

**Bath and North East Somerset Council
Mendip District Council**

Bath and North East Somerset Local Plan Partial Update (Regulation 19 Draft Plan)

Statement of Common Ground

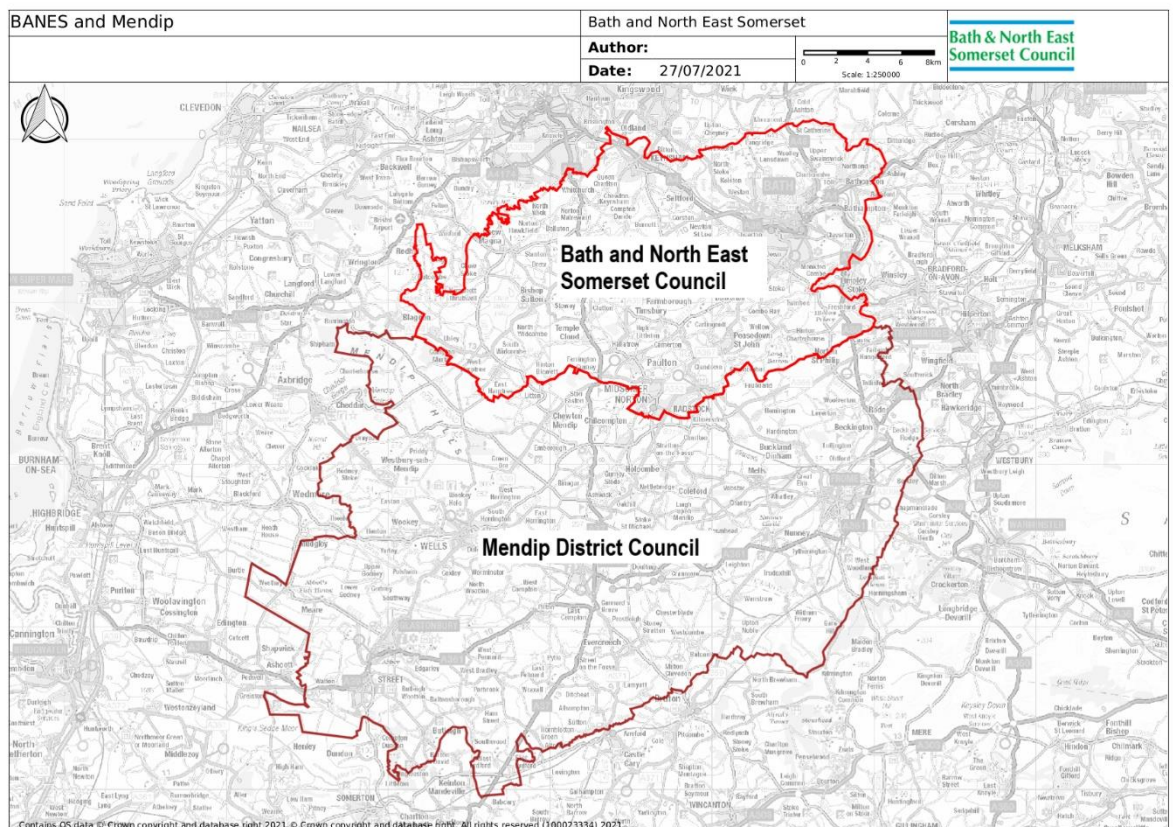
18th August 2021

**Bath & North East
Somerset Council**

Improving People's Lives

1. Introduction and Context

- 1.1 This statement of common ground is entered into between Bath & North East Somerset Council and Mendip District Council (MDC) regarding the Bath and North East Somerset (B&NES) Council Local Plan Partial Update (LPPU). It includes details of liaison between the Local Authorities on strategic matters as relates to the LPPU that cross the boundary between the authorities as shown on the map below. Ongoing liaison is taking place with Mendip District Council on the West of England Combined Authority Spatial Development Strategy (which includes the B&NES local authority area) and B&NES New Local Plan.
- 1.2 Mendip District Council's Local Plan Part II is currently awaiting the Inspectors Examination Report and Adoption. The Mendip Plan Review 2020-2040 proposes to review strategy and policies in the Local Plan Part 1, incorporate the adopted Local Plan Part II and review strategic policies for Mendip. The direction of the Plan Review and its timetable will be affected by the outcome of the unitary proposals for Somerset.



- 1.3 There are links between the two local authority areas, including environmental, transport, economic and housing considerations. B&NES Council is a unitary authority and Mendip a District Council with some matters, including highways falling under Somerset County Council as Local Highway Authority.
- 1.4 In order to address a range of urgent issues in Bath and North East Somerset, including the climate and ecological emergency, B&NES Council is preparing a partial update of the Core Strategy and Placemaking Plan (which together comprise

the Local Plan). As this is a partial update to the existing Plan, and not a new Plan, the scope of the changes are confined to those areas that can be addressed without significantly changing the strategic policy framework of the adopted Plan and include: updating policies in order that they better address the climate and ecological emergencies, replenishing housing supply and addressing a limited range of other urgent local issues.

