

**North Somerset Council
North Somerset Core Strategy**

**Examination into the soundness of North Somerset consequential changes to
Policies CS6, CS14, CS19, CS28, CS30, CS31, CS32 and CS33**

Response to Inspector's letter of 24 February 2016

14 March 2016

Introduction

1. The High Court Judgment of February 2013 identified that only Core Strategy Policy CS13 (scale of new housing) was found to be unlawful. This policy has now been re-examined and adopted by virtue of the Secretary of State's letter of 18 September 2015.
2. The High Court Judgment also remitted eight other policies. These were not found to be unlawful per se, but were remitted on the grounds that any increase in the housing requirement may result in consequential changes for one or more of these policies.
3. On 20 October 2015 the Council agreed the proposed changes to the other remitted policies considered to be necessary to deliver the housing requirement of 20,985 dwellings 2006-2026. These were consulted upon between 6 November and 18 December 2015. The Council's view, as set out in the statement accompanying the consultation, is that minimal amendments are required to the remaining remitted policies.
4. This note sets out the Council's response to the issues arising from the consultation process identified in the Inspector's letter of 24 February 2016. Existing examination document reference numbers are included where appropriate; all new documents referred to are available on the website and will be added to the examination library.
5. Given the current pressures resulting from the delay in the Core Strategy position, North Somerset is progressing the detailed Site Allocations Plan in parallel. Public consultation on the consultation draft is taking place between 10 March and 28 April 2016. This document sets out the Council's proposed housing sites to address the shortfall against the new housing requirement, consistent with the proposed Core Strategy approach. At the same time, mindful of the need to restore the five year supply position, the Council has resolved to grant planning permissions for sites identified as draft allocations.

Issues

Whether the unchanged terms of the remitted policies – in effect the unchanged spatial strategy – is fit for purpose to deliver the revised housing numbers, or whether it would present such constraints that the plan would fail to deliver the number of homes now proposed.

6. The spatial strategy is based on well-established sustainability principles; focussing most growth at the principal settlement of Weston-super-Mare, then the three towns, the service villages, infill villages and countryside locations. The North Somerset spatial hierarchy prioritises growth at the most sustainable settlement categories and has been tested through Sustainability Appraisal undertaken at regular stages through the plan making process. It is the Council's view that the overall spatial strategy is consistent with government guidance and remains fit for purpose.
7. The Core Strategy spatial strategy is not a straightjacket. It contains enough flexibility to deliver sustainable development at different scales of development. The originally adopted Core Strategy sought to deliver a minimum of 14,000 dwellings over the plan period, although it was recognised that significantly more growth was likely to come forward. For example, even before the High Court Judgment, the 2013 Sites and Policies Plan Consultation Draft prepared in the light of the originally adopted Core Strategy anticipated just over 18,000 dwellings. The 2016 Site Allocations Plan Consultation Draft anticipates 21,114 dwellings 2006-2026 within the same spatial strategy.
8. The North Somerset spatial strategy is not determined by capacity constraints. The 2014 HELAA (MD/11) identified a potential capacity of 28,355 dwellings which could be delivered in accordance with the existing spatial strategy (and without using Green Belt). The CS13 Inspector's Report concluded that the potential supply of land for housing was more than sufficient to deliver the new housing requirement of 20,985 dwellings (paragraph 72).
9. The 2016 Site Allocations Plan Consultation Draft provides the detailed evidence for how the higher level Core Strategy spatial strategy is proposed to be interpreted in practice. Core Strategy Policies CS31 and CS32 provide for new allocations to be brought forward through detailed development plans and this is what is happening. Sites are proposed to be allocated outside existing settlement boundaries at Nailsea, Yatton, Congresbury and Churchill, as well as on the edge of Weston-super-Mare. There is no need to adjust the wording of the remitted policies as allocations are properly taking place through a planned process. The Site Allocations Plan will be subject to examination to ensure that delivery of the housing requirement is sound.
10. Some respondents to the consultation advocate making policies such as CS32 Service Villages more relaxed so that more growth can take place outside the plan-making process. This is not supported by the Council as, post-Site Allocations Plan adoption, this could lead to unplanned growth taking place in relatively less sustainable locations. The Site Allocations Plan already has the tools to deliver the new housing requirement.

11. In conclusion, the Council's view is that the conventional NPPF-compliant spatial strategy remains fit for purpose when considering the delivery of the new housing requirement. The Core Strategy provides a pragmatic and flexible approach which can, and is, being taken forward through the Site Allocations Plan. The granting of planning applications in parallel to this is further evidence that this approach is working. Given that the identified housing shortfall is relatively small, the amount of potential alternative sites identified by the HELAA, and the need for plan review by the end of 2018, there is no evidence that the existing spatial strategy would prevent or constrain delivery of the 20,985 dwellings.
12. There is no clear consensus from the development industry as to what an alternative spatial strategy might be, given the context imposed by the remitted policies process. The responses received were in the main related to the delivery of specific sites and how the relevant policies should be relaxed to ensure that they came forward rather than any comprehensive assessment of the spatial strategy. The Council's general response to points made in respect of the individual remitted policies is contained in the next section.

