

BANES PLACEMAKING PLAN EXAMINATION

**RESPONSE TO INSPECTORS MATTERS AND ISSUES
(ID/3 – REV 1)**

MATTER 23 HOUSING IN THE RURAL AREA

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MATTER 23 – Housing in the Rural Area

Issue 1: Whether the approach to development in the rural areas is justified and positively prepared

Q1. Will the Placemaking Plan provide sufficient housing in the rural areas?

- 1.1 The housing requirement for the rural areas does not derive from a bottom up assessment of need, rather it is an apportionment based on a district-wide assessment of need. The apportionment to the rural areas reflects what was considered to be the most sustainable way of delivering 13,000 dwellings, given all the options available. Albeit, very many of these dwellings were already committed and thus the spatial strategy was to a significant degree shaped by what was already in place. The apportionment to the rural areas accounts for 8.5% of the District requirement.
- 1.2 The April 2016 housing trajectory shows that the requirement for the rural areas can be achieved via a combination of built sites, permissions, a few new allocations at RA.1 and RA.2 villages and from a windfall allowance.
- 1.3 However, as currently the presented the proposed Development Plan, as a whole, does not enable the minimum housing requirement of the Core Strategy to be delivered. Our observations in respect of Issue 2 present this case in more detail. They are not repeated here.
- 1.4 Whilst the shortfall in land supply is largely a function of problems arising at Bath, the city will struggle to correct this issue itself. It therefore falls on other parts of the District to enable compensatory housing land supply.
- 1.5 The adopted Core Strategy required RA.1 village to provide around 50 dwellings (in addition to infilling) and the RA.2 villages 10-15 dwellings (in addition to infilling). Such a scale of development at villages would require greenfield land and the scale of provision was expected to enable site that could generate affordable housing in a way that infilling could not.
- 1.6 In our view the figure of around 50 reflects what the villages needed to contribute against the background of the other options across the District that were available at the time the Core Strategy was examination. It would be quite wrong to assume that the figure reflects the upper limit of what RA.1 villages could/should contribute, based

on their sustainability credentials. These being defined by services and facilities within the villages, accessibility to services and facilities in other villages the immediate environs, and accessibility to higher order settlements. When circumstances change, as they have, as we set out in relation to Matter 2 to role of the rural area needs to be re-evaluated.

- 1.7 Neighbouring authorities can have quite different approaches to villages with very similar credentials. For example, the RA.1 villages in BANES are tantamount to the 'Service Villages' in North Somerset and these are being proposed for higher growth in percentage. Partly this is because the villages need to play a greater role given all the options available, but nevertheless - this higher level of growth is regarded as a sustainable level of development with a plan period. For example, Part 2 of the North Somerset Site Allocations and Development Management DPD proposes 220 dwellings for Churchill/Langford (889 dwellings at 2011 i.e. 24.7% growth). Elsewhere South Oxfordshire District Council is proposing around 10% growth for 12 larger villages, many of which are comparable to RA.1 villages in BANES.
- 1.8 We set out below the number of dwellings in RA.1 villages in 2011, and what 'around 50 dwellings', or what has actually been permitted on large sites means in terms of growth. There is considerable variety in respect of what 50 dwellings really means for each village. For example, Farrington Gurney would grow by 13.5% whereas High Littleton and Timsbury would grow by just 4.4% and 5.9%. This is inconsistent. We contend that a percentage growth figure is more suitable than an absolute figure, in principle and particularly given our comments on Matter 2.

RA.1 Settlements/Parishes

Parish	Dwellings 2011	% growth resulting from 50 dwellings or what has been permitted on large sites.	Total and additional dwellings provided beyond CS allocation at 15-20% growth
High Littleton	852	50 units enabled by the CS but not yet permitted and not allocated PMP 5.9%	20% = 170 (+120) 15% = 128 (+78)

Farrington Gurney	370	50 units enabled by the CS but not yet permitted and not allocated in the PMP 13.5%	20% = 74 (+24) 15% = 55 (+5)
Clutton	637	50 units enabled by the CS and permitted 7.8%	20% = 127 (+77) 15% = 95 (+45)
Timbsbury	1,145	50 units enabled by the CS and allocated in the PMP. 4.4%	20% = 229 (+179) 15% = 172 (+122)
Temple Cloud (camley Parish)	487	50 units enabled by the CS and 79 permitted (70+9). 16.2%	20% = 97 (+18)
Bishop Sutton (Stowey Sutton Parish)	565	50 units enabled by the CS and 76 permitted (41+36). 13.4%	20% = 113 (+37) 15% = 85 (+9)

1.9 Many such villages across the country readily absorb growth allocations of 15-20%, or are allowed to grow by this amount via S.78. Therefore, there is headroom for more sustainable development at the RA.1 villages in BANES. The table below shows that between 4.4% and 16.2% growth is set to occur at RA.1 villages via large developments. This is inconsistent, revealing that the around 50 figure is a very blunt approach to planning for RA.1 villages. Section 78 appeals at Bishop Sutton and Clutton have resulted in around 15% growth for these places.

1.10 In light of the Plan's failure to enable around 13,000 dwellings it is necessary to modify the PMP and Core Strategy via modifications. The Council is clearly prepared to countenance revisions to RA.1 in the current examination process. We contend that modifications to the CS should replace 'around 50 dwellings' to 'up to 20% growth'. This would enable another 455 dwellings in the villages listed in the table above. The rural areas would therefore contribute 1,555 dwellings rather than 1,100

dwellings and 12% rather than 8.5% of the overall requirement. This is not a significant change to the spatial strategy. Associated modifications to the Placemaking Plan would then identify further changes to housing development boundaries (the preferred approach) or introduce explicit flexibility to enable additional development outside HDBs.

