

<b>SUBJECT:</b>	<i>Update on the Chiltern and South Bucks Local Plan 2014 to 2036</i>
<b>REPORT OF:</b>	<i>Councillors Peter Martin and Nick Naylor, Cabinet Members for Sustainable Development</i>
<b>RESPONSIBLE OFFICER</b>	<i>Steve Bambrick, Director of Services</i>
<b>REPORT AUTHOR</b>	<i>Graham Winwright, 01494 732269 , <a href="mailto:gwinwright@chiltern.gov.uk">gwinwright@chiltern.gov.uk</a></i>
<b>WARD/S AFFECTED</b>	<i>All wards on both Chiltern and South Bucks districts</i>

## 1. Purpose of Report

To consider revising both Councils' Local Development Scheme (LDS); provide an update on the emerging Chiltern and South Bucks Local Plan 2014 to 2036 (Local Plan) relating to the Duty to Co-operate, evidence base and infrastructure planning; and resource implications for the Planning Policy Team.

### RECOMMENDATIONS

1. **Approve a revised Local Development Scheme for both Councils' so that:**
  - a) **Regulation 19 public consultation aims to commence in June/July 2018**
  - b) **Submission is aimed to occur in December 2018**
  - c) **Examination be sought in June 2019**
  - d) **Adoption is aimed in November 2019**
  
2. **To publish the revised Local Development Scheme timetable on both Councils websites.**
  
3. **To note the following documents contained on both Council websites as part of the emerging Local Plan evidence base and how these are informing the 'direction of travel' for the Local Plan:**
  - a) **Green Belt Development Options Appraisal: Post Preferred Green Belt Options Consultation**
  - b) **Draft Infrastructure Delivery Schedule: Post Preferred Green Belt Options Consultation**
  - c) **Duty to Co-operate Position Statement**
  - d) **Summary Responses to Green Belt Preferred Options Consultation**
  
4. **To amend the current Retention Bonus for Planning Policy officers to be as follows:**

**"Offer officers within the Chiltern/South Bucks Planning Policy team as at 19<sup>th</sup> December 2016 a retention bonus of up to £5000 each and any new staff an appropriate bonus of up to £5000, to be paid in June/July 2018 provided that they remain in either Council's employment in the Planning Policy Team until 31**

**May 2018 and provided that the Council is able to avoid Local Plan intervention by the Government at that point in time. The payment to be pro rata from any point or period from 1 January 2016 for:-**

- **any part-time staff;**
- **staff who have performed unsatisfactorily;**
- **staff who have only been employed for part of the qualifying period in 2016/17 subject to the terms of their appointment;**
- **staff who have been on long term absence during the qualifying period.”**

- 5. To support the principle of incentivising retention of Planning Policy officers beyond 1<sup>st</sup> June 2018 and to ask the Joint Staffing Committee to consider how best to achieve this in the light of existing and anticipated market conditions at the time.**

## **2. Executive Summary**

- 2.1 The Councils' will not be able to meet the current LDS and this report considers how the LDS should change taking account of a number of factors including having in place a sound evidence base, meeting the legal Duty to Co-operate requirement, arriving at a challenging but deliverable timetable (given necessary processes and available resources) and likely changes to national policy.
- 2.2 In arriving at the above position the report considers the 'direction of travel' for key decisions to be taken in due course by the Councils on the Local Plan including the strategic areas likely to be recommended to be removed from the Green Belt.
- 2.3 A key factor in meeting the LDS is the retention of Planning Policy staff and as a result the report recommends amending the current Retention Bonus covering the period to June 2018 and request the Joint Staffing Committee to consider incentives for retention beyond 1<sup>st</sup> June 2018. Importantly the critical period for local plan preparation (i.e. draft plan publication, submission and examination/post examination) will go beyond June 2018.