If the remitted policies can be shown to cause uncertainty over the ability to deliver the revised housing target, whether reasonable alternatives to those policies ought to be investigated.

13. It is the Council's position that the revised housing target can be delivered, and that there is sufficient flexibility to provide the reassurance that the plan can respond to changing circumstances (particularly taking into account the requirement for early review). The Council's broad position in relation to each of the remitted policies is set out below.

Policy CS28: Weston-super-Mare

14. The Core Strategy identifies Weston-super-Mare as the focus for the majority of new residential development over the plan period, including the strategic allocation at Weston Villages. One of the Council's key objectives is to generate a step change in the amount of housing coming forward within the town centre on brownfield sites.
15. Policy CS28 simply sets out that Weston will be the primary focus for development over the plan period, and that growth will be focussed at two key locations; the town centre and gateway, and at Weston Villages. There was comment from respondents on the proportion of growth allocated to Weston (see paragraphs 31-34), and the implications of the extant employment-led approach (paragraphs 35-40) but no reasonable alternatives to the policy proposed. The fact that Weston will be the principal location for development within North Somerset over the plan period will not change. At April 2015 there were 3,130 completions and 5,412 permissions, without taking account of anticipated capacity from other sources.

16. Weston town centre regeneration is a key Council objective and in March 2015 the Council published its Prospectus for Change document. Work is progressing with delivery partners on a range of brownfield sites, with a Weston Town Centre SPD to guide development proposals intended to be published for consultation in summer 2016. This workstream is providing the detailed evidence relating to the delivery on a range of key brownfield sites within the plan period. The Site Allocations Plan Consultation Draft anticipates 6,374 dwellings coming forward within the Weston urban area 2006-2026.
17. The Council is not aware of any reasonable alternative to the approach set out in CS28 given the context provided by the remitted policies.

Policy CS30: Weston Villages

18. Policy CS30 provided the context for the Weston Villages SPD masterplan framework (2012). This in turn guided the preparation of the detailed masterplans and planning applications. Development commenced on site in 2011 (prior to original adoption and the subsequent legal challenge). This is the only strategic location within North Somerset and is anticipated to deliver 6,500 dwellings over the plan period, in line with the agreed trajectory (as set out in the April 2015 Housing Land Supply position statement). This demonstrates that delivery will accelerate towards the end of the plan period in step with infrastructure delivery.
19. The Site Allocations Plan Consultation Draft anticipates 6,500 dwellings at Weston Villages, over the 2006 to 2026 period. This is evidenced by the Joint Delivery Review Board (comprising the developers and local authority) which has agreed the delivery trajectory. This agreed trajectory takes account of all the development issues including infrastructure delivery, development contributions, employment-led approach, construction and marketing.
20. Policy CS30 set the context for the masterplanning and detailed delivery of the strategic allocation which is currently under development. There is no evidence that the approach is constraining delivery and no change is required.

Policy CS31: Clevedon, Nailsea and Portishead

21. Clevedon, Nailsea and Portishead are sequentially the next most sustainable locations for growth, although they all have different opportunities and constraints. At a Core Strategy level, although Portishead has experienced significant recent growth, additional allocations outside the settlement boundary would require Green Belt adjustment. Clevedon is largely constrained by Green Belt to the north, motorway to the east and flood zones 3a/3b to the south. Nailsea has Green Belt to the north and east, but has some potential to the west, and this, as referenced in CS31, is identified in the Site Allocations Plan Consultation Draft.
22. The quantum of development over the plan period envisaged at the three towns has been reassessed through the detailed Site Allocations Plan, and is considered to be deliverable.

Policy CS32: Service Villages

23. The service villages are identified in the Core Strategy, with detailed allocations, where appropriate, to be brought forward through detailed development plans. The Site Allocations Plan Consultation Draft indicates additional allocations at service villages, and the Council has resolved to grant consent in parallel with the plan-making process for a significant number of dwellings specifically to boost housing supply.
24. It is recognised that in order to re-establish the five year supply, a higher than might otherwise have been anticipated proportion of the new housing based on sustainability principles will need to be delivered at service villages on deliverable greenfield sites. As well as the proposed new allocations, there is considerable development pressure at service villages to bring forward additional or alternative sites. The evidence is that there is sufficient capacity and flexibility existing at the existing designated service villages.
25. Some respondents argue that the service village category should be revisited to either include smaller, less sustainable settlements, or to create a hierarchy of service villages. The Council's position is that it is unnecessary to revisit the schedule of villages which comprise the service village category. The Council has re-appraised the sustainability of settlements as part of the evidence supporting the Site Allocations Plan Consultation Draft (The Sustainability Assessment of Rural Settlements 2016). This concludes that the existing service village designations remain fit for purpose.

