



Report to South Gloucestershire Council

by **Paul Crysell BSc MSc MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Date 15 November 2013

**PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS AMENDED)
SECTION 20**

**REPORT ON THE EXAMINATION INTO SOUTH GLOUCESTERSHIRE CORE
STRATEGY**

Document submitted for examination on 31 March 2011

Examination hearings held between 19 June and 18 July 2012 and 7 March 2013

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Abbreviations Used in this Report

AA	Appropriate Assessment
AHVA	Affordable Housing Viability Assessment
BREEAM	Building Research Establishment Environmental Assessment Method
CLG	Department for Communities and Local Government
CS	Core Strategy
EA	Environment Agency
FPC	Further Proposed Change
GB	Green Belt
GI	Green Infrastructure
GTAA	West of England Gypsy Traveller Accommodation Assessment
HMA	Housing Market Area
IDP	Infrastructure Delivery Plan
JLTP	Joint Local Transport Plan
LEP	West of England Local Enterprise Partnership
LDS	Local Development Scheme
MIP	Major Infrastructure Projects
MM	Main Modification
NPPF	National Planning Policy Framework
ONS	Office for National Statistics
PSPDPD	Policies, Sites and Places Development Plan Document
PUA	Principal Urban Area
RS	Regional Strategy
SA	Sustainability Appraisal
SCI	Statement of Community Involvement
SCS	Sustainable Community Strategy
SES	Strategic Employment Site
SGLP	South Gloucestershire Local Plan
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
SRA	Strategic Regeneration Area
SGTL	Stoke Gifford Transport Link
SPD	Supplementary Planning Document
SUE	Sustainable Urban Extension

Non-Technical Summary

This report concludes that the South Gloucestershire Core Strategy provides an appropriate basis for the planning of the District providing a number of modifications are made to the Plan. The Council has specifically requested that I recommend any modifications necessary to enable it to adopt the Plan. Most of the modifications to address this were proposed by the Council but I have amended wording or made consequential changes in the interests of soundness. I have recommended their inclusion after full consideration of the representations from other parties on these issues.

The modifications can be summarised as follows:

- Inclusion of a new policy in favour of sustainable development;
- Changes to the level of housing provision including revised targets for a 5 year housing land supply and need for an early review of the Plan;
- Alterations to ensure consistency with the NPPF particularly in relation to the viability of schemes, renewable/low carbon energy, sustainable construction, natural and built assets and affordable housing;
- Changes to policies on Extra Care Housing and Gypsy and Traveller provision;
- Clarification on planning obligations and developer contributions;
- Adjustments to retail and employment policies having regard to local circumstances;
- Clarification of the Council's approach to car parking standards and acknowledgement of the need for mitigation measures on the highway network;
- Revisions to the policy content in relation to development in rural areas;
- Adjustments to proposals for Green Infrastructure;
- Changes to the policies covering areas identified as new neighbourhoods in response to new information, representations and detailed issues arising during the examination process;
- Changes to update the Council's revised position in relation to Severnside;
- Alterations to the Council's approach to Major Infrastructure Projects.

Introduction

1. This report contains my assessment of the South Gloucestershire Core Strategy (CS) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework (NPPF, paragraph 182) makes clear that to be sound, a plan should be positively prepared; justified; effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound plan. The basis for my examination is the submitted draft plan of 31 March 2011 [SD10]¹ and the further changes identified for my consideration by the Council as set out in [PS1]. These are shown embedded in the Core Strategy incorporating Post-Submission Changes, December 2011 [PS2] together with changes to the Policies Map² [PS4] which were the subject of consultation between 29 December 2011 and 17 February 2012.
3. My report deals with the main modifications that are needed to make the Plan sound and legally compliant which are identified in bold (**MM**). In accordance with section 20(7C) of the 2004 Act the Council requested that I should recommend any modifications needed to rectify matters that make the Plan unsound/not legally compliant and thus incapable of being adopted³. These main modifications are set out in the Appendices to this report. They should be read in conjunction with the Core Strategy incorporating Post-Submission Changes, December 2011 which included the Council's proposed changes after the Plan was submitted. Those which I consider are important I have treated as Main Modifications which I endorse (see Appendix K), subject to any subsequent revisions listed in Appendices A-J. I accept there will be consequential changes to the policies map resulting from my main modifications which are set out in [PS4] and I have explained how the Council should approach these in paragraph 13 of this report.
4. The examination of the South Gloucestershire Core Strategy has been protracted and involved two periods of consultation on potential modifications to the Plan including, where necessary, Sustainability Appraisal (SA)⁴. My report takes into account all the responses which have been made including those commenting on further information provided by the Council as part of its submission to the Further Main Modifications⁵. As a result of these, I have made some further adjustments where necessary for the purpose of clarity or consistency although none of these amendments alters the essential nature of the published modifications and sustainability appraisal which has been undertaken. Where necessary I have highlighted these amendments in this report.

Background

5. The South Gloucestershire Core Strategy has come forward during a period of

¹ References to documents in the evidence base are set out in square brackets [] in the report

² Previously known as the Proposals Map

³ Requested by letter of 13 April 2012 [SG15/1]

⁴ Undertaken between 4 October and 16 November 2012 and between 22 March and 3 May 2013

⁵ Council response of 8 May 2013

significant legislative and policy change since the process began in March 2011. Immediately following the submission of the CS the announcement was made of the demise of a long established use and consequential future release of a significant area of land. As a result of this and because of concerns I had with other aspects of the Plan, I suspended the examination to allow the Council to review its position. The proposed changes emanating from this review together with the original contents of the Plan were the subject of examination hearings in summer 2012.

6. I set out my preliminary findings together with draft main modifications which were made available for the purposes of consultation during October and November 2012. The outcome of this process highlighted on-going concerns in relation to housing land supply resulting in a further hearing session in March 2013. Revocation of the Regional Spatial Strategy and the release of information on 2011 interim household projections have added to the time taken to complete the examination.
7. Regional Planning Guidance for the South West (RPG10) [LR4] was published in 2001 providing a development strategy for the region to 2016. A draft replacement strategy, covering the period from 2006 – 2026 [LR8] and incorporating the Secretary of State's Proposed Changes [LR8/2] (draft RS), was subsequently published in 2008. The Localism Act 2011, however, introduced powers enabling the Secretary of State to revoke RPG10. The Order to do so came into effect on 20 May 2013. The Revocation Order means there is no prospect of the draft RS becoming part of the development plan.
8. A number of respondents believe the CS to be fundamentally flawed, both in terms of the original pre-submission version of the CS and the form it would take if the proposed modifications were to be adopted. In their view this requires a finding of unsoundness. I have considered this matter very carefully but I believe the deficiencies in the Plan can be overcome.
9. In reaching this conclusion I have had regard both to the views expressed by participants at the hearings and those who made written representations. Despite their reservations about its contents, a number of participants felt it was essential for the Plan to move forward because, with any necessary modifications, it provided much needed certainty and a basis for future planning in South Gloucestershire.
10. The Council has proposed a number of changes to address weaknesses in the CS. While some may feel these are not adequate I consider the outright rejection of the Plan would undermine the proper planning of the District. I set out the reasons for my conclusions later in this report.
11. I see little merit in recommending a further suspension of the process, as was advocated by some parties. The Council has made considerable efforts to overcome the problems I originally identified and a further period of suspension is unlikely to result in substantial or meaningful changes to the Plan without adding further to the delay in putting it in place.
12. The CS will cover a 13 year period if adopted in 2014. The NPPF advises that a 15 year timescale is preferable but allows for some discretion (paragraph 157). In view of the circumstances I do not consider a slightly reduced plan

period is unreasonable. However, this is largely academic as a result of the conclusions I have reached regarding the need for an early review.

13. The Council will need to make 'Additional Modifications' to the CS because of the time it has taken to complete the examination of this Plan. These adjustments will be necessary, for example, to update parts of the Plan to reflect the changes which have taken place, revise the paragraph numbering and make corrections to maps and illustrative material and such other amendments as are necessary to ensure the CS reflects and is consistent with the Main Modifications.

Assessment of Soundness

14. This report has regard to changes made to the planning system by the Localism Act 2011 and the introduction of the National Planning Policy Framework (NPPF) at the end of March 2012 [NP27]. The latter replaced a series of Planning Policy Statements and Guidance Notes and together with the publication of 'Planning Policy for Traveller Sites' [NP28] provides the latest national guidance for the planning system.
15. The Government announced its intention to abolish regional strategies (RS) in 2010 and an order confirming the revocation of the RS for the South West came into force on 20 May 2013. A majority of those commenting on the revocation were of the view that the RS was dated and had little relevance to current circumstances in South Gloucestershire. Work carried out for a replacement RS will not now be completed although some parties felt its evidence base was a material consideration but one of diminishing value with the passage of time [LR8, LR8/1, LR8/2 & LR8/3].
16. The South Gloucestershire Core Strategy (CS) has evolved through an extensive process of information gathering and consultation despite claims that the Council failed to consult fully or engage with parties likely to be affected by the proposed strategy. This criticism seems to have arisen because some residents became aware of proposals late in the process or were informed about them indirectly. There is little evidence to suggest the Council has failed to consult adequately and instead every indication that it has exceeded its statutory obligations.
17. The CS has been prepared in accordance with the Council's Statement of Community Involvement (SCI) [EB3] and Local Development Scheme (LDS) [EB1/1]. The Plan has been informed by the South Gloucestershire Sustainable Community Strategy [EB43 & 43/1] and involved partnership working with neighbouring local authorities, businesses, voluntary and community groups and organisations.
18. A series of Sustainability Appraisal (SA) reports have been undertaken as part of the plan-making process. These included assessments in relation to the submitted Plan [SD6, SD6/1, SD7 and SD7/1], a further evaluation for SA purposes of the Core Strategy incorporating Post Submission Changes (PS2) [PS3] and subsequent reports for both the Draft Main Modification [MOD2] and Further Main Modifications [MOD7].
19. The SA has been criticised for a number of reasons including a failure to examine alternative options and the subjective application and use of

inappropriate criteria. This has led, it is suggested, to bias in assessing the merits of different sites and locations and the conclusion that the SA process has served only to reinforce the Council's preferred spatial strategy.

20. I do not agree with these views. I am satisfied the Council's SA work complies with the requirements of the Regulations and Directive⁶; it addresses the likely impact of development having regard to locational choices and levels of growth and considers a number of strategic alternatives. It was recognised, for instance, that following the Post-Submission Changes to the Plan it was necessary to consider the consequences for SA purposes of increased housing targets.
21. I find the evidence used to support the SA, including assessments of housing provision, landscape impact and the Green Belt, to be acceptable and there is no basis, in my opinion, for concluding the SA process has been carried out retrospectively. Instead, it has been undertaken consistently during the plan preparation process and the examination stages and there has not been a failure to adequately consider reasonable alternative options.
22. Section 110(3) of the Localism Act introduced a duty for local authorities to cooperate on cross-boundary matters. This has been incorporated into the 2004 Act by the inclusion of sections 20(5)(c) and 33A as an additional element of the examination process. The South Gloucestershire CS was submitted before this legislative requirement came into effect meaning that the duty to cooperate did not apply. This was challenged in relation to the Council's suggested changes to retail proposals at Cribbs Causeway. I consider the relevance of the 'duty to cooperate' in the following section.

Assessment of Duty to Co-operate

23. The South Gloucestershire CS was submitted for examination on 31 March 2011 prior to legislation introduced in the Localism Act 2011. This imposed a duty on local planning authorities to cooperate with other bodies to address cross-boundary issues in relation to strategic matters. The duty introduced under S33A of the Town and Country Compulsory Purchase Act 2004 (2004 Act) did not come into force until 15 November 2011 and is not retrospective; it cannot impose an obligation which did not exist prior to the submission of a plan.
24. Nevertheless, it was claimed that the duty should apply because changes to the CS (Post Submission Changes) were proposed after this part of the Act came into force. These were recommended by the Council, refer to strategic matters and form part of the preparation of the CS or otherwise comprise activities which support its preparation. In any event, it is argued, the duty to cooperate has not been complied with and there is no statutory provision for the post submission changes put forward by the Council.
25. The Council says the 'Post Submission Changes' were made to address potential deficiencies in the CS in response to concerns I raised and which led to the suspension of the examination. The subsequent changes can only be regarded as suggestions and provide the basis for modifications which may be regarded as necessary to make the Plan sound.

