

Bath & North East Somerset Council		
MEETING	Cabinet	
MEETING	8 <sup>th</sup> November 2017	
TITLE:	B&NES Local Development Scheme 2017 - 2020	EXECUTIVE FORWARD PLAN REFERENCE:
		E3006
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Attachment 1: 2017 - 2020 Local Development Scheme		

## **1 THE ISSUE**

- 1.1 This report recommends amendments to the Bath & North East Somerset Local Development Scheme (LDS) in order to update the Council's priorities for the preparation of Planning Policy documents for the period 2017-2020.

## **2 RECOMMENDATION**

- 2.1 That the Cabinet agree:

- (1) With the revised LDS 2017 – 2020 in Appendix 1,
- (2) To delegate authority to the Divisional Director for Development, in consultation with the Cabinet Member for Development and Neighbourhoods to make minor amendments to the LDS for clarity and to correct errors,
- (3) That the revised LDS in Appendix 1 will be effective from 10<sup>th</sup> December 2017

## **3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)**

- 3.1 The Council's planning framework is critical to the delivery of a range of corporate objectives and its preparation also relies on evidence and strategies prepared by a number of other Services. Review of the LDS therefore entails the involvement of other services in order to ensure a co-ordinated approach.

- 3.2 The programme proposed in Appendix 1 can be undertaken within the existing LDF base budget and the arrangements for the preparation of the West of England Joint Spatial Plan. Preparation of any additional policy documents or accelerated preparation of those identified would require additional funding. In particular, the scope and extent of work on bringing forward a more robust policy framework for the new Strategic Development Locations in the Joint Spatial Plan will be dependent on securing national funding.
- 3.4 Approval of the LDS assists with the efficient operation of Development Management, limiting the costs associated with speculative planning applications and to resist expensive planning appeals.
- 3.5 Planning policies impact on Council activities that incur costs and generate incomes. This includes preparation of Neighbourhood Plans, which currently attract specific grant on implementation and impact the level of CIL devolved to Parishes and charges that are raised for licences of Houses in Multiple Occupation. The costs and incomes of the associated services are managed within those separate budget areas

## **4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL**

- 4.1 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 programme for the production of Statutory Planning Documents that the Council is preparing, or intends to prepare. The LDS should be kept up-to-date and was last reviewed in May 2016.
- 4.2 The process for the preparation of statutory policy documents is regulated by statute, covering matters such as publication, consultation, scope and content of plans, public examinations and adoption. These requirements will be reflected in the revised LDS in the individual plan programmes which are summarised in Appendix 1. In light of the plan-led nature of the planning system, it is essential that any corporate objectives relating to development and the use of land are developed through statutory planning documents and not as informal masterplans or other documents.
- 4.3 The Planning Acts require that planning decisions must be determined in accordance with Development Plan Documents and Neighbourhoods Plans unless material considerations indicate otherwise.

## **5 THE REPORT**

- 5.1 The LDS sets out the timetable for the preparation of the Council's planning policy documents over the next three years. The proposed changes to the LDS are summarised in appendix 1. The LDS was document last reviewed in 2016 and needs amendment.
- 5.2 The key elements of the policy framework in the revised LDS are listed below. The documents in the LDS help to deliver corporate objectives particularly:
- A stronger economy and growth (providing new homes and jobs, improving transport & creating cleaner, greener and healthier communities)
  - A focus on prevention (greater choice and independence for older people and investing in young people)

- A new relationship with customers (putting residents first)
- An efficient business

5.3 The key elements of and changes to the LDS are;

#### **Development Plan Documents (DPDs)**

- Incorporation of the new milestones for the preparation of the West of England Joint Spatial Plan
- Amendments to the programme for the preparation of the B&NES Local Plan to reflect changes to the JSP programme
- A revised programme for the review of the West of England Joint Waste Core Strategy
- A revised programme for the preparation of the Travellers Sites Plan
- The Policies Map

#### **Supplementary Planning Documents (SPDs)**

5.4 The Development Plan will also be supplemented by Supplementary Planning Documents where required. In light of the Council's resource constraints, SPDs will be progressed if essential for Council's objectives. The LDS review includes the following Supplementary Planning Document work;

- Old Mills Enterprise Zone SPD
- Amendments to the HMO SPD
- A Design SPD for Bath
- A more detailed policy framework/ design Code SPDs for North Keynsham and Whitchurch Strategic Development Locations
- the Houses in Multiple Occupation SPD (reviewed)
- the Design SPD.

#### **Neighbourhood Development Plans (NDPs)**

5.5 Ongoing support will be given to the preparation of Neighbourhood Plans, particularly those which are seeking to deliver development.

#### **Other documents**

5.6 In addition to Development Plan Documents the Council's policy framework includes the CIL Charging Schedule, which will be reviewed and will help to deliver funding of infrastructure provision.

- Preparation of an Article 4 Direction to cover the loss of Offices to residential uses
- A review of the B&NES CIL spend protocol;
- The implications of the Authority Monitoring Report for policymaking
- Updates to the B&NES Infrastructure Delivery Plan

## **6 RATIONALE**

6.1 The LDS sets out a programme of the planning policy documents to be prepared by the Council. The production of the plans set out in the LDS are those which

are needed to ensure that the Council has an up-to-date policy framework to meet statutory requirements, to meet the needs of the Development Management function and to deliver the Council's corporate objectives.

## **7 OTHER OPTIONS CONSIDERED**

- 7.1 None. Preparation and maintenance of an LDS is a statutory requirement. In light of current resource constraints, the scope of the LDS is limited to essential work requirements to meet statutory requirements and corporate objectives.

## **8 CONSULTATION**

- 8.1 The Council's Monitoring Officer and Section 151 Officer have had the opportunity to input to this report and have cleared it for publication.
- 8.2 There is no requirement to consult on the preparation of the LDS although the Plans within the LDS have statutory public engagement requirements. These are evidenced by the Statements of Consultation prepared for each Plan.
- 8.3 In making the above recommendations, officers have had regard to the Equality Act 2010 and the Human Rights Act 1998.

## **9 RISK MANAGEMENT**

- 9.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

<b>Contact persons</b>	<i>Simon De Beer 01225 477616, Richard Daone 01225 477546</i>
<b>Background papers</b>	<i>The Planning and Compulsory Purchase Act 2004 as amended by the Localism Act 2011</i>
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