

BATH & NORTH EAST SOMERSET

LOCAL PLAN (CORE STRATEGY & PLACEMAKING PLAN) PARTIAL UPDATE

COMMENCEMENT DOCUMENT MARCH 2020

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Local Plan Partial Update Commencement document

The Bath & North East Somerset Local Plan Partial Update Commencement document sets out the proposed scope and programme for the preparation of the Bath & North East Somerset Local Plan Partial Update.

Views are being sought on the proposed content, scope and programme of the Local Plan Partial Update and associated list of policies to be updated.

Introduction

- 1.** The Development Plan in Bath & North East Somerset (B&NES) primarily comprises the Core Strategy (adopted in 2014) and the Placemaking Plan (adopted in 2017), both of which cover a plan period from 2011 to 2029. Together these documents form the Local Plan for B&NES. The Council is required to review the Local Plan every five years in order to determine whether it remains fit for purpose or whether all or part of it needs to be revised and updated.
- 2.** The review of the Core Strategy and the Placemaking Plan was being addressed through preparation of the West of England Joint Spatial Plan (JSP) and the associated preparation of a replacement or new Local Plan for B&NES. The JSP was seeking to establish an overall housing and job growth figure for the West of England and its constituent Unitary Authorities and a spatial strategy for accommodating the growth taking into account requirements under the Duty to Co-Operate. A new Local Plan for B&NES was being prepared within the context of the JSP. The plan period for both the JSP and the new Local Plan was to be 2016-2036.
- 3.** Two issues and options document consultations of the new Local Plan took place in 2017 and 2018. Since that time and following the JSP examination hearings in summer last year B&NES has withdrawn from the JSP. Therefore, preparation of the new Local Plan for B&NES has been paused. Arrangements for future sub-regional planning are still in the process of being agreed. This has resulted in a consequential delay to the preparation of a new Local Plan for B&NES which cannot be taken forward until the wider sub-regional strategy has been progressed.
- 4.** In the shorter term there are a number of significant issues affecting B&NES that need to be addressed through a plan-led approach and these are outlined below. Therefore, a partial update of the Local Plan is now being progressed.

Purpose of the commencement document

- 5.** This commencement document is the notice of intent that a Local Plan partial update will be prepared for B&NES. The partial update is not a new Local Plan and will not roll forward or change the plan period of the adopted Core Strategy and Placemaking Plan. This document outlines the proposed scope of the partial update; its relationship to other plans; and the methodology and programme for its preparation.

Scope of the B&NES Local Plan Partial Update

6. In undertaking the partial update of the Local Plan guidance on 'plan making & plan reviews' set out in the National Planning Practice Guidance (NPPG) and by the Planning Advisory Service (PAS) in 'Local Plan Route Mapper & Toolkit - reviewing and updating local plan policies' will be followed, particularly in establishing those elements to be updated. The PAS guidance & toolkit can be found at: <https://www.local.gov.uk/pas/pas-support/plan-production/local-plan-route-mapper-toolkit-reviewing-and-updating-local-plan>
7. Whilst the Core Strategy and Placemaking Plan are separate DPDs, together they form the B&NES Local Plan. Both DPDs cover a plan period of 2011 to 2029. The Core Strategy is the high-level strategic document that sets out the overall growth to be planned for, the spatial strategy for accommodating it and other strategic policies. The Placemaking Plan sets out detailed policies to deliver the Core Strategy, including site allocations and district-wide Development Management policies. Both plans contain strategic policies. In publishing the adopted Placemaking Plan it has been presented as a combined document with the Core Strategy. Through this Local Plan partial update elements of both the Core Strategy and the Placemaking Plan will be updated and they will again be presented as a combined document.
8. The scope of the partial update is confined to those areas that can be addressed without changing the spatial priorities of the Core Strategy & Placemaking Plan; the spatial strategy; and the strategic housing and job growth requirements. The scope is defined by the shorter-term issues that need to be addressed.
9. In March 2019 the Council declared a climate emergency. The Council has also reviewed its corporate strategy. The Council's overriding purpose is to improve people's lives and its core policies are addressing the climate and nature emergency and giving people a bigger say. In order to translate the purpose into commitments the Council will operate three key principles of preparing for the future; delivering for local resident; and focussing on prevention.