⁶ Environmental Assessment of Plans and Programmes Regulations 2004; and, the Strategic Environment Assessment Directive 2001/42/EC.

26. There is a clear demarcation between plan preparation for which the Council is responsible under S19 and the examination which begins on submission of the Plan and transfers responsibility for the document to the Inspector under S20. This provides a mechanism through the examination process for the plan to be further modified. This is separate to plan preparation and the duty to cooperate because any further changes become the sole responsibility of the Inspector.
27. Section 20(5)(c) of the 2004 Act clarifies that any duty imposed on an authority in relation to S33A relates to its preparation, consistent with the requirement of 20(5)(a). Thus activities referred to in S33A(3)(e) to support plan preparation can only occur before the plan is submitted. Section 20(7C) makes provision for an examining inspector to recommend modifications to a plan if asked to do so by the local planning authority providing the inspector concludes they would meet the requirements of S20(5)(a) in relation to S19 and S24 of the 2004 Act. Similar provisions do not apply if the local planning authority has failed to comply with any duty imposed under S33A in relation to its preparation. A failure on the part of an authority to do so is not capable of remedy.
28. At the Exploratory Meeting held in June 2011, the Council confirmed that it had complied with the relevant requirements and considered the document was ready for examination. The duty to cooperate did not exist at that time and cannot therefore apply to the Submission CS. The subsequent work and consultation by the Council following suspension of the examination was carried out in response to concerns about the soundness of the Plan. These fall within the examination process and as potential modifications they are subject to similar consultation and sustainability appraisal processes as are required during plan preparation. However, S33A only applies to plan preparation and does not apply to modifications which may come forward through the examination process.
29. I consider the merits of the proposed changes which gave rise to this matter under Issue 5. These relate to policies CS14, CS25 and CS26 regarding retail proposals in the Cribbs/Patchway New Neighbourhood.

Main Issues

30. Taking account of all the representations, written evidence and the discussions that took place at the examination hearings I have identified seven main issues upon which the soundness of the Plan depends.

Issue 1 – Whether the Council's strategy is founded on an appropriate vision for the area and is capable of accommodating the various pressures and challenges facing it over the course of the plan period.

31. South Gloucestershire is an urban fringe authority covering the northern and eastern periphery of Bristol and possessing an extensive area of Green Belt which forms part of the wider Bristol and Bath Green Belt. Section 3 of the CS identifies the key issues facing the area, one of the main challenges being to integrate future development with existing communities. The need for infrastructure and services to support development is axiomatic while alternatives to the car are required to encourage more sustainable lifestyles and reduce congestion.

32. Section 4 sets out a vision for the area and the strategic objectives which the Plan should deliver. These are based on the principles of sustainable development, effective management of the natural and built environment while meeting housing and employment needs and responding to climate change. These are commendable aims although a modification is required to ensure references in this and other parts of the CS reflect the extended plan period to 2027 [MM1]. It is also important that development is not compromised by a failure to take account of viability issues. I therefore endorse an additional objective the Council has proposed in recognition of this point [MM2].
33. In many respects the vision in the CS is consistent with the approach promoted in the draft RS [LR8 & 8/2] and identifies a limited number of sustainable locations to meet future needs. I am therefore satisfied that the Council's strategy is capable of addressing the development requirements of the District over the course of the plan period.
34. The role of peripheral land tracts as part of its locational strategy together with concerns about the adequacy of housing provision were issues at the forefront of discussions during the hearings. I examine the spatial strategy and housing matters in more detail in Issues 2 and 3 respectively.

Issue 2 – Whether the spatial strategy is the most appropriate one for the area to deliver the sustainable development objectives promoted in the National Planning Policy Framework.

35. The Council's approach to meeting development needs in South Gloucestershire to 2027 would see development concentrated in two new neighbourhoods at Cribbs/Patchway and Harry Stoke on the northern fringe of Bristol. Growth in these locations will be complemented by a new neighbourhood at Yate, beyond the outer edge of the Green Belt and the completion of development at Emersons Green promoted in the South Gloucestershire Local Plan (SGLP).
36. The CS also seeks to further the employment potential of Severnside. Alongside the adjoining area of Avonmouth (in the Bristol City administrative area) it is well placed to benefit from the planned investment at Bristol Port. More limited development at Thornbury will assist in meeting local needs with the modest increase in population helping to support services and invigorate the town centre.
37. Included in the proposals is the release of two areas of Green Belt in the North Fringe. Further significant development either in the Green Belt or other rural areas is regarded as unacceptable because of its impact on the environment and the difficulties of delivering sustainable development in these locations. Instead proposals would be restricted to meeting local needs, either through schemes in neighbourhood plans or small-scale development promoted in the forthcoming Policies, Sites and Places Development Plan Document (PSPDPD).
38. By concentrating development into a relatively small number of locations the strategy would make better use of available services and facilities while existing residents and businesses would benefit from more investment. This is particularly true of schemes coming forward to improve public transport which offer the most effective way of alleviating congestion in future years.

39. The value of specific parts of the District and the contribution these areas could make to the positive planning of South Gloucestershire figured repeatedly in discussions during the hearings and in written responses to the Plan. I consider each of these below.

Filton Airfield

40. The Submission CS sought to safeguard the highly-skilled engineering activities of the aerospace cluster adjoining Filton Airfield by avoiding development which could prejudice operations at the airfield⁷. The former are seen as crucial to the economic vitality of the region but their continued presence was thrown into doubt by the decision of BAE Systems (BAE) to close the airfield by the end of 2012. The decision was made immediately after the Council had submitted its CS requiring it to reappraise the future role of this substantial tract of land. In its Post Submission Changes [PS2] it recommended the airfield be used for mixed-use purposes to complement development in the North Fringe.
41. There has been considerable opposition to the closure of Filton Airfield⁸ which is understandable given its association with the development of innovative aircraft and its contribution to aviation history. A case has been made to retain it to serve business passengers and to expand its role as a maintenance centre but there is insufficient interest to show these activities would justify the continuation of airfield operations.
42. The case for retention also contrasts with a study commissioned by BAE showing the considerable decline which has taken place both in aircraft movements and maintenance work over the last decade [RD28]. Similarly, while a local group in favour of saving the airfield say firms using the airfield consider the impending closure regrettable, there is no confirmation from major manufacturers that the loss of the airfield would have a discernible impact on their operations or would be a reason for them to relocate [PS6].
43. I consider an alternative suggestion to use the airfield for passenger services is unrealistic. Airports are often close to urban areas but it is common for both to have grown together. Introducing commercial operations would have a profound impact on those living in the wider Bristol area. Commercial services already operate from Bristol Airport and there has been no indication that the Government supports the retention of Filton Airfield. In the absence of a clear commitment to expand airport capacity outside the south-east there seems very little likelihood of such a proposition coming to fruition.
44. Ultimately, the closure of the airfield is a commercial decision for the operator and one whose loss must be balanced against the advantages of using the land for other purposes. The agreement reached between the owner and the Council would see the site being developed over the course of the plan period. This would boost the amount of housing which could be brought forward and enable the Council to improve the poor balance which exists between homes and jobs in the North Fringe.

⁷ SD10, Policy CS25

⁸ See for example e-petitions and paper petitions against its closure [SD14/2]

45. Land would be retained at the eastern end of the airfield for employment uses and to support existing activities such as the Air Ambulance and as a base for the police helicopter [RE14]. Residential development of other parts of the airfield would benefit from the considerable investment being made in public transport in the North Fringe as part of wider transport improvements across the urban area. In turn the proposals would help to increase the customer base. Removing the physical barrier created by the airfield would also allow for improved linkages and compensate in part for the loss of an open area which I recognise from representations is appreciated by many of those who live in the vicinity.
46. Having regard to housing provision and the need to promote sustainable development I find the weight of arguments in favour of the redevelopment of the airfield compelling. It provides an ideal opportunity to support the Council's objectives for the North Fringe while making better use of land where advantage can be taken of the planned improvements to the transport system. In addition, it helps offset the need for the Council to consider short term intrusions into the Green Belt although, in light of the conclusions I reach in relation to housing provision, using Filton Airfield for these purposes is not a substitute for sites being promoted elsewhere.

Green Belt

47. The Council undertook a study of Green Belt locations in 2006 [EB46] to decide whether different locations fulfilled the statutory purposes of the designation. At the time this was seen as a precursor to possible changes to boundaries to accommodate needs identified through the draft RS process.
48. Further work was carried out in 2011 [PS7] to review the earlier evidence following the concerns I raised at an Exploratory Meeting⁹ [PA2/1 & PA5]. The results reiterated earlier conclusions that strategic areas of the Green Belt fulfilled at least three of the five purposes of Green Belt designation, that changing the boundaries would be damaging and that it was not necessary to do so to meet housing requirements during the plan period.
49. The Council has set out the exceptional circumstances to explain why it is proposing to release two areas of land from the Green Belt in the North Fringe. It believes there is no requirement to identify further areas in the short term but that does not guarantee boundaries will not need to be altered towards the end of the plan period. In this respect, the Council has not had regard to planning guidance. This places a responsibility on local planning authorities to consider longer-term development needs when preparing local plans in order to avoid having to alter Green Belt boundaries at the end of a plan period (NPPF, paragraph 85).
50. The notion of identifying 'safeguarded land' as a possible precursor to meeting future development needs is especially apposite, in my view, given the commitment of the authorities in the Bristol sub-region to undertake a new Strategic Market Housing Assessment (SMHA). Interim findings are expected in 2015 [RD/69]. I appreciate the study is at a very early stage and that its purpose is not to identify housing targets. Instead it will inform future policy and, in the context of the 'Duty to Cooperate', will involve local authorities

⁹ Exploratory Meeting – 29 June 2011

'working collaboratively' with other bodies as set out in the NPPF (paragraphs 178 and 179).

51. The outcome of this study can be expected to have implications for future plan policies because it will provide the latest objective assessment of housing need. In these circumstances it seems to me that there is a distinct possibility that a further assessment of Green Belt boundaries will be necessary as part of a wider plan review which I believe should be undertaken (see Issue 3). This would enable the Council to address any deficiencies in meeting targets or assist it in maintaining an adequate on-going housing land supply.
52. A number of representors felt that the Council might be reluctant to carry out a review. The demise of the RS may mean there is less pressure on the Authority to do so but it does not remove the threat of 'planning by appeal' if there is a shortfall in housing land supply or if the capacity of identified sites fails to be realised. As I was informed on a number of occasions, the Council is very keen to avoid this outcome.
53. Insofar as the Council recognised it might prove necessary to look again at the general extent of the Green Belt [CE21], I agree and I am satisfied that the CS can be made sound by reference to any necessary strategic changes being made through a review of the CS. This has been included in main modifications recommended to policies CS5 and CS15 (**MM7 and MM15**).
54. During discussions the Council said 'non-strategic' Green Belt development could be delivered through its PSPDPD or in Neighbourhood Plans. This would provide some degree of additional flexibility in accommodating housing pressures by allowing local needs to be addressed in accordance with the principles of localism.
55. The intention is that the PSPDPD will provide detail to support the strategic policy position of the CS. As drafted proposals for up to 499 dwellings could come forward in the PSPDPD although the Council thought it was more likely that schemes would be limited to about 120 dwellings adjacent to urban areas and 30 in more rural locations. However, there is no indication how numbers would be contained at these levels. There is an obvious danger that this approach could lead to significant amounts of development and adversely affect the openness of the Green Belt. Not only would this undermine the purposes of Green Belt designation it would run counter to the Council's stated desire to protect these areas.
56. In the absence of any strategic justification in the CS for the release of Green Belt sites beyond those already identified, I consider it would be inappropriate to allow for further development in Green Belt locations to come forward whether through the PSPDPD or in neighbourhood plans unless it is consistent with the NPPF with respect to limited infilling, limited affordable housing for local needs or the partial or complete redevelopment of previously developed sites (NPPF, paragraph 89). Recommended modifications to policy CS5 and the supporting text are set out in **MM7**.

East Fringe

57. The draft RS review process concluded that it was necessary to use land on the eastern edge of Bristol if housing pressures in the District and the sub-

region were to be met, even though this meant it would be necessary to make incursions into the Green Belt. The strategy did not find favour with South Gloucestershire Council which regards development in the East Fringe, beyond that allocated in the SGLP at Emersons Green, as unacceptable. In view of its impending demise the Council rejected this part of the draft RS strategy. Not surprisingly, this has led to a number of representations challenging the Council's failure to realise the potential of this area.

