

Bath & North East Somerset Council	
MEETING	Council
MEETING DATE	9th November 2017
TITLE:	WEST OF ENGLAND DRAFT JOINT SPATIAL PLAN: PUBLICATION
WARD:	All
AN OPEN PUBLIC ITEM	
<p>List of attachments to this report: Appendix A: West of England Draft Joint Spatial Plan Publication Draft</p> <p>Following documents available online – <u>not</u> attached to hard copy agendas: Appendix B: Strategic Development Location Templates. Appendix C: Draft Sustainability Appraisal (summary). Appendix D: Habitats Regulation Assessment update paper. Appendix E: Report on Engagement and main issues raised. Appendix F: Topic Paper 1: The Housing Requirement. Appendix G: B&NES submission Policies Map amendment.</p>	

1 THE ISSUE

- 1.1 Following an extensive period of community engagement, the West of England Draft Joint Spatial Plan (JSP) is now ready for publication. This reports seeks authorisation to publish the JSP for public representations and subsequently, if the plan is ready, to submit it to the Secretary of State for public examination.

2 RECOMMENDATION

- 2.1 That Council agrees [that](#):

- a. the draft West of England Joint Spatial Plan in Appendix A to this report is published for consultation under regulations 19, 20 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012;
- b. if the JSP is ready for independent examination, it shall submitted to the Secretary of State before the end of March 2018 under regulation 22 of the Regulations along with the other submission documents required by the Regulations; and,

- c. the Strategic Director Place is delegated the authority, in consultation with the Council Leader and in co-ordination with Bristol City, North Somerset and South Gloucestershire Councils, to;
 - i. make modifications to the JSP if needed, either prior to publication or prior to submission, and
 - ii. respond to issues arising during the examination, including making modifications to the JSP

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 Preparation of the JSP has been funded equally by all four of the West of England Authorities, including officer time, consultancy support and public engagement.
- 3.2 Forthcoming costs for 2018/19 include the Examination in Public (EiP), responding to the Inspector's Report and adoption. These costs are included within existing budget arrangements. Any suspension during the EiP will lead to increased costs.
- 3.3 The JSP will necessitate a review and potential amendment to CIL and S.106 contributions which will be needed to support the delivery of development.
- 3.4 The JSP sets out clear shared priorities that will provide the basis to secure investment into the West of England and assist as a framework for bidding for Government funds to facilitate delivery.
- 3.2 When adopted the JSP will provide the strategic planning policy framework to guide the management and use of land in the public interest. The JSP will set the overall quantum of housing and employment required up to 2036 and will identify broad locations where development will be supported to be brought forward through the authorities Local Plans.

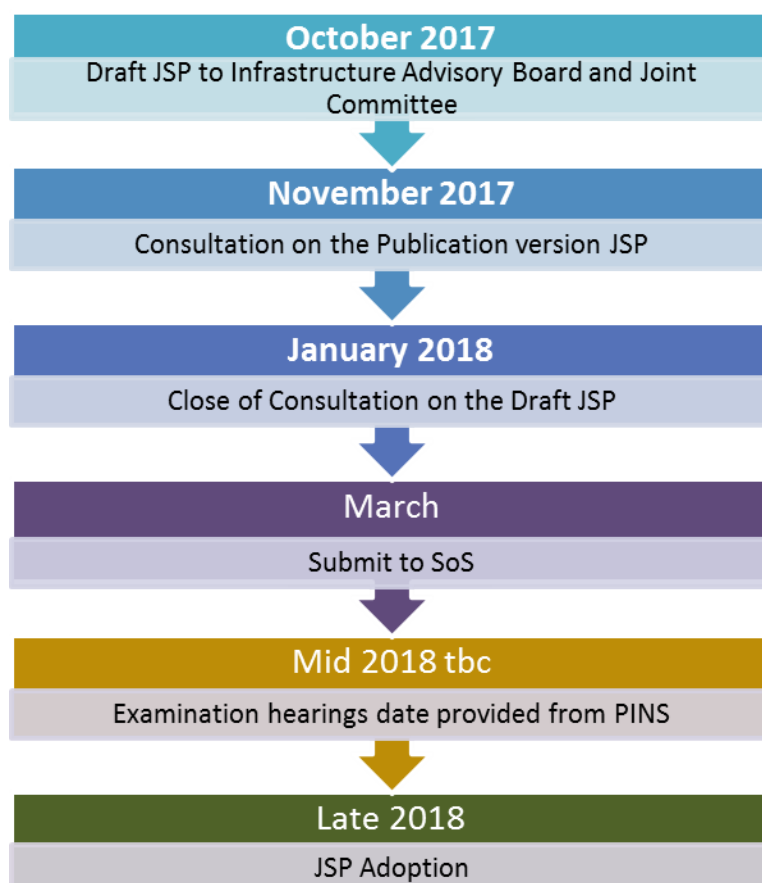
4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

