Bath & North East Somerset Council

Improving People's Lives

Bath and North East Somerset Local Development Scheme 2022 - 2025



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1. INTRODUCTION

The Local Development Scheme

- 1.1 The Planning and Compulsory Purchase Act 2004 as amended by the Localism Act 2011, requires all local planning authorities to prepare and maintain a Local Development Scheme (LDS). The LDS is a timetable for the production of the Local Plan, Development Plan Documents and Supplementary Planning Documents that the Council is preparing, or intends to prepare. These documents are known collectively as Local Development Documents (LDDs). It is the starting point for residents and stakeholders to find out what planning policies relate to their area and how these will be reviewed.
- 1.2 A review of the LDS is warranted by the need set out revised programmes for Local Plan preparation. This Local Development Scheme will come into effect in September 2022.

A Glossary of terms used in this document is set out at Appendix C

Local Development Framework

- 1.4 The Local Development Framework comprises a portfolio of locally prepared planning documents (Local Development Documents). It also includes related documents such as the Authority's Monitoring Report (AMR) and the Statement of Community Involvement (SCI).
- 1.5 Local Development Documents (LDD) include:

Development Plan Documents (DPD). These set out the Council's adopted policies and proposals and have development plan status and therefore have full weight in the determination of planning applications. They will be subject to community involvement and Sustainability Appraisal/Strategic Environmental Assessment throughout their preparation and will be subject to independent examination. They include Local Plans and Neighbourhood Plans. The Policies Map illustrates geographically the Local Plan policies.

Supplementary Planning Documents (SPD): Supplementary Planning Documents do not have statutory Development Plan status but are useful in providing more detailed guidance and support for policies and proposals in Development Plan Documents. They are quicker to prepare as they are not subject to independent examination. Whilst they supplement adopted policy and constitute a material consideration in the determination of planning applications they cannot be used to formulate planning policy or designate sites. They will however be subject to community involvement and where appropriate Sustainability Appraisal during preparation.

Local Development Framework at a glance

Local Development Documents (LDD):					
Development Plan Documents (DPD)					
Supplementary Planning Documents (SPD)					
Neighbourhood Plans (NP)					
Statement of Community Involvement (SCI)					

Authority's Monitoring Report (AMR)

The Development Plan for Bath & North East Somerset

- 1.6 Section 38(6) of the Planning and Compensation Act stipulates that planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. This gives considerable weight to Development Plan Documents.
- 1.7 With the adoption of the Core Strategy in July 2014 and adoption of the Placemaking Plan in July 2017 the Development Plan for Bath and North East Somerset comprises:

The B&NES Development Plan September 2022

Document	Description
Bath & North East Somerset Core Strategy adopted July 2014	The Core Strategy sets out the policy framework for the location and level of new housing and other development and includes four Strategic Site Allocations. It forms Part 1 of the Local Plan 2011 - 2029.
Bath & North East Somerset Placemaking Plan adopted July 2017: - Volume 1 - District-wide Strategy and Policies - Volume 2 - Bath - Volume 3 - Keynsham - Volume 4 - Somer Valley - Volume 5 - Rural Areas - Volume 6 - Appendices	The Placemaking Plan complements the Council's Core Strategy and forms Part 2 of the Local Plan 2011 - 2029. It is a six volume document focussed on creating the conditions for better places, and on providing greater clarity to enable the right developments to be delivered. It allocates a range of sites for development for a variety of uses; facilitates the delivery of key sites with planning requirements; sets out development management policies which will be used to determine planning applications; and safeguards and enhances the quality and diversity of places in Bath and North East Somerset. Some policies in the Placemaking Plan superseded some policies in the Core Strategy under the Town & Country Planning Regulations 2012 8(5).
Bath & North East Somerset saved Local Plan (2007) Policies: - Policy GDS.1 Site allocations and development requirements (policy framework) - Policy GDS.1/K2: South West Keynsham (site) - Policy GDS.1/NR2: Radstock Railway Land (site)	Four part implemented sites allocations and their respective development requirements have not been replaced by the Core Strategy or the Placemaking Plan and therefore remain 'saved'. This is to ensure the remaining development of each site takes place in accordance with the site requirements. These policies are reproduced in full in Volume 6 of the Placemaking Plan (Appendix 1, Table 2)

 Policy GDS.1/V3: Paulton Printing Factory (site) Policy GDS.1/V8: Former Radford Retail System's Site, Chew Stoke (site) 	
Joint Waste Core Strategy DPD (JWCS) adopted March 2011	The JWCS sets out the waste planning strategy for the West of England, addressing the planning aspects of the waste hierarchy promoting waste minimisation, recycling/ composting, recovery and disposal.
The Policies Map (previously known as the Proposals Map)	This illustrates all the allocations and designations set out in the DPDs. It will be revised as each new DPD is adopted where there are allocations or designations. The existing Local Plan Policies Map will be amended to give geographical expression to the Core Strategy and the Placemaking Plan. Proposed amendments to the Policies Map will be publicised alongside the appropriate DPD.
Neighbourhood Plans	Ten Neighbourhood Plans have been made and form part of the Development Plan; Chew Valley, Claverton, Clutton, Englishcombe, Freshford & Limpley Stoke, Publow & Pensford, Stanton Drew, Stowey Sutton, Westfield and Whitchurch Village. Freshford Village Hall Community Right to Build Order

- 1.8 In addition to the ten made (adopted) Neighbourhood Plans and one Community Right to Build Order in B&NES. There are a number of neighbourhood plans currently under preparation. 4 communities are currently working on their Neighbourhood Plans and 5 communities are designated as Neighbourhood Areas.
- 1.9 Emerging DPDs will carry weight as set out in the NPPF Annex 1.

