

South Gloucestershire Local Development Framework Core Strategy DPD Examination

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Dear Mr Conroy,

I have now had an opportunity to consider the matters discussed at the Exploratory Meeting I held at the Armstrong Hall, Thornbury on 29th June 2011 as well as the written response you provided to my questions. I have also seen the responses to the consultation exercise you undertook on the Filton Airfield Position Statement.

I do not intend to reply in detail to the points made either during the meeting or in your written response because these will ultimately be matters for further discussion at future hearing sessions. However, I need to outline my continuing concerns regarding the Core Strategy (CS) and the conclusions I have reached about continuing with the Examination.

Housing

1. I have had regard to the Council's views on the relevance and weight to be given to the Regional Strategy (RS). You make the point that the CS is in general conformity with the housing targets in Regional Planning Guidance for the South West (RPG10) because it is within 10% of its annualised requirement.
2. While the RPG may be part of the development plan there is other evidence to consider. This could be sufficiently compelling to outweigh the weight to be given to RPG10. The fact that the CS may be in general conformity with RPG does not mean it would be consistent with other material considerations, such as national policy guidance.
3. In relation to housing you disagree with the targets in the draft Regional Strategy (RS) even though this has been tested through examination (LR8/1) and taken further in the Secretary of State's Proposed Changes (LR8/2). While the RS has not been adopted it remains a material consideration and one which in the present circumstances I consider should be given considerable weight. The most recent ONS population figures, for instance, appear to support the higher targets in the RS while the SHMA (EB15) suggests that housing needs in South Gloucestershire require more significantly more provision than that proposed in the CS.
4. The Council has set out its justification for its housing strategy¹ but I am concerned that the lower target promoted in the CS could undermine the soundness of the Plan. Restricting housing to the level proposed has implications for the economic vitality and robustness of the

¹ *Justification for the Strategy for Housing to 2026* (EB21)

region, could lead to higher levels of commuting and act as a further constraint on the supply of affordable housing, a significant issue in itself.

5. In order to meet the test of soundness a plan must be justified, effective and consistent with national policy (PPS12, para. 4.52). The differences between the level of housing provision in the draft RS and the CS can be tested through the examination process (i.e. justified) and I accept there would be little point in setting targets which could not be delivered. However, there is no obvious flexibility in the CS for it to accommodate changing circumstances (PPS12, para. 4.46). It is also apparent from government statements that increasing housing supply is a national priority (see for instance the Ministerial Statement: Planning for Growth, which requires local planning authorities to 'make every effort to identify and meet the housing, business and other development needs of their areas' [23 March 2011]).

Green Belt

6. Proposals in the CS require changes to be made to Green Belt boundaries in order to implement the Plan. These would be limited and possibly brought forward in other plan documents although the Council suggested at the Explanatory Meeting that they could be introduced as modifications to the current document.
7. This could be acceptable if the changes to be made were undertaken in the context of an overall understanding of the future role of the Green Belt in South Gloucestershire. That is not the case because the Council concedes that it has not undertaken a full assessment of its Green Belt to ensure that there would be no need to change boundaries during the remainder of the plan period or for a reasonable period beyond. This is a requirement set out in PPG2 paragraph 2.12 and has been reiterated in the draft National Planning Policy Framework.
8. My concern is that the Council's limited and piecemeal approach to the Green Belt brings into question the validity of its approach to assessing development potential. This would make it difficult to find the CS sound because I cannot be certain that the CS is founded on the most appropriate strategy (PPS12 para. 4.36).

Filton Airfield

9. The closure of Filton Airfield would see the potential release of a significant amount of land in a location of strategic importance to the District and to the delivery of the CS. My initial reaction on appointment was to suggest to the Council that it should determine how this area could be incorporated into the CS so as to capitalise on the availability of the land during the plan period.
10. The Council has gone some way towards doing this and it is clear from the consultation exercise on the Position Statement² that a majority of the respondents recognise the CS needs to address the likely closure of the Airfield. Many also support the Council's intention to bring forward more detailed proposals through subsequent plans.
11. In the circumstances, I do not regard this as an acceptable approach because the opportunities offered by the release of this site have wider ramifications for the Council's overall strategy as well as the Development Management process (PPS12, para. 4.5). The Council needs to be sure that the current direction of the CS remains the most appropriate one to follow (PPS12, para. 4.38) in the event that the Airfield comes forward and further work is needed to demonstrate this.
12. At the very least the CS needs to provide more direction and further detail on the most likely split of land uses at Filton and the implications of this for the spatial strategy. For instance, the closure of the Airfield could give the Council some flexibility to cope with the uncertainties of economic and social change, but this would seem to undermine the resolute position the Council has adopted in its approach to future housing provision.

