Representations to
North Somerset Council

On behalf of Bloor Homes

January 2014
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1.0 INTRODUCTION

1.1 These representations are submitted by behalf of Bloor Homes.

1.2 The representations provide an assessment of the scope and requirements of the re-examination of remitted policy CS13 following the successful High Court challenge and make general comments on the approach the Council has adopted.

1.3 In summary, we have a number of concerns relating to the evidence and approach taken by the Council in seeking to advance the re-examination of the remitted policies and consider the proposed revised policy CS13 and associated evidence base to be unsound for the following reasons:

- The Council has not prepared a new West of England SHMA and as such the evidence base is not NPPF compliant; it treats North Somerset in isolation and does not take account of the unmet needs of neighbouring authorities;

- The Council appears to have failed to accord with the requirements of the NPPF and draft NPPG through failing to establish the full and objectively assessed housing need before assessing the appropriate level of housing taking account the constraints of the district;

- We have identified a number of flaws within the modelling that has been undertaken by Edge Analytics which have acted to reduce their assessment of the housing need in North Somerset;

- The proposed level of housing fails to 'boost significantly' the supply of housing, as required by the NPPF;

- The Council has not published a revised Sustainability Appraisal to accompany the consultation and has shown no evidence that they have properly considered the relative sustainability of all possible options;

- The Council has not provided any suggestion or evidence to demonstrate that they have complied with the legal duty to cooperate, which we consider applies as the Council must now be considered to be undertaking the process of plan making. Furthermore, they have not provided evidence that they have complied with the policy requirement for cooperation with neighbouring authorities as they do not
take account of the requirement to address the unmet housing needs of neighbouring authorities.

1.4 We consider that the approach taken by the Council fails to acknowledge the true objectively assessed housing needs of the district and does not properly consider the ability of the Council to accommodate additional housing at sustainable locations that are currently only indentified as suitable for small-scale allocations, such as Yatton.

2.0 THE SCOPE OF THE RE-EXAMINATION

2.1 In ordering that policies CS6, CS13, CS14, CS19, CS28, CS30-33 be remitted to the Planning Inspectorate for re-examination Judge Alice Robinson, commented that:

“12. The passage of time may well require the Council to update its evidence and, potentially, to invite the Inspector to recommend modifications to policies. That may require an SEA and further consultation.”

2.2 In his letter of 6 July 2013 Inspector Punshon set out his understanding of the position and what he considered to be the areas that the re-examination would need to focus upon. He explained that his intention was “to first examine Core Strategy Policy CS13 and to issue a Report on that policy alone”, and that: “There would be no point in a re-examination of the other policies until the unsoundness of Policy CS13 had been fully addressed. It may be that this could only be accomplished by withdrawal of the document”.

2.3 He then explains that:

“In order to enable interested parties to make representations in respect of the changed NPPF guidance, the changed strategic context arising from the revocation of the RS, up-to-date population forecasts and any other relevant changes to the evidence base, it will be necessary to undertake a re-consultation exercise ahead of the re-examination of Policy CS13”.

2.4 We fully support the approach taken by the Inspector. From the Inspector’s comments we understood that the Council would be required to prepare a Strategic Housing Market Assessment and Sustainability Appraisal to update the evidence base ahead of the re-examination of Policy CS13. As discussed below, the Council has chosen not to prepare this evidence and we consider the failure to do so to be a significant flaw in their approach to progressing to re-examination.
2.5 While the Statement for Consultation is ostensibly a response to the Inspector’s request, it is clear that, through the current consultation, we consider the Council has not limited their proposed amendments to updating the evidence base and re-consulting on Policy CS13, as the Inspector envisaged. Instead, the Statement for Consultation in effect invites the Inspector to recommend main modifications to policy CS13 and consequential main modifications to policies CS14, CS28, CS30 and CS31.

2.6 In his initial letter to the Council, the Inspector advised that policy CS13 should be re-examined in isolation prior to concluding the extent to which the remaining policies will need to be amended. Whilst we have briefly reviewed these additional policies, given the comments from the Inspector, the comments contained within these representations are non-exhaustive and we reserve the right to comment later on any further issues that arise in the re-examination.

