



1. The inspector invited comments as follows:

'Comments are therefore invited on the suggested changes in Appendix 1 [to BNES 56]. Comments should focus on whether the suggested changes would properly put into effect the Council's position, and not repeat more fundamental differences between the parties discussed at the hearings.'

2. Bath Preservation Trust will not repeat its arguments presented at the hearings concerning the environmental constraints on Bath and whether it is therefore realistic to meet the full calculated housing need, except insofar as it responds to the question above. However, to the extent that the Council from its previous submissions recognises the many challenges of development in Bath and its outskirts (eg Core Strategy March 2013 consolidated version [CD9/PC2] para 1.15 Objective 2 first and third bullet point), we think that the wording of Appendix 1 opens up considerable uncertainty about a clear future plan for strategic housing numbers for Bath.
3. The addition of 1,395 market houses in table 1A derives, we understand, from discussions at the Examination hearing in December 2013 on the strategic housing requirement. At this session and in ID43 the Inspector explored various aspects of the calculation of newly arising housing need, in particular the possible suppression of future household formation rates, and this has resulted in the increase. We are concerned that B&NES continues to assume, even with a c10% increase which has arisen in the 3-month interlude, that it can continue to plausibly deliver all of its housing need, and do so within the district.
4. This assumption is compounded by the statement that '13,000 is not a cap on housing'. This fails to state whether the number that is is 'not a cap' represents calculated need or calculated delivery. If the latter, it leaves a degree of continuing uncertainty about the Council's intentions for Bath and environs, where developer ambition exceeds the appropriate land available. This statement is therefore likely to continue to increase pressure on the local authority to deliver yet higher numbers in the so-called 'sustainable' location of the City of Bath, and provide a further perverse disincentive to developers in delivering the necessary affordable housing percentages (because 13,000 'is not a cap' and therefore more market housing could be permitted to meet the affordable target). The Plan therefore fails to acknowledge NPPF para 14 constraints as a quantifiable factor in determining housing delivery numbers in Bath and its outskirts. A future Inspector faced with an appeal might plausibly argue that restraint on housing numbers in the outskirts of Bath is unenforceable in light of the statement that '13,000 is not a cap' especially since current proposals allocate highly protected and statutorily designated land as suitable for strategic development.



5. Bath Preservation Trust would seek the removal of any reference to '13,000 is not a cap on housing' as being unjustified and ambiguous and replace it with something along the lines of: 'While housing need numbers may vary above or below current calculations in light of future evidence, it is unlikely that that any increasing need can be met substantially in the City of Bath or its immediate environs beyond the allocations of the plan [*with BPT's previous caveats about allocations as read*] due to a variety of statutorily protected environmental constraints'.

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For Bath Preservation Trust
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