

CABINET



Report subject	BCP Local Plan update and way forward
Meeting date	27 July 2022
Status	Public Report
Executive summary	<p>This report provides an update on the progress of preparing the local plan for the Bournemouth, Christchurch and Poole (BCP) area, and sets out the next steps in the local plan process.</p> <p>The report seeks approval of a revised Local Development Scheme (LDS) which is the formal mechanism for setting out the timetable to produce the BCP Local Plan and other development plan documents. The LDS provides clarity on when the statutory stages in plan making will be undertaken.</p> <p>The Council completed an initial Local Plan Issues and Options consultation between January and March 2022. The consultation sought to provide an early steer on some of the issues and options for the BCP Local Plan to address. The consultation was one of the biggest consultations undertaken by BCP Council and response rates exceeded any previous local plan consultation undertaken in the BCP area. The findings from the consultation are summarised in this report.</p> <p>We are planning further engagement with all our communities and stakeholders to form a 'preferred option' for the next Local Plan, which will set out how we believe we can best accommodate the sustainable growth needs of the conurbation up to 2038. This will be developed over the next six months and is set out in the revised LDS.</p> <p>Moving forward we have also taken advice on the governance arrangements to support the next phase of the local plan process. As such, this report seeks approval for updated governance arrangements including the provision of a cross party Local Plan Advisory Group and Local Plan Delivery Board.</p>
Recommendations	<p>It is RECOMMENDED that Cabinet:</p> <p>(a) Approve the revised Local Development Scheme which includes the timetable to produce the BCP Local Plan;</p>

	<p>(b) Delegate to the Director of Planning in consultation with the Portfolio Holder for Development, Growth and Regeneration to make minor text changes to the LDS prior to publication;</p> <p>(c) Agree the proposed approach to Local Plan engagement and governance, and delegate to the Director of Planning in consultation with the Portfolio Holder for Development, Growth and Regeneration to agree the final details; and</p> <p>(d) That the Local Plan Working Group is renamed as the Local Plan Advisory Group and delegate to the Director of Planning in consultation with the Portfolio Holder for Development, Growth and Regeneration to agree the Terms of Reference for the Advisory Group.</p>
Reason for recommendations	<p>The preparation and maintenance of an up-to-date LDS is a statutory requirement of the Planning and Compulsory Purchase Act 2004 (and subsequent amendments). Preparation of the BCP Local Plan as set out in the LDS will help deliver the Council's strategic priorities as expressed in the Corporate Strategy and Big Plan. It will also provide up-to-date policies to set out our strategy for growth and to enable the effective management of development.</p> <p>We are keen to continue to engage our communities and stakeholders in the BCP Local Plan in order that they can influence the plan. Appropriate time is therefore set out within the LDS to continue to actively engage our communities before the draft of the Local Plan is published.</p> <p>To ensure the timetable set out in the LDS is achieved approval is sought regarding the ongoing governance arrangements.</p>
Portfolio Holder(s):	Councillor Phillip Broadhead, Portfolio Holder for Development, Growth and Regeneration
Corporate Director	Sam Fox, Director of Planning
Report Authors	Laura Bright, Senior Planning Officer Steve Dring, Interim Planning Policy Manager
Wards	All
Classification	For Decision

Background

1. The Planning and Compulsory Purchase Act 2004 places a statutory duty on the Council to have a development plan in place, with a requirement set in law that planning

decisions must be taken in line with the development plan unless material considerations indicate otherwise.

