

# **ALTERNATIVE WORDING RELATING TO THE FUTURE REVIEW**

## **RESPONSE TO INSPECTOR'S NOTE ID/45 (PARAGRAPH 3.5)**

**ON BEHALF OF BARRATT HOMES, CREST HOMES AND  
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## **1 ID/45 PARAGRAPH 3.5 ALTERNATIVE WORDING RELATING TO THE FUTURE REVIEW**

**The Inspector has indicated in ID/45 para 3.5 that further material may be submitted in respect of any wording suggested for insertion in the Core Strategy relating to its future review. This will be relevant to matters to be discussed on Thursday 27<sup>th</sup> March 2014.**

- 1.1 This Hearing Statement does not attempt to answer the questions set out in the Inspector's agenda for the 27th March; instead it responds to ID/45 para 3.5 with regard to any alternative wording being suggested for insertion in the Core Strategy relating to its future review.
- 1.2 The key issue is that all references in the Plan to the review should be consistent – as currently drafted there are inconsistencies in respect of the timing and process of the review e.g.:

**CSA 13 para 1.36 "the Council will monitor delivery rates in the plan period which will shape the first review of the CS programme to around 2016 to co-ordinate with the other West of England districts."**

**CSA14 9b "The first review will be timed to co-ordinate with the review of the West of England Core Strategies in around 2016."**

**CSA53 para 7.05 "The Core Strategy is programmed to be reviewed about every 5 years to enable flexibility in response to changing circumstances. The review will be informed by regular monitoring as set out in Table 9 as well as ensuring that the Core Strategy evidence base remains up-to-date. The review process will commence in advance of the review date in order to enable the timely and considered preparation and adoption of revised policies. In light of the duty to co-operate, the first review will be timed to enable co-ordination with the review of the Core Strategies of adjoining Authorities in the West of England."**

**Para 7.05d "Arrangements are already underway to review the West of England SHMA in preparation for a review of West of England Core Strategies in around 2016. This will entail a co-ordinated response to the outputs of the updated SHMA. The SHMA review includes a review of the Housing Market Area."**

- 1.3 The issue is that although the possibility of an early review in 2016 in conjunction with the other West of England Authorities is referred to in CSA13 para 1.36 above and also in Policy DW1, there is, however, no clear commitment to a review programme related to the West of England SHMA, with clear target dates for preparation and adoption. A date is necessary for monitoring purposes and to ensure that the review is not delayed as a result of other factors as has happened

elsewhere when the Inspector has stated that an early review should be undertaken.

- 1.4 The wording of issues that affect the timing of the review and the trigger points are important because of the need to meet the Duty to Co-operate, as well as co-ordinating the various stages of plan preparation in the 4 West of England authorities.

### **Duty to Co-operate**

- 1.5 Notwithstanding the policy advice in the NPPF B&NES Core Strategy was not deemed to have to comply with the statutory Duty to Co-operate formally introduced by the Localism Act. Given the background to the B&NES Core Strategy and the functional relationship with its neighbouring local authorities, the timing of the review is critical to ensuring objectively assessed needs are met both in B&NES and the wider sub-region. The National Planning Practice Guidance (6<sup>th</sup> March 2014) is clear that:-

**“Local planning authorities should assess their development needs working with the other local authorities in the relevant housing market area or functional economic market area in line with the duty to co-operate. This is because such needs are rarely constrained precisely by local authority administrative boundaries. Where local Plans are at different stages of production, local planning authorities can build upon the existing evidence base of partner local authorities in their housing market area but should co-ordinate future housing reviews so they take place at the same time.”**

### **Neighbouring Local Authorities Core Strategies**

- 1.6 Given the close functional relationship between the 4 local authorities there is a need for joint working to established the housing and employment needs for the West of England and how these are met within the four authorities. Bristol Core Strategy was the first to be adopted and whilst reference is made in policy to the appropriate level of new homes being reviewed within 5 years of the adoption of the Core Strategy this does not give specific trigger points or dates when a plan will be reviewed and therefore updated. It could be that within 5 years it is decided that a review is necessary, but not actually completed until some years later. There need to be some clear trigger points to ensure that the review takes place within a specific time period, given the comments of the examining Inspector which make it clear that there is unmet housing need in Bristol, it is preferable that this should be as soon as possible.

