Mr Michael Reep  
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16 January 2014

Dear Mr Reep

North Somerset Core Strategy: Examination of remitted policies  
Gleeson Development Ltd

These representations relate to the Council’s attempt to address the issues raised in the High Court and decision to remit policies to the Planning Inspectorate for re-examination. Particular interest is in policy CS13 relating to housing numbers for the District.

The Council have produced a ‘Statement for Consultation.’ The Council claim that the remitted policy has been amended from the original Core Strategy ‘in light of up to date information’. However the remitted policy is fundamentally flawed.

The planning landscape has changed significantly since the original Core Strategy was submitted for examination. It is no longer acceptable for policies to be prepared in isolation of neighbouring authorities with an inward looking approach.

The original Core Strategy was submitted for examination on 8 July 2011. Section 33A of the Planning and Compulsory Purchase Act 2004 came into force on 15 November 2011. As such the Council were able to have their document considered without having to comply with the Duty to Cooperate. This is no longer the case.

The Government has replaced strategic planning with a ‘duty to co-operate’ with adjacent local planning authorities. The remitted policy has to be considered to be compliant with the strategic role of planning. Failure to do so will undermine the whole Core Strategy as this pivotal policy would have no regard for the strategic role of North Somerset in the wider West of England SHMA. The revised policy already accepts that it would not be delivering the entirety of the housing need for the District in isolation. However there is no discussion of where the unmet need would be met.
The existing SHMA is dated 2009 (already out dated) and the Council acknowledge that a review of the SHMA for the West of England is being undertaken. The Council accept at para 24 of their consultation document that if higher housing numbers are required in North Somerset as a result of the revised SHMA then a review of the plan may be required. This approach is short sighted and fails to embrace the principles required for strategic planning providing a framework for the delivery of much needed development in the area.

The need for co-operate between planning authorities is not new and para 157 of the NPPF makes clear that ‘Local Plans should: ……. be based on co-operation with neighbouring authorities, public, voluntary and private sector organisations’. The remitted policy should embrace these principles and demonstrate how the revised housing figure has been informed by collaborative working with a wide range of bodies. The Council’s approach appears to be to develop a revised housing number on the minimum objectively assessed housing need to seek self-containment. This approach is idealistic and ignorant of the reality of the interaction with the wider Housing Market Area.

The failure to consider the relationship with the wider strategic needs of the area is a flawed starting point for this remitted policy. The proper degree of co-operation has not taken place. The policy has been developed with an early review in mind which is not acceptable and is considered unsound.

Para 47 of the NPPF requires Councils to ‘boost significantly the supply of housing’ by, amongst other things, using the evidence base to ensure that the full, objectively assessed needs for market and affordable housing in the housing market area is met.

Para 159 of the NPPF requires Councils to have a clear understanding of housing needs in their area. It advises Councils to prepare a SHMA to assess the full housing needs, working with neighbouring Councils where housing market areas cross administrative borders. In this case the HMA includes six authorities. The most ‘up to date’ SHMA dated 2009 identified 17,130 to 20,220 dwellings as being the objectively assessed needs for the area. So to summarise on the approach for the remitted policy it is based on the minimum figure identified as an objectively assessed need in an out of date SHMA. This cannot be a sound basis for developing a strategic housing policy for the District and does not accord with the principles of the NPPF to boost housing supply.

The Core Strategy does not properly addresses housing issues in the wider area and where it is identified that North Somerset is part of a much wider housing market area which is not limited to the local authority boundary.
The full, objectively assessed needs for market and affordable housing (including any backlog) has not been identified and the review of the SHMA is awaited it cannot be shown that these needs are being met.

The Council’s approach, does not allow for the degree of flexibility that is necessary to meet changed circumstances. The Council themselves discuss the need for a review should housing numbers in the emerging SHMA be increased. This is not an acceptable foundation for a ‘new’ housing policy.