## **3. Reasons for Recommendations**

- 3.1 The current LDS milestones are unable to be met due to a combination of factors that have occurred (e.g. delayed duty to co-operate outcomes and evidence base outcomes) and are known to now likely impact (e.g. national methodology for calculating housing need and anticipated changes to the National Planning Policy Framework).
- 3.2 The recommended revised timetable remains challenging, takes account of the view of the Joint Planning Policy Member Reference Group (JMRG) and staff resource uncertainty and pressures over the plan preparation period. In addition the report seeks to mitigate the risks associated with staff resources through a revision to the existing Planning Policy Retention Bonus and the introduction of a further retention incentive from June 2018 onwards.

3.3 There remains a risk that the timetable may not be met due to matters outside of our control and available staff resources may reduce with limited scope to replace them (particularly in relation to experienced officers). Timetable pressures will continue to be managed as far as possible through prioritising workloads, project management, use of consultants and monitoring through the JMRG.

#### 4. Content of Report

##### Local Plan Timetable

- 4.1 Members will recall that the Local Development Scheme (LDS) for both Councils (the same as a joint plan is being prepared) was approved by Joint Committee in December 2016.
- 4.2 A revision is needed to the LDS as the next current timetable stage (Regulation 19 in Oct/Nov 2017) cannot be met. The reasons for this are set out on both Councils websites under '*Emerging Chiltern and South Bucks Local Plan (2014-2036)*' pages. In addition since the website pages were written the Government has produced its '*Planning for the right homes in the right places: consultation proposals*' which if adopted by the Government will increase the objectively assessed housing need for the joint Local Plan. An increase in housing need would have evidence base and duty to co-operate issues that the Councils' would need to address adding further pressure on the timetable moving forward. The Government has also announced that changes will be made to the National Planning Policy Framework (NPPF) in 'spring 2018', which could have implications for the LDS.
- 4.3 Members will be aware that the JMRG has been regularly receiving reports on the progress of the joint Local Plan. This report also provides an update on the Local Plan which includes a 'direction of travel' for some key areas where subsequent Joint Committee and full Councils' informed by the Overview and Scrutiny Committees' will need to come to a view on as part of the next stage of the draft local plan. The 'direction of travel' is provided now as this will have a bearing on decisions needed to be made in this report. The JMRG have been consulted and their views have been taken into account in this report.
- 4.4 Members will be aware that progress on the Local Plan is also influenced by a number of factors, an important one being staff resources and this is also considered in this report.
- 4.5 The above demonstrates uncertainty when forward planning the LDS however taking these into account officers recommend the following changes to both Councils' LDS:

Plan Stage	Current LDS	Recommended LDS
Publication Stage	Oct/Nov 2017	June/July 2018
Submission	March 2018	December 2018
Examination	June 2018	June 2019
Adoption	Nov 2018	November 2019

4.6 The LDSs once revised will need to be kept under review and if necessary further reports bought to the Joint Committee. The JMRG will receive regular updates.

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**Local Plan Update**

- 4.7 The Councils' have been publishing evidence base documents on their websites (Emerging Local Plan Evidence Base pages) as soon as practical and available. This will include by the time of the meeting representations received during the two earlier consultations and other key studies/documents.
- 4.8 The following evidence base documents are being prepared and will be published before the meeting to provide an up to-date position or 'direction of travel' for key parts of the emerging Local Plan:
- a) Green Belt Development Options Appraisal: Post Preferred Green Belt Options Consultation
  - b) Draft Infrastructure Delivery Schedule: Post Preferred Green Belt Options Consultation
  - c) Duty to Co-operate Position Statement
  - d) Summary Responses to Green Belt Preferred Options Consultation.
- 4.9 Importantly the evidence base is not yet complete however based on the above officers are minded to recommend the following for the summary reasons included:
- i) To amend the joint Local Plan base date from 2014 to 2016 so that the plan period would be 2016 to 2036.

