



# Factsheet: Local Plans (clause 6 – 11)

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## What are Local Plans?

Local Plans, prepared by a local planning authority in consultation with its community, set out a vision and a framework for the future development of an area. Once in place, Local Plans become part of the statutory development plan. The statutory development plan for the area is the starting point for determining local planning applications.

## What is the policy hoping to achieve and where are we now?

The Government wants to see all parts of England covered by an up to date Local Plan. The majority of local planning authorities (over 70%) have an adopted Local Plan<sup>1</sup>. However, more than a decade since the existing system was introduced, over a quarter of local planning authorities do not have an adopted Local Plan and almost 30% of local planning authorities with an adopted Local Plan have a plan that is more than five years old. Of these authorities only 12 have published a review of their Local Plan.<sup>2</sup>

The Government committed to bringing forward proposals to streamline the production of Local Plans<sup>3</sup>. In September 2015, a group of experts (the Local Plans Expert Group) was commissioned to make recommendations in this area. The Group reported in March 2016 and the recommendations were opened up to public comment.

The Government has considered the report by the Local Plans Expert Group and agrees with the central thrust of their recommendations. Most of these recommendations do not require primary legislation, however those that do have informed the measures in the Bill. The measures in the Bill will:

- Ensure each local planning authority in England has a development plan document(s) that set out policies to address the strategic priorities for development of the area.
- Enable the Secretary of State to require local planning authorities to review local development documents at prescribed intervals.
- Allow for better collaboration across geographic boundaries by enabling the Secretary of State to direct two or more local planning authorities to prepare a joint development plan document where there is a clear case for doing so.
- Supplement the powers already available to the Secretary of State to intervene in plan making to enable a county council to be invited to prepare or revise a Local Plan as a more local alternative to the Secretary of State intervening more directly.
- Enable the publication of data standards that local development schemes and documents must comply with in order to promote easier engagement in plan making and stimulate innovation.
- Encourage more communities to work with their local planning authority to shape development in their area by requiring local planning authorities to set out how they would involve communities in the work they do in the early stages of plan making.

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<sup>1</sup> The Local Plans referred to are development plan documents adopted or approved under the 2004 Act that set the strategic planning policies for a local planning authority's area.

<sup>2</sup> Figures as at 31 December 2016. This information is updated as plans complete the examination process, and when the Planning Inspectorate receives updates from local planning authorities on publications and adoptions.

<sup>3</sup> Fixing the Foundations: Creating a more prosperous nation, HMT July 2015

## Why is legislation needed?

The Local Plans Expert Group made recommendations to how the production of Local Plans could be streamlined. The Government agrees with the central thrust of their recommendations and have concluded that most of the recommendations do not require primary legislation. Those that do require primary legislation have informed the measures in the Bill.

## How do we see this working in practice?

Measures in the Bill aim to underline the importance of Local Plans and will ensure that their production is given the necessary priority by introducing a requirement for each local planning authority in England to have a development plan document(s) that set out policies to address the strategic priorities for development of their area. It will be for local planning authorities, with their communities, to identify the strategic priorities and plan for these accordingly, having had regard to national policies and guidance.

We propose to set out in regulations a requirement for local planning authorities to review (and if necessary update) their local development documents at least every five years. This would ensure that plans respond to changing circumstances, to ensure for example, that authorities continue to plan for the housing needed in their area. Having reviewed their documents, it will be for a local planning authority to decide whether the document should be revised. If they are content that a document does not need to change then they must publish their reasons.

A joined-up plan making process where local planning authorities work together, and where key decisions are taken together, will provide communities with certainty, clarity and a plan for delivering the housing and other development and infrastructure they need. The Government does not anticipate that the power to direct local planning authorities to prepare a joint plan will be used frequently. Where authorities are directed to prepare a joint plan, the local planning authorities will work together to prepare the plan. The authorities will then each decide whether to adopt this joint plan.

It is proposed that a county council will only be invited to prepare, revise or approve a Local Plan if the local planning authority has failed to progress their plan and it is a viable and more local alternative to the Secretary of State intervening more directly.