2. The Council is also required by the Planning and Compulsory Purchase Act 2004 to publish and maintain a Local Development Scheme (LDS). The purpose of an LDS is to set out what development plan documents will be prepared and provide a timetable for their preparation. The LDS provides the community and other interested parties clarity over what planning policy documents are to be prepared by the Council and by when.
3. A vital component of the LDS will be a Local Plan for the BCP Council area. This will replace the existing legacy Local Plans, providing a single up to date planning framework for our area. The Local Plan will set out our vision and a framework for the future development of the area, addressing needs and opportunities in relation to housing, the economy, community facilities and infrastructure, as well as, forming a basis for conserving and enhancing the natural and historic environment, mitigating, and adapting to climate change, and achieving good quality placemaking. The Local Plan timetable within the LDS includes the stages that must be met to accord with statutory requirements for plan making.
4. The LDS also sets out other planning policy documents that will form part of the development plan, such as neighbourhood plans.
5. There are many complex planning issues in the BCP area which will need to be addressed through the Local Plan. To get the best possible local plan for the BCP area we want to hear from all our communities about these issues in order that we can incorporate them where appropriate. We propose to undertake additional engagement to enable the local plan to be developed in collaboration with our communities. The LDS and timetable within it replace that previously published in 2019 and now ensures time to undertake additional engagement is factored into the overall timetable.
6. We are working in a context of evolving guidance from government and the time factored in for additional engagement will also allow us to align the local plan process with any changes emerging from the draft Levelling Up and Regeneration Bill.
7. Two stages of public consultation about the local plan have been completed to date. The first consultation focused on the Issues for the Local Plan to address and was completed in November 2019. From January to March 2022 a Local Plan Issues and Options consultation was completed. This sought to engage our communities and stakeholders on initial ideas for how to address the various complex planning issues across the BCP area. The consultation did not set out any firm proposals, and these will come later in the process when a draft of the BCP Local Plan is published. The response to the consultation has provided an importance insight into ten key topic areas. As set out above we now wish to go further to build consensus on the way forward and to ensure all groups have the opportunity to feed into the local plan process.
8. The Council has taken advice on the Local Plan programme and associated governance as the Local Plan progresses. The Council has also recently appointed an interim Director of Planning who is now directly overseeing the Local Plan. The Governance

framework set out in this report sets out a clear structure to take the Local Plan through the next stages of production.

The Local Development Scheme for BCP Council

9. The LDS is attached in appendix 1. As required by the Planning and Compulsory Purchase Act 2004 the LDS specifies the development plan documents which will be prepared, the subject matter and area to which they relate, and the timetable for their preparation.

10. An important part of the LDS is to guide the preparation of the BCP Local Plan. The proposed high-level timetable the production of BCP Local Plan is as follows:
 - Oct to Nov 2019 - Initial Issues Consultation and Call for Sites (Complete)
 - Jan to March 2022 – Issues and Options consultation (Complete)
 - Spring/summer 2022 – Analysis of Issues and Option consultation
 - Autumn 2022 – Further engagement and continued evidence gathering
 - Spring/Summer 2023 – Preparation of a draft of the Local Plan
 - Autumn 2023 – Draft Local Plan published
 - Winter 2023 – Draft Local Plan submitted for examination
 - Winter 2024 – Adopt BCP Local Plan

Extract from LDS

Task	2023												2024																	
	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	
Key dates summary																														
Ongoing community engagement and evidence gathering	■	■	■	■	■	■																								
Preparation of the draft Local Plan						■	■	■	■	■	■	■	■																	
Publication of the draft Local Plan (Reg 19)													■	■	■															
Preparation for Submission																■	■													
Submission of the draft Local Plan (Reg 22)																	■	■												
Examination in public (Reg 24)																		■	■	■	■	■	■	■	■	■	■	■	■	
Plan adoption (Reg 26)																												■	■	

11. The formation of BCP Council was the subject of consequential orders set by national government. These required that the Council has in place a local plan for the BCP area by 2024. The timetable set out seeks to ensure that this will be achieved.

12. The LDS highlights the Neighbourhood Plans which are in production. The Council has a statutory duty to support the production of Neighbourhood Plans.

13. The LDS also sets out that other planning policy work will include preparation of supplementary planning documents to, in time, replace those adopted by the legacy councils.

14. BCP Council will also review its arrangements for Community Infrastructure Levy and other developer contributions charges, which broadly will follow the timetable for the

BCP Local Plan. Before a full review of the Community Infrastructure Levy takes place, it is proposed to harmonise the arrangements for managing the CIL process as set out in the CIL Harmonisation report which is also being considered by cabinet.

Engagement

15. Consultation on the initial Issues and Options for the BCP Local Plan took place between January 2022 and March 2022. The consultation highlighted many important points which will be considered in the preparation of the next stages of the Local Plan preparation.