- 1.5 The current development plan documents (excluding waste and minerals and neighbourhood plans) for Bath and North East Somerset Council and Mendip District Council comprise the following:

Bath & North East Somerset Council	Mendip District Council
Bath and North East Somerset Placemaking Plan (July 2017)	Local Plan Part I: Strategy and Policies (2014)
Bath and North East Somerset Core Strategy (July 2014)	Saved policies:
Saved policies:	Mendip District Local Plan (2011)
Bath & North East Somerset Local Plan (2007)	
	<i>Note: Mendip District Council Local Plan Part II: Sites and Policies is awaiting Inspectors Examination Report and Adoption.</i>

- 1.6 There was liaison between B&NES Council and MDC under the Duty to Cooperate as relates to the development of the B&NES Core Strategy and B&NES Placemaking Plan as evidenced by the B&NES examination documentation for the Core Strategy and Statement of Compliance with the Duty to Cooperate for the Placemaking Plan. There has been further liaison on Mendip Development Plans.
- 1.7 A full review of the B&NES Local Plan will be undertaken (B&NES New Local Plan) alongside the West of England Combined Authority (WECA) Spatial Development Strategy (SDS) and this will need to take appropriate account of the strategic planning issues facing the wider Bristol sub-region. This will include the need to plan for additional homes, jobs, green and other infrastructure above and beyond the Partial Update and liaison will continue with MDC on these matters.
- 1.8 As set out above, the Mendip District Council Local Plan Part II: Sites and Policies is currently awaiting Inspectors Examination Report and Adoption. Officers are working on the scope of a Single Plan Review (Mendip Plan Review 2020-2040). Formal commencement has been paused on the Review pending the outcome of potential local government reorganisation in Somerset, before determining the way forward.
- 1.9 Immediate priorities include addressing constraints on highway capacity around Frome, a Somerset phosphates mitigation strategy, development of a Mendip District Design Code, a review of developer obligations and standards to progress Mendip's climate change commitment and testing of options for future sustainable housing growth in towns and villages.

- 1.10 The timetable for plan-making in the two authorities are set out in the authorities' published local development schemes and those in place at the time of writing are here: [B&NES Council LDS](#) and [Mendip District Council LDS](#) It is noted the Mendip timetable has been delayed and will be affected by the outcome of the unitary proposals for Somerset.

2. Governance Arrangements

- 2.1 Cooperation in relation to strategic policy making takes place through planning officers liaison and meetings. Details of liaison in respect of the B&NES LPPU and senior officers are set out below.

Local Authority	Name (lead contact)	Role
Mendip District Council	Andre Sestini	Principal Planning Officer
Bath & North East Somerset Council	Simon De Beer	Head of Planning
Bath & North East Somerset Council	Richard Daone	Deputy Head of Planning (Policy)

- 2.3 Record of main engagement activity.

Last updated: 2 August 2021

Date	Activity log	Participation
8.1.21	Letter outlining scope of LPPU, consultation details and key areas for DtC engagement.	RD, AS
2.3.21	Mendip District Council response to B&NES LPPU (Reg 18) consultation.	AS
21.6.21	B&NES Council and Mendip District Council Planning Officers Meeting.	SDB, RD, AS
4.8.21	Consultation/liason on Draft SoCG with Mendip District Council Planning officers.	AS
25.8.21	Letter of engagement regarding consultation on the pre-submission Draft Plan under Reg 19. This will be followed up by means of a Planning Officers Meeting.	RD, AS

3. Strategic Planning Matters

- 3.1 Meetings provided the opportunity for B&NES Council to update on the B&NES Local Plan Partial Update and WECA SDS and Mendip District Council on the progress of the Mendip District Council Local Plan Part II: Sites and Policies, examination matters and proposed Mendip Plan Review within the context of unitary proposals for Somerset, and to discuss opportunities for engagement in support of the Duty to Cooperate. In the LPPU [Commencement Document](#) B&NES Council outlined the purpose and scope of the LPPU and the approach to engagement on any cross boundary, strategic issues that arise in its preparation.
- 3.2 Mendip District Council responded to the B&NES LPPU Reg 18. consultation (Options Document) and raised concerns in terms of the partial update approach and

timetable. They further set out that in terms of proposed amendments relating to Policy SSV9 Somer Valley Enterprise Zone and policies within the Somer Valley Area to facilitate additional development (mainly commercial), that whilst MDC do not object to the proposals and continue to support the opportunity at the Somer Valley Enterprise Zone (SVEZ), they consider that the wider implications and cross-boundary impacts of the proposed approach to the SVEZ require robust assessment. MDC further confirmed that they support engagement on cross-boundary infrastructure and other considerations, building on discussions in relation to their Local Plan Part 2 Examination.