58. The eastern fringe of Bristol is made up of a number of different communities where there are relatively few employment opportunities. The imbalance between homes and jobs results in significant levels of commuting to various parts of the urban area although public transport routes to the City Centre and the main employment areas are hampered by the physical limitations of the road network. The Council claims that these factors mean that further development in the East Fringe would be unsustainable.
59. Instead its preference is to maintain the identity of the communities on the eastern fringes of Bristol by enhancing local centres and encouraging small-scale employment opportunities. The completion of development at Emersons Green is seen as a major step in improving the balance between homes and jobs in this part of the District while the Council is safeguarding other more modest employment sites in the East Fringe via policy CS12.
60. Better public transport links between the City and Emersons Green are planned but will not be operational for some time while improved connections to other parts of the East Fringe are not expected during the plan period. The countryside further to the east and south will continue to be protected while taking advantage of opportunities to increase access and exploit the recreational potential of a varied and attractive landscape. In principle, I do not regard this stance as being unreasonable even though it ignores the possibility of long-term change.
61. From the Council's perspective, schemes for mixed-use development, such as those put forward at Warmley and Oldland Common, would fail to address the structural imbalance of homes and jobs while exacerbating existing problems. I agree because the scale of development is unlikely to deliver sufficient jobs or create the conditions needed to achieve the 'step change' anticipated in new neighbourhood developments. The latter rely on their proximity to established employment areas and planned improvements to public transport or by maintaining existing levels of self-containment to help offset or reduce reliance on the car.
62. Nevertheless the CS remains the most appropriate vehicle to identify areas which may be capable of satisfying needs either towards or beyond the end of the plan period. In this respect I consider that as part of the review of the CS the Council should explore the potential of the East Fringe both as a longer-term resource and as a means of providing flexibility to meet needs should circumstances change during the plan period. In my opinion the East Fringe represents a potential opportunity area where measures to improve the structural imbalance between homes and jobs, address deficiencies in the public transport system and regenerate older urban areas are catalysts for change. This gives further impetus for an early review of the CS (or Local Plan).

Rural Areas

63. The Council says it has considered the role of smaller villages in its spatial strategy but concluded that a more dispersed pattern of development is not sustainable [PS3, paragraphs 3.6 - 3.6b]. This was a view previously reached in the sustainability appraisal undertaken for the draft RS and one which, in principle, I support. The Council pointed out that housing commitments in areas outside the main urban locations (2,918 dwellings) exceed the level proposed in the draft RS (2,300) although it recognises that further small-scale development could be initiated through community-led proposals for inclusion in the PSPDPD or in neighbourhood plans.
64. A number of respondents were critical of the Council's approach because it fails to exploit potential sites adjacent to existing settlements even though these could make a further contribution to meeting housing needs. For example, a site on the edge of Frampton Cotterell had been regarded as a sustainable location for development and one which was supported on appeal, because of the Council's failure to demonstrate it had a 5 year housing land supply [EB74].
65. Land adjacent to this site is seen by developers as a potential location for further housing although the Council says this area acts as a 'buffer' between the settlement and the edge of the Green Belt further to the south. It believes the land has importance from a landscape and countryside perspective, a view not dissimilar to that expressed by the appeal inspector; others are concerned that development would threaten coalescence between the urban fringe and Yate. I understand the Council's position in looking to defend this site but it seems to me that it had an opportunity to re-assess its role and, if justified, include it in the Green Belt as part of its CS proposals. It chose not to do so, reinforcing my view that its Green Belt needs to be reviewed as part of the review of the CS.
66. The Council has proposed alterations to policy CS5 which expand upon its approach to development in rural areas. The potential for neighbourhood planning to meet community needs is acknowledged yet the Council has sought to retain its restrictive approach to development in villages where it intends to retain current settlement boundaries to 2016¹⁰. This means it has failed to review boundaries which are 20 years old, an omission which was regarded by some as an abrogation of its responsibilities as a local planning authority.
67. Local representatives felt that the principles and mechanisms embodied in the Localism Act 2011 would encourage communities to take a more proactive stance in planning positively for their areas. That remains to be seen but the Council confirmed it supported a community-led approach having been involved with two of its parish councils who have secured Government assistance to progress neighbourhood planning schemes.
68. I do not consider retaining settlement boundaries makes the Plan unsound but I see no justification for pursuing an arbitrary time-scale, particularly in light of the Government's localism agenda. Settlement boundaries have commonly been used as a planning tool to limit development but the opportunity exists

¹⁰ i.e. for five years from the submission date of the CS

to manage and deliver change by community agreement through the Neighbourhood Plan process, the Council's PSPDPD or in a comprehensive local plan. I have therefore made a further adjustment to the modifications to policy CS5 (MM7) to acknowledge this and to include reference to the potential role of a local plan in replacing the CS as part of the review process I have advocated in relation to policy CS34 (MM27).

Issue 3 – Will the Core Strategy provide for sufficient housing in the most appropriate locations to meet future housing needs?

Background

69. The Council opposed the scale of housing recommended in the Panel's Report on the draft RS [LR8/1] and the increases subsequently proposed by the Secretary of State [LR8/2]. It gives a number of reasons to justify its position [EB21] including the abolition of the regional tier of the planning system. This transferred responsibility to local authorities to identify housing needs and encouraged local communities to become more involved with the planning regime through measures in the Localism Act.
70. The submission CS made provision for up to 21,500 dwellings over the plan period. This target was predicated on the Council's desire to protect those parts of the District it considers are vulnerable to change, such as the Green Belt. This is understandable but the NPPF requires local planning authorities to meet objectively assessed development needs (paragraph 14). Failing to do so could have significant social, economic and environmental consequences, acting as a brake to economy recovery and growth. In terms of housing, underprovision could displace demand to other locations and encourage higher levels of commuting. It is clear from the NPPF that other factors may influence the extent to which identified needs can be met¹¹ but I do not consider the submission target was sufficiently justified in terms of paragraph 14 of the NPPF.

Overall Housing Requirements to 2027

71. Following the announcement that Filton Airfield was to close the Council decided it would be a suitable location for mixed use development allowing it to increase housing numbers and safeguard part of the site for employment purposes. Using the site in this way would, it claims, accord with the ambitions of the West of England Local Enterprise Partnership (LEP) to ensure economic growth and provide more flexibility in housing supply. At the same time, redevelopment would both support and benefit from infrastructure investment in the area and reduce the pressures for expansion elsewhere, especially in places where environmental factors are seen as serious constraints to growth [PS8].
72. The NPPF requires councils to undertake an objective assessment of housing needs (paragraph 47). South Gloucestershire's assessment was carried out before national policy changed but was done in the context of a more limited Housing Market Assessment (HMA) [EB15]. Supplementary work has been undertaken to support these findings including a review of growth assumptions in the draft RS and an appraisal of population and household

¹¹ NPPF, Footnote 9 to paragraph 14

projections [CE7 & EB21].

73. It was generally accepted that RPG10¹² [LR4] had little relevance for future housing and employment needs because it was seriously out of date. Instead, some parties felt that greater weight should be given to the draft RS, published in June 2006 [LR8], and the Secretary of State's proposed changes [LR8/2] in July 2008. At that time the economy was growing and there was every indication that this would continue.
74. Levels of housing provision proposed in the Panel Report were predicated on recommendations in the Regional Economic Strategy which concluded that the region needed to plan for growth rates of between 2.8 and 3.2% GVA¹³ over 20 years [LR8/1 paragraph 2.7]. The Report noted that employment growth was closer to 3.2% but provision was being made for only 2.8% meaning there was a danger of jobs being delivered faster than homes, putting pressure on house prices and resulting in more commuting.
75. Projections in the draft RS indicated between 29,100 and 37,700 jobs would be created during the plan period but predicting change over 20 years is prone to uncertainty, as illustrated by the subsequent economic downturn. Having reviewed economic growth projections the Council [EB21/1] has concluded that growth below 2% is more realistic in the West of England region to 2026. This equates to it being some 5 to 6 years behind draft RS assumptions for 2026 with a corresponding reduction to between 18,600 and 21,900 in the number of new jobs being created.
76. A number of housebuilders used the Chelmer Population and Housing Model to show that 21,900 jobs would require provision of an additional 35,149 dwellings by 2027. Modelling outputs may suggest this is valid but I have reservations about an approach which assumes all additional jobs will be taken by South Gloucestershire residents. This is particularly so where there is adequate opportunity for those working in a large urban area with well developed transport links to live and work in different places.
77. However, I am not fully convinced by the Council's interpretation of ONS data [CE7, paragraph 22]. I do not discount the apparent increased reliance of Bristol on South Gloucestershire for jobs in recent years but this could also be explained by insufficient accommodation coming forward in South Gloucestershire thereby forcing economic active residents to live in neighbouring areas.
78. The outcome of demographic modelling, in comparison, points to lower levels of provision being required. The results are broadly compatible and have regard to the most recent population and household projections. Given the possible issues with the employment-led projections, I consider the demographic modelling provides a better basis for assessing future needs. One of these studies suggested 28,315 dwellings would be required over the same period¹⁴ while a separate study by Roger Tym and Partners (RTP) [RE12] found that some 1,200 dwellings (net) should be built each year if the

¹² Regional Planning Guidance for the South West

¹³ GVA – Gross Added Value

¹⁴ Submission to Matter 8 (Housing Provision) by Barton Willmore on behalf of six housebuilders, 23 May 2012

components of population change remained unchanged¹⁵.

79. The Council took this to be a vindication of its stance on housing need having concluded that it would be possible to provide 26,400 dwellings by 2027 because of the additional allocation at Filton Airfield. Unfortunately, as the RTP study makes clear, this level of growth ignores any deficit in supply if there is unfulfilled housing need in other parts of the West of England HMA. RTP suggest the Council should provide further housing land, either to its sustainable capacity or what it identifies as the 'HMA shortfall' of 800 homes per annum.
80. Consequently, while the Council's revised target represents a considerable improvement on its earlier provision the development industry is not convinced it would be sufficient to meet needs. Most participants have continued to regard 33,000 as a minimum target, very close to the number promoted in the Secretary of State's proposed changes (32,800) [LR8/2].
81. The draft RS will not now proceed to adoption but the evidence base which underpinned it should not be dismissed too readily. Nonetheless, circumstances have changed markedly since the draft RS was published. Levels of economic growth which informed forecasts now seem unrealistic while 2011 CLG household projections have replaced the previous projections from 2008. The latest official projections are derived from 2011 interim sub-national population projections produced by the Office for National Statistics and lend weight to the Council's insistence that the draft RS findings are no longer credible.
82. The most recent projections do not cover the full plan period but illustrate likely household formation rates through to 2021¹⁶. The Council has extrapolated these figures to 2027 and found they would result in about 25,700 new households over the plan period. These may underestimate housing needs because in recent years levels of house building have been low. Projections, generally, should be treated with caution because they are, as recognised by RTP, 'subject to wide margins of uncertainty' [RE36]. Even so, the latest projections support a more cautious view being taken of housing requirements even if it is unlikely that formation rates will remain at these levels for the entirety of the plan period. I consider it would be unwise to rely on the earlier targets presented in the draft RS or those based on 2008 projections.
83. Taking into account the most recent household projections, the additional capacity from the development of Filton Airfield and an allowance for windfall schemes (see below), I consider a provision of 28,355 dwellings based on the housing supply position at April 2012 remains an appropriate minimum level of housing provision to be made¹⁷. Delivery of this amount of housing would exceed the 'base' levels of provision identified by others and the most recent extrapolations made by the Council while also providing a significant 'boost' to housing supply which is one of the objectives of the NPPF (paragraph 47).

¹⁵ Based on ONS 2010 sub-national population projections

¹⁶ Household Interim Projections 2011 to 2021, CLG, 9 April 2013.

¹⁷ Figures for April 2013 indicate a small increase in the overall level of housing coming forward over and above the 'minimum' identified target the Council should be looking to provide.

