
**Bath & North East
Somerset Council**

Improving People's Lives

Bath and North East Somerset Local Development Scheme 2021 - 2024



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1. INTRODUCTION

The Local Development Scheme

- 1.1 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 the Local Plan, Development Plan Documents and Supplementary Planning Documents that the Council is preparing, or intends to prepare. These documents are known collectively as Local Development Documents (LDDs). It is the starting point for residents and stakeholders to find out what planning policies relate to their area and how these will be reviewed.
- 1.2 A review of the LDS is warranted by the need to update the Local Plan. This Local Development Scheme came into effect on 5th July 2021.

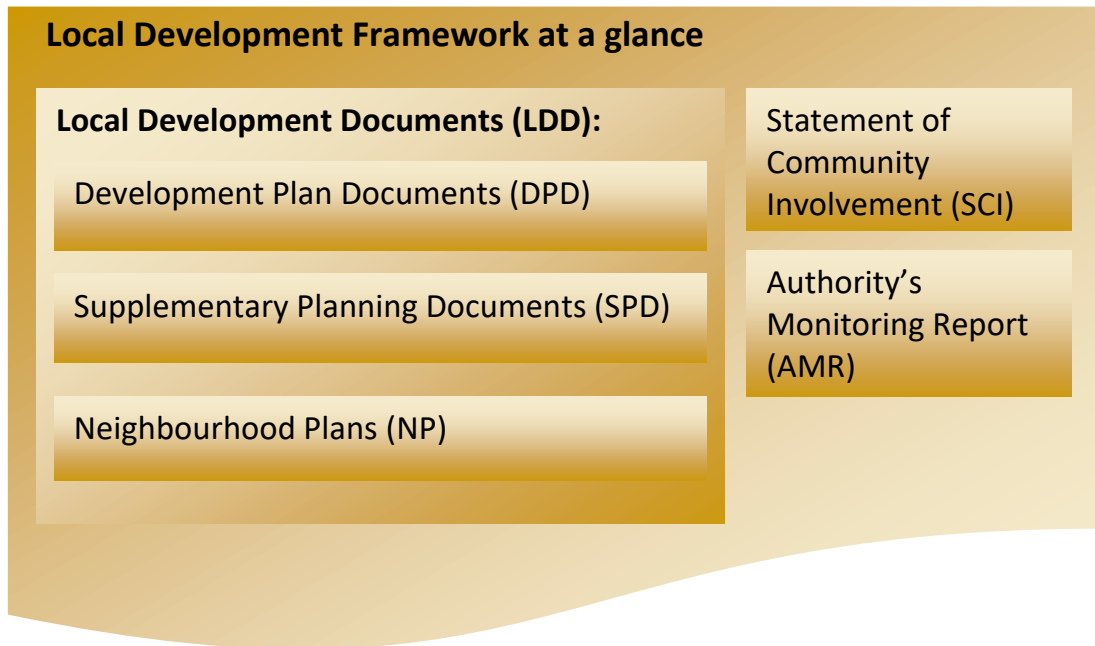
A Glossary of terms used in this document is set out at **Appendix C**

Local Development Framework

- 1.4 The Local Development Framework comprises a portfolio of locally prepared planning documents (Local Development Documents). It also includes related documents such as the Authority's Monitoring Report (AMR) and the Statement of Community Involvement (SCI).
- 1.5 Local Development Documents (LDD) include:

Development Plan Documents (DPD). These set out the Council's adopted policies and proposals and have development plan status and therefore have full weight in the determination of planning applications. They will be subject to community involvement and Sustainability Appraisal/Strategic Environmental Assessment throughout their preparation and will be subject to independent examination. They include Local Plans and Neighbourhood Plans. The Policies Map illustrates geographically the Local Plan policies.

Supplementary Planning Documents (SPD): Supplementary Planning Documents do not have statutory Development Plan status but are useful in providing more detailed guidance and support for policies and proposals in Development Plan Documents. They are quicker to prepare as they are not subject to independent examination. Whilst they supplement adopted policy and constitute a material consideration in the determination of planning applications they cannot be used to formulate planning policy or designate sites. They will however be subject to community involvement and where appropriate Sustainability Appraisal during preparation.



The Development Plan for Bath & North East Somerset

- 1.6 Section 38(6) of the Planning and Compensation Act stipulates that planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. This gives considerable weight to Development Plan Documents.
- 1.7 With the adoption of the Core Strategy in July 2014 and adoption of the Placemaking Plan in July 2017 the Development Plan for Bath and North East Somerset comprises:

The B&NES Development Plan July 2021

Document	Description
<p>Bath & North East Somerset Core Strategy adopted July 2014</p>	<p>The Core Strategy sets out the policy framework for the location and level of new housing and other development and includes four Strategic Site Allocations. It forms Part 1 of the Local Plan 2011 - 2029.</p>
<p>Bath & North East Somerset Placemaking Plan adopted July 2017:</p> <ul style="list-style-type: none"> - Volume 1 - District-wide Strategy and Policies - Volume 2 - Bath - Volume 3 - Keynsham - Volume 4 - Somer Valley - Volume 5 - Rural Areas - Volume 6 - Appendices 	<p>The Placemaking Plan complements the Council’s Core Strategy and forms Part 2 of the Local Plan 2011 - 2029. It is a six volume document focussed on creating the conditions for better places, and on providing greater clarity to enable the right developments to be delivered. It allocates a range of sites for development for a variety of uses; facilitates the delivery of key sites with planning requirements; sets out development management policies which will be used to determine planning applications; and safeguards and enhances the quality and diversity of places in Bath and North East Somerset. Some policies in the Placemaking Plan superseded some policies in the Core Strategy under the Town & Country Planning Regulations 2012 8(5).</p>
<p>Bath & North East Somerset saved Local Plan (2007) Policies:</p> <ul style="list-style-type: none"> - Policy GDS.1 Site allocations and development requirements (policy framework) - Policy GDS.1/K2: South West Keynsham (site) - Policy GDS.1/NR2: Radstock Railway Land (site) - Policy GDS.1/V3: Paulton Printing Factory (site) - Policy GDS.1/V8: Former Radford Retail System's Site, Chew Stoke (site) 	<p>Four part implemented sites allocations and their respective development requirements have not been replaced by the Core Strategy or the Placemaking Plan and therefore remain ‘saved’. This is to ensure the remaining development of each site takes place in accordance with the site requirements. These policies are reproduced in full in Volume 6 of the Placemaking Plan (Appendix 1, Table 2)</p>