16. The consultation started when the covid pandemic was prevalent and council staff were advised to work from home and limit face to face interactions. These restrictions limited the initial face to face engagement that could be safely undertaken. However, these restrictions lifted during the consultation period, leading officers to introduce a hybrid approach of digital and face to face engagement methods. The consultation was the biggest consultation run by BCP Council to date and comprised of:
 - A dedicated web platform
 - Interactive mapping
 - Online survey
 - Paper survey
 - Podcast
 - Local Plan special Facebook Live Q&A sessions
 - Library events
 - Press releases and subsequent articles
 - Promotional video
 - Stakeholder e-newsletters to 2,900+ subscribers
 - Corporate e-newsletters to 46,000+ subscribers
 - Staff e-newsletters to 5,000+ recipients
 - Social media posts #BCPLocalPlan (Facebook/Twitter/LinkedIn/Instagram)
 - Agents & developers session
 - Parish Councils session
 - Youth forum sessions

17. The response to the consultation exceeds that which has been achieved for a planning consultation of this type which has been undertaken by any of the legacy authorities. In total:
 - 957 survey responses were received (831 people took part in the online survey and 126 people completed a paper survey)
 - 602 people left 1,290 comments on interactive site maps
 - 251 letters and/or emails were received
 - Approximately 90 people attended the library drop ins
 - There were 12,923 unique visits to the webpage
 - 14,269 minutes watched in Live Q&As
 - 1,115 Facebook comments

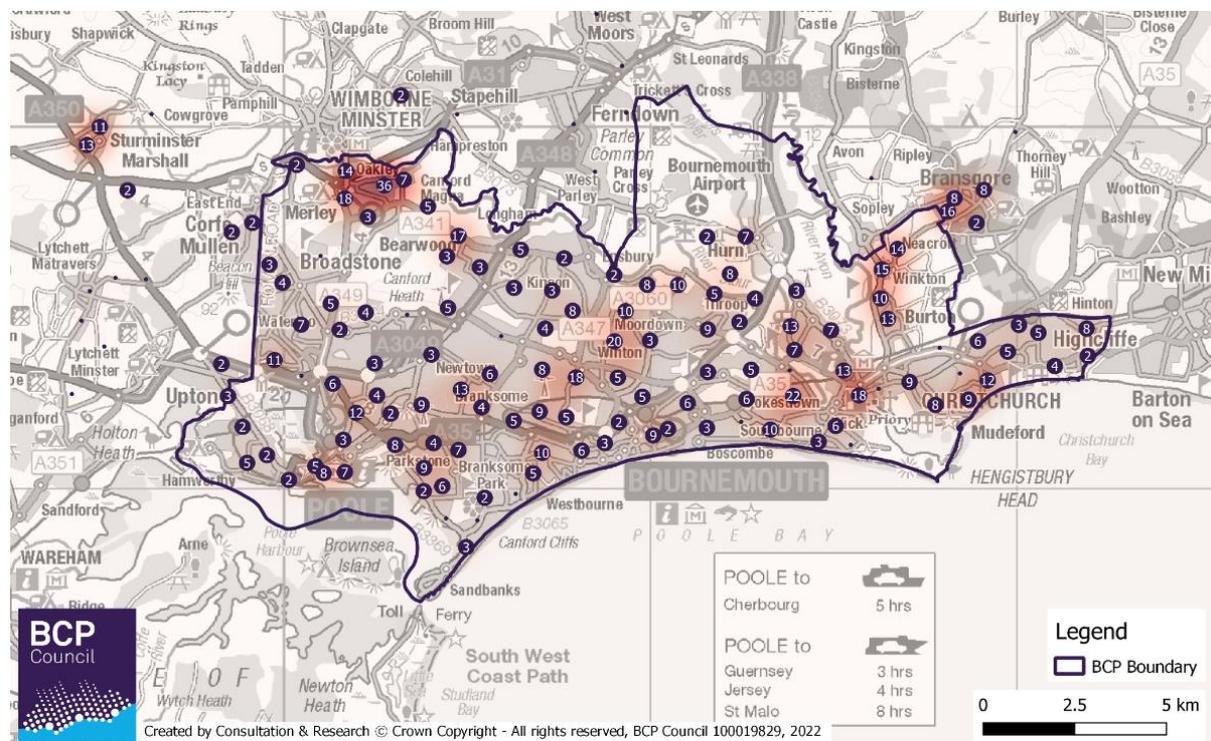
- Over 15 press articles
18. A summary of the responses is set out in appendix 2.
19. General support for the suggested approach in the consultation document included:
- Aspects of regenerating our town centres and network of vibrant communities
 - Providing specialist homes for older people and those with disabilities
 - Our future transport strategy
 - Transport infrastructure and the transport impacts from new development
 - Conserving and enhancing biodiversity
 - Protecting and improving air quality impacts on the Dorset Heathlands
 - Ensuring good placemaking and urban design
 - Preserving and enhancing our heritage, coastal and landscape character
 - Promoting health and wellbeing
 - Ensuring a high standard of amenity
 - Maximising energy efficiency and the uptake of energy from renewable sources
 - Delivering the infrastructure to support growth
 - Protecting community facilities and services
20. The areas which were most contentious included:
- Parts of the vision '*We aim for Bournemouth, Christchurch and Poole to be the UK's newest city region, brimming with prospects, positivity and pride*'.
 - The provision of new homes
 - Sites that had been promoted to us in the Green Belt
 - Planning for urban intensification including tall buildings and identified areas of potential change
21. The main reason for concern in relation to vision surrounded the use of the phase 'city region'. At the time of publication the council were pursuing a bid for City Status and this was a high-profile issue. In acknowledgement of this feedback and other discussions being held with communities we are considering amending the vision to provide a stronger emphasis on the three towns that make up the BCP area.
22. While it was recognised in the responses received that the provision of housing was an issue, particularly the affordability, type and availability of housing the issues connected to the number homes to be provided and where these should be located generated a large amount of interest. We propose to explore these issues further with our communities, businesses and stakeholders.
23. In the lead up to the publication of a draft of the Local Plan, continued engagement is essential to explore the options for the draft BCP Local Plan in more depth. This will inform our work on a preferred strategy. One of the principles of consultation that will be

