

<b>Bath &amp; North East Somerset Council</b>	
MEETING:	Planning, Transport & Environment Policy Development and Scrutiny Panel
MEETING DATE:	15 <sup>th</sup> January 2013
TITLE:	B&NES Core Strategy Update
WARD:	ALL
<b>AN OPEN PUBLIC ITEM</b>	
<b>List of attachments to this report:</b>	
none	

## **1 THE ISSUE**

- 1.1 The B&NES Core Strategy examination has been suspended in response to concerns raised by the Inspector primarily about the sufficiency of the District's housing land supply. This enables the Council to undertake further work on the Core Strategy including a review of the District's housing need. This review is underway and will lead to changes to the Core Strategy to be considered by Council in February or March 2013.
- 1.2 The other concerns raised by the Inspector relate to the affordable housing policy, clarity on the planning policy for the Recreation Ground, the District Heating policy and the number of pitches required to accommodate the travelling community.

## **2 RECOMMENDATION**

The Planning, Transport & Environment Policy Development and Scrutiny Panel is asked to note and comment on the progress on the review of the Core Strategy.

### **3 FINANCIAL IMPLICATIONS**

- 3.1 The work on the Core Strategy and other planning documents is funded by the Local Development Framework budget. However provision was made by Cabinet in September 2012 to draw down on up to £100k to fund the additional work required on the Core Strategy. This extra funding is required to cover specialist advice and also to ensure the work is completed in as short a time frame as possible.

### **4 THE REPORT**

- 4.1 The key elements of work underway on the Core Strategy are to;

- (1) review the housing requirement, and
- (2) assess the options to increase housing land supply, including the identification of suitable and deliverable sites.

- 4.2 The other main areas of work are to respond to the Inspector's concerns that;

- (3) the existing blanket requirement that 35% of all new housing sites should be 'affordable housing' does not reflect the viability evidence across the district,
- (4) the Council's planning policy for the Recreation Ground set out more clearly,
- (5) the District Heating policy is unjustifiably onerous, and
- (6) the Core Strategy should update the number of pitches required to accommodate the travelling community.

#### **Review of the housing requirement**

- 4.3 The work underway entails;

- reviewing the Strategic Housing Market Assessment (SHMA) in order to the scale and mix of housing and the range of tenures that is likely to be needed over the plan period to meets household and population projections, taking account of migration and demographic change;
- consideration of the housing delivery shortfall from the existing B&NES Local Plan;
- establishing a 5 year housing land supply with a 20% buffer;
- assessing options to enable flexibility in housing supply in the event that there is any delay to existing sites or growth is greater than anticipated,
- ensuring a 15 year plan period following adoption
- responding to the need for affordable housing and how this influences the total housing requirement.

- 4.4 A key aspect of population and housing growth relate to the level of increase in student numbers and the level of economic growth. Economic growth generates additional employment and hence additional housing need. B&NES, being part of the West of England Local Enterprise Partnership (LEP), has committed itself to ambitious growth targets.

## Housing Land Supply

- 4.5 NPPF para 47 states that local planning authorities should ensure that their Plans meet the full, objectively assessed needs for market and affordable housing in the housing market area. All sources of supply will need to be reviewed including bringing in empty properties back into use, windfall sites and student accommodation. A key task will be a review of the Council's Strategic Housing Land Availability Assessment (SHLAA) which is a comprehensive record of the District's housing land supply, primarily sites.
- 4.6 Regarding the assessment of new locations, the NPPF (para 182) requires that the Council will need to demonstrate that it has chosen the most appropriate strategy when considered against reasonable alternatives based on a proportionate evidence base. Sites will be assessed against the requirements of the NPPF and the seven Core Strategy objectives. This includes issues such as environmental impact; deliverability; minimising the need to travel; maximising the use of sustainable transport modes, capacity. The Sustainability Appraisal will be a key tool in comparing options. Other factors to consider are summarised below.
- 4.7 *Infrastructure:* New development must be aligned with provision of infrastructure. The B&NES Infrastructure Delivery Plan (IDP) assesses the quality and capacity of infrastructure within B&NES (including transport, water supply, waste water energy telecommunications, utilities, waste, health, social care, education and flood risk), and its ability to support development. The IDP identifies as far as possible the needs and costs of infrastructure, sources of funding, timescales and responsibilities for delivery and gaps in funding.
- 4.8 *Commuting patterns:* Any new development locations should be those which reduce the need to travel and maximise the opportunities to travel by sustainable modes of Transport. Any changes to the Core Strategy should not exacerbate unsustainable commuting patterns, both within the district and across boundaries.
- 4.9 *Green Belt Review:* Before taking land out the Green Belt, all non-Green Belt options must be considered. In the event that options in the Green Belt need to be considered, a Green Belt review will be required. This will assess the extent to which different locations serve the purposes of the Green Belt as outlined in national policy (NPPF, para 80) and amplified in the draft Core Strategy (table 8). The conclusions of this Green Belt assessment will then need to be balanced against other sustainability considerations.
- 4.10 *Deliverability:* The revised strategy must be deliverable and must facilitate the need to ensure that the district has a 5 yr supply and appropriate buffer (NPPF para 47). Whilst the SHLAA review will take into account the Inspector's concerns about flexibility regarding individual sites, the Council will also need to ensure that there is broad flexibility in the overall strategy and the need for contingency. The NPPF makes it clear that pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking, and requires that sites are deliverable.
- 4.11 The timetable for making changes to the Core Strategy is set out below;

