

North Somerset Council

Report to the Placemaking, Economy and Planning Policy and Scrutiny Panel

Date of Meeting: 31 July 2023

Subject of Report: North Somerset Local Plan: progress update

Town or Parish: All

Officer/Member Presenting: Michael Reep, Planning Policy Manager

Key Decision: Yes

Reason:

This is a key decision as the local plan will have implications for all communities within North Somerset.

Recommendations

To consider the proposed approach and make any recommendations in relation to the emerging content and issues to assist in the preparation of the Pre-submission document.

1. Summary of Report

- 1.1 The Council is preparing a new local plan to cover a 15 year period 2024-2039. Plan preparation commenced in 2020 with two initial stages of consultation and a Preferred Options document in March 2022. The next stage is the approval of the Pre-submission document which is the plan which, following consideration of the response to consultation and any updated evidence, is the version which it is intended to submit for examination.
- 1.2 It is intended that the proposed Pre-submission plan will be considered by Executive Committee in October 2023 with a view to undertaking consultation by the end of the year and submission for examination in Spring 2024.
- 1.3 At the end of 2022 the government launched a consultation on proposed reforms to the planning system which potentially had very significant implications for the local plan in relation to the calculation of the housing requirement and how constraints such as Green Belt are taken into account. The response to the government consultation is not now expected until September at the earliest.
- 1.4 It is recommended that the Pre-submission document retains the same spatial strategy, but the housing requirement is proposed to be based on a locally derived target rather than the government's standard method. This may provide some opportunity to review the proposed allocations set out in the Preferred Options draft plan and the appropriateness of using Green Belt. The updated draft plan will also take account of new data relating to flood risk as a result of future sea level rise.

2. Policy

- 2.1 The local plan sets out the overall approach to the sustainable development of the area balancing community, economic and environmental objectives. It will support and implement a wide range of corporate objectives such as in relation to climate change, net zero energy, affordable housing, environmental protection and job creation.

3. Details

- 3.1 Local Plan preparation commenced in March 2020 with two initial stages of consultation; 'Challenges for the Future' which addressed the issues facing North Somerset and the strategic priorities and 'Choices for the Future' which considered alternative approaches to the broad distribution of growth. The response to these two consultations led directly to the confirmation of the plan's strategic objectives and spatial strategy which were confirmed at Executive in April 2021 and provided the framework for the preparation of the draft plan.

- 3.2 The plan's spatial strategy was agreed as:

'Priority will be given to locating new residential and mixed-use development in or close to urban areas where there is an existing or proposed wide range of facilities, services and jobs, and there are opportunities to encourage active travel, particularly at locations which are currently, or have the potential to be, well served by public transport. Employment opportunities will be encouraged at accessible locations well-related to the urban areas and where sustainable transport opportunities can be maximised. Residential development in areas at risk of flooding will be minimised outside the towns. The amount of development at villages and in the countryside will relate to local community needs.'

- 3.3 Potential development opportunities were assessed against the plan's objectives and overall spatial strategy and a proposed set of sites and policies set out in the Preferred Options draft plan which was consulted upon in Spring 2022. The response to this was summarised in a Consultation Statement August 2022.

- 3.4 Executive Committee considered the response on 7 September 2022 and resolved that:

'...Officers proceed to develop a revised Local Plan that recognises the constrained nature of North Somerset and identifies an appropriate scale and location of development to offer greater protection to the Green Belt and other sensitive sites, and seek legal advice including advice on implications for the Local Plan timetable and anticipated national reforms, further evidence gathering, potentially including further consultation, in order to prepare the strongest possible pre-submission draft plan.'

The plan was also referred to Scrutiny for all-Member feedback. The then Place Policy and Scrutiny Panel considered the approach on 7 October 2022 to which all members were invited.

- 3.5 In December 2022, the government commenced consultation on proposed reforms to national planning policy set out in the Levelling Up and Regeneration Bill and changes to the National Planning Policy Framework. This has significant implications for North Somerset particularly in relation to the scale of the housing requirement and the approach to take to Green Belt and other constraints. A

decision was taken not to proceed to the Pre-submission plan at that stage pending clarification of the implications. Although the outcome was initially expected in 'spring' 2023, it is not now anticipated until September at the earliest.

- 3.6 The next stage of the plan making process is the consideration of the Pre-submission document at Executive which is currently timetabled for October. This is the version of the plan which, having considered all the evidence and taken account of representations received and other considerations, is the plan which the Council intends to submit for examination. Once agreed by the Executive, the plan will be subject to consultation at the end of the year with submission for examination anticipated in April 2024 and final adoption at the end of 2024.
- 3.7 The approach to the distribution of development in Preferred Options in accordance with the spatial strategy was broadly supported by the consultation response to that stage of the plan and will be taken forward into the Pre-submission version, but there are a number of areas which will be reviewed. These are identified as follows.