84. Without a NPPF compliant SHMA the degree of reliance that can be placed upon this figure is uncertain because it is not clear what the housing needs of the wider HMA are and whether joint working between the relevant authorities would require revisions to housing targets before the end of the plan period. There is, however, a reasonable expectation that any deficiencies in the information base will be identified through the findings of a new SMHA which can be taken into account in the review [RD69]. In these circumstances it would not be justified to delay this plan until the new SHMA is completed.
85. Subject to the Council undertaking an early review I am satisfied that the proposals in the CS (as modified by MM15) provide a basis for taking the Plan forwards. I have previously mentioned the potential role that land in the Green Belt may have in meeting further needs and a re-appraisal of this should be seen as a key component of the review process. The latter could incorporate the work being carried out for the PSPDPD leading to the production of a replacement local plan, should the Council decide to adopt this approach.
86. I therefore consider South Gloucestershire should aim to adopt a replacement plan as soon as reasonably possible. I previously felt this should be done prior to 2021¹⁸ but the timetable for the newly instigated SHMA process means this can and should be brought forward so that a review/replacement plan is in place by the end of 2018. This would allow the Council sufficient time to take into account the implications of the SHMA, to assess its housing land supply position and the success of the new neighbourhoods in meeting housing needs. In addition, it would enable the Council to re-examine strategic development options, including any adjustments which may be required to Green Belt boundaries. Reference to the review date is included in MM15.
87. The outcome of the SHMA process also provides an opportunity for the Council to work with the other West of England Unitary Authorities in identifying future needs and pursuing complementary strategies capable of delivering and supporting economic and social growth across the sub-region. While the authorities are at different stages in plan-making and plan review activities I do not consider this invalidates such an approach, particularly as each authority will have to have regard to the Duty to Cooperate.

Windfalls

88. The NPPF allows local planning authorities to include an allowance for windfall sites in their five year housing supply providing it can be shown that these have come forward consistently in the past (paragraph 48). A number of respondents have misgivings suggesting that windfalls are unlikely to be a reliable source of supply particularly as numbers may have been exaggerated by the inclusion of dwellings built on garden land which the Government has discouraged.
89. These are legitimate concerns but the Council has a well-established monitoring regime for house completions on large and small sites [EB17/2]. On average 159 windfall dwellings on small sites have been built annually for the last 23 years. Since the start of the plan period this has risen to 254

¹⁸ See for example, Appendix D (Policy CS15) to Further Main Modifications, paragraph 10.6bii [MOD6]

dwellings per year (dpa) [PSM8]. When windfalls on garden land are excluded in excess of 180 dpa have still been built since 2006.

90. The Council's Residential Land Availability Survey for April 2012 [EB17/2] indicates there are sites with planning permission (including those under construction) for 662 dwellings on small sites once a 10% lapse rate has been incorporated to allow for unimplemented permissions. I therefore consider there is ample evidence to show that windfalls have been and remain an important component of housing supply in South Gloucestershire justifying the inclusion of an allowance in the calculation that equates to 150 dwellings per annum in addition to the small site commitments that benefit from planning permission.
91. In reviewing its housing position, the Council identified a further 594 dwellings which it considered to be deliverable and therefore formed a legitimate component of its housing land supply [SG28]. These were new sites with planning permission, sites being disposed of by the Council and those capable of being brought forward from later in the plan period. Concern was expressed that this resulted in double counting of the windfall allowance but none of these were sites of less than ten dwellings which was the threshold the Council applied for the purposes of defining small sites (windfalls).
92. Previous planning guidance in PPS3¹⁹ [NP3] meant the Council had been able to include a windfall element in the final five year phase of the plan period. Allowing for similar numbers to come forward in the first and second five year periods means there is scope for increasing the overall supply of housing land.

Five year housing land supply

93. Of more immediate concern is the ability of the Council to ensure there is a five year housing land supply. Annual house completions have not matched targets in the South Gloucestershire Local Plan [LR1] (1184 pa) or the submission version of the CS (1075 pa) in the last decade, even at times when the economy was stronger. Progress on some sites has been slow because of difficulties in resolving legal agreements under Section 106 (S106) of the Town and Country Planning Act 1990 (as amended), although this is indicative of financial pressures rather than technical difficulties of site development. What is less clear is how far past delivery has been affected by the absence of sufficient allocations or the unwillingness of developers to bring forward and market sites in uncertain economic times.
94. Nevertheless, the Council does not dispute that the number of dwellings being built has failed to meet planned targets, even for the lower numbers (21,500) proposed in the Submission Plan. When set against the revised figure of 28,355 the shortfall in supply becomes more acute. Provision should therefore be made in the CS to bring forward an additional 20% supply of sites into the five-year supply to provide alternative sites to accord with paragraph 47 of the NPPF.
95. Previous shortfalls in supply have commonly been addressed using the 'Sedgefield' method to make good deficiencies as soon as possible or by a residual method spreading numbers over the remainder of the plan period

¹⁹ Planning Policy Statement 3, *Housing*, June 2010

(Liverpool). I have been referred to a number of appeal decisions which shows inspectors undertaking S78 appeals have generally favoured the Sedgefield method. There is no indication in the NPPF, however, that one method is preferable to the other.

96. Ideally it would be desirable to make good past deficiencies as soon as possible. New initiatives and Government schemes to improve access to finance appear to be providing a welcomed stimulus for the housing sector. Even so, there is no guarantee the market would be capable of supporting the 'uplift' in completions on the scale envisaged by the building industry. This would require annual completion rates in excess of any of those achieved in the last quarter century.
97. Providing dwellings at these levels would also necessitate the allocation of more sites, as the majority of the housebuilders advocate. I consider it would be undesirable to continue the piecemeal process of allocating additional land from sites identified through representations made to the CS (as has been done at Morton Way, Thornbury) because these are unlikely to be the only choices available or necessarily the best locations for development. In this respect, I have noted the conclusions reached by the inspector holding the Engine Common appeal who found that particular site was not one which contributed to sustainable development²⁰.
98. It is the intention of the NPPF to ensure there is a 'significant boost' in housing supply. The latest information provided by the Council in its response on this²¹ suggests approximately 20% of the required dwellings have been completed in the first seven years of the plan period. Based on the residual (Liverpool) method, if sites were to come forward as the Council says is possible a further 35% of properties could be provided in the course of the next five years, 30% in the following five years and 15% in the remaining four years to 2027. Having regard to the different timescales I consider the potential to increase delivery to this initial level represents a 'significant boost' in supply and justifies an annualised correction of past deficiencies to be made over the course of the plan period.

Delivery

99. The inspector conducting the Engine Common appeal concluded from the detailed evidence put to him that the Council could not demonstrate it had a five year housing land supply. In response the Council commissioned a study by BNP Paribas Real Estate (BNP Paribas) to provide an independent assessment of the sites it was relying on to deliver the housing needed by April 2018.
100. The study found an increase in the rate of sales has taken place in the last 12 months because of better economic conditions, helped by the introduction of new mortgage products. Renewed confidence in the market was reciprocated by more interest being shown by housebuilders who, it is reported, have expectations of rising sales and increased delivery from site outlets.
101. The report refutes a number of assumptions made by the appellants at the Engine Common appeal. Instead it suggests the Council's large site

²⁰ APP/P0119/A/12/2186546 – Land between Iron Acton Way and North Road, Engine Common, Yate

²¹ South Gloucestershire Council – 5 Year Housing Land Supply, letter and enclosures dated 7 June 2013

allocations provide a good mix of location and geographical spread which are well placed to react to increased demand and deliver high numbers of homes which are capable of meeting housing land supply targets.

102. Many of these points are strongly disputed by the development industry, particularly the likelihood that delivery on a relatively small number of large and closely related sites will increase to the extent forecast. I share some of these misgivings although the report includes details of the considerably higher completion rates that have been achieved on large sites in the past compared with those that developers now say are feasible.
103. The planning position shows that many sites have the benefit of outline or full permission although I appreciate that there have been difficulties in concluding S106 agreements that have led to delays in some sites coming forward. Nevertheless, concerns over five year land supply and the backlog of previous provision means the Council should not inhibit the early release of land in the new neighbourhoods or former Green Belt locations. I understand its desire to ensure there is sufficient control to provide certainty for both developers and local residents but the use of supplementary planning documents or masterplans to guide development should be used flexibly to minimise delay. This was accepted by the authority during the hearings as illustrated by recommended changes to policy CS31 (**MM25**).
104. PNB Paribas queries why the Council has made no allowance for 'large windfall' sites even though these can be an important element of overall delivery. It points to the increased scope for office to residential conversions following changes made to the permitted development regime as well as modest sites which become available for commercial reasons or because of adverse financial pressures e.g. petrol and police stations. I do not doubt that such opportunities will arise as has happened in the last 12 months where a number of sites have unexpectedly come forward. However, I consider it would be unwise to place undue reliance on sites where there is insufficient evidence to show they are a consistent source of supply. The Council has also stated previously [CE8] that it has assessed all reasonable sites as part of its work in producing its SHLAA [EB18, 18/1 & 18/2].
105. The development process is not an exact science and there are other sources of supply which should not be discounted including sites which could come forward sooner or in greater numbers than the Council has thought possible. These include Filton Airfield²², the Intier site at Bitton²³ and others where some residential use may be possible e.g. land at Filton, Northfield.
106. Having regard to my conclusions in relation to the overall housing target for the plan period (28,355), I consider the five year housing supply is derived from an annualised requirement of 1,610 (22,545/14) i.e. 28,355 – 5,810 completions. A 20% buffer equates to an additional year's supply (1,610). The Council therefore needs to provide sufficient land to build up to 9,660 dwellings in the first five year period to satisfy the requirements of paragraph 47 of the NPPF.

²² See Representation 8427713 in response to 13 June 2013 consultation

²³ See Representation 8427809 in response to 13 June 2013 consultation

107. The Council is also minded to make good the deficit occurring during the previous plan period i.e. up to 2006 (1,150)²⁴ although this would increase requirements to 1,692 p.a. or 10,152 dwellings (5 year + 20% target). The available supply shown in policy CS15 is only slightly short of this figure meaning that this higher figure could be achievable. This, however, is ambitious because development at such rates has rarely been achieved since 1989. While previous LP targets were not met, the assessment of housing needs for the current plan period should have been based on anticipated requirements from that date. I therefore see no reason to use the higher annual figure (1,692) in preference to the lower one (1,610) although the Council may choose to do so. Nevertheless, setting the overall housing target at 28,355 exceeds housing requirements as assessed by the Council and the base figures identified by some representors. This ensures there is a measure of flexibility which is reinforced by the requirement that this target represents a minimum level of provision while the validity of the overall target and thus future 5 year targets can be reappraised following the Local Plan/Core Strategy review.

108. Removing the allowance for large windfalls would reduce the five year housing land supply available according to the PNB Paribas study to 10,123 dwellings. I accept the study may present an over-optimistic picture of development potential but it exceeds or is very close to the maximum amount of land needed to ensure a reasonable possibility of meeting the five year housing supply needs. On balance, taking all of the above into account, I consider sufficient sites have been allocated in the CS to meet the Council's five year housing land target and provide the necessary 'buffer' to ensure flexibility of choice and competition required by the NPPF.

Distribution of Housing

109. The Council has sought to confine past development to the northern and eastern fringes of the urban edge of Bristol while permitting some growth at the freestanding towns of Yate/Chipping Sodbury and Thornbury to help meet housing and employment needs. The CS proposes to maintain this strategy making use of existing infrastructure. This is under increasing pressure and will require improvement and investment in new facilities.

110. Local residents and organisations have voiced concerns that development will exacerbate existing problems of congestion and detract from the quality of life. However, there have been few suggestions that the Council's focus on urban fringe locations is seriously flawed. In my opinion, this represents the most sustainable strategy which other spatial options are unlikely to match. Consequently, I endorse the key principles the strategy is intended to deliver [PSM7, paragraph 2.1].

North Fringe

111. The future of the wider North Fringe area is set out in policy CS25. The majority of development is assigned to new neighbourhoods at Cribbs/Patchway (CPNN) and Harry Stoke as set out in policies CS26 and CS27. The strategy relies heavily on the considerable investment being made in public transport to support planned development while improving services

²⁴ See [CE9]

for existing residents.

