

BRISTOL CITY COUNCIL

FULL COUNCIL

10th November 2015

Report of: Mayor of Bristol

Title: Joint Spatial Plan and Local Development Scheme

Ward: All wards

RECOMMENDATION

That the Council resolves:

1. To agree that Bristol City Council prepare a Joint Development Plan Document for the West of England (the Joint Spatial Plan) working with Bath and North East Somerset, North Somerset and South Gloucestershire Councils.
2. To endorse the Mayor's decision to bring the revised Bristol Local Development Scheme into effect on 11th November 2015.

Summary

The Joint Spatial Plan will be a strategic planning document which addresses the delivery of new homes and employment land in the West of England up to 2036. It will be prepared by working with the three other West of England councils. Formal agreement to prepare the plan is sought by this report.

The local development scheme is the document which sets out which local plans the Council will produce and the timetable for preparing them. A revised local development scheme for Bristol is necessary to reflect the work on the Joint Spatial Plan and the subsequent review of the Bristol Local Plan.

The significant issues in the report are:

As set out in the summary above and paragraphs 4.1 to 4.8 below.

Policy

1. This report set out deals with the programme for the Joint Spatial Plan and the review of the Bristol Local Plan. These documents will become the statutory development plan for Bristol.

Consultation

2. Internal

N/A

3. External

N/A

4. Context

Joint Spatial Plan

4.1 The Joint Spatial Plan will be a development plan document. It will determine the number of new homes to be developed in Bristol from 2016 to 2036, as part of the contribution to the number to be constructed in the West of England as a whole. It will also indicate the broad locations for new development. The subsequent review of the Bristol Local Plan will be in conformity with the Joint Spatial Plan. This means that the Bristol Local Plan will implement the policies of the Joint Spatial Plan at the local level.

4.2 The four West of England authorities have previously committed to this joint document. This commitment was set out in a Memorandum of Understanding signed by the strategic planning portfolio member of each unitary council in 2014. A pre-commencement document was published for public comment in January this year. Bristol City Council members were briefed on the emerging plan during July and Place Scrutiny Commission received an update report. An issues and options public consultation runs from 9th November 2015 to 29th January 2016.

4.3 The Joint Spatial Plan itself will become part of the council's policy framework. As such it will be considered by Full Council before it can eventually be taken forward for adoption.

Local Development Scheme

4.5 Local authorities are required to produce a **local development scheme** which shows what Local Plans will be produced and the timetable for doing so. Local Plans are statutory documents which set out the Council's policies for the determination of planning applications and allocate land for

development or protection. The Government accords great importance to authorities getting up-to-date Local Plans in place. Each local planning authority is expected to produce a Local Plan for its area which can be reviewed in whole or in part to respond flexibly to changing circumstances (*National Planning Policy Framework paragraph 153*).

4.6 Bristol has an up-to-date Local Plan, the proposals for which were included in the existing local development scheme. The Local Plan comprises:

- Core Strategy adopted June 2011
- Site Allocations and Development Management Policies Local Plan - adopted July 2014
- Bristol Central Area Local Plan – adopted March 2015

Bristol's Local Plan includes commitments for review, including a review of the approach to the provision of new homes. A revised local development scheme is needed to explain the forward programme for Local Plans including the Joint Spatial Plan.

4.7. The draft local development scheme covers the review of Bristol's Local Plan which will implement the provisions of the Joint Spatial Plan as it affects Bristol. A partial review of the Local Plan is proposed because many of the existing policies will still be up to date and not require amendments. However, the review will update the local plan and include revised policies, development allocations and policy designations as required.

4.8 The existing local development scheme contains a proposal for a document which would address traveller sites and travelling showpeople sites. The National Planning Policy Framework says that a single local plan for an area should be produced (paragraph 153). The revised local development scheme therefore proposes that any identified need for sites for traveller sites and travelling showpeople sites should be addressed in the review of the Bristol Local Plan rather than in a separate document.

Proposal

5. To confirm agreement to the preparation of the Joint Spatial Plan and to update the local development scheme accordingly.