Summary Reasons: This is in anticipation of the Government introducing a national methodology for calculating objectively assessed housing need with 2016 as its base date. Having an earlier base date (i.e. 2014) would mean that the Local Plan would need to consider using a combination of the Buckinghamshire methodology and the national methodology extending the scope for examination on housing need against the Government objective for streamlining local plan making. Changing the base date will require some evidence base adjustments which would be deliverable in the recommended changes to the LDS.

- ii) To contain proposals in the Plan to meet a minimum of 10 years housing supply (except for Gypsy Travellers and Travelling Showpeople which will have a minimum of 5 years supply) with identified future sources for meeting needs over the remaining plan period to become proposals in subsequent plan reviews.

Summary Reasons: This is in anticipation of NPPF changes considered in the Housing White Paper, particularly in relation to possible changes to exceptional circumstances for removing land from the Green Belt and the need for local plans to be reviewed at least every five years. In addition it is anticipated that there could be additional options for meeting needs post 2026 that cannot be considered at this point in time.

- iii) To include policies and other plan measures to seek to maximise the development potential of development opportunities within constraints and subject to securing high quality outcomes. This is to include seeking the upper end density range for sites in the Housing and Economic Land Availability Assessment, promoting where appropriate mixed use development schemes, encouraging town centre development and seeking outcomes such as house types and proportion of affordable housing to be in line with the needs assessment evidence base.

Summary Reasons: An approach which achieved overall broad support through plan consultations and supported through other evidence base work including the key stage sustainability appraisals.

- iv) Seek phasing development and where appropriate safeguard Green Belt options linked to infrastructure delivery constraints, on-going Duty to Co-operate discussions and Government emerging objectives.

Summary Reasons: To take a longer term view on Green Belt release whilst not holding back Green Belt release (in the context of not being able to meet all of the plans housing needs) unless there are clear planning reasons for doing so.

- v) Based on the above (and subject to on-going work) the likely recommended position on land to be removed from the Green Belt (see Appendix 1 to this report). For clarity:
- Other than the 15 Green Belt Preferred Options, the Green Belt Preferred Options Consultation and evidence base work to-date has not identified any new additional strategic Green Belt options suitable for on-going consideration for release from the Green Belt
  - other areas in the Green Belt expect to be recommended for removal from the Green Belt as a result of the Green Belt Assessment Part 2, Review of Settlements in the Green Belt and Inner Green Belt Boundary Review. These evidence base documents will be published as soon as they are ready.

### **Planning Policy Resources**

- 4.10 Members will recall that the 19<sup>th</sup> December 2016 Joint Committee approved a Planning Policy Officer Retention Bonus as follows:

“Offer officers within the Chiltern/South Bucks Planning Policy team as at 19<sup>th</sup> December 2016 a retention bonus of up to £5000 each and any new staff an appropriate bonus of up to £5000, to be paid in June/July 2018 provided that the replacement local plan is published at some point within October/November 2017, they remain in either Council’s employment in the Planning Policy Team until 31 May 2018 and provided that the Council is able to avoid Local Plan intervention by the Government at that point in time. The payment to be pro rata from any point or period from 1<sup>st</sup> January 2016 for any part-time staff, staff who have had excessive absences or who performed unsatisfactorily, or staff who have only been employed for part of the qualifying period in 2016/17 subject to the terms of their appointment.”

- 4.11 The Retention Bonus was introduced in the context of a shortage of experienced planning policy officers, particularly in our region, and a number of unsuccessful recruitment attempts. Since the Shared Service was introduced (from 2014) the Planning Policy Team has never been fully staffed while the balance between experienced (planners/senior planners) and inexperienced/non-planning qualified staff has had to increase in order to fill vacancies.

Despite the Retention Bonus the Councils' have lost a senior planning officer and a further senior officer is due to leave the Team in early December.