² Filton Airfield Position Statement, June 2011

13. In addition, the Council should be able to demonstrate that there is a reasonable likelihood the site can be delivered having regard to constraints and matters such as infrastructure and transport provision and relevant strategies of the neighbouring authority within whose boundary the southern edge of the Airfield lies. This is yet to be done and while it might be tempting to resolve these matters through the examination process it is not its role to do so, nor would it be an appropriate or efficient way to proceed.
14. Clearly there are conflicting pressures on the use of the Airfield, if it were to come forward. The Local Enterprise Partnership (LEP) supports a mixed-use development that 'includes a substantial proportion of the site to be devoted to employment uses', a position favoured by others although this could exacerbate the balance between homes and jobs and the congestion which affects the area.
15. Following discussions between BAE Systems (the owner of the Airfield) and yourselves the former believes the site should be properly embedded within the CS to provide 'strategic certainty'. This is also the view of a number of other respondents and given my previous comments, it is one I share. The CS should be providing sufficient strategic direction to show the most likely use of the site including the timescale in which it could be brought forward.
16. I understand that BAE are carrying out work to demonstrate the deliverability of the site and to support its allocation as a strategic mixed-use site. I consider it is vital that this information is available to inform the examination process. I would also want to be confident that the approach to the use of the Airfield is one with which accords with the City Council's strategic objectives for Bristol.

Procedural/Legal Matters

17. At the Exploratory Meeting the Council said that it had followed the principles of good consultation and had complied with the necessary stages of plan production as prescribed by the Regulations³. It argued that any technical breach in following the Regulations was minor and that the steps it had taken meant that no one had been prejudiced.
18. I accept that the Council has complied with the spirit if not every aspect of the Regulations precisely. It acknowledges, for instance, that the changes to the Proposals Map were not put forward for consultation when the Pre-Submission Document was published in March 2010 although the strategic sites were illustrated in the body of the document itself. In any event, it rectified this in a further round of consultation later in the year
19. The 2008 Regulations allow Councils to introduce changes to their DPDs prior to submission to the Secretary of State and the Pre-Submission Publication Draft (SD1) was amended by a series of Proposed Changes (SD3). These were subject to consultation and are embedded as revisions to the earlier version of the CS. This forms the Submission version of the CS which I regard as the document before me for examination.
20. Nevertheless, I share some of the concerns expressed in relation to the procedural process and to avoid a risk of challenge the Council should, ideally, re-publish and re-consult on the CS in its current form. However, I am not aware that anyone has been prejudiced and it is difficult to see how this would be justified in view of my conclusions regarding the way forward.
21. As to the matter of the Sustainability Appraisal I have said the Council should review its Green Belt boundaries to establish whether they remain appropriate and if there are areas of the Green Belt which could provide reasonable alternatives to the current policies and strategy in the Plan. If this were the case corresponding adjustments to the SA would be necessary.

³ The Town and Country Planning (Local Development) (England) Regulations 2004 (the Regulations)
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22. I appreciate that it has been suggested that the Sustainability Appraisal is defective because it has not given reasons for rejecting reasonable alternatives (Abbey Wood Retail Park), but I am not convinced that this is the case. Nevertheless, it would be prudent for the Council to be absolutely certain that its approach complies fully with the recent legal judgement (*Save Historic Newmarket Ltd v. Forest Heath District Council* [2011] EXHC 606.)

Future Progress

23. It is my view that the Council needs to undertake further work before continuing with the Examination. The key requirements are to:
- a. Provide a detailed breakdown of the differences in the approach to assessing and meeting housing needs between the CS and the RS and the evidence in support of the Council's position;
 - b. Undertake an assessment of the Green Belt to determine whether the current areas to be removed are the most appropriate ones and to ensure that boundaries will not need to be changed at the end of the plan period;
 - c. Provide a more detailed analysis of the potential use of Filton Airfield supported by evidence to indicate the preferred split of land uses, feasibility of delivery, timescale for implementation, etc;
 - d. Indicate what consequences arise from the redevelopment of Filton Airfield for other parts of the CS e.g. housing supply, employment provision and locations, cross-boundary issues etc;
 - e. Undertaken any necessary revisions to the SA as a result of further work which is carried out to support the CS;
 - f. Ensure appropriate consultation is undertaken in light of any revisions to be made to the CS.
24. Individually, it is conceivable that none of the matters I have identified would mean it was necessary to halt the Examination process. Cumulatively, however, I consider the scope and amount of work required makes it inevitable. The work I am suggesting is what I consider to be the minimum necessary. In view of this the Council may think it appropriate to withdraw the Plan with a view to resubmitting it at a later date. Alternatively, I would be willing to suspend the examination if I was confident that this period would not exceed 6 months.
25. In deciding how it wishes to proceed the Council should have regard to the possibility of legislative change and the replacement of most, if not all, existing planning policy guidance before the hearings take place. There is therefore a risk to completing the process and the expense of carrying out potentially abortive work.

I appreciate my findings will be disappointing and I fully endorse the views of those who recognise the importance of the Council having a coherent and credible CS in place as soon as possible to direct future growth in South Gloucestershire. However, I see no advantage in continuing with the examination at present because it would not avoid the need for additional information and is more likely to result in on-going delay and additional cost.

I ask that you place a copy of this letter on your website together with your response once it is available.

Yours sincerely

P R Crysell
INSPECTOR