

BATH & NORTH EAST SOMERSET CORE STRATEGY**COUNCIL'S RESPONSE TO ISSUES RAISED IN INSPECTOR'S NOTES ID/31; ID/32 AND ID/33****1.0 Introduction**

- 1.1 The Council recently accepted the Inspector's offer in his note (ref ID/32) for a hearing on the SHMA Housing Market Area issue (see Council response - ref BNES/41). The Inspector has confirmed this way forward (see his note ID/34) and this hearing will take place on 17th September.
- 1.2 There are a number of other outstanding points made by the Inspector in his notes ID/31, 32 & 33 which still require a response from the Council. This note sets out the Council's response to outstanding issues raised in ID/32, as well as issues raised in ID/31 and ID/33. In summary the issues addressed are:
- ID/32: section (b) on Consultation Matters
 - ID/33: SHMA issues/questions set out in sections 1 (Introduction) and 2 (Underlying assumptions and Statement of Common Ground)
 - ID/31: evidence relating to Green Belt locations

2.0 Consultation Matters (Section B of ID/32)

- 2.1 In paragraph 16 of ID/32 the Inspector raises a number of questions regarding consultation on the Proposed Changes to the Submitted Core Strategy. These questions arise from a number of representations on the Proposed Changes that express concerns around certain aspects of the consultation process.
- 2.2 On a general point regarding consultation, the Council has published a Consultation Summary Report which outlines the approach taken to consultation including the provision of and access to information on and supporting the Proposed Changes to the Submitted Core Strategy. The Consultation Summary Report covers a number of the issues raised in ID/32 and can be viewed on the Council's website here:

http://www.bathnes.gov.uk/sites/default/files/sitedocuments/Planning-and-Building-Control/Planning-Policy/Core-Strategy/ProposedChanges/scspc_consultation_report.pdf

With regard to the Inspector's specific questions, the Council sets out its response below to each of the Inspector's bullet points in the order they are set out in paragraph 16 of ID/32. The Inspector's bullet points are set out in bold in this response.

Which documents were published during (rather than at the beginning) of the consultation period and the date they would put on the website.

- 2.3 The Proposed Changes to the Submitted Core Strategy are informed by a range of new evidence documents and appraisals (Sustainability Appraisal and Habitats Regulation Assessment). As requested by the Inspector this evidence has also been made available for stakeholders to review during the consultation period. With the exception of the Arup Concept Option Reports and the SHLAA findings report all of the evidence and appraisals underpinning the Council's Proposed Changes were publicly available either before or at the start of the consultation period. The Arup Concept Option Reports were publicly available on 3rd April, which is almost 5 weeks before consultation closed on 8th May.
- 2.4 The SHLAA Findings Report was published on 19th April. However, the SHLAA development trajectory and the SHLAA site proformas were available from the start of the consultation period. Access to these documents enabled consultees to understand the Council's housing delivery assumptions and 5 year land supply position underpinning the Proposed Changes. The Findings Report provided a narrative to make it easier for people draw the information in the trajectory and the proformas together. It provided little new information beyond those other elements of the SHLAA or the Arup Reports. It did however provide the evidence base behind the proposed windfall allowance and this was not available in any other document.
- 2.5 The Inspector will also be aware that the SHLAA Trajectory and Findings Report have been revised since the end of the consultation period to take account of completions during 2012/13 and enhanced to reflect discussion with developers about deliverable supply within the next 5 years. These updated versions are now on the Council's website and available to inform the resumed Examination Hearings. The site specific proformas have not changed since the consultation period.

Which documents were changed during the consultation period, the date the changed document was put on the website and the nature of the changes made. I understand that such documents were not given a fresh reference number. I assume that I have been given the most recent versions. Is this correct?

- 2.6 Three of the evidence studies were updated during the consultation period, although these revisions were minor and did not alter their fundamental conclusions. The updated versions of each document were published before the end of the consultation period i.e. SHMA Report on 27th March 2013; Arup Concept Option Report for Land Adjoining Weston on 16th April 2013; and Stage 1 Green Belt Review

on 25th April 2013. The Council confirms that the Inspector has been given the most recent versions of each of the studies.

2.7 The nature of the changes made to each of the documents was as follows:

1. SHMA Report: soon after the beginning of the consultation period the Council realised that it had not uploaded the current latest version of the SHMA. Whilst the core outputs are the same in each version, some passages of the text did not represent the final edit. Some consultees have picked up on the removal of the following paragraph, which seems to be the main issue of discrepancy between the versions:

[6.4 of 21st Feb version published at start of consultation period] "We would note that all of the scenarios are based on future projections of the population and households of BANES. Whilst most scenarios consider the impact of migration to and from surrounding areas (as well as migration within the UK and overseas), none of the scenarios incorporate a strategic housing allocation to cater for unmet needs from adjoining areas such as Bristol"

This was removed from the final edit as it gave the impression that the SHMA had itself evidenced an unmet need in Bristol, but that this had been dismissed. The paragraph was removed to avoid this misinterpretation. What it was attempting to clarify was that all the scenarios were related to BANES identified needs only as there was no evidence that an additional allocation re adjoining authorities unmet needs was required. The SHMA did not seek to provide an analysis of the housing requirement of Bristol City Council. Therefore, on the evidence, of the SHMA there was no reason for the scenarios to incorporate a Bristol related allocation and the adopted Bristol Plan did not evidence an unmet need.

