

BRISTOL CORE STRATEGY EXAMINATION

INSPECTOR'S SUGGESTED CHANGES TO THE SCHEDULES OF POTENTIAL MINOR AND POTENTIAL SIGNIFICANT CHANGES PUBLISHED BY THE COUNCIL.

1. The context for this paper is set out in my note to the Council of 12 October 2010. It is an interim assessment. It does not mean that I have finally concluded that the Core Strategy can be made sound and it does not imply any preliminary conclusion on housing and related matters on which I am awaiting further comments from participants at the hearing on that issue. It will, however, enable the Council to progress some matters in the interim.

General advice on presentation of the Schedules.

2. The purpose of this note is to seek the Council's assistance in preparing schedules of changes which could be the subject of public consultation in due course and, subject to any amendments as a result, could be attached as annexes to my final report if I make the Core Strategy sound. I want the schedules to make clear what changes the Council has agreed to, or accepted as necessary, for soundness (significant changes) and those it wishes to introduce as appropriate for clarity and updating (minor changes).

3. Until published for formal consultation all the Schedules should be headed *Draft*. They should be described along the following lines:

Minor Changes proposed by the Council for clarity and updating;

Changes necessary for soundness proposed or accepted by the Council (ie significant changes);

There may need to be a third schedule (which would also be the subject of consultation):

Changes necessary for soundness imposed by the Inspector.

4. I have moved many changes from the Minor Schedule to the Significant Schedule. This is because they alter (or may be perceived to alter) the meaning/scope of a policy and/or how it might be applied. I have also mostly included as significant the consequential changes to the text where a policy is also changed. Where there may be some doubt as to the significance of a change, I have erred on moving minor changes to the Significant Schedule. The changes in the final significant schedule will be mentioned in my report as addressing matters of soundness, although individual changes may be bundled together when addressing essentially the same point. The Minor Changes will not be mentioned other than by a catch-all endorsement in the report as changes which assist clarity and necessary updating.

5. In making any revisions to the schedules, the Council should not show changes to previous changes, but simply show how the text of the Core Strategy is proposed to be changed. The schedule of Minor Changes does not need to include the minor changes published at submission and which (with one exception) I have previously accepted as now embedded in the

Core Strategy. My report will explain that the Core Strategy embedding those minor changes is my starting point and I will not attach a schedule of those particular changes. The original minor changes can still be separately identified in the composite track change version of the text, as this will help all parties understand how the text of the document is evolving. Nor does either schedule need to show changes to paragraph numbers etc. These can be sorted out later by the Council. Omitting these matters will help simplify and shorten the schedules.

6. As mentioned in my note of 12 October, I consider it necessary for the changes described in the schedules to the Area Diagrams and Key Diagrams to be implemented on new diagrams for any consultation, so that the position is clear. I could then eventually include such new diagrams as further annexes to my report, which greatly simplifies my specification of required changes. I would want to see these revised diagrams before any consultation was undertaken. Any other new or changed illustrative material should also be ready to accompany the schedules during any consultation eg the maps mentioned in the new Appendix E relating to coal (as previously provided in the Council's statements).

7. As also mentioned in my note of 12 October, the revised draft schedules to be provided should include the new wording on housing and related matters set out in the recent Position Paper, but I will need to review the appropriateness of these changes in due course. This updating needs to include the amendment to the vision mentioned in paragraph 4.8 of the Housing Position Paper. (I have not seen this change).

Minor changes to become significant changes.

(Based on Council's schedule dated 26 August (corrected 9 and 15 September 2010)

8. Please move the following to the Significant Schedule. I do not mind if the referencing of changes is altered as a result of these movements. It may be that some can be integrated with existing significant changes dealing with same matter.

M1.2

M3.1

M4.4.2

M4.4.3

M4.4.5

M4.7.2

M4.7.3

M4.7.4

M4.8.2

M4.8.3

M4.8.4

M4.9.1

M4.10.2

M4.10.3

M4.10.6

M4.12.3

M4.12.5

M4.14.2

M4.14.5

M4.16.3 (in new para 4.16.4B, reference should now be made to the Flood Risk Position Paper of September 2010 to reflect the latest revision).

M4.17.2 (see also below)

M4.17.3

M4.17.5

M4.18.1

M4.18.3

M4.19.1 (see also below)

M12.1 Appendix E Maps.