Document	Description
<p>Joint Waste Core Strategy DPD (JWCS) adopted March 2011</p>	<p>The JWCS sets out the waste planning strategy for the West of England, addressing the planning aspects of the waste hierarchy promoting waste minimisation, recycling/ composting, recovery and disposal.</p>
<p>The Policies Map (previously known as the Proposals Map)</p>	<p>This illustrates all the allocations and designations set out in the DPDs. It will be revised as each new DPD is adopted where there are allocations or designations. The existing Local Plan Policies Map will be amended to give geographical expression to the Core Strategy and the Placemaking Plan. Proposed amendments to the Policies Map will be publicised alongside the appropriate DPD.</p>
<p>Neighbourhood Plans</p>	<p>Nine Neighbourhood Plans have been made and form part of the Development Plan; Chew Valley, Claverton, Clutton, Englishcombe, Freshford & Limpley Stoke, Publow & Pensford, Stowey Sutton, Westfield and Whitchurch</p>

- 1.8 In addition to the nine made (adopted) Neighbourhood Plans in B&NES there are a number of neighbourhood plans currently under preparation (see para 2.10). Stanton Drew Neighbourhood Plan and Freshford Community Right to Build have recently passed their referendum and are due to be made. In addition, 7 communities are designated as Neighbourhood Areas, indicating their intention to undertake Neighbourhood Planning
- 1.9 Emerging DPDs will carry weight as set out in the NPPF Annex 1.

Other related planning documents

- 1.10 Other key planning related documents the Council is required to produce are a Statement of Community Involvement, a Monitoring Report and a Policies Map as explained below.
- 1.11 Local planning authorities must set out in their Statement of Community Involvement (SCI) how they will engage communities on the preliminary stages of plan-making. The SCI helps to ensure that the Council is in a position to respond to the Localism agenda efficiently and coherently. This will enable communities to understand the range of opportunities to interact with and take an active role in planning in their locality.
- 1.12 The Neighbourhood Planning Protocol (NPP) incorporates the Statement of Community Involvement (SCI) which was adopted in September 2012 and revised in 2014. The Council has published the draft revised SCI updating the NPP in April 2020. It is anticipated the revised SCI will be published in November 2021.
- 1.13 The SCI outlines the ways communities can get involved in planning issues. This includes:
- Community involvement in Planning Applications
 - Heritage Assets
 - Community involvement in Planning Policy
 - Neighbourhood Planning
 - Protection of Trees
- 1.14 The **Authority's Monitoring Report (AMR)** assesses whether plan production is on target and the extent to which policies in local development documents are being implemented. It monitors key data such as housing completions, growth in office space and losses in industrial space. The AMR is published annually and is based upon the period 1st April to 31st March each year. The Council is also required to publish for each financial year an **Infrastructure Funding Statement (IFS)**. The IFS sets out the types of infrastructure the Community Infrastructure Levy (CIL) will be allocated to fund, the amount of funds collected from CIL and Planning Obligations and how these funds have been spent to support infrastructure provision.

Bath & North East Somerset's Local Development Framework

Local Development Documents Current

Development Plan Documents

- Core Strategy (2014)
- Placemaking Plan (2017)
- Saved policies from the Local Plan (2007)
- Joint Waste Core Strategy (2011)
- B&NES Policies Map

Supplementary Planning Documents

See Annex A for full list

Other documents

- Authority's Monitoring Report
- Statement of Community Involvement
- Community Infrastructure Levy
- Infrastructure Delivery Plan
- Infrastructure Funding Statement

Local Development Documents Under preparation/Review

Development Plan Documents

- Local Plan (Core Strategy and Placemaking Plan) Partial Update
- Travellers' Sites Plan
- Neighbourhood Plans
- New Local Plan

Supplementary Planning Documents

- Houses in Multiple Occupation SPD
- Planning Obligations SPD
- Energy Efficiency, Retrofitting and Sustainable Construction SPD
- Locally Listed Heritage Assets SPD
- Biodiversity Net Gain SPD
- Transport and Development SPD

Sub-Regional Plan

- Spatial Development Strategy

2. LOCAL DEVELOPMENT FRAMEWORK PRODUCTION 2020 - 2023

Progress

Development Plan Documents

- 2.1 The **Core Strategy** (adopted July 2014) sets out the long term strategic planning framework for Bath & North East Somerset and includes a spatial vision and spatial objectives looking ahead to 2029. The Core Strategy forms **Part 1 of the Local Plan 2011 - 2029** to comply with the NPPF requirement to produce a Local Plan (see below regarding the review of the Core Strategy).
- 2.2 The **Placemaking Plan** complements the Core Strategy and forms **Part 2 of the Local Plan 2011 - 2029**. The Placemaking Plan identifies development site allocations, reviews designations and makes changes to and introduces new Development Management policies. It sets out the development parameters for site allocations in the context of their surroundings. The Placemaking Plan was formally **adopted on 13 July 2017**.
- 2.3 The Council was preparing a **new Local Plan (2016-2036)** within the context of and to deliver **the West of England Joint Spatial Plan (JSP)**. However, following the withdrawal of the JSP preparation of the **new Local Plan (2016-2036)** has been paused. Instead, the West of England Combined Authority (WECA) is preparing a Spatial Development Strategy with B&NES, Bristol and South Gloucestershire. B&NES will undertake a full review of its Local Plan alongside the SDS and in general conformity with it. This will provide the opportunity to prepare the new Local Plan in the context of the national planning reforms, including requirements for design codes, guides and policies to promote successful design.
- 2.4 In the shorter term, following a review in 2019, a programme is needed for changes to planning policies to respond to the Climate and Nature Emergency Declaration, regulatory changes such as the Environment Bill and a select number of other issues. **The Local Plan Partial Update** may consider:
 - a) Policies to deliver on the Council's declaration of climate and ecological emergencies, including those on renewable energy generation, retrofitting, sustainable construction and biodiversity net gain,
 - b) Transport policies including reviewing the parking standards
 - c) The approach to Houses in Multiple Occupation (HMOs), student accommodation, development on the University campuses
 - d) The district's housing land supply and type available to meet the Housing Requirement to 2029,
 - e) The supply of employment land in light of green recovery objectives

