



Report to the Growth, Infrastructure & Housing Select Committee

Date:	7 September 2023
Title:	Update on the Local Plan for Buckinghamshire
Cabinet Member(s):	Councillor Peter Strachan, Cabinet Member for Planning and Regeneration
Contact officer:	John Cheston, Planning Policy Manager
Ward(s) affected:	All wards
Recommendations:	To note the progress made on the preparation of the Local Plan for Buckinghamshire
Reason for decision:	To ensure that the Select Committee is kept up to date with the progress made on the Local Plan.

1. Executive summary

- 1.1 This report provides an update on the progress made on the Local Plan for Buckinghamshire (**LP4B** or **Plan**). The key topics covered are:
- a) Update on technical work and recent and proposed public engagement
 - b) Planning reforms and their consequences for the LP4B.

2. Content of report

- 2.1 This report updates the Select Committee on the progress to date on, and the current position with, the Local Plan.
- 2.2 The Council has a statutory duty to prepare and adopt a new Local Plan for Buckinghamshire by April 2025. More importantly, however, the Plan provides a major opportunity to shape the growth of Buckinghamshire over the next 15 – 20

years. The Plan will complement the work of the Buckinghamshire Growth Board on the Vision for Buckinghamshire and the Recovery and Growth Proposal, setting out the spatial vision and proposals for the growth of the area up to 2040 and beyond. It will identify areas for new housing and employment, while also designating areas for protection and enhancement, such as our valued landscapes, natural habitats and heritage.

- 2.3 The Plan will also be critical to the day-to-day decisions that the Council takes on planning applications, as once adopted (or significantly progressed), it is the prime consideration in those decisions. It will shape in detail not just where development takes place, but also the quality of new development and will secure the infrastructure (or funding for infrastructure) to support it.

Update on technical work and recent and proposed public engagement

- 2.4 Since the last update to the Committee in February 2023, the Planning Policy team has:
- a) Compiled and submitted a 10,000-word Council response to the government's Levelling-up and Regeneration Bill: reforms to national planning policy consultation in March 2023.
 - b) In conjunction with the Transport Strategy and Funding team, undertaken a public engagement survey on separate draft visions and objectives for the LP4B and the Local Transport Plan 5 between April – June 2023. We received about 700 responses to the LP4B vision and objectives which we are in the process of analysing and considering.
 - c) Begun to assemble a response to the government's Levelling-up and Regeneration Bill: plan-making reform consultation which was published on 25 July and closes on 18 October 2023. The consultation document states that local plans should be vision-led, with visions specific to the place and running as a golden thread linking all the policies and site allocations. Visions should include measurable outcomes with links to wider corporate plans and strategies and a more robust monitoring framework. Local plans should also be the spatial articulation of a council's priorities as opposed to focusing on where and how much housing will be provided. All of this aligns with the work undertaken thus far on the LPB4, including the spring consultation on the draft vision and objectives.
 - d) Published an [interactive map and basic details](#) of the 1,000 or so sites which were submitted in response to two (and ongoing) Calls for Brownfield Sites and a Wider Call for Sites, which closed in September 2022. We are assessing these sites for their suitability, availability and achievability (including viability) to accommodate development to inform the first Buckinghamshire Housing and Economic Land Availability Assessment

(HELAA). Ongoing work on this will inform the next programmed public engagement in early 2024, subject to Cabinet approval. This will be on possible high-level growth scenarios for the spatial distribution of new development to meet the assessed levels of housing and employment needed over the plan period.

e) Continued to assemble the evidence needed to support the Plan. Whilst much of this remains in draft or is not yet commissioned, we have completed and published a [Scoping Report for the Sustainability Appraisal](#) of the Local Plan together with a [Habitats Regulations Assessment Scoping Report](#) (both March 2023). These reports provide important environmental baseline information that will inform the future preparation of spatial options and policy drafting for the Plan. In addition, work is well advanced on the:

- Employment and Retail Land Review
- Strategic Flood Risk Assessment Level 1 and Water Cycle Study
- Climate Change Study
- Local Housing Needs Assessment
- Self-Build Needs Assessment
- Settlement Review
- Landscape Character Assessment update
- Gypsy & Traveller Accommodation Assessment

We expect to publish the above studies over the course of the next six – nine months. In addition, initial work has been undertaken on transport modelling and assessment, and baseline infrastructure.

Planning reforms and their consequences for the LP4B

- 2.5 Previous reports to members, member briefings and this Committee have highlighted the significant uncertainty that the government's current planning reforms have created in the preparation of the LP4B.
- 2.6 We have reported previously the fact that the government had published the [Levelling-up and Regeneration Bill](#) ('LURB') in May 2022, whilst the report to the October 2022 meeting of this Committee set out the key considerations arising from this draft legislation for the LP4B. The government had anticipated that the LURB would receive Royal Assent in spring 2023, when it was also expected to publish an interim revised version of the National Planning Policy Framework. Neither of these happened.