Plan period

- 3.8 Local plans are expected to cover a minimum of 15 years from adoption. As the expected adoption date is now a year later than originally anticipated it is necessary to amend the plan period from 2023-2038 to 2024-2039. The principal consequence of rolling forward the plan period is that the identified housing supply will reduce as there are currently insufficient new permissions coming forward to replace completions on sites such as at Weston Villages.

Housing requirement

- 3.9 The Preferred Options identified a potential capacity of 18,046 dwellings over a 15 year period although the current minimum housing requirement set out in the standard method currently stands at 20,205 dwellings. The draft plan invited views on how the shortfall should be made up. Since then, the proposed planning reforms sought to make it easier for local planning authorities to work on the basis of a locally identified requirement. The Council has engaged consultants to assess what is the appropriate housing requirement for North Somerset and it is expected that the Pre-submission plan will be based on a locally derived target. Even so, the need to accommodate the district's housing needs in a sustainable way will remain a very difficult challenge.

Green Belt

- 3.10 The government continues to attach great importance to Green Belts which should only be altered in exceptional circumstances. The proposed planning reforms indicated that the intention was to ensure that local planning authorities are not compelled to use Green Belt to meet housing targets. The use of Green Belt locations is sequentially the final step when identifying potential capacity. However, it should be recognised that there will continue to be development pressure in the Green Belt in terms of meeting the needs of Bristol which has insufficient capacity to meet its own housing requirement.
- 3.11 As the Preferred Options consultation draft was seeking to accommodate a higher housing requirement, at that stage it was considered that Green Belt sites would need to be tested. However, in the context of a reduced dwelling target and government indications that in the future local authorities would not be compelled to use Green Belt land to meet housing need, there is an opportunity to review the appropriateness of using Green Belt locations.

Flood risk

- 3.12 Local plans should apply a sequential risk based approach to the location of development, steer development to areas with the lowest risk of flooding from any source and consider how proposed development may be affected by flood risk in the future. The approach in the local plan is to avoid development in areas at higher risk of flooding outside the towns as this would not constitute sustainable development. The existing allocations in the Preferred Options and other sites have been reviewed in relation to updated information on sea level rise to 2138 as a result of climate change and also in relation to flood risk from other sources. This includes the risk of reservoir breaches. This will result in some sites being deleted or capacities adjusted.

Climate change

- 3.13 The policies in the Preferred Options are being reviewed on the basis of new information and best practice guidance to ensure that they are as effective as possible. A net zero operational (in use) energy construction standard, incorporating renewable energy is required for all new developments. Embodied/whole lifecycle carbon accounting is required for larger scale developments.

Employment and economic development

- 3.14 The employment evidence base is being reviewed and updated on a West of England basis to establish forecast economic needs post-pandemic in terms of both the amount of land and floorspace required and the priority sectors.
- 3.15 The spatial strategy also guides the distribution of employment land across North Somerset. Sufficient sites will be provided to meet the forecast employment land requirements and to provide a range of opportunities for business and employment creation. Development management policies enable existing businesses to adapt and expand in situ and support delivery of the Council's Economic Plan. The approach to major employers, including the port and airport, will also be addressed.

Development management policies

- 3.16 The Preferred Options draft plan contained policies grouped into strategic, locational and development management policies. These are being reviewed in the light of representations received and new evidence. As part of the proposed planning reforms the government is intending to introduce National Development Management Policies. The government has indicated that this will be the subject of a future consultation, but details have yet to be announced.

Settlement boundaries

- 3.17 The new plan proposes to amend the existing approach to residential development adjacent to settlements where subject to criteria, developments of certain scales were acceptable in principle. The approach as proposed in the draft plan was to restrict new residential development to within settlement boundaries. This has involved a review of settlement boundaries taking account of representations received. The revised boundaries also bring some existing major employers such as at Yatton and Sandford within the settlement boundaries thereby providing greater flexibility with any future development proposals.

Affordable housing

- 3.18 The Preferred Options proposed that the plan should seek 40% affordable housing from developments of 10+ dwellings. Initial viability work has indicated that this is not likely to be viable and the recommendation is that the plan continues with the current approach to seek 30%.

Housing sites

3.19 The housing sites proposed in the Preferred Options draft plan are being reviewed to delete those which have either now been developed or are not now expected to come forward. This exercise will also take account of the new flood risk evidence and the approach to Green Belt locations given the government's announcements in relation to proposed changes to the NPPF. The four Green Belt allocations proposed in the Preferred Options draft plan were:

- Yanley (Woodspring golf course) – 2,500 dwellings.
- Clevedon Road, Portishead – 80 dwellings.
- East of Backwell – 500 dwellings.
- North of Colliter's Way (inside South Bristol Link) – 215 dwellings.

Nailsea/Backwell

3.20 Nailsea/Backwell was identified as a growth location in the Preferred Options, subject to the delivery of strategic highway mitigations, namely the crossing of the railway either to the west or east of the train station. A new rail crossing has significant delivery challenges and if not resolved, would significantly limit the scale of growth possible in the area. East of Backwell is a proposed allocation which could help facilitate a potential new road crossing of the railway. Without this justification it may not be appropriate to retain this allocation which is in the Green Belt.