3.0 THE COUNCIL’S NEW APPROACH

3.1 Throughout the Council’s report, they are at pains to suggest that the High Court criticised the original Inspector’s reasoning rather than policy CS13’s underlying approach (see paragraph 14 of the Statement for Consultation). This is despite the Inspector’s observation (in his letter of 7 July) that

“If the reasoning which is employed to conclude that the housing figure in Policy CS13 is flawed, then the figure itself must be open to question”.

3.2 Notwithstanding the Council’s defence of the approach taken in reaching the 14,000 housing requirement, it is clear that they have in fact now abandoned that approach. Circumstances have changes since the original Examination of the Core Strategy and it is right that the remitted policies, when re-examined, are done so in the new planning policy context of the NPPF. However, whilst the Council seem to have admitted that the evidence base for the original policy CS13 housing requirement was flawed, we consider that the new approach taken also falls short of the requirements of the NPPF, as set out within the remainder of this representation.

4.0 SELF-CONTAINMENT

4.1 In the Statement for Consultation, rather than (as before) calculating a housing requirement based upon a target homes to jobs ratio, the Council adopt a new requirement based on modelling undertaken by Edge Analytics.
4.2 The Council are keen to paint a picture that the only reason for this change is that “The existence of more robust data now allows transition to more conventional methods whilst maintaining the integrity of the original aspirations”.

4.3 As this extract indicates, the Council have not entirely abandoned those “original aspirations” and consideration of homes to jobs ratios and self-containment still appear to be a primary objective of the Council when they come to choose from the ‘menu’ of housing projections presented by Edge Analytics.

4.4 Edge Analytics provide a range of dwelling requirements which are outlined at paragraph 71 of the Statement for Consultation. At paragraph 96 and elsewhere the Council suggests that it has selected the lowest end of Edge Analytics’ range because of its desire to achieve an employment-led approach. The basis for that employment led approach is improving self-containment, see for example paragraph 77 of the Statement for Consultation.

4.5 However, there are a number of problems with this approach:

- First, at the core of the Council’s new approach are projections prepared by Edge Analytics which are flawed and non NPPF-compliant. In particular Edge Analytic’s analysis:
  - Considers North Somerset in isolation and does not consider the housing market area as a whole or unmet requirements from neighbouring authorities;
  - Does not detail the full extent of market and affordable housing need;
  - Is based on flawed assumptions about migration; and
  - Is based upon trends over the past 5 years, which was a period of economic recession and depressed house building. Additionally, the past 5 years is within the Core Strategy plan period and has therefore been influenced by the remitted policies. This is illustrative of the general problem of projecting requirements based on historic trends when those historic trends are influenced by historic planning policy choices.
Second, the Council have selected the lowest Edge Analytics requirement on the basis of continued use of the homes to jobs ratios and other measures of “self containment” used to calculate the original CS13 housing requirement, without addressing any of the criticisms of that approach discussed in the High Court decision.

4.6 In this second respect, the Statement for Consultation simply glosses over the issues discussed by the High Court, including that:

“there is a demand for housing generated by changes in household structure, changes in population structure and non economic migration that have nothing to do with whether or not jobs are created and to provide only for housing generated by jobs fails to make appropriate provision for that latent demand”

4.7 Similarly, the Statement for Consultation does not address the issues set out in the bullet-point list on the fourth page of the Inspector’s letter of 6 July 2013, including:

“Whether the Council’s approach, which employs a jobs:housing multiplier, is an appropriate tool for the assessment of housing needs”

4.8 Proper consideration needs to take place of whether the Council’s continued application of self-containment percentages, homes to job ratios and out-commuting statistics is justified and NPPF-compliant. A detailed assessment of all of these issues is set out within Turley Associates’ Evidence Based Critique of the proposed Revised Housing Requirement, submitted on behalf of Bloor Homes (and Persimmon).

