

## Interim Findings

These Interim Findings are made without prejudice to my report into the soundness of the Bath and North East Somerset Placemaking Plan.

### Purpose of the Placemaking Plan & relationship with the adopted Bath and North East Somerset Core Strategy

1. It is necessary to be clear about what is to be examined. The explanatory note to the Draft Placemaking Plan (PMP) explains that it allocates specific sites for development and outlines a district-wide suite of planning policies. The Core Strategy (CS) forms Part 1 of the Bath and North East Somerset (B&NES) Local Plan (LP). It was examined and found to be sound and was subsequently adopted on 10 July 2014. Paragraph 9 of the submitted version of the PMP confirms that the PMP “complements the strategic framework in the CS by setting out detailed development and design principles for identified and allocated development sites, as well as a range of policies for managing development and protecting valued assets across BANES”.
2. The PMP is intended to be Part 2 of the LP. For the purposes of clarity and convenience for Plan users the Council has combined the Plans. The Council has confirmed (BNES/PMP/001) in response to my initial questions (ID/1), that the PMP is a separate development plan document in its own right. However certain elements of the CS would be superseded as a result of the PMP – these were highlighted in the Pre-submission draft and comments invited.
3. In summary, the Council explains that changes proposed to the CS are those which are superseded by a policy in the PMP and are made in accordance with regulation 8(5) of the Town and Country Planning (Local Planning) (England) Regulations 2012 and reflect the desire for the end result to be a combined document offering clarity and convenience for plan users. The Council has sought to identify where those supersessions would occur through changes to the CS rather than setting this out in the text of the PMP.
4. Importantly, the Council confirmed that the PMP does not incorporate a partial review of the CS. The PMP is therefore intended to be the daughter document to the CS, its purpose being to give effect to the strategic policies within the CS rather than reviewing those policies – it allocates sites for development and outlines a suite of district wide policies to manage development.

5. My examination of the soundness of the PMP is therefore to be limited to whether it will be effective, positively prepared, justified and consistent with national policy in achieving this purpose.

6. It is agreed that most of the changes to the CS are relatively minor and will simply clarify and aid the reading of both documents when combined as one. However, as set out in my Matters and Issues (ID3A/Rev 1) and explored at the Hearing sessions, I have considered whether some of the changes to the CS are necessary and appropriate having regard to the purpose of the PMP. In particular, I have considered whether the nature and scale of any of the proposed changes to the CS are such that they materially change the strategic approach and strategy established in the CS.

7. The Council confirmed at the hearing sessions that if I were to find any of the changes to the CS to be strategic in nature such that they are matters more appropriately considered as part of a full or partial review of the CS/LP, then the Council would prefer the changes to be omitted. I consider each of the areas I highlighted for further consideration below.

#### CS Policy RA1 and RA2

8. In the Rural Areas, CS Policies RA1 and RA2 allow residential development in principle within the Housing Development Boundary (HDB) of villages not washed over by the Green Belt. The strategy for the rural areas is to enable housing development of around 50 dwellings in villages that meet the Policy RA1 criteria. For those villages which do not meet the Policy RA1 requirements, Policy RA2 applies and limited residential development of around 10-15 dwellings is considered acceptable in principle in those villages.

9. The adopted CS policy sets out the criteria a village should meet to be defined as a Policy RA1 village. These included (a) at least 3 of a list of key facilities and (b) at least a daily Monday to Saturday public transport service to main centres. The submitted draft PMP seeks to change criteria (a) to require the village to include a primary school with sufficient capacity (or ability to expand) and at least two of the key facilities.

10. Whilst the criteria proposed would be more restrictive, the Council demonstrated that this suggested change made little practical difference to the number of villages *currently* falling within the categories when measured against the adopted CS policy or the suggested changes. Clutton would no longer qualify due to the closure of a post office rather

than the change to the criteria. I note that two sites with planning permission in Clutton would provide the 50 dwellings envisaged in an RA1 village in any event. West Harptree would not meet the proposed criteria. However, the Council explain that an allowance for the supply of only 10-15 dwellings was made in West Harptree in the CS evidence base due to other constraints applicable to West Harptree.

11. It was accepted that the position with school capacity in villages would change overtime as might the services available (as demonstrated in Clutton) and accordingly, so might those villages falling within Policy RA1. The Council's Housing Supply Statement demonstrates that the delivery of 1120 dwellings can still be achieved. I consider that the proposed change is unlikely therefore to restrict the supply of housing in the rural areas to any greater extent.

12. I do not consider the proposed change to Policy RA1 is of a nature or scale that would materially change the strategic approach and strategy established in the CS.