Infrastructure

3.21 It is essential to ensure that sufficient infrastructure is provided in a timely way to support new development, including cumulative impacts. The local plan is supported by a Infrastructure Delivery Plan which will be reviewed in the light of the Pre-submission document to identify the infrastructure required and how it will be delivered.

3.22 Work is ongoing to revise the Preferred Options with a view to presenting a Pre-submission document to Executive in October for approval. At this stage this version of the plan is expected to be based on a lower housing requirement, and with less reliance on Green Belt sites and taking account of climate change forecasts in respect of flood risk.

4. Consultation

4.1 Public consultation is an integral part of plan making and there have already been three substantive consultation periods to date. The Pre-submission plan is the version of the plan which the Council intends to submit for examination. This will be consulted upon for six weeks and the responses received submitted to the Inspector to consider as part of the examination process.

4.2 The local planning authority has a duty to co-operate with neighbouring authorities and other bodies on strategic cross-boundary matters. This requires on-going and effective joint working to discuss issues such as Bristol's difficulty in accommodating its housing needs.

5. Financial Implications

5.1 Local plan preparation is funded from existing budgets.

Costs

The estimated cost of preparing the Local Plan, including the supporting evidence, is anticipated to be around £400,000 over 5 years. It should be noted that the Council must also pay the costs of the examination process including the Inspector.

Funding

The plan is progressed using existing budgets and reserves.

6. Legal Powers and Implications

6.1 The Local Plan is being progressed under the Town and Country Planning Act 1990 (as amended) and related Regulations. There is a requirement for all local planning authorities to have an adopted local plan in place.

7. Climate Change and Environmental Implications

7.1 The new local plan will play an important role in defining and delivering the Council's response to the climate emergency. It will set out the approach to climate change and environmental issues in terms of, for example, the location and form of development, renewable energy, minimising car use, encouraging green infrastructure and biodiversity, avoiding sensitive areas such as areas at flood risk and minimising waste.

8. Risk Management

8.1 The absence of an up-to-date development plan incurs risks related to the uncertainty of future investment decisions and speculative development proposals potentially leading to increased planning appeals and less sustainable development solutions.

9. Equality Implications

9.1 An Equalities Impact Assessment is prepared at each stage of the plan.

10. Corporate Implications

10.1 The new Local Plan 2039 will help support the delivery of the Corporate Plan vision and objectives and has significant implications for a wide range of Council services in terms of, for example, the future location of population, jobs and infrastructure.

11. Options Considered

11.1 The Local Plan preparation process requires various strategic development and policy options to be considered as set out in the background papers. Not preparing a Local Plan will expose the Council to significant risks from speculative development, increased planning appeals and other potential interventions.

11.2 There are a number of options which have been considered in relation to the new local plan.

- Timing: One option would be to pause the local plan until there was more certainty around the government's planning reforms. However, it is also important to make progress to secure an up-to-date planning framework at the earliest possible opportunity. Once any changes are confirmed then the plan can be reviewed at that point.
- Housing requirement: The plan could be prepared on the basis of the standard method, but that would be extremely difficult to deliver in terms of identifying

sufficient capacity without including locations such as sites affected by flood risk, located in the Green Belt or more dispersed development at villages.

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Appendices:

None.

Background Papers:

Challenges for the future consultation document:

[North Somerset Local Plan 2038 challenges and choices part 1 \(n-somerset.gov.uk\)](https://www.n-somerset.gov.uk/nslp2038-challenges-and-choices-part-1)

Challenges for the future consultation statement:

[Local Plan 2038 Consultation Statement October 2020 \(n-somerset.gov.uk\)](https://www.n-somerset.gov.uk/local-plan-2038-consultation-statement-october-2020)

Choices for the future consultation document:

[North Somerset Local Plan 2038, Challenges and Choices Part 2 - Choices for the Future \(n-somerset.gov.uk\)](https://www.n-somerset.gov.uk/nslp2038-choices-and-consultation-part-2)

Choices for the future consultation statement:

[Microsoft Word - Choices Consultation Statement - Feb 2021 \(n-somerset.gov.uk\)](https://www.n-somerset.gov.uk/microsoft-word-choices-consultation-statement-feb-2021)

Preferred Options consultation document:

[North Somerset Local Plan 2038, Consultation draft, Preferred Option \(n-somerset.gov.uk\)](https://www.n-somerset.gov.uk/nslp2038-consultation-draft-preferred-option)

Preferred Options Consultation Statement:

[Preferred options consultation statement - main report august 2022 \(n-somerset.gov.uk\)](https://www.n-somerset.gov.uk/preferred-options-consultation-statement-main-report-august-2022)

Place Panel meeting 7 October 2022:

[NSC Numbering \(n-somerset.gov.uk\)](https://www.n-somerset.gov.uk/nsc-numbering)