- 4.1 The JSP is being prepared as a statutory Development Plan Document. Its preparation is therefore regulated by statute. The next steps entail public consultation, submission and Examination into the 'soundness' of the Plan.
- 4.2 The Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The JSP provides the spatial framework for the review of the B&NES Local Plan.

5 THE REPORT

Background

- 5.1 The West of England faces significant strategic challenges; to accommodate and deliver much needed new homes and jobs properly supported by infrastructure, to create attractive places while maintaining the environmental assets and quality of life unique to our area.
- 5.2 The JSP will address these challenges in a coordinated approach, outlining the housing and employment requirement of the West of England for the period 2016-2036. The document will provide the joint framework to ensure that development requirements are brought forward consistently across the West of England authorities.
- 5.3 This coordination on strategic planning matters is complemented by the approach to addressing strategic transport issues through the Joint Transport Study (JTS). The JTS has informed the JSP by outlining future strategic transport proposals for delivery up to 2036 that address current challenges on the transport network and inform future development proposals.
- 5.4 The preparation stages of the JSP are set out in the diagram below. This has entailed consultation under regulation 18 of the Town and Country Planning (Local Planning) Regulations 2012, through the 'Issues and Options' and 'Towards the Emerging Spatial Plan' consultation stages. These consultation documents and supporting technical information are available for public viewing on www.jointplanningwofe.org.uk



- 5.5 The next engagement on the JSP will be notification of the Publication Plan under Regulation 19 of the Town and Country Planning (Local Planning) Regulations 2012. The Publication version of the JSP is attached at Appendix A.
- 5.6 The proposed engagement period will be from the 22nd November 2017 to the 10th January 2018. Following consideration of the representations received, if the plan is ready, and subject to any minor modifications, the Plan will then be submitted to the Secretary of State under regulation 22 of the Town and Country Planning (Local Planning) Regulations 2012, in March 2018 for a proposed EiP mid-2018. Following the EiP and consideration of the Inspector's report, the plan will be adopted by the four Authorities. Once adopted, the JSP will become a statutory Development Plan Document and will guide the four Councils in the development of their Local Plans.
- 5.7 Members of the West of England Scrutiny Committee received an update on the JSP and the key issues it will need to address at its meeting on 27th September and considered the Publication Plan at their meeting on 24th October. The Infrastructure Advisory Board, considered the Publication Plan document on 23rd October 2017. Their views will be summarised to the Joint Committee at their meeting on 30th October 2017.

The Joint Spatial Plan:

- 5.8 The publication version of the JSP and appropriate supporting documents are appended to this report. Further technical documents will be produced and made available during the consultation stage to support this document.

Scope

- 5.9 The JSP is a strategic level Development Plan Document that will form the strategic policy context for individual Local Plans prepared by the four authorities in the West of England. The JSP will be a statutory document and will therefore need to be prepared in accordance with statute, local plan regulations and national policy to ensure it is a 'sound' document supported by technical evidence.
- 5.9 The scope of the JSP, with its supporting evidence base, is focused on: identifying the number of new market and affordable homes and amount of employment land needed across the West of England from 2016-2036; identifying the most appropriate spatial strategy and strategic locations for growth; and, outlining the strategic transport and other infrastructure required to support sustainable growth.