The Government wants to work with local planning authorities and others to establish data standards (designed to meet Open Data principles<sup>4</sup>) for the data held in local development documents<sup>5</sup>. This would involve working with local planning authorities and others to define and develop new ways of communicating planning data. The outcome of this would be a detailed data schema (that defines the format and structure of data). Data standards would ensure the publication of data in a consistent format, allowing datasets to be aggregated and compared more easily. Once published the data standards would open the way for individuals and organisations to reliably combine and compare different authorities' planning information to generate new products and services that can improve the accessibility of plans to local people.

## How can I find out more?

- In September 2015 the Government commissioned the Local Plans Expert Group to consider how local plan-making can be made more efficient and effective. The Group's report (April 2016) can be found at: <http://peg.org/>.

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<sup>4</sup> A definition of open data can be found here: <https://www.gov.uk/service-manual/technology/open-data.html>

<sup>5</sup> Local development documents comprise: development plan documents; Statements of Community Involvement; and any Supplementary Planning Documents.

- Our reforms in the Housing and Planning Act 2016 allow targeted intervention in Local Plans, and keeps decision making local wherever possible while still ensuring plans are in place. Details can be found at: <http://www.legislation.gov.uk/ukpga/2016/22/enacted>.

### **Key questions & answers:**

#### **Q. What are the strategic priorities that local planning authorities must have policies to address in a Local Plan?**

- It is for local planning authorities, with their communities, to identify the strategic priorities for the development and use of land in their area. They must plan for these accordingly, and in doing so they must have regard to national policies and advice. The National Planning Policy Framework sets out the Government's expectation that local planning authorities should set out strategic priorities for their area in a Local Plan and what such strategic policies should address.

#### **Q. How often will local planning authorities be required to review their local development documents?**

- The Government proposes setting out in regulations a requirement for local planning authorities to review (and if necessary update) their local development documents at least every five years. Respondents to the recent consultation<sup>6</sup> strongly supported this proposal in relation to statements of community involvement. Five years is also consistent with our current expectation (as set out in the National Planning Policy Framework and planning practice guidance) that Local Plans should be reviewed in whole or in part to respond flexibly to changing circumstances and are likely to require updating in whole or in part at least every five years.

#### **Q. What do the proposals mean for residents' participation in the Local Plan process?**

- The measures in the Bill would not compromise effective community engagement. Joint plans prepared following a direction by the Secretary of State and a Local Plan prepared or revised by a county council will be subject to the same legal requirement to consult the public and others, along with the right to make representations on the plan. These provide a strong framework for protecting rights of public participation and would remain unchanged.

#### **Q. Will directing local planning authorities to prepare a joint plan make a difference?**

- Joint plan-making can be an effective means of addressing cross-boundary issues, sharing specialist resources and reducing costs (e.g. through the formation of a joint planning unit). Already, over 60 authorities across England are working through formal or informal arrangements to plan for their cross boundary strategic planning matters.

#### **Q. Will the Bill measures result in the Government taking responsibility for plan making away from local planning authorities?**

- The Government believes that local planning authorities are best placed to plan for their area. We want local planning authorities to arrive at the most appropriate approach to plan-making in their area to meet housing needs, including joining together to prepare a joint plan. But we cannot stand by where the alternative is risking delaying or even preventing the delivery of the housing which is so urgently needed.

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<sup>6</sup> [Implementation of neighbourhood planning provisions in the Neighbourhood Planning Bill, DCLG, September 2016](#)



**Q. Will county councils have the skills and resources to produce a Local Plan?**

- County councils are directly accountable authorities, with the knowledge and understanding of the development needs of their areas. In addition to their current plan-making responsibilities they will be familiar with the planning of their area as a statutory consultee in the Local Plan process. County councils' wider responsibilities also put them in a strong position to understand the drivers that will inform plan-making in an area. For example they are responsible for infrastructure that supports housing and businesses and is central to the development of ambitious yet deliverable plans. Where a county council is invited to prepare a plan the county council must be reimbursed by the authority, for any expenditure where they prepare a plan.

**Q. What are the new data standards and how will it make a difference?**

- The data standards will comprise technical specifications for how information (data) in a local development scheme or document is to be published. This in turn will facilitate the use and re-use the planning information, for example to generate new products and services. There are examples of where new technology has improved engagement with communities on local planning matters, for example through innovative approaches allowing ready access to site allocations, and environmental and heritage designations. A consistent format for planning data will reduce fragmentation that can raise the cost of dealing with public sector information and, in some cases, deter potential users from engaging with public sector information altogether.

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