

Issue 1:

Is the planned district-wide scale of provision for jobs and homes justified and is there sufficient flexibility to reflect uncertainties in forecasting and changing circumstances?

HFT have made representations on the matters raised in Issue 1 through the Draft Core Strategy, Dec 2010, ref. HFT 1, which included earlier representations to the Core Strategy Spatial Options Oct 2009. That representation was supported by evidence from Baker Associates.

This position statement takes the form of a contribution from Baker Associates on the level of housing provision made at Bath through the Core Strategy (see below).

The degree of flexibility to address uncertainties in forecasting and changing circumstances particularly at Bath, is also addressed in the position statement to Issue 2, SHLAA.

Having regard to the evidence by Baker Associates, HFT conclude that the Core Strategy is materially unsound due to the planned under-provision of jobs and houses in the period 2006-2026. Even allowing for the adjustment of the housing total to take account of the pre-2006 backlog (850 housing units) and the increase from 1.33 to 1.39 homes/jobs ratio, giving a total of 12,950 houses, there remains significant under-provision.

HFT recommends that the CS makes provision across the district between 2006 -2026 for 12400 jobs and at least 14,500 homes (of which around 4600 will be affordable homes), which will be distributed as follows:

- 1. At Bath, 8700 jobs and 10150 homes**
- 2. At Keynsham, 1200 jobs and 1350 homes**
- 3, At Midsomer Norton, 1000 jobs and 2200 homes**
- 4. Rural Areas, 500 jobs and 800 homes ”.**

(extract from HFT 1).

B&NES Core Strategy Examination

Hearing Issue 1 – Is the planned district-wide scale of provision for jobs and homes justified and is there sufficient flexibility to reflect uncertainties in forecasting and changing circumstances?

Contribution to Position Statement by Hignett Family Trust by Baker Associates

Introduction

A vital role of the Core Strategy is to establish the level of housing provision to be made as well as to demonstrate with confidence how this to be delivered. Housing is to be provided to meet the foreseeable requirements of the future community during the plan period, but the housing provision has to be integrated with all of the other important aspects of the strategy, and specifically with what the plan provides for on economic development, for delivering infrastructure requirements and for managing the evolution of the built and 'natural' environment. In every aspect of the plan it has to be clear how what is included flows from evidence and addresses what is known from the evidence.

In relation to housing, the way in which the level of housing that should be planned for is currently set out unequivocally by PPS3, at paras 32 and 33 in particular. Given that the NPPF is likely to be in place before the Examination concludes, what is said in the draft NPPF is a strong indication of how the requirement of this plan will come to be expressed.

The Council fails entirely to provide a robust and evidence-based housing requirement applying the approach in PPS3: Housing or what is expected from the NPPF.

The Core Strategy has to make provision for two elements of housing. First there is the B&NES element. That is the housing requirement arising from the population within the District will grow during the plan period. It will do so through a combination of net in-migration including the additional population required to provide the workforce required to realise the economic potential of the District, through the balance of births and deaths in the population, and through the falling average household size.

The understatement of this element of the housing requirement that is to be made through the plan is the main concern of this Position Statement.

It is vital however that sight is not lost of the second element of housing provision for which the plan has to take responsibility, or that the two elements are conveniently presented as being 'met' by the same provision. The second and separate component of housing that needs to be addressed through the B&NES Core Strategy is that arising from the role of B&NES within the functional area of the West of England. The housing requirement arising from urban area of Bristol as the major population centre and from the realisation of the economic potential where the main concentration of employers will continue to be, is greater than can be accommodated within the Bristol urban area. This has been established through the recent Examination of the Bristol Core Strategy. The most sustainable location in which to meet the part of the requirement that cannot be accommodated in the urban area is

on the immediate periphery of the urban area in those locations where accessibility is high and where the environmental constraints are low, and so key sustainability criteria are met. By simple accident of history some of this land is in B&NES rather than in the area administered by Bristol City Council and a part of this development has therefore to be provided for through the B&NES Core Strategy.

The Council however completely ignores the housing part of its location within the West of England. The 11,000 homes it makes provision for in the Core Strategy are solely concerned with the 'local interest' element. The Core Strategy therefore has to be remedied to address the other component.

In this contribution to the Position Statement on Issue 1 however, we deal only with the Council's underprovision on the element of the housing requirement that it does at least acknowledge the requirement arising from the change in the B&NES population.

The Hignett Family Trust is clear that the Core Strategy makes too little provision for housing according to the requirement and in this respect alone is irredeemably unsound.