Policy CS33: Infill villages, smaller settlements and countryside.

26. The Council has sought to steer new development in rural areas required to address five year supply to the relatively more sustainable service villages. In sequential terms, infill villages and countryside locations will remain less sustainable locations. This is confirmed by the Sustainability Appraisal. There is enough capacity at higher order locations as demonstrated by the HELAA and current development proposals to deliver the anticipated shortfall without needing to use smaller villages or countryside locations.

Policy CS6: Green Belt

27. The CS13 Inspector concluded that there was sufficient potential capacity and flexibility to deliver the new housing requirement without using Green Belt. The Council do not therefore consider that the very special circumstances exist to warrant a review of the Green Belt and no detailed North Somerset Green Belt review has been undertaken as part of the Core Strategy process. The Site Allocations Plan Consultation Draft, and other sites identified in the HELAA (many of which are being actively promoted by developers), demonstrate that the current housing requirement can be delivered in sustainable locations without the need for Green Belt land.
28. The Core Strategy housing requirement will be reviewed by the end of 2018. This is being undertaken through joint working on the West of England Joint Spatial Plan. The Joint Spatial Plan is the appropriate forum to assess the Green Belt comprehensively across the wider Bristol sub-region. A partial North Somerset Green Belt review at this stage could prejudice the wider joint working process. Even if a North Somerset Green Belt study was undertaken, it is

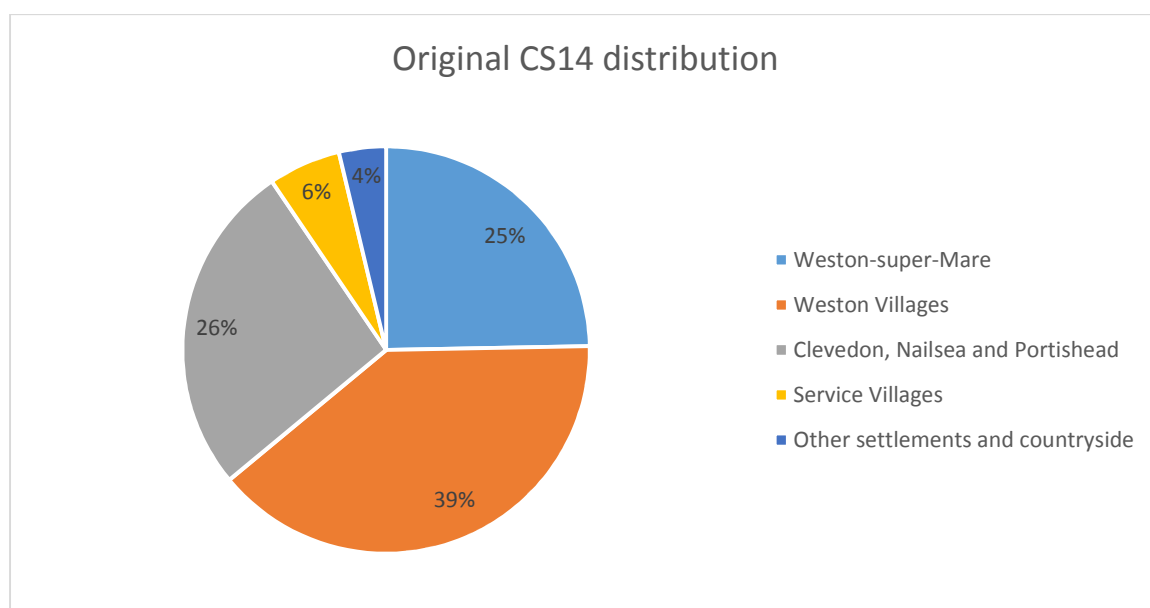
unlikely that this would lead to housing delivery in advance of plan review in 2018.

