

Bath & North East Somerset Council

MEETING	Planning, Transport & Environment Policy Development & Scrutiny Panel
MEETING DATE:	13th January 2015
TITLE:	West of England Joint Planning Strategy
WARD:	All
AN OPEN PUBLIC ITEM	
List of attachments to this report: West of England Joint Planning Strategy Memorandum of Understanding	

1 THE ISSUE

- 1.1 This report updates the Panel on the progress of the West of England Joint Planning Strategy.

2 RECOMMENDATION

- 2.1 That the Scrutiny Panel

- (1) notes the proposals for the preparation of the West of England Joint Strategic Planning Strategy
- (2) gives it comments on the scope and programme of the Joint Planning Strategy and the working arrangements for its preparation.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 The programme for the work and the costs of the project have been assessed and determined through joint working and the UAs have agreed to share the costs equally. Some of this cost can be met from the additional income from planning applications and pre-application charging but there is currently insufficient capacity within the Development Service to undertake this work in full in addition to existing commitments and this is proposed to be considered through the 2015/16 budget process. The costs are required to cover:

- Technical assessments for which there is no internal expertise

- The costs of implementing a community engagement strategy across the West of England
 - Additional fixed term resources in light of the fact that the work on the JPS is required in addition to the existing work programme agreed in the Local Development Scheme (primarily the Implementation of the Core Strategy, preparation and integration of CIL, preparation of the draft Placemaking Plan & Travellers' Sites Plan and preparation of Supplementary planning documents .
- 3.2 The preparation of the JPS will enable a proactive approach to be taken to ensure the co-ordination of new development with the necessary infrastructure, including education, recreational, transport and other facilities. There will be a direct financial benefit from the increased provision of new homes and other development (CIL, New Home s Bonus, Council Tax, business rates) as well as indirect benefit from new investment in transport which will be essential to serve the new development and which will also address existing transport issues in the north of the district.
- 3.3 Whilst it is not possible to accurately quantify such income in advance of the JPS outcomes, for illustrative purposes, 5,000 new homes would generate around:
- CIL = £35m
 - NHB = £7.7m per year for 6 years, a total of £46.2 m
 - Residential Council Tax = £6 m per year
 - plus indirect infrastructure investment
- 3.4 Due to the broad scope of the JPS, there will be a need for cross service working, especially with the Housing, Recreation, Education, Economic Development and Transport Teams

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

- 4.1 The Duty to Co-operate in the Localism Act 2012 places a legal duty on local planning authorities and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters. Local planning authorities must demonstrate how they have complied with the duty at the independent examination of their Local Plans. If a local planning authority cannot demonstrate that it has complied with the duty then the Local Plan will not be able to proceed further in examination. The NPPF advises that as part of this process, they should consider producing joint policies across the land/sea boundary are integrated.
- 4.2 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. This is the Plan led system whereby a the adoption of a statutory Local Plan helps LAs to provide for necessary growth in the most appropriate way and provides certainty for local communities and the development industry.

5 THE REPORT

- 5.1 The B&NES Core Strategy was adopted in July 2014 and it established the housing requirement to be accommodated with B&NES by 2029. A key issue discussed at the examination was the requirement under the statutory Duty to Co-operate to on strategic planning issues. This includes joint working to “..enable local planning authorities to work together to meet development requirements which cannot wholly be met within their own areas.” NPPF para 179. This issue of the sub-regional housing need was also discussed at the South Gloucestershire and North Somerset inquiries. The outcome was that the Core Strategies were found sound on the basis that they would be subject to an early review to enable the issue to be re-visited

- 5.2 In relation to B&NES, the agreed review arrangements are to undertake a review in 2019 5 years after adoption to ascertain whether the agreed targets are being met and that the target being planned for is the relevant one, but also an early partial review in 2016 to enable co-operation with Bristol in the 5 year review of its Core Strategy
- 5.3 In light of the need for a co-ordinated approach, the four UAs signed a Memorandum of understanding in March 2014 committing to undertaking these early reviews through the preparation of a Joint Planning Strategy. This MoU is reproduced in attachment 2 but its key role is summarised as;

“The West of England Joint Planning Strategy will identify: the overall quantum of housing and jobs within the West of England and their distribution across the sub-region; the overall spatial strategy; strategic priorities; and strategic infrastructure necessary to deliver the spatial strategy for the West of England.”

- 5.4 The identification of the housing need is undertaken through a Strategic Housing Market Area Assessment. This must objectively assess the full needs for market and affordable in the housing market area. Any subsequent plan must seek to fully accommodate this need unless adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The SHMA is therefore an element of the evidence base underpinning the JPS.
- 5.5 In light of the fact that the evidence continues to support a separate housing market area for Bath to that of the wider Bristol, and that B&NES has an up-to-date, NPPF compliant SHMA underpinning its adopted Core Strategy, there is no need for the new SHMA to review the existing B&NES SHMA. Therefore the new SHMA will only produce housing need outputs for the other 3 West of England UAs. Nevertheless, all four of the West of England UAs are committed to the preparation of a JSPS to determine the spatial distribution of housing across the sub-region, with locations in each UA being equal contenders from the start.
- 5.6 In order to ensure that the spatial strategy is supported with the necessary infrastructure, particularly transport, preparation of the JSPS will be aligned with the review of the Joint Transport Strategy as reported to the Joint Transport Board on 12th December.
- 5.7 Work on the key evidence required for the JPS is underway and preparation of the JPS will primarily take place during 2015/16. The final document is due to be prepared in mid-2016. Work on the partial review of the B&NES Core Strategy will continue alongside the preparation of the JPS. The four West of England UAs are combining resources to ensure the most effective working arrangements. The work will be steered by the Planning, Homes & Community Board which is due to become a Committee during 2015. The Local Development Framework Steering group will be briefed as the work progresses.
- 5.8 The next step is the publication of a Pre-Commencement Document later in December and this will set out the programme and scope of the JSPS in more detail.

6 RATIONALE

- 6.1 The JPS is considered necessary in order to fulfil the requirements of the statutory Duty to Co-operate in the Localism Act 2012

7 OTHER OPTIONS CONSIDERED

- 7.1 The JPS is being prepared as a statutory Development Plan Document as this is what is considered necessary to fulfil the requirements of the Duty to Co-operate and to ensure a robust planning framework to support the West of England UAs. The statutory plan-making processes are therefore being followed and will be scrutinized through

independent examination. However, it may be agreed in due course that the document becomes an informal strategy

8 CONSULTATION

- 8.1 Preparation of this report reflects discussions with adjoining Unitary Authorities and a steer from the West of England Planning Homes & Communities Board. The LDF Steering group has been briefed on the emerging work
- 8.2 Preparation of the JPS will be subject to the statutory requirements of public consultation for Plan –making as well as the Council’s own requirements in its Statement of Community Involvement.

9 RISK MANAGEMENT

- 9.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

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Background papers	<i>Adopted B&NES Core Strategy 2014</i> <i>National Planning Policy Framework 2012</i> <i>Localism Act 2012</i>
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