In summary, our position is that the plan fails in three respects.

First, it only purports to deal with the B&NES element of the housing requirement whilst ignoring the share of the West of England requirement that needs to be met in B&NES.

Second, in dealing with B&NES element the Council ignores the demographic projection of the household requirement and does not do anything like what could be done to address the affordable housing need. It limits the level of provision by relying on a low rate of economic growth for the plan period, an approach which at best does not provide any flexibility and at worst is likely to be self-fulfilling.

Third, the job of a plan is to understand how an area performs and the issues that exist and to use it influence to bring about a better situation in the form of a vision informed by this evidence. A vital opportunity the plan has to bring about change is through the provision of housing. This type of proper planning is categorically not what the B&NES Core Strategy does. Instead it fixes the housing provision according to one overpowering objective of constraint, and all other laudable objectives, including those stated in the plan itself, are ignored.

These points are developed below. Our Position Statement is written with knowledge of the comments made by the Inspector since the beginning of his Examination. The Inspector has sought to further understand the Council's approach to the identification of the level of housing provision to be made. The Inspector's questions on the Council's approach are set out in Document ID/7 'Inspector's main matters and questions'. To assist in the discussion we have set out our views on how the Core Strategy deals with establishing the level of housing for which provision should be made through the Core Strategy by addressing each of the Inspector's questions in order and by reference to the Inspector's numbers. We give our interpretation of what the Council has done and how this falls well below what is wanted by good planning and for a sound plan, and suggest what needs to be done.

Inspector's question 2.1

The Inspector's question relates to PPS3 and to a 'balance of factors' affecting the level of provision.

Para. 32 of PPS3 says that: *'The level of housing provision should be determined taking a strategic, evidence-based approach that takes into account relevant local, sub-regional, regional and national policies and strategies achieved through widespread collaboration with stakeholders.'*

Notwithstanding the fading relevance of references to the RS in PPS3, this statement is clear that housing provision is to be driven by evidence. This must be true in any case; evidence is evidence – it tells you what the situation is and what needs to be done. Ahead of the duty to cooperate if that is believed to not apply to this plan (something we are not convinced is the case, as the plan continues to be 'in preparation' until it is adopted), it is clear from this statement that the evidence includes that arising from a requirement for collaboration across a functional area.

Para 33 lists matters that should be used in informing the level of provision and without quoting these in detail, they include demographic projections, the likely future economic situation, and the affordable housing need.

The plan does not taking proper account of latest population and household projections to set future levels of need and demand. The 2008 based household projections show that households will grow by 14,000 from 74,000 in 2006 to 88,000 in 2026. This it must be noted relates only to what we describe as the B&NES element and does not address the WoE element of the provision that should be made. It would be reasonable for the Council to take as its starting point that this projection is a 'to be met' requirement.

Para 33 of PPS3 lists amongst the matters to be taken into account in determining the housing requirement: *'the Government's overall ambitions for affordability across the housing market, including the need to improve affordability and increase housing supply.'*

Affordability issues are very relevant to Bath, yet do not feature at all in the way that the Council has determined (rather than sought to use) the housing requirement.

Paramount in the Government's emerging policy for planning is that it is a vital role of planning to assist in achieving vitally needed economic growth through providing for development in appropriate locations and in recognition of market strength. This is made abundantly clear through a succession of ministerial statements and can confidently be expected to be established as the overarching objective for planning and development plans by the NPPF.

The point about a 'balance of factors' affecting the level of provision extends to the point that the Council's task is to produce a plan with a coherent and integrated strategy which addresses all of the needs and characteristics of the area and its community. That includes such objectives as the Council sets for its plan in terms of addressing housing need through the provision of affordable housing and achieving a low carbon future for instance.

A plan that (rightly) has objectives has to demonstrate that all of the other parts of the plan strive to deliver on those objectives, and not as this plan does, state objectives in order to sound worthy and then ignore them. What this plan does, as the other West of England Core Strategies do, is be driven by one objective alone, the determination to avoid having to 'announce' a change to the Green Belt.

Inspector's question 2.2

The draft NPPF at para. 14 says that local plans are to be prepared '*on the basis that objectively assessed development needs should be met, and with sufficient flexibility to respond to rapid shifts in demand or other economic changes*'. The principle must be correct.