Possible additions/alterations to significant changes

9. I have suggested some small changes to the precise wording of the Council's changes either for general clarity or to reflect my preliminary conclusion on the matter. I have given a brief reason below when I have done this to assist the Council for the time being. Some suggestions below are directly consequential to other Council changes.

10. If the Council is able to accept these changes, they can be incorporated as an integral part of any existing change to that policy/text. They should not be shown differently to the other changes. My explanation should not be included in the revised schedules.

11. Please highlight to me any changes which the Council cannot agree to or accept. I will then decide whether these should be placed in a new schedule of *Changes necessary for soundness imposed by the Inspector*.

12. In relation to policy BCS15, I consider that the achievement of specific levels of the Code for Sustainable Homes ahead of changes to the Building Regulations is not justified. I therefore consider that the second part of policy BCS15 from *Development will be required...* should be deleted. These deletions are already set out in S4.15.1 and S4.15.2, but I am aware that the Council's starting point has been that BCS15 is sound. My preliminary view is that the new replacement wording suggested by the Council in S4.15.1 is acceptable, but I would want to make one change to the new text suggested in S4.15.3 (see below). On this basis,

could the Council clarify whether the deletions from the policy could remain in the schedule that will be headed: *Changes necessary for soundness proposed or accepted by the Council*. If not, I will put them in my own schedule and the Council should delete them from its revised schedule.

13 *Suggested changes a) – j)*

a) *Spatial Vision – A transformed South Bristol.*

Is the phrase, a *vibrant new heart* now consistent with the more modest possible ambition for a new centre focussed on Knowle West or should this be rephrased to relate to the new facilities underway at Hengrove Park? Please include suggested new/clearer wording in schedule of significant changes.

b) *Spatial vision - A growing city centre*

The phrase *To accommodate growth the city centre's boundaries will expand to take in St. Philip's north of the Feeder and the Newfoundland Street area* need sot also include the former diesel depot site consistent with S4.2.2.

c)

Paragraph 4.7.12 refers to uncertainty about whether the new centre in South Bristol will perform as a *Town or District Centre*. My conclusion, consistent I believe with Council's current thinking, is that if it proceeds it will be a *district* centre. Please include new/clearer wording in the schedule of significant changes.

d)

| | | |
|--------|------|---|
| S4.1.2 | BCS1 | A new centre, either on a new site or at an enhanced existing centre, may be appropriate to serve the <u>Knowle West area</u> in South Bristol, acting as a new focus for <u>in</u> the area and helping to improve provision of shops, services, employment and community facilities. |
|--------|------|---|

Reason:

For clarity and focus, reflecting the evidence and the Council's emerging intentions. Not intended to imply precise location of any new centre.

e)

Paragraph 4.11.3 refers to The West of England Infrastructure Study (Responding to Infrastructure Delivery and Planning Issues in the West of England). This was not formally published until after the submission of the Core Strategy, but preparation of this study informed the assessment of infrastructure needs and delivery to some degree. The Council's Infrastructure Delivery Programme (IDP), as revised and updated in June 2010 (CDE95), is the most up to date document on infrastructure and I consider that it is reasonably robust and comprehensive. For clarity and consistency the reference to the West of England Study should be deleted. The whole paragraph should be deleted and no substitute text is necessary. If replacement text is preferred by the Council it should refer

to the IDP June 2010. The reference to the IDP under *Policy Delivery* should also refer specifically to the June 2010 IDP.

f)

| | | |
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| M4.17.2 | BCS17 | <p>Affordable housing will be required in residential developments of 15 dwellings or more. The following percentage <u>targets</u>¹ will be sought: <u>through negotiation</u>:</p> <ul style="list-style-type: none"> • 40% in North West, Inner West and Inner East Bristol; • 30% in all other locations; <p><i>(Delete bullet as text below is a separate statement to the above.)</i></p> <p>In residential developments below 15 dwellings the scheme should provide an appropriate financial contribution towards the provision of affordable housing <u>may be sought (either as a financial contribution or as on site provision)</u>² <u>in accordance with any relevant policy in the Site Allocations and Development Management Development Plan Document.</u></p> |
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Reasons:

- 1) To emphasise that percentages are *targets* to aim for not requirements.
 - 2) Amended so as not to preclude as this stage on-site provision, given that this is seen as the norm in PPS3 - would leave nature of contribution to be determined in the next DPD.
- If agreed, all of the above would become part of the single significant change to the policy.

g)

Amended paragraph 4.17.8: The council will expect the affordable housing to be delivered without public subsidy and provided on site. Where the council's full affordable housing requirement target cannot be provided, the developer will need to demonstrate that, ~~due to exceptional circumstances,~~ the scheme will not be financially viable unless the council accepts a lower or different affordable housing contribution. In such cases the council will expect a full development appraisal to be submitted for independent validation.