Other related planning documents

- 1.10 Other key planning related documents the Council is required to produce are a Statement of Community Involvement, a Monitoring Report and a Policies Map as explained below.
- 1.11 Local planning authorities must set out in their Statement of Community Involvement (SCI) how they will engage communities on the preliminary stages of plan-making. The SCI helps to ensure that the Council is in a position to respond to the Localism agenda efficiently and coherently. This will enable communities to understand the range of opportunities to interact with and take an active role in planning in their locality.
- 1.12 The Neighbourhood Planning Protocol (NPP) incorporates the Statement of Community Involvement (SCI) which was adopted in September 2012 and revised in 2014. Following the consultation in April 2020, the revised SCI will be adopted in September 2022.
- 1.13 The SCI outlines the ways communities can get involved in planning issues. This includes:
 - Community involvement in Planning Applications
 - Heritage Assets
 - Community involvement in Planning Policy
 - Neighbourhood Planning
 - Protection of Trees
- 1.14 The **Authority's Monitoring Report** (AMR) assesses whether plan production is on target and the extent to which policies in local development documents are being implemented. It monitors key data such as housing completions, growth in office space and losses in industrial space. The AMR is published annually and is based upon the period 1st April to 31st March each year. The Council is also required to publish for each financial year an **Infrastructure Funding Statement** (IFS). The IFS sets out the types of infrastructure the Community Infrastructure Levy (CIL) will be allocated to fund, the amount of funds collected from CIL and Planning Obligations and how these funds have been spent to support infrastructure provision.

Bath & North East Somerset's Local Development Framework

Local Development Documents Current

Development Plan Documents

- Core Strategy (2014)
- Placemaking Plan (2017)
- Saved policies from the Local Plan (2007)
- Joint Waste Core Strategy (2011)
- B&NES Policies Map

Supplementary Planning Documents

See Annex A for full list

Other documents

- Authority's Monitoring Report
- Statement of Community Involvement
- Community Infrastructure Levy
- Infrastructure Delivery Plan
- Infrastructure Funding Statement

Local Development Documents Under preparation/Review

Development Plan Documents

- Local Plan (Core Strategy and Placemaking Plan) Partial Update
- Neighbourhood Plans
- New Local Plan

Supplementary Planning Documents

- Planning Obligations SPD (limited review)
- Planning Obligations SPD (full review)
- Biodiversity Net Gain SPD
- Transport and Development SPD
- Sustainable Construction Checklist SPD

Sub-Regional Plan

 Spatial Development Strategy (currently halted)

2. LOCAL DEVELOPMENT FRAMEWORK PRODUCTION 2022-2025

Progress

Development Plan Documents

- 2.1 The **Core Strategy** (adopted July 2014) sets out the long term strategic planning framework for Bath & North East Somerset and includes a spatial vision and spatial objectives looking ahead to 2029. The Core Strategy forms **Part 1 of the Local Plan 2011 2029** to comply with the NPPF requirement to produce a Local Plan (see below regarding the review of the Core Strategy).
- 2.2 The **Placemaking Plan** complements the Core Strategy and forms **Part 2 of the Local Plan 2011 2029.** The Placemaking Plan identifies development site
 allocations, reviews designations and makes changes to and introduces new
 Development Management policies. It sets out the development parameters for
 site allocations in the context of their surroundings. The Placemaking Plan was
 formally **adopted on 13 July 2017**.
- 2.3 The Council was previously preparing a new Local Plan (2016-2036) within the context of and to deliver the West of England Joint Spatial Plan (JSP). However, following the withdrawal of the JSP, preparation of the new Local Plan (2016-2036) was paused.
- Instead, the West of England Combined Authority (WECA) started to prepare a Spatial Development Strategy with B&NES, Bristol and South Gloucestershire. B&NES was due to undertake a full review of its Local Plan alongside the SDS and in general conformity with it. However, in May 2022, the WECA Mayor has decided to halt the preparation of the Spatial Development Strategy (SDS). Following the decision of the WECA Mayor to stop all work on the West of England Combined Authority Spatial Development Strategy, the Local Plans for Bath & North East Somerset, Bristol and South Gloucestershire will now provide the strategic planning framework for the WECA area. The issue of housing need will now be addressed through individual Local Plans for each of the Local Councils. The Councils will continue their longstanding history of joint working and cooperate with each other and with other key bodies on strategic, cross boundary matters as they prepare their Local Plans.
- 2.5 In the shorter term, following a review in 2019, a programme was established for changes to planning policies to respond to the Climate and Nature Emergency Declaration, regulatory changes such as the Environment Bill and a select number of other issues. These Priorities were included in the Council's reviewed corporate strategy. The Council's overriding purpose is to improve

people's lives and its core policies are addressing the climate and ecological emergency and giving people a bigger say. As **the Local Plan Partial Update** is an update to the existing Plan (Core Strategy and Placemaking Plan), and not a new Plan, the plan period was not altered (remains up to 2029) and the scope of the changes was confined to those areas that can be addressed without significantly changing the strategic policy framework of the adopted Plan i.e. the spatial priorities; the spatial strategy; or the strategic housing and job growth requirements in the Core Strategy & Placemaking Plan.

The scope of the Local Plan Partial Update (LPPU) was therefore, confined to:

- Updating policies in order that they better address the climate and ecological emergencies
- Replenish housing supply in order that the Core Strategy housing requirement can be met and the necessary supply of housing land maintained with an appropriate degree of flexibility
- Addressing a limited range of other urgent local issues e.g. related to the 'green recovery'
- Amending policies for clarity and to ensure they are aligned with up to date national policy
- 2.6 Following the public consultation on the Draft Plan under Reg19 for 6 weeks in August through to October and the submission in December 2021 for examination, the hearings to examine the soundness of the Plan were held in June and July in 2022. It is anticipated that the Local Plan Partial Update will be adopted in early 2023 following the receipt of the Inspector's report.
- 2.7 Along with the other West of England UAs (as referenced in paragraph 2.4 above), B&NES will now commence preparation of a **new Local Plan** for the District which will entail a full review of existing planning policies and proposals.
- 2.8 The LDF documents are supported by an Infrastructure Delivery Plan to ensure the strategic proposals are deliverable and aligned with infrastructure needs. Linked to this is the revised Planning Obligations SPD. Delivery of the Core Strategy and the Placemaking Plan are underpinned by the Community Infrastructure Levy (CIL) to address infrastructure funding issues and ensure growth happens in a planned way. The CIL will be updated alongside preparation of the new Local Plan.
- 2.9 The **Joint Waste Core Strategy** was adopted by the West of England Unitary Authorities in 2011 and, in conjunction with adjoining UAs, it will be reviewed in 2023 to ascertain whether any changes are necessary.
- 2.10 The **Travellers' Sites Plan** (formerly Gypsies, Travellers and Travelling Showpeople Site Allocations DPD) reached Preferred Options consultation stage

in July 2012. Further progress has been affected by a number of factors including further site assessment work needed; the requirement to work jointly with adjoining authorities (Duty to Cooperate) to ensure that all non-Green Belt options are fully explored; and changes to national policy. In addition, the 2012 accommodation needs assessment for B&NES is out of date and needs reviewing in light of the Housing and Planning Act 2016 (s124); the changes in the definition of 'traveller' in the revised 'Planning Policy for Traveller Sites' (August 2015); and the fact that a number of sites have recently been granted planning permission for traveller use. An updated evidence base will give a more accurate assessment of the need in B&NES. The requirements for gypsies, travellers, travelling showpeople and boat dwellers will be reviewed through the new Local Plan.