4.9 We consider those objectives are fundamentally flawed and the Council’s justification for their use is based on chasing favourable statistics rather than genuinely promoting sustainability. The root of the problem is the Council’s view (implicit in the Statement for Consultation) of North Somerset as an island within which, to improve sustainability, the key objective should be to increase self-containment. That view does not reflect economic and housing market area reality in which North Somerset is part of the greater Bristol city region within which commuting flows are inevitable.

4.10 While there may be some sustainability justifications for promoting self-containment within Weston-super-Mare, for the rest of the district that does not hold true. This point is well illustrated by the hypothetical example of a household in Long Ashton or Pill. If the economically active members of that household were to drive to work 20
miles away in Weston-super-Mare that would, for the Council’s purposes, be evidence of sustainable self-containment. By contrast, if they were to walk or cycle to employment across the local authority boundary in Bristol that would, on the Council’s analysis, be unsustainable out-commuting.

4.11 This example serves to illustrate a point that we have sought to make before: promoting self-containment of Bristol, as the major employment centre of gravity of the city region, would contribute to promoting sustainable travel patterns. By contrast, chasing self containment statistics within North Somerset is grounded in unreality. Looked at in this way, it is entirely appropriate to focus housing at those locations in North Somerset with existing employment opportunities, but also those locations that have good links with existing employment opportunities (including Bristol), particularly where these links can be achieved through sustainable travel, such as via the train.

4.12 The implications of this flawed approach are numerous:

4.13 First, for North Somerset alone, among West of England HMA authorities, to seek to limit housing requirements by reference to self-containment statistics, would be likely to lead to unmet demand from North Somerset being displaced elsewhere. It might be argued by the Council that any such unmet demand can be picked up and dealt with later when the West of England SHMA is published, but as discussed above such an approach would be unsound and contrary to the NPPF.

4.14 Second, at paragraph 3.180 of the proposed explanatory text to policy CS13 it is stated that growth in more economically buoyant parts of the region “coupled with relatively low houses prices...are the major determining factors driving housing growth pressures”. This point is also made at paragraph 40 of the Statement for Consultation. If house prices are a cause of housing demand, then the Council’s aspiration to limit the housing requirements seems designed to increase house prices. Paragraph 42 of the Statement for Consultation comes close to actually making this point in stating that, by linking house building to job creation, the Council could seek to ensure that “non-economically active migrants...would not benefit from lack of competition for homes [i.e. lower house prices] as a result of lower (post recession) rates of job growth”.

4.15 For the Council to seek, explicitly or otherwise, to use housing requirements to prop up house prices to discourage new migrants to the area isn’t just contrary to the NPPF, it is antithetical to the NPPF’s core planning principles.
4.16 Finally, while the Council’s Statement for Consultation claims that the proposed approach is ‘employment led’, it would instead be employment limiting. This is because the proposed housing requirement would not, on the basis of Edge Analytic’s modelling, provide the level of additional labour force required to balance its job growth target (evidenced within section 4 of Turley Associates’ Evidence Based Critique of the Proposed Revised Housing Requirement).

5.0 SUSTAINABILITY APPRAISAL

5.1 As noted above, Judge Robinson envisaged that, if the Council were inviting the Inspector to recommend modifications, an SEA may be required. The Council has proposed an amended housing requirement and published new evidence to seek to justify this new requirement. We therefore consider the suggestion of the Inspector to be not only fundamental to the proper preparation of the amended policies of the plan, but also a legal requirement.

5.2 Section 19(5)(a) of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to “carry out an appraisal of the sustainability of the proposals in each development plan document”. A Sustainability Appraisal includes an Environmental Assessment under the Environmental Assessment of Plans and Programmes Regulations 2004.

5.3 With regard to modifications to the local plan during examination, the draft National Planning Practice Guidance states: “If the local planning authority assesses that the proposed changes are significant then the sustainability assessment should be updated and amended accordingly”.

5.4 Moreover, under regulation 5(6) of the Environmental Assessment of Plans and Programmes Regulations and Environmental Assessment is required of modifications of plans unless the modifications are minor and are not likely to have significant environmental effects.

