

## Bath & North East Somerset Council

DECISION MAKER:	<b>Cllr Matthew McCabe, Cabinet Member for Built Environment, Housing and Sustainable Development</b>	
DECISION DATE:	<b>On or after 25<sup>th</sup> January 2025</b>	EXECUTIVE FORWARD PLAN REFERENCE:
		<b>E 3581</b>
TITLE:	<b>Re-setting the Bath and North East Somerset Local Plan</b>	
WARD:	All	
<b>AN OPEN PUBLIC ITEM</b>		
<b>List of attachments to this report:</b> Attachment 1: Re-setting the Bath and North East Somerset Local Plan and the District-wide Spatial Strategy Attachment 2: Equalities Impact Assessment		

### 1 THE ISSUE

- 1.1 The new Local Plan will establish the policy framework for determining planning applications for the next 15 years and will determine where planned development takes place. As a result of the government's proposed revisions to both the National Planning Policy Framework (NPPF) and the standard method housing figure Cabinet took the decision in September to reset the Local Plan. This report seeks approval to publish a short document updating stakeholders on the re-setting of the Local Plan and explaining what this means, as well as outlining potential District-wide approaches that could act as a focus in considering locations for additional development. It is also recommended that another 'call for sites' is held for stakeholders to suggest potential sites for the Council to consider.

## 2 RECOMMENDATION

The Cabinet Member is asked to;

- 2.1 Approve publication of the Re-setting the Bath and North East Somerset Local Plan and the District-wide Spatial Strategy document (attachment 1)
- 2.2 Agree that publication of the above document is communicated publicly as the re-launching of conversations with stakeholders on the Local Plan and that an engagement strategy should also be published
- 2.3 Agree that a 'call for sites' for housing and employment development is held commencing week beginning 3<sup>rd</sup> February

## 3 THE REPORT

- 3.1 The preparation of a Local Plan goes through a number of stages prescribed by legislation. These include consideration of and engaging with stakeholders on reasonable alternatives or options (Reg 18), prior to publication of a Draft Plan for formal consultation (Reg 19), before submitting the Plan for Examination by a Planning Inspector. Following work with stakeholders the Council published, in February this year, an options document for consultation. This document set out, amongst other things, location/site options for accommodating development to meet our need for housing (based on the previous Government's figure of housing need) and economic space.
- 3.2 Since that time the Government has published its revisions to the National Planning Policy Framework (NPPF) and a revised standard method housing figure. The revised housing figure is 105% higher than the previous figure i.e. increased from 717 per year to 1,471 per year. Due to the significant implications of these revisions Cabinet took the decision in September that the Local Plan needs to be reset. Resetting the Local Plan is necessary because achieving a 'sound' plan within the timeframes set by the Government in transitional arrangements is not possible.
- 3.3 Resetting the Local Plan requires undertaking further evidence base work and considering and working with stakeholders on a range of options for additional development. It also means that the process and programme for preparing the Local Plan has changed and the amended programme is set out in the Council's [Local Development Scheme](#)
- 3.4 The Council is still in the Reg 18 phase of preparing the Local Plan (as referenced in para 3.1 above) during which the Council is engaging and consulting with communities and other key stakeholders in considering reasonable alternatives or options. Having consulted publicly on options earlier this year and given the significance of the implications of the revised NPPF/housing figure along with the resultant need to consider additional options it is really important that the Council keeps communities and other stakeholders informed. Therefore, it is recommended that we publish the 'Re-setting the Bath and North East Somerset Local Plan and the District-wide Spatial Strategy' document (attachment 1).
- 3.5 The re-setting the Local Plan document will outline the following:

- Why we need to reset the Local Plan

- What resetting means
- Re-iterating the spatial priorities of the Local Plan and the Council's proposed approach so far, which seeks to focus development on the most sustainable settlements to minimise carbon/climate change impacts
- The need to consider options for additional development
- Potential District-wide spatial strategy approaches to act as a greater focus for identifying and considering additional site/location options

3.6 Publishing the re-setting the Local Plan document is vital in also re-launching conversations and engagement with communities and other stakeholders on the Local Plan given the changed national context. The Council is keen to work with stakeholders on considering how places should change and develop. It is therefore, also recommended that the Council uses various media to communicate publication of the re-setting document and the next steps in preparing the Local Plan including opportunities for stakeholders to engage.

3.7 Further information on how the Council proposes to engage with and consult communities and other stakeholders on the Local Plan is set out in the [Communications and Engagement Strategy](#) (published in October 2022). This strategy needs to be updated in light of resetting the Local Plan and the amended preparation programme. In so doing the Council is reflecting on the Options consultation in spring of this year and in particular what can be improved. Preparation of the Local Plan forms an important element of the Council's wider place shaping activity and as such future engagement on the Local Plan will need to be aligned with other place shaping initiatives. The updated Local Plan Communications and Engagement Strategy is therefore anticipated to form part of a place shaping engagement strategy which will be published outlining how and when we propose to engage with communities and other stakeholders in progressing the Local Plan.

3.8 Finally, it is also recommended that a further 'call for sites' exercise is undertaken and publicised alongside publishing the resetting document. This provides an opportunity for landowners, developers, communities and other stakeholders to suggest potential sites for both housing and economic development. These sites can then be considered, alongside existing sites that the Council is aware of and have been submitted, in progressing the Local Plan. In order to enable them to be considered as part of the Options work they will need to be submitted by 21<sup>st</sup> March and this will be made clear on the Council's website and through other communications.

## 4 STATUTORY CONSIDERATIONS

4.1 Planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004, Section 70(2) Town and Country Planning Act 1990).

4.2 Section 19(1B) - (1E) of the Planning and Compulsory Purchase Act 2004 sets out that each local planning authority must identify their strategic priorities and have policies to address these in their development plan documents (taken as a whole). The development plan for an area is made up of the combination of strategic

policies (which address the priorities for an area) and non-strategic policies (which deal with more detailed matters).

