

Mr P Crysell
C/o Kath Thorne
Programme Officer
South Gloucestershire Core Strategy Examination

Date: 3rd May 2013
Your Ref:
Our Ref:
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By Email

Dear Mr Crysell,

South Gloucestershire Council Response to:

- 1) Inspector's Further Main Modifications**
- 2) RS Revocation and ONS 2011 Household Projections**

This letter contains the council's response to,

- 1) Your Further Main Modifications to the Core Strategy and,
- 2) Your request for comments on the recent announcement of the revocation of the South West Regional Strategy and the publication of the ONS 2011 household projections.
- 3) In addition the Council would also like to draw your attention to the recent Engine Common appeal decision and the potential consequential impacts for the Core Strategy.

1) Inspector's Further Main Modifications

The Council generally welcomes the Further Main Modifications to the Core Strategy, in particular the policies set out below where we support the following changes with regard to:

Policy CS5 (MM7)

- simplifying, re-wording and re-ordering the policy. However, as drafted, the policy doesn't acknowledge a role for Neighbourhood Planning in the review of settlement boundaries, both within and outside the Green Belt, to meet local housing needs or support/enhance local services and their viability. It is therefore requested that reference to neighbourhood plans as a vehicle to bring forward settlement boundary revision, where this is consistent with the purposes of communities undertaking NPs, is set out in the policy/ supporting text as appropriate.

Policy CS14 (MM14)

- confirming in the supporting text that sequential and impact tests will be applied as part of any planning balance in determining retail planning applications in out-of-centre locations;

Policy CS15 (MM15)

- your confirmation that the strategic housing requirement is at 28,355, the 5 year housing supply requirement is 9,345 and the approach to dealing with the historic shortfall is the 'Liverpool' approach;

- your acceptance of the council's position on small site windfalls;
- the removal of all references to an Interim Housing Statement;
- your acceptance of the council's position that there is sufficient justification in respect of the North Yate New Neighbourhood to support the bringing forward of an additional 240 homes from the 2017/18 – 2021/22 time period into the 2012/13 – 2016/2017 time period;
- your acceptance of the council's view that the uplift in housing delivery (852 dwellings) identified in your Main Modifications at Appendix D para 10.6a September 2012, for the period 2012/13 – 2016/17 is to be met by policy compliant sites - North Yate New Neighbourhood and a new allocation at Morton Way North, Thornbury;
- your confirmation that the Local Plan review needs to be completed by 2021;
- that the Local Plan review should be undertaken based on the new Strategic Housing Market Assessment that is being prepared by the West of England;

The council also welcomes and supports the following Main Modifications:

- MM13, which moves land at Filton Northfield (Charlton Hayes) from the list of safeguarded employment sites in Table 1 of Policy CS12 to the list of interim safeguarded sites in Table 2. However, the council would request that the following wording is added to the supporting text:

“9.14 a A seven hectare site at the west of Charlton Hayes which was formerly identified as safeguarded has been re-designated to be interim safeguarded in recognition of changing circumstances in the wider area, to help facilitate discussion of its future role, and, to enable all relevant parties to address a number of technical issues through the vehicle of a planning application. This is without prejudice to any particular end-use except that it is not intended that it should cater for any significant retail development but may include residential or mixed-uses. Proposals should generally be consistent with, and where appropriate contribute to, the development of the CS26 new neighbourhood. The assumption, subject to the above, is of capacity for in the order of 100 dwellings in the period 2012/13 – 2016/17.”

- MM18, which clarifies Extra Care schemes in respect of the Use Classes Order.

Policy CS27 (MM23)

We would draw your attention to the Additional Further Modifications document produced by the council. This provides further clarification at supporting paragraph 12.26 confirming that programme delivery of the SGT has been achieved. We would therefore like to recommend that there is no need to include MM23 in the Core Strategy. Likewise, we would also like to advise that the references to programme delivery being required can also be deleted from paragraphs 1.37 and 4.17b for the reasons given above. For information the council did not request MM23 and it was not in Crest's submission.

Policy CS31 (MM25)

We note you have not recommended any further main modifications to this policy, however we would like to request that you give consideration to one. Following the amendments made to the housing trajectory in respect of the North Yate New Neighbourhood, we suggest the following further main modification amendment is made to the wording of Policy CS31 to ensure consistency between policies CS15 and CS31:

“...Development will be contingent upon the provision of appropriate strategic sewerage infrastructure. No more than ~~500~~ 750 dwellings will be allowed prior to the completion of the strategic sewerage infrastructure...”