5.5 In our view the proposed changes are significant and an updated focused sustainability appraisal should be prepared. We understand that this is under preparation but has not been published for consultation. This conflicts with Inspector Punshon’s advice that the relevant changes to the evidence base should be consulted upon, and is arguably contrary to Part 6 of the Town and Country Planning (Local Planning) (England) Regulations 2012/767.
5.6 Precedent exists elsewhere for the preparation of sustainability appraisals of proposed modifications, for example New Forest, Chorley and Staffordshire Moorlands. Similarly, the Inspector examining the Bath & North East Somerset Core Strategy’s June 2012 preliminary findings (para 5.4) stated

“The SA is likely to have to be reworked in the light of the necessary reassessment of the housing requirement to comply with the NPPF. The SA should test the implications of fully meeting the objectively assessed needs and of any alternative which the Council wants to explore of not fully doing so”.

5.7 In addition, the Sustainability Appraisal should not be simply a justificatory exercise prepared after the Council has selected its preferred option. Instead, it should be prepared in order to inform the choice of strategy from a range of reasonable alternatives. The Council’s original sustainability appraisal of February 2011 assessed six alternative options for policy CS13. The proposed new policy CS13 should equally be informed by a sustainability appraisal to ensure that the strategy selected reflects the most sustainable approach to accommodating objectively assessed housing needs. Such a Sustainability Appraisal should assess the sustainability of the true objective assessment of need and should not be constrained by environmental constraints.

5.8 In the absence of a sustainability appraisal we consider that the Council’s proposed main modifications to policy CS13 fail to comply with the legal duty in section 20(5)(a) of the Planning and Compulsory Purchase Act 2004.

6.0 DUTY TO COOPERATE

6.1 In her decision on the Bristol University legal challenge, Judge Robinson commented as follows on the applicability of the duty to cooperate in section 33A of the Planning and Compulsory Purchase Act 2004 applied:

“there is no duty to co-operate in relation to steps taken after preparation of the development plan document has completed. At this stage the local planning authority’s powers are strictly limited and are confined to adoption (or not) in accordance with the recommendations of the Inspector and minor modifications i.e. those which do not materially affect the policies, see s.23 of the 2004 Act as amended.”

6.2 On that basis she concluded that, because preparation of the plan had been completed prior to the duty coming into effect, the duty did not apply.
6.3 However in our view the position now is different. In publishing new evidence on housing numbers and proposing amended housing policies the Council are not proposing minor modifications, nor considering adoption (or not) in accordance with the Inspector’s recommendations. Instead, our view is that the Council are now engaging in the preparation of development plan documents and in activities that can reasonably be considered to prepare the way for or support the preparation of such documents (for the purposes of s33A(3)). As such, we consider that the duty in s.33A applies to the proposed amended policies.

6.4 Even if the Inspector were to determine that this were not the case, and that the duty does not apply as a matter of law, the Inspector has already made clear that the NPPF will apply to the re-examination of the remitted policies and the NPPF includes a duty to cooperate (para 178-181) as a matter of policy.

6.5 It is our view that there is limited evidence that the Council, in preparing revised housing numbers, has properly engaged in cross-boundary cooperation. In particular there is no evidence that the Council has considered unmet housing needs from neighbouring authorities. This is a requirement of paragraph 182 of the NPPF. The issue of unmet need in neighbouring authorities was highlighted within the Bristol City Council Core Strategy Inspector’s report, which stated (at para 48):

“The [Bristol City] Council’s proposed change for a minimum housing provision of 26,400 is very unlikely to meet, and could fall very substantially below, the potential housing demands in Bristol over the plan period.”