It is quite well established in practice that the overall level of housing for the future indicated by the evidence is referred to as the 'requirement', whereas in relation to housing the term 'need' is reserved for the level of affordable housing identified as wanted in the areas by the SHMA. By the way the planning system works in providing for affordable housing, and in a market such as at Bath where prices are high and supply artificially constrained by local policy, meeting the affordable housing need would require far more housing to be provided in total than other means of determining the household requirements would suggest. Every 'affordable' house springs from the provision of three or four open market houses. Satisfying the emerging national policy according to the draft NPPF therefore, on its use of the word need, would require a very significant increase in the level of housing provision to be made through the plan.

The Draft NPPF says that; '*authorities should prepare a SHMA to assess their full housing requirement which caters for housing demand and the scale of housing supply necessary to meet this demand*' (para. 28).

It is usual in undertaking studies of the factors which should determine the level of housing provision for the need for affordable housing to be the factor pointing to the highest requirement compared with likely economic growth and the demographic forecasts for instance. This is certainly the case when the ratio of average house prices to average incomes is as high as it is generally in the south west and this is particularly the case for B&NES.

It is common for the constraining factor to be the amount of open market housing that can be delivered from which affordable housing can be provided. In B&NES however, we are satisfied that the capacity of the market to provide housing based on the willingness and ability of customers to buy or rent property would be very high. That is the nature of the B&NES market, as Bath in particular is a very special place. Keith Woodhead's Stage 2 Report acknowledges this with various references to the quality of life available and to an environment-led market. The plan could therefore make a far greater contribution to affordable housing using the power of market housing than it chooses to do. Instead it actively constrains the provision of market housing and hence affordable housing by constraining the supply of land that housebuilders can use to service the market and meet demand. Keith Woodhead's Stage 2 Report is explicit that this is what is going on, at paras 4.5 and 4.6.

The NPPF is expected to establish a policy requirement to identify a rolling supply of deliverable sites sufficient to provide 5 years and include an additional allowance of at least 20% to ensure choice and competition (para. 109 of Draft NPPF). This

concept is not new - the Barker Report recommended that authorities should allocate a buffer of land to improve responsiveness to changes in demand. This is about flexibility however, and the Core Strategy certainly does not provide for flexibility or acknowledge any possible circumstances other than the pessimistic view it takes of the economic prospects.

By constructing its approach to housing provision on low economic growth rates, the Council is acting entirely contrary to the Government's growth agenda as set out in both the Plan for Growth (March 2011) and made into explicit draft policy in the NPPF (July 2011). Para.19 of the Draft NPPF which says that; *'planning should proactively drive and support the development that this country needs. Every effort should be made to identify and meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth'*.

Inspector's question 2.3

The methodology followed by the Council is not one which we have come across before, other than in the West of England. It cannot be called an established methodology as it has not been tested nor its credibility established. We know of no plan found sound using this methodology. For comparison the Sedgemoor Core Strategy for District which was found sound in September 2010 was based on evidence on the appropriate level of housing provision undertaken by Baker Associates. The method used for Sedgemoor, which is basically the method for all of the housing provision evidence informing core strategies that we have encountered except in the West of England, seeks the corroboration of the housing requirement indicated by demographic forecasts with the housing required to promote and service realisable levels of economic growth, benchmarks these figures to the need for affordable housing, and tests the emerging requirement for its deliverability.

Whilst we would not support the method the Council has used in principle, we have examined how the Council has used its chosen method. The method used by the Council's consultants and which it depends on for the Core Strategy seems to be designed for obfuscation and the spurious implication of scientific method. In essence the method boils down to the multiplication of the suggested future number of jobs to arise in the District by a factor derived from a ratio of the future projection of the past numbers of homes and jobs. Our assessment of the approach leads us to take issue with both the number of jobs and the homes:jobs ratio used in the method, as well as the method itself.

The methodology has been used for the North Somerset Core Strategy where it has been the subject of extensive discussions at the Examination Hearings during November and December 2011. It is very interesting that the same ratio (1.39) is used as the basis of the calculation for both plans. This is curious as the approach is put forward as the means of establishing a 'locally determined' requirement once the RS is no more, and is claimed to reflect the particular needs and circumstances of the place. The implication of using a ratio derived from the forward projection of West of England homes and jobs figures is that the authorities all have the same characteristics and issues in terms of demographic composition and structure, births, deaths and migration, economic activity rates, unemployment and commuting. This is patently not true. Weston super Mare and Bath could hardly be more different. This is true too in terms of the strategic relationship between jobs and homes in each

place and hence their commuting patterns. The idea that one ratio can fit both situations and be called locally determined is entirely illogical and unconvincing.