Policy CS19: Strategic Gaps

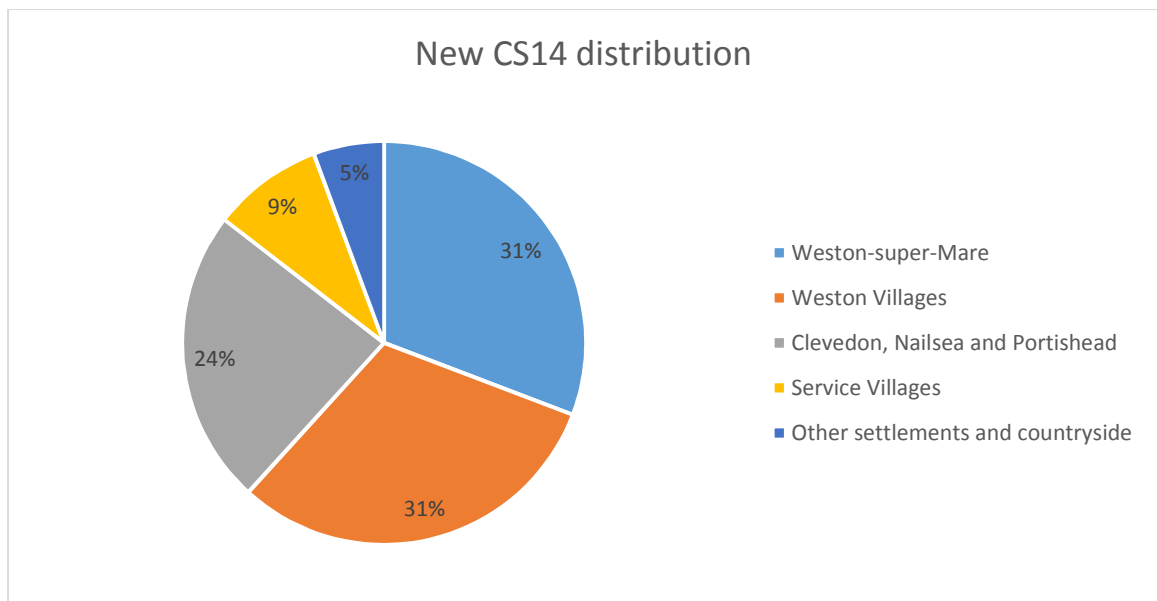
29. The text of Core Strategy Policy CS19 states that ‘the council will protect strategic gaps to help retain the separate identity, character and/or landscape setting of settlements and distinct parts of settlements’. Although possible locations for investigation are set out in the supporting text, their designation is a task for the Site Allocations Plan, not the Core Strategy.
30. The 2014 HELAA and Site Allocations Plan Consultation Draft demonstrate that sufficient sites can be identified to meet the housing requirement without the need to use land forming part of the proposed strategic gaps.

Queries over the substantial variations between the proportion of the additional homes allocated to the different settlements.

31. The Core Strategy sets out the anticipated proportion of housing coming forward in the various settlement categories across the plan period. Normally this would be an estimate based on the best information available. However, given that the Core Strategy plan period is already at its mid-point, a substantial amount of completions have taken place, the key strategic site already has planning permission and there is a detailed Site Allocations Plan in preparation, the proportion of housing likely to take place at different settlements can be estimated with much more confidence.
32. In 2012 the proportions as set out in the originally adopted Core Strategy were as shown in the following chart.



33. The anticipated (2016) proportions are currently as shown in the chart below, and are not significantly different from those previously proposed.



34. The task of the Core Strategy is to provide a broad indication of the anticipated spatial location of growth over the plan period. This can only be indicative, as delivery over a 20 year period will need to respond to different opportunities and changing circumstances. There is now proportionately more growth anticipated at Weston-super-Mare largely as a result of an increased focus on town centre regeneration and detailed masterplanning at Weston Villages which has seen the overall capacity increase. There is also proportionately more at service villages which largely reflects the need to respond to five year supply issues. However, at the Core Strategy level, none of these changes is significant and the overall distribution is remarkably similar.

Compatibility with non-remitted employment policies

35. Extant Policy CS20 provides the overarching policy in respect of the employment-led strategy at Weston-super-Mare including the specific requirement that housing proposals in the town of 10 or more dwellings should provide for 1.5 jobs per home over the plan period. It also sets out the overall district jobs requirement expressed as a minimum. The policy objective is to improve relative self-containment over the plan period.
36. The Inspector's Report in respect of Policy CS13 concluded that the housing requirement of about 21,000 dwellings draws an acceptable balance with the employment-led aspirations. 'It provides sufficient housing to meet more than the top of the 'robust' range of housing identified in the Edge Analytics study but is not so high that the employment-led strategy is abandoned. The requirement is, therefore, compatible with the adopted part of the Core Strategy' (paragraph 76). Had the housing requirement not been broadly consistent with the extant employment policies, then the plan would not have been found sound.
37. The Council has developed a pragmatic and flexible approach to the implementation of the employment-led approach through the Employment-led

Delivery at Weston-super-Mare SPD adopted in 2015. The SPD provides clarity as to when contributions are appropriate and what form they should take. It identifies how the policy is applied in respect of different scales of development and at different locations. Where the employment-led approach is appropriate, guidance is provided on the various delivery options ranging from on-site provision to financial contributions, and how this will be assessed and measured. In some cases this may mean financial contributions are more appropriate in lieu of actual employment provision when it is unsuitable and or not practical to achieve on-site. In addition, not all of the residential schemes that will come forward in Weston will trigger the employment-led requirement to deliver actual employment development as many will be less than 10 dwellings. It is recognised that viability will be a key factor to take into account and also that flexibility is important, such as when dealing with town centre opportunities. The North Somerset approach to employment-led is therefore much more sophisticated than a requirement to provide 1.5 jobs/dwelling.