- 2.11 Neighbourhood Plans are being prepared by Neighbourhood Forums under the auspices of the Local Authority and once 'made' i.e. approved they will form part of the Development Plan. To facilitate this process, the Council prepared and adopted a Neighbourhood Planning Protocol 'My Neighbourhood' (NPP) which incorporates the Statement of Community Involvement (SCI) in September 2012 and updated in September 2014. The NPP is being reviewed and updated through preparation of a new SCI in order to ensure that it accords with national policy and legislation and reflects Council's current procedures. Following the consultation in April 2020, the revised SCI will be adopted in September 2022.
- 2.12 The current position on Neighbourhood Plans (NPs) within Bath and North East Somerset Council is summarised below:
 - Chew Valley, Claverton, Clutton, Englishcombe, Freshford & Limpley Stoke, Publow & Pensford, Stanton Drew, Stowey Sutton, Westfield and Whitchurch NPs have been 'made' (or adopted).
 - Batheaston, Keynsham and Midsomer Norton and Radstock Town
 Councils are currently working on their Neighbourhood Plans.
 - Bathampton, High Littleton & Hallatrow, Paulton and Timsbury Parish Councils are designated Neighbourhood Planning Areas and are at early stages of the process i.e. collating the evidence base for their plans / developing planning policies; or are not progressing their plans at this stage.
- 2.13 The Community Right to Build Order for the redevelopment of Freshford Village Memorial Hall has made in June 2021.

Supplementary Planning Documents

- 2.14 The **Planning Obligations SPD** is a key document in setting out a coordinated approach to securing contributions from development. It is a 'living document' and will be reviewed from time to time to take account of new information. In order to ensure that it is aligned with up-to-date policy, especially the Core Strategy and Placemaking Plan, it has been revised together with the new **Community Infrastructure Levy (CIL)**. The CIL and revised Planning Obligations SPD came into effect on 6th April 2015. This SPD was amended in relation to the provision of green space required to mitigate the impact of individual development proposals in August 2019. A further limited review is taking place alongside the Local Plan partial update and anticipated its adoption in November. A comprehensive review of the Planning Obligations SPD and CIL will take place alongside the preparation of the new B&NES Local Plan.
- 2.15 The Energy Efficiency Retrofitting and Sustainable Construction SPD was adopted in January 2022. It aims to provide simple, practical guidance on retrofit and sustainable construction for all building types whilst having regard to statutory legislation. It reflects on the current guidance from Historic England and follows the Climate Emergency declared by the Council. This new SPD combines the Sustainable Construction and Retrofitting SPD (2013) and Appendix the Energy Efficiency and Renewable Energy Guidance for Listed Buildings and Undesignated Historic Buildings for use in determining applications for Listed Building and Planning Applications.
- 2.16 The Sustainable Construction Checklist SPD (adopted in 2018 with minor amendments in 2020) sets energy efficiency standards for certain types of development. This SPD will be updated in line with the Local Plan Partial Update policies particularly to help achieve net zero carbon development. This SPD contains the Checklist with key assessment tables which should be submitted with applications for new build residential properties and major new non residential buildings as well as major works on existing buildings. This document also provides guidance on the information required and how to fill in the Checklist. The draft SPD was formally consulted for 6 weeks in May/June and is proposed to come into force at the same time as the Local Plan Partial Update is adopted.
- 2.17 There are a large number of buildings, structures, monuments and other features in the District which, while not statutory listed, are of architectural and historic interest or make a significant contribution to the character and appearance of an area. The Locally Listed Heritage Assets SPD was prepared and adopted in July 2021. It aims to raise the profile of and give recognition to buildings and structures and their settings that contribute to the special character of Bath and North East Somerset and provides information and guidance on these assets.

- 2.18 The **Houses in Multiple Occupation SPD** was adopted in 2013 alongside an Article 4 Direction removing permitted development rights for the change of use of a dwelling (C3 use class) to a small HMO (C4 use class) in Bath and reviewed in 2017. Following analysis of information collated from the extension of the HMO licencing scheme to cover the whole of Bath the SPD was reviewed and adopted in January 2022. The main changes in this revised SPD comprise:
 - removal of the census output area test previously used to assess applications,
 - provision of guidance on assessing flatted developments using the sandwich test, and;
 - provision of additional guidance elating to updates to policy H2 set out within the Local Plan Partial Update.
- 2.19 Biodiversity Net Gain: The Environment Act 2021 aims to improve air and water quality, tackle waste, improve biodiversity and make other environmental improvements. All new development will be required to deliver a 10% increase in biodiversity and this will become mandatory in late 2023. Biodiversity Net Gain (BNG) is the achievement of measurable gains for biodiversity through new development and occurs when a development leaves biodiversity in a better state than before development. The National Planning Policy Framework requires planning policies and decisions to contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. Prior to the mandatory BNG requirements coming into effect the Council's Local Plan Partial Update BNG policy NE3a will reflect the proposed mandatory measures, use of the DEFRA metrics and emerging national guidance. The Council's BNG Guidance Note (which will inform a future Biodiversity Net Gain SPD) and the Planning **Obligations SPD** will set out the process required to deliver BNG and the method for calculating the change in biodiversity.
- 2.20 The Transport and Developments SPD provides additional details and guidance on how we expect proposals for new development to plan for the transport needs of users. It outlines the Council's approach and expectations for developments in relation Walking and Cycling, Parking Standards, Ultra Low Emission Vehicles (ULEV) and Travel Plans. The draft SPD was formally consulted for 6 weeks in May/June and is proposed to be adopted in November 2022.
- 2.21 Landscape: The District is vulnerable to impacts on landscape and visual character and the existing rural landscape character assessment has been reviewed and updated to: reflect current guidance; to incorporate the Bathscape Landscape Character Assessment; to bring it into line with adjacent local authority landscape Character Assessments; and to add a landscape strategy which will guide landscape change and development. It will be republished in late 2022.