7.0 COMPLIANCE WITH THE NATIONAL PLANNING POLICY FRAMEWORK

7.1 As identified in the Inspector’s letter of 6 July 2013, the NPPF applies to this re-examination. The guidance on the correct approach to preparing an NPPF compliant housing requirement is clear:

- To prepare a Strategic Housing Market Assessment (SHMA) to assess the full housing needs, working with neighbouring authorities where housing market areas cross administrative boundaries. A SHMA should assess the scale and mix of housing needed to meet household and population projections, address the need for all types of housing, and cater for housing demand and the scale of housing necessary to meet this demand (para 159).
- Work jointly with neighbouring authorities within the housing market area to meet development requirements which cannot wholly be met within their own areas (para 179).

- Then seek to meet those objectively assessed development requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development (para 182).

7.2 The requirement to start by establishing the full objectively assessed needs, and only once those needs have been established considering possible constraints to meeting them, was endorsed by the High Court in the decision in Hunston Properties Ltd v Secretary of State for Communities and Local Government [2013] EWHC 2678 (Admin) and is supported by the draft NPPG. Throughout the Council’s report, the consideration of objectively assessed housing need appears to have been mixed with their view of the capacity of the district to accommodate development. This appears to have been a fundamental consideration of the proposed housing requirement. This approach clearly conflicts with the principles established through the Hunston case, which should require a full and comprehensive review of the capacity of the district to accommodate the true figure arising from the objective assessment of housing need rather than the Council’s asserted position that there are constraints that limit the capacity of the district to accommodate a higher figure.

7.3 Bloor Homes has instructed Turley Associates to prepare an Evidence Based Critique of the Proposed Revised Housing Requirement, which is submitted separately to these representations. This report highlights the significant flaws in the approach taken by the Council in establishing their revised housing requirement, and the inconsistencies with the NPPF. These flaws are summarised as follows:

- **“Interpretation of paragraph 47 of the NPPF.”** The approach undertaken does not significantly boost the supply of housing. At this level of provision, the LPA will be supplying at a level which is below the average development rate over the last ten years. This incorporates a recessionary period and a linked suppressed housing market.

- **Failure to take account of the operation of the housing market at a functional Housing Market Area (HMA) level as required by the NPPF and NPPG.** It is evident that North Somerset’s housing market is fundamentally linked to the surrounding local authorities and in particular the Core City of Bristol. Historically it is apparent that North Somerset’s population growth has been linked
to a sustained movement of people from Bristol in particular. This flow has varied based on levels of job creation and levels of development in both authorities. Bristol’s adopted policy position is acknowledged to represent an undersupply against objectively assessed needs for the City. This undersupply is even more pronounced when considered in the context of Bristol’s economic ambitions and increasing confidence in its economy (as supported by the latest econometric forecasts).

- **A reliance on a 5 year migration trend as being representative for the remainder of the plan period.** The longer term 10 year migration trend is more representative of internal migration flows as referenced in the Edge report when considering wider HMA market drivers. As a minimum this requires North Somerset to plan for 1,018 dwellings per annum (2011-2026).

- **Inconsistency between the level of jobs being planned for in the adopted policies of the North Somerset Core Strategy and the size of the resident labour force** - North Somerset is planning to accommodate an additional 10,100 jobs over the plan period. The Edge Analytics report conclusively proves that based on a projection of the 5 year migration trend (comparable to the approach proposed by North Somerset Council) there would be insufficient labour to support the creation of over 10,000 jobs. Edge Analytics modelling demonstrates that the Council’s proposed level of housing will only support 915 additional jobs over the plan period.

- **Application of a non-evidence assumption regarding significantly higher levels of labour force self-containment** - North Somerset Council have attempted to reconcile the evident labour force shortfall noted above by arbitrarily applying an assumption that net out commuting from the borough will decrease by approximately 8,300 people over the plan period. This assumption is not founded on any credible evidence but rather a policy assertion regarding the way that people in the labour market will behave. This is entirely divorced from any evidence regarding the type of jobs that are likely to be created in North Somerset, the labour force profile of residents and wage differentials in the wider travel to work area. At a more basic and fundamental level, labour force containment is not a factor that any single local planning authority can control.