tested by the Planning Inspectorate will be demonstrating that the views of a wide cross-section of our communities have been incorporated in the plan-making process. Whilst further engagement will add time to the local plan production it is considered vital to develop a plan that, as far as possible, is done in collaboratively with our communities.

24. Respondents to the Issues and Options consultation were typically aged between 35-84 years. These respondents made up 90% of responses but only equate to 57% of the BCP Council area population. Continued engagement is therefore needed to ensure feedback from harder to reach groups.

25. It is also important to highlight that while responses were received from across the BCP area (illustrated below) they were not distributed evenly geographically. This is demonstrated when comparing the populations of electoral wards as percentages of the total BCP Council area population against the responses per ward as percentages of the total respondents. Nine wards were overrepresented in the survey to varying degrees including Bearwood & Merley, Burton & Grange, Commons, Mundeford, Stanpit & West Highcliffe, Muscliff & Strouden Park, Talbot & Branksome Woods, Christchurch Town, West Southbourne, and Poole Town. The most overrepresented ward is Bearwood & Merley which hosts 3% of the BCP Council area population but represents 14% of the total survey responses. In contrast Boscombe West represents <1% of the survey responses despite hosting 3% of the BCP Council area population. Bournemouth Central and Canford Heath each represent 4% of the BCP Council area population but each represent 1% of survey respondents. The ongoing engagement can therefore help ensure the views of all our communities are represented.

Distribution of respondents to the Issues and Options survey



26. Some concerns were raised during the Issues and Options consultation around the extent of the digital engagement methods. The engagement approach resulted from the

covid situation and restrictions in place at the launch of the consultation. However, these concerns are recognised and for the next stages of plan preparation a variety of engagement methods will continue to be used. Further, face-to-face engagement will be an important component of our ongoing approach. It is proposed that this will include a series of face-to-face community workshops to help facilitate the co-production of a preferred approach for the draft Local Plan. These events will be used to:

- Communicate the findings of the Issues and Options Consultation
- Provide information about the process and statutory requirements of a Local Plan
- Feedback on the findings of our evidence gathering
- Work with communities to explore options and develop preferred options

27. Digital tools will remain important and are likely to be useful in capturing the views of younger people. The workshops will therefore be supplemented with online engagement tools, targeted engagement of underrepresented groups, specific stakeholder meetings and ward member engagement sessions.