- f) The role of City & Town centres
 - g) Review of some existing allocated development sites
 - h) Review the role of the Bath Park & Ride sites
- 2.5 The LDF documents are supported by an **Infrastructure Delivery Plan** to ensure the strategic proposals are deliverable and aligned with infrastructure needs. Linked to this is the revised Planning Obligations SPD. Delivery of the Core Strategy and the Placemaking Plan are underpinned by the **Community Infrastructure Levy (CIL)** to address infrastructure funding issues and ensure growth happens in a planned way. The CIL will be updated alongside preparation of the new Local Plan.
- 2.6 The **Joint Waste Core Strategy** was adopted by the West of England Unitary Authorities in 2011 and, in conjunction with adjoining UAs, it will be reviewed in 2022 to ascertain whether any changes are necessary.
- 2.7 The **Travellers' Sites Plan** (formerly Gypsies, Travellers and Travelling Showpeople Site Allocations DPD) reached Preferred Options consultation stage in July 2012. Further progress has been affected by a number of factors including further site assessment work needed; the requirement to work jointly with adjoining authorities (Duty to Cooperate) to ensure that all non-Green Belt options are fully explored; and changes to national policy. In addition, the 2012 accommodation needs assessment for B&NES is out of date and needs reviewing in light of the Housing and Planning Act 2016 (s124); the changes in the definition of 'traveller' in the revised 'Planning Policy for Traveller Sites' (August 2015); and the fact that a number of sites have recently been granted planning permission for traveller use. An updated evidence base will give a more accurate assessment of the need in B&NES. Dependent upon the conclusions of this updated evidence the Travellers' Site Plan will be reviewed.
- 2.8 **Neighbourhood Plans** are being prepared by Neighbourhood Forums under the auspices of the Local Authority and once 'made' i.e. approved they will form part of the Development Plan. To facilitate this process, the Council prepared and adopted a **Neighbourhood Planning Protocol 'My Neighbourhood' (NPP)** which incorporates the Statement of Community Involvement (SCI) in September 2012 and updated in September 2014. The NPP is being reviewed and updated through preparation of a new SCI in order to ensure that it accords with national policy and legislation and reflects Council's current procedures.
- 2.9 The current position on Neighbourhood Plans (NPs) within Bath and North East Somerset Council is summarised below:
- **Chew Valley, Claverton, Clutton, Englishcombe, Freshford & Limpley Stoke, Publow & Pensford, Stowey Sutton, Westfield and Whitchurch**

NPs have been 'made' (or adopted). **Stanton Drew NP** has passed its referendum and will be made soon.

- **Batheaston, Keynsham and Midsomer Norton Town Councils** are currently working on their Neighbourhood Plans and it is anticipated they will formally submit their Neighbourhood Plans to B&NES with examinations and referendums likely to be held during 2019/2020 or 2020/21.
- **Bathampton, High Littleton & Hallatrow, Paulton and Timsbury Parish Councils** are designated Neighbourhood Planning Areas and are at early stages of the process i.e. collating the evidence base for their plans / developing planning policies; or are not progressing their plans at this stage.

2.10 The following proposals have come forward within Bath and North East Somerset:

- Draft Community Right to Build Order for the redevelopment of Freshford Village Memorial Hall

The Draft Community Right to Build Order for the redevelopment of Freshford Village Memorial Hall has passed its referendum and will be made soon.

Supplementary Planning Documents

2.11 The **Planning Obligations SPD** is a key document in setting out a coordinated approach to securing contributions from development. It is a 'living document' and will be reviewed from time to time to take account of new information. In order to ensure that it is aligned with up-to-date policy, especially the Core Strategy and Placemaking Plan, it has been revised together with the new Community Infrastructure Levy (CIL). The CIL and revised Planning Obligations SPD came into effect on 6th April 2015. This SPD was amended in relation to the provision of green space required to mitigate the impact of individual development proposals in August 2019. A further limited review will take place alongside the Local Plan partial update. A comprehensive review of the Planning Obligations SPD will take place alongside and informed by the review of CIL and preparation of the new B&NES Local Plan.

2.12 **Sustainable Construction and Retrofitting SPD** adopted in February 2013 aims to provide simple, practical guidance for our community on retrofit and sustainable construction. The SPD also includes further guidance entitled, the **Energy Efficiency and Renewable Energy Guidance for Listed Buildings and Undesignated Historic Buildings** which was adopted in September 2013 as an Appendix to the Sustainable Construction and Retrofitting SPD for use in determining applications

for Listed Building Consent and Planning Applications. This SPD was reviewed and will be published for consultation as **Energy Efficiency Retrofitting and Sustainable Construction SPD** in August 2021 to reflect the current guidance from Historic England and also in the context of the Climate Emergency declared by the Council.

