

<b>Bath &amp; North East Somerset Council</b>	
<b>MEETING:</b>	<b>Climate Emergency and Sustainability Policy Development &amp; Scrutiny Panel</b>
<b>DECISION DATE:</b>	<b>21<sup>st</sup> June 2021</b>
<b>TITLE:</b>	<b>Progress report on the Local Plan Partial Update, associated Supplementary Planning Documents (including Electric Vehicle Charging points) and the WECA Spatial Development Strategy</b>
<b>WARD:</b>	All
<b>AN OPEN PUBLIC ITEM</b>	
<b>List of attachments to this report:</b>	
None	

## **1 THE ISSUE**

- 1.1 This report provides an update on progress on the preparation of the Local Plan Partial Update (LPPU) and the WECA Spatial Development Strategy (SDS).

## **2 RECOMMENDATION**

**The Panel is asked to comment on the emerging Local Plan Partial Update.**

## **3 THE REPORT**

- 3.1 The Council needs to up-to-date its planning policies in order to deliver its corporate objectives. Current policies are set out in the Core Strategy and Placemaking Plan the former now being over 5 years old. The changes to the Local Plan will also require changes to the accompanying Supplementary Planning Documents (SPDs).

### **Local Plan Partial Update**

- 3.2 The Local Plan Partial Update (LPPU) is being prepared primarily in order to ensure the Council's planning policies facilitate addressing the climate and ecological emergencies, as well as replenishing housing supply in order to ensure the strategic requirement for additional homes is met.
- 3.3 In helping to address the climate and ecological emergencies a variety of existing policies are being revised and new policies proposed. The key revised and new policy areas include the following:
- Replacing the currently adopted policies that encourage sustainable construction and on-site renewable energy to reduce carbon emissions by 10% with a policy that requires all new development to be zero carbon

- Introducing a heating and cooling hierarchy where applicants are required to show that development minimise heating and cooling demand and residual heat and cooling demand to be met via renewable heat sources
- The retrofitting energy efficiency measures to existing properties to be required to achieve specified carbon reduction levels (supported by the Supplementary Planning Document (SPD) review referenced in the section below)
- Consider introducing a policy require Whole Life Cycle carbon reductions of new buildings
- Revision of the currently adopted renewable energy policy to set out a clearer, more positive strategy in helping to facilitate renewable energy infrastructure development particularly encouraging it in the most appropriate locations in the District
- Introducing a policy requiring all new residential development to provide electric vehicle charging infrastructure (to be supported by a Transport SPD – see section below)
- Amending various transport policies to ensure that in considering the location and design of new development sustainable transport modes are considered first and are at the heart of decision making, as well as ensuring the principles of Liveable Neighbourhoods are better embedded
- Requiring development to enhance, rather than just maintain (as is currently the case) recreational or active travel routes
- Updating adopted nature conservation policies so that they even better protect irreplaceable habitats and facilitate nature recovery
- Bringing forward a new policy (in advance of the national requirement) for developers to deliver Biodiversity Net Gain as part of development
- Ensuring that Green Infrastructure provided also maximise benefits for active travel (sustainable transport and health benefits)

3.4 The Council undertook options consultation at the start of this year in order to get the views of communities and other stakeholders on the policy direction proposed, as well as policy options. With regard to the climate and ecological emergency related policies key issues raised included:

- Significant level of support for policies aimed at delivering zero carbon development
- Opportunities for on-site renewable energy (e.g. through solar panels) should be maximised and support for ensuring retrofitting measures achieve 20% carbon reduction
- Need flexibility in policies so that benefits can be derived from advances in sustainable fabric

- In addition to requiring zero carbon development post construction monitoring is important
- Concern expressed, mainly by developers, regarding the impacts on viability and the need to ensure policy requirements align with national policy and do not render development undeliverable
- Delivering zero carbon development, as well as other climate/ecological emergency related policy requirements, may impact on the amount of affordable housing that can be provided
- Concern that Electric Vehicle chargers will be overtaken by technological advances – preference for passive infrastructure provision
- Substantial support for introducing Biodiversity Net Gain requirement, with many stakeholders preferring a higher target
- Broad support for amending transport policies to emphasise and consider sustainable modes of transport – however, some concern expressed that these requirements go beyond national policy and if applied too rigidly will prevent development coming forward in the rural areas

3.5 Following consideration of the issues raised in the consultation, as well as further evidence base work, the Draft Plan is being prepared. The Draft Plan will set out the Council’s proposed policies. This work is ongoing, and the Draft Plan is due to be reported to Council at its meeting on 22<sup>nd</sup> July. The remaining stages of LPPU preparation are set out below, along with the current timetable for each stage.