#### The overall Strategy for Bath

13. It is recognised that there is insufficient land in Bath to meet the competing requirements. I asked "Is the proposed additional text to the CS set out in paragraphs 17 – 22 of Volume 2 of the B&NES Plan consistent with the strategic framework and strategy set out and examined in the adopted CS and SA that accompanied it? In particular, is the Council's decision *'to plan to meet its housing numbers and employment floorspace in full, to strive towards meeting the projected growth in hotel demand, and acceptance that there will be a shortfall in meeting the retail capacity identified for the whole plan period and that the aspirations of the universities may not be realised'* a change in approach to the CS spatial vision and strategy?"

#### *Hotel Bedrooms (Policy B2 4(d))*

14. The CS plans for the provision of increased hotel bedrooms of 500 - 750. A change to the CS is proposed to increase this to 1000 bedrooms. The higher forecast arises from the 2015 Bath Hotel Futures report which updates the earlier 2009 report. However, if the purpose of the PMP is simply to give effect to the CS, it is not necessary to go behind the evidence base under-pinning it before a further review. I have insufficient information before me to determine if the increase, albeit marginal, would impact on the delivery of other objectives in the CS to a greater extent than anticipated. Accordingly, I suggest the Council review the changes

and leave the CS target in place with an acknowledgement in the text that the more recent evidence suggests an increased figure and that it is the Council's intention to review the hotel requirements as part of the review.

### *Student accommodation*

15. Policy B5 'Off-Campus Student Accommodation' of the Core Strategy, states: Proposals for off-campus student accommodation will be refused within the Central Area, the Enterprise Area and on MoD land where this would adversely affect the realisation of other aspects of the vision and spatial strategy for the city in relation to housing and economic development.

16. Whilst no change is proposed to the policy, significant changes are suggested to the supporting text setting out the more recent forecasts of the Universities and how the Council propose to react to them.

17. The Inspector examining the CS confirmed that the Draft SHMA Update 2013 had not included students at all in the projections, but the Addendums did, the size of which was assumed to remain constant. This assumption is based on the Council's conclusions from its Student Numbers and Accommodation Requirements Evidence Base July 2013 (published with BNES/43). The 2013 paper draws on the advice provided to the Council by the two universities within the district - Bath University and Bath Spa University - regarding their future plans for students and accommodation.

18. The Inspector's report in relation to the CS confirmed that Bath University's known plans did not extend over the full plan period, but project either 1% or 3% growth for part of the period. It was continuing to plan for additional accommodation on the campus. Bath Spa University was assuming no future growth in students, but planned to add a further 600 beds on campus. Overall, the Council concluded that if Bath Spa does not expand and Bath University grows by only 1% pa and all the accommodation plans are realised, then students should not add to housing pressures over the plan period and that between 250-575 houses in multiple occupation could be released from student use and returned to the general housing market (although it has not relied on any such releases as a contribution to supply).

19. It was recognised that there were uncertainties with these assumptions and that the universities might grow more than indicated. The assumption underpinning the element of the SHMA of no net increase in demand from students on the general housing market was recognised

by the Inspector as a crucial one. He considered it essential that this assumption was made explicit in the plan and reassessed at future plan reviews (*my emphasis*) so that any additional pressures on the housing market could be identified and taken into account. Wording was added to make this clear.

20. Given the Council's assumptions supported by the SHMA it was not therefore necessary for the Council to consider through the CS how student accommodation requirements off-campus might be met or balanced against other identified objective needs. As recognised, there were uncertainties and it is apparent that the future development needs of the Universities have now changed. However, as the CS Inspector made clear, how such changes will be addressed is a matter for future plan reviews.

21. Furthermore, the CS sets out how the Strategic Objectives of the plan will be monitored. With reference to meeting housing needs as required by CS Policy DW1, one of the targets is "Growth in student numbers matches growth in purpose-built accommodation at each plan review".

22. Like the CS Inspector, I agree this is a strategic matter to be considered through future plan reviews. Accordingly, whilst the Council may wish to acknowledge within the PMP the latest identified development needs of the Universities, I do not consider the PMP is the appropriate document to determine how the Council should react to these changed requirements. In particular, the SHMA underpinning the CS assumed no net increase in demand from students on the general housing market - that assumption may or may not remain correct. These are considerations for a review which must, in my view, be carried out as part of a review of the wider housing requirements.

23. I suggest that the Council re-consider its approach to the changing circumstances of the Universities, deferring consideration of how those requirements should or should not be addressed to the forthcoming review.

### *Retail*

24. CS Policy CP12 states that an updated retail study will be undertaken to support future planning decisions and guide the PMP. Policy B1 of the CS outlines a strategy for the city centre which focuses upon ensuring that the primary shopping area successfully absorbs the Southgate development into the trading patterns and character of the city

centre by not making provision for a further large scale retail project. It promotes small to medium sized comparison retail development that improves the shopping offer and enhances the reputation of the city centre.