- 10.** The Council's planning policy framework needs to be updated in order to ensure that it is aligned with these priorities and that specifically it helps to facilitate solutions that address the climate emergency. As set out above this can be achieved without altering the spatial objectives set out in the Core Strategy. Addressing climate change is already the cross-cutting theme of the existing Local Plan.
- 11.** A crucial role of the Local Plan is to maintain the supply of new housing in order to meet the Core Strategy housing requirement with sufficient flexibility to take account of changing circumstances e.g. relating to the delivery of some development sites. As referenced in the National Planning Practice Guidance, the Council is undertaking the partial update in order to provide greater certainty about the delivery of the Core Strategy. A plan-led solution to supply will help to ensure that housing is delivered in the most sustainable locations, with the necessary supporting infrastructure. At the Placemaking Plan Examination it was confirmed that there was a marginal shortfall in overall housing supply against the Core Strategy requirement, that this shortfall only arose towards the end of the plan period and that it would be addressed through Local Plan review. This was previously being undertaken through the JSP and new Local Plan for B&NES. However, due to the delay in progressing the new Local Plan, as set out above, this will now be addressed by the partial update.
- 12.** Monitoring of the implementation of some Core Strategy and Placemaking Plan policies suggests that some policies need to be updated in order to ensure the outcomes sought are delivered. Finally, the National Planning Policy Framework (NPPF) has been updated in 2018 & 2019 (after Core Strategy and Placemaking Plan adoption) and therefore, some policies many need to be revised or updated to reflect current national policy.
- 13.** In summary the key proposed elements or scope of the partial update are set out below and feedback is invited on this.
 - a)** Replenishing the supply of housing, primarily through the identification and allocation of new sites and review of existing allocations, in order to ensure a continuous five year housing land supply and sufficient supply to meet the overall Core Strategy requirement
 - b)** Amending policies to better facilitate delivery of solutions to the climate and nature emergency. This will include introducing new policies or updating policies in respect of sustainable construction/zero carbon development; renewable energy; ecological enhancement (biodiversity net gain) and green infrastructure
 - c)** Facilitating the supply of housing to meet specific needs e.g. including those of older people (potentially through the allocation of sites, revision of the policy approach towards elderly persons housing and reviewing housing accessibility standards)
 - d)** Better enabling the delivery of affordable housing, especially in the rural areas, through reviewing the rural exceptions policy approach
 - e)** Revising the policy approach to better facilitate the delivery of custom and self-build housing
 - f)** Revisiting the policy approach in addressing the future development of both Universities and the impact of student accommodation within the city (in both Purpose Built Student Accommodation & Houses in Multiple Occupation)

- g) Reviewing and updating policies relating to the location of additional hotel provision in the District and specifically Bath
- h) Revisiting the approach to defining parking standards and reviewing & updating the parking standards themselves in light of the climate emergency
- i) Amending the policy approach to the allocation of the Somer Valley Enterprise Zone in order to help support delivery of commercial development needed in this part of the District

14. The above summarises the intended scope of the Local Plan partial update and published separately is a list of current Core Strategy and Placemaking Plan policies indicating those that it is intended to update or revise at this time. This list of policies is a starting point for comment and views are invited on it. The scope of the partial update and policies to be revised will be tested at each preparation stage and therefore, may be subject to change. At each preparation stage the Council will make it clear which Core Strategy and Placemaking Plan policies are proposed to be updated or revised. However, it is emphasized that the partial update does not amount to a new Local Plan and this constrains the scope and extent of policy changes at this time.

Process of preparing the Local Plan Partial Update

15. The Local Plan Partial Update is being prepared following the review of the Core Strategy & Placemaking Plan as required by Regulation 10a of the Town and Country Planning (Local Planning) (England) Regulations 2012. The process of preparing the partial update will accord with Regulations 18 and 19 of the 2012 Regulations.

Evidence Base

16. 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. Preparation of the Local Plan Partial Update will be informed by a range of evidence that is proportionate to the scope of the update and where appropriate is likely to utilise and build upon evidence that informed the Core Strategy and Placemaking Plan. For the purposes of the Partial Update, further evidence base work will include the following:

- Housing and Economic Land Availability Assessment, incorporating housing land supply delivery trajectory
- Student accommodation requirements & supply
- Authority Monitoring Report
- Strategic Flood Risk Assessment
- Landscape & Visual Impact Assessment
- Ecological and biodiversity net gain assessments
- Infrastructure Delivery Plan
- Transport modelling and assessments
- Viability Assessments
- Design/Place-making analysis

- Local Green Belt assessment
- Rural Facilities Audit

Sustainability Appraisal and Habitats Regulations Assessment

- 17.** Plan preparation will be informed by a sustainability appraisal (SA) and Habitats Regulations Assessment (HRA) at all stages. A framework for the SA and HRA based on that used for the Core Strategy & Placemaking Plan (subject to necessary update) will be agreed at the beginning of the project and used to assess and inform the plan-making process. It is intended to publish a Sustainability Appraisal Scoping Report.

