



NEXUS
PLANNING

**Examination of the Bath & NE Somerset Council
Local Plan (Core Strategy and Placemaking Plan)
Partial Update**

Matter 2: Strategic Policies

On behalf of Places for People Homes Ltd

June 2022

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1 Matter 2: Strategic Policies: Issue - Is the Plan's approach to strategic policies consistent with national policy?

- 1.1 This written statement is submitted on behalf of Places for People Homes Ltd (PFPHL) in respect of their land interests at Keynsham, which comprise the freehold of approximately 4 hectares of land to the North of Bath Road, Keynsham. The land comprises part of the area allocated for mixed-use development under Policy KE3a of the adopted development plan, and which comprised part of the North Keynsham SDL identified within the withdrawn draft Joint Spatial Plan.
- 1.2 PFPHL remains committed to a plan-led development strategy at Keynsham and wishes to support the Council in undertaking a sound review of the development plan. PFPHL made representations to the Partial Update 'Commencement' Consultation in June 2020, to the 'Options' Consultation in January 2021, and to the Proposed Submission Draft Consultation in October 2021.
- 1.3 PFPHL has opted to rely on written submissions to the Examination and to confine such submissions to Matters 2 and 3, which go to the heart of the examination of the Plan. The objective herein is to assist the Inspector in assessing the soundness of the proposed revisions to the adopted Local Plan and to determine the soundness of the basis for the review as proposed. Informing these submissions is the objective to have in place a robust and soundly prepared development plan to guide development within the district.

2 Question 12

- 2.1 ***Paragraph 29a of the submitted Plan sets out that all policies in the Core Strategy and Placemaking Plan are 'strategic' policies. Is this justified and consistent with national policy as set out in the National Planning Policy Framework (NPPF)? What is the evidence that the strategic policies of the Plan are limited to those necessary to address the strategic priorities of the area (and any relevant cross-boundary issues)?***
- 2.2 PFPHL have commented consistently throughout the Partial Update consultation process on the inconsistency of the Council's position with regard to the review process they have chosen to undertake and the unambiguous guidance relating to plan-making within the NPPF. There are some fundamental requirements that guide Plan-Making, set out at chapter 3 of the Framework:
- The planning system should be genuinely plan-led; with such plans being succinct and up to date (para.15);
 - The development plan must include strategic policies that address priorities for the development and use of land within the Plan area (para.17);
 - Strategic policies should set the overall strategy for the pattern, scale and quality of development (para.20);
 - Plans should be explicit regarding policies that are of a strategic nature, with these being limited to matters that take priority in policy-making, address cross-boundary matters, and provide a starting point for non-strategic policy – strategic policies should avoid matters of detail (para.21)
 - Strategic policies should look ahead over a minimum 15-year period from adoption (para.22);
 - Strategic policies should articulate a clear approach to bringing land forward for development – ensuring that there is a sufficient quantum of land available, that can be delivered at a sufficient rate to address objectively assessed needs over the plan-period (which should be a minimum of 15-years duration) (para.23);
 - Strategic policy-making authorities should collaborate to identify matters that require cooperation across administrative boundaries (para.24);

- Effective joint-working between strategic policy-making authorities is integral to the production of positively prepared and justified strategies (strategic policy) (para.26).
- 2.3 The plan-preparation and review process are addressed specifically at paragraphs 31 to 33 of the Framework, which notes that:
- The preparation and review of all policies should be underpinned by relevant and up-to-date evidence (para.31); and
 - Reviews of policy should take place at least once every five years and no later than five years from adoption of a Plan. Strategic policies will need to be updated at least once every five years if the applicable local housing need figure changes significantly, or is anticipated to change significantly (para.33).
- 2.4 In the context of examining plans, the Framework is clear that policies and plans must be sound (para.35); to be found sound there are pre-requisites, notably:
- **Positively Prepared:** A strategy that as a minimum seeks to meet objectively assessed needs (as prescribed by NPPF para.61), informed by agreements with neighbouring authorities so that unmet needs are accommodated where it is practicable to do so; and
 - **Effective:** Based on effective joint-working on cross-boundary strategic matters that are dealt with and not deferred.
- 2.5 The statement within the submitted plan at paragraph 29a is not tenable, and does not accord with the requirements of the NPPF. Obvious inconsistencies that arise comprise:
- The review is based on evidence that is not up to date (the housing requirement);
 - There has been no review of the robustness of the overall strategy for delivering development across the plan area;
 - There is a confused and inconsistent approach to strategic and non-strategic policies;
 - The plan-period does not meet the minimum 15-year horizon and therefore cannot by definition provide an effective strategy for the district;
 - There has been an inconsistent and ineffective approach to joint-working across administrative boundaries and a failure to explain coherently why no strategic cross-boundary issues arise in respect of the relationship with Bristol City Council;