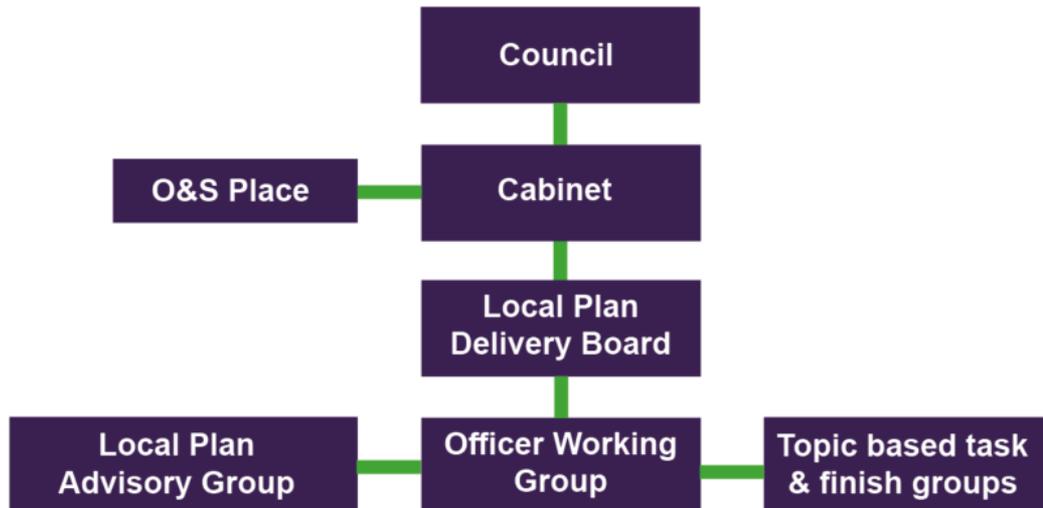
Local Plan governance

28. As part of the ongoing engagement approach set out above, a series of workshops with Councillors will be set up. It is proposed that a structured series of officer topic based task and finish groups will also be established to feed into an Officer Working Group.

29. Under the current governance arrangements, a cross-party member Local Plan Working Group provides political oversight of the local plan process, operating under the Overview and Scrutiny Committee. This cross-party approach has had a positive role in the Local Plan preparation. It is therefore proposed to continue with a cross party forum to debate various issues and topics that form part of the Local Plan, making recommendations on the proposed content of the Local Plan. It is proposed that the Local Plan Working Group is renamed as the Local Plan Advisory Group with updated terms of reference to inform the Officer Working Group. For continuity it is suggested the current Chair of the Local Plan working group continues as Chair of the Local Plan Advisory Group.

30. A member Local Plan Delivery Board will be set up to provide the overarching direction on the Local Plan process and to ensure the Local Plan is delivered to the timetable. It is proposed that the Delivery Board would be made up of senior officers, cabinet members and the Chair of the Local Plan Advisory Group. The proposed new structure is set out below:

Proposed Local Plan Governance Structure



Options Appraisal

31. The Council has a statutory duty to publish and maintain an up-to-date LDS. The timeline sets out within the LDS is challenging but deliverable. We will continue to review and adapt the timetable as necessary to ensure that community engagement is at the heart of our approach. We could work towards publishing a draft of the Local Plan earlier than is set out, at the beginning of 2023. This would then bring forward the submission, examination, and adoption dates. However, to meet this deadline would mean that the community engagement planned for this year would not be able to take place. As a result, communities would not benefit from further involvement in the plan making process. It is therefore not recommended to proceed with this as an alternative.

Summary of financial implications

32. Preparation of the Local Development Scheme is met within existing budgets. When preparing the development plan documents, additional costs will be incurred for example through specialist consultant fees, examination costs and printing.
33. There is approximately £484,000 of funding in place from legacy budgets for plan preparation. No additional financial request is made at this stage, but this will need to be kept under close review as the project progresses to ensure sufficient resources remain in place to ensure the project is delivered on time.

Summary of legal implications

34. Failure to have in place an up-to-date LDS could result in planning documents being found unsound at examination. Section 15 of the 2004 Planning and Compulsory Purchase Act (as amended by the Planning Act 2008 section 180 and the Localism Act section 111) state that a local planning authority must prepare and maintain an LDS. Recent amendments under the Housing and Planning Act 2016 and Neighbourhood Planning Act 2017 also make provision for the Secretary of State to prepare an LDS for Local Councils who do not have one in place and then direct that the LDS is brought into effect.