Wessex Water have confirmed, to the satisfaction of the Council, that 250 dwellings on the Peg Hill site and 500 dwellings on the Heron controlled land can be built out within the capacity in the existing sewerage infrastructure.

Chapter 18 (MM29) Modification to criterion 1 to Policy CS37

We would like to request that reference to the deleted text is reinstated to Policy CS37. Local communities place significant value on their parish plans/ town strategies etc and although it is recognised that these are not statutory plans (DPDs or NPs), they nonetheless express the views and values of those communities. It is therefore not unreasonable for these to be material considerations in any planning decision. We therefore request that the original wording of the policy is reinstated.

The Council notes and has no further comments on Main Modifications MM19, MM22, MM26, MM27

2) RS Revocation and ONS 2011 Household Projections

The Council does not consider there are any implications for the Core Strategy arising from the impending revocation of the Regional Strategy (RPG10). The Core Strategy places no reliance on the Regional Strategy as it is quite dated and only covers the period to 2016. The council has nothing further to add beyond its position as set out in statement PSM5.

The implications of the ONS 2011 Household Projections on the Core Strategy are set out in the statement attached to this letter.

3) Engine Common appeal decision

The Council would like to formally advise you that this appeal decision was published on 8th April. The appeal by Bloor Homes Limited was dismissed and planning permission was refused. As you will recall parties representing this site at the EiP (Mr Christopher Young) made extensive representations. You may be aware that the Council had extensive correspondence with senior officers in PINS regarding the timing of the S78 appeal. The appeal went ahead on 5th -6th March, 11-12th and 15th March, as such the S78 Inspector did not have access to your Further Main Modifications.

The Council welcomes the decision to refuse the appeal. The decision is entirely consistent with the Council's Core Strategy position and your Main Modifications and Further Main Modifications respectively. Prior to the issue of your Further Main Modifications, the Inspector in the Engine Common appeal considered the emerging Core Strategy carried moderate weight. At a more recent S78 appeal - land at Morton Way Thornbury (appeal ref APP/P0119/A/12/2189213), also heard by Mr Pope, the Council argued that, following the production of your Further Main Modifications, the Inspector should now attach significant weight to the emerging Core Strategy.

In this respect the Council considers, in accordance with paragraph 216 of the NPPF, that significant weight can be placed on the Core Strategy with regard to the strategic housing requirement figure of 28,355, the 5 year housing supply target of 9,345 and the use of the Liverpool method for addressing the shortfall.

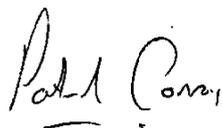
However, as a result of the approach taken by the S78 process, in scrutinising the evidence to support the delivery rates for the sites included within the 5 year housing land supply, a difference in view has emerged, compared with the view you have expressed through your Main Modifications and Further Main Modifications. The inspector for the Engine Common appeal decision has concluded that there is not a five year supply of deliverable units. However, he has not specifically identified what the shortfall is.

We are bringing this matter to your attention now, as demonstrating there is an adequate supply of land to meet the next five years' requirement is necessary for the Core Strategy to be found sound, under paragraphs 47 and 182 of the NPPF, at least at the time your final report is produced. However, given the decision in the Engine Common appeal, this now arguably affects your ability to formally conclude on this matter, without some potential at least for challenge.

Please therefore regard this letter as formally bringing this matter to your attention and our recognition that this issue needs to be resolved through the Core Strategy examination process, in a way which minimises any further significant delay to the Plan's adoption timetable, in order for it to be made sound and reduce the risk of a successful legal challenge. We also understandably want to reduce ad hoc applications for residential development that may be presented to the Council prior to the Plan being adopted.

It is therefore our intention to work with you to seek a suitable way forward. In this respect, we intend to provide you with a more detailed response, having reviewed our assessment of what we think the existing allocated/ permitted sites can deliver in the next 5 years. This statement will set out what the Council feels is the actual level of housing shortfall and will present options for how best this should be addressed. It will also detail how the Council proposes to resolve the 5 year housing land supply issue and will take into account the evidence presented in support of the omission/ challenge sites already before you. This will allow an adequate supply of housing land to be identified to enable the Plan to be made sound. This will be provided to you by 7th June, allowing for the time lost as a result of the May bank holiday periods. Please also be advised that this matter has been raised with PINS and they are aware of the issues.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Patrick Conroy', with a horizontal line underneath the name.

Patrick Conroy
Strategic Planning Policy and Specialist Advice Team Manager