

**NOTES OF SOUTH GLOUCESTERSHIRE CORE STRATEGY EXPLORATORY
MEETING HELD ON THE 29 JUNE 2011 IN THE ARMSTRONG HALL, THORNBURY
COMMENCING AT 14:00hrs**

This note outlines the matters discussed at the Core Strategy Exploratory Meeting. A summary of matters raised by the inspector under each agenda item is provided, followed by questions and statements from the audience and the Council's response where appropriate.

Opening & Introductions

The Inspector, Paul Crysell opened the meeting at 14:00hrs and welcomed everyone. He introduced Kath Thorne, the Programme Officer and indicated that any queries regarding the Examination in Public (EiP) process should be directed to her.

Patrick Conroy introduced himself, the Spatial Planning Team Leader, Barbara Maksymiw, Head of Planning & Environment and Suzanne Ornsby Counsel, representing South Gloucestershire Council. Christopher Boyle, Counsel to Paul Kentish acting on behalf of Britel Fund Trustees, owners of Abbey Wood Retail Park, introduced himself and Mr Paul Kentish.

Purpose & scope of the Exploratory Meeting (EM)

The Inspector said that following his preliminary reading of the South Gloucestershire Core Strategy (CS) he had some concerns which had led him to call an Exploratory Meeting (EM). This was being held in order to help him decide whether to continue with the examination into the Plan. He did not wish to waste time, effort and the expense for those involved in the process if he felt it was likely that the CS in its present form would be likely to be found unsound.

Mr Crysell explained that the EM was not a forum to discuss the merits of any policy, location or particular site, but was intended to assist him in deciding how the process should move forward. The Inspector said he would allow the opportunity for members of the audience to comment should they wish to do so, but for agenda item 3 he primarily wanted to hear the views of the Council and Britel. He stated that his decision to hold an EM did not mean that he had taken any view on the soundness of the Plan.

The Council had responded the previous afternoon to a note which the Inspector had sent asking it for its views on a number of matters but he had not had sufficient time to take its contents fully into account. Copies of the Council's response were available for those attending the meeting and it was also available on the South Gloucestershire website.

Q Ian Crawford, Transport for Greater Bristol Alliance, stated he had not seen the Council's response, therefore there had been no time to understand the Council's responses. He suggested that the meeting be postponed until everyone had a chance to appraise questions and answers.

A The Inspector pointed out that the meeting was intended to assist him and the Council's response was not intended for other parties to comment on at this stage. Therefore he saw no need to halt the meeting.

Agenda Item 3 – Status of the Core Strategy document

Mr Crysell said that Britel Fund Trustees had raised a number of matters relating to the process followed by the Council in producing the CS and he wished to explore these.

Mr Boyle on behalf of Britel stated he would not be raising any matters with regard to non-compliance with the requirements of the Habitats Regulations and related Directive.

In relation to the EU Directive on Strategic Environmental Assessment (SEA Directive 2001/42/EC) and associated Environmental Assessment of Plans and Programmes Regulations 2004 (SI No. 1633) he identified his client's main concerns with regard to legality matters as follows:

- It was common ground between Britel and the Council that the December 2010 Proposed Changes consultation did not constitute formal consultation under Regulation 27.
- The Council did not send any copies of the submission documents to specific consultees as required.
- The Council did not produce all of the required submission documents – given the absence of the Proposals Map in the summer 2010 consultation period. It was misleading as to when the Regulation 27 consultation began.
- The March 2010 Sustainability Appraisal (SA) Report was marked as draft and the December 2010 SA Report contained new text that demonstrated the March version was not the final version. The SA Report did not consider an alternative scenario for Abbey Wood Retail Park as set out in the 2008 Issues & Options document and it failed to give reasons for the rejection of alternatives.
- The required local advertisement did not include a statement of the representations procedure and was not published on the same date as notifications to stakeholders were sent.
- The notifications sent to stakeholders in March and May 2010 did not indicate the period within which formal consultation under Regulation 27 was taking place.

Counsel on behalf of South Gloucestershire explained that the Council's response to Agenda item 3 is set out in detail in its detailed written response (28th June 2011) at paragraphs 2.1 to 2.35. In summary this is as follows:

- The Council conducted consultation on the CS as a three stage process:
 1. Regulation 25 Issues & Options
 2. Regulation 27 Pre-Submission Publication Draft
 3. Regulation 30 Submission
- The March 2010 Pre-Submission Draft (SD1) made it clear at paragraphs 1.31 and 1.32 that it was the intended submission version. Appendix 2 of the Council's response contains the 8 March 2010 Cabinet report. This matter is further confirmed by the letter from Cllr Calway at Appendix 1.
- The Council does not dispute that changes to the Proposals Map were not consulted on at the time the Publication Core Strategy was published in March 2010. However, this was corrected in December 2010 when all the changes to the Proposals Map arising both from the Publication Core Strategy over the

previous summer and from consultation responses to this document were identified and consultation was undertaken in January and February 2011 – see Changes to the Proposals Map December 2010 (SD5).

