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Date: 22 February 2011  
Our Ref: JAS/RT M9/1109-13  
Your Ref:

By post and e-mail – [chris.banks@zen.co.uk](mailto:chris.banks@zen.co.uk)

Dear Chris

RE: COMMENTS ON UPDATED SCHEDULE OF ROLLING CHANGES, FEBRUARY 2012 (CD6/E2.2.)

Our respondent number is 300 - Tetlow King Planning for Somer Housing Group and I am writing to you today regarding 'Updated Schedule of Rolling Changes, February 2012 (CD6/E2.2.)'. Our comments relate to the changes suggested and specifically whether they make the plan sound in accordance with the 'Tests of Soundness' as set out in PPS12 and The Planning Inspectorate's 'Examining Development Plan Documents: Soundness Guidance'.

*Reference 2 – Paragraph 1.26 – Increase in housing provision to 11,500 dwellings*

The Council are proposing increasing the housing target to 11,500 dwellings over the plan period. This is not essentially an increase but a change in the way supply is counted and is based upon additional provision from student housing. The Council have added this extra supply from retrospectively counting student housing already built. We understand that the Council's justification for this is a parliamentary question response from Housing Minister Grant Shapps MP and revised DCLG definition of housing.

Whilst we have concerns about counting properties that are only occupied for 40 weeks per year on average and how these differ from other types of managed residential accommodation, we do not consider the issue is as black and white as the Council are suggesting. One unit of student accommodation, such as that described as appropriate housing provision in BNES/26, will not provide housing for the population of Bath in the same way as typical C3 general market housing will and more consideration is needed to how this relates to housing the projected household increase in the district. The Council state that the additional provision relates well to the housing requirement as Keith Woodhead's Stage 2 Report into household increases between 2006 and 2026 uses a multiplier which 'includes a generous allowance for non-economically related housing demand migration'. However, this does not take into account the fact that many students who move into these properties will want to stay in Bath after their courses have finished and take up jobs there. These former students will then move into the general housing market and compete with other groups for available dwellings. However, the Council have only effectively provided purpose built student housing for this group.

*Reference 6 – Policy DW1*

As per our previous comments, we note the Council has counted purpose-built student accommodation in order to increase its overall level of housing provision. However, there has been no increase in target for affordable housing over the plan period to match the increase in the overall housing target in Policy DW1. This is because student housing does not make any affordable housing contributions.

The approach taken by the Council to include student housing further suggests that the provision of affordable housing is a residual consideration for the Council when determining the overall housing target. This additional provision of student housing as part of the overall housing target will also have significant detrimental consequences for affordable housing delivery. Not only will there be no additional affordable housing provided as part of this increase in the housing target (to 11,500 dwellings), but any future purpose built student housing that is provided over the plan period will not make an affordable housing contribution and will 'replace' C3 housing in the overall supply which would have made a contribution towards affordable housing. This casts further doubt on the Council's ability to meet even their target of just 3,000 affordable housing units.

*Reference 4 – Policy DW1*

We consider that the Council should be setting higher and more ambitious growth targets now in line with the Coalition Government's Planning for Growth Ministerial Statement. We therefore do not support reviewing the proposed targets in five years' time.

*Reference 34 – Paragraph 5.21*

We support the Council's proposed policy approach of allowing Neighbourhood Plans to allocate land outside of but adjoining settlement boundaries

*Reference 49 – Policy CP9*

We welcome the removal of the word 'average' from the proposed policy; this should mean the policy will operate more effectively for development management purposes. We still maintain that a geographical split for the affordable housing requirement is the only sound option, given the variety of different land values in the district.

*Reference 50 – Policy CP9*

See comments above.

*Reference 51 – Policy CP9*

We welcome this change which is based on our own recommendation.

*Reference 52 – Policy CP10*

We welcome the Council's proposed change of allocating specific sites for older person care and accommodation in the Placemaking Plan. However, we still maintain that a specific strategic policy on older person care and accommodation is required to make the plan sound.

Given the very tight land supply situation in the District, competition for sites is likely to be fierce. Older person care and accommodation development has very specific site requirements and, given the higher levels of care required on site, often struggles to compete with general market housing schemes for sites. Without a specific policy which encourages the development of older person care and accommodation as a strategic policy, we consider that these types of development will struggle to find sites in the District. This would lead to a failure to supply accommodation for the largest growing age group in the District over the plan period.

*Reference 53 – Paragraph 7.05*

With regard to the Duty to Co-operate as the act is now in force, we note the Inspector's position set out in ID/23 and the subsequent announcement in Planning Magazine (10/02/2012) by DCLG that they agree with the Inspector's position. However, this does not mean that this approach is correct and this view is still open to legal challenge.

Our own view is that the Duty to Co-operate should apply, but that the main consideration should be what is it practical for the Council to have been expected to have done since the Duty to Co-operate came into force.

Notwithstanding this, the NPPF should be published by mid-March and the draft version requires local authorities to demonstrate that they have worked together to meet cross boundary housing need (paragraph 45). We note the Council's email exchange on cross-boundary housing need, but do not consider that this section of the draft NPPF has been adhered to.

*Reference 55 – Monitoring Strategic Objectives*

Whilst we do not support the targets set out in the plan, we consider that these monitoring targets are too vague to act as triggers to review the Core Strategy. They will be based on value judgements at the time of the assessment. Specific figures and timeframes should be set out in terms of job creation and housing delivery that can be used to properly monitor delivery. We also argued for the inclusion of specific monitoring targets for the delivery of affordable housing that could be used to trigger a review of the Core Strategy.

If you have any queries, please do not hesitate to contact me.

Yours sincerely



*J.S.*  
**JAMIE SULLIVAN**  
For and On Behalf Of  
TETLOW KING PLANNING

cc James Read (post and e-mail)