Reason: To be consistent with the suggested change to the policy and the intended negotiated approach. With these changes, provision below the specified % where justified on viability grounds would not be contrary to policy. If agreed, include as a significant change.

h)

Amend paragraph 4.14.9: Where a new heating or cooling distribution network is proposed, it should be designed to be easily extendable ~~to consideration should be given to extending this~~ to serve neighbouring developments

Reason: Reasonableness in relation to the burden on any particular developer and to reflect what I understand to be the Council's actual intention. If agreed, include as a significant change.

i)

Indicators for policy BCS14.

Given the significance of district heating systems and distribution networks in this policy and for the climate change strategy as a whole, I consider that there should at least be indicators of whether this is being achieved for major residential development. This could simply be the number of new dwellings in major schemes which are served by each of the 6 possibilities listed in 4.14.8 (and to be inserted in the policy by change M4.14.2.) Is the Council able to suggest any targets? Could evolving targets be set in the AMR? If agreed, include as a significant change.

j)

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|---------|-----------------------|---|
| S4.15.3 | New paragraph 4.15.4A | 4.15.4A The assessment of major development against national sustainability methodologies will ensure that development engages thoroughly with issues of sustainable design and construction. Policy BCS15 does not set specific targets against these standards ahead of the national programme for zero carbon residential development by 2016; however, the score achieved in the assessment will serve to indicate how successfully development has addressed the relevant issues. For example, a residential scheme achieving less than Level 4 of the Code for Sustainable Homes or current good practice may be subject to further scrutiny as to its broader sustainability credentials. Assessments should be completed by a licensed assessor. The Code and BREEAM measure should be used unless they are replaced by any such national measure of sustainability which is approved by the local planning authority. |
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Reason: To avoid this standard being used as a de facto policy requirement, which would not be justified.

k)

Indicators for policy BCS16 are currently:

Number of planning permissions granted contrary to Environment Agency advice on flooding and water quality grounds (Core Output Indicator E1)
% of schemes including 10 or more homes granted planning permission within Flood Zone 3.

Given the importance of this policy I consider that there should be some target associated with these indicators (or with any amended indicators). On the basis of the Council's approach in revised policy BCS16 and the revised Position Paper could the target for each be *none*? If agreed, include as a significant change.

l)

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|--------------------|-------|---|
| C4.19.2 M4.19.1 | BCS19 | Add at the end of the policy <u>Needs beyond 2011 have not yet been assessed, but the above considerations will also apply for sites required or proposed to meet needs arising after 2011.</u> |
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Reason:

Change to recognize continuing needs will arise. Needs are not finite. Without this change the Core Strategy would not be providing any guidance for the future. If agreed, include as a significant change.

Suggested additional Minor Changes

14. Paragraph 4.20.3 - at the end of the first sentence could add for clarity and updating: *The Government revised PPS3 in June 2010 by removing the reference to a national minimum density of 30 dwellings per hectare. This does not change the importance of making efficient use of land in the City.*

15. Policy BCS20. Existing indicators are less than 30, 30-50 and over 50 dph. With the removal of the national minimum of 30 dph there would seem no need or purpose for this figure in the indicators. Given that policy BCS20 sets a minimum of 50 dph, with higher densities in certain locations, a range more closely related to the policy would seem appropriate and useful.

16. Policy Delivery for BCS22 can be updated as follows:

~~PPG15 'Planning and the Historic Environment', the emerging~~ PPS15 'Planning for the Historic Environment' and the accompanying 'Historic Environment Planning Practice Guide' contain national planning policies and practice towards the historic environment and heritage assets. These will inform decisions on specific proposals

17. I am sorry that this note is long and that some of the required work is rather tedious. However I finally proceed, these tasks should represent most of the work on structuring the schedules for any consultation. Please contact me via the Programme Officer if any clarification is needed. I look forward to seeking the draft revised schedules.

**Simon Emerson
Inspector
14 October 2010.**