



Planning Policy
Planning Services
Bath & North East Somerset Council
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SENT BY E-MAIL AND POST

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Dear Sir / Madam

BATH & NORTH EAST SOMERSET – PLACEMAKING PLAN PART 2 OF THE LOCAL PLAN CONSULTATION

Introduction

Thank you for consulting with the Home Builders Federation (HBF) on Bath & North East Somerset (BANES) Placemaking Plan Part 2 of the Local Plan. The HBF is the principal representative body of the house-building industry in England and Wales. Our representations reflect the views of our membership, which includes multi-national PLC's, regional developers and small, local builders. In any one year, our members account for over 80% of all new "for sale" market housing built in England and Wales as well as a large proportion of newly built affordable housing. We would like to submit the following comments and in due course attend the Examination Hearings Sessions for the Placemaking Plan.

Strategic Planning, OAHN and Housing Requirement

For this consultation a single document is presented incorporating both the adopted Core Strategy and the Placemaking Plan. It is understood that the Placemaking Plan comprises the site allocations and development management policies to deliver the vision and strategic objectives of the adopted Core Strategy. **Policy DW1** of the adopted Core Strategy includes a housing requirement of around 13,000 homes between 2011 – 2029. As set out in the Inspector's Final Report "*13,000 is not a cap on housing development and more than 13,000 can and should be permitted when consistent with other policies*".

Policy DW1 Bullet Point (a) states that the first review will be co-ordinated with the West of England Core Strategy reviews in around 2016. This statement is somewhat vague and unspecific. The Council should be more

transparent about its proposals for the review of the adopted Core Strategy, the amalgamation of the Placemaking Plan and Core Strategy into one document and the relationship of the Local Plan with the West of England (WoE) Joint Spatial Plan (JSP) for 2016 - 2036. It is understood that a revised Local Development Framework proposes a partial review of the adopted Core Strategy to align with the preparation of the WoE JSP to be followed by a full review of the adopted Core Strategy at a later date.

Even though the Council is a partner authority of the WoE JSP there is no reference to the WoE JSP in the Placemaking Plan and its role as a high level planning policy framework for the sub-region. At this time the Council must be aware of the significant concerns of the development industry about the supporting evidence of the JSP in particular the calculation of OAHN on the basis of a Wider Bristol Housing Market Area comprising of North Somerset, South Gloucestershire and Bristol excluding BANES. If this supporting evidence remains unchanged there is a likelihood that an Inspector examining the JSP would determine that the JSP is unsound undermining its envisaged function as a basis for future plan making across the sub-region. This strategic matter must be resolved as soon as possible by the four neighbouring authorities and the WoE Local Enterprise Partnership (LEP). These concerns have been submitted by the HBF to the WoE JSP Issues & Options consultation which ended on 29th January 2016.

It is obvious that new evidence of OAHN arising within BANES and Wider Bristol HMA indicate that the scale of development within BANES will change significantly before the end date of the adopted Core Strategy in 2029. With specific reference to OAHN for BANES the implications of student numbers and Houses in Multiple occupation as set out in the Bath document are unclear. The Council should provide further explanation.

Therefore additional housing sites will be required so Placemaking Plan policies should be flexible in order to facilitate future development. In this context the Housing Development Boundaries proposed on the basis of the Core Strategy housing requirement rather than meeting longer term housing needs will become out of date very quickly after adoption of the Placemaking Plan. Indeed the restriction of development to sites within Housing Development Boundaries in **Policy SV1** will overly constrain future development.

When allocating sites the Council should be mindful that to maximize housing supply the widest possible range of sites, by size and market location are required so that house builders of all types and sizes have access to suitable land in order to offer the widest possible range of products. The key to increased housing supply is the number of sales outlets.