- 2.13 Work is progressing on the Locally Listed Heritage Assets SPD following public consultation on the draft in 2018. It is anticipated that it will be adopted in 2021.
- 2.14 The **Houses in Multiple Occupation SPD** was reviewed in 2017. Following analysis of information collated from the extension of the HMO licencing scheme to cover the whole of Bath the SPD will be reviewed again in 2020/21. The timetable for this review is set out in the summary timetable below.
- 2.15 The National Planning Policy Framework requires planning policies and decisions to contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. The Environment Bill once enacted will establish a comprehensive legal framework for environmental improvement and will introduce a mandatory approach to a 10% biodiversity net gain requiring developers to ensure habitats for wildlife are enhanced. **Biodiversity Net Gain (BNG) SPD** will be prepared to set out the process required to deliver BNG and the method for calculating the change in biodiversity.
- 2.16 A **Transport and Development SPD** is also now under preparation. Parking Standards for different forms of development are currently defined by and included in the Placemaking Plan. The parking standards need to be reviewed informed by the monitoring of their implementation and in the context of the Council's climate emergency declaration. In order to enable greater flexibility in reviewing & updating parking standards in the future it is proposed that they be removed from the Local Plan and defined in the SPD.
- 2.17 The Transport and Development SPD will also cover Walking & Cycling Infrastructure Design; Travel Plan Guidance; and Ultra-Low Emissions Vehicles.
- 2.18 Other SPDs will be prepared depending on their urgency and as resources permit - see Section 5 of this document.

Other related planning documents

- 2.19 In order to progress delivery of **the Somer Valley Enterprise Zone** the Council will be preparing a **Local Development Order (LDO)** which will need to be approved by the LPA and will outline the uses that will be permitted on the site. The LDO will also set out the principles to which development must adhere and these will reflect the requirements of the site allocation policy in the Adopted Placemaking Plan.

- 2.20 The Council has prepared a **Community Infrastructure Levy (CIL)**. The CIL came into effect on 6th April 2015. It enabled the Council to raise funds from new development in order to fund the timely delivery of infrastructure. The CIL includes a charging schedule and a spending regime based on development proposals in the LDF. Its preparation entailed viability assessments so as not to inhibit development and input from stakeholders. The CIL will need to be updated alongside the preparation of a new Local Plan and to reflect changes to national policy.
- 2.21 **The Infrastructure Delivery Plan**, which will need to be kept up-to-date, identifies infrastructure provision that is required to support growth and which CIL can help fund. The Localism Act requires the allocation of a proportion of CIL revenues raised back to neighbourhoods where development takes place. In accordance with the Community Infrastructure Levy Regulations any authority that receives a contribution from development through the levy or section 106 planning obligations must prepare an infrastructure funding statement. **The Infrastructure Funding Statement** will be published annually in December.
- 2.22 There are 35 conservation areas in the District and 15 of these have conservation area character appraisals. Keynsham Conservation Area also has a management plan and a number of other more recent appraisals address management opportunities.
- 2.23 The risks of not having a character appraisal for Bath Conservation Area was highlighted by the Inspector at the Core Strategy examination. This has begun to be addressed by preparing a framework for a character appraisal for Bath and dividing the conservation area into 16 character areas. Characterisation of 8 character areas has been completed in draft, 4 further areas are in progress, with significant involvement of local communities, and the project to complete the remaining character areas and the character appraisal as a whole is being planned, together with a programme of public consultation.
- 2.24 Work continues on character appraisals for the rural areas, for Englishcombe and Newton St Loe some initial work has been done by students. This work will continue to be developed in-house when resources allow. Corston Parish Council has also been working on a community led appraisal for Corston Conservation Area and it is hoped further work will also continue here when their resources allow. Character appraisals for other rural areas will be undertaken based on development pressure, local demand and available resources both in-house and through the community.
- 2.25 Generally, skills exist in-house for undertaking conservation area character appraisals, however internal resources are limited. As with Englishcombe and Newton St Loe mentioned above, there is the potential to engage students

from educational establishments in the development of appraisals and to continue to support community involvement, but both also have resource implications for the Council.

- 2.26 Progress on the delivery of conservation area appraisals is therefore dependent on resource availability and some funding. Funding could allow consultant engagement to draft appraisals and is also needed for the graphic design of the documents which are not printed but are available on line and can be printed individually in certain circumstances on request.

Green Infrastructure Strategy

- 2.27 The Council's Green Infrastructure (GI Strategy was approved in 2015. The GI Strategy is being reviewed and updated in order to provide a framework focussing on the key objectives and principles of GI and for its delivery to be supported by a number of related, but separate Action Plans.

Tree and Woodland Plan

- 2.28 A Tree and Woodland Plan will be prepared and it will be one of the key action plans flowing from the GI Strategy. The Council has announced an ambitious target of planting 100,000 trees by 2023 and the Tree and Woodland Plan will play a key role in helping to facilitate the planting of the right species of trees in the right places.

LDD Content and Key Milestones

- 2.29 The **LDS Summary timetable** sets out an overview of the programme and key milestones for the production of Bath & North East Somerset Local Development Framework and provides a schedule of the LDDs to be prepared during the next 3 years. It is located after the risk assessment table following para 4.9 and is followed by an individual profiles for each LDD.

3. THE EVIDENCE BASE

- 3.1 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. The strategies, policies and proposals in the Local Development Documents must be founded on a robust evidence base. A considerable amount of data is available at national and sub-regional level.
- 3.2 A number of bespoke studies have been prepared to inform the preparation of the Local Development Framework and other Council strategies. There are also opportunities for the Council to improve its data collection and management strategies. B&NES is working with other West of England UAs to ensure an up-to-date evidence base to inform planning policies. The evidence base covers a range of subjects including those listed below:
- Economic Development Needs Assessment
 - Housing Needs
 - Flood Risk
 - Housing (including the Housing and Economic Land Availability Assessment or HELAA)
 - Infrastructure Delivery Plan
 - Recreation, Cultural and Services
 - Retail
 - Sustainability
 - Transport
 - Urban Design
 - Landscape
 - Heritage
 - Nature conservation
 - Waste
 - Green Infrastructure Strategy/Green Spaces Strategy
 - Building Heights Study

All studies supported the Core Strategy and Placemaking Plan can be found from the Council's website below.