Other related planning documents

- 2.22 In order to progress delivery of **the Somer Valley Enterprise Zone** the Council will be a preparing **a Local Development Order (LDO)** which will need to be approved by the LPA and will outline the uses that will be permitted on the site. The LDO will also set out the principles to which development must adhere and these will reflect the requirements of the site allocation policy in the Adopted Development Plan.
- 2.23 The Council has prepared a Community Infrastructure Levy (CIL). The CIL came into effect on 6th April 2015. It enabled the Council to raise funds from new development in order to fund the timely delivery of infrastructure. The CIL includes a charging schedule and a spending regime based on development proposals in the LDF. Its preparation entailed viability assessments so as not to inhibit development and input from stakeholders. The CIL will need to be updated alongside the preparation of a new Local Plan and to reflect changes to national policy.
- 2.24 The Infrastructure Delivery Plan, which will need to be kept up-to-date, identifies infrastructure provision that is required to support growth and which CIL can help fund. The Localism Act requires the allocation of a proportion of CIL revenues raised back to neighbourhoods where development takes place. In accordance with the Community Infrastructure Levy Regulations any authority that receives a contribution from development through the levy or section 106 planning obligations must prepare an infrastructure funding statement. The Infrastructure Funding Statement will be published annually in December.
- 2.25 **Historic Environment:** There are 35 conservation areas in the District and 15 of the areas outside Bath have conservation area character appraisals but some of these are in need of updating. Keynsham Conservation Area also has a management plan and a number of other more recent appraisals address management opportunities.
- 2.26 The risks of not having a character appraisal for Bath Conservation Area was highlighted by the Inspector at the Core Strategy examination. This has begun to be addressed by preparing a framework for a character appraisal for Bath and dividing the conservation area into 16 character areas. Characterisation of 11 character areas has been completed in draft.
- 2.27 Generally, skills exist in-house for undertaking conservation area character appraisals, however internal resources are limited and further work on appraisals is not being progressed at present.

2.28 Progress on the delivery of conservation area appraisals is therefore dependent on resource availability and some funding. Funding could allow consultant engagement to draft appraisals and is also needed for the graphic design of the documents which are not printed but are available on line and can be printed individually in certain circumstances on request.

Natural Environment and strategies

- 2.29 The Environment Act 2021 aims to improve air and water quality, tackle waste, improve biodiversity and make other environmental improvements and it has been introduced to support the delivery of the 25 Year Environment Plan published in January 2018. It also sets out the Government's approach to some of the key issues being raised by the public around climate change, loss of biodiversity and environmental risks to public health. There will be new opportunities to and obligations on the Council.
- 2.30 The West of England Nature Partnership (WENP) exists to deliver more for nature's recovery in the West of England by working in partnership on the natural environment. Established in 2012, WENP is the designated Local Nature Partnership (LNP) for the West of England (Bristol City, South Gloucestershire, North Somerset and Bath & North East Somerset). The WENP priority is to facilitate investment in and delivery of projects that will deliver the West of England Nature Recovery Network.
- 2.31 The WENP has recognised that to reverse the declines in biodiversity and realise nature's recovery at scale, we need to work together and at a landscape-scale to embed the Lawton principles of 'Bigger, Better, More and Joined Up' into our policies and strategies. This means protecting and enhancing our existing natural habitats, but also making them bigger, creating new areas of species-rich habitat, and, critically, ensuring they join up to create functional and resilient ecological networks that enable nature and people to thrive. To facilitate this, WENP has been working to develop a regional Nature Recovery Network for the West of England, aligning with shared principles developed across the South West (by the South West Local Nature Partnerships) to ensure coherence and strengthened networks across the wider region. The Nature Recovery Network is seen as a joined up network of marine, water and terrestrial habitats where nature and people can thrive.
- 2.32 B&NES has created a Green Infrastructure and Nature Recovery Team in 2022 to better deliver the strategies, evidence base and policies required for the new Local Plan. Currently resources have not been allocated for the GI Strategy Review and these are being bid for.

Ecology

2.33 The Government's 25 Year Environment Plan (2018) commits to development of a Nature Recovery Network to protect and restore wildlife, allied to this the NPPF sets out the requirement to minimise impacts on and provide net gains for biodiversity, including by establishing coherent ecological networks. The WENP West of England Ecological Network will be the WoE Nature Recovery Network with targets identified, and will be used by B&NES to identify and priorities areas for habitat creation and restoration, including the identification of local nature recovery targets. The Environment Act 2021 requirements for Biodiversity Net Gain, are significant, and will enable the planning process to deliver habitat enhancements with secured long-term management and monitoring. In addition, the act requires the development of Local Nature Recovery Strategies which should identify priorities for investment in Nature Recovery. The council will need to consider the evidence and requirements to support these strategies and to set out its approach, primarily through the preparation of the Local Plan and other policy guidance as necessary.

Green Infrastructure Strategy

- 2.34 The NPPF recognises the importance of conserving and enhancing our natural, built and historic environment including green infrastructure. NPPG defines GI as 'a network of multifunctional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.' The Government's 25 Year Environment Plan published in 2018 references the need to create more and effective green infrastructure and policy choices to be informed by the natural capital approach.
- 2.35 The Joint West of England GI Strategy (JGIS) provides evidence for identifying the approach to be taken by the Council, primarily delivered through and reflected in the policy framework established in the Local Plan, but also a reviewed Green Infrastructure Strategy, Green Space Strategy and other relevant strategies.
- 2.36 The Council's Green Infrastructure (GI Strategy was approved in 2013. It is intended that the B&NES GI Strategy be reviewed, subject to resources being allocated, in order to align it with the WoE JGIS and to provide a framework focussing on the key objectives and principles of GI and its delivery. Delivery would then be supported by a number of related, but separate Action Plans.