Bullet Point (3) of **Policy DW1** states the Councils intention of "*prioritising brownfield to limit need for greenfield sites*". If it is the Council's intention to prioritise brownfield before green-field then this approach would be contrary to national policy. It is suggested that the wording of this Bullet Point is changed to encourage the re-use of previously developed land. The core planning principle set out in paragraph 14 of the NPPF is to "*encourage the effective*

use of land by re-using land that has been previously developed (brownfield land)” such encouragement is not setting out a principle of prioritising brownfield before green-field land. Similarly paragraph 111 of the NPPF states that “Local Planning Authorities may continue to consider the case for setting a locally appropriate target for the use of brownfield land” again there is no reference to prioritising the use of brownfield land. The Council’s intention should not lapse back to previous national policies which are now inconsistent with current national policy. In paragraph 17 of his determination of the Planning Appeal at Burgess Farm in Worsley Manchester (APP/U4230/A/11/215743) dated July 2012 (4 months after the introduction of the NPPF) the Secretary of State confirmed that “national planning policy in the Framework encourages the use of previously developed land but does not promote a sequential approach to land use. It stresses the importance of achieving sustainable development to meet identified needs”.

Other Policies

The Council should confirm that the 100 or so Local Green Spaces proposed under **Policy LCR6A** are consistent with the definitions set out in paragraphs 76 and 77 of the NPPF. It is interesting to note that Cheltenham Borough Council is carrying out a similar consultation on Designated Local Green Spaces as part of its Cheltenham Plan Issues and Options consultation however the number of proposed designations amounts to only 29 areas which questions if there is a disproportionate number of proposed allocations in BANES. As stated in paragraphs 76 and 77 of the NPPF Local Green Space designation will not be appropriate for most green areas or open spaces because any areas designated as Local Green Spaces must be demonstrably special to a local community and be of particular local significance because of its beauty, historic significance, recreational value. The NPPG (ID 37-009-20140306) emphasises that Designated Local Green Spaces must be demonstrably special to the local community and therefore this special nature must be evidenced. The NPPG also advises that where land is already protected by designations such as Area of Outstanding Natural Beauty, Site of Special Scientific Interest, Scheduled Monument or conservation area, consideration should be given to whether any additional local benefit would be gained by designation as Local Green Space (ID 37-011-20140306). Designated Local Green Space should be local in character as opposed to an extensive tract of land as stated in the NPPG (ID: 37-015-20140306) the blanket designation of extensive tracts of land and open countryside adjacent to settlements is not appropriate. Paragraph 78 of the NPPF confirms that managing development within a Designated Local Green Space should be consistent with national policy for Green Belts. Therefore Designated Local Green Spaces should not be proposed to achieve by stealth what could be seen as the designation of a new localised Green Belt around smaller settlements.

Development Management Policies

It remains uncertain how the Council will define or assess “delight” as set out in **Policy D1**. **Policies D2, D3, D4, D5** and **D6** are repetitive especially given that specific "Development Requirements and Design Principles" are also set

out for each allocation. The Council should consider further refinement and streamlining to produce a shorter more concise document.

With reference to **Policy CP6** Bullet Point (b) the Council's understanding of Building for Life 12 scoring should be re-assessed. It is understood that a score of 9 out of 12 greens rather than 12 greens from an independent assessor forum would be sufficient to warrant Building for Life 12 status.

With regard to the financial contributions sought for public realm infrastructure improvements under **Policy D10** the Council is reminded of advice set out in the NPPG in particular ID 23b-004-20150326. The Council is also reminded that the use of Supplementary Planning Documents (SPD) should not introduce additional costs and it is inappropriate to hide policy requirements in an SPD.

It is not obvious if the Council's proposals on accessibility set out in **Policy H8** have been viability tested.

The requirements of **Policy SCR1** for on-site renewable energy of at least 10% and **Policy CP4** for District Heating provision should be re-checked by the Council for consistency with national policy.

The Council may also wish to take into account of any future changes arising from the current consultation on the definition of affordable housing and starter homes before submission of the Planmaking Plan for examination

Conclusions

For the BANES Placemaking Plan to be found sound under the four tests of soundness as defined by paragraph 182 of the NPPF, the Plan should be positively prepared, justified, effective and consistent with national policy. It is suggested that the Council gives further consideration to the aforementioned matters in order to produce a sound Plan. In the meantime it is hoped that these comments are of assistance to the Council in preparing the next stages of the Placemaking Plan. If the Council requires any further information or assistance please contact the undersigned.

Yours faithfully
for and on behalf of **HBF**



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