Key Issues

- 5.10 Previous stages of the Plan's preparation included public consultation on the key issues and challenges that should be addressed. The comments received have been considered and used to inform the draft Plan's critical issues and strategic priorities. Key issues of which the JSP has needed to address include:
- Identifying housing and employment need.
 - Affordable housing delivery.
 - Quality of homes and place and communities.
 - Infrastructure to support growth.

5.11 In addressing these key issues, the draft Plan document outlines the following critical issues and strategic priorities:

Critical Issue	Strategic Priority
<p>There is a critical need to substantially boost the housing supply, particularly affordable housing of which the need is acute across the Plan area.</p>	<p>1. To meet the sub-region's identified housing needs, in a sustainable way. In particular to make a substantial step change in the supply of affordable housing across the plan area.</p>
<p>Economic prosperity has brought substantial benefits to residents, communities & the environment. However, prosperity has not been shared equally by all communities as there are pockets of deprivation within the sub region.</p>	<p>2. To pursue inclusive economic growth by accommodating the economic growth objectives of the LEP Strategic Economic Plan. Particularly to:</p> <ul style="list-style-type: none"> • promote the growth of existing employment centres such as the Enterprise Zones and Enterprise Areas • ensure more inclusive growth and life chances for all, across the West of England, and improve accessibility to jobs.
<p>The form and function of development in some parts of the West of England has resulted in significant pressure on infrastructure and settlement patterns which are over-reliant on the private car.</p> <p>This inhibits wealth creation and productivity and contributes to climate change and poor health.</p>	<p>3. To deliver a spatial strategy which;</p> <ul style="list-style-type: none"> • focuses on three primary centres of Bristol, Bath and Weston-super-Mare and recognises the complementary role of market towns to achieve sustainable growth. • ensures that new development is properly aligned with infrastructure and maximises opportunities for sustainable and active travel. • through a place making approach promotes places of density and scale with a range of facilities and which encourages health lifestyles and cultural wellbeing. • integrates high quality, multi-functional green infrastructure. Reduces greenhouse gas emissions and ensure resilience to the impacts of climate change.
<p>The sub-region benefits from a world class environment. This brings substantial economic and community benefits and contributes significantly to the quality of life of residents, visitors and businesses.</p>	<p>4. To protect and enhance the sub-region's diverse and high quality natural, built and historic environment and secure a net gain in biodiversity.</p> <p>To prioritise development on brown field locations, optimise densities and retain the overall function of the Bristol and Bath Green Belt.</p>

The Policies

- 5.12 The Policy framework in the JSP addresses the critical issues and strategic priorities. In summary the policy framework is as follows:
- 5.13 Policy 1: Housing Requirement: The JSP sets out the housing need for the period of 2016-2036. The overall housing need for the plan area up to 2036 is 102,200. The housing provision set for the JSP is 105,500 new dwellings which includes a flexibility in supply to ensure the delivery of the housing need. A contingency of around 3,000 dwellings is also identified for consideration as part of plan review should further capacity be required in the future. The mechanism to release any contingency is a plan review at the five year review period. The policy establishes the distribution between the unitary authority areas based on the spatial strategy (outlined within Policy 2).
- 5.14 Policy 2: Spatial Strategy: This policy sets out the spatial strategy and the justification underlying the choice of locations for identifying how the JSP housing and job requirements will be delivered across the West of England. The strategy is depicted on the Key Diagram in Appendix A. The reasoned justification to this Policy provides the basis by which the JSP has established the exceptional circumstances to some proposed amendments to the general extent of the Bristol and Bath Green Belt to sustainably accommodate the growth required over the plan period.
- 5.15 The following sequential approach for housing growth has been applied to achieve the Plan's strategic aims:-
- Reviewing existing commitments,
 - Maximising urban capacity & optimising density,
 - Allowing for small windfalls beyond that included in Local Plans,
 - Allowing for 'non-strategic' growth,
 - Assessing potential strategic locations, and
 - Assessing other sources e.g. empty homes, specialised housing such as Students & residential care homes etc
- 5.16 Policy 3: Affordable Housing Target: There is a critical need to deliver the affordable housing needs for the West of England. The Policy sets the Affordable Housing Target and the framework to boost the delivery of Affordable Housing across the West of England from 2016-2036.
- 5.17 Policy 4: Employment land requirement: This policy sets out the overall West of England jobs requirement and identifies key strategic employment locations including:
- Existing primary centres
 - Enterprise Zones and Areas
 - Key strategic employment locations
 - Additional employment land (floor space and ha) provision will also be identified at strategic development locations.