1.7 **Current progress on Core Strategies in the West of England**

| Core strategies       | Current situation                              |   |
|-----------------------|--|---|
| Bristol               | Adopted June 2011<br>(plan period 2006 – 2026) |   |
| South Gloucestershire | Adopted Dec 2013<br>(plan period 2006 – 2027)  |   |
| North Somerset        | Under Examination<br>(plan period 2006 – 2026) | The Core Strategy examination is to be reopened to consider the policies remitted by the March 2013 judgment. The examination hearings will take place on the 18, 19 and 20 March 2014. |
| B&NES                 | Under Examination<br>(plan period 2011 – 2029) |   |

1.8 **The Bristol Core Strategy** was adopted in June 2011 and is to be reviewed within 5 years of adoption. The Core Strategy housing provision reflects a capacity constrained approach rather than meeting objectively assessed housing needs. The Core Strategy acknowledges:-

**“that the SHMA suggests a substantial gap between forecast affordable housing need and potential affordable housing supply. ...These uncertainties and consequences reinforce the need to fully review the position within 5 years and to retain a contingency for additional housing if necessary. Development in the Green Belt is currently the only credible contingency to provide additional land for housing.” (para 4.5.17)**

**Policy BCS 5 states that “The appropriate level of new homes will be reviewed within 5 years of the adoption of the Core Strategy.”**

To date no review of the Bristol Core Strategy has commenced.

1.9 The Inspector concluded that,

**“Given the inevitable uncertainties of future projections and the complexity of the inter-relationships between potential economic growth, household growth and housing supply, there is no single “right” answer to the appropriate scale of housing for the City. But it is important that the consequences of the choices made are clearly set out. Given the uncertainties it is also important to review the evidence**

**in the future and for there to be flexibility to respond to changing circumstances.”**

1.10 The significant changes recommended (S4.5.12B) were that within 5 years of the adoption of the Core Strategy the Council will review the evidence and consider the appropriate response in consultation with other Local Authorities, the West of England Partnership, the LEP and stakeholders.

1.11 **The South Gloucestershire Core Strategy** was adopted in Dec 2013. The plan contains a commitment to review the Core Strategy based on the Inspector’s report (para 86); the Inspector considered that the Council:

**“should aim to adopt a replacement plan as soon as is reasonably possible...the timetable for the newly instigated SHMA process means this can and should be brought forward so that a review/replacement plan is in place by the end of 2018. This would allow the Council sufficient time to take into account the implications of the SHMA, to assess its housing land supply position and the success of the new neighbourhoods in meeting housing needs. In addition, it would enable the Council to re-examine strategic development options, including any adjustments which may be required to Green Belt boundaries.”(para 86 of the Inspector’s Report Nov 2013).**

1.12 Para 87 of the Inspector’s report also stated that

**“The outcome of the SHMA process also provides an opportunity for the Council to work with the other West of England Unitary Authorities in identifying future needs and pursuing complementary strategies capable of delivering and supporting economic and social growth across the sub-region. While the authorities are at different stages in plan-making and plan review activities I do not consider this invalidates such an approach, particularly as each authority will have to have regard to the Duty to Co-operate.”**

1.13 Para 10.10 of the adopted Core Strategy states:-

**“To ensure sufficient land is made available to meet housing needs to the end of the plan period the Council will undertake a review of the Core Strategy/Local Plan to be completed before the end of 2018. This should be based on a revised Strategic Housing Market Assessment undertaken in conjunction with other relevant authorities in the West of England region. Regard will also be had to all available evidence sources including demographic evidence, economic conditions and forecasts. If evidence suggests that additional provision of homes will be required the review will consider the appropriate response. If additional strategic provision is required its delivery will be determined on a West of England-wide basis through the duty to cooperate. This will involve reviewing the general extent of the Green Belt. This will enable, should the further**

**release of land for development prove necessary, land currently within the Green Belt to be assessed against other reasonable alternatives.”** (my emphasis)

- 1.14 **North Somerset Core Strategy** - The Core Strategy examination is to be reopened to consider the policies remitted by the March 2013 judgment. The examination hearings will take place on the 18, 19 and 20 March 2014. The Council agreed its proposed approach to the examination of remitted policies at the full Council meeting on 12 November 2013. This proposed increasing the housing requirement from a minimum of 14,000 dwellings to 17,130 dwellings over the plan period 2006 to 2026. The Statement (November 2013) at para 27:

**“While the original North Somerset Policy CS13 included the statement that the appropriate level of new homes will be reviewed in 2016 and 2021”, it is not recommended that this is retained in the policy wording. This was introduced given uncertainties over the robustness of the trend-based projections at the time and given the more recent work on updating the housing requirement there is now more certainty in terms of the objectively assessed housing needs over the plan period than at the time of the original examination. However, the Council is committed to the West of England SHMA process and working jointly with neighbouring authorities on the implications for housing supply across the sub-region and, where necessary, reviewing the Core Strategy position.”**

