

TO: COUNCIL
16 MARCH 2021

SUBMISSION OF BRACKNELL FOREST LOCAL PLAN

REGULATION 22 OF THE TOWN AND COUNTRY PLANNING (LOCAL PLANNING) (ENGLAND) REGULATIONS 2012

Director of Place, Planning and Regeneration

1. Purpose of Report

- 1.1 The Bracknell Forest Local Plan (BFLP) is now at an advanced stage, various consultations and 'calls for sites' having been undertaken during the process. Many comments have been received and analysed from those living and working in the Borough together with others with an interest in the plan. A range of technical reports have been completed and amended legislation and updated national planning policy and guidance have been published during the process. As a result, a number of significant changes have been made to the plan, including revisions to the approach to accommodating the Borough's future growth needs.
- 1.2 The purpose of this decision is to seek Council's agreement to submit the BFLP and related changes to the Policies Map together with supporting documents to the Secretary of State for examination by an independent Inspector. This would follow a period of statutory consultation starting on 23rd March and running to 11th May 2021. Section 23 of the Planning and Compulsory Purchase Act 2004 (as amended) (PCPA) allows an appointed Inspector to make any main modifications necessary to make a plan sound and/or legally compliant, provided that a local planning authority (LPA) has formally requested that such modifications be recommended by the Inspector. It is considered appropriate to make such a request in this case.

2 Recommendations, subject to the decision of the Executive on 16 March 2021:

- 2.1 **That Council approves the Pre-Submission Bracknell Forest Local Plan, Policies Map and all supporting documents for formal submission to the Secretary of State for independent examination by an appointed Inspector; and,**
- 2.2 **The appointed Inspector be requested to recommend any main modifications to the submitted Plan that are considered necessary to make the Plan sound.**

3 Reasons for Recommendation

- 3.1 It is important that the Council has an up to date and robust planning framework to guide development which reflects current national policy and guidance. The preparation of a new BFLP will help achieve this aim.

4 Alternative Options Considered

- 4.1 The options of delaying or abandoning the BFLP in order to await greater certainty over the Government's intentions to reform the planning system, as set out in the

White Paper 'Planning for the Future' have been considered and rejected for the following reasons:

- Uncertainty over the timescales involved in implementing any changes to the planning system suggested in the White Paper as they require primary legislation to be passed.
- Transitional arrangements are likely to be put in place that would cover the BFLP.
- The strong encouragement set out in the latest letter from the Chief Planner dated 18th December 2020, to continue to prepare and adopt local plans. The letter also refers to the need for a period of policy development after the receipt of the responses to the White Paper. This will in turn be followed by the preparation and progress of any legislation required to implement the planning reforms. This will take some time and it's therefore important that local areas have a plan in place.

5 Supporting Information

The emerging plan

Background

- 5.1 During the process of preparing the plan, the Council has carried out consultation at a variety of stages. Responses received together with technical reports have influenced the final form of the BFLP. There has also been a need to revise policies to ensure that they are consistent with evolving national legislation, planning policy and guidance.
- 5.2 The report submitted to the Executive meeting on 16 March (see Appendix A) highlights the changes made since the last consultation and provides further detail on other factors that have influenced the plan making process such as:
 - Sustainability Appraisal
 - Habitats Regulations Assessment and Air Quality Assessment
 - Infrastructure Delivery Plan
 - Viability Assessment
 - Local Development Scheme
 - Duty to Cooperate
- 5.3 The first part of the BFLP deals with strategic matters and contains policies that set out the overall strategy for the pattern, scale and quality of development and provision to meet specified needs. The second part of the document covers non-strategic matters which are essentially development management policies. These set out the criteria against which all planning applications will be considered and help ensure consistency of approach. The application of these policies will also assist in the delivery of the objectives and vision set out in Part 1. They should be read together with the strategic policies.
- 5.4 A revised Policies Map has also been prepared that shows the geographical extent of allocations and designations arising from policies in the BFLP (see Appendix A to the submitted Executive report).

Next stages

- 5.5 Once the consultation has closed, officers will summarise the key issues raised and 'submit' the plan, policies map, representations and all supporting documents to the Secretary of State/Planning Inspectorate for examination. Once submitted, the future timetable will be set by the Planning Inspectorate. Under the provisions of Section 23 of the Planning and Compulsory Purchase Act 2004 (as amended), the Council is entitled to request that the appointed Inspector recommends main modifications to the submitted plan, in the event that the Inspector considers that such modifications are necessary to make the plan sound. It is considered important to ask any appointed Inspector to recommend modifications in order to provide clarity about any changes necessary in the event that issues arise which impact on the tests of soundness. This is the normal practice for Local Plan examinations.

