

Decision Pathway



PURPOSE: Key decision

MEETING: Cabinet

DATE: 06 October 2020

TITLE	Revision to the Local Development Scheme and Application of Adopted Local Plan Policy		
Ward(s)	Citywide		
Author: Sarah O'Driscoll	Job title: Strategic City Planning Service Manager		
Cabinet lead: Cllr Nicola Beech	Executive Director lead: Stephen Peacock		
Proposal origin: <i>Other</i>			
Decision maker: Cabinet Member Decision forum: <i>Cabinet</i>			
Purpose of Report: To seek Cabinet approval for the 'Progressing Bristol's Development' statement and the Revised Local Development Scheme (timetable for preparation of the Local Plan).			
Evidence base: <ol style="list-style-type: none">1. Bristol has an adopted suite of development plan documents for the period 2011 – 2026 comprising the Core Strategy (adopted June 2011), Site Allocations and Development Management Policies (adopted July 2014) and Bristol Central Area Plan (adopted March 2015). These documents contain site allocations which enable the delivery of over 8,000 new homes. These documents are no longer considered 'up-to-date'.2. The review of the Local Plan was timetabled to deliver the housing and employment land requirements to be established by the Joint Spatial Plan (JSP), with Bristol Local Plan Issues and Options consultation in February 2018 and Draft policies and new/additional Site Allocations undertaken in March 2019, in order to enable submission of a revised local plan on adoption of the JSP.3. Withdrawal of the JSP from examination triggered the requirement for preparation of the WECA Mayoral Spatial Development Strategy (WECA SDS).4. The preparation of the WECA SDS is currently intended to enable submission of the SDS for examination by February 2022 with examination in the autumn of 2022 and final approved publication by June 2023. This would allow the revised Bristol Local Plan to progress through a consultation in the autumn of 2021 to a submission in late 2022 with examination and adoption by December 2023.5. In accordance with the Planning Acts¹ the Council is required to publish an up-to-date Local Development Scheme (LDS) to specify the development plan documents which will comprise part of the development plan for the area. It has been intended to publish the LDS in line with the time frame published on the current Bristol Local Plan website below following approval as required at Cabinet in October.			

¹ section 15 of the Planning and Compulsory Purchase Act 2004 (as amended)

2020	New studies and evidence. On-going call for sites.
2021	Consultation on issues and options for development (Regulation 18). [ie on additional policies and proposals in response to updated strategic evidence]
2022	Publication version to be approved and made available for comment (Regulation 19).
2023	Examination by planning inspector. New local plan to be adopted (Autumn 2023).

6. The Ministry of Housing, Communities and Local Government (MHCLG) Consultation: Changes to the current planning system; and White Paper: Planning for the Future, were published on 6th August with consultation response deadlines of 1st and 29th October respectively. These documents suggest a significant change to the process for preparation of statutory development plan documents which would involve change to NPPF, regulations and potentially primary legislation. Implications of these proposals are not yet confirmed, but it is possible that the time tables for SDS and Local Plan Review will be substantially affected by deadlines for transitional arrangements. This could mean an LDS approved in October would need to be rapidly revised (an LDS may not be a formal requirement of the future system which as currently indicated would require compliance with a 30 month preparation schedule).

Going Forward

7. In the interim, it is proposed that Cabinet approval is sought for a statement 'Progressing Bristol's Development' in October. This document will set out how the adopted Bristol Local Plan policies will be used in consideration of planning proposals and applications for development;
- in the light of up-to-date evidence; and
 - consistent with the direction of travel indicated by the draft Local Plan Review policies (March 2019).
- The document will take into account and be informed by the 17 UN Sustainable Development Goals. An early draft of the Progressing Bristol's Development statement is attached at Appendix A.
8. Approval of Progressing Bristol's Development at October Cabinet could be accompanied by a version of the Local Development Scheme to set out the Council's continued intent in preparation of a replacement local plan but noting that the detail is subject to change
- whether prepared within the existing LP preparation regulations or
 - in preparation for a future local plan within a new planning system.