If the Council wishes to use the ratio derived in the way it has been, it should have the courage of its convictions. Instead the Council is very selective in its use of information, always looking to justify a previously chosen answer. It would follow logically that the ratio should be applied to the West of England job growth targets to which the Council is a signatory. Applying the additional homes/jobs ratio of 1.39 to the WoE target of delivering 95,000 jobs by 2030 (which continues to be endorsed), would result in a requirement for 132,050 homes. On the basis of current information the number of homes that are being provided for in the WoE would be only 72,900 distributed as follows:

Bristol	26,400
B&NES	11,000
South Gloucs	21,500
North Somerset	<u>14,000</u>
	72,900

The comparison is not direct because the periods are not the same, but it should be noted that the current round of Core Strategies are providing only 55.3% of what the Councils own stated job targets require to be built at 2026, which is 80% of the way through the LEP target period. Were this approach to be taken to establish a total there would also have to be a redistribution of the element of provision unable to be accommodated in the Bristol urban area to the other West of England local authority areas.

Inspector's question 2.5

The Council's has based its plan on one annual growth rate to represent economic growth for the plan period and this scenario is pessimistic.

Our representations on the published Core Strategy followed a different method from that used by the Council with the realisable economic potential as one contributing factors, and considered a number of alternative scenarios for economic growth. The scenario that we proposed as the most appropriate to use in the representations made to the publication draft suggested that 12,400 jobs could arise, equating to 14,500 additional households for B&NES and 10,500 additional households for Bath.

The higher growth scenario within the (limited) range we examined is considered to be likely to happen because of the high growth rates that have been achieved previously, showing the inherent characteristics of the place and its special economy. In particular the economy of B&NES has consistently outperformed the regional and national economy, and provided the Council does not seek to stop this happening is more likely than not to continue to do so. The OBR's latest economic forecast (29 November 2011) is of a return to national GVA to 2.1% in 2013, and the economic scenarios on which the plan are based must at least countenance the level of growth being exceeded or arising earlier.

To follow this approach for the Core Strategy – a critical tool in the Council's implementation toolkit – would only be consistent with what the Council says and does as part of the West of England LEP. The LEP and the four local authorities

which comprise half of the LEP Board have never backed away from the stated target of 95,000 jobs by 2030 that was set out in the bid to the Government for the West of England to be declared a LEP. This target was repeated for instance at the LEP Conference held in Bath on 15 November 2011 attended by many representatives of the B&NES Council. The Minister for Cities and for Decentralisation and Localism welcomed the local authorities' recognition of the economic functional area of which they are part. The authorities did not tell the Minister that they did not mean what was said in their bid, or that they no longer believed it to be achievable and that as a consequence B&NES was withdrawing from its membership of the LEP. The position taken by the LEP continues to be stated to be that the economy of the West of England can be expected to continue to better the average performance of the region and the country, returning to pre-recession employment growth ahead of the country as a whole for instance.

Evidence that indeed the Council as a member of the LEP believes in the economic strength of the area occurs in the form of a statement regularly made by the LEP that; *'the West of England area is widely recognised as having the highest rate of regional growth and economic activity, both historic and forecast. The area is expected to return to pre-recession levels of employment by 2013, whereas on average the Core Cities are expected to peak in 2017 and the Core City LEPS in 2015'*. This statement appears in many places, including recently the letter from the LEP dated 7 September 2011 in support of the five Major Scheme Bids from the West of England authorities to the Department for Transport for transport infrastructure funding. Funding for all five schemes has now been approved, conformation perhaps of the Government's belief in the role of infrastructure and development in facilitating and accommodating growth. B&NES has not yet said that the money shouldn't be spent because it believes the growth won't happen or because it believes that the development that went with the infrastructure investment in the joined-up spatial strategy in the RS isn't needed.

It is simply unacceptable for a public body to say one thing in one context and at the very same time something entirely contrary to this in another context. What belief can people ever have in the political process or in elected public bodies with such behaviour?

The GWE Business West Smart Economic Growth Report states that the Council's Economic Strategy team intend to produce a 'Recommendations paper setting out the required changes to the B&NES Economic Strategy in order to achieve a higher growth Scenario'. The basic point here is that higher economic growth for B&NES is there to be had – the economic development part of the Council believes so – but the Council's planning policy is not only to not acknowledge this, but to seek to prevent it happening, and certainly to prevent the growth taking place in a sustainable form by linking the housing provision to the realisable growth.