Placemaking Plan evidence base:

https://beta.bathnes.gov.uk/sites/default/files/2020-02/pmp_core_docs_list.pdf

Core Strategy evidence base:

https://beta.bathnes.gov.uk/sites/default/files/2020-02/core_strategy_history_and_timeline.pdf

4. PRODUCTION ARRANGEMENTS FOR THE LOCAL DEVELOPMENT FRAMEWORK

Sustainability Appraisal and Strategic Environmental Assessment

- 4.1 The development of DPDs and SPDs in the Bath & North East Somerset Local Development Framework will be informed by Sustainability Appraisal. Sustainability Appraisal is an iterative process through which the economic, social and environmental effects of a plan under preparation are assessed. It incorporates the requirements of Strategic Environmental Assessment (SEA) as required by EU SEA Directive 2001/42 on the Assessment of certain Plans and Programmes on the Environment. The appraisal process will draw heavily on the evidence base.
- 4.2 In order to protect the integrity of European sites, Local Authorities are obliged to carry out Appropriate Assessment (AA) as a part of the planning process under the Habitats Directive. AA has been and will continue to be carried out in conjunction with the SA as recommended by the Guidance.

Review and Monitoring

- 4.3 Review and monitoring are crucial to the successful delivery of the spatial vision and objectives of the LDF and will be undertaken on a continuous proactive basis. The **Authority's Monitoring Report** is prepared for each financial year (see also paragraph 1.15). It has a dual purpose which is to:
- monitor progress of preparation of planning documents against agreed milestones in the LDS
 - assess the implementation of DPD policies against targets which will influence policy review and other decisions

Resources and Arrangements for Production

- 4.4 The Planning Service co-ordinates the preparation of Local Development Documents in liaison with other relevant Services across the Council. The document profiles (page 19 onwards) outline the responsibilities for document preparation.

Joint Working

4.5 Bath & North East Somerset Council works jointly with Bristol, North Somerset and South Gloucestershire Unitary Authorities (UAs) and the West of England Combined Authority (WECA) on sub-regional (West of England) planning and cross boundary issues. Section 110 of the Localism Act sets out a '**duty to co-operate**'. In addition to the other West of England UAs referred to above the Council engages actively with the neighbouring authorities of Mendip District Council, Somerset County Council and Wiltshire Council on strategic issues. The '**duty to co-operate**' applies to all local planning authorities and a number of other public bodies including:

- Environment Agency
- Historic England
- Natural England
- Civil Aviation Authority
- Homes and Communities Agency
- Primary Care Trusts
- Office of the Rail Regulator
- Highways Agency
- Integrated Transport Authorities
- Highways Authorities

4.6 These bodies are required to cooperate with Councils on issues of common concern to develop sound Development Plans. The West of England UAs maintain a Duty to Co-operate schedule to record key co-operation activities. The NPPF also requires that in preparing DPDs 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.

4.7 The authorities are also working with business leaders as part of the Local Enterprise Partnership (LEP) for the West of England. The LEP does not have a direct role in spatial planning but there is a need for co-ordination in activities. Similarly the Council is committed to working collaboratively with the West of England Nature Partnership (WENP) which accords with advice in the NPPF.

Member Arrangements and the LDF

4.8 A bespoke Local Development Framework Steering Group guides the production of the Council planning policies and advises the Cabinet Member for Development. Decisions on the adoption of DPDs are made by Full Council in accordance with the Council constitution and other LDDs are agreed as appropriate. Climate Emergency and Sustainability Policy Development and Scrutiny Panel also monitors and review the activity of the Cabinet and also assist them in developing policy.

Risk Assessment

- 4.9 It is often difficult to anticipate all potential risks which could affect the Local Development Framework programme. There are a number of factors that could affect the Council's ability to deliver the Local Development Framework in accordance with the programme outlined for each of the LDD Profiles. Actions to manage these risks have been identified.

Area of Risk	Likelihood/Impact	Mitigation Measures
<p>Programme slippage</p>	<p>Medium/High</p> <p>Failure to meet the key milestones for LDDs in the LDS is detrimental to the reputation of the local planning authority. Absence of up to date Development Plan likely to lead to unplanned developments across the district. The deadlines for preparing the Local Development Framework are very challenging given the greater emphasis on community consultation.</p> <p>High</p> <p>Political process lead to delays</p>	<p>Ensure that progress is carefully monitored and that priority is given to achieving the key milestones set out in the LDS.</p> <p>Allow for contingency in the programmes.</p> <p>Use efficient project management.</p> <p>Ensure elected members are properly briefed throughout the plan preparation process including through the LDF Steering Group.</p>
<p>Adequate staff resources</p>	<p>Medium/Medium</p> <p>Should cuts to local government funding together with the current restructuring of Council Services impact on the Planning Services, the potential loss of experienced staff would impact on the preparation of LDDs and heightens the risk of programme slippage.</p>	<p>Ensure that sufficient staff resources with the necessary experience and expertise are available for the production of LDDs.</p> <p>Consider seconding staff from other Services in the Council and/or joint working with neighbouring authorities.</p> <p>Subject to the availability of financial resources, employ temporary staff or consultants.</p>

Area of Risk	Likelihood/Impact	Mitigation Measures
Financial resources	<p>Medium/High</p> <p>It is important that there are sufficient financial resources available to prepare LDDs, including for consultants (where necessary), to secure and maintain robust evidence base, community consultation and engagement, and for the Examination process in the case of DPDs.</p>	<p>Ensure the LDS influences budgetary decisions to ensure sufficient resources are in place including a suitable level of contingency. However cuts to local government funding are outside the Council's direct control.</p>
Competing work priorities	<p>Medium/High</p> <p>The Policy Team is involved in a wide range of spatial policy work. Planning applications for major unplanned developments are resource-heavy. There is a risk that the Team's work is diverted from plan making by other unforeseen work pressures such as involvement in planning appeal inquiries, regeneration projects and responding to consultation on emerging Government policies.</p>	<p>Ensure that progress on the Local Development Framework remains a high priority and at certain times other work will have to take a much lower priority. Consideration may then need to be given to outsourcing work to prevent delays in progress.</p>
Evidence base	<p>Low/Medium</p> <p>Lack of an up to date evidence base will affect the soundness of a DPD</p>	<p>Maintain a proportionate and up to date evidence base. Ensure all policies and proposals can be fully justified with evidence.</p>
Level of public interest in plan making	<p>Medium/High</p> <p>Historically the level of public interest in LDDs has been high during previous consultations and engagement exercises. An unanticipated high level of responses could result in a delay in the programme.</p>	<p>Ensure that resources are in place at appropriate times to ensure representations are dealt with promptly and efficiently.</p>

