

| Bath & North East Somerset Council | | |
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| DECISION MAKER: | Cllr Bob Goodman, Cabinet Member for Development & Neighbourhoods | |
| DECISION DATE: | On or after 23 rd March 2019 | EXECUTIVE FORWARD PLAN REFERENCE: |
| | | E 3124 |
| TITLE: | Review of the B&NES Local Development Scheme | |
| WARD: | All | |
| AN OPEN PUBLIC ITEM | | |
| List of attachments to this report: | | |
| Attachment 1: Draft B&NES Local Development Scheme 2019 - 2021 | | |

1 THE ISSUE

- 1.1 This report seeks agreement to revise the Bath & North East Somerset Local Development Scheme (LDS) in order to establish the priorities for the preparation of Planning Policy documents for the period 2019-2021.

2 RECOMMENDATION

2.1 The Cabinet Member is asked to agree;

- a) the revised Bath & North East Somerset Local Development Scheme 2019 – 2021 in Appendix 1, and
- b) that it should come into effect following the expiry of the decision call-in period.

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 has therefore entailed liaison with other services in order to ensure a co-ordinated approach to expenditure.
- 3.2 The programme for the preparation of Planning Policies for the District is funded by the Local Development Framework Budget, Government grants and funding from WECA. The LDS has been revised to reflect the reduced budget since it

was last published. Preparation of any additional policy documents or accelerated preparation would need to be funded.

- 3.3 Planning policies contained within documents set out in the LDS will also have a direct impact on the value of land and buildings, which in turn will affect New Homes Bonus, Council Tax and Business Rates. However, impacts to Council Tax and Business Rates cannot be taken into consideration as part of the assessment and preparation of the Planning Policies. The planning framework in B&NES has been particularly successful in bringing substantial income into the Council via New Homes Bonus, relative to its size. New Homes Bonus achieved equates with the larger cities like Birmingham and Bristol, and far exceeds other historic city districts like Oxford and York.
- 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. Planning documents link to Council activities that incur costs and generate income.

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 timetable for the production of Statutory Planning Documents that the Council is preparing, or intends to prepare. The LDS should be kept up-to-date.
- 4.2 The process for the preparation of policy documents is regulated by statute, governing 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.
- 4.3 The documents in the LDS are critical to the delivery of the corporate priorities as is described in the Council's Service Plans. 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.
- 4.4 The Planning Acts require that planning decisions must be determined in accordance with Development Plan Documents or Neighbourhoods Plans unless material considerations indicate otherwise.

5 THE REPORT

- 5.1 The LDS sets out the programme for the preparation of the Council's planning policy documents over the next three years. The draft LDS is included as Attachment 1 to this report. The key elements of the policy framework in the revised LDS are set out below.
- 5.2 Key changes in the Local development scheme entail;

- The updated programme for the preparation, examination and adoption of the West of England Joint Spatial Plan
- The programme for the preparation of the B&NES Local Plan (which will replace the Core Strategy and Placemaking Plan),
- A review of the West of England Joint Waste Core Strategy,
- A new programme for the preparation of the Travellers Sites Plan,
- A series of Neighbourhood Plans (prepared by communities and supported by the Council),
- A number of Supplementary Planning Documents and associated guidance on more specific sites and issues, such as spatial frameworks for the large development sites arising from the Joint Spatial Plan, an update to the Statement of Community Involvement, and a review of the SPD on Houses in Multiple Occupation in light of updated licensing data,
- a review of the CIL charging Schedule, the Infrastructure Delivery Plan and the Planning Obligations SPD to align with the new Local Plan,
- Maintaining an up-to-date Policies Map to reflect the changing policy framework
- The next steps for the Article 4 direction on the conversion of offices to residential in parts of central Bath.

5.3 In addition there are other initiatives arising from joint UA working via WECA. However, any such work will need to include the necessary funding

6 RATIONALE

6.1 The LDS set 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 support the Development Management function and to deliver the Council's corporate objectives.

7 OTHER OPTIONS CONSIDERED

7.1 Preparation and maintenance of a LDS is a statutory requirement. The plan for the production of policy documents has been designed in order to facilitate delivery of the Council's priorities and statutory requirements. There has been a need therefore to prioritize in light the Council's resources constraints

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.

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.

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| Contact person | <i>Simon De Beer 01225 477616</i> <i>Richard Daone 01225 477546</i> |
| Background papers | <i>The Planning and Compulsory Purchase Act 2004 as amended by the Localism Act 2011</i> Development and Public Protection Director's Plan 2019/20 National Planning Policy Framework 2018 |
| Please contact the report author if you need to access this report in an alternative format | |