

TO: EXECUTIVE
12 FEBRUARY 2019

**REVISED LOCAL DEVELOPMENT SCHEME
2019 - 2022
Director of Place, Planning and Regeneration**

1 PURPOSE OF REPORT

- 1.1 The purpose of this report is to seek the Executive's approval to bring a revised LDS into effect covering the period 2019 - 2022.
- 1.2 The Council's work programme for preparing Local Plans is set out in the Local Development Scheme (LDS). The current LDS (2018-2021) sets out timetables for the preparation of the:
- Bracknell Forest Local Plan,
 - Joint Minerals and Waste Local Plan (covering Bracknell Forest, Wokingham Borough, Royal Borough of Windsor and Maidenhead and Reading Borough), and
 - Policies Map.
- 1.3 Due to changes in circumstance since the current LDS was agreed, it will not be possible to meet the outstanding milestones set out in the document.

2 RECOMMENDATION

- 2.1 That the Executive resolves that the Local Development Scheme 2019 – 2022 (attached as Appendix A) shall come into effect on 20th February 2019.**

3 REASONS FOR RECOMMENDATION

- 3.1 The Council is required to maintain an up to date LDS on its website. Preparation and approval of an up to date LDS aims to give residents, businesses and potential investors a clear indication that the Council remains committed to having an effective planning policy framework in place. Certain policies in the current Development Plan pre-date current planning legislation, policy and guidance and therefore need to be reviewed to provide a robust planning policy framework.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 The option of not updating the LDS has been considered, but there is a statutory requirement¹ for an up to date LDS. Due to the changes set out below, it is not possible to keep to the timelines set out in the current LDS. Additionally, not publishing an up to date LDS would mean a lack of clarity for local residents, developers and the business community about the Council's intended approach to producing planning policies to guide future development.

5 SUPPORTING INFORMATION

¹ Section 15 of the Planning and Compulsory Purchase Act requires the Council to prepare and maintain a Local Development Scheme

Background

- 5.1 National Policy requires each local planning authority to have succinct and up-to-date local plans for the future development of their local areas. There is a statutory requirement² to review policies in local plans and to assess whether they need updating at least once every five years. They should then be updated as necessary. Account must be taken of changing circumstances affecting an area, or any relevant changes in national policy.
- 5.2 The Development Plan for the Borough currently comprises the following documents:
- South East Plan (May 2009) – Thames Basin Heaths Special Protection Area Policy NRM6 only
 - Saved policies in the Bracknell Forest Borough Local Plan (BFBLP) (2002)
 - Core Strategy (February 2008)
 - Saved policies in the Replacement Minerals Local Plan (2001) and Waste Local Plans (1998)
 - Site Allocations Local Plan (SALP) (2013)
 - Policies Map (2013)

Local Development Scheme agreed in 2018

- 5.3 The current LDS (February 2018) identifies programmes for the preparation and adoption of the following new documents:
- Bracknell Forest Local Plan (target date for adoption: October 2019)
 - Joint Minerals and Waste Local Plan (target adoption for adoption: Winter 2020)
 - Policies Map (to be progressed alongside the timetables for the Bracknell Forest Local Plan and the Joint Minerals and Waste Local Plan).

Changes since the 2018 LDS was brought into effect

- 5.4 Whilst much work has already been undertaken, a number of changes have delayed progress on the Bracknell Forest Local Plan and Joint Minerals and Waste Local Plan. These are summarised below:
- The publication of the revised National Planning Policy Framework (NPPF) (July 2018) and associated planning practice guidance. Amongst other matters, the NPPF confirmed the need to use the new standard method for calculating local housing need and also broadened the definition of affordable housing. All local policies and proposals must be consistent with national policy and therefore there is a need to amend emerging policies to meet this requirement.
 - The publication of a national consultation on updates to national planning policy and guidance, which may result in the Government requiring the use of the 2014 based household projections rather than the more recent 2016 based household projections in calculating local housing need. This has a significant impact on the housing need figure for Bracknell Forest and therefore the spatial strategy and sites that need to be allocated for development.
 - Additional sites being submitted to be considered for allocation for development during consultation on the Draft Bracknell Forest Local Plan in February/March 2018. This resulted in the need for further analysis, evidence and consultation under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012) during September 2018;

² Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012).