112. At CPNN the intention is to increase the original scale of development proposed in the Submission CS [SD10] by incorporating land at Filton Airfield. This would boost housing numbers beyond those originally proposed although, for reasons I have given elsewhere, it is required to meet minimum levels of housing need rather than provide the flexibility in supply the Council claims. On the western extremity of this area beyond the A4018, a modest release of land from the Green Belt will also contribute to housing provision. Development here breaches a major road boundary (A4018) but the area is contained by the M5 and the railway line to Avonmouth thereby minimising the impact of its loss on the wider Green Belt.
113. The North Fringe is an important employment area where the concentration of jobs has become a magnet for the daily movement of people from other parts of the District as well as the main urban areas in Bristol. Development here is therefore justified by a need to rebalance the concentration of jobs by providing more housing. The latter would be supported by a comprehensive package of transport improvements including new and better bus services and possible improvements utilising the existing rail network to encourage a switch from car to public transport. The closure of Filton Airfield is also seen as a catalyst for securing better local linkages on foot and cycle, the provision of open space and the possible reintroduction of passenger rail services.
114. The Council intends to produce a supplementary planning document (SPD) for each of the new neighbourhoods to help in coordinating delivery. This divided opinion amongst the partners involved with the CPNN and was also seen as superfluous at other locations where considerable background work has been carried out and detailed proposals are well advanced. The scale of development envisaged at the new neighbourhoods warrants some form of masterplanning to avoid piecemeal development, ensure timely provision of key services and infrastructure and provide legitimacy through engagement with local communities. The Council has therefore sought to reassure its developer partners that preparation of the SPDs would be fully resourced and undertaken quickly. [SS28]. In addition, it has proposed changes to relevant policies to allow greater flexibility in progressing new neighbourhood schemes (**MM21**) which I consider is necessary to ensure the CS is effective.

East of Harry Stoke

115. Further to the east but within the northern sector the Council is seeking to deliver sites identified in the SGLP and further housing proposals through a new neighbourhood scheme to the East of Harry Stoke. A new transport route (Stoke Gifford Transport Link) is important for the successful functioning of the area although development of the Harry Stoke area (1,200 dwellings) is not reliant upon it. The Council is also keen to ensure the road comes forward as part of the North Fringe Rapid Transit route and is now satisfied that the necessary resources to progress the link are available.
116. The link will involve the demolition of some buildings and requires the release of land from the Green Belt. Nevertheless, I consider the proposals are well founded because the delivery of new homes in this area (up to 2,000) will require the provision of new infrastructure, such as the link road, so the area can function in the long term. This justifies the removal of land from the

Green Belt. Development of the new neighbourhood should be progressed along with other schemes to enable new housing to come on stream as soon as possible.

117. The Council had proposed modifications to policy CS27 to update and clarify proposals for this area and reflect alterations to other parts of the CS. These were set out in the draft Main Modifications [MOD5]. A further change was included as part of the Final Main Modifications but this is no longer necessary as confirmed by both the Council and developer. I therefore consider the final form of the modification should revert to that shown in MOD5 subject to the deletion of the paragraphs referring to the requirement for the programmed delivery of the link to be secured (paragraphs 12.26, 1.37 and 4.17b) as this has now been achieved (**MM23**).
118. The Council has sought contributions from developers for improvements to Filton Abbeywood Station but it is more distant from development at East of Harry Stoke than Bristol Parkway Station. The Council accepts that developer contributions should therefore be directed to measures to improve access to the latter and has suggested a modification to the CS to confirm this (**MM10**).

Yate

119. The Council describes Yate and Chipping Sodbury as independent but inter-related market towns (PSM7 paragraph 3.4) which make up the largest free-standing settlement in the District. Yate witnessed considerable growth during the last quarter of the 20th century and was seen as a suitable location for housing and employment growth in the emerging RS [LR8/2]. This envisaged a further 5,000 dwellings as a potential target by 2026 to contribute towards the District's housing requirements while strengthening the role of these towns as free-standing communities serving the local population and surrounding area.
120. Subsequent changes proposed by the Secretary of State reduced the housing targets to 3,000, a level which the Council accepts is appropriate. A number of locations have been considered for a new neighbourhood, the relative merits of various sites being considered and set out in the sustainability appraisal [PS3]. The Council's preferred choice of site on the northern fringes of the town has been criticised but I do not consider its assessment is so flawed to make the choice unsound. A similar view was expressed by the Town Council who, while objecting to the proposal, felt the Council had made every effort to explore alternatives and take into account the views of different parties.
121. Proposals for the new neighbourhood are set out in policy CS31 and have proven controversial. The closure of Filton Airfield has generated a number of representations suggesting that this area should be used in preference to Yate. There are economies of scale and locational benefits from pursuing development at Filton Airfield which are not replicated at Yate but using one location in preference to the other would not address the shortfall in housing provision in the submitted CS.
122. The programme for bringing the new neighbourhood forward is a further area for disagreement. Neither the Council nor the Town Council were in favour of early development while local residents have expressed concerns that the

housing could exacerbate flooding risks, affect sewerage capacity and increase traffic problems. Wessex Water has confirmed the provision of strategic sewerage infrastructure will not impede delivery of development while the Environment Agency is satisfied with information provided on flood risk and the discharge of surface water [SS20]. Similarly, an independent review of the highway network shows it is capable of supporting development, subject to investment in a transport package to offset any impact of the new development [RD40].

123. From the developer's perspective the Council's ambitions to prepare a SPD to coordinate development was not welcomed because of the time it would take; it was also seen as unnecessary because of the substantial body of supporting documentation. I understand the Council's desire to influence the process but doing so increases the likelihood that the planned target of 2,700 dwellings would not be completed by the end of the plan period. Extending the timescale for the development is more likely to reduce pressures on both builders and buyers and help the Council to maintain its supply of housing land.
124. During discussions the Council said it was prepared to be flexible by allowing for the 'masterplanning' of the neighbourhood by the development partners. This would need to be comprehensive but is a mechanism which should be supported in order to minimise delay in delivering development. In this respect, I see no reason why, if market conditions improve and the necessary infrastructure is provided, the final 300 dwellings should not be built out by 2027.
125. In light of this and other changes the Council has put forward a number of suggested revisions to policy CS31. I have included a further change in response to the confirmation by Wessex Water that the existing sewerage system is capable of accommodating up to 750 dwellings before infrastructure improvements are necessary (**MM25**). Some respondents expressed concern that the new neighbourhood would have a detrimental impact on the rural quality of Yate Rocks on the eastern edge of the proposed scheme. As I saw, this is a tranquil and attractive area of locally distinctive topography and narrow country lanes but one which would remain outside the development boundary and within a green infrastructure corridor.
126. A case was made to provide a wider corridor to be shown on the illustrative diagram supporting policy CS31. I see no advantage in doing so when details of the scheme will be covered by the SPD or Masterplan process. Conversely, I do support the suggestion that the Safeguarded Minerals Resource area, defined in the Minerals and Waste Plan 2002 [LR6], should be added to the diagram and referred to in the supporting text. This information is available in the Waste Plan but the proximity between the quarry and the proposed new neighbourhood is a constraining factor which it is helpful to include in the diagram.
127. Options to develop to the east of Chipping Sodbury and at Engine Common west of Yate were considered by the Council when assessing further expansion on the periphery of the settlements. The former performed less well in its site assessment process than the Council's preferred location at North Brismham. It continues to have reservations that extending development in this direction would adversely affect the Cotswolds Area of Outstanding Natural Beauty. I

am less convinced this would be the case and a mixed use scheme in this location offers similar opportunities as the new neighbourhood to increase self-containment of the settlement. Accessibility could also be improved if it were possible to re-open the railway station at Chipping Sodbury as has been suggested. Similarly, while noting the views expressed by the Save Engine Common Action Group [SS3] and the conclusions reached by the Engine Common appeal inspector, I find there is little evidence to show there are physical issues which would prohibit development.

128. The scale of development proposed at Yate, however, is significant. The introduction of up to 3,000 homes will test the abilities of the relevant organisations and promoters in accommodating this level of growth and minimising its impact on the services, facilities and environmental quality of the area. The evidence before me shows that planning for the new neighbourhood is well advanced and could commence before 2016 particularly as outline planning permission has been granted on part of the area²⁵.
129. Consequently, I see no fundamental advantage in pursuing other options until there is conclusive proof to show that further sites in this part of the District are required, either to address any on-going difficulties in satisfying housing land targets or because of unforeseen problems in the delivery of the new neighbourhoods.

Thornbury

130. Thornbury is a small attractive market town on the outer edge of the Bristol and Bath Green Belt. The CS promoted a modest housing allocation of approximately 500 dwellings during the plan period to help support the social and economic infrastructure of the town. This has not found favour with a large number of residents even though there is evidence of a decline in school rolls and a loss of vibrancy and vitality in the town centre, illustrated by the increasing number of vacant shops. The latter is not an uncommon phenomenon with many centres experiencing similar difficulties. Nevertheless, the housing allocation is not excessive for the size of town and could help to provide accommodation for people wishing to return to or remain in the town.
131. More specifically there has been widespread opposition to the Council's preferred site for housing at Park Farm giving rise to a variety of concerns, particularly by local residents. This is part of the historic core of the town adjacent to medieval fish ponds, the area of a former deer park and close to Thornbury Castle, although it lies outside Thornbury Conservation Area. Those opposing this scheme believe it would adversely affect the historic environment and I acknowledge it is a site which the previous Local Plan Inspector was unable to support [LR11].
132. However, proposals are well advanced and English Heritage has advised on measures to protect adjoining areas of interest. It now believes its earlier objections to the scheme can no longer be sustained [SS22]. Providing adequate safeguards and mitigation measures are put in place I do not consider the development would seriously detract from the environmental and historic qualities of the area.

²⁵ APP/P0119/A/12/2186546, March 2013

133. There are no statutory or non-statutory designated wildlife sites within or next to the site although it is recognised the hedgerows and stream at Park Farm are of ecological value as wildlife habitats and corridors. The intention is that these features will be incorporated into the landscape framework for the development [EB42], helping to reinforce their value and continued contribution as biodiversity features. In this respect, Park Farm is less sensitive in ecological terms than an alternative site to the south of Morton Way.
134. The Environment Agency (EA) identified flooding and drainage as potential issues at Thornbury. Work undertaken on a site specific Flood Risk Assessment for Park Farm [PSM27] was used to inform a subsequent Strategic Flood Risk Assessment Level 2 report [EB31/1]. This confirmed that housing could be provided at Park Farm outside areas susceptible to flooding while mitigation measures were capable of accommodating surface water flows. Therefore, I am satisfied these issues are not a constraint to development, particularly since the EA has withdrawn its objection to the development.
135. Proposals for Park Farm necessitate provision of a public transport link. I appreciate that sites along Morton Way, for instance, may be more readily accessible for bus operators, but I do not regard doubts raised about the deliverability of this link at Park Farm is a reason for rejecting the scheme, because there appear to be alternative options for securing its delivery [PSM27].
136. I have also had regard to the views of Thornbury Town Council who endorse the Council's choice of location despite some members of the same organisation taking a different view. In principle this is a further site which can be brought forward early in the plan period as outline planning permission has been granted²⁶.
137. Difficulties in ensuring there is a five year housing land supply has led to a further site to the north east of Morton Way being allowed on appeal²⁷. This, together with another site further to the south, is on land immediately beyond the outer edge of Morton Way which is seen as a boundary between the settlement and the countryside beyond. Sites on the western periphery of Thornbury are closer to the town centre but are smaller and have been rejected by the Council because of the potential impact on the landscape and their location in the Green Belt.
138. Various arguments have been put forward in support of and against these sites. It is difficult to decide which are best placed to accommodate development because of the modest differences between them. I do not consider their distance from the town centre or other facilities, for instance, to be particularly significant because of the compact nature of the settlement while, as indicated previously, existing bus services could be diverted to serve new development. In light of the appeal decision, however, I consider there is little justification for further development at Thornbury in the short term.
139. The Council has proposed changes to policy CS33 to reflect the outcome of recent discussions. These provide for an upper limit to the number of

²⁶ App Ref: PT11/1442/O

²⁷ APP/PO119/A/12/2189213

dwelling to be built at Park Farm and the deletion of references to a SPD in preference to a Masterplan to guide development. As part of the modification, the Council has also recommended the inclusion of an additional paragraph acknowledging the proposed development on land off Morton Way North. Both developments will require adjustments to be made to the Policies Map to show the enlarged settlement boundary to the town (MM26).