- 4.12 The above Retention Bonus will no longer apply through no fault of staff as the October/November 'condition' will not be able to be met. Given that the recruitment market remains very challenging for the Councils' it is considered that staff retention should remain the primary aim in order to progress the local plan. As such it is suggested that changes are made to the Retention Bonus as contained in Recommendation 4, importantly to delete "*provided that the replacement local plan is published at some point within October/November 2017*" but also other minor changes following advice from the Human Resources Manager.
- 4.13 It will however remain important for experienced staff to be retained beyond 31<sup>st</sup> May 2018 from after which there is expected to be no improvement to the job market locally. It is therefore recommended that the Joint Committee support the principle of incentivising retention beyond the 1<sup>st</sup> June 2018 and ask the Joint Staffing Committee to consider how best to achieve this (Recommendation 5) including considering the introduction of a market forces supplement.

## 5. Consultation

- 5.1 The JMRG have been consulted on this report.
- 5.2 In relation to the LDS officers have consulted with officers from the Department of Communities and Local Government and the Planning Inspectorate and their responses have been taken into account in bringing forward the recommended revised LDS.
- 5.3 There have been two key public consultations (Issues and Options in January to March 2016 and Green Belt Preferred Options in October to December 2016) and various consultations linked to the Duty to Co-operate and evidence base work. Details of all of these are contained on the Councils' websites.

## 6. Options

- 6.1 There are only alternative options for recommendations 1, 4 and 5 as the Councils' have to publish the approved LDS (Recommendation 2) and Recommendation 3 is to note progress and evidence base documents.
- 6.2 In relation to Recommendation 1, the JMRG was presented with options which have informed this report. Alternatives to the timetable can realistically only be for the Regulation 19 stage and Submission as the timetable after this point is largely out of the Councils' control. Setting the timetable needs to strike the right balance between being realistic taking account of the complexities, resources and potential external changing circumstances whilst also being challenging in the interest of getting a sound local plan adopted as soon as practicable and accepting that the shorter the timetable the higher the risk of delay. The Joint Committee could consider alternative key dates within this context.
- 6.3 In terms of recommendations 4 and 5, the options are:

- a) to have no retention bonus (i.e. do nothing) but this is not recommended due to current and predicted job market conditions, the risk of losing experienced staff and the knock on effects to the LDS.
- b) to only revise the current bonus (Recommendation 4) and not to consider further incentives (Recommendation 5) however this is also not recommended as the timetable for the Local Plan after 1<sup>st</sup> June 2018 will be a critical period which would be seriously impacted if the Councils' were to lose further experienced staff.
- c) to vary the amount or timing of the retention bonus. £5,000 is recommended to be retained as this amount has been approved and is being budgeted for.

## 7. Corporate Implications

7.1 Financial – the budget for staff retention bonus in June/July 2018 is approved and being taken into account in the 2018/19 budget (payment from salary underspends if available or from the Planning Reserve). Further budget implications for any incentive beyond 1<sup>st</sup> June 2018 will need to be considered by the Joint Staffing Committee however in principle additional costs could also expect to be funded in the same way.

7.2 Legal – the Councils' are required to have and publish an up to-date LDS and to prepare and have an up to-date local plan.

## 8. Links to Council Policy Objectives

8.1 The Councils Policy Objective to "*Put in place a new Joint Local Plan .... By March 2017 to help meet local development needs*" would already not be met due to previous agreed changes to the LDS. The proposed LDS changes in this report retain the thrust of the objective, to prepare a new joint Local Plan as expediently as possible.

## 9. Next Step

9.1 The revised LDS will be published and staff will work towards meeting this timetable. The timetable may need to be revised again if circumstances change.

9.2 Planning Policy officers will be informed of the changes to the Retention Bonus and the Joint Staffing Committee be ask to consider incentivising Planning Policy staff retention for the period after 1<sup>st</sup> June 2018..

<b>Background Papers:</b>	The current LDS and emerging Chiltern and South Bucks Local Plan document/evidence base are contained on the Councils' websites.
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