- The clear obligation to adhere to the plan-making strictures of the NPPF has been set aside on the basis that genuine strategic policy matters, within the definition of the NPPF, will be addressed by the Mayoral Spatial Development Strategy (SDS) and should therefore be deferred to that process.
- 2.6 This Plan does not address strategic policy considerations in accordance with the definition of such provided by the NPPF and is therefore not strategic in nature. The authority has made clear that strategic planning in the sub-region (the West of England Combined Authority Area – WECA) can be resolved only via preparation of the SDS (CD-SD053 para.3). It is therefore misconceived to claim that the policies comprised within this document perform any strategic function. There is no justification for this statement and the approach is inconsistent with the provisions of the NPPF.
- 2.7 It is notable that the partner authorities with whom B&NES are working in preparing the SDS, Bristol City Council and South Gloucestershire Council (North Somerset Council are preparing a single Local Plan), have both embarked on full reviews of their respective Local Plans, which are being progressed in concert with the SDS. Within the adopted Local Plan Delivery Programme (2022-2025) South Gloucestershire note that the SDS will set: Strategic Priorities, Spatial Vision, Spatial Strategy, Housing and Employment Land requirements, and other thematic policies, which will inform the policies of the emerging Local Plan. The Council has undertaken a number of Regulation 18 consultation stages between April 2020 and April 2022, with subsequent stages to be determined by the progress of the SDS. Similarly, Bristol City Council has programmed Regulation 18 consultation during summer 2022 and Regulation 19 consultation during autumn 2022 (which appears optimistic). Thereafter, the LDS anticipates an examination of the Plan during summer 2023 and adoption in spring 2024. The critical point to make is that the authorities are each progressing a full review alongside the emerging SDS, clear in their approach that this is the strategic tier of the development plan for the sub-region and that plan-making must be undertaken in accordance with the strategic policies it contains. To do otherwise is a misdirection of resources and effort.
- 2.8 North Somerset is also preparing its own single tier Local Plan currently, which is at Regulation 18 stage. While it sits outside the WECA area for plan-making the strategic issues raised by the process are important because the Bath/Bristol Green Belt is common to all of the West of England authorities and strategic decisions that will be taken by the four authorities must be

coordinated. Without a consistent approach, the functionality of the Green Belt cannot be evaluated holistically and the strategic review of the Green Belt that will be required as new development plans are formulated cannot be undertaken comprehensively. The failure to consider the spatial planning of the sub-region consistently, with specific regard to the implications for Green Belt policy, was the principal reason that the former Joint Spatial Plan was found to be unsound during the examination process. To entertain any prospect that the constituent development plans surrounding Bristol can be brought forward at different speeds, with a mix and match approach to what are, and are not deemed to be strategic matters, will invite the same catastrophic outcome for the spatial planning of the area.

2.9 The question asks what evidence exists to support the proposition that the 'strategic policies' within the LPPU address the strategic priorities of the area, and address relevant strategic cross boundary issues.

2.10 It is challenging to reconcile the Council's approach, via the LPPU, with the key strategic priorities that arise within the WECA area that should be addressed collectively by plan-makers within the sub-region. Critical in this regard is the challenge that exists for policy makers in addressing local housing needs and arresting the decline in affordability that affects the West of England, which the SDS aimed to address.

2.11 The Council's decision to proceed with a partial review of the existing Core Strategy/Placemaking Plan is now undermined entirely by the recent decision of the Mayor for the West of England to halt all work on preparation of the SDS due to the failure to agree a strategy for addressing housing delivery across the three constituent authorities. On 13 May 2022, WECA issued the following press release:

We are writing to let you know that work on the Spatial Development Strategy (SDS) has been halted and is not being progressed by the West of England Combined Authority. Metro Mayor Dan Norris has written to the Department for Levelling Up, Housing and Communities (DLUHC) to explain that he has asked officers to stop work on the SDS as unanimous agreement on the plan by the councils has not been reached. The West of England Combined Authority is one of only three authorities outside of London with strategic planning powers. The process of preparing a statutory strategic plan, was never going to be an easy one. The significant joint working efforts of our partners and stakeholders is recognised. The

Combined Authority will now work with DLUHC on the Metro Mayor's priorities for housing delivery, particularly of much needed affordable homes. We look forward to continued working with you on this important agenda.

- 2.12 The result of this decision, and the very clear message within it that there is no prospect of reaching the required unanimity of views regarding a future housing strategy for the WECA area via the SDS, is that strategic matters that were to be determined via the SDS now must fall to the individual Local Plans. In pursuit of a purposeful and sustainable response to addressing the strategic housing delivery challenges within the WECA area, it is imperative that cooperative working is manifest in preparation of the respective Local Plans. Deferral of collaboration on cross-boundary matters, in particular housing strategies cannot be countenanced. The justification for the LPPU was always questionable; in light of the cessation of the SDS process it is now an irrelevance.
- 2.13 The strategic priorities of the plan-making area must now be tackled head on, and with a great degree of urgency by the individual authorities via the preparation of their (full) Local Plan reviews. Without any overarching spatial framework in the form of the SDS it is imperative that each Plan embraces the challenge of responding to up to date Local Housing Need calculations, and then determines the capacity that exists for responding to the unmet housing needs of Bristol, which represent a huge challenge for the sub-region. Continuation with the LPPU is an unnecessary distraction from the key strategic challenges that exist and which must now be dealt with via the Local Plan review.