- Options consultation – took place in January & February this year
- Draft Plan – due to be considered by Council on 22<sup>nd</sup> July and then subject to formal public consultation during August and September
- Submission – once the Council has considered the comments received during the consultation it is submitted for Examination by a Planning Inspector. This is anticipated to be considered by Council in November.
- Examination – Planning Inspector examines the document in order to test whether it is ‘sound’. Anticipated to take place from November 2021 to early 2022
- Adoption – once the Council receives the Inspector’s Report it is anticipated the Plan can be adopted by the Council in spring/summer 2022

### **Supplementary Planning Documents**

3.6 Alongside the LPPU a series of Supplementary Planning Documents (SPDs) are also being prepared. The SPDs will provide further detail on and support the implementation of the proposed policies in the LPPU and will also help to address the climate and ecological emergencies. The Draft SPDs are due to be considered by Cabinet on 20<sup>th</sup> July and if approved they will be subject to consultation alongside the LPPU. The two main SPDs being progressed of relevance are the review of the Sustainable Construction & Retrofitting/Energy Efficiency in Historic Buildings SPD and a new Transport SPD.

### *Sustainable Construction & Retrofitting SPD*

- 3.7 The Council adopted two SPDs in 2013 which principally set out guidance for home owners and occupiers on adapting their dwellings to reduce energy use. These were the Sustainable Construction and Retrofitting SPD (including guidance on a range of different property types in terms of age and construction) and specific guidance aimed solely at historic buildings, entitled Energy Efficiency and Renewable Energy Guidance for Listed Buildings and Undesignated Historic Buildings.
- 3.8 These two SPDs are proposed to be combined into one SPD, which will provide consistent, practical and user-friendly advice relating to measures that can be introduced to reduce energy use in all types/ages of buildings. In combining the SPDs an increased set of clear illustrations will be included, relating to each type of measure that can be introduced e.g. double glazing, solid and cavity wall insulation, solar voltaic cells, ground source heat pumps etc. The unintended consequences of incorrectly applying energy efficiency measures will also be highlighted e.g. increased condensation.
- 3.9 The SPD will be worded positively setting out what measures can be introduced and how, aided by the use of appropriate case studies. The opportunity is also being taken to update the guidance, given that technology has moved on quickly over the last eight years in relation to the types of measures available and their cost. The SPD will also help to address fuel-poverty issues, including in historic buildings, where achieving affordable warmth is a particular problem.

### *Transport SPD*

- 3.10 The Transport SPD will also complement these Local Plan Partial Update and will be comprised of 4 sections;
- A review of the Parking standards;
  - Ultra-Low Emissions Vehicles (ULEV);
  - Walking & Cycling Infrastructure Design;
  - Travel Plan Guidance
- 3.11 The overall purpose of the Parking SPD is to set out the parking standards for new development. The parking policy outlined in the SPD contributes towards meeting the Council's environmental targets as well as providing other benefits for the District by:
- Enabling a reduction in vehicle usage, achieved by reducing the convenience of private vehicles in comparison with active travel (i.e. walking and cycling) or public transport. This will improve air quality, health and congestion, whilst reducing carbon and nitrogen oxide emissions. It will also provide the opportunity to reallocate road space to sustainable transport infrastructure
  - Creating better places, with less emphasis given over to the storage of private vehicles on street and roads. This will support the provision of green infrastructure, social spaces and sustainable transport infrastructure. This can be achieved with good design principles, enabling a reduction in the proportion of space allocated to cars and parking, along with measures to

enable reduction in car ownership and usage. A combination of which, could provide the ideal situations for car-free developments.

- Avoiding haphazard, informal or inconsiderate parking behaviours and its associated effects (for example, parking on footways as a result of excess demand for on-street parking supply) by providing sufficient parking to promote sustainable travel and controlling on-street parking where appropriate.
- Enhancing the accessibility of development sites by raising awareness of the potential improvements to sustainable travel modes that can lead to an increase in walking, cycling and public transport use in B&NES.

3.12 The council recognises that it is a challenge to ensure that parking within the District is attractive, safe and convenient for users and that a balance must be struck between providing sufficient parking where car travel is essential for day-to-day accessibility, and reducing the reliance on the private car to achieve the necessary benefits available.

3.13 The primary purpose of the Ultra Low Emission Vehicles (ULEV) infrastructure SPD is to provide guidance and standards on the accommodation and provision of ULEV infrastructure for the planning and proposal of new developments. The SPD will:

- Outlines a strategy for determining the provision of charging infrastructure for new residential and business developments;
- Provides guiding principles for developers;
- Demonstrates the importance of providing ULEV infrastructure to accelerate the transition from internal combustion engine (ICE) to ULEV or Electric Vehicles (EV);
- Defines standards and how they are applied.

3.14 The Design of Walking and Cycling Infrastructure SPD should take into consideration the fundamental elements outlined within the SPD Vision and Objectives. Subsequently, a number of design requirement categories have been identified, within which key principles have been established that link directly to the Objectives. These design principles are a key mechanism for supporting and delivering the outcomes of the Objectives. The design requirement categories are outlined as follows:

- Accessibility with regards to directness, continuity and inclusivity;
- Safety and Security requirements, such as the need for lighting, natural surveillance, well designed routeing and personal security;
- User comfort, such as the provision of seating, adequate route widths, surfacing and quality of environment; and
- Legibility – Ability to navigate, such as through legible routes, signage and wayfinding.