- Requirement for additional technical evidence due to changes in national policy and the complexity of constraints affecting sites, for example, air quality modelling and employment need.
- The need for further work on additional economic and housing growth options in respect of the Bracknell Forest Local Plan.
- The need for two further calls for potential minerals and waste sites due to work on the Joint Minerals and Waste Local Plan recognising a shortfall in capacity particularly towards the end of the Plan period (2030+).

5.5 The changes referred to above mean that there is a need to review the work programmes set out in the current LDS. This will result in amended dates for the subsequent milestones for both Local Plans, as well as additional milestones (such as further consultation under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012)). The current LDS will be superseded once the revised document is brought into effect.

Suggested new timelines

5.6 Due to the changes in circumstance summarised in paragraph 5.4, new dates for subsequent milestones of the Bracknell Forest Local Plan and Joint Minerals and Waste Local Plan are required. The suggested timescales are set out below, although they are flexible should circumstances change.

Bracknell Forest Local Plan

- Further consultation on additional growth options: September – October 2019
- Publication (6 weeks): February - March 2020
- Submission: June - July 2020
- Examination: Autumn 2020
- Report to Council/adoption: January 2021

Joint Minerals and Waste Local Plan

- Publication (6 weeks): Autumn 2019
- Submission: Winter 2020
- Examination: Summer 2020
- Report to Council/adoption: Winter 2021

Policies Map

5.7 A Policies Map must also be produced which illustrates geographically how the policies in the Local Plans will be applied. This will be developed alongside the relevant plans.

6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

6.1 Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended) requires local planning authorities to prepare and maintain a LDS. This must specify (amongst other matters) the development plan documents that are under preparation, including the subject matter and geographical areas to which they relate. To bring the scheme into effect, the local planning authority must resolve that the scheme is to have effect and in the resolution specify the date from which the

scheme is to have effect The LDS must be made publically available through the publication on a web site and kept up to date.

Borough Treasurer

- 6.2 The costs of developing the Local Plans, including staffing requirements, consultancy, consultation and examination will be met through existing budgets which have been reviewed and amended as part of the 2019/20 budget setting process to fully accommodate the programme costs. In the case of the Joint Minerals and Waste Local Plan, Bracknell Forest Council, Wokingham Borough Council, Royal Borough of Windsor and Maidenhead and Reading Borough Council have commissioned Hampshire Services to prepare the Plan on their behalf. The cost of the project is being shared equally amongst the four Authorities.

Equalities Impact Assessment

- 6.3 Since this report concerns amendments to timetables for a committed Local Plans, rather than new Local Plans, it is not necessary to complete an Equalities Screening Record Form.

Strategic Risk Management Issues

- 6.4 The Strategic Risk Register (2015) includes Risk 10 which identifies the risk of not working effectively with key partners or residents in the development of services. Such a risk could mean that community needs are not met and a negative impact on community cohesion. The production of an up-to-date local plan involves extensive engagement with stakeholders and residents in order to identify local needs. Risk 11 identifies the risk of being unable to implement legislative changes. The production of a new local plan allows legislative changes to be reflected within the local plan

7 CONSULTATION

- 7.1 There is no statutory requirement to consult on a LDS due to the nature of the document.
- 7.2 Local Plans have to follow prescribed procedures and are subject to wide public consultation and ultimately independent public examination before they can be adopted. Various methods of engagement have already been/will be used, including exhibitions, leaflets, the Council's web site, letters and press releases, as appropriate. A considerable amount of consultation has already been undertaken on both Local Plans and their associated evidence base studies. This has fallen under the scope of Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. All consultation must also be in line with the Council's adopted Statement of Community Involvement (February 2014) which sets out how and when the Council will engage with the public and stakeholders in preparing Local Plans. Specific Consultation Strategies have been prepared at relevant milestones,

Appendices

Appendix A Local Development Scheme 2019 – 2022

Background Papers

Local Development Scheme 2018 – 2021

Unrestricted

<https://www.bracknell-forest.gov.uk/sites/default/files/documents/local-development-scheme-2018-to-2021.pdf>

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