National policy as already cited is that the Council should be planning to achieve realisable growth, not planning to prevent it, or for there to be unsatisfactory consequences if it arises in spite of the Council's endeavours. The Council is constraining growth in (at least) two ways. It is seeking to preclude the growth in the workforce in the locality, and it is constraining the supply of land. Not only is the Council steadfastly resisting the use of land on the edge of Bath for development including employment uses, but it is promoting the residential use of land within Bath from which the current employment generating employers are due to depart.

Inspector's question 2.6

The Council notes that this is a very uncertain time for the economy and uses this to justify planning for the bottom end of a range of long term employment growth figures that appear to be possible. We would suggest that because of the difficulties in projecting growth and in particular within the current economic climate of uncertainty, that at very least it would be appropriate to identify a range of figures which might be achieved over the plan period in order to provide flexibility.

Bath is a location where employers are more likely to be prepared to try to succeed with a business venture than others and such potential should be nurtured. Using a low economic growth figure is actually likely to further constrain economic growth through a lack of floorspace provision and labour supply and lead to latent economic activity being lost to the area and perhaps the country, entirely contrary to the Government's planning policy and the country's critical needs.

The approach that has been taken identifies a single figure derived from complex formulae which redistributes the West of England Growth using past growth rates more acceptable to the Council. While linking employment with housing is very important it is only one side of the equation, and should be compared with demographic and other sources. Housing does not purely follow employment, there is considerable evidence (Barker Review 2006, Centre for Cities 2008 and CiH 2008) that it can be the other way round. This means that failing to provide adequate housing actually constrains the economy. This relationship was noted by the Secretary of State in his recent appeal decision on Barton Farm at Winchester (28 September 2011, Ref APP/L1765/A/10/2126522, para. 41) where he agreed with his Inspector in a context very similar to that being dealt with in Bath that; *'if sufficient housing is not delivered, there is a very real danger that the local economy will suffer'*.

The Council uses its consultants to seek to arrive at a figure that it is comfortable with through the selective use of data, including for example its use of data on the economically active population that would provide the workforce and so influence the apparent ability to accommodate economic growth. To illustrate the point, we can look at what the Council has done on labour supply. The Council's assertion is that the availability of labour reinforces the selection of a lower rate of economic growth. The Council uses the ONS 2004 Sub-National population projections in this work. The clear message as stressed by ONS is that projections are based on short term migration trends and represent the best information available at the time. Variant scenarios are included by ONS alongside each principal projection and highlight that changes to trends and assumption can lead to a wide variation in results. Recent ONS projections in 2004, 2006 and most recently in 2008 have simply served to illustrate that the future population and households levels could vary and that there is no certainty in these matters.

The Council uses ONS 2004 projections to provide figures on the working age population that will be available to support economic growth. Table 7.4 of Topic Paper 9 suggests that the working age population will increase by 9,900 people. Based on the participation rate defined by the Council of between 77.5% and 78% this would result in a change in the labour force of between 10,375 -11,040. More recent 2006 (revised 2008) projections however suggest that the working age

population will increase by 15,600 people. Using the same participation rates provides for an increase of between 14,870 and 15,530 workers. In reality successive demographic projections represent a range of potential outcomes and show that future labour supply could in fact be sufficiently high to support greater economic growth than the Council is planning for.

Inspector's question 2.7

The Core Strategy is fundamentally unsound because of its failure to acknowledge B&NES relationship with its neighbours and the role it plays within the West of England, and to deal with matters that are clear from the evidence about the way that the functional area works. This strategic context is not included in the approach and methodology that the Council has used to set either its spatial strategy or its housing requirements. This fundamental lack of recognition of the wider housing and employment needs fails to meet the PPS3 requirements in setting an appropriate level of housing, as noted in the introduction to this statement.

Inspector's question 2.8

The change from 1.33 to 1.39 is not explained in the Topic Paper. In North Somerset this same error emerged and was explained to be because the wrong 20 year period was used in the application of household change rates. It is not clear whether this error is the same for this B&NES work. It is further complicated by the fact that many of the baseline West of England figures are different in both versions of Appendix 2 and also different to those contained in the North Somerset version of this methodology.

There clearly is an important relationship between economically active people and jobs because there has to be an adequate labour supply. Keith Woodhead's report talks of the relationship between non-active occupiers and economically active. But what is proposed for I use in identifying the housing requirement is just a straight relationship between new dwellings and employment based on the 1.39 ratio of homes to jobs. We would expect more work to be done on the split between economically active people and jobs which then translates into a direct relationship between new households (with economically active people) and new jobs. Providing enough homes and hence a supply of economically active people ensures that jobs being created can be filled, and that there is no constraint on labour supply through the lack of economically active population.