Conclusions on housing requirements and supply

140. The Council is advocating future housing needs are met in a limited number of locations on the periphery of the (Bristol) urban area and at two freestanding towns on the outer edge of the Green Belt. This is a sustainable approach and one which I consider should be endorsed.
141. The Council has been severely criticised for failing to identify sufficient land to meet future housing needs but I do not consider the evidence is sufficiently convincing to reach this conclusion. The effects of the economic downturn will have implications for levels of development over the course of the plan period. I consider a more cautious approach is acceptable providing the proposed target is seen as the 'minimum' provision to be made and one which is subject to early revision.
142. The recessionary factors influencing the performance of the housing sector will have resulted in 'pent-up' demand that many participants told me exists in the local housing market, putting pressure on the planning system to ensure enough dwellings come forward as demand increases. Nevertheless, I do not see the emergence of a more buoyant housing market as sufficient justification for placing unrealistic requirements on the Council to ensure previous shortfalls in housing delivery are made good within five years. This would require levels of housebuilding rarely, if ever, seen previously.
143. I accept it is generally more difficult to implement and deliver large rather than small sites, as experience in South Gloucestershire has shown but, on balance, I consider the CS provides a range of sites capable of delivering the required number of dwellings to satisfy the five year housing target. Delaying the CS by instigating a search for more small to medium-sized sites to increase Plan flexibility runs the risk of compromising the Council's strategy because it would be necessary to find sites in potentially less favourable locations, undermining progress towards the longer-term sustainable development of the District.
144. Any advantage in pursuing this course is negated by the commitment of South Gloucestershire and its neighbouring authorities to undertake a new SHMA. Its findings are expected by 2015 and will provide the basis for re-assessing housing needs in a sub-regional context through the Duty to Cooperate. This seems likely to require some or all of the constituent authorities in the HMA to review the housing provision in their existing plans. While there remains a risk that the Council may be vulnerable to appeal decisions if it is unable to bring sites forward as quickly as it says is possible, the need to respond to the outcome of the SHMA process with its potential implications for other policy areas of the CS strengthens my belief that an early review of the CS is essential.

Affordable Housing

145. Annual requirements for affordable housing identified in the HMA [EB15] comfortably exceed the number being built with no realistic means of addressing overall deficiencies in supply. Instead policy CS18 proposes that 35% of new dwellings should be affordable. This would apply to sites with a minimum capacity of 10 units in urban areas and five in rural locations. The successful application of this policy would deliver a modest number of units. The Council believes this level of provision can be supported by the development industry despite warnings in its Economic Viability Assessments [EB16 & EB16/1] that economic conditions may affect the viability of some schemes, a view endorsed by several housebuilders.
146. Carrying out individual site assessments to show that affordable housing demands would, in some cases, lead to viability problems was seen as an unreasonable burden and source of additional cost by some developers. Thus there was support for periodic reviews of targets to minimise delay although I am not convinced this is likely to be more effective given the flexibility needed to respond to the different conditions and the constraints affecting each site.
147. The Council informed me it had operated a similar policy in the SGLP. This had been successful resulting in different levels of affordable provision. I am not persuaded that the advantages of simplicity should override the need for flexibility, particularly as the main parties accept that unrealistic demands should not be placed on developers. While viability assessments represent an additional burden for developers they are an accepted part of the development process and are a known cost which should be considered at the time of site acquisition. The changes now proposed by the Council (**MM16**) would ensure policy CS18 acknowledged this and was consistent with the NPPF²⁸.

Rural Exception Sites

148. Policy CS19 provides for affordable housing in rural locations as exception sites although, as originally drafted, this would be limited to settlements with defined boundaries or otherwise identified on the Policies Map. I consider this to be too restrictive because it would hinder the ability of some communities to determine needs and shape provision at a local level in accordance with the principles of localism. The Council has accepted changes are needed to reflect this to ensure the Plan is sound (**MM17**).

Extra Care Housing

149. Policy CS20 encompasses extra care housing and places particular emphasis on the new neighbourhoods to ensure needs are met. The wording of the policy gives the impression that provision should largely be restricted to these locations, a point accepted by the Council. A number of changes have therefore been proposed to clarify its purpose and aims and how it would be implemented (**MM18**). This also makes clear that Extra Care Housing is a blanket term which covers different types of provision which will determine how it is classified (in terms of its Use Class) and whether a specific scheme will need to comply with policy CS18 on affordable housing provision.

²⁸ NPPF, paragraphs 173 & 174

Density and Diversity

150. Policies CS16 and CS17 address density and housing diversity respectively with the emphasis placed on securing the efficient use of land consistent with the character of the area where development takes place. Some respondents were critical of the Council's failure to provide detailed guidance on density as advocated in paragraph 47 of the NPPF although it is intended that this will be incorporated in masterplanning of the new neighbourhoods. As the majority of development will come forward through new neighbourhood schemes I consider this represents a more sensible and pragmatic approach than setting density parameters in a strategic document. More specific guidance can also be provided, if necessary, in the PSPDPD.

Gypsies, Travellers and Showpeople

151. Policies CS21 and CS22 were drafted at a time when Circulars 01/2006 and 04/2007 were extant. These have been replaced by 'Planning Policy for Traveller Sites' [NP28]. The Council says there was a need for 62 residential and 21 transit pitches at April 2012 based on figures derived from the West of England Gypsy Traveller Accommodation (and other Needs) Assessment (GTAA) [EB12]. It appears some progress has been made in reducing outstanding needs from 80 to 62 while unauthorised encampments have stabilised at approximately 50 per year.

152. The policy on Gypsy and Traveller Accommodation (CS21) explains how additional pitches will be provided, including provision in the new neighbourhoods. There is strong resistance to this because developers are concerned it would compromise delivery of their sites. The policy also attracted criticism because it relied on GTAA evidence that is dated and does not cover the plan period [EB12]. The supporting text to the policy is itself critical of the study whose authors recognised that circumstances would change and recommended a further review to gauge needs after 2011 (paragraph 4.2.2).

153. The Council's reliance on this evidence sits uncomfortably with the latest policy advice which says a robust evidence base is required to establish needs and provide deliverable sites up to five years ahead. This supports my view that a better understanding of current and future needs is essential. This work should be carried out as soon as possible with any necessary allocations forming part of the content of the Council's PSPDPD which, according to the LDS, is expected to be adopted in the next two years [EB1/1]. Alternatively, this matter should be addressed equally expeditiously in a replacement local plan, if this was to take precedence over the PSPDPD. The recommended modification is shown in **MM19**. This also proposes the deletion of land at Howsmoor Lane, Emersons Green that is not an authorised gypsy and traveller site and confirms that sites which come forward should have regard to the amenities of both new and existing residents.

154. Policies CS21 and CS22 should be retained as criteria-based policies to inform the development management process consistent with the advice in the latest guidance [NP28, paragraph 10]. Both identify existing sites to be safeguarded for both Gypsies and Travellers and for Travelling Showpeople, the latter (policy CS22) including two sites not previously counted. The modifications that are necessary to make policy CS22 sound are set out in **MM20**.

Issue 4 Whether the Council's proposals for economic development are well founded and likely to support the local economy and encourage growth in the wider sub-region.

155. An important objective is for the Council to provide the necessary capacity and infrastructure needed to maintain the District's role as a focus for economic growth. Core Strategy proposals involve the provision of new employment areas in the North Fringe, the completion of a business park and science centre at Emersons Green in the East Fringe and diversification of the employment base at Yate. There is also recognition of the role of Severnside in supporting development of the wider Avonmouth/Bristol Port area and its potential as a key employment location in future years.
156. Numerically, there is an abundant supply of employment land [EB25] having regard to former sites, allocated land and those with planning permission. The provision is distorted, however, because some 509 ha. of land is available at Severnside as a result of long-standing permissions. This results in a theoretical over-supply which the Council says masks local shortages such as those at Kingswood and Yate. Consequently proposals for a new neighbourhood at Yate include the allocation of land for B1/B2 purposes to assist in off-setting sector imbalances.
157. There is no suggestion that the provision or distribution of employment land is flawed although some respondents felt the Council was using the CS rather than the development management process to control delivery. Policy CS12 for instance, attempts to restrict changes from B Use Classes unless specific criteria are met (Table 1). Other sites in Table 2 are safeguarded for an undisclosed period until their future use is resolved by means of concept statements, masterplans or through the PSPDPD. The approach was criticised for being excessively bureaucratic making it difficult for landowners to respond to changing market conditions. In this respect it would not reflect the Government's message to remove unnecessary obstacles to growth found in both the NPPF and the Ministerial Statement on 'Planning for Growth' [CD8].
158. The Council's preference is to pursue a comprehensive solution to regenerating sites but it accepts the development management process can also be used to manage change. It has therefore recommended changes to policy CS12 and supporting text. These would ensure the same criteria were used when assessing alternative uses for sites in both categories i.e. Tables 1 and 2, while a review would be carried out for Table 2 sites to put in place a regeneration strategy consistent with policy objectives for development in the North Fringe and at Yate. Revisions to the text confirm the Council is prepared to be more flexible as illustrated by its proposal to include land at Filton, Northfield in Table 2, recognising the suitability of this site for other purposes, including residential, to contribute towards the development of the new neighbourhood. I consider the proposed modification introduces some necessary clarity and flexibility to policy CS12 **(MM13)**.

Emersons Green

159. The majority of employment opportunities on the eastern fringes of the urban area are expected to come forward at Emersons Green where development was initiated in the South Gloucestershire Local Plan and taken forward through the Emersons Green Development Brief. This area will ultimately

benefit from new public transport routes providing linkages to the City and an orbital bus service connecting with the Northern Fringe.

160. In other parts of the Eastern Fringe there are fewer employment opportunities which have led to large commuting movements to workplaces in the City Centre and the Northern Fringe. The Council has identified a number of sites it intends to safeguard for employment uses although some respondents queried whether the modest scale of some sites did not make them more suitable for housing purposes. I accept there may be instances where a change of use would remove 'bad neighbours' but it remains open to the Council to consider this through its PSPDPD or on a site by site basis. In principle, retaining employment sites offers the potential to ameliorate the worst excesses of current commuting patterns and the problems of congestion experienced in many parts of the urban area.

North Fringe

161. The North Fringe is an important employment area which supports some 70,000 jobs across a variety of sectors including advanced engineering and aerospace industries. These are widely regarded as activities which are vital to the continued success of the West of England region. Most of these businesses are located within the vicinity of Filton Airfield which until relatively recently has continued to have a role in the aviation industry for transporting aircraft parts.
162. Unfortunately, the reliance on employment is a significant factor that contributes to the levels of congestion experienced in this area because of the imbalance between homes and jobs. Redeveloping Filton Airfield provides the Council with the means to reduce this dependency and influence the pattern of future traffic movements. Despite this, some respondents have expressed concerns that using Filton Airfield in the way proposed would undermine the employment base to the detriment of the sub-region.
163. There is no evidence to substantiate this claim which, in any event, I consider is unlikely. Instead, bringing forward up to 50 ha. of land at the eastern end of Filton Airfield for employment purposes increases the chances of utilising the land more efficiently and creating new business opportunities. This would also allow for continued support of existing companies while permitting established public service activities such as the Air Ambulance and Police helicopters to continue to operate [RE14].

Sevenside

164. Sevenside is an area of generally low-lying land adjacent to the Severn Estuary. With the Avonmouth area to the south, its proximity to Bristol Port means it has the potential to support the expansion of port activities, including proposals for Deep Sea Container facilities. The Council recognises its ability to control how the area develops is compromised by long-standing extant planning permissions. Nevertheless, it is proposing to work with the Local Enterprise Partnership (LEP), Bristol City Council, Business West, key landowners and other relevant bodies to utilise the area more effectively.
165. It is crucial that the CS provides sufficient direction in order to make the most of this area, much of which is susceptible to tidal flooding. The nearby

estuary margins are important habitats for wildlife while archaeological interests and transport links will influence how effectively Severnside can be developed. The provision of a new junction providing access from the M49, for instance, remains a high priority. A series of changes have therefore been proposed to policy CS35 and the supporting text to reflect the Council's revised approach (**MM28**).