2. Arup Concept Option Report for Weston: an error was made in relation to the development layout options in the original report. This was the inclusion of some land within parcel A which was considered to be unsuitable for development in the total gross developable area. This affected the calculation of development capacity under both options. The gross developable area was amended and the development capacity reduced in the corrected version of the document. This meant the total development capacity range changed from 520 – 892 in the original version to 454 – 809 in the corrected report
3. Arup Stage 1 Green Belt Review: a number of minor revisions/updates were made and these related to the following:
 - Amendments to the introduction to explain the further areas of work to be undertaken i.e. a) as resolved at Council on 4th March the consideration of whether the Green Belt should be extended; and b) the Stage 2 work that will provide recommendations on potential detailed Green Belt boundary revisions where land is proposed to be released.

Conclusions from the review of land to consider whether the Green Belt should be extended will be published in good time to inform the resumed Examination hearings.

- Minor corrections/edits within the appraisal criteria.
- Inclusion of a brief comparison of the assessment of land parcels in the Arup review with the conclusions of the SWRA Strategic Green Belt Review (2006).
- Minor editorial changes in some land cells, most frequently in respect of a factual description of topography related to Green Belt purpose 3 'Assist in safeguarding the countryside from encroachment'.

I have been sent a Schedule of Proposed Changes to the Submitted Core Strategy (March 2013) CP9/PC1. This appears to include amendments to some of the Proposed Changes made in April. Is this correct?

2.8 During the consultation period three sets of minor revisions were necessary to the Schedule of Proposed Changes to the Submitted Core Strategy. The changes and the date they were published are as follows:

1. On 9th April
 - a. Change to Policy B2(4)(h) that was originally discussed at the Hearings in February 2012 and agreed by Council on 4th March 2013 was originally omitted from the schedule in error. This was added as change reference SPC69A.
 - b. Revision to Diagram 4 (Key Diagram) to correctly show the number of jobs in the Somer Valley reflecting the amended Policy SV1 (see change reference SPC130). It should be noted that the Policy text was correct in the original version of the Schedule.

2. On 19th April

Change to development requirement a) for both Policies B3A and B3B to specify the proportion of affordable housing that will be sought in development at land adjoining Odd Down and Weston (see change references SPC88 and SPC89) (see note below)

3. On 24th April

Minor changes to SPC126 and SPC129 to give greater clarity in relation to the description of the sources of housing supply in the Somer Valley (this does not affect the Core Strategy Policies for the Somer Valley)

Only one of these sets of revisions (number 2 above) resulted in a Policy change and as a result consultation was extended to 22nd May in relation to this specific issue only. The version of the Schedule sent to the Inspector (CP9/PC1) is correct and incorporates the revisions outlined above.

Was the Schedule of Proposed Changes altered during the consultation period such that the reference numbers of changes at the beginning of the period was subsequently different? If this did occur, how can the Council and I be sure that comments made on the first schedule have been correctly recorded?

2.9 The first set of minor revisions to the Schedule of Proposed Changes described above resulted in a re-numbering of the changes. This re-numbering of the changes took place on 9th April, 4 weeks before consultation closed. The Council has analysed all representations received during the consultation period and attributed the correct Proposed Change reference number. The Inspector has been supplied with a schedule of all the representations in Proposed Change order. No-one has been prejudiced by this change

Given the above, whether the Council is satisfied that appropriate consultation has taken place and, if so, why.

2.10 The Council undertook a full and thorough consultation programme with wide publicity and made information widely available. It held numerous public exhibitions and events in various parts of the District, especially where significant changes were proposed. It ensured staff were available during the consultation to respond to queries and questions.

2.11 Where minor difficulties arose, as described above, the Council sought to take prompt action to remedy the implications. Both the Proposed Changes to the Core Strategy and the supporting evidence was made publicly available in a way that ensured all parties were able to make informed representations within the consultation period. Each set of revisions to the Schedule of Proposed Changes to the Submitted Core Strategy were clearly signposted and explained on the Council's website and a mail out was sent to all interested parties to make them aware of the revisions. In addition, the only set of revisions to the Schedule of Proposed Changes that resulted in a change to Policy was addressed by extending the consultation period to enable all parties to have a reasonable opportunity to comment. With regard to the evidence base the changes made during the consultation period were minor and did not alter its substantive conclusions. The Council considers that the issues referred to did not prejudice anyone from being able to participate fully and effectively in the consultation.

Whether and, if so, how the Council intend to take into account the representations received and whether it intends to consider and respond to representations which suggest that information relied on by the Council is factually incorrect.