The use of this approach which uses a multiple based solely on an out of date projection is not robust for a number of reasons:

- A ratio of two figures is inherently very sensitive to any variation in either the numerator or denominator and since in this case both of the figures comprising the division are highly volatile, the ratio can be made to vary wildly
- The assumptions that contribute to the derivation of the ratio are contained with the 'Chelmer' dwellings household ratio (A6) which is a crucial multiplier which purports to contain within it all the sensitive assumptions relating to age structure, natural change and migration, unemployment, economic activity rates and commuting patterns. These are impossible to split out to

interrogate so this model hides the details and the very policy issues which ought to be the stuff of this plan

- There is no logic in using historic pre-recession growth rates and housing numbers, and projecting these forward to come to a ratio to apply to the future when the policy basis will be different. If actual relationships are what the Council believes to be appropriate, this suggests that the actual past rates should be used for the ratio. This approach however would only serve to highlight the high employment growth – as a consequence of the market - and the low housing growth - as a consequence of planning policy - that has characterised B&NES. Actively planning to achieve a ratio so derived would only maintain the unsustainable and imbalanced nature of provision
- The projected jobs pre recession trend of 91,500 is very high – considerably higher than the high growth scenario which has been dismissed by the Council as unachievable. Both the stage 2 report and the Topic Paper 9 (para 2.9) believe (but don't justify) that this is '*not achievable for the entire core strategy period and that a lower level of jobs growth should be planned for*'. If the Council believes this, why has it been used to set the ratio which is fundamental to the most significant matter dealt with in the plan?
- Using the West of England rates is only appropriate if the growth strategy for the whole of the West of England is reflected in the Core Strategy, but this is ignored. There has been no attempt in this methodology to recognise the wider need for growth generated by the West of England functional area.

We believe that there is a far better approach which should be used. This would set out all the factors that determine the requirement for housing, including the relationship with economic potential, in a 'step by step' approach. The contribution of different factors could then be easily identified and understood, including what is assumed will be the effect of the strategy and policies intended to implement the objectives of the plan on matters such as migration and commuting. We have set out such an approach at para 4.2 of the statement submitted with the original representations. This process would be far more robust enabling the requirement to be identified and a strategy and policies designed to deliver the provision effectively.

Inspector's question 2.10

In terms of the distribution of growth between Bath and the rest of the District, the Council recognises the importance of matching homes to jobs and it talks of seeking '*perfect travel to work behaviour*' of additional resident workers' (para 3.1 of TP9). It is stated throughout the Core Strategy that the Council is seeking with its plan to achieve more sustainable development and this is indeed the Council's statutory duty as a plan maker as set out in the 2004 Act.

Whist laudable – if it were done – this approach of dealing with marginal growth in this way is not enough. The planning authority's job is to look at what the situation is now, decide what is wanted in the future, and use the strategy and policies of the plan to move from one to the other as far as it is possible to do so. Rather than only setting out to balance homes and jobs amongst the additional development therefore, it should seek to use a ratio of homes to jobs in the additional development that would act to remedy any existing imbalance or to bring about the appropriate balance overall. Anything other than this type of positive discrimination is to plan for the persistence of the consequences of poor planning to date (in not making enough housing provision and allowing a backlog of need in terms of access to housing and

affordable housing to develop) and it risks making things worse.

The Council's assertion at paragraph 6.5 of TP9 seems unbelievable from a planning authority tasked as it is by legislation and policy, and again is surely unacceptable. The Council simply dismisses those whose housing needs its policies continue to fail to meet with the notion that these households will have moved elsewhere. This is hardly the stance of a caring, responsible local authority. It is also completely at odds with its own stated objectives, and those at the heart of the sustainability agenda, to fail to plan properly for those that work in Bath and wish to live there too. The Council acknowledge that there is a well justified need for a substantial scale of affordable housing and that '*development in the green belt would at least narrow the gap between the estimated need for affordable housing and its projected supply under the Core Strategy*' (para 6.8 of TP3). That said, it does nothing. Rather than address matters such as unsustainable commuting and restricted access to housing because of affordability issues, matters worsened by such as the high influx of students and their effect on housing supply, the Council is knowingly setting out to make matters worse.