25. In accordance with the CS an updated retail study has been undertaken comprising two parts. The latest assessment indicates a rise in the amount of surplus convenience and comparison goods retail expenditure within Bath which translates into an increased level of floorspace capacity. The increase in convenience goods floorspace in Bath means that there is sufficient capacity for a modest new store by 2024, described in the report as a medium term scenario rather than an immediate need and advises that there is no immediate or urgent requirement to plan for a new supermarket in the city. However, the increasing level of quantitative capacity suggests that opportunities should continue to be sought for modest improvements to existing facilities, along with the retention of the need to plan for circa 2,000sq m of new convenience goods floorspace in the city centre.

26. Monitoring during the 2011-2016 Plan Period shows that there has been a net increase in convenience floorspace in Bath of 1,800sqm. This meets the identified need up to 2019, and the majority of the need up to 2024. The Roseberry Place development (SB10) has since been subject to a planning application and approved on 10th August 2016 (15/01932/EOUT ) and contains 1,000sqm (net) A1 floorspace, which is likely to be a convenience store. When constructed, this would meet 100% of the assessed need for convenience retail up to 2024, and the majority of the convenience need to the end of the Plan period.

27. The study identifies a quantitative capacity for circa 7,000sq m of new comparison goods floorspace at 2014, rising to circa 11,000sq m net by 2019. By 2024 and 2029, the levels of capacity will be 20,000sq m and 30,000sq m net respectively. Taking completions, current commitments and site allocations together, during the Plan period Bath should see a net gain in comparison floorspace of 12,400sqm. This figure equates to Bath meeting only 40% of its assessed need for comparison retail over the Plan period.

28. The Council recognises that there is not enough land in the city to meet all the land use demands that have been identified by the evidence base. The Council has therefore sought to prioritise which land uses are considered to be more important for the limited land available. Part of the city centre and Central Area are within the Bath City Riverside Enterprise

Area (EA) which is part of the West of England City Deal agreed with Government. The main focus in the EA is the delivery of economic and employment growth with up to 9,000 jobs planned to be delivered by 2030. Office floorspace is considered to meet this objective to a greater extent than retail.

29. To conclude overall and without prejudice to my overall report, I am satisfied that the acceptance that there will be a shortfall in meeting the retail capacity identified for the whole plan period, as set out in the PMP is the most appropriate strategy, having been informed by the up-to-date Retail study and in particular, the shortfalls in comparison floorspace not arising until post 2020 and the commencement of the review.

#### Meeting the Core Strategy Housing Requirements

30. Paragraph 1.2e of the CS states: *The Council intends to meet in full the total assessed need of about 13,000 dwellings. Thus the housing requirement identified in the Plan which it seeks to deliver is also about 13,000 dwellings. It is against the requirement of 13,000 that the five year supply of housing will be maintained. The 13,000 is not intended as a cap on housing delivery. For example, additional large windfall sites may come forward for development or the contribution to supply assumed to come from small windfall sites may be exceeded.*

31. This is reflected in CS Policy DW1 which sets out the overall strategy for BANES. It confirms that "The first review will be timed to co-ordinate with the review of the West of England Core Strategies in around 2016." That review process has commenced.

32. Whether or not the housing requirement remains up-to-date is not a soundness consideration for the PMP given its stated purpose. Furthermore the housing requirement is not simply to be achieved through the proposed site allocations. The housing trajectory and housing supply information that formed part of the evidence base for the CS included existing commitments and windfall sites. As the PMP is giving effect to the CS it need only identify sufficient site allocations to meet the expected supply anticipated from this source.

33. At the time of the CS examination the 2014 housing supply trajectory demonstrated that some 55% of the CS housing requirement of around 13,000 dwellings would be delivered through site allocations (7142 dwellings) to be identified in both the CS and PMP. The latest 2016 trajectory indicates the provision of some 54% of the overall housing requirement through the site allocations (7005 dwellings) contained in the

CS and proposed in the PMP as submitted. This can reasonably be considered to accord with the CS both in terms of the overall site allocation provision and their distribution across the district, as set out in BNES/PMP/013. Accordingly, the PMP would provide sufficient allocations to give effect to the CS provided that I am satisfied the proposed sites selected are sound.

34. I acknowledge that the latest housing trajectory indicates an overall supply of some 12,690 dwellings, falling slightly short of the CS requirement of around 13,000 dwellings and compared to an expected supply of 13,160 dwellings over the plan period as anticipated in the 2014 trajectory. However the identified shortfall is unlikely to materialise until the latter part of the plan period. Given the Council's commitment to a review of the LP which has already commenced I do not consider this possible shortfall at the latter end of the plan period needs to be addressed through the PMP.

### **Conclusions**

35. I would ask the Council to consider my Interim Findings as set out above and where necessary, propose alterations to the relevant wording of the submitted plan for inclusion in the Council's Schedule of Proposed Main Modifications.

36. I realise that concern was expressed at the Hearings by representors about the appropriateness of deferring matters to a LP review. However, the purpose of the PMP is clear and my examination of it must be confined accordingly and will avoid undue delay.

*Claire Sherratt*

Inspector