3 Question 13

- 3.1 ***The modified strategic policies of the Plan would cover the period to 2029, and consequently will not look ahead over a minimum of 15 years from adoption as per NPPF paragraph 22. What is the justification for this, and is the Plan positively prepared in this regard?***
- 3.2 There is no credible justification for the approach that the Council proposes; the approach was hard to reconcile prior to the Mayor's decision to cease all work on the upper tier, strategic component of the development plan (SDS). However, in light of the decision to abandon preparation of the SDS there is no basis on which to consider a plan-period that is below the minimum fifteen-year stipulation.
- 3.3 There will be no alternative development plan document that will determine what the up to date housing requirement for the district will be. This is a matter that can only be determined by the Local Plan. The Council's position is now untenable.
- 3.4 In practical terms there is a huge imperative to embark immediately on a full review of the Local Plan, for reasons that may be summarised as follows:
- i The SDS will no longer set a housing requirement for the district;
 - ii The Core Strategy housing requirement, and the housing strategy that responds to it dates from 2013, and is therefore considerably out of date;
 - iii The Council's assertion within the Housing Topic Paper (CD-SD026) that the Core Strategy housing requirement is greater than the corresponding local housing need figure for the district, and therefore remains fit for purpose, is misplaced. As a consequence of the recently published affordability indices (March 2022) the up to date local housing need (LHN) figure (which is the minimum starting point for establishing a Local Plan housing requirement) for B&NES is 744 dwellings per annum:
 - o B&NES Household change 2012-2022: $5,000/10 = 500\text{p/a}$
 - o Affordability adjustment: $11.81 - 4/4 \times 0.25 + 1 = 1.488$
 - o Annual housing requirement: $500 \times 1.488 = 744\text{ dpa}$

- iv The Core Strategy housing requirement of 722 dpa is less than the minimum starting point for establishing a housing requirement for the development plan in 2022.
 - v Bristol City is one of the 20 locations within the country to which a 35% uplift is applied when calculating Local Housing Need; the current annual local housing need figure for the City is 3,480 dwellings per annum (equivalent to 69,614 dwellings over the proposed SDS period 2022-2042).
 - vi It is accepted that Bristol City will be unable to meet this level of housing growth and will be reliant upon its neighbouring authorities to contribute towards addressing the unmet need. While the quantum of development to be accommodated by B&NES and South Gloucestershire Councils is undetermined; the apportionment of which caused the abandonment of the SDS; it is certain that at least some of Bristol's housing needs will have to be met within B&NES.
 - vii Accordingly, the minimum LHN figure will rise above the 744 dpa level that the new Local Plan will be required to meet.
- 3.5 There is no credible basis on which to assert that the Core Strategy housing requirement, which was established in 2013, remains fit for purpose, or is a sound figure on which to base a Plan review, of any scope or purpose.
- 3.6 Having regard to these factors the justification offered by the Council for a partial review of the Plan and therefore maintenance of the existing plan period is flawed.
- 3.7 To satisfy the tests of soundness, most notably those relating to **positive preparation** and **effectiveness** the Partial Update must be abandoned in favour of an urgent progression of a full review of the Plan. This is required to satisfy the requirements of the NPF, specifically:
- 3.8 To meet minimum local housing need, which exceeds the adopted Core Strategy housing requirement; to contribute meaningfully towards positively addressing unmet housing needs arising from Bristol City; to facilitate effective working on cross-boundary working relating to matters such as Green Belt review across the West of England; and to ensure that emerging Local Plans within the sub-region are progressed in concert with one another so there is a coherent spatial strategy to meet the housing needs of the area.

- 3.9 Housing affordability is one of the most pressing needs affecting the West of England; the table below illustrates the decline in affordability across the four districts that comprise the sub-region:

Ratio of Median House Prices to Median Gross Annual Residence Based Earnings:

Local Authority Area	2014	2021	Relative Change
B&NES	8.76	11.81	+3.05
South Gloucestershire	6.99	9.30	+2.31
North Somerset	6.69	9.88	+3.19
Bristol City	7.08	9.71	+2.63

- 3.10 These figures demonstrate clearly and unequivocally that house prices are rapidly out pacing incomes and dramatically eroding people’s ability to gain access to housing that meets their needs across the whole of the sub-region; no location is immune. Failure to plan comprehensively and positively to address this situation will merely perpetuate the problem and marginalise large sections of society who will be unable to access housing to meet their needs.
- 3.11 The partial update should not be used as an excuse to defer consideration of what is the most pressing issues affecting the sub-region. Circumstances dictate that it is vital that a full review of the Local Plan is now embarked upon without delay.

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