

Bath and North East Somerset Council: Core Strategy Examination

Written Statement

Compliance with Statutory and Regulatory Matters

(F) Is the CS in general conformity with the Regional Strategy?

No. The CS does not reflect the provisions of RPG 10 in respect of working in concert to plan for the needs of the Bristol City Region.

The existence of these cross-boundary pressures have long been recognised in the city region. RPG 10, which still constitutes the formal Development Plan for the South West, required in Policy SS8 that the local authorities work together to achieve, several objectives, including the following:

- *Balanced provision of additional housing, employment, social and recreational facilities within the urban area or as planned urban extensions;*
- *An enhanced economic base by providing for the full range of growth generated by the city and its hinterland and an element of inward investment;*
- *A review of the Green Belt in accordance with Policy SS 4.*

RPG 10 also signals the need for a Green Belt review in Policy SS4, and this is cited again in Policy SS9.

Two things are to be noted from the above objectives from RPG 10:

a) the ambitious agenda for growth in the city region and a degree of ambition that is lacking in the core strategy for B&NES (and the others in the HMA) despite a time when the importance of growth is greater than ever;

b) the need for a Green Belt review was flagged-up over ten years ago but has never been undertaken.

It is possible to argue that the glacial pace of plan preparation, and the dragging-of-feet in connection with the Green Belt review, has served to constrain rates of economic growth over the last decade that might otherwise

have occurred had the city region adopted a more positive and responsive planning policy position with regards to new development and urban extensions. Predictions of lower growth in the future are thus informed by comparatively moribund levels of economic performance experienced over the last decade – growth that has been constrained by an unresponsive planning system. The consequence is a perpetual downward-cycle and contracting economy that is used to justify less ambitious targets, rather than utilising the tools of planning to alter the course of events.

The draft RS sets out in Policy HMA 1 the approach to securing growth across the Housing Market Area, including providing for 137,200 jobs and at least 137,950 homes. The policy allows for the expansion of Bath (as a Strategically Significant City or Town) to the south west.

If the Council does not wish to be bound by the policies of the old regime and instead be allowed to advance a strategy with a new housing requirement under the auspices of the new localism regime, then it is duty bound to comply with the duty to cooperate which is now a statutory requirement. It should also abide by the associated planning policies of the new regime as set out in the draft NPPF. This will entail working in concert with the other authorities of the HMA to coordinate its growth needs. We submit that the core strategy is not in conformity with either regime.

(H) Has section 110 (duty to co-operate) of the Localism Act 2011 been met?

No. The Core Strategy is unsound in that it neither complies with (a) the Localism Act and the statutory duty to cooperate; and (b) the RS which is still part of the development plan and sets out in policy provisions for cross-boundary working.

The Planning Inspectorate maintain that plans submitted before the Localism Act received assent are not placed under the duty to cooperate as the duty was not in existence.

The Council submitted its Core Strategy on the 3 May 2011.

While the duty to cooperate was not a statutory requirement at this point, the Ministerial Statement Planning for Growth – which is a material consideration – was published on 23 March 2011 predating the submission of the strategy. In the four paragraph of the letter the Minister states that:

“Authorities should work together to ensure that needs and opportunities that extend beyond (or cannot be met within) their own boundaries are identified and accommodated in a sustainable way, such as housing and market requirements that cover a number of areas, and the strategic infrastructure necessary to support growth.”

This is a clear and unequivocal expectation that authorities will work together to produce realistic plans that take account of cross boundary pressures. The

West of England area - of which the four Bristol city region local authorities are members - has always conceived of itself as a distinctive functional economic area with a shared housing market. This has been the case going back to at least the days of Regional Planning Guidance 10 but more recently for the purposes of the West of England Local Enterprise Partnership (LEP). The Council acknowledges its part of the West of England sub-region in paragraph 1.07.

As a distinct sub-regional area with a shared economic and housing market geography. Scant attention is given to B&NES's relationship to Bristol and the West of England in the core strategy. The Key Strategic Issues section on page 10 makes no reference to the wider political, demographic and economic geography of the city region. The only reference to Bristol is in paragraph 1.07 where the Council acknowledges its role in the West of England sub-region. Aside from this, the question of inter-co-operation with the other three councils to address any cross-boundary issues receives scant attention. Even were we able to assume that the Core Strategy was able to consume its own smoke without reference to the dynamics and household pressures of the other districts, the Core Strategy fails to provide for any contingency in case Bristol's housing need outstrips that planned for in say Bristol City's core strategy.

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