Other Options Considered

6. No options have been considered. The Council has signed a Memorandum of Understanding with the other unitary authorities that a Joint Spatial Plan will be prepared (14 March 2014). If Full Council does not agree that the Joint Spatial Plan should be prepared, Bristol City Council would

have to undertake its Local Plan review separately whilst demonstrating that it has cooperated in the development of its strategic policies, as required by planning legislation. The publication of a Local Development Scheme is a statutory requirement. No other options have been considered. The Local Development Scheme proposes to include Joint Spatial Plan and a review of the Bristol Local Plan in compliance with legislation and national planning policy.

Risk Assessment

7. A decision to prepare development plan documents reflects legislation and national policy and is not inherently risky. Risks to delivery of the documents will be addressed within their project management arrangements. The Joint Spatial Plan enables the four unitary authorities to work strategically on planning matters in compliance with the duty to cooperate. This approach helps to reduce risks in bringing forward development plan documents.

There are no risks associated with publishing a Local Development Scheme which is a statutory requirement. The document comes into effect upon Council resolution.

Public Sector Equality Duties

- 8a) Before making a decision, section 149 Equality Act 2010 requires that each decision-maker considers the need to promote equality for persons with the following “protected characteristics”: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Each decision-maker must, therefore, have due regard to the need to:
- i) Eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010.
 - ii) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to --
 - remove or minimise disadvantage suffered by persons who share a relevant protected characteristic;
 - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it (in relation to disabled people, this includes, in particular, steps to take account of disabled persons' disabilities);
 - encourage persons who share a protected characteristic to participate in public life or in any other activity in which

participation by such persons is disproportionately low.

- iii) Foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to –
 - tackle prejudice; and
 - promote understanding.

- 8b) The preparation of Local Plans, including the Joint Spatial Plan, is subject of the duty. Equality impact assessments are prepared for Local Plans. The local development scheme is a document which sets out the Local Plans to be produced.

Legal and Resource Implications

Legal

Under s28 of the Planning and Compulsory Purchase Act 2004 power is given to Local Authorities to work together and prepare one or more joint local development documents. The preparation of the Joint Spatial Strategy will form part of the Council's Local Development Documents and once prepared will have to be adopted by each of the four Unitary Authorities as part of the formal process for the adoption of local development documents.

Preparation of a Joint Spatial Strategy will meet the duty imposed under s33A of the 2004 Act requiring Local Authorities to co-operate in relation to sustainable development and local development plans and also strategic matters – i.e. matters that have a significant impact on at least two planning areas.

By virtue of s15(7) of the 2004 Act the date upon which the scheme is to come into effect must be specified in a resolution of the Local Planning Authority.

(Legal advice provided by [Joanne Mansfield / Planning Lawyer](#))

Financial

(a) Revenue

No direct implications. Any costs to the Council associated with the preparation of the documents referred to will be met from within agreed budgets / earmarked reserves for the strategic planning services.

(b) Capital

None.

(Financial advice provided by Tian Ze Hao / Finance Business Partner)

Land

This report does not make any proposals regarding the use of land. Land implications of the Joint Spatial Plan and review of the Bristol Local Plan will be addressed in reports about the content of those emerging documents.

Personnel

Not applicable.

Appendices:

Appendix 1 – Proposed Revised Local Development Scheme

**LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985
Background Papers:**

None

REVISED BRISTOL LOCAL DEVELOPMENT SCHEME

What is a Local Development Scheme?

The preparation of a Local Development Scheme (LDS) is a requirement of the Planning and Compulsory Purchase Act 2004 (as amended). The City Council has prepared this LDS to identify which Local Development Documents (LDDs) will be produced, in what order and when. It also provides information regarding the subject matter and the geographical areas the documents will cover.

This LDS covers the period 2015 to 2018 and replaces the City Council's previous LDS. The Council resolved that this replacement scheme came into effect on 7 October 2015.

Further documents will be added to the LDS programme as the need for them becomes apparent and resources allow.

The monitoring report produced by the City Council will review the implementation of the LDS.