<i>Review housing requirement (SHMA)</i>	<i>Sept to Jan 2013</i>
<i>Develop changes to strategy</i>	<i>Now to Jan 2013</i>
<i>Council agrees changes to Core Strategy</i>	<i>Feb or March 2013</i>
<i>Consult &amp; consider comments</i>	<i>March -April 2013</i>
<i>Resume hearings (Confirm date with Inspectorate)</i>	<i>June 2013</i>
<i>Inspector's Report (Confirm date with Inspectorate)</i>	<i>Oct 2013</i>
<i>Adopt</i>	<i>Dec 2013</i>

#### **4 RISK MANAGEMENT**

- 5.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance. Of particular note is that, despite the changes being made to the Plan, it cannot be guaranteed that the plan will be found sound. Therefore, every effort is being to ensure the Inspector's concerns are addressed in a rigorous way, the changes are substantiated by robust evidence and statutory procedures are closely adhered to.
- 5.2 Until the Core Strategy is amended and adopted, the Council cannot demonstrate a five year land supply and hence is vulnerable to losing appeals on opportunistic planning applications in unsustainable locations.

#### **6 EQUALITIES**

- 6.1 An Equalities Impact Assessment was undertaken and the main issues arising are:
- The further work to be undertaken by the Council to address concerns raised by the Inspector includes an NPPF compliant assessment of the full housing requirement for B&NES. This will identify the scale and mix of housing and the range of tenures that is likely to be needed over the plan period which addresses the need for all types of housing, including affordable housing and the needs of different groups in the community. This will achieve a positive outcome for all equalities groups.
  - As stated in the risk management section above there is a limited risk that the Inspector might still not find the Core Strategy sound and that it will have to be withdrawn. In this scenario there would be potential for adverse impacts for all equalities groups through non-delivery of the many positive impacts of the Core Strategy. Examples include provision of less affordable homes, no policy on housing mix, and no policies promoting a mixed economy.
  - The time available prevents the Council from undertaking extensive public engagement in a way that it would normally do on significant changes. Therefore care will be taken in consultation in March/April 2013 to ensure the vulnerable and target groups have the opportunity to comment on the changes.

## 7 CONSULTATION

- 7.1 *Ward Councillor; Cabinet Member; Parish Council; Town Council; Other B&NES Services; Service Users; Local Residents; Community Interest Groups; Stakeholders/Partners; Other Public Sector Bodies; Section 151 Finance Officer; Monitoring Officer*
- 7.2 Any changes agreed by Council will be subject to at least 6 weeks public consultation in accordance with its Neighbour Planning Protocol. The public comments received on the consultation will be presented to the Inspector at the hearings when they resume in June/July 2013. The limited time available will curtail the extent of community engagement that the Council normally seeks to undertake on such issues but there will be further opportunity for public involvement in the development of site proposals through the Placemaking Plan. Anyone who makes an objection can appear at the hearings and present their case to the Inspector.
- 7.3 The Council also needs to work adjoining authorities in the consideration of any changes to its Core Strategy.

## 8 ISSUES TO CONSIDER IN REACHING THE DECISION

- 8.1 *Social Inclusion; Customer Focus; Sustainability; Human Resources; Property; Young People; Corporate; Other Legal Considerations*

## 9 ADVICE SOUGHT

- 9.1 The Council's Monitoring Officer (Divisional Director – Legal and Democratic Services) and Section 151 Officer (Divisional Director - Finance) have had the opportunity to input to this report and have cleared it for publication.

<b>Contact person</b>	<i>David Trigwell (Divisional Director - Planning and Transport, Planning and Transport Development 01225 394125)</i>
<b>Background papers</b>	<i>Draft Core Strategy 2010</i> <i>Inspector's preliminary Conclusions (Ref ID/28)</i> <i>B&amp;NES Response to ID/28 (BNES/39)</i> <i>Inspector's agreement of suspension ( ID/29)</i> <i>National Planning Policy Framework 2012</i>
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