

**Bath & North East Somerset
Monitoring Report
April 2011 - March 2013
Implementation
of the Local
Development
Scheme**



1.0 Introduction

- 1.1 Review and monitoring are crucial to the successful delivery of the vision and objectives of the Local Development Framework (LDF) and are undertaken on a continuous pro-active basis. By identifying key outputs and trends, monitoring enables the building of a comprehensive evidence base against which local development document (LDD) policies and implementation mechanisms can be assessed.
- 1.2 This paper forms part of the 2011-2013 Authority's Monitoring Report (AMR). The AMR comprises of a number of topic based reports that are published throughout the year. This paper reports on the implementation of the Local Development Scheme, which is a work programme for the preparation of the Local Development Framework, setting out details of which planning documents will be produced, in what order and when.

2.0 Implementation of the Local Development Scheme

- 2.1 The current B&NES Local Development Scheme (LDS) was approved by Cabinet¹ on the 12th September 2012 and came into effect on 1st December 2012. This represents the second review of the LDS during the reporting period April 2011 - March 2013, as summarised follows:
- At April 2011 the LDS Review 2009-2012 was still in force (agreed 14th January 2009, effective from 9th March 2009).
 - LDS Review 2011-2014 (agreed 13 July 2011, updated September 2013, effective 16th November 2013)
 - LDS Review 2012-2015 (agreed 12th September 2012, effective 1st December 2012)
- 2.2 The current LDS can be found here:
<http://www.bathnes.gov.uk/sites/default/files/sitedocuments/Planning-and-Building-Control/Planning-Policy/LDFGeneral/baneslds2012-2015.pdf>

¹ The Cabinet Report can be found here (item 12):
<http://democracy.bathnes.gov.uk/ieListDocuments.aspx?CId=122&MId=2747&Ver=4>

Milestone/Progress

| LDD | PROGRESS FROM APRIL 2011 TO MARCH 2013 |
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| <p>Core Strategy DPD²</p> | <p>LDS Milestones in LDS Review 2009-2012: <i>Publication of proposed Submission DPD (Reg 27) and draft SA report (September 2010); Submission to the Secretary of State (January 2011); Pre-examination meeting (March 2011); Examination Hearings Period (May - June 2011); Receipt of Inspector's binding report (November 2011); Adoption (December 2011)</i></p> <p>Commentary: These milestones were not met due to the need to consider the intention to abolish the RSS. The publication of the proposed submission DPD took place between December 2010 and February 2011. The Core Strategy was submitted for Examination on 3rd May 2011.</p> <p>The Core Strategy programme was reviewed in LDS 2011-2014 and agreed 13th July 2011 and updated in September 2011 to take account of changes to the Core Strategy programme resulting from the suspension of the Core Strategy Examination in June 2011.</p> <p>LDS Milestones in LDS Review 2011-2014: <i>Examination Hearings Period (January 2012); Receipt of Inspector's Report (May 2012); Adoption (Aug/Sept 2012)</i></p> <p>Commentary: Consultation on Significant Proposed Changes occurred between 19th September and 21st October 2011. A Pre-Hearing Meeting took place on 18th November 2011. The Inspector decided to progress to the Examination Hearings which took place between 17th January and 15th March 2012. Whilst the milestone relating to the Hearings was met, the milestones were not met as the Inspector agreed that the Core Strategy Examination should be suspended until June 2013 for the Council to undertake further work to address matters of 'soundness' as set out in the Inspector's Preliminary Conclusions.</p> <p>This resulted in a further review of the Core Strategy programme through the LDS 2012-2015.</p> <p>LDS Milestones in LDS Review 2012-2015: <i>Update evidence base and develop policy options (July 2012– February 2013); Council agrees changes to Core Strategy (February/March 2013); Publication of changes to draft Core Strategy (April-May 2013)</i></p> <p>Commentary: A six week period of consultation on the Proposed Changes to the Submitted Core Strategy (2013) started on 26th March 2013 meaning that these milestones were met.</p> <p>Update since April 2013: The Core Strategy Examination resumed in June 2013 with the Hearings recommencing in September 2013.</p> |