Area of Risk	Likelihood/Impact	Mitigation Measures
<p>Neighbourhood Planning</p>	<p>Medium/High An additional stress on staff resources is the requirements to provide professional and technical advice to support Parish and Town Councils in progressing Neighbourhood Plans.</p>	<p>Maintain close liaison with Parish and Town Councils to monitor the scale of work required.</p> <p>Consider to what extent neighbourhood planning aspirations can be delivered through LDDs to reduce costs</p>

LDS SUMMARY TIMETABLE

BATH & NORTH EAST SOMERSET LOCAL DEVELOPMENT SCHEME 2021 - 2024

DOCUMENT	2021												2022												2023												2024											
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
The Development Plans																																																
B&NES Local Plan Partial Update & Policies Map	O							D		S				H		I		A																														
Joint Waste Core Strategy DPD												R																																				
Travellers' Sites Plan DPD																			R																													
B&NES New Local Plan																																																
Sub-Regional work																																																
WECA Spatial Development Strategy													D																																			
Supplementary Planning Documents																																																
Transport and Development SPD								D										A																														
Houses in Multiple Occupation SPD (Review)								D						A																																		
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Energy Efficiency, Retrofitting & Sustainable Construction SPD (Review)								D						A																																		
Locally Listed Heritage Assets SPD							A																																									
Biodiversity Net Gain SPD										D								A																														
Other Policy Documents																																																
Statement of Community Involvement									A									R																														
Neighbourhood Development Plans												<i>Ongoing statutory support</i>																																				
Authority Monitoring Report										P																								P												P		
Infrastructure Delivery Programme review											P																																					
Somer Valley EZ LDO									C									A																														
Infrastructure Funding Statement											P																																			P		
Green Infrastructure Strategy Update																																																
CIL Charging Schedule Review																																																

Local Plans/SPDs etc

- O** Options
- S** Submit
- D** Draft Consultation

- H** Hearings
- I** Insp. Report
- A** Adoption/Approval

- R** Review
- Ongoing

Sub-Regional Work

- S** Submission
- D** Draft consultation
- I** Inspector's Report

- H** Hearings
- P** Publication

LOCAL DEVELOPMENT DOCUMENT PROFILES

5. LOCAL DEVELOPMENT DOCUMENT PROFILES

PART 1: DEVELOPMENT PLAN DOCUMENTS

LOCAL PLAN PARTIAL UPDATE (2011-2029)	
Role and Content	The scope of the partial update is confined to those areas that can be addressed without changing the spatial priorities or strategy of the Core Strategy & Placemaking Plan. Scope is defined by the shorter-term issues that need to be addressed including replenishing the housing land supply and updating particular policies to address changes in circumstances since the Plan was adopted in 2014.
Status	Development Plan Document
Geographic Coverage	District wide
TIMETABLE & MILESTONES	
Commencement	April 2020
Draft Plan consultation (Reg 18)	Jan – Feb 2021
Publication Draft (Reg 19) and draft SA report for consultation	Aug -Oct 2021
Submission to Secretary of State (Reg 22) with final SA Report	Dec 2021
Examination Hearings Period	March 2022
Inspector’s Report	May 2022
Adoption	July 2022
ARRANGEMENTS FOR PRODUCTION	
Resources required and management arrangements	Planning Policy Team, LDF Budget & LDF Governance arrangements
Key Evidence:	SHMA, HELAA, student accommodation requirements, infrastructure & viability studies, Flood Risk Assessments, Environmental Assessments, Sustainability Appraisals.
Community/ stakeholder involvement	In accordance with Regulations 18 and 19 of the Town and County Planning (Local Planning) (England) Regulations 2012 and the Statement of Community Involvement
POST-PRODUCTION	
Monitoring & Review	The implementation of the objectives and policies of the Local Plan will be monitored as part of the AMR as set out in the submission Local Plan.

LOCAL DEVELOPMENT DOCUMENT PROFILES

PART 2: SUPPLEMENTARY PLANNING DOCUMENTS (SPD)

Currently work is programmed for seven SPDs during the LDS period. These are listed below and the broad programme for preparation is shown on the summary diagram on page 18.

- Transport and Development SPD.
- Houses in Multiple Occupation SPD Review
- Planning Obligations SPD limited review
- Sustainable Construction and Retrofitting SPD review (title to 'Energy Efficiency, Retrofitting and Sustainable Construction SPD')
- Locally Listed Heritage Assets SPD.
- Biodiversity Net Gain SPD

LOCAL DEVELOPMENT DOCUMENT PROFILES

PART 3: OTHER LOCAL DEVELOPMENT DOCUMENTS

POLICIES MAP	
Role and Content	The Policies Map identifies site-specific proposals, designations, and locations and areas to which specific policies in other DPDs apply on an Ordnance Survey base map and will include inset maps. This map evolves with each Development Plan Document.
Status	Development Plan Document
Conformity	Conformity with other Development Plan Documents (DPDs).
Geographic Coverage	District-wide
TIMETABLE & MILESTONES	
The production of the Policies Map is dependent on the timetable of DPDs which require the geographical expression of location of site-specific proposals and area based policies and will be updated as DPDs are adopted.	
ARRANGEMENTS FOR PRODUCTION	
Resources required and management arrangements	Prepared by Planning Services with Corporate GIS and technical support. Preparation of printed versions and interactive electronic versions will be outsourced as required. Key stages to be agreed at Cabinet and Council.
Community and stakeholder involvement	In accordance with Regulations 18 and 19 of the Town and County Planning (Local Planning) (England) Regulations 2012 and the Neighbourhood Planning Protocol.
POST-PRODUCTION	
Monitoring & Review	An amendment to the Policies Map is contingent on the outcome of the monitoring and review of DPDs.