- The figures contained in the March 2010 CS clearly demonstrated all the significant changes that were required to the Proposals Map. The only significant changes have been the urban extensions and housing opportunity area and these are all given in Figures 5, 6, 7, 8, 11, 12, and 13.
- SD/11 series of CS examination documents sets out the processes and procedures that fulfil the requirements of the Regulations.
- Notification letters were sent to stakeholders one day after the notice had been placed in the local press and consultation lasted for well in excess of the required six week minimum. A specified start date is not required under Regulation 27. The notifications gave clear instructions about how to make representations and the guidance notes that accompanied the representation forms gave all required information as well. The notifications clearly stated where documents could be viewed. This information was clearly set out in the 26th May 2010 letters – detailed at Appendix 3 of SD12/1
- The plain guide summary leaflet that set out the main proposals in the CS was sent to all consultees with the May 2010 consultation notification.
- The SA process is iterative therefore it does not become final until submitted. Changes were made to the SA Report in order to respond to representations that requested further evidence. The amendments in the December 2010 documents were fully consulted upon prior to the Plan being submitted.
- A site allocation is not being made in respect of the Abbey Wood Retail Park and therefore an appraisal of it is not required in the SA Report. The reasons for this are set out in paragraphs 2.14 and 2.15 of the Council's statement.
- Consultation undertaken by the Council far exceeds minimum requirements. This and the placing of the advert have been conducted in a way that communities can understand. Resolution 3 of the 8th March 2010 Cabinet Report clearly stated the intention of the Council to make stakeholders aware of the forthcoming CS consultation.
- The failings of the SA Report for the Forest Heath CS do not relate directly to the situation in South Gloucestershire for the reasons set out at paragraph 2.43 of the Council's response.

The matters raised by Britel are minor and represent a technical breach. When compared with the actions that the Council has taken to address these matters, this has not resulted in anyone being prejudiced. The principles of good consultation have been fulfilled and the Council has complied with the necessary stages of plan production.

Q Ian Crawford said that he has received no response to his representations made in 2010 and asked if the Inspector has all submissions by respondents.

A The Inspector confirmed he had been provided with copies of every response. It was not the purpose of the meeting to consider these but he would have regard to the issues raised in the consultation responses during the Examination Hearings.

Agenda Item 4 – Housing

The Inspector noted that the Council placed considerable weight on the Localism agenda but was concerned there could be tension between these objectives and the recent Ministerial Statement 'Planning for Growth'. This was complicated further by recent high court decisions concerning the Regional Strategy (RS), and how much weight should be placed on it.

In addition the Inspector also raised the following:

- how the housing target in the CS has been arrived at, what evidence supports it and the consideration given to other figures put forward previously.
- While these are matters for the EiP to consider he needed to be confident that were he to proceed with the CS any further changes that might be needed to the Plan should be minor.
- Whether the likelihood of new legislation emerging in the Localism Bill has implications for progress in examining the CS, particularly if there was any delay at this stage.
- Whether the emphasis in the CS on the current state of the economy is warranted given the 15 year timescale of the Plan.

Ian Jewson – Ian Jewson Planning Ltd

- It should be recognised that the evidence base that supports the draft RS is more up to date than that for RPG10 and should therefore be afforded weight.
- The CS contains a delivery based approach rather than needs based which is contrary to PPS3.
- There has been an under-supply of housing land in South Gloucestershire for many years. The CS should be started again. There has been a flawed SHLAA process, no Green Belt review and no SA undertaken of the effects of undersupply.

Local Resident – Mike Archer, Brimsham Park Campaign

- The housing numbers proposed in Yate and Thornbury are not sustainable or justified.

John Baker, Strategic Land Partnerships

- Statute and policy must be followed. There has been no debate over the requirements of PPS3 so this must be adhered to, as demonstrated in the recent Bristol City Core Strategy Inspector's Report.
- Localism Bill not yet enacted. There is a difference between locally "driven" and locally "determined".

Member of the public (name not taken)

- South Gloucestershire Council and the Town Councils do not listen to local people.