- 3.3 In relation to the SVEZ it is important to note that in addition to the policy amendments proposed in the LPPU the Council is preparing a Local Development Order (LDO). The SVEZ LDO will, upon its approval, effectively be a granting of planning permission for development within the SVEZ meeting specified parameters. The LDO is intended to help facilitate investment in and delivery of the SVEZ by addressing planning risks and creating greater certainty. Through work on the LDO greater detail in respect of the proposed development, uses and infrastructure improvements will be assessed and established. This will enable implications on the MDC area to be better considered. It is proposed that MDC be engaged in and consulted upon the LDO, including the process of B&NES Council determining and approving it.
- 3.4 In discussions, MDC confirmed that their comments on Reg 18. consultation were not objections, rather that they were seeking clarity on the purpose and scope of LPPU. Following further officers discussions, MDC are content with the proposed way forward on and scope of the LPPU.
- 3.5 In March 2019 B&NES Council declared a Climate Emergency, resolving to provide the leadership enabling the Bath and North East Somerset area to be carbon neutral by 2030. In July 2020 the Council declared an Ecological Emergency resolving to work with partners locally and regionally to drive coordinated leadership and collaborative action. Mendip District Council declared a Climate and Ecological Emergency in February 2019, pledging to make best endeavours to enable the district to be carbon neutral by 2030 and to continue to work with partners across the district and region to deliver this goal through all relevant strategies and plans.
- 3.6 The B&NES LPPU includes proposed policy amendments and new policy to support the climate and ecological emergency under the Responding to Climate Change, Nature Conservation and Green Infrastructure Chapters of the B&NES Local Plan. The Councils will look to continue to liaise on potential green infrastructure links and ecological networks between the local authority areas to support health and well-being of communities and nature recovery in further support of the climate and ecological emergency.
- 3.7 MDC in collaboration with other Somerset Local Planning Authorities (LPAs), is embarking on a comprehensive assessment of renewable energy generation potential. MDC supports the overall intention of the LPPU to facilitate an increased level of renewable energy generation and meet net zero carbon goals and there are opportunities to look at energy generation across a wider catchment area with Mendip and to create a policy approach that is proactive and forward-looking. There remains the opportunity to do this through both authorities' preparation of their respective replacement Local Plans. MDC highlighted the need to maintain dialogue on landscape sensitivity/potential work across the local authority areas. This aspect of cross boundary engagement is also relevant to the West of England Combined Authority (WECA) as a Renewable Resource Assessment Study (RERAS) has been

commissioned jointly by WECA, B&NES, North Somerset and South Gloucestershire Councils. RERAS has been commissioned in order to help inform the WECA SDS and the three authorities' new Local Plans.

- 3.8 B&NES and MDC are sharing landscape sensitivity/potential assessment work covering their respective areas. Further, it is proposed that the renewable energy policy approach responding to this evidence, as well as the RERAS, is a strategic cross boundary issue on which ongoing engagement will take place in preparing the B&NES new Local Plan and Mendip Plan Review (2020-2040).
- 3.9 It is proposed to take forward site allocations within the Partial Update to replenish B&NES housing supply. As set out in a letter from B&NES Council to Mendip District Council, a key issue for discussion was proposed changes to the B&NES housing land supply with B&NES looking to identify an additional supply capable of accommodating around 1,200 new homes. In preparing the options for consultation, B&NES took account of previous discussions and Mendip's conclusion that it is not able to accommodate any of the identified B&NES housing need. As such through the LPPU, B&NES is meeting in full its identified housing need (as established via the Core Strategy housing requirement). Mendip District Council is supportive of this approach.
- 3.10 Proposed amendments to strategic and non-strategic industrial estates policies in the B&NES LPPU emphasise the importance of local employment opportunities to support the climate emergency and encouraging sustainable transport options such as walking and cycling to work across the district.
- 3.11 Proposed transport policy amendments within the B&NES LPPU reflect the Council's Climate and Ecological Emergencies and the ambition to achieve carbon neutrality by 2030. B&NES Council declared three priorities to achieve the carbon neutrality, including 'a major shift to mass transit, walking and cycling to reduce transport emissions.' Proposed policy amendments focus on sustainable travel, providing genuine travel choice and reducing car dependence, all supporting a reduction in carbon emissions. There is also an increased recognition of the importance of location and design in the sustainability of development.
- 3.12 A Statement of Common Ground has been prepared between B&NES Council and Somerset County Council relating to highways matters and it has been agreed by all parties that in terms of highways considerations, there is no severe cumulative impact that arises from the B&NES Local Plan Partial Update on the Mendip administrative area.

4. Statement Review and Update

- 4.1 This Statement of Common Ground (SoCG) is an iterative document, drafted at this stage for the purposes of the B&NES Local Plan Partial Update. Engagement and discussions will also inform the preparation of the Councils' respective Local Plans. This engagement will be recorded in future iterations of the SoCG. While at this time there are no specific issues that cannot be agreed identified from the Partial Update it will be important that discussion of cross boundary issues continue under the Duty to Cooperate and inform further development of the local authorities development plans.


4.2 In the event that there are any changes in circumstances from those outlined in this SOCG, then these will be brought to the attention relevant officers and Members and any amendments will be agreed accordingly.

6. Signatories

6.1 This version of the statement of common ground is agreed on 19th August by Bath and North East Somerset Council and Mendip District Council.

Signed  _____

Cllr Tim Ball, Cabinet Member for Planning and Licensing
On behalf of Bath and North East Somerset Council


Signed _____

Cllr Garfield Kennedy, Cabinet Member for Planning and Development Management
On behalf of Mendip District Council