- 3.15 Micro-mobility should also be considered in relation to the walking and cycling design categories. In terms of accessibility, ensuring that access can be achieved by various types of users, such as wheelchairs, adaptive cycles, e-bikes, e-scooters, cargo bikes and bikes with trailers will be fundamental to any proposals. For example, removal of barriers to inclusive routes such as topography, non-step access and poor / insufficient tactile paving will be an important factor in ensuring inclusive use.
- 3.16 Routes must also be both safe, and feel safe, if they are to be inclusive and support walking and cycling for all. With regard to comfort, paths should be clear and unobstructed, allowing wheelchair users, mobility scooters and pushchairs to pass each other. In terms of legibility, signage should clearly state the suitability for various forms of micro-mobility.
- 3.17 The Travel Plan SPD will explain the Council's requirements for Travel Plans (, ensuring that developments across the area support sustainable transport and minimise their negative impacts. Alongside the guidance provided, this document also contains templates and examples to demonstrate the requirements and assist those who are preparing Travel Plan documents. This guidance applies to all development that generates a significant level of travel demand. As an overview, the guidance sets out:
- What a Travel Plan is and what benefits it can deliver, including the different types of Travel Plans;
  - When a Travel Plan will be required in conjunction with a planning application;
  - What the Travel Plan should include;
  - The different Travel Plan delivery options for applicants or developers; and
  - How Travel Plans can be secured, monitored and enforced.

### **WECA Spatial Development Strategy**

- 3.18 In the longer term, the Council will need to undertake a full review of its Local Plan, but this can only be properly be progressed in alignment with the West of England Combined Authority Spatial Development Strategy (SDS). As part of that process, many of the LPPU policies can be rolled into the new Local Plan or developed further if required.
- 3.19 The SDS will be a high-level spatial plan, to which the UA Local Plans must conform. WECA has some discretion on the scope and nature of policies in the SDS. The SDS will establish key policies such as the sub-regional housing requirement as well as the housing requirements of individual authorities. As WECA and the UAs have all declared climate emergencies, with a target of becoming carbon neutral by 2030, the SDS will also establish the strategic planning requirements to respond to the Climate and Nature Emergences, implementation of green Infrastructure (linked to the Joint Green Infrastructure Strategy), and design and placemaking principles.
- 3.20 WECA is working closely with the UAs in the preparation of the SDS and it is currently expected to be 'published' (adopted) in 2023. WECA is helping to co-

ordinate and fund a number of key studies to inform both the SDS and UA plan-making. These include a Carbon Impact Assessment tool and a Renewable Energy Resource Assessment Study.

#### **4 STATUTORY CONSIDERATIONS**

- 4.1 The Planning Acts require that planning decisions must be determined in accordance with Development Plan Documents or Neighbourhood Plans unless material considerations indicate otherwise. Hence the importance of ensuring the planning polices are up-to-date
- 4.2 The process for the preparation of policy documents is regulated by statute, governing matters such as the publication, consultation, scope and content of plans, public examinations and adoption.
- 4.3 There are other statutory requires for plan-making such as the Climate Change Act 2008 as well as National Planning Policy.

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

- 5.1 The Council's planning framework is critical to the delivery of its Corporate Strategy. The formulation of planning policy will require extensive cross-service working to ensure a co-ordinated approach and an efficient use of resources.
- 5.2 The preparation of Planning Policies for the District is primarily funded by the Local Development Framework Budget, Government grants and funding from WECA. The scope and progress of preparation of planning policy documents will depend on the available resources but the preparation of plans in this report are covered by existing budgets.
- 5.3 The SDS is funded largely by WECA with some contributions from the Unitary Authorities to cover the collation of evidence of relevance to both the SDS and Local Plans.

#### **6 RISK MANAGEMENT**

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

#### **7 EQUALITIES**

- 7.1 All plans and SPDs are subject to an Equality Impact Assessment (EqIA). The Council will seek to ensure that the consultation is inclusive and accessible.

#### **8 CLIMATE CHANGE**

8.1 One of the main reasons for updating the Local Plan is to ensure that the Council’s planning policies are amended to contribute toward achieving carbon neutrality by 2030 in response to the declaration of the Climate Emergency.

## 9 OTHER OPTIONS CONSIDERED

9.1 Plan preparation requires that the plan-making authority considers the reasonable alternatives in deciding the most appropriate policy option. The comparisons of these alternatives are set out in the Sustainability Appraisals for each document which will be published alongside the draft plans when they are consulted on.

## 10 CONSULTATION

10.1 Residents, local communities and stakeholders will have the opportunity to comment on the LPPU and the SPDS as part of a programme of consultation once they are agreed in July. They will all need to meet the statutory consultation requirements and the Council’s Statement of Community Involvement.

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<b>Background papers</b>	<ul style="list-style-type: none"> <li>• The B&amp;NES Council Climate Emergency progress report October 2019</li> <li>• The Planning and Compulsory Purchase Act 2004 (as amended)</li> <li>• National Planning Policy Framework 2019</li> <li>• National Planning Practice Guidance</li> <li>• B&amp;NES Core Strategy 2014</li> <li>• B&amp;NES Placemaking Plan 2017</li> <li>• B&amp;NES Statement of Community Involvement</li> </ul>
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