Landscape

2.37 One of the core principles of the NPPF is that planning should recognise the intrinsic character and beauty of the countryside. Landscape Character Assessment is the tool that informs judgements on the value of landscapes and should be undertaken at a scale appropriate to local and neighbourhood plan-making. The Rural Landscapes of B&NES, is a Landscape Character Assessment that was carried out in 2003 and is a SPD. An urban character assessment of Bath was carried out in 2005

(Bath Citywide Character Assessment SPD) as a precursor to more detailed Conservation Appraisals across Bath which are being undertaken as resources allow. The landscape character of the setting of the Bath World Heritage Site was assessed in 2017 through the Bathscape Landscape Character Assessment.

2.38 The City of Bath World Heritage Site Setting SPD was published in 2013. Its purpose is to provide information and tools needed for the effective protection and appropriate management of the setting of the World Heritage Site.

Tree and Woodland Plan

- 2.39 A Tree and Woodland Delivery Plan was produced in 2021 with a focus on Council land in urban areas and the contribution that can make to delivering the Council commitment to plant 100,000 trees by 2023.
- 2.40 The Council is committed to delivery of the West of England Tree and Woodland Strategy (Forest of Avon Plan). Subject to resources becoming available it intends to produce a District-wide Tree and Woodland Strategy which will enable more effective B&NES-focused delivery of the WoE Tree and Woodland Strategy. It will ensure the principle of "Right tree / woodland, right place" is achieved, with Council's 2020 Woodland Opportunity Mapping and Tree and Woodland sensitivity assessment at its heart.

LDD Content and Key Milestones

2.41 The **LDS Summary timetable** sets out an overview of the programme and key milestones for the production of Bath & North East Somerset Local Development Framework and provides a schedule of the LDDs to be prepared during the next 3 years. It is located after the risk assessment table following para 4.9 and is followed by an individual profiles for each LDD.

3. THE EVIDENCE BASE

- 3.1 Section 13 of the Planning and Compulsory Purchase Act 2004 requires that the local planning authority must keep under review the matters which may be expected to affect the development of their area or the planning of its development. The strategies, policies and proposals in the Local Development Documents must be founded on a robust evidence base. A considerable amount of data is available at national and sub-regional level.
- 3.2 A number of bespoke studies have been prepared to inform the preparation of the Local Development Framework and other Council strategies. There are also opportunities for the Council to improve its data collection and management strategies. B&NES is working with other West of England UAs to ensure an up-to-date evidence base to inform planning policies. The evidence base covers a range of subjects including those listed below:
 - Economic Development Needs Assessment
 - Housing Needs
 - Housing and Economic Land Availability Assessment or HELAA)
 - Infrastructure Delivery Plan
 - Recreation, Cultural and Services
 - Retail
 - Sustainability Sustainable construction, energy efficiency and renewable energy
 - Flood Risk
 - Transport
 - Urban Design including building hights
 - Landscape
 - Heritage
 - Biodiversity and Nature
 - Waste
 - Green Infrastructure Strategy
 - Green Spaces Strategy

All studies supported the Development Plans can be found from the Council's website below.

Placemaking Plan evidence base:

https://beta.bathnes.gov.uk/sites/default/files/2020-

02/pmp core docs list.pdf

Core Strategy evidence base:

https://beta.bathnes.gov.uk/sites/default/files/2020-

02/core strategy history and timeline.pdf

Local Plan Partial Update evidence base:

https://beta.bathnes.gov.uk/lppu-core-documents

4. PRODUCTION ARRANGEMENTS FOR THE LOCAL DEVELOPMENT FRAMEWORK

Sustainability Appraisal and Strategic Environmental Assessment

- 4.1 The development of DPDs and SPDs in the Bath & North East Somerset Local Development Framework will be informed by Sustainability Appraisal. Sustainability Appraisal is an iterative process through which the economic, social and environmental effects of a plan under preparation are assessed. It incorporates the requirements of Strategic Environmental Assessment (SEA) as required by EU SEA Directive 2001/42 on the Assessment of certain Plans and Programmes on the Environment. The appraisal process will draw heavily on the evidence base.
- 4.2 In order to protect the integrity of European sites, Local Authorities are obliged to carry out Appropriate Assessment (AA) as a part of the planning process under the Habitats Directive. AA has been and will continue to be carried out in conjunction with the SA as recommended by the Guidance.

Review and Monitoring

- 4.3 Review and monitoring are crucial to the successful delivery of the spatial vision and objectives of the LDF and will be undertaken on a continuous proactive basis. The **Authority's Monitoring Report** is prepared for each financial year. It has a dual purpose which is to:
 - monitor progress of preparation of planning documents against agreed milestones in the LDS
 - assess the implementation of DPD policies against targets which will influence policy review and other decisions

Resources and Arrangements for Production

4.4 The Planning Service co-ordinates the preparation of Local Development Documents in liaison with other relevant Services across the Council. The document profiles (page 20 onwards) outline the responsibilities for document preparation.

Joint Working

- 4.5 Bath & North East Somerset Council works jointly with Bristol, North Somerset and South Gloucestershire Unitary Authorities (UAs) and the West of England Combined Authority (WECA) on sub-regional (West of England) and strategic, cross boundary issues. Section 110 of the Localism Act sets out a 'duty to cooperate'. In addition to the other West of England UAs referred to above the Council engages actively with the neighbouring authorities of Mendip District Council, Somerset County Council and Wiltshire Council on strategic, cross boundary issues. The 'duty to co-operate' applies to all local planning authorities and a number of other public bodies including:
 - Environment Agency
 - Historic England
 - Natural England
 - Civil Aviation Authority
 - Homes and Communities Agency
 - Primary Care Trusts
 - Office of the Rail Regulator
 - Highways Agency
 - Integrated Transport Authorities
 - Highways Authorities
- 4.6 These bodies are required to cooperate with Councils on issues of common concern to develop sound Development Plans. The NPPF requires that in preparing DPDs strategic policymaking authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address them.
- 4.7 The authorities are also working with business leaders as part of the Local Enterprise Partnership (LEP) for the West of England. The LEP does not have a direct role in spatial planning but there is a need for co-ordination in activities. Similarly the Council is committed to working collaboratively with the West of England Nature Partnership (WENP) which accords with advice in the NPPF.