The Bristol Local Plan

The Bristol Local Plan comprises a set of local plan documents which contain a range of policies to guide future development decisions. Plans are based on evidence which is prepared and kept up to date. The evidence base is available to view on the Council's website www.bristol.gov.uk/localplan

The Existing Local Plan

The Local Plan will evolve over time as documents are added, reviewed and replaced. The Bristol Local Plan currently (October 2015) consists of:

- **Joint Waste Core Strategy - March 2011**
- **Bristol Core Strategy June 2011**
- **Site Allocations and Development Management Policies Local Plan – July 2014**
- **Bristol Central Area Plan – March 2015**

A **Policies Map** shows those policies and proposals in local plan documents that apply to specific geographical locations. It will be amended every time a local plan document containing a site specific policy or proposal is adopted.

Local Plan Review

The Local Plan will be reviewed within the period covered by this Local Development Scheme. The documents which comprise the review are set out in the document profiles below.

Profile of each intended Local Plan Document

Title	Joint Spatial Plan
Status	Local plan document (The Town and Country Planning (Local Planning) (England) Regulations 2012 - regulations 5 and 6)
Replaces	<ul style="list-style-type: none"> ▪ n/a
Subject	<p>The unitary authorities of Bath and North East Somerset, Bristol, North Somerset and South Gloucestershire will jointly prepare a spatial plan which will guide the review and roll-forward of the Local Plans for those areas. The plan is being prepared to enable cooperation on planning issues that cross administrative boundaries, in this case the strategic priorities of the homes and jobs needed in the area (NPPF paragraphs 178-179 and 156).</p> <p>The Plan will cover the period 2016-2036</p> <p>The Joint Spatial Plan (JSP) will be a development plan document and will contain:</p> <ul style="list-style-type: none"> • A vision for delivery of homes and jobs needed in the plan area. The vision will respond to and reflect the West of England vision as set out in the West of England Strategic Economic Plan 2014; • An overall housing requirement to be accommodated in the plan area to 2036. It will be based on the outputs of the 'Wider Bristol HMA Strategic Housing Market Assessment'; • The broad strategic distribution of housing and employment land/floorspace in the plan area, including strategic locations which are critical to the delivery of the housing requirement; • Resultant housing requirement figures and delivery trajectories for Bath and North East Somerset¹, Bristol, North Somerset and South Gloucestershire to 2036. The housing requirement figure for each unitary authority will be the basis for calculations of housing land supply in each unitary authority will be set out in their respective Local Plans ; • An identification of strategic infrastructure, including transport, required to deliver the development envisaged; • A Key Diagram illustrating the policies. <p>The reviewed Local Plans of the four unitary authorities</p>

¹ The JSP will set the housing requirement for Bristol, North Somerset and South Gloucestershire, and will identify its spatial distribution. This will include opportunities in Bath and North East Somerset in accord with the Duty to Co-operate if required to meet the objectively assessed needs of the wider Bristol Housing Market Area.

	<p>will be in conformity with the Joint Spatial Plan. The timetable for review of the Bristol Local Plan is included in this document.</p> <p>The JSP will not make site allocations. The Key Diagram will indicate strategic locations and strategic infrastructure. It will also indicate the general extent of the Green Belt in the plan area. Site specific development allocations and policy designations will be determined through Local Plans, in conformity with the strategic policies set out in the JSP.</p> <p>Other than the matters set out above, all other planning matters will be addressed in the Local Plans of the unitary authorities.</p> <p>The principal evidence sources for the Joint Spatial Plan will be:</p> <ul style="list-style-type: none"> • Wider Bristol HMA Strategic Housing Market Assessment • Joint Economic Development Needs Assessment • Joint Housing and Employment Land Availability Assessment <p>In addition, existing sources of evidence and new studies/assessments may be referred to in the preparation of the JSP. This includes evidence regarding transport, flood risk, biodiversity, historic environment, landscape, Green Belt, agricultural land and food systems, strategic infrastructure and viability.</p>	
Geographical coverage	The plan area will be the combined areas of the four unitary authorities.	
Programme milestones (Regulation references taken from The Town and Country Planning (Local Planning) (England) Regulations 2012)	Preparation (Regulation 18)	Draft plan August 2016
	Publication (Regulation 19)	February 2017
	Submission (Regulation 22)	June/July 2017
	Examination hearings (Regulation 24)	As Inspector's timetable – Autumn 2017
	Inspectors Report (Regulation 25)	Late 2017/early 2018
	Adoption (Regulation 26)	Early 2018