Jacqueline Mulliner, Terence O'Rourke on behalf of Bloor Homes & Barratt Developments

- The Localism Bill and Planning for Growth will mean some difficult decisions, however the Localism Bill states that housing supply must be made in accordance with evidence and that Localism will help shape its delivery.

Dominic Lawson, Dominic Lawson Planning

- PPS3 para 33 is still extant and requires housing figures to be determined by the RS. The Council's housing justification paper was post-hoc, does not properly justify the CS approach and has not been subject to consultation.

Ian Mellor, Barton Willmore

- The CS housing strategy is not based on any quantifiable evidence.

Roger Daniels, Pegasus Planning

- The CS should not be delayed as progress can be made through the Examination process. The only effective way to determine the merits of the evidence base and the justification cited for establishing the housing requirement is to do this through the EiP process.
- If a delay occurs new legislation may make it more difficult to change plans.

Bob Hall, Ramblers' Association

- Important to have clarification on the housing numbers both for South Gloucestershire and the West of England.

Charles Eardley-Wilmot, Concern for Thornbury

- The strategy for Thornbury is flawed as it does not align with the Local Plan Inspector's comments.

The Council then made the following points:

The question of whether or not it is lawful to abolish the RS must be taken in the context of Section 24 of the 2004 Act which requires general conformity with the Regional Strategy. Because the South West Regional Spatial Strategy was never adopted, RPG10 is the adopted Regional Strategy with which the CS is in general conformity. Therefore, the specific issues of conformity in relation to the Cala 3 judgement do not apply as the RS has never, and will never be, the development plan. However, the RS is a material consideration. Therefore the Inspector will have to consider how much weight should be given to the Draft RS after hearing evidence at the EiP.

In response to the other matters raised by the inspector and to those matters that related directly to agenda item 4 as raised by the audience, Mr Conroy stated the following:

- The CS demonstrates a bottom-up approach which reflect the Plan's vision, spatial objectives and development strategy. This effectively takes environmental, infrastructure constraints and community concerns into account in accordance with the principles of localism.
- The CS reconciles competing tensions and the evidence fully explains how the 21,500 figure has been reached. There is a clear and robust rationale for the CS housing requirement. This is set out in the Housing Justification paper. This makes it clear that the circumstances that underpinned the RS evidence base have now significantly altered. In particularly, funds for infrastructure upon which

- Examination hearings sessions must test these matters and the Council would be comfortable in reiterating these matters at the EiP. The views of Roger Daniels were very much supported. Delaying the CS by any amount of time must be considered very carefully as there will still not be an adopted Regional Strategy and the same issues will be present. All the matters raised can be explored during Examination hearing sessions.
- There is sufficient flexibility in the CS to deal with changing circumstances. The Council is confident that given its approach to Filton Airfield and the other 'pegs' in the CS – as detailed at paragraphs 3.28 and 3.29 – there is sufficient scope to respond to the housing market and economic conditions expected over the whole plan period.

Agenda item 5 – Green Belt

The Inspector noted that the Council had identified land in the Green Belt (GB) intended for a new neighbourhood development but that this area would only be removed from the GB through a later Development Plan Document. The Council had also identified another area of GB land which could be used for contingency purposes, if required. He was concerned that the Council was adopting a piecemeal approach to modifying GB boundaries which did not appear to be consistent with PPG2.

Ian Jewson, Ian Jewson Planning

- In the 2006 Green Belt Assessment the Council referred to a further Green Belt review taking place but this has not been undertaken.

Graham Parker, PJ Planning

- The CS has put a process in place for the Cribbs/Patchway New Neighbourhood, but does not give a firm enough place-making structure. He added that he has been excluded from discussions. [Responded to by Inspector that this is an issue for hearings].

Tim Baker, Strategic Land Partnerships

- PPG2 requires the Council to assess the Green Belt if it is to be altered in the Plan period, which it is.

Michael Hems, Catbrain Residents' Association

- Questioned the validity of the inclusion of the A4108 contingency site, to which the Inspector advised that this would be a matter of detail for hearing sessions.

Mr Conroy responded to these points as follows:

- The Government has made clear the value it places on the Green Belt and this can be seen in the context of the CS's overall vision and strategy. Filton Airfield and land west of the A4108 gives the flexibility to not build in the Green Belt beyond that identified.