The remitted policy has not been prepared in line with NPPF guidance. The Council should assess the need for housing and should plan to meet those needs; the Core Strategy does not comply with the guidance.

The document has also not been prepared in the light of the strategic context, a document which is inward-looking and does not appear to be based on addressing the potential housing issues of a wider area, including Bristol. These matters go to the heart of the Core Strategy and are unlikely to be capable of being addressed by making Main Modifications.

It is clear that this process is being undertaken under sufferance by the Council. Para 86 of the consultation document still expresses the view that the Council do not accept the High Court Judge’s findings. This illustrates the driving mentality behind this revised policy. The work and effort put into creating, analysing, justifying and developing a policy which is NPPF compliant and sound in terms of a strategic policy has not been done.

What the document does is continue to rationalise an approach which is dated and no longer compliant with the strategic needs for the wider area and the dated objectively assessed housing needs for the district.

It is an approach which has been developed for an early review which in itself is unacceptable. At the very least the objectively assessed needs of the 2009 SHMA (20,220) should be catered for at this stage with distribution to sustainable settlements, such as Nailsea, to enable sustainable delivery of much needed housing.

**Reps on housing number for North Somerset Plan**

The housing number of 17,130 proposed in policy CS13 is not supported by sufficient evidence. The evidence which has been provided has not been prepared in accordance with the NPPF, the draft National Planning Practice Guidance (NPPG), or...
the legal test of the Duty to Cooperate. A significantly higher housing target should be proposed for North Somerset in order to meet needs.

Paragraph 159 of the NPPF indicates that local planning authorities should have a clear understanding of housing needs in their area, and in order to do so they should prepare a Strategic Housing Market Assessment to assess their full housing needs, working with neighbouring authorities where housing market areas cross administrative boundaries. Paragraph 47 of the NPPF requires local planning authorities to use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area. The report by Edge Analytics covers only North Somerset itself, it does not extend to the wider housing market area which includes other neighbouring authorities. North Somerset Council has therefore failed to assess objectively assessed housing needs for the housing market area within which it sits.

In the section on assessment of housing and economic development needs, the NPPG states that “Local planning authorities should assess their development needs working with the other local authorities in the relevant housing market area or functional economic market area in line with the duty to cooperate. This is because such needs are rarely constrained precisely by local authority administrative boundaries.” North Somerset Council does not appear to have worked with other authorities in its housing market area in assessing its housing needs. Although work is currently underway for a joint West of England Strategic Housing Market Assessment, which is apparently being prepared in co-operation with neighbouring authorities, this work is yet to be completed, and has not informed the Council’s choice of housing target.

Given that the Council has not worked with other authorities within its housing market area in determining its housing target, not only has it failed to meet the requirements of the NPPF, it has also failed to meet the requirements of the duty to cooperate.

Hart District Council’s Core Strategy represents an example of a similar situation, which resulted in the plan failing. At Hart the housing evidence had not assessed housing needs for the whole housing market area, which led to the Inspector stating the following is his letter of 26th July 2013 as part of his explanation of why the plan had failed: “There is no agreement between relevant authorities as to the level of overall housing need within the HMA, how it could be accommodated and how any unmet need from one authority could be met elsewhere.” Another example of an authority failing to assess housing needs of the housing market area is Waverley Borough Council. The Inspector’s letter of 13th June 2013 highlights the situation, which eventually led to the plan being withdrawn.

Notwithstanding the fact that cooperation with other authorities in the housing market area has not taken place, the selected option of “current trend growth” for the
housing target is not considered to represent objectively assessed need. The “current trend growth” option, as the name suggests, follows current trends, which does not take into account under-supply and lack of affordability of housing during previous years. The NPPG indicates that estimates may require adjustment to reflect factors which are not captured in trend data, for example formation rates which may have been suppressed historically by under-supply and worsening affordability of housing. The assessment will therefore need to reflect the consequences of past under delivery of housing.

We would like to participate in any future examination hearings into this matter.

Yours sincerely

Mark Jackson