38. At Weston Villages, the Joint Position Statement (ED/25) identified a phased trajectory to deliver the employment-led approach. This recognised that during the early years of the new development that a reduced target of 0.9 jobs/home would be appropriate, increasing towards the end of the plan period. This again demonstrates the Council's willingness to negotiate a practical and deliverable approach.
39. Some of the representations suggest that the increase in housing at Weston-super-Mare is going to lead to delivery problems as a consequence of the employment-led approach. The Council has now had several years experience of implementing the employment-led approach and at both Weston Villages and elsewhere in the urban area residential and employment development has been, and is being, successfully delivered. Overall, self-containment is improving in line with Core Strategy objectives as demonstrated by the fact that in 2015 ONS confirmed that Weston merited its own Travel To Work Area based on the 2011 Census (Weston had previously been part of the Bristol TTWA). Plan review in 2018 will provide an opportunity to reassess the overall approach.
40. In conclusion, the previous Inspector did not find that the increased dwelling provision at Weston-super-Mare was incompatible with extant Policy CS20, and the practical application of the policy includes sufficient flexibility to provide the reassurance that additional housing sites can be successfully delivered within the plan period.

Whether the Council's calculation of the number remaining to be allocated (1,715) is soundly based.

41. The plan period runs from 2006 to 2026 and adopted policy CS13 sets the housing requirement as 20,985 dwellings for this period. The base date for the housing supply calculation is the April 2015 annual update. The figures presented therefore do not take into account the 2016 Site Allocations Plan

Consultation Draft or recent planning permissions. These will be taken into account in the April 2016 statement.

42. Between 1 April 2006 and 31 March 2015 there were 7,426 dwelling completions across the district, as set out below. This leaves a residual requirement of 13,559 dwellings to deliver over the remaining 11 years.

Year	Net dwelling completions
2006/07	1,132
2007/08	1,474
2008/09	935
2009/10	772
2010/11	637
2011/12	515
2012/13	527
2013/14	760
2014/15	674
Total to date	7,426

43. At April 2015, in addition to the 7,426 dwellings already completed, the Council identified further capacity as follows:

- 6,558 units with planning consent.
- 1,472 capacity on existing allocated sites.
- 2,026 proposed allocations in the Sites & Policies Plan Feb 2013 Consultation Draft.
- 589 units on other sites identified with no significant constraints.
- 1,200 units expected as windfall completions during the rest of the plan period.

This equates to a further 11,844 units.

44. Each of these categories are presented in detail in the Council's April 2015 housing land supply paper, along with full listings of each individual site. A summary of each category of supply (in the context of the plan period as a whole rather than the immediate next five years) is provided below.

(i) Sites with planning consent

This category includes all sites with an extant planning permission or resolution to approve subject to a legal agreement, regardless of the size of the site. Some of the units within this category are already under construction, and deliverability of each of the large sites is assessed on an annual basis by contacting developers/landowners in line with the NPPG advice.

(ii) Extant allocations

372 dwellings capacity remains on sites that were allocated in the North Somerset Replacement Local Plan (2007). These 372 units are across 9 sites that are still considered deliverable on the basis of engagement with the landowners and developers. 5 of the sites are within Weston-super-Mare, 2 at the other towns and 2 at villages. A further 1,100 units remain allocated by the Core Strategy as part of the Weston Villages development. These are included within the trajectory for the development, are expected to be completed by the end of the plan period, and are already the subject of early masterplanning.

(iii) Proposed allocations

The Council prepared and consulted upon a draft Sites and Policies DPD in 2013. All of the proposed allocations within this plan have been re-assessed as part of the 2016 Site Allocations Plan Consultation Draft (which supersedes the original consultation draft) to ensure that they remain suitable for development and are still deliverable within the timeframe of the plan. Thirteen sites are within this category. 2 of the proposed sites already have planning applications under consideration, and 4 more are at various stages within the pre-application process. The Council are currently engaging with landowners on 3 more. As stated in the NPPG at paragraph 30, planning permission or allocation status is not a prerequisite for a site being deliverable.