- 5.18 Policy 5: Place making principles: This policy sets out the strategic principles to ensure the delivery of high quality and sustainable new development incorporating multi-functional place making principles. These principles will be taken forward and refined through Local Plans and supporting Supplementary Planning Documents.
- 5.19 Policy 6: Strategic Infrastructure: The delivery of new homes through the JSP has an impact on the strategic infrastructure requirements for the West of England. The growth provided through the JSP will add to historic pressures on infrastructure namely transport. The JSP will ensure new development is properly aligned with infrastructure. This policy identifies the strategic infrastructure required to deliver the JSP growth elements. This will reflect the JSP Key Diagram and the supporting Infrastructure Delivery Programme.
- 5.20 Policy 7: Strategic Development Locations (SDL): This policy sets out the specific policy requirements for each of the proposed SDLs. These locations will not be allocated through the JSP. It will be the role of the new Local Plans prepared by individual authorities to make the allocations for the SDLs and provide delivery guidance.

Duty to Cooperate

- 5.21 The 4 authorities of the West of England; Bath & North East Somerset Council, Bristol City Council, North Somerset Council, South Gloucestershire Council and the West of England Combined Authority are committed to work collaboratively through a plan-led approach. Engagement with neighbouring authorities has been ongoing. This is consistent with the Government's core planning principles and the Duty to Cooperate (DtC). By preparing the JSP the 4 authorities are ensuring compliance with the DtC.

6 RATIONALE

- 6.1 The four Unitary Authorities (UAs) have sought to ensure that the JSP is "sound" under the National Planning Policy Framework – namely that it is:
- **Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
 - **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
 - **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
 - **Consistent with national policy** – the plan should enable the delivery of sustainable development

- 6.2 The reasoned justification included after the policies in the Plan, along with the supporting attachments to this report, explains the rationale for the preferred spatial strategy and why the UAs think that this accords with the requirements for soundness.

7 OTHER OPTIONS CONSIDERED

- 7.1 In seeking to formulate the most appropriate strategy (see para 6.1 above), the four UAs have been obliged to consider the reasonable alternatives. Alternative approaches considered are included in;

- The reasoned justification to the Policies in the JSP publication document
- Appendix C: Draft Sustainability Appraisal (summary).
- Appendix D: Habitats Regulation Assessment update paper.
- Appendix E: Report on Engagement and main issues raised.
- Appendix F: Topic Paper 1: The Housing Requirement.

8 CONSULTATION

- 8.1 The preparation of the JSP has entailed extensive internal liaison across services within B&NES and between the four UAs. It also reflects legal advice at key points in its preparation. This report has had Monitoring Officer and section 151 officer input.
- 8.2 As required by the statute and regulations, preparation of the JSP has entailed extensive community engagement. The Plan now enters a more regulated stage with notification of its publication under Reg 19 and the opportunity for respondents to appear at the forthcoming exam.

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.
- 9.2 There are the following risks associated with this project:
- **Risk:** That the Plan is not found sound.
 - **Mitigation:** The plan has been prepared following guidelines and planning regulations, with extensive public consultation. Professional advice has been sought where needed to inform the drafting of the plan.
 - **Risk:** That there is a significant issue raised during the consultation which will delay the submission.
 - **Mitigation:** as above the plan has been subject to previous consultation to ensure early sight of critical issues to address.

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Background papers	<i>National Planning Policy Framework 2012</i> <i>National Planning Practice Guidance</i> <i>The Town and Country Planning (Local Planning) (England) Regulations 2012</i> <i>Planning & Compulsory Purchase Act 2004 (amended)</i> <i>B&NES Core Strategy 2014</i> <i>B&NES Placemaking Plan 2017</i> <i>LEP Strategic Economic Plan</i> <i>Joint Transport Study 2017</i>
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