² The Core Strategy website can be found here: <http://www.bathnes.gov.uk/services/planning-and-building-control/planning-policy/core-strategy-examination>

| LDD | PROGRESS FROM APRIL 2011 TO MARCH 2013 |
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| Joint Waste Core Strategy DPD | <p>LDS Milestones in LDS Review 2009-2012: <i>Submission to Secretary of State (September 2010; Examination (January-March 2011); Receipt of Inspector's binding report (July 2011); Adoption (September 2011)</i></p> <p>Commentary: The document was submitted to the Secretary of State on the 30th July 2010 and the Examination hearings took place in November 2010. The Inspectors Report concluding the Examination and finding the document sound was issued on the 3rd February 2011. Therefore all milestones met.</p> |
| Placemaking Plan DPD³ | <p>LDS Milestones in LDS Review 2011-2014: <i>Issues and alternative options consultation (March to April 2012)</i></p> <p>Commentary: Production work commenced but the programme was reviewed due to resources required to progress the Core Strategy examination and the priority to bring forward Concept Statements for the MoD sites within Bath. The Concept Statements will form part of the Placemaking Plan.</p> <p>LDS Milestones in LDS Review 2012-2015: <i>Pre-production period including commencement of document preparation (July 2012 to Jan 2013); Issues and alternative options consultation (March to April 2013)</i></p> <p>Commentary: Progress on the Placemaking Plan has continued but affected by insufficient resources and the need to prioritise work on the Core Strategy. Milestones therefore not met.</p> <p>Update since April 2013: As agreed by Cabinet on 10th July 2013 the Placemaking Plan was published for consultation between 25th July 2013 and 20th September 2013.</p> |
| Gypsies, travellers and travelling showpeople site allocations DPD⁴ | <p>LDS Milestones in LDS Review 2009-2012: <i>Publication of proposed Submission DPD (September - November 2011); Submission to Secretary of State (March 2012); Examination (July 2012)</i></p> <p>Commentary: Work on the DPD was under review during the reporting period. Milestone therefore not met.</p> <p>LDS Milestones in LDS Review 2011-2014: <i>Publication of issues and alternative options for consultation - November 2011 – January 2012 (Issues & Options - call for sites and site assessment criteria), June – July 2012 (alternative and preferred sites)</i></p> <p>Commentary: Consultation took place on an Issues and Options between 21st November 2011 and 16th January 2012 and on a Preferred Options document between 23rd May and 20th July</p> |

³ The Placemaking Plan webpage can be found here: <http://www.bathnes.gov.uk/services/planning-and-building-control/planning-policy/placemaking-plan>

⁴ The Gypsies, travellers and travelling showpeople DPD webpage can be found here: <http://www.bathnes.gov.uk/services/planning-and-building-control/planning-policy/gypsies-travellers-and-travelling-showpeople->

| LDD | PROGRESS FROM APRIL 2011 TO MARCH 2013 |
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| | <p>2012. These LDS milestones have been met.</p> <p>Update since April 2013: The programme for the remaining stages of DPD preparation was set out in the June 2013 Cabinet Report and will be reflected in the review of the LDS.</p> |
| <p>Planning Obligations SPD Review</p> | <p>LDS Milestones in LDS Review 2009-2012: <i>Production period including commencement of document preparation and publication of SA scoping report for consultation (July 2009); Public Participation on Draft SPD (Reg 17) and Draft SA (January/February 2010); Adoption and publication (July 2010)</i></p> <p>Commentary: This milestone was not met due to accelerating work on the Community Infrastructure Levy - see below</p> |
| <p>Retrofitting & Sustainable Construction SPD⁵</p> | <p>LDS Milestones in LDS Review 2011-2014: <i>Public Participation on Draft SPD (May-June 2011)</i></p> <p>Commentary: Milestone met. The Council undertook a series of one-to-one meetings with key stakeholders as well as a stakeholder workshop in July 2011. The LDS was updated in September 2011 principally to take account of changes to the Core Strategy programme and its impact on other programmes (see above)</p> <p>LDS Milestones in LDS Review 2011-2014 (updated): <i>6 week consultation on Draft (Reg 17) (March – April 2012), Adoption and publication (July 2012)</i></p> <p>Commentary: Public consultation ran between 22nd March and 3rd May 2012. The LDS milestone was met. See below regarding adoption.</p> <p>LDS Milestones in LDS Review 2012-2015: <i>Adoption (December 2012)</i></p> <p>Commentary: Milestone not met. Due to protracted discussions between the Council and English Heritage and others over the issue of Energy Efficiency and Renewable Energy Guidance for historic buildings, the SPD was not adopted until 13 February 2013.</p> <p>Update since April 2013: A document relating to historic buildings was prepared separately: Energy Efficiency & Renewal Energy Guidance for Listed Buildings and Undesignated Historic Buildings as an Appendix to Sustainable Construction & Retrofitting SPD) and adopted on 11th September 2013.</p> |
| <p>World Heritage Site Setting SPD⁶</p> | <p>LDS Milestones in LDS Review 2011-2014: <i>Commencement (April 2011); stakeholder and public consultation (September November 2011)</i></p> |