166. These changes have been broadly welcomed by landowners and it is apparent that the involvement of the LEP, the designation of Severnside as an Enterprise Area and financial incentives such as the Government's 'City Deal' [CE19] will be crucial elements in providing the necessary impetus to take advantage of what this part of the District has to offer. Landowners have requested a more conciliatory position should be adopted by the Council to allow complementary land uses and residential proposals to come forward. This would generate S106 funding to contribute towards a more sustainable development package which would be welcomed by those calling for improved public transport links to the area.
167. The Council has said it is prepared to adopt a more flexible approach but considers the scope for complementary uses should only be explored once it is clear that strategic investment is coming forward in the manner envisaged. This is reasonable and would not prevent site specific proposals being progressed in the short term through the development management process. While I consider the potential for limited residential uses should not be ruled out, more work needs to be undertaken, particularly in relation to flood risk and the delivery of sustainable transport linkages, before it is contemplated.
168. Using the existing rail line serving the Severnside/Avonmouth area to carry freight is endorsed in the LTP3 [EB47]. Development of the North Fringe locations has, however, raised the possibility of reviving passenger services on this line providing the opportunity to make further improvements to public transport services around the northern edge of the urban area. I share the view expressed by those respondents who believe that better use could be made of the railway although doing so must be tempered by operational needs to support continued freight services at Severnside/Avonmouth.

Yate

169. Yate is a reasonably self-contained settlement, a household survey confirming that a majority of those employed worked locally (RD27)²⁹. Policy CS30 focuses on the need to maintain this position by revitalising older employment areas and encouraging new employment opportunities, including provision of up to 9ha. of employment land as part of the new neighbourhood at North Yate.
170. Measures to improve and expand the range of facilities will help to support more sustainable lifestyles and the Council has agreed to adjust references to town centre development to ensure consistency with retail policy in CS14. Policy CS30 would be improved if it was more concise but it is not unsound. The recommended modifications are shown in **MM24**.

²⁹ See also [EB76]

Issue 5 Whether the retail hierarchy is well-founded and the consequences of the expansion of The Mall/Cribbs Causeway area on local and regional shopping patterns have been fully assessed.

171. Policy CS14 defines a hierarchy of retail centres to help inform investment decisions and clarify the role that each centre is expected to perform. This has generally been supported. The CS also identifies new centres to meet the needs of those living in new neighbourhoods or to provide the additional facilities where development has been taking place e.g. Charlton Hayes.
172. The Council recognises the role of other centres will change. This includes out-of-centre facilities at Abbey Wood Retail Park where the focus would move away from bulky goods comparison shopping towards a wider range of uses, including retail, to meet the needs of those working and living in the vicinity (**MM21**). The owners of this centre have resolved many of their earlier differences with the Council (SS25) but have failed to reach agreement on references to retail uses. I do not consider this affects the soundness of the Plan or justifies the revision sought to the policy or the supporting text.
173. The submitted version of the CS [SD10] explained that the creation of new communities in the North Fringe could require the facilities of a new town centre. This would be achieved by re-modelling the Cribbs Causeway area which includes The Mall Shopping Centre. Until this strategy had been prepared only modest additions to the existing floorspace would be acceptable in order to maintain the centre's viability. Proposals coming forward would be considered against relevant national policies.
174. The publication of the post-submission changes to the CS [PS2] moved this process forward and was further refined in recommended changes the Council suggested in response to discussions at the hearings [SRC3]. These would deliver an additional 35,000 sqm. of comparison floorspace by 2026, centred on The Mall, to serve residents in South Gloucestershire as well as those within its wider catchment area. The remainder of the Cribbs Causeway area would continue to be treated as an out-of-centre location.
175. I am mindful that the draft RS concluded there was no strategic reason for the expansion of the Mall/Cribbs Causeway retail area and that the scale of existing facilities was largely sufficient to meet the needs of planned population growth. Any additional demand which arose should instead be seen as an opportunity to support a more even distribution of local centres.
176. A study undertaken for the Council by Roger Tym and Partners [EB32 – 34 & EB63] confirmed the Mall /Cribbs Causeway complex attracts trade from a wide catchment, extending to the South West and Midland regions (EB32, paragraph 5.52). This is to be expected given the ease of access to the outlet from the motorway network and its extensive free car parking. Further expansion on the scale proposed would strengthen its position in the retail sector. However, a number of respondents have expressed fears that this would harm the competitiveness of traditional town and city centres both in neighbouring areas and the wider region.
177. The evidence suggests there is a need for additional floorspace, although the Council's consultants believe that expansion should take place only if the Cribbs Causeway area functions as a 'genuine town centre' and that

'expansion should not take place on any other basis'. The role of the centre in the wider region also needs to be considered³⁰. In my view, further work is necessary to understand how the provision of additional floorspace at the Mall would impact on other centres. A study undertaken for North Somerset Council³¹, for instance, shows a significant proportion of its residents use the Mall/Cribbs Causeway outlets for comparison shopping while other local authorities are worried that expanding the existing facilities could undermine recent or planned investment in their town centres.

178. In support of further development at the Mall I was told of the evolving role of out-of-centre retail centres in other parts of the country. Retail patterns may well be changing but circumstances vary and solutions in one area are not necessarily appropriate to others. I recognise that expanding the centre could secure funding to support infrastructure improvements in the North Fringe and it is unlikely that the centre would be in direct competition with other retail locations in South Gloucestershire. Nevertheless, there is no guarantee that other nearby centres, beyond the District's boundaries, would not be affected.
179. The Town Centre and Retail Study found there was no quantitative need for additional comparison floorspace until after 2016 but that a further 18,000 sqm net would be required by 2021, increasing to about 34,000 sqm net by 2026. A majority of this growth would be directed to the Mall (up to 20,000 sqm). I appreciate that the scale of development in the CPNN would support proportionately more floorspace being allocated to the Mall even though a small (2,000 sqm.) local centre is also planned as part of the CPNN development. However, placing more than five times the provision in this location in comparison to each of the five other centres is likely to reinforce its sub-regional role in the shopping hierarchy.
180. I recognise the need for the centre to maintain its competitiveness but it is essential the implications of expanding a major out-of-centre location are understood before decisions are taken as to its longer-term role, either in meeting local needs or those of the wider area. The evidence in this respect is incomplete and the proposal at best premature. The scheme would be at odds with the NPPF which in pursuing sustainability principles promotes a town centre first approach aimed at promoting and safeguarding traditional centres (paragraph 23).
181. Furthermore, the expansion of the centre it is not a decision which I consider should be taken in isolation but one requiring the involvement of other organisations and local authorities. I have concluded previously that the duty to cooperate is not applicable to the Submission CS. However, that does not relieve the Council of its responsibility to ensure, as far as possible, its policy decisions are appropriate for the proper planning of the wider area beyond its own boundaries.
182. The principle of effective and meaningful engagement with other parties should be seen as the starting point for initiatives which are likely to have repercussions beyond authority boundaries. This is particularly so, as in this case, where a wide grouping of retail operators, local authorities, individuals and organisations such as the Highways Agency believe that expansion on the

³⁰ Retail Study Update and Impact Assessment, paragraphs 5.16 & 5.17: Roger Tym & Partners, December 2011 [EB63]

³¹ Rep: 1643445: North Somerset Retail Study – GVA Grimley 2011

scale envisaged could have serious repercussions for both retailing and sustainable development across the sub-region.

183. The Council's original intention was that future comparison floorspace provision would be identified in the PSPDPD. This remains a possibility but the regional dimension of the proposals and the concerns of other parties suggest a more sensible approach would be to address this matter as part of the review of the CS (or replacement local plan) which I have advocated.
184. I therefore recommend policy CS14 is modified in accordance with **MM14**. I have made additional changes to this modification to refer to the possibility of undertaking further work through a replacement local plan/CS. Consequential changes are also necessary to policies CS25 (**MM21**) and CS26 (**MM22**) to modify or delete references to the enhanced and wider role envisaged for the Mall/Cribbs Causeway. The recommended modifications also include changes to allow for limited retail uses at Abbey Wood Retail Park and revisions to figure 6 depicting the CPNN Framework Diagram.

Issue 6 – Whether policy coverage to protect the natural and built environment, promote sources of renewable energy and respond to climate change is justified and likely to be effective.

185. Policy CS9 has wide-ranging objectives covering environment and heritage matters as well as flood risk, the re-use of contaminated land and protection of the best and most versatile agricultural land. Grouping a variety of assets together, as has been done in the first criterion, gives the impression that these factors individually have less significance, even though they make an important contribution to the character of the District. The changes proposed by the Council would overcome this by making a similar distinction between the natural, built and historic environment to that found in the NPPF.
186. Further text is to be inserted to clarify the role of the landscape in contributing to the attractiveness and distinctiveness of the District. Features such as ancient woodland, trees and hedgerows would then be identified which some respondents felt were lacking. Revisions will also refer to the 'significance' of heritage assets, distinguishing between those of national importance and of local value. The changes would ensure protection of the most important features and locations consistent with the footnote to paragraph 14 of the NPPF while providing the necessary link to paragraph 131 where the significance of a heritage asset is identified as a material factor when assessing planning applications.
187. Reference would also be included to the Historic Environment Record as an ongoing source of information on historic assets thereby recognising that decisions should be based on up-to-date information and relevant evidence³². Applicants would be required to explain the significance of any relevant assets and how these would be taken into account as part of the development process. I do not consider this would exceed the aims of the NPPF or impose a stricter test, as one respondent suggests.
188. As drafted the CS partly relies on environmental policies in the SGLP to assess development proposals even though the latter has a limited lifespan. I

³² NPPF, paragraph 158

therefore recommend a minor wording change identifying the PSPDPD as the appropriate vehicle for delivering replacement policies. Similar references should be included in other parts of the CS in recognition that other 'saved' policies of the SGLP will only have relevance for a limited period.

189. I am satisfied the proposed changes (**MM12**) would mean the policy and supporting text to policy CS9 were more closely aligned with the position advocated in the NPPF, a conclusion also reached by English Heritage [SS24]. As a result of these changes the Council confirmed it proposes to make consequential revisions to the CS Glossary.

Renewables

190. Policies CS3 and CS4 promote the use of renewable and low carbon sources of energy to mitigate the effects of climate change, initiatives which are supported in the NPPF (paragraph 94). In pursuing these schemes policy CS3 makes clear that proposals should have regard to their impact on the wider environment, including designated areas, as well as those living close to installations. My attention was drawn to the latter because of fears that the health and safety implications of renewable developments were being ignored. Wind turbines were identified as being of most concern because of reported instances of mechanical failures and fires. I understand why residents living close to these structures may be apprehensive but these are matters covered by other legislation.
191. CS4 is a prescriptive policy containing criteria for assessing renewable/low carbon schemes. It is consistent with objectives of the NPPF³³ but the development industry questioned the value of policies when Building Regulations provided the regulatory base for constructing energy efficient buildings.
192. A plethora of policies intended to improve building standards and make better use of energy sources increases the risk that schemes may not be viable or lead to delays in building programmes. However, a study carried out for the Council [EB48]³⁴ points to the potential for introducing district heating networks using waste energy. This is particularly relevant in view of the Council's strategy for large scale development in new neighbourhoods.
193. I was told these schemes are flexible and offer considerable carbon savings which will contribute towards meeting increasingly challenging energy efficiency targets in the Building Regulations should these continue to be pursued. Nevertheless, the study advocated further work to assess the viability of schemes while the results of a feasibility assessment are awaited for district heating schemes in the North Fringe and at Yate.
194. The Council has proposed changes to policy CS4 to clarify the way in which it is intended to operate and to acknowledge that viability issues should not be ignored. Feasibility is an important consideration when deciding on the benefits of renewable and low carbon energy schemes as explained in the NPPF. The necessary modifications to the policy and supporting text are set out in **MM5**.