- 2.7 The LURB has now reached an advanced stage in its passage through Parliament – it is currently at the Report stage in the House of Lords, to which it will return in September 2023 following the summer recess. Our best estimate is that it will now obtain Royal Assent, and therefore become law, by the end of 2023.
- 2.8 In the light of the LURB’s progression through Parliament, the government has recently confirmed its intention to have in place the regulations, policy and guidance needed to enable the preparation of the first new-style local plans by autumn 2024. This deadline is contingent upon Royal Assent of the LURB as well as Parliamentary approval of the relevant regulations. If these are both achieved, the proposed mandatory 30-month timeframe to prepare and put in place a local plan would commence in earnest in autumn 2024, implying that the LP4B could reach adoption by quarter two of 2027.
- 2.9 The government has also confirmed its previously expressed intention that the latest date for plan-makers to submit local plans for examination under the current plan-making system will be 30 June 2025. We have twice considered whether it would be feasible to progress the Plan under the existing legislation to meet this transitional deadline. We concluded that it would not be realistic to do so, particularly given the commitment to consult on a draft Plan in our [Statement of Community Involvement](#).
- 2.10 If, for any reason, the proposed new plan-making system is not introduced, no abortive work on the Plan will have been undertaken thus far and we shall revise the programme to align with the existing legislation, national policy and guidance.

3. Other options considered

- 3.1 Not applicable at this stage.

4. Legal and financial implications

- 4.1 The statutory instrument which brought Buckinghamshire Council into being requires the Council to have a Local Plan in place by April 2025. At present, this must be prepared in accordance with the [Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#). However, as noted above, legislative change is on the horizon with the [Levelling-up and Regeneration Bill](#). We have briefed the Committee before on the uncertainties associated with this process.
- 4.2 Our own internal legal advice has indicated that there are no formal penalties if the Council does not have an adopted Plan by April 2025. Nor are we aware of any sanctions which are likely to be imposed by the government. We have twice sought reassurance and confirmation on this from DLUHC, unfortunately without response. The policies in the Council’s existing local plans will continue to apply, though they

will continue to carry less weight in determining planning applications as they age or become inconsistent with national planning policy.

- 4.3 A £3m budget has been included in the Medium-Term Financial Plan to fund the preparation of the Plan (£750,000 pa from 2021-22 to 2024-25). To date, we have spent approximately £220,000 (or 7.3%) of the £3m as the majority of spending on local plans is incurred towards the latter stages of the process (e.g., on the Planning Inspector's, legal and consultancy fees for the public examination). We think £3m is still a sufficient budget to deliver the Local Plan, but we will keep it under review pending future planning reforms.
- 4.4 The delivery of the Local Plan aspirations will be resourced principally from Community Infrastructure Levy (CIL) receipts in the West, South and East planning areas (with a review underway of whether CIL should similarly be introduced in the North and Central areas or county-wide) and planning obligations. The adoption of the Plan will also provide a robust justification for bidding for forward funding from grant or lending sources. Having an up-to-date Plan in place will also facilitate the development management process, which should lead to fewer planning appeals and / or dismissal of appeals, together with their associated costs and unwanted effects.

5. Corporate implications

- 5.1 The LP4B will be instrumental in delivering Corporate Plan priorities such as increasing prosperity, strengthening our communities and improving our environment. It will support the ambitions of the Buckinghamshire Strategic Vision by creating the conditions for successful businesses, vibrant and connected places, and a thriving culture, heritage and natural environment.
- 5.2 The Plan presents a significant opportunity to reduce carbon consumption by locating development in the right places, such as town centres, and establishing initiatives to travel sustainably or reduce the need to travel. These support the 'regulatory' and 'enabling change' approaches of Buckinghamshire's [Climate Change and Air Quality Strategy](#).
- 5.3 The Council's land holdings present an opportunity to facilitate the delivery of development (where appropriate), generate value, and give the Council leverage in wider development negotiations.

6. Local councillors & community boards consultation & views

- 6.1 The Planning Policy team has engaged, and will continue to engage, with Members through verbal and written briefings, creating the opportunity for Members to have any questions answered. In addition, an update on the Local Plan is provided as part

of the Planning & Environment Members' and Town & Parish Councils' quarterly forums.

- 6.2 The team also intends to engage with Town and Parish Councils through the Community Boards as the work on the LP4B develops, to support the identification of local priorities.

7. Communication, engagement & further consultation

- 7.1 It is important that the Council provides consistency and continuity in its communications with the public and that we coordinate efforts to ensure we avoid 'consultation fatigue' and follow the principles set out in the adopted Statement of Community Involvement.

- 7.1 The Planning Policy team is working towards public engagement in early 2024 on possible high-level growth scenarios for the spatial distribution of new development to meet the assessed levels of housing and employment needed over the plan period.

8. Next steps and review

- 8.1 Officers will continue to provide the Committee with progress updates on the Local Plan with the next report potentially scheduled for the April 2024 meeting. Officers will also provide an update to the Growth Board in March 2024 (meeting date to be confirmed).

9. Background papers

- 9.1 [Buckinghamshire Local Development Scheme \(December 2020\)](#)
- 9.2 [Statement of Community Involvement \(December 2021\)](#)
- 9.3 [Statement of Consultation for the Discovery and Exploration Phase for the new Local Plan for Buckinghamshire Attitudes Survey \(July 2022\)](#)
- 9.4 [Survey on the draft vision and objectives for the Local Plan for Buckinghamshire \(April – June 2023\)](#)

10. Your questions and views (for key decisions)

- 10.1 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 email to democracy@buckinghamshire.gov.uk.