- 4.3 In light of the UK Plan-led system, Regulation 10A of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) requires that Local Planning Authorities must review local plans and the NPPF states that this must take place at least once every 5 years, and Plans should then be updated as necessary. This must in whole or in part be to ensure that policies remain relevant and effectively address the needs of the local community.
- 4.4 The Council updated parts of its Local Plan (comprising the Adopted Core Strategy and Placemaking Plan) through the Local Plan Partial Update (LPPU). The LPPU was adopted in January 2023. However, a full update of the Local Plan now needs to be prepared in order to ensure that the needs for development within the district (e.g. for housing and employment space) over the longer term can be objectively assessed and responded to positively. Work commenced on the full update of the Local Plan and an Options consultation took place earlier this year. The revised NPPF and standard method housing figures means that the Council is re-setting its Local Plan and will require further evidence work and engagement to be undertaken.
- 4.5 The first formal stage in preparing the Council's new Local Plan is Regulation 18 of Town and Country (Local Planning)(England) Regulations 2012/767 which provides the opportunity to gather evidence and test options with local communities and stakeholders. Following consultation on the Options document earlier this year it is envisaged that further options/preferred options engagement and consultation will be undertaken in respect of the re-set Local Plan in summer/early autumn 2025. The primary purpose of the 'Re-setting the Bath and North East Somerset Local Plan and the District-wide Spatial Strategy' is to update communities and stakeholders on the Local Plan preparation process, but also to outline, for information at this stage, potential spatial strategy approaches that could act as a greater focus for considering options for additional development. Stakeholder engagement in identifying and considering options will take place next year, in advance of a further full public consultation on options in summer/early autumn next year under Regulation 18.
- 4.6 The amended programme for preparing the re-set Local Plan is, as required by the Planning and Compulsory Purchase Act 2004, set out in the Council's [Local Development Scheme](#) which was published and came into effect in December 2024.

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

- 5.1 The recommendations in this report do not have any direct budget implications. However, it should be noted that as a result of the revised national context significant further work will now be required on the Local Plan in undertaking further evidence work, considering additional options and engaging further with communities and other stakeholders. The means of funding the costs of this additional work is still being considered and will include submitting an 'expression of interest' for Government funding support for Local Plan delivery and Green Belt reviews announced alongside publication of the revised NPPF.

## **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 An Equalities Impact Assessment (EqIA) has been undertaken of the Resetting the Bath and North East Somerset Local Plan document. Given the purpose of the Local Plan Resetting document is to inform and update stakeholders many of the assessed impacts relate to ensuring communication and engagement on the Local Plan is undertaken in a way that is fully inclusive and that all groups are updated and can access information. Engagement to date on the Local Plan has used a variety of communications and engagement media to ensure inclusivity; has targeted seldom heard groups; and has provided documentation in a variety of formats to ensure accessibility. The EqIA of the Local Plan resetting document notes some areas or actions for further improving engagement e.g. monitoring the demographic characteristics of those that respond to consultation during Local Plan preparation to check that response is representative of the wider population and to ascertain whether efforts to reach seldom-heard groups have been successful. The methods and focus of engagement can then be tailored accordingly. These conclusions will be reflected in the place shaping/updated Local Plan engagement strategy.

## **8 CLIMATE CHANGE**

- 8.1 The Local Plan is founded on ensuring that planning policies and the locations for and form of development help to address the climate emergency by both mitigating the impacts of climate change (e.g. through minimising carbon emissions) and adapting to climate change. The resetting the Local Plan document seeks to update communities and other stakeholders on the preparation of the Local Plan and also includes District-wide spatial strategy approaches that could act as a greater focus for options for new development. The need to minimise carbon emissions (e.g. by reducing travel distances and facilitating movement by sustainable modes of transport) in looking at spatial strategy will be and is referenced as the key consideration.

## **9 OTHER OPTIONS CONSIDERED**

- 9.1 Two alternative options were considered and rejected. The first was not to publish a 'Local Plan re-setting' document. This was rejected because it is important to keep communities and other stakeholders updated on the Local Plan given the significant implications of revisions to national policy and to also keep people informed of the next steps. The second alternative considered was to publish the 'Local Plan resetting' document for consultation and asking for comments on potential spatial strategy approaches. However, it was decided that the risks or disadvantages would outweigh any limited benefit. There are risks that residents/stakeholders will not be able to engage meaningfully on very high-level District-wide spatial strategy approaches. Alternatively, a substantial volume of comments could be received diverting resources from more important and productive engagement with community representatives and other stakeholders on potential options. In addition, when commenting on the options

presented for consultation in summer 2025 stakeholders will be able to reference and comment on the District-wide strategy approaches.

## 10 CONSULTATION

- 10.1 The purpose of publishing the Resetting the Bath and North East Somerset Local Plan document is to keep stakeholders informed and to mark the re-launch of conversations and working together on the Local Plan. In preparing this Single Member Decision Report and the resetting the Local Plan document consultation has taken place with many Council services, as well as the Cabinet Member, Executive Director of Sustainable Communities, S151 officer and Monitoring officer.

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<b>Background papers</b>	Cabinet Report, 12 September 2024 on the Revised National Planning Policy Framework and implications for the Local Plan. Available here:  <a href="http://vm-civ-gov/documents/g6419/Public%20reports%20pack%2012th-Sep-2024%2018.30%20Cabinet.pdf?T=10">http://vm-civ-gov/documents/g6419/Public%20reports%20pack%2012th-Sep-2024%2018.30%20Cabinet.pdf?T=10</a>
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