

# Bath & North East Somerset Council

MEETING	<b>Cabinet</b>	
MEETING/	<b>31<sup>st</sup> October 2018</b>	EXECUTIVE FORWARD PLAN REFERENCE:
		<b>E 3068</b>
TITLE:	<b>B&amp;NES Local Plan Options Consultation November-December 2018</b>	
WARD:	All	
<b>AN OPEN PUBLIC ITEM</b>		
<b>List of attachments to this report:</b> Attachment 1: The B&NES Local Plan Options document		

## 1 THE ISSUE

1.1 The five year review of the adopted Core Strategy is now underway and prior to the preparation of the draft plan in 2019, a number of options for changes to policy are being considered. These need to be agreed by Cabinet for public consultation in November 2018.

## 2 RECOMMENDATION

2.1 The Cabinet is asked to

- (1) agree the Local Plan Options consultation document in Attachment 1 to this report for public engagement from 12<sup>th</sup> November to 21<sup>st</sup> December 2018, and
- (2) delegate authority to the Director, Development and Public Protection, to make minor changes to the document for clarification and accuracy prior to publication.

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

3.1 The preparation of the Local Plan is resourced through the Council's LDF budget (now reduced) and prepared by the Planning Policy Team working with other services such as Transport, Economy and Growth, Housing, Education and Recreation. The primary costs in 2019 will be the preparation of the draft plan and the examination in public.

- 3.2 The Local Plan has a direct impact on the Council's income through the level of New Homes Bonus, CIL receipts, Section 106 agreements, the level of Council Tax and Business Rates by enabling housing, business and infrastructure growth which will help continue to fund core Council services.
- 3.3 The allocation and designation of land and the identification of planning requirements also has an impact on the value of land and buildings in the district.

## 4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

- 4.1 The Planning and Compulsory Purchase Act 2004, as amended by subsequent Acts, requires that all Local Planning Authorities prepare and maintain an up-to-date local Plan. The Content and scope of Local Plans is set by the National Planning Policy Framework (NPPF) which was revised in 2018.
- 4.2 The preparation of the plan is regulated by the Town and Country Planning (Local Planning) (England) Regulations 2012. The B&NES Local Plan is currently at Regulation 18 stage (Plan Preparation). The draft plan is due to be published in 2019 (Regulation 19) and then submitted for public examination (Regulation 22) which will include public hearings. The purpose of the examination is to ascertain whether the Plan is 'sound'. This means that the Plan is (in summary):
- **Positively prepared** – seeks to meet the areas objectively assessed needs for development;
  - **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
  - **Effective** – deliverable over the plan period, and
  - **Consistent with national policy**
- 4.3 It is important that the plan is prepared with these requirements in mind. The decisions on the selection of the most appropriate strategy must also be informed by a sustainability appraisal.
- 4.4 The public sector equality duty under s149 of the Equality Act 2010 applies has been taken into account in the preparation of Plan and in the consultations. Particular requirements are set out in the Council's Statement of Community Involvement (the B&NES Neighbourhood Planning Protocol).

## 5 THE REPORT

- 5.1 The Planning Policy framework for B&NES is currently set out in the Core Strategy (Adopted 2014) and the Placemaking Plan (adopted 2016). These are supplemented by a number of other policy tools such as supplementary planning documents, Article 4 Directions and guidance notes. National Policy requires that Plans are reviewed at least every five years and hence the Core Strategy review is now underway.

- 5.2 The extent of this review is made more significant by the publication of the revised NPPF which changes some national policies, and the publication of the West of England Joint Spatial Plan which sets new housing and jobs targets for the district as well as a revised strategic spatial strategy. Hence the review of the Core Strategy /Placemaking Plan is being undertaken through the preparation of a new B&NES Local Plan.
- 5.3 Preparation and review of plans is governed by the Town and Country Planning Regulations. Before a draft Plan is published, LPAs are required to consider alternative options and to engage their communities and stakeholders in order to decide on the most appropriate strategy. Therefore the purpose of the consultation in November /December is to highlight the effect of the current strategy, outline the changes that have occurred since it was adopted, review the updated evidence, consider the alternatives and select the most suitable options for public consultation. The draft Plan will be prepared, taking in to account the outcome of this process.
- 5.4 The proposed Consultation document is attached. It reflects the Core Strategy/ Placemaking Plan with chapters on the District-wide strategy, Bath, Keynsham, Somer Valley, The rural areas and Development Management policies.
- 5.5 The options at this stage are for public engagement and they have no weight in the planning system. The weight to be afforded to the Plan will increase as it progresses through the plan making process.

## **6 RATIONALE**

- 6.1 Maintenance of an up-to-date Local Plan, with at least a 5 yearly review, is a national requirement on all Local Planning Authorities. Plan preparation also requires the assessment of reasonable alternative policies and proposals before a plan is finalised. This consultation document is therefore required to meet statutory obligations on the Council.
- 6.2 The Local Plan is also a critical tool in helping the Council deliver its Corporate Priorities and objectives.

## **7 OTHER OPTIONS CONSIDERED**

- 7.1 The Consultation sets out the policy options for public engagement. These options are subject to a sustainability appraisal to assist in selecting the preferred policy. Options are constrained by National Planning Policy, the Joint Spatial Plan and the Council's priorities.

## **8 CONSULTATION**

- 8.1 Preparation of the options document reflects both cross-service working and an ongoing engagement with stakeholders and local communities. This includes earlier rounds of consultation such as the previous options consultation in 2017 as well as bespoke liaison with community groups and organisations. Under the Duty to Co-operate, the Council is working with 'prescribed bodies' such as

adjoining Local Planning Authorities, statutory undertakers and other service providers to ensure the most appropriate and deliverable strategy is prepared.

8.2 The November – December consultation is part of a wider community engagement exercise entailing consultation on further Joint Spatial Plan evidence, Strategic Transport proposals, highlighting the Joint Local Transport Plan 4 (on which consultation will begin in January 2019), proposals for Keynsham High Street and proposals for the Somer Valley Enterprise Zone. There is a parallel report on this agenda setting out the Strategic Transport Options for consultation.

8.3 The arrangements for the consultation entail local and district wide publicity, mail outs and four staffed exhibitions around the district. This level of consultation is commensurate with the stage of the plan and available resources

8.4 The Council's s151 and Monitoring Officers have had opportunity to review and input into this report.

## 9 RISK MANAGEMENT

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

9.2 The programme for the preparation of the draft Local Plan will need to take into account progress on the Joint Spatial Plan.

<b>Contact person</b>	<p><i>Lisa Bartlett Director, Development &amp; Public Protection 01225 477550</i></p> <p><i>Simon de Beer Planning Policy &amp; Environment Manager 01225 477616</i></p>
<b>Background papers</b>	<p><i>West of England Joint Spatial Plan Publication Nov 2017</i></p> <p><i>B&amp;NES Core Strategy 2014</i></p> <p><i>B&amp;NES Placemaking Plan 2017</i></p> <p><i>National Planning Policy Framework</i></p> <p><i>The Local Plan Options Sustainability Appraisal 2018</i></p>
<p><b>Please contact the report author if you need to access this report in an alternative format</b></p>	