(iv) Other sites with no significant constraints

The Council undertook a public call for sites exercise early in 2014 and carried out desktop analysis to actively identify additional sites that may be suitable for residential development (in line with the NPPG advice). Full results of this exercise were published in the Council's 2014 HELAA. 11 sites from this process that were not already allocated are considered as being consistent with the spatial strategy, with a realistic prospect of delivery in the short term and have no significant constraints. These 11 sites will yield 589 units, all of which are now proposed to be allocated in the Site Allocations Plan Consultation Draft. 2 of the sites have recently been granted consent, and a further 4 have current planning applications under consideration. All but one of these sites are on brownfield land.

(v) Windfall

The NPPF allows local planning authorities to include an allowance for windfall sites in their five year supply if there is compelling evidence that such sites consistently become available in the local area and are expected to continue to form a reliable source of supply.

Windfall developments across the district have made a significant contribution to housing delivery in previous years and this is expected to continue. The table below sets out the windfall completion figures on small sites (those with a net capacity of up to 9 dwellings) over the plan period so far within North Somerset.

	Clevedon	Nailsea	Other	Portishead	Weston	TOTAL
2014/15	8	9	56	8	72	153
2013/14	22	5	60	16	34	137
2012/13	20	16	46	8	25	115
2011/12	19	4	49	4	46	122
2010/11	9	2	44	3	54	112
2009/10	19	6	39	8	96	168
2008/09	-3	9	48	23	126	203
2007/08	52	9	58	10	163	292
2006/07	20	11	72	28	118	249
TOTAL	166	71	472	108	734	1,551

The 1,551 windfall completions on small sites between 2006 and 2015 have been delivered despite challenging economic circumstances and a fairly restrictive approach to development in the rural areas. This equates to 172 pa. Windfall rates did dip following the recession, but are starting to recover. There is nothing in the evidence to suggest that small site windfalls won't continue to come forward at a similar rate over the remainder of the plan period.

The NPPF also states that the calculated windfall allowance should not include development on residential gardens. According to previous research by the Department for Communities and Local Government, Ordnance Survey data indicates that within North Somerset 17% of the new build residential completions that took place were on land that was previously in use as a residential garden.

A small site windfall allowance of 143 dwellings per annum is therefore assumed for each remaining year of the plan period (calculated as the plan period average of 172 per annum, less 17% garden land). This would equate to 1,573 units over the period 2015-2026. Currently there is 373 units capacity on small sites with planning consent. To avoid potential double counting it is prudent to deduct this quantum from the total potential, leaving a windfall figure of 1,200 units for the remainder of the plan period.

45. Dwelling completions (7,426) and commitments (11,844) total 19,270 units. This leaves 1,715 dwellings to identify. The Site Allocations Plan Consultation Draft proposes to allocate sufficient sites to deliver this quantum.
46. A full breakdown of the proposed distribution of the residual requirement is set out below. All figures have a base date of 1 April 2015, although since then the Council has progressed the Site Allocations Plan, which is now out for consultation, and granted consents to support delivery.

	Completions 2006-2015	Permissions as at 1 April 2015	Allocations (Replacement Local Plan & Core Strategy)	Proposed allocations (Sites and Policies Plan Consultation Draft, Feb 2013)	Other identified sites (with no significant constraints)	Windfall allowance (based on past rates)	Total capacity identified	Residual to deliver
Weston Urban Area	2,758	634	304	1,300	186	627	5,809	650
Weston Villages	372	4,778	1,100	0	0	0	6,250	250
Clevedon	288	160	10	0	70	134	662	350
Nailsea	123	85	0	464	44	51	767	
Portishead	2,746	222	20	0	145	64	3,197	
Service Villages	675	297	24	261	0	139	1,396	465
Infill Villages and Countryside	464	382	14	0	144	185	1,189	0
TOTAL	7,426	6,558	1,472	2,025	589	1,200	19,270	1,715

Five year land supply

Methodology

47. As well as ensuring sufficient sites are allocated to deliver the plan period total by 2026, the Council is committed to meeting the NPPF requirement to identify (and update annually) a supply of specific deliverable sites sufficient to provide five years worth of housing against the adopted housing requirement.
48. There are two recognised methods for calculating a five year land supply requirement, known as 'Liverpool' and 'Sedgefield'. The Liverpool method calculates the requirement by taking the plan period target, less completions, and splits the residual evenly across the remaining years of the plan period. The Sedgefield method splits the overall target into an annualised rate, assesses delivery each year against the annual requirement and allows for any shortfall accumulated to be accounted for within the next five years.