Inspector's question 2.11

It is interesting that the Council chooses to use commuting figures for B&NES as a whole rather than for Bath. When the figures for Bath are considered in detail the figures are very different. Paragraph 4.12 of the supporting report to our representations demonstrates that in-commuting to Bath is high at 24,200 people each day. There is a considerable jobs homes imbalance within the city which has been getting progressively worse as jobs have come forward at a significantly higher rate than homes.

The plan's Vision is prefaced by '*The delivery of housing on brownfield sites will help to create a more sustainable relationship between the city's labour and job markets and support Bath's economic potential whilst retaining the integrity of its landscape*'. No one could disagree with the thrust of this Vision but the pursuit of the underlying intention is far too narrowly interpreted, with necessary growth at the edge of the City precluded.

The planned shift in the self containment of Bath 2006-2026 (B1 4 a,b) needs to be considered in the context of both past trends (1996-2006) and the planned distribution of housing in the Core Strategy. The table from TP9 at para. 6.27 shows jobs growth in 1996-2006. The majority of this was in Bath leading to rapid growth in in-commuting to the City.

Between 2006-2026 the Core Strategy proposes a net increase of 8700 jobs in B&NES and specifically a net increase at Bath of 5700 jobs. With an anticipated loss of at least 2800 MOD jobs, then new jobs growth will be 8500 jobs against a planned housing provision of 6000 homes, a ratio of dwellings to jobs of 0.70. This assumes that all new homes at Bath (6000) will generate a similar net increase in economically active residents to fill these jobs. We know that this is not the case because of the demographics of the housing market and the particular circumstances within the city. Many will be filled by people who already have jobs and are not looking to move employment, and those that are not economically active, a significant proportion will be filled by those who need to up or down scale and those who are students.

Therefore existing patterns of in-commuting will get worse, even if all of the planned housing (6000 homes) were to be delivered. This is not realistic due to significant delivery constraints in terms of flood risk and the likelihood of being unable to mitigate this risk for instance.

The key to delivering sustainable development is through the distribution of housing in the right locations, which primarily means Bath. Additional housing at Bath would provide a sustainable location for new development and assist in achieving a more self contained city, providing for people to live and work in the city, and also deliver affordable housing.

We are very clear that the evidence in relation to land at Sulis Park, that this is an area where a significant area could come forward for development without significant damage to the integrity of the Green Belt or of the setting of the World Heritage Site.

Inspector's question 2.12

The Core Strategy does not properly consider the functioning of the B&NES economy as a fundamental part of the West of England functional area, and nor does the plan address the available evidence about how the area works, the needs of the area, or what could be achieved through this plan.

We are completely clear that the unavoidable requirement on B&NES Council from the combination of the obligation to work with other planning authorities and stakeholders, and the fundamental emphasis on evidence in plan-making means that the Core Strategy will have to deal with what the evidence shows this plan can do to meet the requirements arising from the role of B&NES and Bath as part of the

functional area of West of England. This means providing for a level of growth beyond what the Council would seek to claim follows from a 'local needs only' approach.

The text in the box after 3.1 explains correctly how the West of England operates, and uses assumptions about the sub region that are entirely reasonable. We would agree with these assertions which go to the heart of the matter which is that the West of England operates as an entity. This fact underpins much of the methodological assumptions used to justify the housing figures, however, B&NES have ignored this. The Council has not sought to accurately reflect the objectives of the functional area and meet the needs that exist.

Keith Woodhead's stage 2 report explicitly acknowledges at paragraph 4.6 that *'the reality is that, any shortfalls in provision not only have an impact on significant sections of the area, its local population and to some extent its economy, but they also increase the pressures felt by surrounding local authorities'*. The primary 'collaboration' being undertaken by the four West of England authorities is the tacit agreement to support each other in the protection of their bits of the Green Belt whilst ignoring the needs and potential of the area, and hence to deny larger numbers of people fair access to decent housing and to rewarding opportunities.

Inspector's question 2.13

The correction in the application of the methodology has not resulted in a change to the housing provision, and no reason is given as to why this has not been done. If the Council is convinced its methodology is robust and that it identifies the technical need for housing, they should then follow its conclusions and seek to deliver the identified requirement through the Core Strategy. Planning for less than the figure demonstrated by the evidence undermines the commissioning of the evidence in the first place and indicates that the plan and the figure is based on a predetermined judgment about acceptable capacity, rather than a robust and technical assessment of the actual requirement. Consequently according to the Council's correction in the use of its own methodology alone there is an unmet requirement for 1100 dwellings which should be provided for in the Core Strategy.