Member Arrangements and the LDF

4.8 A bespoke Local Development Framework Steering Group guides the production of the Council planning policies and advises the Cabinet Member for Planning and Licensing. Decisions on the adoption of DPDs are made by Full Council in accordance with the Council constitution and other LDDs are agreed as appropriate. Climate Emergency and Sustainability Policy Development and Scrutiny Panel also monitors and review the activity of the Cabinet and also assist them in developing policy.

Risk Assessment

4.9 It is often difficult to anticipate all potential risks which could affect the Local Development Framework programme. There are a number of factors that could affect the Council's ability to deliver the Local Development Framework in accordance with the programme outlined for each of the LDD Profiles. Actions to manage these risks have been identified.

Area of Risk	Likelihood/Impact	Mitigation Measures
Programme slippage	Medium/High Failure to meet the key milestones for LDDs in the LDS is detrimental to the reputation of the local planning authority. Absence of up to date Development Plan likely to lead to unplanned developments across the district. The deadlines for preparing the Local Development Framework are very challenging given the greater emphasis on community consultation. High Political process lead to delays	Ensure that progress is carefully monitored and that priority is given to achieving the key milestones set out in the LDS. Allow for contingency in the programmes. Use efficient project management. Ensure elected members are properly briefed throughout the plan preparation process including through the LDF Steering Group.
Adequate staff resources	Medium/Medium Should cuts to local government funding impact on the Planning Services, the potential loss of experienced staff would impact on the preparation of LDDs and heightens the risk of programme slippage.	Ensure that sufficient staff resources with the necessary experience and expertise are available for the production of LDDs. Consider seconding staff from other Services in the Council and/or joint working with neighbouring authorities. Subject to the availability of financial resources, employ temporary staff or consultants.
Financial resources	Medium/High It is important that there are sufficient financial resources available to prepare LDDs, including for consultants (where necessary), to secure and maintain robust evidence base, community	Ensure the LDS influences budgetary decisions to ensure sufficient resources are in place including a suitable level of contingency. However cuts to local government funding are

	consultation and engagement, and for the Examination process in the case of DPDs.	outside the Council's direct control.				
Competing work	Medium/High	Ensure that progress on the				
priorities	The Policy Team is involved in a wide range of spatial policy work. Planning applications for major unplanned developments are resource-heavy. There is a risk that the Team's work is diverted from plan making by other unforeseen work pressures such as involvement in planning appeal inquiries, regeneration projects and responding to consultation on emerging Government policies.	Local Development Framework remains a high priority and at certain times other work will have to take a much lower priority. Consideration may then need to be given to outsourcing work to prevent delays in progress.				
Evidence base	Low/Medium	Maintain a proportionate and				
	Lack of an up to date evidence base will affect the soundness of a DPD.	up to date evidence base prepared by the Planning				
	Preparing the LDD also requires evidence base prepared by other	Policy Team as well as other key services.				
	key services. Delay in evidence preparation will have an impact on the LDD timetable and affect the soundness if not prepared as planned.	Ensure all policies and proposals can be fully justified with evidence.				
Level of public	Medium/High	Ensure that resources are in				
interest in plan making	Historically the level of public interest in LDDs has been high during previous consultations and engagement exercises. An unanticipated high level of responses could result in a delay in the programme.	place at appropriate times to ensure representations are dealt with promptly and efficiently.				
Neighbourhood	Medium/High	Maintain close liaison with				
Planning	An additional stress on staff resources is the requirements to provide professional and technical	Parish and Town Councils to monitor the scale of work required.				
	advice to support Parish and Town Councils in progressing Neighbourhood Plans.	Consider to what extent neighbourhood planning aspirations can be delivered through LDDs to reduce costs				

LDS SUMMARY TIMETABLE

		2022 2023									2024								2025							
DOCUMENT	May			Nov	Jan	Mar	May Apr		Aug	Oct Nov	Dec	Feb	Mar	May			Oct Sep	Nov	Jan	Feb	Z 2	May			Oct Sep	Dec
The Development Plans																										
B&NES Local Plan Partial Update & Policies Map		Н			Α																					
B&NES New Local Plan (2022-2042)			С							0					-			S			Н				А	
Joint Waste Core Strategy DPD						R																				
Sub-Regional work																										
WECA Spatial Development Strategy						То	be rev	iewed	by the	e WECA																
Supplementary Planning Documents																										
Transport and Development SPD	D)		Α																						
Planning Obligations SPD (Limited Review)	C)		Α																						
Planning Obligations SPD (New Local Plan)															D										Α	
Sustainable Construct Checklist SPD)		Α																						
Biodiversity Net Gain SPD		·								Α																
Other Policy Documents																										
Statement of Community Involvement									А																	
Neighbourhood Development Plans	• •	• •			•	• •	• •			• •	•	on	goin	g	•	•			•	•	•	• •	•	• •		•
Authority Monitoring Report				F							P							Р								Р
Infrastructure Delivery Programme review		Р					Р																			
Somer Valley EZ LDO		'		9	S D	Α																				
Infrastructure Funding Statement				F							Р							Р								Р
Green Infrastructure Strategy Update							То	be rev	iewea	1																
CIL Charging Schedule															D										Α	

Local Plans/SPDs etc

- C Commencement
 O Options
- S Submit H Hearings
- A Adoption/Approval Review

- D Draft Consultation
- Insp. Report
- Ongoing

5. LOCAL DEVELOPMENT DOCUMENT PROFILES

PART 1: DEVELOPMENT PLAN DOCUMENTS

LOCAL PLAN Partial Update (2011-2029)

Role and Content	The scope of the partial update is confined to those areas that can be addressed without changing the spatial priorities or strategy of the Core Strategy & Placemaking Plan. Scope is defined by the shorter-term issues that need to be addressed including replenishing the housing land supply and updating particular policies to address changes in circumstances since the Plan was adopted in 2014.
Status	Development Plan Document
Geographic Coverage	District wide

TIMETABLE & MILESTONES

Commencement	April 2020
Draft Plan consultation (Reg 18)	Jan – Feb 2021
Publication Draft (Reg 19) and draft SA report for consultation	Aug -Oct 2021
Submission to Secretary of State (Reg 22) with final SA Report	Dec 2021
Hearings	June/July 2022
Inspector's Report	Dec 2022
Adoption	Dec 2022/Jan 2023

ARRANGEMENTS FOR PRODUCTION

Resources required and management arrangements	Planning Policy Team, LDF Budget & LDF Governance arrangements
Key Evidence:	SHMA, HELAA, student accommodation requirements, infrastructure & viability studies, Flood Risk Assessments, Environmental Assessments, Sustainability Appraisals.
Community/ stakeholder involvement	In accordance with Regulations 18 and 19 of the Town and County Planning (Local Planning) (England) Regulations 2012 and the Statement of Community Involvement

POST-PRODUCTION

Monitoring & Review	The implementation of the objectives and policies of the Local Plan
	will be monitored as part of the AMR as set out in the submission
	Local Plan.