Duty to co-operate

- 18.** Through Section 33A (1) of the Planning and Compulsory Purchase Act 2004 (as introduced through the Localism Act 2011) the Council has a duty to co-operate with neighbouring authorities and other prescribed public bodies on strategic planning issues that cross administrative boundaries. The NPPF confirms that strategic policy-making authorities should collaborate to identify the relevant strategic matters which they need to address in their plans.
- 19.** In accordance with the duty the Council will engage constructively, actively and on an on-going basis with neighbouring authorities and other prescribed bodies if any strategic, cross boundary issues arise in undertaking the Local Plan Partial Update. As this is a partial update of the Core Strategy and Placemaking Plan engagement activity will build upon that previously undertaken.
- 20.** Paragraph 27 of the NPPF requires that 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. Statements of common ground will therefore be prepared in relation to any strategic cross boundary issues arising through the Local Plan partial update.
- 21.** Consultation and engagement with adjoining authorities and the other prescribed bodies will take place through a variety of means including liaison meetings and opportunities to comment both informally and formally at each preparation stage. A record of duty to co-operate activities will be kept and a duty to co-operate statement will be published at each key plan preparation stage, confirming the scope of issues subject to the duty and summarising the co-operation activity undertaken and its outcome.

Consultation and stakeholder engagement

- 22.** In accordance with the Council's core policy of 'giving people a bigger say' the partial update of the Local Plan will be prepared with community and stakeholder engagement. This engagement will include a 'call for sites', enabling stakeholders to submit sites they consider to be available and potentially suitable for housing or employment development, or to help address the climate and nature emergency e.g. through renewable energy infrastructure, tree planting or delivering biodiversity net gain. A strategy for engagement will be prepared and published setting out the opportunities for key stakeholders, including community representatives (such as parish councils), development industry and landowners, government and non-government organisations, to be involved in plan preparation especially during the options testing stages under

Regulation 18.

23. As a minimum engagement will comply with the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Council's Statement of Community Involvement (currently 'My Neighbourhood: Neighbourhood Planning Protocol' which is also in the process of being reviewed and updated). Formal consultation stages will take place over a minimum of 6 weeks.
24. In addition to an engagement strategy a Consultation Statement will be prepared and updated at each stage of Local Plan partial update preparation setting out how consultation was undertaken, the key issues raised through consultation and how the Council has considered these issues in progressing the partial update.

Relationship with other Plans

25. As set out above the document being prepared will be a partial update of the Core Strategy and Placemaking Plan. Once arrangements for future sub-regional planning are agreed and some form of sub-regional plan is prepared a new Local Plan will also be prepared in order to facilitate its delivery.
26. In light of the partial update some Neighbourhood Plans that currently conform with the adopted Core Strategy and Placemaking Plan may also need to be reviewed and updated in part or in full. This will be kept under review and parish councils advised accordingly. New Neighbourhood Plans will need to conform with the Local Plan (Core Strategy and Placemaking Plan) partial update.
27. Policies in the adopted Core Strategy and Placemaking Plan are supplemented by a range of Supplementary Planning Documents (SPDs) which are listed in the Interim Local Development Scheme. These SPDs will continue to supplement the relevant policies in the partial update and some may require reviewing and updating. The existing SPDs to be reviewed or new SPDs to be prepared are identified in the Local Development Scheme.

Programme

28. The proposed timetable for the Local Plan Partial Update is set out on page 18 in the Council's Interim Local Development Scheme which can be found on the Council's website via www.bathnes.gov.uk/planningpolicy. The programme for the key stages is also summarised in the diagram below.

PROGRAMME

Spring 2020	Commencement
Autumn 2020	Reg 18 Consultation
Summer 2021	Reg 19 Consultation
Winter 2021	Examination
Spring 2022	Adoption

Let us know what you think

29. Consultation on this commencement document runs from **6th April to 18th May 2020**. If you have any comments on you are encouraged to make them online or via e-mail to planning_policy@bathnes.gov.uk.
30. **It would be helpful if you could focus your comments just on the proposed content, scope and programme for the Local Plan partial update at this stage. Please ensure your comments are succinct.**

- Q1. Do you have any comments on the proposed scope and content of the Local Plan Partial Update and the policies to be updated (see separate list)?**
- Q2. Do you have any comments on the programme for the preparation of the Local Plan Partial Update?**
- Q3. Do you have any other specific observations to make on the Local Plan**

Partial Update?

31. Please let us have any comments by **5.00 p.m. 18th May 2020**. Representations will be taken into account through the plan preparation process.

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