Title	Bristol Local Plan (Partial review)	
Status	Local Plan document (The Town and Country Planning (Local Planning) (England) Regulations 2012 - regulations 5 and 6).	
Replaces	Partial review which will combine and update the policies in the Core Strategy June 2011, the Site Allocations and Development Management Policies Local Plan July 2014 and the Bristol Central Area Plan March 2015.	
Subject	<p>The existing Bristol Local Plan will be subject of a partial review to create a single Local Plan document. Policies will be revised and updated as required. Policies in the existing Local Plan documents will be retained and incorporated into a single plan where they continue to be up to date and relevant.</p> <p>The partial review will bring the Local Plan into conformity with the Joint Spatial Plan.</p> <p>The partial review will:</p> <ul style="list-style-type: none"> • Set out the housing requirement to 2036 in conformity with the Joint Spatial Plan; • Incorporate the employment land and infrastructure provisions of the Joint Spatial Plan; • Allocate sites for development to assist in meeting development requirements and designate land for protection or specific planning purposes reflecting any policies for the broad location of development in the Joint Spatial Plan. Specific needs to be met will include sites for new homes, employment land and sites to meet the identified accommodation needs of travellers and travelling showpeople; • Existing development allocations and policy designations will be retained where they continue to be up to date and relevant and are in conformity with the Joint Spatial Plan and the National Planning Policy Framework. 	
Geographical coverage	Bristol City Council area	
Programme milestones (Regulation references taken from The Town and Country Planning (Local Planning))	Preparation (Regulation 18)	A draft Bristol Local Plan will be published for consultation after the Joint Spatial Plan has been made available for formal representations (Regulation 19) Spring 2017

(England) Regulations 2012)	Publication (Regulation 19)	To be published for formal representations after the examination hearings of the Joint Spatial Plan have taken place and any modifications to that emerging plan have been advertised. Late 2017/early 2018
	Submission (Regulation 22)	Within three months of the end of the period for formal representations. Spring 2018
	Examination hearings (Regulation 24)	Approximately 12 weeks after submission - in accordance with Inspector's timetable. Summer 2018
	Inspectors Report (Regulation 25)	In accordance with Inspector's timetable. Autumn 2018
	Adoption (Regulation 26)	Within three months of the receipt of the Inspector's report. Late 2018/early 2019

Up to date information on the progress of local plan documents is available on the Council's web site.

Other planning documents

The following documents sit alongside the development plan documents listed above but do not form part of the statutory development plan:

Supplementary Planning Documents and Policy Advice Notes

A series of Supplementary Planning Documents (SPDs) and Policy Advice Notes (PAN) provide greater detail on policies within the Local Plan and support decisions on planning applications.

Supplementary Planning Documents

- Tall Buildings (SPD1)
- A Guide for Designing House Alterations and Extensions (SPD2)
- Future of Redcliffe (SPD3)
- Planning Obligations Supplementary Planning Document
- Economic Contributions from New Development (SPD6)
- Archaeology and Development (SPD7)
- Nelson Street – Regeneration Framework (SPD8)
- Planning a Sustainable Future for St Pauls (SPD10)
- University of Bristol Strategic Masterplan (SPD11)

Policy Advice Notes

- Conservation Area Enhancement Statements (PAN2)
- Off-street parking in conservation areas (PAN6)
- Shopfront Guidelines (PAN8)

- Responding to Local Character – A Design Guide (PAN15)

Practice Notes

The Council produces practice notes to assist developers in the interpretation and application of policies in the Bristol Local Plan. The practice notes are available on the Council's web site and are continuously reviewed and updated.

Statement of Community Involvement

The Statement of Community Involvement (SCI) sets out the Council's approach to community involvement in planning and development issues affecting Bristol.

Community Infrastructure Levy Charging Schedule

The Community Infrastructure Levy (CIL) is a system of developer contributions. The CIL Charging Schedule was adopted in September 2012 with implementation from 1 January 2013.

Monitoring Report

Local planning authorities are required to prepare and publish monitoring reports on the progress of their development plans. It is anticipated that the City Council will produce a monitoring report every 12 months and that this will be made available to the public on the Council's website.