LOCAL DEVELOPMENT DOCUMENT PROFILES

STATEMENT OF COMMUNITY INVOLVEMENT	
Role and Content	The SCI sets out how the community, stakeholders and interested parties are involved in the production of plans and proposals for the District and the determination of planning applications. The SCI reflects the localism agenda and sets out the engagement processes, guidance for the establishment of Neighbourhood Fora, preparation of Neighbourhood Plans and Neighbourhood Development Orders.
Status	LDD
Chain of conformity	Must at least meet the minimum requirements set out in the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008. The SCI has regard to the Council's corporate communication strategy.
Geographic Coverage	Whole District
TIMETABLE & MILESTONES	
Review the SCI	May – June 2022
ARRANGEMENTS FOR PRODUCTION	
Resources required and management arrangements	Prepared by Planning service in conjunction with Policy & Partnerships Team and in consultation with Member portfolio holder. Agreed by the Cabinet.
Community and stakeholder involvement	Fundamental revisions to the SCI will entail community engagement.
POST-PRODUCTION	
Monitoring & Review	To be reviewed on an ongoing basis in response to problems or successes consulting on LDDs or planning applications and as part of the AMR and changes in government legislation

Natural Environment Evidence and Strategies

1. The Environment Bill has been introduced to support the delivery of the 25 Year Environment Plan published in January 2018. It also sets out the Government's approach to some of the key issues being raised by the public around climate change, loss of biodiversity and environmental risks to public health. There will be new opportunities and obligations to the Council.
2. The West of England Nature Partnership (WENP) launched in June 2013 is one of 47 Local Nature Partnerships given statutory status by Defra. The WENP will develop and advocate an investment strategy for the natural environment of the West of England that provides a range of essential services to support economic development and public health. The WENP aims to provide coherent and cohesive representation of a range of stakeholders concerned for the natural environment and work in partnership with economic development agencies, health authorities and other statutory bodies to create a truly joined up approach in the West of England. The National Planning Policy Framework (NPPF) states that local planning authorities should work collaboratively with Local Nature Partnerships.

Landscape

2. One of the core principles of the NPPF is that planning should recognise the intrinsic character and beauty of the countryside. Landscape Character Assessment is the tool that informs judgements on the value of landscapes and should be undertaken at a scale appropriate to local and neighbourhood plan-making. The rural character assessment of the District was carried out in 2003 and an assessment of Bath was carried out in 2005 as a precursor to more detailed Conservation Appraisals across Bath which are being undertaken as resources allow. The landscape character of the setting of the Bath World Heritage Site was assessed in 2017 through the Bathscape Landscape Character Assessment.
3. The District is vulnerable to impacts on landscape and visual character and the existing rural landscape character assessment needs to be updated to reflect current methodologies and to accord with national policy. A District landscape character assessment carried out in partnership between the Council, and parishes and local communities is needed. It would inform planning decisions by providing clearer guidance in assessing the landscape and visual impacts of development proposals and help to provide the context for other related assessments including local planning initiatives such as Neighbourhood Plans where these are undertaken.

Green Infrastructure:

4. The NPPF recognises the importance of conserving and enhancing our natural, built and historic environment including green infrastructure. NPPG defines GI as '*a network of multifunctional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.*' The Government's 25 Year Environment Plan published in 2018 references the need to create more and effective green infrastructure and policy choices to be informed by natural capital approach. The West of England GI Plan will provide evidence for identifying the approach

APPENDIX A

to be taken by the Council, primarily delivered through and reflected in the policy framework established in the Local Plan, but also a reviewed Green Infrastructure Strategy, Green Space Strategy and other relevant strategies.

Ecology

5. In 2011 Government published a Natural Environment White Paper setting out its goals and vision for the natural environment followed later that year by 'Biodiversity 2020 Government's biodiversity strategy'. The Government's 25 Year Environment Plan (2018) commits to development of a Nature Recovery Network to protect and restore wildlife. Allied to this the NPPF sets out the requirement to minimise impacts on and provide net gains for biodiversity, including by establishing coherent ecological networks. The WENP West of England Ecological Network will be the WoE Nature Recovery Network with targets identified. The council will need to consider the evidence and requirements and to set out its approach, primarily through the preparation of the Local Plan and other policy guidance as necessary.

Current Supplementary Planning Documents and Guidance

<u>Accessibility standards for affordable housing (guidance note)</u>
<u>Agricultural Building Design Guidelines for the Mendip Hills AONB</u> (published 2001, revised 2013).
<u>Archaeology in Bath & North East Somerset SPG</u> (May 2004) and <u>Archaeology in Bath SPG</u> (May 2004)
<u>Bath City-wide Character Appraisal</u> (August 2005)
<u>Bath Conservation Area Design and Conservation - Commercial signage and tables and chairs on the highway</u> (July 2016)
<u>Bath Shopfronts: Guidelines for Design and Conservation (1993)</u>
<u>Bath Western Riverside SPD</u> (March 2008)
<u>Energy Efficiency & Renewable Energy Guidance For Listed Buildings and Undesignated Historic Buildings (2013)</u>
<u>Energy Efficiency Retrofitting & Renewables Permitted Development Check List & Guidance Note</u>
<u>Existing Dwellings in the Green Belt SPD</u> (October 2008)
<u>Guidelines for Horse-related Development for the Mendip Hills AONB</u> (published 2004, revised 2012)
<u>Houses in Multiple Occupation in Bath SPD with Article 4 Direction for HMO in Bath</u> (June 2013)
<u>Planning Obligations SPD</u> (April 2015)
<u>Priston Village Design Statement Supplementary Planning Document (2018)</u>
<u>Retrofitting & Sustainable Construction SPD</u> (February 2013)
<u>Rural Landscapes of Bath & North East Somerset: A Landscape Character Assessment</u> (February 2003)
<u>Streetscape Manual SPD</u> (April 2005)

[Sustainable Construction & Retrofitting Supplementary Planning Document \(2013\)](#)