Officer Recommendations:

That Cabinet

1. Approve the 'Progressing Bristol's Development' statement for publication.
2. Approve the revised Local Development Scheme (LDS).
3. Authorise the Director, Development of Place in consultation with the Cabinet Member for Strategic Planning, City Design and Flood Strategy to make any change to timetabling of the LDS.

Corporate Strategy alignment:

1. Preparation of the Local Plan aligns with enabling delivery of all four themes but is particularly relevant to enabling the goals of Fair and Inclusive; Well Connected and Wellbeing – through development to meet the target of 2000 new homes including 800 AH a year, provision for employment, transport, quality built and open space etc. and contributing to the management of Climate Change and the climate and ecological emergencies.

City Benefits:

1. Policies in the Local Plan ensure issues of Equality, Health and Sustainability and Social Value are addressed wherever appropriate in development proposals.

Consultation Details:

1. The proposal for the interim statement on planning was discussed with Cabinet Members (Beech and Smith)

on 22nd June 2020 and with the Mayor's Office and Mayor Rees on 13th August 2020.

Background Documents:
MHCLG Consultation: [Changes to the current planning system](#); and
White Paper: [Planning for the Future](#)

Revenue Cost	£ ongoing cost related to preparation of Local Plan	Source of Revenue Funding	Strategic City Planning service budget
Capital Cost	£ N/A	Source of Capital Funding	N/A
One off cost <input type="checkbox"/> Ongoing cost <input checked="" type="checkbox"/>		Saving Proposal <input type="checkbox"/> Income generation proposal <input type="checkbox"/>	

Required information to be completed by Financial/Legal/ICT/ HR partners:

Finance Advice: The report seeks approval to prepare documents/statements of commitment/intent to enable continued development growth in Bristol while the Local Development Plan is being developed in line with revised timetables highlighted in earlier sections of this report. The Local Development Scheme sets out the proposed timetable for the Local Plan Review

The cost of producing these documents will be funded from existing budgets, as a result, there is no new financial implications resulting from this report.

However, it should be noted that the financial implications resulting from changes that might be brought about from changes to primary legislation is being assessed separately, the results of which would form the subject of a separate Cabinet report.

Also to note is that the current resources for Local Plan preparation and support for work associated with the preparation of the WECA Spatial Development Strategy (SDS) are reliant on limited budget within Local Plan/JSP budget account 10227 and as well as reserves. While it is not anticipated that additional funding is required at this stage, the funding envelope did not anticipate work on the SDS.

Finance Business Partner: Kayode Olagundoye, Interim Finance Business Partner, Growth & Regeneration 28 August 2020

2. Legal Advice:

Section 15 of the Planning and Compulsory purchase Act 2004, as amended, requires the local planning authority to prepare and maintain a local development scheme. It also requires the local planning authority to revise the local development scheme at such time as they consider appropriate. The updated Local Development Scheme is to be made available to the public, together with the changes made and details of compliance with the timetable.

Legal Team Leader: Joanne Mansfield 7th September 2020

3. Implications on IT:

No anticipated impact on IT Services.

IT Team Leader: Simon Oliver - Director Digital Transformation

4. HR Advice:

No HR implications evident.

HR Partner:

James Brereton (People & Culture Manager), 26th August 2020

EDM Sign-off	Stephen Peacock	19th August 2020
Cabinet Member sign-off	Cllr Nicola Beech	24th August 2020
For Key Decisions - Mayor's Office sign-off	Mayor's Office	7th September 2020

Appendix A – Further essential background / detail on the proposal Appendix A i - DRAFT Progressing Bristol's Development Appendix A ii - DRAFT Local Development Scheme	YES
Appendix B – Details of consultation carried out - internal and external	NO
Appendix C – Summary of any engagement with scrutiny	NO
Appendix D – Risk assessment	YES
Appendix E – Equalities screening / impact assessment of proposal	YES
Appendix F – Eco-impact screening/ impact assessment of proposal	YES
Appendix G – Financial Advice	NO
Appendix H – Legal Advice	NO
Appendix I – Exempt Information	NO
Appendix J – HR advice	NO
Appendix K – ICT	NO
Appendix L – Procurement	NO