- The CS is clear that the East of Harry Stoke New Neighbourhood will be removed from the Green Belt and delivered through the CS. If there are any inconsistencies in this respect then the Council is confident that through the EiP process, minor amendments can be made to the relevant policies in the CS to address this matter.
- The approach taken for land west of the A4108 is consistent with the plan, monitor and manage approach, as referred to by the Inspector of the Bristol Core Strategy. It is therefore entirely appropriate to consider this site as a contingency site as set out in Policy CS5.
- The Council's written responses as set out in paragraphs 4.1 to 4.6 explain the approach to how the Green Belt has been assessed. The introduction of Filton Airfield increases further the flexibility of the CS. The Council does not intend to produce a further Green Belt assessment.

Agenda Item 6 – Filton Airfield

The Inspector felt that the Filton Airfield Position Statement seemed to relegate the future of the airfield to a future Development Plan Document. He accepted that the timing of the proposed closure had made it difficult for the Council but questioned whether it would be better to step back and fully integrate the airfield site into the CS before proceeding with the Examination process.

The following matters were also raised by those attending the meeting:

Ann Bartaby, Terence O'Rourke on behalf of BAe Systems

- BAe welcomes the Position Statement but are still reviewing it. Concern raised over potential relegation to a further DPD.
- A meeting is being held (week commencing 4th July) with South Glos officers which will inform the response to the Position Statement [Inspector requested the response be sent to him by Friday 8th July].

Dominic Lawson, Dominic Lawson Planning

- Questioned whether the airfield should cease operating and whether it should be for housing or other uses.
- The airfield is a strategic issue which should be taken forward with Bristol City Council.

Mike Archer, Brimsham Park Campaign

- The houses proposed for North Yate should be moved to the airfield.

Mr Conroy responded to these points as follows:

- South Gloucestershire Council fully recognises the circumstances arising from the intended closure of Filton Airfield. Given the timing of this announcement and advanced stage of the CS, it has responded positively and constructively to this situation – fully complying with the requirements of PPS12.
- The Council has clearly and robustly set out its intended strategy and approach to handling this matter through the CS. This is in accordance with the plan led system. It is clear in the Position Statement that Option 3 is the Council's preferred approach and that the airfield should form part of the Cribbs/Patchway New Neighbourhood.

- However, the Position Statement recognises the dilemma of further delaying the CS with the need to bring forward the timely and necessary delivery within this strategic location. The approach set out in the Position Statement enables the Council to fully recognise the significance of the airfield in the CS, set out the strategic principles to guide the comprehensive and integrated planning of the site, with the need to support existing developer partners and ensure progress on development options can be made.
- Policies CS26 and CS26a provide sufficient certainty for the airfield to come forward. This is proportionate and commensurate with the role and functions of the CS and represents a pragmatic approach given the timing of this announcement.
- No technical evidence has been provided by BAe Systems to date. The Council is therefore fully justified to make it clear that the further planning and delivery of this site should be taken forward through the Policies, Sites and Places DPD, having established the broad spatial direction and key principles in the CS.
- The Filton Airfield Position Statement makes it clear that it does not consider the operational use of the airfield is a viable option and that instead it should be an integral part of the Cribbs/ Patchway New Neighbourhood. However, the Position Statement does not confirm any particular land use but indicates that given the site's brownfield status and excellent sustainability characteristics, mixed use is probably the most appropriate way forward.
- A note of the meeting with BAe Systems will be produced and made available to the Inspector and placed in the CS Examination Library.

Agenda items 7 and 8 – Options open to the Inspector and next steps

The Inspector said that he fully recognised the pressures and challenges facing the Council and of the importance of having an up to date CS in place as soon as possible, given the very real prospect of planning by appeal. However he also had to be satisfied that he could undertake the Examination in the expectation that he could find the Plan sound. He therefore outlined the possible options open to him:

1. Progress to EiP – September/October - and ask the Council to undertake extra work which can be carried out in parallel with the EiP to inform the process before he completes his report.
2. Defer the EiP for a period of 3-6 months, to allow more work to be done to address specific concerns the inspector has before the EiP proceeds.
3. Recommend that the Council withdraws its Plan and review those key issues that make the Plan vulnerable and likely to lead to a finding of unsoundness.

The inspector explained that a note of this meeting will be published and put on the website and in the Examination library. He will await the outcome of the meeting with BAe Systems and will issue his formal note on his views and suggestions on the way forward in 2 to 3 weeks time.

In response to these options Counsel for the Council advised the Inspector to proceed with the EiP and that withdrawal of the Plan was only an option if the issues of soundness cannot be overcome by options 1 and 2.

Q Graham Lanfear, local resident – The CS should make provision for small sites and/or the construction of single dwellings.

A The Inspector responded that this can be pursued at future hearing sessions.

The Inspector thanked everyone for attending and closed the meeting at 17:10hrs.

pc
7/7/11