49. The Council position is that it is appropriate to use the Liverpool methodology. In North Somerset the housing target has increased dramatically mid way through the plan period and the plan making process needs time to respond and catch up with the substantial uplift in the requirement. Significant progress has been made in this regard, with the Site Allocations Plan Consultation Draft identifying additional sites to ensure that the plan period target overall is met and a five year supply is maintained throughout. The Inspector's Report into Policy CS13 states that the Inspector was satisfied for the issue of the appropriate methodology to use to be dealt with at this later stage of the examination (paragraph 60).
50. Furthermore, a significant proportion of the dwellings that are already planned for are in the form of a strategic urban extension to Weston-super-Mare, known as the Weston Villages. Weston Villages is now proposed to deliver 6,500 dwellings in total over the plan period, and completions are already taking place on site. Due to different land ownerships, separate consents and legal agreements for individual phases, long lead in times on this type of strategic site, and infrastructure requirements, the peak in build rates is not expected until 2020. A managed, phased trajectory for this development is reviewed at regular stages in conjunction with the landowners and developers. The latest iteration of the trajectory was agreed at the Joint Delivery Review Board in October 2015.
51. Measurement of delivery against a trajectory is more meaningful. In North Somerset, a detailed trajectory in relation to the revised CS13 taking account of the other remitted policies and the Site Allocations Plan Consultation Draft will be prepared as part of the annual update in 2016. The Weston Villages strategic development is the primary component of housing delivery, and this indicates that completions on the key strategic site (and therefore for the district as a whole) will build up during the plan period, rather than remaining constant.
52. The West of England Core Strategy housing requirements are subject to early review in the light of the new Bristol SHMA (2015). The South Gloucestershire Core Strategy was adopted in December 2013 with a Liverpool approach to dealing with past undersupply. Bath and NE Somerset was adopted in July 2014 with a hybrid approach which reflected the specific circumstances of that authority. Bristol Core Strategy was adopted in June 2011 but is silent on the approach to dealing with undersupply.
53. The delay and uncertainty experienced over the housing target, the retrofitting of a new requirement into an adopted plan, the consequential delays to progressing the detailed site allocation process, the constraints to programmed delivery at the Weston Villages strategic allocation, the need to consider early review of the housing requirement through the emerging Joint Spatial Plan, and the need for consistency with other West of England Core Strategies all contribute to a case that a pragmatic approach is to employ a Liverpool methodology.
54. The Council requests that the Inspector considers the question of the appropriate methodology to use for dealing with the shortfall in his report.

Buffer

55. As the Core Strategy was not adopted until April 2012, during the first five years of the plan period (2006-2011) the Council was seeking to deliver the North Somerset Replacement Local Plan (2007) target of 14,900 dwellings for the period 1996-2011, equivalent to 993 units per annum. These targets were met. During the Structure Plan period as a whole (1996-2011) North Somerset delivered 14,848 dwellings (99.7% of the requirement) and between 2006 and 2011 a total of 4,950 dwellings were delivered. The then adopted Core Strategy target of 700 dwellings per annum was also exceeded during this period.
56. The Inspector's Report into Policy CS13 concluded that between 2006 and 2011 the Council had been meeting housing targets set by other adopted plans and that there was no clear evidence that these targets should have been higher or lower. 'In the circumstances I cannot conclude that a substantial backlog had built up during the 2006-2011 period' (paragraph 61).
57. NPPF requires a 5% buffer or 20% where there is a record of persistent under delivery. The NPPG states that 'the assessment of local delivery is likely to be more robust if a longer term view is taken, since this is likely to take account of the peaks and troughs of the housing market cycle' (ID 3-035). North Somerset does not have a record of persistent under delivery. The Joint Replacement Structure Plan (1996-2011) required delivery of 14,900 dwellings (993 pa). 14,848 were delivered overall. The Council was also over-performing against the adopted Core Strategy requirement of 700 dwellings pa. From 1996-2013 (when CS13 was found to be unlawful) targets were being met against adopted development plan targets.
58. Whilst it is acknowledged that a shortfall has arisen between 2011 and 2015 when completions are analysed against now known requirements, this does not constitute persistent under delivery as the requirement figure is being applied retrospectively. In the time period in question the Council was planning for a lower quantum of housing and had identified sufficient sites to deliver in excess of the then target. A 5% buffer is therefore appropriate.
59. The Council requests that the appropriate buffer to use is addressed in the Inspector's report.

Update on the five year supply position

60. The Council continues to make progress on bringing residential sites forward. The plan making process is continuing alongside granting permissions on suitable sites. The Site Allocations Plan Consultation Draft identifies sufficient new sites as proposed allocations to address the housing requirement target. The Council is also committed to ensuring a robust supply of readily available site, to maintain a five year land supply.
61. At April 2015 the Council could demonstrate 5.13 years (when using the Liverpool methodology and a 5% buffer). Since then, further progress has been made (568 units across 5 greenfield sites have recently been granted consent subject to legal agreements at service villages) which boosts the current land

supply position. In addition to those sites recently consented, the Site Allocations Plan identifies in excess of 1,000 dwellings capacity on new sites that have not previously been allocated. A full annual update will be prepared in due course, as per the NPPG advice, with an April 2016 base date.