35. The formation of BCP Council was the subject of consequential orders set by national government. These required that the Council has in place a local plan for the BCP area by 2024.

Summary of human resources implications

36. Following recent recruitment there are sufficient staffing resources to support preparation of the plan as set out in the LDS. The ability to meet the LDS timetable would however be affected by reduction in staff, the deflection of resource to support other planning activity, for example neighbourhood plans, and/or local plan evidence base budget.
37. The operation of the Local Plan Advisory Group and Local Plan Delivery Board will require additional support from democratic services and planning staff.

Summary of environmental impact

38. The LDS and proposed arrangements for the Local Plan production do not have any direct sustainability impacts. However, as the LDS facilitates the preparation of a Local Plan there will be a series of potential impacts on the environment through the adoption of a new strategic planning policy framework for the BCP area. The Local Plan will be subject to testing by way of Sustainability Appraisal and Habitats Regulation Assessment.

Summary of public health implications

39. The LDS and proposed arrangements for the Local Plan production do not have any direct public health impacts. However, as the LDS facilitates the preparation of a Local Plan there will be a series of potential impacts on the health and wellbeing agenda through the adoption of a new strategic planning policy framework for BCP Council.

Summary of equality implications

40. The revised LDS will ensure a Local Plan is in place by the end of 2024. The Local Plan itself will include a variety of policies some of which have the potential to impact on groups with protected characteristics. The timeline results in these policies not being adopted until 2024 and therefore could potentially have negative impacts on some groups with protected characteristics. However, the further engagement proposed provide the opportunity for these groups to be more involved in the process, ensuring better overall outcomes through the local plan strategy and policies.
41. Each stage of the plan will be subject to a detailed Equalities Impact Assessment to ensure emerging policies are suitably framed to consider the impacts on groups with protected characteristics.

Summary of risk assessment

42. Failure to have in place an up-to-date LDS could pose a risk to the timely delivery and adoption of the BCP Local Plan, which will have consequences for delivery of Council objectives. In particular, the ongoing lack of a single up to date Local Plan and lack of existing five year housing land supply could result in planning applications having to be decided, either by the Council or at appeal, outside the framework of an up-to-date plan.

43. In this regard, the Council is required to provide a five-year land supply of housing against the housing requirement set out in adopted strategic policies, or housing need as set out by the governments standard methodology. As the existing local Plans for the Bournemouth and Christchurch areas are no longer up to date the government's methodology is the basis for determining the housing requirement. The Poole Local Plan remains up to date and is the starting point for determining the housing requirement. However, the Council is unable to demonstrate a five-year supply of deliverable housing sites in any of the legacy areas. As a result, the existing plans are considered out of date and the presumption in favour of sustainable development applies. The Council currently therefore must give the provision of new homes significant weight when considering planning applications. The provision of the BCP Local Plan will set a housing requirement for the BCP area against which the 5-year housing land supply position will be calculated.
44. Any reduction in planning staff working on the Local Plan will impact on its timely delivery. This can be mitigated by ensuring sufficient staff resources and plan preparation budget remain available to support the lifetime of the project.
45. The Levelling Up and Regeneration Bill is proceeding through Parliament. Depending on the progress and emerging detail relating to provisions in the Bill could have an impact on the Local Plan timetable. This will be kept under review.
46. The May 2023 local government elections are likely to have an impact on the evolving content of the Local Plan. Ensuring cross party involvement through specific all member briefings and the implementation of the cross-party Local Plan Advisory Group will help to ensure all members are informed of the requirements, evidence and decision making in relation to the Local Plan. The pre-election period will prevent consultation activities taking place.
47. Any requirement for a further additional stage of consultation beyond those detailed in the LDS will delay the production of the Local Plan and as a result the timetable set out in the consequential order will not be met.

Background papers

Issues and Options Consultation Report [Local Plan Consultations \(bcpcouncil.gov.uk\)](https://bcpcouncil.gov.uk)

Appendices

Appendix 1 – BCP Council Local Development Scheme

Appendix 2 – Issues and Options Consultation Report Executive Summary