

**Additional Representation in
response to ID27: NPPF**

Bath Preservation Trust would like to note that the new NPPF continues to protect Green Belt, AONB, World Heritage Sites and the historic environment. It makes clear that sustainable development demands respect for all the policies in the NPPF, not just those concerned with economic growth, recognising also that 'allocations of land for development should prefer land of lesser environmental value'. 'Great importance' is attached to the Green Belt. This is also reinforced in the Policy for Traveller Sites which makes clear that traveller sites are inappropriate development in the Green Belt and if identified in such a location cannot ever 'convert' to permanent dwelling sites.

In noting the above we respond to the Inspector's questions as follows:

Whether the NPPF significantly changes national policy in relation to the approach to assessing the housing requirement in a Local Plan.

No. The NPPF statement on housing supply (47, first bullet point) is quite specific that Local Plans must meet 'the full, objectively assessed needs for market and affordable housing in the housing market area, **as far as is consistent with the policies set out in this Framework**'. [BPT emphasis]. Thus the NPPF recognises that other policies in the framework may present constraints on the delivery of housing numbers; relevant to Bath, these include the policies on the historic environment (with special reference made to World Heritage Sites); AONBs; and Green Belts which are to remain protected. As stated at the hearings, **soundness** would be improved if B&NES were more assertive about the limitations placed by these constraints in and around Bath.

- **Whether the new requirement for a 20% buffer in the 5 year land supply where there has been a record of persistent under delivery (NPPF, paragraph 47, 2nd bullet) should apply to Bath and North East Somerset (in the light of the evidence already submitted on past performance).**

Bath Preservation Trust's view is that in light of the significant recent upturn in delivery and the potential to include student housing in the definition of supply, the 5% buffer is the appropriate figure for B&NES and in Bath itself, regard must be had for the other, constraining policies.

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- **Whether an allowance can and should be made for windfalls in the 5 year supply (NPPF, paragraph 48) and whether any such allowance should also be included in the supply for years 6-15.**
- **Following on from the above, the Council needs to be clear whether it seeks any such allowance, what it should be and its justification. To assist my understanding of the matter, the Council should recalculate the figures for past small site windfalls (below the SHLAA threshold) which are set out in the SHLAA (CD4/H13 2.47-2.54) excluding all such development that was on residential gardens. Council to indicate whether there is accurate information to make this adjustment.**

Insofar as likely **future** rates of windfall developments are based on past rates, the NPPF now requires that the past rate used for this purpose must be net of windfalls that were achieved on residential garden land. However it is crucial that all past windfalls, including those on former residential garden land, remain in the calculation as part of the achieved supply. The Council will no doubt make representations on this matter but this is to note that our previous representations stated that **soundness** would be improved by the acknowledgement of windfall sites earlier in the plan period, in line with past delivery, given the constraints on development in Bath and as small windfall sites are a not insignificant contributor to new housing in Bath. We also note that the NPPF refers to (para 53) 'policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area'. It does not rule out such development per se, nor does it say they should be refused. Even if not counted in the housing supply projections, therefore, this does not mean that such development is barred by the NPPF if considered appropriate in its setting, and it may be that such sites will continue to contribute in a small way to Bath's housing requirement. Put another way, the forecast for windfall sites will in practice have an inbuilt underestimate, for which some allowance may properly be made.

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