New Local Plan (2022-42)

Role and Content	The Plan area will be the whole administrative area of B&NES Council. The primary purpose of Local Plan 2022 – 2042 is to address the local authority's priorities for the development and use of land in the district, and set out an overall strategy for the pattern, scale and design quality of places.
	The Council work with our communities and stakeholders to identify the key challenges in B&NES, and the objectives and policies we need in place to address these.
	The starting point will be the Council's One Shared Vision, as well as other key emerging strategies such as the Economic Strategy, the Cultural Strategy, and the Health and Well-being Strategy.
Status	Development Plan Document
Geographic Coverage	District wide

TIMETABLE & MILESTONES

Commencement September 2022	
Draft Plan consultation (Reg 18)	October – December 2023
Publication Draft (Reg 19) and draft SA report for consultation	June – August 2024
Submission to Secretary of State (Reg 22) with final SA Report	Dec 2024
Examination Hearings Period	March 2025
Inspector's Report	August 2025
Adoption	September 2025

ARRANGEMENTS FOR PRODUCTION

Resources required and management arrangements	Cross Service Officer Steering Group, Planning Policy Team, LDF Budget & LDF Governance arrangements
Key Evidence:	SHMA, HELAA, student accommodation requirements, infrastructure & viability studies, Flood Risk Assessments, Environmental Assessments, Renewable Energy Study, sustainable construction, nature recovery, Green Infrastructure and Sustainability Appraisals. (see section.3)
Community/ stakeholder involvement	In accordance with Regulations 18 and 19 of the Town and County Planning (Local Planning) (England) Regulations 2012 and the Statement of Community Involvement

POST-PRODUCTION

Monitoring & Review	The implementation of the objectives and policies of the Local Plan
	will be monitored as part of the AMR as set out in the submission
	Local Plan.

PART 2: SUPPLEMENTARY PLANNING DOCUMENTS (SPD)

Currently work is programmed for five SPDs during the LDS period. These are listed below and the broad programme for preparation is shown on the summary diagram on page 20.

- Transport and Development SPD.
- Planning Obligations SPD (limited review alongside the Local Plan Partial Update)
- Planning Obligation SPD (alongside the new Local Plan)
- Sustainable Construction Checklist SPD review
- Biodiversity Net Gain SPD

Other SPDs, including the Rural Landscapes of B&NES SPD, may also be reviewed or prepared during the LDS period and once established the programmes will be appropriately publicised.

PART 3: OTHER LOCAL DEVELOPMENT DOCUMENTS

POLICIES MAP

Role and Content	The Policies Map identifies site-specific proposals, designations, and locations and areas to which specific policies in other DPDs apply on an Ordnance Survey base map and will include inset maps. This map evolves with each Development Plan Document.
Status	Development Plan Document
Conformity	Conformity with other Development Plan Documents (DPDs).
Geographic Coverage	District-wide

TIMETABLE & MILESTONES

The production of the Policies Map is dependent on the timetable of DPDs which require the geographical expression of location of site-specific proposals and area based policies and will be updated as DPDs are adopted.

ARRANGEMENTS FOR PRODUCTION

Resources required and management arrangements	Prepared by Planning Services with Corporate GIS and technical support. Preparation of printed versions and interactive electronic versions will be outsourced as required. Key stages to be agreed at Cabinet and Council.
Community and stakeholder involvement	In accordance with Regulations 18 and 19 of the Town and County Planning (Local Planning) (England) Regulations 2012 and the Neighbourhood Planning Protocol.

POST-PRODUCTION

_	An amendment to the Policies Map is contingent on the outcome
	of the monitoring and review of DPDs.

Statement of Community Involvement

Role and Content	The SCI sets out how the community, stakeholders and interested parties are involved in the production of plans and proposals for the District and the determination of planning applications. The SCI reflects the localism agenda and sets out the engagement processes, guidance for the establishment of Neighbourhood Fora, preparation of Neighbourhood Plans and Neighbourhood Development Orders.
Status	LDD
Chain of conformity	Must at least meet the minimum requirements set out in the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008. The SCI has regard to the Council's corporate communication strategy.
Geographic Coverage	Whole District

TIMETABLE & MILESTONES

Review the SCI	May – June 2022
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ARRANGEMENTS FOR PRODUCTION

Resources required and management arrangements	Prepared by Planning service in conjunction with Policy & Partnerships Team and in consultation with Member portfolio holder. Agreed by the Cabinet.
Community and stakeholder involvement	Fundamental revisions to the SCI will entail community engagement.

POST-PRODUCTION

Monitoring & Review	To be reviewed on an ongoing basis in response to problems or
	successes consulting on LDDs or planning applications and as part of the AMR and changes in government legislation
	or the furnitual and analogo in government registation

APPENDIX A

Current Supplementary Planning Documents and Guidance

https://beta.bathnes.gov.uk/index-supplementary-planning-documents-spds

Accessibility standards for affordable housing (guidance note)

<u>Agricultural Building Design Guidelines for the Mendip Hills AONB</u> (published 2001, revised 2013).