6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

- 6.1 The provisions relating to the submission of the Local Plan are covered by Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 6.2 The Local Plan, Policies Map, sustainability appraisal, consultation statement, comments made during the statutory period of consultation and other supporting documents must be submitted to the Secretary of State under Regulation 22. The independent Examination process is covered by Regulation 24.

Borough Treasurer

- 6.3 The costs of developing the BFLP, including the consultation and Examination, will be met through existing Planning Policy budget.

Equalities Impact Assessment

- 6.4 An Equalities Impact Screening Record Form was completed and submitted with the related Executive paper.

Strategic Risk Management Issues

- 6.5 The BFLP seeks to address and contribute to the achievement of the Councils' six key strategic themes. The main risk is that the BFLP could be found legally non-compliant or unsound by an independent Inspector, through the Examination process. This could result in a delay in the ability of the Council to determine planning applications on the basis of an updated Vision, Spatial Strategy and local policies. This could potentially result in the failure of development proposals to meet identified needs in line with the Council's priorities. The development of allocated sites to provide housing and economic uses is also dependent upon when landowners choose to bring forward their sites, and, other factors may influence this. Planning policies in the BFLP seek to ensure that development proposals align with the Council's priorities, such as protecting and enhancing our environment, reducing our impact on climate change, and providing affordable homes.

Climate Change

- 6.6 Policies in the BFLP address both mitigation (reducing emissions) and adaption (being prepared for climate change). Measures aimed at mitigation include reducing

the need to travel by locating development in the most sustainable locations, encouraging sustainable forms of transport such as cycling and walking, supporting renewable and low carbon technologies and sustainable construction through net zero carbon for regulated emissions from major new build residential developments.

- 6.7 In terms of adapting to climate change, the degree of flood risk has influenced sites put forward for allocation for development. Consideration is also given to the availability of water and reduction of water use through efficiency standards. Policies promote green and blue infrastructure to allow habitat connectivity, provide urban cooling and shading, surface water management and absorb and store carbon. This is further supported by open space standards, the provision of Suitable Alternative Natural Greenspace (SANG) and the protection of river corridors.

Health

- 6.8 The Spatial Strategy supports the development of sustainably located sites including those in and around Bracknell Town Centre. Such an approach will encourage the use of more sustainable forms of transport such as cycling and walking which have health benefits. An increased supply of housing, including affordable housing, is also likely to improve health and wellbeing. Sites will be required to provide passive and active open space together with SANG which will assist psychological wellbeing and physical activity. This is particularly the case for land at Jealott's Hill where compensatory improvements to the environmental quality and accessibility of the remaining Green Belt land are required following the removal of other parts of the site from the Green Belt. The development of a Garden Village at Jealott's Hill will also be supported with a new community building that will have the capacity to accommodate a variety of activities and a health care facility if required. Policies regarding contamination will also seek to protect public health. Taken together the policies in the plan seek to create a healthy environment for the benefit of all.

7 CONSULTATION

- 7.1 The preparation of the BFLP has involved commissioning evidence base studies, several of which have been subject to consultation prior to finalisation. It has also been informed by the results of duty to cooperate responses, Issues and Options and consultations in 2018 and 2019. Subject to the discussions at the Executive on 16 March 2021, a statutory consultation will be undertaken on the Pre-Submission BFLP between 23rd March and 11th May 2021.

Appendices

Appendix A Executive paper 16th March 2021

Background Papers

Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)
National Planning Policy Framework (2019) and associated Planning Practice Guidance, MHCLG

Statement of Community Involvement (February 2014) and Temporary Changes Addendum (August 2020), Bracknell Forest Council

Local Development Scheme 2021 – 2024 (February 2021), Bracknell Forest Council

<https://www.bracknell-forest.gov.uk/planning-and-building-control/planning/planning-policy/about-planning-policy>

Draft Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA), (March 2021), Bracknell Forest Council
Draft Habitats Regulation Assessment (HRA), (March 2021), Bracknell Forest Council
Interim Pre-Submission Consultation Statement, (March 2021), Bracknell Forest Council
Transport Impact Report, (March 2021), Bracknell Forest Council
Pre-Submission Housing Background Paper, Bracknell Forest Council
Pre-Submission Jealotts Hill Background Paper, (March 2021), Bracknell Forest Council
Pre-Submission Economic Background Paper, (March 2021), Bracknell Forest Council

These documents are available via the following link

[Agenda for Council on Tuesday, 16 March 2021, 6.00 pm | Bracknell Forest Council \(bracknell-forest.gov.uk\)](https://www.bracknell-forest.gov.uk/agenda-for-council-on-tuesday-16-march-2021-600-pm-bracknell-forest-council-bracknell-forest-gov-uk)

Other documents forming part of the evidence base to the Bracknell Forest Local Plan can be viewed on the Council's web site:

<https://www.bracknell-forest.gov.uk/planning-and-building-control/planning/planning-policy/development-plan/draft-bracknell-forest-local-plan/evidence-base>

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