- 1.15 **The West of England SHMA 2009** as originally prepared provided the only evidence of current and future levels of need and demand for housing and affordability: - Housing Need and Affordability Assessment produced by Professor Bramley in May 2005 (CD4/H2). The Inspector concluded in ID/28 ( June 2012) in his preliminary conclusions at para 3.4

**“the lack of an NPPF compliant assessment of the housing requirement, given the unsuitably of the Council’s methodology;”**

**“Many of the above points suggest that the plan should be amended to facilitate more housing than currently planned and/or to enable some of the planned housing to be delivered sooner. However, what is required first of all is the objective assessment of housing needs and demands in the manner required by the NPPF. In the absence of adequate evidence in relation to the housing requirement, there are no main modifications which I can suggest now to move the Examination forward. Substantial further work by the Council will be required.”**

1.16 The West of England SHMA is now being reviewed and consists of 4 distinct workstreams which together will form the SHMA. The review is being undertaken by the four authorities with support from the West of England Office. Interim findings are expected winter 2014/2015. Irrespective of whether B&NES is included within a West of England SHMA, there is a distinct possibility that B&NES will need to accommodate housing requirements arising in adjoining authorities.

**Way forward**

1.17 Overall housing provision in Policy B&NES Core Strategy Policy DW1 should be regarded as the minimum figure up to 2016, particularly in view of the interim nature of the B&NES SHMA. Policy DW1 must be monitored against new evidence on housing requirements and market signals i.e. the cost of housing across the Council area, and not just against delivery in accordance with policy. The West of England SHMA and other housing market indicators generally (as described in the guidance) should be used to show if the policy needs review.

1.18 We support an early review of the B&NES Core Strategy which would then have to address the NPPF in terms of the Duty to Co-operate; there is currently an inconsistency between the current review timetables of Bristol, South Gloucestershire and North Somerset. For B&NES, the Duty to Co-operate with Bristol is the most important issue and a way forward needs to be considered whereby BANES can co-operate and co-ordinate with the Bristol Core Strategy review which should be commenced within five years of the adoption of the Core Strategy in 2011. In which case there should (at the very minimum) be a 'partial review' to include housing allocations, white land (if there is any) and Green Belt releases, in conjunction with Bristol's Core Strategy Review. This should be at the earliest opportunity to comply with the Bristol timetable and to meet NPPF requirements.

1.19 Despite the continued protestations about the time taken to prepare the SHMA we see no reason why the process should be delayed beyond 2016. Similar sub regional reviews of SHMAs e.g. South Hampshire PUSH have been prepared in much less time than the West of England authorities are proposing and there is a distinct lack of urgency to complete this much needed exercise. It will be difficult for Bristol to address urban extensions if Bristol City Council is not engaging with B&NES through its Core Strategy Review, so the programme will to some extent be dependent on Bristol City Council identifying how much of Bristol's housing requirements, as forecast by the West of England SHMA, can be accommodated within the City. In the event that a review is not completed (by 2016) the Policy

should make clear that the housing numbers for B&NES should fall away for the purposes of undertaking the 5 year land supply exercises. It is only by imposing such a penalty on the Authority that the Review will actually be completed.

- 1.20 In this context there is clearly a need for the Core Strategy to contain dates when a review should be undertaken and completed. Without any references to dates the commitment to review is meaningless and not capable of being monitored.
- 1.21 We would suggest that the Review Policy in the B&NES Core Strategy should state:-

**“Policy XXX Review of the Core Strategy**

**The Council will undertake an early review of the Core Strategy to 2031 (or such longer period as the Council chooses), to have an adopted plan in place by 2016. This will be led by the NPPF approach of objective assessment of housing, employment and other such needs and the requirements of the duty to co-operate with adjoining authorities.**

**If a SHMA or other monitoring housing market evidence indicates that the planned housing provision is insufficient and there is a shortfall in relation to need, then changes will also be made to the Core Strategy.**

**The Review of the SHMA to bring the Plan into line with the NPPF will take place within the requisite time scale.**

**In the very special circumstances that the Council is unable to meet the specified timescale for the Review the housing numbers set out in Policy DW1 will not apply for the purposes of assessing whether the Council can demonstrate a 5 year supply of land.”**