Whether an SA is required.

62. The Sustainability Appraisal (SA) process in relation to the North Somerset Core Strategy is summarised in the following table.

Stage	SA work	Examination reference	Date	Content
Issues and Options	SA Scoping Report	SD/07c-SD/07p	September 2007	Set out SA framework for North Somerset DPDs
Publication	SA Main Report	SD/07-SD/07b	February 2011	Appraised all CS policies
Proposed Changes and Modifications	SA Supplementary Statement	ED/38	February 2012	Appraised the Proposed Changes (July 2011, revised November 2011), Main Modifications (January 2012) and Additional Modifications (January 2012)
Re-examination of CS13	SA Supplementary Report on CS13	RED/09-RED/09b, RED/17	January 2014	Appraised revised Policy CS13, taking account of earlier work but including additional housing number options

63. The remaining remitted policies (CS6, CS14, CS19, CS28, CS30-CS33) were included in the original 2011 SA. No change is proposed to policies CS6, CS19, CS32 or CS33. The only changes that have been made to the other policies (CS14, CS28, CS30 and CS31) since their original adoption in 2012 are consequential changes arising from the Secretary of State's approval of the revised Policy CS13 in September 2015. These vary the housing distribution figures that were in the policies originally examined, to accommodate the 50% increase in the housing requirement figure. Because they do not amount to a changed strategy, it is not considered that a further iteration of the SA process would result in a different outcome. In particular, no new 'reasonable alternatives' have been identified, i.e. other strategic options that could make a significant difference at this stage to the emerging distribution of housing growth over the plan period.

64. Earlier stages of work have identified the limitations of SA when appraising a strategic plan such as the Core Strategy, which is principally concerned with reflecting a sustainable settlement hierarchy that directs an appropriate scale of growth to where facilities exist or can realistically be provided. Environmental effects are difficult to identify without site boundaries: it has to be assumed that subsequent site selection will avoid sites that are environmentally sensitive.
65. Much of the housing required is now committed and given the relatively small size of the shortfall to be accommodated in relation to the overall housing requirement (1,715 dwellings or 8%), this could be delivered in whole or in part through site allocations. The Site Allocations Plan Consultation Draft (March 2016) identifies sites that contribute to meeting the requirement and has itself been subject to an SA that has appraised these individual sites.
66. Five years have elapsed since the original SA and new national policies are now in place, including the NPPF. However, the Core Strategy was prepared and appraised on the basis of the draft NPPF. It is not considered that changes to the policy context or the baseline information for the SA are significant enough to require any change to the SA framework of objectives and indicators. Therefore no further iteration of the SA process is required on account of such a change.
67. The Inspector's Report in respect of Policy CS13 (March 2015) concluded that the SA work undertaken was sound (paragraphs 27-30). It would therefore follow that at the Core Strategy level, when considering the remaining remitted policies, an approach which seeks to deliver the CS13 requirement using the same spatial strategy would not require additional SA.
68. The Inspector was mindful when considering Policy CS13 that the overall plan needed to have a realistic prospect of being found sound. He was careful in his Report to emphasise that if he had found CS13 unsound, then the Council would have had a clear signal that the whole strategy would require re-assessment. In paragraph 22 he acknowledges that while the subsequent examination could conclude that there is no sustainable option for the delivery of the new housing requirement, and that Policy CS13 might have to be revisited, 'this seems to be an unlikely prospect'. He concluded that he had seen no evidence to suggest that CS13 could not be delivered, although to do so may involve the Council in some difficult decisions.
69. The legal requirement is to assess each proposal in a local plan and this has been done.

Conclusion

70. The Council needs the certainty and clarity of an up-to-date, fully adopted plan. This will enable the detailed Site Allocations Plan to proceed to adoption, housing sites delivered through a plan-led system and progress to be made on implementing the Community Infrastructure Levy, and will provide the context for emerging Neighbourhood Plans.

71. The High Court Judgment created a lengthy period of enormous uncertainty and delay to the plan-making process. Policy CS13 has now been re-adopted and this examination needs to deal with any consequences for the other remaining remitted policies.
72. The Core Strategy is in effect time-limited in that there is a commitment to plan review by the end of 2018. Work is underway on the Joint Spatial Plan which will provide the planning context for the new North Somerset Local Plan 2018-2036.
73. Given the existing extant Core Strategy framework, the recent examination and adoption of CS13 and progress with the Site Allocations Plan, the Council is confident that the evidence exists to demonstrate that only minimal changes are required to the remaining remitted policies to ensure that the housing requirement can be delivered over the plan period at sustainable locations.