Inspector's question 2.14

There is no justification provided by the Council about why it does not wish to plan for the previous shortfall. As we set out in our comments on question 2.10, not doing this is at odds with the proper planning for the area and will have significant consequences for the area, the affordability of houses, access to jobs, commuting patterns and put pressure on adjacent authorities.

The most appropriate approach to adopt would be to go forward with a range of figures which recognise uncertainty, but to plan for a more positive growth scenario. Faced with the evidence of past trends in B&NES and more specifically the underprovision that has taken place to the start of the plan period and since, it is critical that the backlog is included in the way the plan is made and made up as soon as possible, otherwise affordability pressures and in-commuting will continue to be a problem.

The reluctance to identify sufficient development land has resulted in a further backlog of 780 units from the period 2006-2011. The enlarged backlog, which will continue to grow this year, is 850 + 780 units. The figure of 850 dwellings should therefore be added to the housing provision.

Together with the 11,000 dwellings already in the plan and the 1100 additional dwellings to correct the error in the use of the Council's ratio, this further 850 dwellings brings the provision that should be made on the basis of what is already in the Council's evidence to at least 12,950 dwellings. This gets somewhat closer to the 14,000 dwellings that the 2008 household projections indicate and the 14,000 dwellings that our own representations suggest for B&NES using the method we would recommend.

Inspector's question 2.15

There is no flexibility within the strategy to respond to changing economic performance. The reality is quite the opposite because through this plan there is already a significant amount of catching up to be done, and no scope to meet any requirement that arise as a consequence of the economic growth being greater than the Council recognizes and in spite of its damping strategy. There is no supply to meet a requirement significantly different than is provided for so far that can be from a simply turned on like a tap. Development quantities may be able to be made up to some extent through expedient decisions about sites in settlements away from Bath. Making a significantly different level of provision however will require strategic sites at Bath, but achieving well planned development of this type has a considerable lead time and would need to come through clear decisions, in the context of a proper strategy.

Inspector's Question 2.16

To achieve a review every 5 years would require the review to begin 2-3 years earlier (Core Strategy para 7.05). Whilst plans are and should be subject to regular reviews, 'committing' to a review now is not the answer for this plan. A review cannot mask the fundamental failings of the plan. If it is known now that it will have to change within a short time then it must be the case that the plan is unsound as it stands.

The strategic nature of the Core Strategy is such that early reviews should be avoided if the matters that would prompt a review can be addressed at the adoption stage. The consequences of relying on continual reviews of the Core Strategy means that the preparation of any 'place making' DPD to address site specific allocations, if this were the intended approach, will simply become lost.

The Plan is said to be 20 year plan for the period 2006 to 2026. We are already 5 years into the plan period, with such references found at Spatial Vision 1c, Policy DW1 and Policy B1. What the plan says must be tested against what has already happened during the plan period, looking particularly at any achievement of the Council's objectives as set out in the plan and having regard to any backlog in planned delivery arising from a previous plan. The shortfall or backlog in housing in 2011, at the end of the first five years, is referred to above and shows the plan to be approximately 3 Years behind the trajectory, using the Council's assessment of need

(-1630 homes). The planned increase in the stock of office accommodation from 240,000m² in 2006 to 310,000m² in 2026 (Policy B1 2 c) in Bath, has so far made no progress, indeed the net stock of office accommodation has reduced over this period, not increased.

A review of the plan is arguably well overdue in 2011, or simply put, the Council's submitted plan is the wrong plan.

Inspectors Question 2.17

A fundamental criticism of the methodology is the fact that it is so impenetrable that the key factors cannot be identified. This poses considerable problems for the council in monitoring it. It is not clear how the individual changes in circumstances such as lower migration rates, or increase in the percentage of working age population and commuting patterns which will emerge next summer as a result of the census will be fed into this process and lead to an update of the figures.

The reliance on a ratio, which is based on a historical relationship (1998- 2003), cannot be robust now. However, the Council has dismissed up to date projections and it is difficult to see when it will consider the circumstances are right to use a more up to date base date or range of figures. The failure to use the 2008 projections which do not identify a particularly large housing requirement for B&NES, reinforces the considerable doubt about when more up to date information would be deemed useful by the Council.

It is our fear that the ratio of 1.39 could be used indefinitely because it is difficult to unpick all the individual components, and to identify how the factors are changing and then to identify the alternative policy options which are available to address them. A methodology which identifies the relevant components and makes explicit the components and assumptions would allow the key statistics to be updated and trigger mechanisms to be set which could then be monitored transparently.