[Sustainable Construction Checklist Supplementary Planning Document \(2018\)](#)

[Sustainable Construction Checklist SPD: Heat networks guidance note \(2018\)](#)

[Walcot Street Works \(1997\)](#), [Cherishing Outdoor Places \(1994\)](#), and [External Building Materials Local Design Guide](#)

[West of England Sustainable Drainage Developer Guide \(March 2015\)](#)

[City of Bath World Heritage Site Setting SPD \(August 2013\)](#)

Conservation Area Appraisals

The Council has a number of conservation areas, the following of which are SPD or a material consideration

- [Chew Magna Conservation Area Statement \(2003\)](#)
- [Claverton Conservation Area Appraisal \(2007\)](#)
- [Combe Hay Conservation Area Appraisal \(July 2014\)](#)
- [Hinton Blewett Conservation Area Appraisal \(July 2014\)](#)
- [Freshford and Sharpstone Conservation Area Appraisal \(2007\)](#)
- Hinton Blewett Character Appraisal (2014)
- [Keynsham Conservation Area Appraisal and Management Plan \(December 2016\)](#)
- [Midsomer Norton and Welton Character Appraisal 2018](#)
- [Paulton Conservation Area Statement \(2003\)](#)
- [Pensford Conservation Area Appraisal \(2008\)](#)
- Queen Charlto Character Appraisal 2018
- [Radstock Conservation Area Appraisal \(1999\)](#)
- Salford Character Appraisal 2018
- [South Stoke Conservation Area Appraisal \(March 2014\)](#)

- [Wellow Conservation Area Appraisal](#) (2007)
- [Woollard Conservation Area Appraisal](#) (2008)

Village Design Statements

- [Bathford Village Design Statement](#) (2005)
- [Chew Magna Village Design Statement](#) (2006)
- [Hallatrow & High Littleton Design Statement](#) (2003)
- [Larkhall Character Statement and Development Principles](#) (1998)
- [Paulton Village Design Statement](#) (2003)
- [Peasedown St. John Village Statement](#) (2001)

GLOSSARY OF TERMS

- AMR** The **Authority's Monitoring Report** will assess the implementation of the Local Development Scheme and the extent to which policies in Local Development Documents are being successfully implemented. Previously known as an Annual Monitoring Report.
- CIL** Community Infrastructure Levy
- CS** **Core Strategy:** sets out the long-term spatial vision for the local planning authority area, the spatial objectives and a strategic policy framework to deliver that vision. The Core Strategy will have the status of a *Development Plan Document* and will form Part 1 of the new style Local Plan.
- DP** **Development Plan:** as set out in Section 38(6) of the Act, an authority's development plan consists of the relevant *Development Plan Documents* contained within its *Local Development Framework*.
- DPD** **Development Plan Document:** spatial planning documents that are subject to independent examination will form the *Development Plan*. They can include a *Core Strategy*, *Site Specific Allocations of land*, and *Area Action Plans* (where needed). Other Development Plan Documents, including generic Development Control Policies, can be produced. They will all be shown geographically on an *adopted Policies Map*.
- FRA** **Flood Risk Assessment:** an assessment of the risk of flooding from all flooding sources, identifying flood mitigation measures to reduce the impact of flooding to the site and surrounding area and recommendations on actions to be taken before and during a flood.
- IFS** Infrastructure Funding Statement
- LDF** **Local Development Framework:** the name for the portfolio of *Local Development Documents*. It consists of *Development Plan Documents*, *Supplementary Planning Documents*, a *Statement of Community Involvement*, the *Local Development Scheme* and *Annual Monitoring Reports*. Together these documents will provide the framework for delivering the spatial planning strategy for a local authority area.
- LDD** **Local Development Document:** the collective term for Development Plan Documents, Supplementary Planning Documents and the Neighbourhood Planning Protocol.
- LDS** **Local Development Scheme:** sets out the programme for preparing *Local Development Documents*.

LEP **Local Enterprise Partnerships:** locally-owned partnerships between local authorities and businesses and play a central role in determining local economic priorities and undertaking activities to drive economic growth and the creation of local jobs.

NPP **Neighbourhood Planning Protocol:** sets out mechanisms for:

- Neighbourhood Fora
- Neighbourhood Referenda
- Neighbourhood Development Orders
- Community Right to Build

This includes a review of the Council's Statement of Community Involvement.

NPPF **National Planning Policy Framework** sets out the Government's planning policies for England and how these are expected to be implemented. It replaces all previous planning policy guidance notes and planning policy statements.

PMP **Placemaking Plan:** a Development Plan Document being prepared to complement the strategic framework in the Core Strategy by setting out detailed development principles for identified sites and other policies for managing development across Bath & North East Somerset. It will form Part 2 of the new style Local Plan.

Policies Map: previously referred to as the **Proposals Map** and illustrates geographically the policies and proposals in the Development Plan Documents (DPD) on an Ordnance Survey map. Inset Maps show policies and proposals for specific parts of the district. It will need to be revised each time a new DPD is adopted.

Saved policies or plans: existing adopted development plans are saved for three years from the date of commencement of *the Act*. Any policies in old style development plans adopted after commencement of the Act will become saved policies for three years from their adoption or approval.

SA **Sustainability Appraisal:** tool for appraising policies to ensure they reflect sustainable development objectives. Sustainability Appraisals are required in the Act to be undertaken for all local development documents.

SDS Spatial Development Strategy

SEA **Strategic environmental assessment:** a generic term used to describe environmental assessment as applied to policies, plans and programmes. The European 'SEA Directive' (2001/42/EC) requires a formal 'environmental assessment of certain plans and programmes, including those in the field of planning and land use'.

SPD **Supplementary Planning Document:** provide supplementary information in respect of the policies in *Development Plan Documents*. They do not form part of the Development Plan and are not subject to independent Examination.

WECA West of England Combined Authority

This document can be made available in a range of community languages, large print, Braille, on tape, electronic and accessible formats from the Planning Policy Team Tel (01225 39 40 41 (Option 6))

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