- **Failure to take account of changing labour market drivers in the wider travel to work area** - North Somerset can be conclusively proven to be an
integral part of the West of England housing market area, which is largely contiguous with the West of England LEP. This is an area with a dynamic economy and with acknowledged and a nationally significant centre of employment - the Core City of Bristol. The LEP is planning to deliver 95,000 additional jobs by 2030 as well as a £1bn transport improvement package that will significantly enhance connectivity across the travel to work area. North Somerset Council has failed to take account of economic changes that are likely to strengthen relationships with surrounding authorities in terms of travel to work rather than lead to greater levels of self-containment at a borough level. This further emphasises the flawed nature of the assumption that underpins the Council’s proposed revised housing requirement.

- **Failure to consider the full needs for market and affordable housing** - the updated evidence assembled by the Council does not take account of market signals as required by the NPPG. A review of market signals across North Somerset and the HMA reveals an under-provision against previous housing targets (under the draft RS) and sustained and nationally significant affordability challenges. The revised housing requirement fails to take into account the implied backlog of needs in the future planned provision for housing.

### 8.0 SPECIFIC COMMENTS

8.1 This section provides preliminary comments on the revised proposed policy texts in Appendix A to the Statement for Consultation. We reserve the right to submit further more detailed comments later.

**CS13: Scale of new housing**

3.179 The paragraph states that “Government advice is that the housing requirement should be based on an objective assessment provided that this is consistent with the delivery of sustainable development”. This text is misleading in two respects: (1) the NPPF is mischaracterised as “Government advice” rather than Government policy with which Local Plans must be consistent in order to be sound; (2) the text suggests that housing requirements should be “based on” objective assessment of housing requirements, whereas paragraph 182 NPPF is stronger saying the strategy should “seek[...] to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities”.

The statement that “uncritical application of pre-recession trends would simply replicate the unsustainable development patterns of the past” is also misleading. There is no requirement, or suggestion, in national policy or elsewhere that housing requirements should be based on “uncritical application” of pre-recession trends. The current approach follows an uncritical application of trends from during the recession. As set out above, the Council should start from an NPPF-compliant SHMA which objectively assesses housing needs and demands.

The above statement also conflates development requirements and “development patterns”. Policy CS13 is a strategic policy setting out requirements whereas development patterns are the concern of policy CS14. More fundamentally, the policy is based upon a prior assumption that house building beyond a certain level in North Somerset would inevitably lead to unsustainable development patterns. That assumption is not justified by evidence; it is instead based on a flawed policy objective that North Somerset should and could seek to be a more self-contained travel to work area.

3.180 The text states that the policy aims to achieve “appropriate provision to meet housing needs”. As noted above, evidence of housing need has not been updated from the 2009 SHMA. It is also unclear what the Council mean by “appropriate provision”. This lack of clarity is compounded by the subsequent statement that the Council is seeking “to provide sufficient housing to meet objectively assessed needs without undermining...improved overall self-containment”. This doesn’t make it clear whether the policy provides for full objectively assessed development requirements or elects not to do so. In our view, the Council is, for policy reasons, proposing not to meet objectively assessed requirements. If this is indeed the case, this should be acknowledged.

3.181 It is not clear why the 2009 West of England SHMA is not mentioned as an evidence base document. The suggestion in that the only reason for adopting the previous approach was “increasingly unreliable” trends-based projections is at odds with the Council’s insistence that the underlying rationale for that approach remains valid. The statement that we are now in “a time of more certainty in terms of forecasting” is also misleading. There can be no “certainty” in forecasting future events. The Council’s assertion that it has been able to “identify an objectively assessed housing requirement” reflects its
apparent view that “objectively assessed housing requirement” is a malleable concept. The NPPF and NPPG provide clear guidance on what an objective assessment involves.

3.187-3.188 This vague statement that the Core Strategy “may” be reviewed in future is inadequate. Either the Council believes development requirements should be assessed on a West of England-wide bases or it doesn’t. The NPPF requirement to plan strategically across local boundaries cannot be ‘parked’ until some indeterminate future date.