³³ Paragraphs 17 and 97, for instance

³⁴ AECOM: Report on the Potential for Renewable and Low Carbon Energy Supply in South Gloucestershire

Building Standards

195. Policy CS1 attempts to provide a comprehensive approach to design identifying factors which influence form and layout. Reference to standards such as BREEAM³⁵ and the Code for Sustainable Homes are included because these are national schemes intended to secure improvements in the energy efficiency of buildings and reduce carbon dioxide emissions.
196. The Code for Sustainable Homes sets progressively challenging targets to improve the efficiency of new homes. A study by DCLG [RD35] suggests that moves to higher code levels may require low carbon heating technology to be used to achieve the improvements being sought. This is consistent with the Council's objective to promote renewable and low carbon technologies.
197. Both the Code and BREEAM standards help in assessing the performance of new buildings. Thus reference to these and the 'Buildings for Life' standards are indicative of the Council's desire to promote improved design and construction. The supporting text to policy CS1 recognises that viability is both a technical and financial issue with the Council proposing alterations to the policy to reinforce the link with the Building Regulations and to clarify how 'Building for Life' standards will be used. These changes are helpful although the policy should be further modified by indicating that full compliance with both the Code for Sustainable Homes and comparable BREEAM standards will be 'encouraged' rather than 'required' because neither scheme directly imposes mandatory requirements. Unrealistic expectations could increase development costs and undermine delivery while these initiatives may themselves be subject to change.
198. I also recommend a minor adjustment is made to criterion 5 to remove reference to 'in perpetuity' which, while desirable, is excessive in light of the more measured approach on viability taken in other policies. As modified the criterion retains the need to address future management and maintenance regimes but provides scope for flexibility. The recommended changes are shown in **MM3**.

Issue 7 Whether the CS adequately identifies the need for the infrastructure required to support further development and provides clear indicators and targets to show the means by which plan policies and proposals will be implemented and monitored.

Infrastructure Delivery Plan

199. Infrastructure planning will be given high priority according to the Council whose Infrastructure Delivery Plan (IDP) [EB22/1] is intended to be an evolving document as economic circumstances and funding sources change. It is apparent that recent economic conditions have created uncertainty with attendant risks to the delivery of the CS. While these cannot be discounted these concerns apply equally to other development scenarios. However, it has not been suggested that essential infrastructure cannot be delivered and by concentrating development in a limited number of locations it is more likely that new infrastructure will be used effectively.

³⁵ Building Research Establishment Environmental Assessment Method

Developer contributions

200. Paragraph 173 of the NPPF highlights the need for plans to be realistic and deliverable. Unreasonable demands should not be placed on developers if these are likely to threaten the viability of a scheme. The IDP acknowledges that planning obligations or financial contributions may be subject to viability testing and further negotiation, if necessary. Revisions to policy CS6 are intended to make the Council's position clearer reflecting the Government's desire to avoid impediments to growth (**MM8**).
201. Some respondents saw benefits in prioritising infrastructure requirements but this was not a widely held view. It seems to me that doing so would introduce unnecessary complications when policy CS6 is only intended to establish the principle of developer contributions. Further detail on infrastructure requirements is provided in policy CS7 (strategic transport infrastructure) and in area policies for the new neighbourhoods. Priorities are also likely to change. For this reason, I consider infrastructure requirements are best taken forward through masterplanning or the development management process.

Major Infrastructure Projects

202. Chapter 18 explains the Council's involvement in Major Infrastructure Projects (MIP) drawing a distinction between schemes where the Council is the determining authority or a statutory consultee for Nationally Significant Infrastructure Projects. Irrespective of its role, policy CS36 sets out factors to be taken into account. Policy CS37 focuses on proposals in connection with the nuclear industry. Schemes may come forward because land near to Oldbury-on-Severn has been identified as a location for a new nuclear power station.
203. The Council has responded positively to criticism regarding its stance on MIP and made significant revisions to the chapter. These help to clarify the purpose and scope of its policies and provide a more structured explanation of its potential involvement. The changes have been partly endorsed by relevant organisations [SS26 and SS27] but differences remains with parts of the Council's approach.
204. I consider that references to 'other plans and documents' in criterion 1 of policy CS37 should be replaced by 'neighbourhood plans' to reflect the potential role of these documents in presenting community objectives. Other plans may still have relevance but it will be for the decision maker to determine what weight should be given to them. Adjustments are also required to the policy and supporting text to make it clear that delivery plans will not always be needed (CS37, criterion 6) and that community benefits will be 'sought' through appropriate mechanisms rather than 'required' (paragraph 18.16iii(a), CS37, criterion 13, paragraph 18.23a).
205. I appreciate there will be some who regard a nuclear power station as an undesirable facility, but I am not persuaded one would have the negative affects implied by the Council; the relevant paragraph should be deleted (paragraph 18.23). I also recommend changes are made to the section on nuclear waste to explain how storage of radioactive waste will be managed while ensuring that the need for any further provision of facilities in other locations is adequately justified. The modifications are shown in **MM29**.

Transport

206. An important objective of the CS is to reduce congestion and improve accessibility consistent with the aims of the strategic transport plan (JLTP3). Policy CS7 identifies a number of strategic transport projects which the Council, in conjunction with other agencies, intends to deliver during the plan period. These involve significant investments in bus, rail and rapid transit systems to improve accessibility across the urban area. Once implemented these schemes have the potential to provide the 'step change' in public transport provision which is being sought by the West of England authorities.
207. In conjunction with local, tailored improvements the initiatives provide the basis for transport services to support the new neighbourhoods in the North Fringe and, in due course, development at Emersons Green. This would ensure compliance with one of the priorities in the Sustainable Community Strategy [EB43 & EB43/1] to manage future development in a positive way.
208. Local groups were generally supportive of proposed infrastructure improvements but felt they needed to be closely linked to construction programmes to encourage incoming residents to use new transport systems rather than adding to congestion levels. In this respect, doubts were expressed as to whether the delivery and effectiveness of the transport improvements had been fully assessed, most notably in the North Fringe, given that the scale of development could exacerbate existing problems.
209. The Council commissioned a series of studies to examine the likely effects of CS proposals on the transport network [RD39 – 44/1]. In brief these suggest new services are capable of supporting a switch from private to public transport although they are unlikely to prevent some additional, if limited, traffic on the road network in the North Fringe. While development of Filton Airfield will add to journeys originating in the North Fringe, its proximity to the Henbury railway line adds to the case for the re-introduction of passenger services on this route.
210. Improving the balance between homes and jobs in the North Fringe means that travel distances may decrease over time particularly with the introduction of cycling and pedestrian routes to support trips to local destinations. At the same time, the increased catchment population is more likely to be capable of providing the patronage needed to sustain higher frequency bus and rail services.
211. The Highways Agency accepts the Council's strategy is likely to have less impact on the Strategic Road Network during weekday peak periods than other options. Even so it is inevitable that parts of the strategic network will be affected by the scale of development in the North Fringe with additional traffic likely to have an adverse effect on some motorway junctions including those which could be affected by any future expansion of the Mall/Cribbs Causeway. The Council recognises that mitigation measures and phasing of development will be needed to tackle these issues and accepts that steps to address deficiencies may be needed once a pattern of usage is established. This is acknowledged in changes to the supporting text of policy CS7 as set out in **MM9**.

212. The Council's objective to increase travel options is developed further in policy CS8 which outlines a number of principles against which new schemes can be assessed. Encouraging rather than requiring measures to reduce greenhouse gases and travel demand would more closely reflect the stance taken in the NPPF (paragraph 30) while the provision of alternative modes of travel maintains consistency with the strategic goals of the Joint Local Transport Plan [EB46]. The latter focuses on improved accessibility to support economic growth and reduce carbon emissions in order to contribute towards a better environment.
213. Part of the policy is also concerned with parking provision where a review is being carried out on residential parking standards. The implications of this in terms of policy will be brought forward in a supplementary planning document. I endorse the changes which are proposed to policy CS8 and its supporting text to cover these points (**MM11**).

Green Infrastructure

214. Areas forming the basis of a Green Infrastructure (GI) network have been identified and include a variety of open spaces and environmental features. The role of these areas in helping to offset the effects of climate change is no less important than encouraging people to enjoy the landscape, appreciate wildlife and heritage assets. Policy CS2 sets out a number of objectives for developing and maximising the way in which the GI network can be utilised.
215. The Council explained its objectives would not affect all areas shown in its Strategic Green Infrastructure Network diagram (Figure 1), a matter which had been of concern to a number of respondents. I see no reason to acknowledge this point because the purpose of the policy is to provide the strategic context for more direction in supplementary guidance³⁶. Similarly, I regard the idea of prioritising GI facilities, which was suggested by some, to be impractical and a matter of detail which can be addressed through the PSPDPD, a Supplementary Planning Document (SPD) or the development management process.
216. To reflect the approach advocated in the NPPF the Council has proposed some limited changes to the policy as a suggested main modification (**MM4**). It also intends to include a reference to Commons in Zone 6 of its illustrated diagram (Fig 1) in response to a concern that Charlton Common was not identified. This is not a matter which undermines the soundness of the Plan because it is neither necessary nor feasible to include each and every asset in a strategic policy (or illustrative diagram) particularly when commons are identified as a generic GI asset in Appendix 3 of the CS.
217. Policy CS24 anticipates provision of GI will be incorporated into new development, including employment areas. It is logical and sensible to ensure new facilities are provided or existing ones improved where further development is contemplated although there were concerns this imposed yet more burdens on developers. Viability considerations are addressed elsewhere in the Plan, including modifications to be made through **MM8**. In view of the well-established principle of avoiding undue repetition in plan documents, I agree with the Council that it is not necessary to refer to

³⁶ Green Infrastructure Strategy Supplementary Planning Document (SPD)

viability in all instances where it may be a factor.

Implementation and Monitoring

218. Chapter 19 outlines how each policy will be used and the lead agencies likely to be involved with implementation. Table 5 links objectives to policies and sets out measures for judging their effectiveness. A number of indicators could be criticised for being somewhat imprecise but they provide an adequate basis for assessing policy provisions and ultimately the value of the Plan.
219. Further detail on infrastructure requirements can be found in the IDP [EB22/1] while information on the new neighbourhoods is contained in the New Neighbourhoods Delivery Statement [EB39] and update [EB41/2]. The tables in the IDP set out the key elements involved in infrastructure delivery, including anticipated costs, phasing and funding sources. The document provides background evidence on known issues and problems and the likely means and actions necessary to address deficiencies. Given this context I consider the monitoring section of the Plan provides an adequate overview of implementation and monitoring arrangements which will, inevitably, be subject to change over the course of the plan period.

Other Matters

220. The principle of sustainability forms a central theme running through the NPPF and is given particular significance by the Government. The Council has responded positively to suggest an additional policy is inserted into the CS making it clear that proposals which accord with sustainability principles will be approved wherever possible. In view of the importance attached to this issue I consider it should be treated as a main modification **(MM6)**.

Conclusion

221. My overall conclusion is that the Plan provides a sensible strategy for the sustainable development of South Gloucestershire and is sound subject to the recommended modifications being made. Rejecting the Plan would increase the risk of delay and detract from efforts to improve housing delivery which has been recognised by those involved in the development process as crucial if needs are to be met. A finding of unsoundness would make it more likely that sites in less favourable locations would come forward through the appeal system and weaken the development framework provided by the CS. I have, however, identified areas where further work needs to be carried out to ensure the Plan remains on course by reviewing key areas and taking advantage of new information to consolidate longer-term strategic objectives.

Assessment of Legal Compliance

222. My examination of the compliance of the Plan with the legal requirements is summarised in the table below. I conclude that the Plan meets them all.

LEGAL REQUIREMENTS	
Local Development Scheme (LDS)	The South Gloucestershire Core Strategy is identified within the latest update of the LDS April 2012 which sets out an expected adoption date before December 2014. The Core Strategy's content and timing are compliant with the LDS.
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in May 2008 and consultation has been compliant with the requirements therein, including the consultation on the post-submission proposed 'main modification' changes (MM)
Sustainability Appraisal (SA)	SA has been carried out and is adequate.
Habitats Regulations Assessment (HRA)	The Habitats Regulations HRA has been carried out and is adequate.
National Policy	The Core Strategy complies with national policy except where indicated and modifications are recommended.
Sustainable Community Strategy (SCS)	Satisfactory regard has been paid to the SCS.
2004 Act (as amended) and 2012 Regulations.	The Core Strategy complies with the Act and the Regulations.

Overall Conclusion and Recommendation

223. The South Gloucestershire Core Strategy has a number of deficiencies in relation to soundness and/or legal compliance for the reasons set out above which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explored in the main issues set out above.

224. The Council has requested that I recommend main modifications to make the Plan sound and/or legally compliant and capable of adoption. I conclude that with the recommended main modifications set out in the Appendices the South Gloucestershire Core Strategy satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

P R Crysell

INSPECTOR

This report is accompanied by appendices containing the Main Modifications