⁵ The Sustainable Construction and Retrofitting SPD website can be found here: <http://www.bathnes.gov.uk/services/planning-and-building-control/planning-policy/supplementary-planning-documents-spds/sustain>

⁶ The World Heritage Site Setting SPD website can be found here: <http://www.bathnes.gov.uk/services/environment/landscape/city-bath-world-heritage-site-setting>

| LDD | PROGRESS FROM APRIL 2011 TO MARCH 2013 |
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| | <p>Commentary: Production work on the SPD commenced during 2011. The LDS was updated in September 2011 principally to take account of changes to the Core Strategy programme (see above)</p> <p>LDS Milestones in LDS Review 2011-2014 (updated): <i>Commencement (April 2011); Stakeholder and Public Consultation (Reg 17) (February – March 2012)</i></p> <p>Commentary: Stakeholder and public consultation was delayed due to officer participation at the Core Strategy Hearings and took place between May – July 2012.</p> <p>LDS Milestones in LDS Review 2012-2015: <i>Adoption (November 2012)</i></p> <p>Commentary: Milestone met. The SPD was recommended for adoption by the Council’s Cabinet on 14th November 2012.</p> <p>Update since April 2013: The SPD was formerly adopted in August 2013</p> |
| <p>Neighbourhood Planning Protocol (NPP)⁷</p> | <p>LDS Milestones in LDS Review 2011-2014 (updated): <i>Commencement (June 2011); Public Consultation on NPP (December 2011), Adoption (May 2012)</i></p> <p>Commentary: Production work commenced during 2011. Following approval by Cabinet on 14th March 2012, public consultation took place between 9th March and 10th May 2012. The LDS timeframe slipped slightly due to the need to incorporate the draft Neighbourhood Planning Regulations which were published in October 2011, but consultation still took place within the AMR period. The NPP was finally adopted on 21st September 2012 and supersedes the previous Statement of Community Involvement.</p> |
| <p>Community Infrastructure Levy (CIL)⁸</p> | <p>LDS Milestones in LDS Review 2011-2014 (updated): <i>Commencement (July 2011); Public Consultation on Preliminary Draft Charging Schedule (March – April 2012)</i></p> <p>Commentary: Production work commenced during 2011. The consultation on the CIL preliminary draft charging schedule slipped due to Officer participation at the Core Strategy Hearings and took place between 18th April and 20th June 2012. Further progress on the CIL has been affected by the Core Strategy programme.</p> |
| <p>Houses in Multiple Occupation in Bath SPD with Article 4</p> | <p>Role: Introduces a new threshold policy which supplements Local Plan policy HG.12. An assessment process is proposed to make it as clear as possible for property owners or prospective property purchasers if permission is likely to be granted for future change of use to an HMO.</p> |

⁷ The NPP website can be found here:

<http://www.bathnes.gov.uk/services/planning-and-building-control/planning-policy/neighbourhood-planning-protocol-my-neighbour>

⁸ The CIL website can be found here:

<http://www.bathnes.gov.uk/services/planning-and-building-control/planning-policy/community-infrastructure-levy>

| LDD | PROGRESS FROM APRIL 2011 TO MARCH 2013 |
|---|---|
| <p>Direction for HMOs in Bath⁹ <i>Added during the reporting period</i></p> | <p>LDS Milestones in LDS Review 2012-2015: <i>Commencement April 2012 Public consultation on draft SPD Oct – Nov 2012</i></p> <p>Commentary: Milestones met. The public consultation on the draft SPD was held between 18th October and 30th November 2012. This was a joint consultation with Housing who were also consulting on the draft proposals for an additional licencing scheme for HMOs in Bath.</p> <p>Update since April 2013: The Council's Cabinet made the decision on 12th June 2013 to confirm the Article 4 Direction on HMOs from 1st July 2013 and adopt the SPD.</p> |

⁹ The Houses in Multiple Occupation website can be found here:
<http://www.bathnes.gov.uk/services/planning-and-building-control/planning-policy/houses-multiple-occupation-bath-article-4-dir>