**CS14: Distribution of new housing and tables following para 3.194 and 3.197**

**CS31 Clevedon, Nailsea and Portishead**

8.2 The proposed amendments to these policies go significantly beyond the re-examination of policy CS13 that the Inspector Punshon envisaged.

8.3 No updated explanation or evidence is provided for the new proposed distributions. There is no evidence that this proposed new distribution has been considered against reasonable alternatives, is justified by proportionate evidence, or has been subject to Sustainability Appraisal.

8.4 We assume that there will be further opportunities to comment in detail on the proposed changes to these policies after policy CS13 has been examined.

8.5 At present, we adhere to Inspector Punshon’s approach of focussing on policy CS13 before considering consequential amendments to other policies, and reserve detailed comments for later.

8.6 However, we draw to the attention of the Inspector that the Council has recognised that policy CS13 requires amending, but has not properly considered the implications of this on the other remitted policies.

8.7 We consider that the re-examination of the housing numbers should result in a significant increase in the housing requirement for North Somerset. Even with the modest increase in housing provision proposed, we consider that it is necessary to comprehensively review the Council’s spatial strategy in order to assess whether it remains the most appropriate strategy with the increased housing requirement. For the reasons set out above, we consider that a significant increase in housing provision will
be required and as such, it is inappropriate to simply re-distribute the additional housing requirement without consideration of appropriate ways in which this can be accommodated.

8.8 There are sustainable settlements in North Somerset outside Weston-super-Mare (e.g. Yatton) which are suitable, but have not been identified, to accommodate significant housing growth. The inclusion of Yatton, with a significant employment base and located on a mainline railway with regular direct links to Bristol, within the category of ‘service villages’ does not reflect the capacity of the village to accommodate growth.

8.9 The currently worded policy CS14 suggests that at Service Villages, such as Yatton, “there will be opportunities for small-scale development either within settlement boundaries or through site allocations”.

8.10 We consider this current wording fails to acknowledge the sustainability of Yatton as a settlement and the potential it has to accommodate a level of development commensurate with the town’s level of facilities, services and employment opportunities on suitable sites, such as our clients land at Arnolds Way.

9.0 CONCLUSIONS

9.1 These representations outline a number of significant concerns with the approach proposed in the Statement for Consultation.

9.2 The Statement for Consultation does not address the numerous issues raised in Inspector Punshon’s letters and nor does it respond to the issues raised in the High Court decision. It also goes beyond Inspector Punshon’s request that an updated evidence base be prepared and instead proposes main modifications to policies CS13, CS14, CS28, CS30, CS31.

9.3 The Edge Analytics projections, which form the basis for Council’s proposed approach, are flawed and do not constitute an NPPF-compliant objective assessment of housing needs and demands.

9.4 Furthermore, the Council’s selection of its proposed housing requirement is informed by continued application of arguments about self-containment and homes to jobs ratios, in relation to which there are significant unresolved issues.
9.5 Looked at as a whole, the Statement of Consultation is an awkward attempted reconciliation of new evidence and national policy with the approach contained in remitted policy CS13. We do not consider that it provides a sound basis on which the re-examination of these policies can proceed.

9.6 If the Council wish to propose main modifications to submitted policy CS13, the required approach, which recognises the changes brought about by the NPPF, would be:

- To prepare an NPPF-compliant SHMA which assess the full housing needs, working with neighbouring authorities where housing market areas cross administrative boundaries. Such a SHMA should assess the scale and mix of housing needed to meet household and population projections, address the need for all types of housing, and cater for housing demand and the scale of housing necessary to meet this demand.

- To work jointly with neighbouring authorities within the housing market area to meet development requirements which cannot wholly be met within their own areas.

- To prepare an updated Sustainability Appraisal which considers reasonable alternative strategies.

- To bring forward a strategy, informed by that Sustainability Appraisal, which seeks to meet objectively assessed development requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

- To consult on those documents.

9.7 Unless and until the Council present a legally compliant and sound way forward based on the NPPF and an up to date evidence base, our view is that the Inspector cannot recommend these policies for adoption.