- 1.11 This alone would not be sufficient to plug the gap in the realistic delivery expectations of the Plan. Other modifications would also be required, affecting other Policy Areas.
- 1.12 We submit that this is entirely in accordance with the first part of Paragraph 14 of the NPPF. For plan-making it is clear that Government expects LPAs to positively seek opportunities to meet the development needs of their area, and meet objectively assessed needs, with sufficient flexibility to adapt to rapid change. This being subject to 'tilted' balance and whether any other policies in the plan indicate that development should be restricted.
- 1.13 The CS aim to meet housing needs in full and therefore it is incumbent on the Part 2 Plan and the plan as a whole to enable the delivery of that aim. There is no excuse of delaying this corrective action, indeed the Plan should have been flexible enough to deal with risks the anticipated housing land supply in the first place.
- 1.14 These comments should also be read in the context of our response to Matter 2 in respect of the Council's proposed changes to RA.1 and Matter 4 in respect of Policy NE2a [landscape setting policy).

Q2. Is there tension between Policy RA1 and the Clutton Neighbourhood Development Plan and the Stowey Sutton Neighbourhood Plan in so far as Policy RA1 support residential development of a greater scale than in-fill and without any requirement to accord with the most recent Housing Needs Survey

- 1.15 Both Clutton and Bishop Sutton (within Stowey Sutton Parish) have met the 'around 50' dwellings mark. The Neighbourhood Plans are clearly an attempt to put up barriers to further development in respect of the PMP and emerging West of England JSP. We contend, under Question 1, that modifications to the Development Plan to enable 13,000 dwellings to be delivered are needed. Consequently, the HDBs at these places and the Neighbourhood Plans themselves are out of date.

Q3. No development is proposed in some settlements meeting the definition of Policy RA1 villages (i.e. High Littleton) and less than 50 in others. Is this inconsistent with the strategy set out in the CS to enable housing developments of around 50 dwellings in these villages?

- 1.16 The housing trajectory at adoption did not rely on High Littleton delivering 50 dwellings to achieve the rural requirement, even though the Plan enabled this. The Council's position was that it had found no suitable sites in the SHLAA at adoption of the Core Strategy to choose for allocation in the PMP. No contribution from High Littleton was shown in the housing trajectory at adoption. That remains the Council's position – and it also seeks to modify policy RA.1 to make primary school capacity in the village compulsory rather optional (so long as other services are available). The PMP seeks to redefine what is sustainable development at RA.1 villages. A blanket policy of restriction has also been introduced in the form of Policy NE2A in respect of landscape setting. This introduces a test that cannot be passed. This is inconsistent with the NPPF landscape policies and for that matter heritage policies, and we present our overall case on this issue in our Matter 4 statement.
- 1.17 Our position is that there is suitable land at High Littleton. Even without an overall housing land supply deficit (see Matter 2 statement) land should be allocated at High Littleton, at specifically at Langford Lane for development. With the deficit, the justification becomes even more compelling.
- 1.18 The Council's Landscape Setting Study has many deficiencies as a piece of evidence, and this is compounded by its conversion into policy (see Matter 4 statement). It unduly and incorrectly shapes plan-making for High Littleton. It ascribes a level of value to much land across the District and at High Littleton that is not justified. Its application in policy is not justified. It and does not enable a proper weighing of factors with regard to the effects of housing that is enabled at High Littleton (as any harm to the setting of a place – whatever the heritage value of the built form affected) will be refused. Not only does the proposed policy fly in the face of AONB policy it also attempts to generate a level of control that is at odds with national heritage policy. As we know, less than substantial harm to designated heritage assets, including by harm to their settings can be outweighed by other factors. That policy is internally inconsistent, whereas NE2A, which does not countenance any harm to any aspect of townscape and its setting, is not.

1.19 Plan-makers have pre-supposed that the evidence in the setting study is correct and that any harm to High Littleton by virtue of development in its setting should be resisted. is at odd with the titled balance – which is in play in Plan-making (not just where there is a 5YHLS deficit) and means that the harm of allocating or permitting the accepted figure of around 50 dwellings must significantly and demonstrably outweigh the benefits. We submit that this is insufficient evidence to not plan positively for 50 dwellings at High Littleton, in principle, nor to direct that development to Langford Lane specifically. Modifications to the PMP are needed in the form of a site specific allocation (preferred) or a specific criteria based policy for High Littleton to enable sustainable housing development.

1.20 Finally, we contend that the proposed changes to RA.1 are not justified. Even if they were solutions are available to expand High Littleton primary school so that needs for primary school places arising from development at the village could be met in the village – as opposed to elsewhere. However, meeting the need elsewhere is not at odd with the NPPF. We reinforce our statement on Matter 2, Issue 1 in respect of RA.1. NPPF: 55 states that:

where there are groups of smaller settlements, development in one village may support services in a village nearby

1.21 This therefore embraces the principle that all needs arising form development in one village need not be met at that village. This is backed up by NPPF:29, which states that:

The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. However, (our emphasis), the Government recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas

1.22 In combination the NPPF is more flexible that the proposed revisions to RA.1.

1.23 NPPF:72 *suggests* that LPA should not hide behind a lack of primary school places, as barrier to development, but *take a proactive, positive and collaborative approach and give great weight to the need to create, expand or alter schools.*