Archaeology in Bath & North East Somerset SPG (May 2004) and Archaeology in Bath SPG (May 2004)

Bath City-wide Character Appraisal (August 2005)

Bath Conservation Area Design and Conservation - Commercial signage and tables and chairs on the highway (July 2016)

Bath Shopfronts: Guidelines for Design and Conservation (1993)

Bath Western Riverside SPD (March 2008)

Energy efficiency, retrofitting, and sustainable construction (Jan 2022)

Energy Efficiency Retrofitting & Renewables Permitted Development Check List & Guidance Note

Existing Dwellings in the Green Belt SPD (October 2008)

<u>Guidelines for Horse-related Development for the Mendip Hills AONB</u> (published 2004, revised 2012)

Houses in Multiple Occupation in Bath SPD with Article 4 Direction for HMO in Bath (June 2013)

Locally Listed Heritage Assets SPD

Planning Obligations SPD (April 2015)

Priston Village Design Statement Supplementary Planning Document (2018)

<u>Retrofitting & Sustainable Construction SPD</u> (February 2013)

Rural Landscapes of Bath & North East Somerset: A Landscape Character Assessment (February 2003)

Streetscape Manual SPD (April 2005)

<u>Sustainable Construction & Retrofitting Supplementary Planning Document</u>
(2013)

Sustainable Construction Checklist Supplementary Planning Document (2018)

Sustainable Construction Checklist SPD: Heat networks guidance note (2018)

<u>Walcot Street Works</u> (1997), <u>Cherishing Outdoor Places</u> (1994), and <u>External</u> Building Materials Local Design Guide

West of England Sustainable Drainage Developer Guide (March 2015)

City of Bath World Heritage Site Setting SPD (August 2013)

Conservation Area Appraisals

The Council has a number of conservation areas, the following of which are SPD or a material consideration

- Chew Magna Conservation Area Statement (2003)
- Claverton Conservation Area Appraisal (2007)
- Combe Hay Conservation Area Appraisal (July 2014)
- Hinton Blewett Conservation Area Appraisal (July 2014)
- Freshford and Sharpstone Conservation Area Appraisal (2007)
- Hinton Blewett Character Appraisal (2014)
- Keynsham Conservation Area Appraisal and Management Plan (December 2016)
- Midsomer Norton and Welton Character Appraisal 2018
- Paulton Conservation Area Statement (2003)
- Pensford Conservation Area Appraisal (2008)
- Queen Charlto Character Appraisal 2018

- Radstock Conservation Area Appraisal (1999)
- Saltford Character Appraisal 2018
- South Stoke Conservation Area Appraisal (March 2014)
- Wellow Conservation Area Appraisal (2007)
- Woollard Conservation Area Appraisal (2008)

Village Design Statements

- Bathford Village Design Statement (2005)
- Chew Magna Village Design Statement (2006)
- Hallatrow & High Littleton Design Statement (2003)
- Larkhall Character Statement and Development Principles (1998)
- Paulton Village Design Statement (2003)
- Peasedown St. John Village Statement (2001)

APPENDIX B GLOSSARY OF TERMS

- AMR The Authority's Monitoring Report will assess the implementation of the Local Development Scheme and the extent to which policies in Local Development Documents are being successfully implemented. Previously known as an Annual Monitoring Report.
- **CIL** Community Infrastructure Levy
- **Core Strategy:** sets out the long-term spatial vision for the local planning authority area, the spatial objectives and a strategic policy framework to deliver that vision. The Core Strategy will have the status of a *Development Plan Document* and will form Part 1 of the new style Local Plan.
- **DP Development Plan:** as set out in Section 38(6) of the Act, an authority's development plan consists of the relevant *Development Plan Documents* contained within its *Local Development Framework*.
- DPD Development Plan Document: spatial planning documents that are subject to independent examination will form the Development Plan. They can include a Core Strategy, Site Specific Allocations of land, and Area Action Plans (where needed). Other Development Plan Documents, including generic Development Control Policies, can be produced. They will all be shown geographically on an adopted Policies Map.
- **FRA Flood Risk Assessment:** an assessment of the risk of flooding from all flooding sources, identifying flood mitigation measures to reduce the impact of flooding to the site and surrounding area and recommendations on actions to be taken before and during a flood.
- **IFS** Infrastructure Funding Statement
- Local Development Framework: the name for the portfolio of Local Development Documents. It consists of Development Plan Documents, Supplementary Planning Documents, a Statement of Community Involvement, the Local Development Scheme and Annual Monitoring Reports. Together these documents will provide the framework for delivering the spatial planning strategy for a local authority area.
- **LDD Local Development Document:** the collective term for Development Plan Documents, Supplementary Planning Documents and the Neighbourhood Planning Protocol.
- **LOS Local Development Scheme:** sets out the programme for preparing *Local Development Documents*.
- **LEP** Local Enterprise Partnerships: locally-owned partnerships between local authorities and businesses and play a central role in determining local economic priorities and undertaking activities to drive economic growth and the creation of local jobs.

NPP Neighbourhood Planning Protocol: sets out mechanisms for:

- Neighbourhood Fora
- Neighbourhood Referenda
- Neighbourhood Development Orders
- · Community Right to Build

This includes a review of the Council's Statement of Community Involvement.

- **NPPF** National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be implemented. It replaces all previous planning policy guidance notes and planning policy statements.
- **PMP** Placemaking Plan: a Development Plan Document being prepared to complement the strategic framework in the Core Strategy by setting out detailed development principles for identified sites and other policies for managing development across Bath & North East Somerset. It will form Part 2 of the new style Local Plan.

Policies Map: previously referred to as the **Proposals Map** and illustrates geographically the policies and proposals in the Development Plan Documents (DPD) on an Ordnance Survey map. Inset Maps show policies and proposals for specific parts of the district. It will need to be revised each time a new DPD is adopted.

Saved policies or plans: existing adopted development plans are saved for three years from the date of commencement of *the Act*. Any policies in old style development plans adopted after commencement of the Act will become saved policies for three years from their adoption or approval.

- **SA** Sustainability Appraisal: tool for appraising policies to ensure they reflect sustainable development objectives. Sustainability Appraisals are required in the Act to be undertaken for all local development documents.
- **SDS** Spatial Development Strategy
- **SEA** Strategic environmental assessment: a generic term used to describe environmental assessment as applied to policies, plans and programmes. The European 'SEA Directive' (2001/42/EC) requires a formal 'environmental assessment of certain plans and programmes, including those in the field of planning and land use'.
- **SPD Supplementary Planning Document:** provide supplementary information in respect of the policies in *Development Plan Documents*. They do not form part of the Development Plan and are not subject to independent Examination.

WECA West of England Combined Authority

This document can be made available in a range of community languages, large print, Braille, on tape, electronic and accessible

formats from the Planning Policy Team Tel (01225 477548) Fax
(01225 477617), Minicom (01225 477535).

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