no formal consultation has taken place with local councillors or community boards.

## **6. Communication, engagement & further consultation**

6.1 No further consultation or engagement has been carried out.

## **7. Next steps and review**

7.1 This paper is for information and therefore recommends that the committee note its content.

## **8. Background papers**

None

## **9. Your questions and views (for key decisions)**

9.1 If you have any questions about the matters contained in this report please get in touch with the author of this report. If you have any views that you would like the cabinet member to consider please inform the democratic services team. This can be done by telephone email [darran.eggleton@buckinghamshire.gov.uk](mailto:darran.eggleton@buckinghamshire.gov.uk)

