



Further Statement to West of England Joint Spatial Plan, Examination in Public

CPRE Avonside Response

Matter 1: Legal Compliance and Scope of the plan

Introduction and overview of previous submissions

1. In our previous submissions we have already argued, in summary, that the Joint Spatial Plan (JSP) is not legally compliant or sound because:
 - i. It does not provide strategic transport and other infrastructure in the right place or at the right time to support sustainable growth.
 - ii. It is not realistic about what can be achieved and when, in particular in respect of transport infrastructure.
 - iii. And therefore it fails to meet the requirement that it should be “effective”.
 - iv. As a consequence the plan is not in line with national planning policy and is therefore unsound.
2. More detailed arguments supporting these points are set out in our January 2018 response to consultation. Since making those arguments, and as the plan has evolved, a number of further issues have emerged that lead us to maintain even more strongly that the plan is unsound both in terms of scope and legal compliance.

Lack of adequate consideration of rural areas

3. First, the National Planning Policy Framework (NPPF) (2012) against which the JSP is being evaluated, is quite clear that a region wide plan such as this must give proper weight and attention to the rural areas involved. The NPPF says:

“Plans should take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic beauty of the countryside and supporting thriving rural communities within it.”

4. The NPPF goes on to say:

“Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development.

To promote a strong rural economy, local and neighbourhood plans should:

- support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings;*
- promote the development and diversification of agricultural and other land-based rural businesses;*
- support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres; and*
- promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.”*

5. CPRE’s view is that the JSP signally fails to meet this test in two ways:

- i. First, despite the acknowledgment in the overall goals and objectives of the importance and value of the rural areas to quality of life in both the major cities, the plan contains nothing to show how this invaluable attribute is to be maintained and enhanced.
- ii. Second, the plan contains nothing of significance about the future development of the rural economy, local food provision, or rural employment. In no way, therefore can it be said to have been “positively” prepared in these respects. It is therefore unsound.

6. Indeed on both aspects, the overall effect of the plan is likely to be negative, in that it will make access to and between the cities and their rural surroundings more difficult through increasing journey times and congestion, and the siting of Strategic Development locations and a significant amount of dispersed new housing out in the rural areas will further increase commuter traffic without adding anything in terms of improved local facilities, local employment or local infrastructure of all types.

Housing projections are unsound

7. We consider the plan also to be “unsound” in respect of the way in which it calculates the number of new houses required over the planning period. The

details on this point, and the basis on which we have reached our view, are set out more fully in our response to Matter 3a. However, in essence, we believe the housing projections proposed render the Joint Spatial Plan unsound for the following reasons:

- i. The Objectively Assessed Need is not based on up to date information as required by the NPPF para 158 and were these latest figures be used the level of household formation would drop from circa 88,000 to circa 83,000.
- ii. The variations to housing projections based on the OAN due to local conditions are not invariably founded on established sources of robust evidence as required by Planning Practice Guidance (PPG) 2a-017.
- iii. There are elements of double-counting, in particular relating to affordable housing.
- iv. No account seems to have been taken of a number of significant regional factors which indicate that a downward revision of the anticipated employment forecasts is needed.

Inadequate integration of transport infrastructure

8. Since we submitted our original comments, the position on the proper integration of transport infrastructure and the JSP has in many ways worsened. We will deal with this separately under Matters 4 and 6. However, an institutional problem has arisen that seriously undermines the ability to develop and evaluate a coherent approach to the provision of transport infrastructure and the JSP itself. The local authorities have developed an overall transport plan, most recently set out in their paper Joint Local Transport Plan 4 (JLTP4), which is not one of the papers identified as a core document for this Inquiry. That paper is put forward as being partly about “mitigating” the effects of the JSP and partly about tackling the long-standing and growing transportation problems of the region. However, in practice it is impossible and artificial to draw a distinction between the two.
9. Moreover, the separate JLTP4 plan openly concedes that there is a £6bn funding gap in terms of the transport measures proposed and their minimum cost. It is highly improbable that funding on this scale can be found. The Inquiry is not therefore in a position to make a sensible judgement about the realism, adequacy or effectiveness of the vital supporting transport measures. We submit that the confusing and confused separation of the two processes means that, by definition, it is not possible to confirm that the plan is “sound”.

Failure to meet the sustainability criteria of the NPPF

10. On the issues of legal compliance, we would also point out that there is now scope for legal confusion and contradiction because, while the JSP is being evaluated against the NPPF 2012, the Local Plans, which are key to implementing the JSP and

some of which are already in an advance stage of preparation, are evaluated against the NPPF 2018. This makes no sense in practical terms. In order to avoid possible difficulties in the years ahead the JSP needs to be assessed against NPPF 2018 even if this requires a technical resubmission of the plan, or a revised one, as must be likely.

11. This is particularly significant when it comes to the issues of climate change and local pollution. Both are now the subject of far greater concern and higher priority than was the case when the JSP was prepared.

12. NPPF 2012 specifically says, in its “core Planning Principles” section, that:

“Plans should support the transition to a low carbon future in a changing climate.....” and, “actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.”

13. Self-evidently, a plan that envisages (even if all the “mitigating” measures were to be implemented) increases in congestion and pollution, and locates development so as to increase car dependence and car commuting, cannot possibly be regarded as meeting the key sustainability criteria of the NPPF; i.e. the “presumption in favour of sustainable development”. The plan completely fails to provide convincing evidence that it will contribute to the reduction of climate change - in fact it appears that the impact on climate change will be increased. This is extraordinary given that some of the local authorities are already in grave difficulties in meeting various legal pollution standards even now, while others have declared “climate emergencies” whilst still subscribing to a JSP that can only, in reality, worsen the position.

14. We will address the details supporting this argument under Matters 4 and 6. However, the plan is clearly unsound because of its failure to meet the “sustainability” requirements.

Conclusion

15. In conclusion, CPRE wishes to reiterate its support for the broad objectives of the JSP and indeed for the principal of long-term planning on a regional basis spanning different local authorities. A Plan that achieved the JSP’s original goals would be a welcome and positive step forward. Sadly this one does not and should be ruled “unsound” for the multiple reasons summarised above.

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