2.12 The Council has corrected the factual errors (all of which were minor) in its evidence base of which it is aware through the process outlined above and during the consultation period. The Council is not aware of any further significant/substantial factual errors in the evidence base.

Whether the Council is intending to take into account industry comments on the SHLAA sites or involve stakeholders in any forthcoming update of the SHLAA?

2.13 The updated SHLAA Findings Report and Development Trajectory (published in June 2013, as always intended) involved telephone research and discussions with developers of many of the sites included in the SHLAA. Therefore, its conclusions reflect the views of the development industry, as far as it has been possible to establish, and are realistic. These documents have now been published on the Council's website and the Council does not anticipate making another update between now and September 2013, unless S.78 appeal decisions contain information that suggest that a change is necessary. At the time of giving notice of the 17th September Examination hearing session on the scope of the SHMA the Council made stakeholders aware of the updated SHLAA, enabling them to familiarise themselves with it before any subsequent resumption in hearings post the SHMA session.

In the context of the all above, is the Council satisfied that it will have met its commitments in the Statement of Community Involvement (or elsewhere) concerning consultation on major proposals and its appropriate response to such consultation.

2.14 The Neighbourhood Planning Protocol (NPP) was adopted by the Council in September 2012. This document superseded and replaced the Council's previous Statement of Community Involvement. Section 4 of the NPP relates to Local Planning Policy and sets out the types of consultees the Council will engage with in the preparation of Local Planning Policy documents. The consultation on the Proposed Changes to the Submitted Core Strategy complied with the NPP. The Consultation Summary report produced by the Council confirms this and outlines how consultation was publicised; who was consulted; and the methods of consultation (including the consultation activities undertaken).

3.0 SHMA Matters (Sections 1 and 2 of ID/33)

- 3.1 In his note ID/33 the Inspector requests that the Council prepare an explanatory paper on the SHMA in order to answer the questions set out in section 3 of ID/33. The Council confirms that it has started preparation of this paper and that it will be sent to the Inspector on 19th July and published on the Council's Examination website.
- 3.2 As referred to in paragraph 2.2 of ID/33 the Council has invited relevant participants to a technical SHMA seminar to take place on 2nd August 2013. The aim of the seminar will be to improve participants understanding in respect of how the SHMA outputs have been derived. This will enable a Statement of Common Ground (or disagreement) to be prepared by 6th September.
- 3.3 In paragraph 2.1 of ID/33 the Inspector requests that the Council provides information on the assumptions ORS have used in undertaking their population/household projections. This information will accompany the July 19th documentation and SHMA seminar participants have been informed of this approach in the invitation to this event. The background assumptions are integral to the response to ID/33 and the Council considers that it is sensible to provide both elements together as a single coherent package of information.

4.0 Green Belt Locations: Further Evidence (ID/31)

- 4.1 As noted by the Inspector in ID/31 the Council has undertaken significant new evidence studies that inform choice of and assess the locations where land is proposed to be removed from the Green Belt for development. This evidence has been published and was available to inform the consultation on the Proposed Changes to the Submitted Core Strategy. As also noted by the Inspector in ID/32 (paragraph 9) it is intended that in those locations identified where land will be released from the Green Belt the detailed Green Belt boundary and the sites to be allocated for development will be determined through the Placemaking Plan.
- 4.2 The Council has commenced work on the Placemaking Plan. It is currently undertaking a number of studies looking at the locations identified in the Core Strategy in more detail in order to inform decisions on site allocations and detailed Green Belt boundary definition. These studies will not replace any existing evidence but will supplement it. The Inspector has confirmed that, if the rest of the Examination hearings proceed following 17th September session, the hearings on Green Belt locations are to be timetabled for a date well after the 17th September. Therefore, these studies will be completed and would be available in good time to inform the Examination hearings if the Inspector considers this would be helpful. The

key studies that are being undertaken and their date of completion are listed below. Once complete they will be published on the Council's website:

Placemaking Plan Studies	Completion Date
Stage 1: Green Belt Review – Assessment of Potential Extensions to the Green Belt	2 nd August 2013
Stage 2: Green Belt Review – Detailed Green Belt Boundary (assessment of options for defining detailed Green Belt boundary in locations where land is proposed to be released from the Green Belt for development)	9 th August 2013
Further Heritage Impact and Asset Setting Assessment (of all of the Green Belt development locations set out in Proposed Changes to the Core Strategy)	30 th August 2013
Impact on WHS and its Setting of Development at Locations on edge of Bath (to inform development options)	7 th August 2013
Impact on Cotswolds AONB of Development at Locations on edge of Bath (to inform development options)	7 th August 2013
Landscape and Visual Impact Assessment of Development in the Whitchurch area; East of Keynsham; and South West of Keynsham	30 th August 2013
Ecological Surveys of Land Adjoining Weston; East Keynsham and South West Keynsham	31 st July 2013
Surface Water Management and Drainage Study for land adjoining Weston (to inform development options)	9 th August 2013

10th July 2013