

This briefing note considers the implications of the Planning Inspectors recommendation that the Submitted West of England Joint Spatial Plan (JSP) be withdrawn from Examination due to concerns raised regarding the Plan's soundness.

The submitted plan covered four West of England Councils – Bath and North East Somerset, Bristol City, North Somerset, and South Gloucestershire. The JSP has now been recommended for withdrawal by 3 of the 4 Councils, and with Bristol City expected to also recommend its withdrawal soon.

Following a withdrawal of the JSP the West of England will need to progress with the preparation of a new Spatial Development Strategy (SDS). However, the SDS has not been progressed due to the JSP and so is in its early stages. Additionally, the SDS is to be prepared by the West of England Combined Authority, of which North Somerset Council is not a member.

Failure to adopt the JSP will have an impact on housing delivery relating to both the Five-Year Housing Land Supply (5YRHLS) and potentially over the plan period.

Any new plan or plans will need to be prepared in accordance with the 2019 NPPF and applications and appeals will also be determined against the extant policy.

### Five Year Housing Land Supply

In accordance with paragraph 60 of the NPPF, the minimum housing requirement for each district should be based on the LHN as calculated through the standard methodology.

For the purposes of plan making (but not decision making on appeals at the present time) where a plan covers more than one authority, it is up to the authorities themselves to distribute the requirement over the plan area as they see fit. This allowed the JSP housing requirement to be distributed between the participating West of England JSP authorities.

For individual decisions on development proposals the LHN for each individual authority applies until a plan is adopted with a different distribution.

The effects of this are demonstrated below. Here, it shows that the individual LHNs for South Gloucestershire and Bath and North East Somerset are now lower than that required of them by the JSP. Whereas Bristol City and North Somerset would have a higher requirement in their own Local Plans. What is still clear is that Bristol City will need to engage the Duty to Cooperate in order to meet its future needs.

LPA	JSP draft requirement (annual)	LHN (annual)	Difference (annually)
Bath and North East Somerset	725	642	-83
Bristol City	1,675	2,382	+707
North Somerset	1,250	1,369	+119
South Gloucestershire	1,625	1,390	-235

In the context of 5YRHLS position, this has to be judged against the individual authority's requirement, this is the LHN in all authorities aside from North Somerset which adopted its Local Plan within the last five years (although some policies have been found to be out of date). This is set out below using each Council's current published supply (and the 2019 HDT results). For reference, the calculation against the JSP requirement is also included.

LPA	Years Supply (JSP)	Years Supply (LHN)
Bath and North East Somerset	5.95 years	6.72 years
Bristol City	4.19 years	2.95 years
North Somerset	5.88 years	4.4 years**
South Gloucestershire	4.59 years	5.37 years

*Note: figures based on the Councils' published supply; further analysis required to assess whether this was Framework compliant*

*\*\*based on the adopted requirement figure (as less than 5 years old)*

This illustrates that on their latest published supply Bristol City and North Somerset do not have a five-year deliverable supply of housing. South Gloucestershire has a more marginal supply.

The supply figures used are those published by the LPAs. We would recommend that further testing be undertaken to determine if this published supply is 'deliverable' in terms of the 2019 Framework definition.

### North Somerset

North Somerset is the only authority that participated in the West of England JSP that has a Local Plan less than five years old. As such, their housing requirement (Policy CS13) published in their Core Strategy is used for 5YRHLS purposes and supply assessed against this figure.

However, this plan will be five years old in October 2020 and from this point their 5YRHLS will be assessed against their LHN. Despite the LHN showing a higher requirement, their position will be strengthened as the backlog is accounted for differently using the latest methodology.

	Requirement	Years Supply
Adopted Plan	1,049	4.4 years
LHN	1,369	5.37 years

*Note: This assessment uses the Council's current published supply and again further assessment would be required to determine if this supply was Framework compliant under the definition of 'deliverable'.*

### Plan Period Requirements

The LHN also set the minimum level to be accommodated across the West of England authorities for plan making and therefore may provide an indication to the scale of additional land release that maybe required to be accommodated in the SDS or any future plan.

Below compares the LHN against the Councils' proposed supply (including the now withdrawn JSP SDLs and other proposed sources of supply) for a minimum 15 year plan period. Clearly this supply may well evolve and have to undergo testing through each individual Local Plan. Significant elements may be open to challenge, but the JSP supply may represent at least the starting point for potential supply the Councils may rely upon in their upcoming plans.

Even if all sources of the JSP supply are found sound, there is still a shortfall of 11,272 in Bristol and 1,592 in North Somerset, and a total shortfall of 7,918 across the WoE.

LPA	LHN (2019-2034)	Total JSP Supply	Difference
Bath and North East Somerset	9,629	9,907	278
Bristol City	35,730	24,458	- 11,272
North Somerset	20,528	18,936	- 1,592
South Gloucestershire	20,847	25,515	4,668

### Implications

The implications for those promoting housing development is that it is worthwhile considering the potential land supply position in each of the West of England JSP authorities as any plan adoption could be some years away.

This means that the issue of the datedness of policies and the presumption in favour of sustainable development (either through the 5YRHLS or the Housing Delivery Test) maybe a significant consideration when promoting land for development.

Certainly, in the short-term Bristol City, due to their position on five year housing land supply, would appear to subject to the "tilted balance". It also shows South Gloucestershire are not in a strong position. However, these authorities are dependent upon the robustness of their monitoring and evidence gathering exercise to provide clear evidence of delivery.

In the longer term there is a deficit in supply across the WoE over the next 15 years. It is likely that Bristol and North Somerset will need to seek additional allocations or look to neighbours to meet their housing needs, and this will be influenced by the engagement of the Duty to Cooperate to meet Bristol City's needs.

DLP Planning Ltd and its Strategic Planning & Research Unit (SPRU) have extensive experience in assessing the five year supply position and objectively assessed housing need of local planning authorities, using the most up to date sources and modelling. Such assessments are often critical to the successful promotion of sites for residential development.

Aled Barcroft  
 Associate Director  
 Strategic Planning Research Unit  
 DLP Planning Ltd  
[Aled.Barcroft@dlpconsultants.co.uk](mailto:Aled.Barcroft@dlpconsultants.co.uk)  
 0117 905 8850